Application for Resource (Land Use) Consent

26 Russell Street and 5A & 5B Stratford Terrace, Wanaka

Prepared for: Four Avenues

22 October 2026

Elrick & CO PLANNING & SURVEYING

Land Use Consent Application prepared for:

Four Avenues

26 Russell Street and 5A & 5B Stratford Terrace, Wanaka

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Form 9: Application for Resource Consent
Under Section 88 of the Resource Management Act 1991

TO: The Christchurch City Council

Four Avenues (**'the Applicant'**) formally applies for

1. The activity to which the application relates (the proposed activity) is as follows:

   a. Land use consent is sought to 16 residential units within Lots 1 & 2 DP 15214, being known as 26 Russell Street and 5A & 5B Stratford Terrace, Wanaka.

   b. Land use consent is sought to enable the use of the units for residential visitor accommodation 365 nights a year.

   c. Subdivision consent is sought for a 17 lot (12 residential lots and five access/carpark lots) fee simple subdivision.

   The proposed activities for which consent is sought will be undertaken in accordance with the details, information and plans that accompany and form part of the application, including the Assessment of Effects on the Environment ('AEE') attached.

2. The site at which the proposed activity is to occur is as follows:

   26 Russell Street, being Lot 1 DP 15214 held in Record of Title OT6D/983, and 5A & 5B Stratford Terrace, being Lot 2 DP 15214 held in Record of Titles OT9B/544 & OT9B/545. Refer to the Records of Title in Appendix 1.

   The natural and physical characteristics of the site and any adjacent uses that may be relevant to the consideration of the application is set out in further detail within the details, information and plans that accompany and form part of the application, including the attached AEE.

3. The full name and address of each owner of the site to which the application relates are as follows:

   Owners: D & K Trustee Services Limited, David Kettle, Kerry Vivienne Kettle

4. There are no other activities that are part of the proposal to which this application relates.

5. No additional consents are required at this time in relation to this proposal.

6. I attach an assessment of the proposed activity's effect on the environment that:

   a. includes the information required by clause 6 of Schedule 4 of the Resource Management Act 1991; and
   b. addresses the matters specified in clause 7 of Schedule 4 of the Resource Management Act 1991; and
   c. includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

7. I attach an assessment of the proposed activity against the matters set out in Part 2 of the Resource Management Act 1991.

8. I attach an assessment of the proposed activity against any relevant provisions of a document referred to in section 104(1) (b) of the Resource Management Act 1991, including the information required by clause 2(2) of Schedule 4 of that Act.

9. I attach an assessment of the proposed activity against the resource management matters set out in the relevant planning documents.

10. I attach all necessary further information required to be included in this application by the District Plan, the Regional Plan, the Resource Management Act 1991, or any regulations made under that Act.



Andy Christofferson
Principal Planner

DATED: 22 October 2026

(Signature of ~~Applicant or~~ person authorised to sign on behalf)

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Introduction

1. Land use resource consent is sought to construct 16 residential units within a single site, to use these for residential activity, and to undertake earthworks. Resource consent is required as a **non-complying activity** under the Proposed Queenstown Lakes District Plan.

2. Section 88 of the Resource Management Act 1991 ('the Act') sets out the particular requirements for persons making an application to a local authority for a resource consent. Section 88(2)(b) states that:

   'an application must be made in the prescribed form and manner; and include, in accordance with Schedule 4 of the Act, an assessment of environmental effects in such detail as corresponds with the scale and significance of the effects that the activity may have on the environment'.

3. The following assessment is made in accordance with these requirements.

The Existing Environment

4. The application site is located at 26 Russell Street and 5A & 5B Stratford Terrace, Wanaka, which is legally described as Lots 1 and 2 DP 15214. The site has a total surveyed area of 1,674m^2. The corresponding Record of Title is attached as **Appendix 1** and the site is identified in **Figure 1** below.

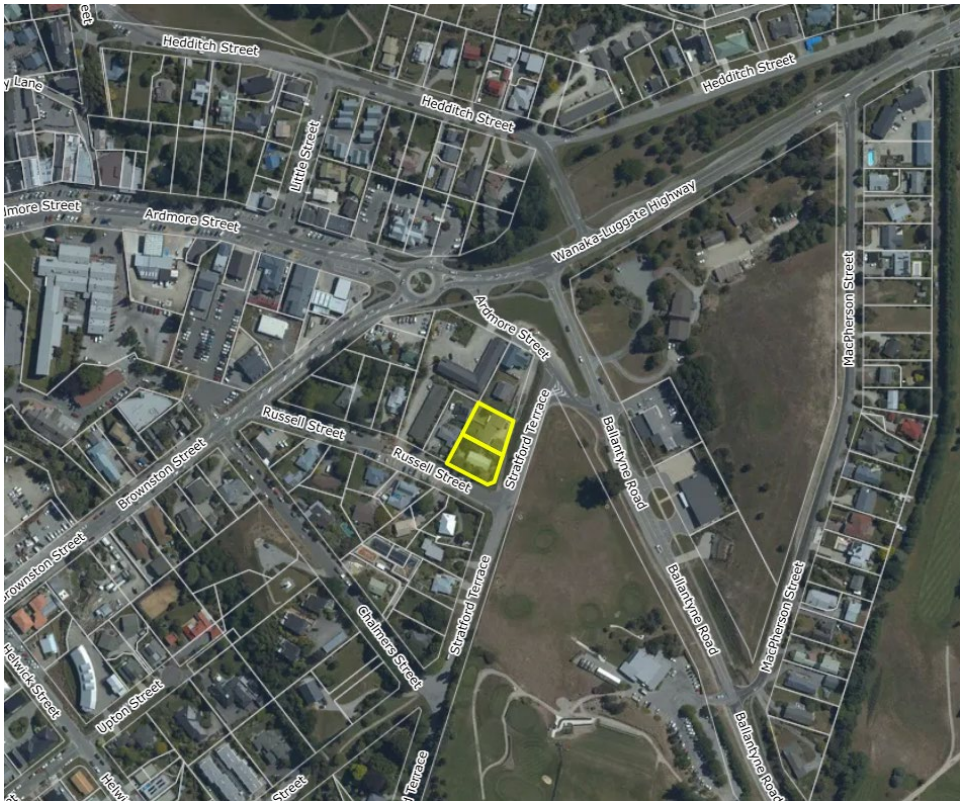


Figure 1. Application site (Source: GRIP)

5. The site is located on the corner of Russell Street and Stratford Terrace. It comprises of three residential units with vehicle access in the southwest corner of the site at 26 Russell Street and from the corner of Russell Street and Stratford Terrace for 5A & 5B Stratford Terrace.

6. The site has connections to Council's reticulated water and wastewater networks. Stormwater is disposed of to ground. There is a fire hydrant on Russell Street. Connections to the electricity and telecommunications networks are also available.

7. The site is zoned *Medium Density Residential* and is subject to *Wānaka Town Centre Transition*, *Wahi Tupuna Take Kārara - central Wānaka area, Threatened Environments Classification 2012* and *Urban Growth Boundary* overlays.

8. The site adjoins residential properties on the north and west internal boundaries, and by legal road on the south and east boundaries. The surrounding environment is comprised of a mix of activities. To the south and east, there is the Wānaka Golf Club, and to the west is the Wānaka Town Centre.

The Proposed Activity

9. Resource consent is sought to construct 16 residential units, undertake associated earthworks and a subsequent 17 lot (12 residential lots and five access/carpark lots) fee simple subdivision. It is also proposed to enable the use of the units for residential visitor accommodation for 365 nights a year.

10. Application plans are included as **Appendix 2** to the application.

Built Form & Site Layout

11. The proposed two storey residential units accommodated within three blocks. Units 1 – 4 and 8 will comprise of living, kitchen and dining, with an attached garage and storeroom at ground floor level, and four bedrooms and two bathrooms at first floor level. Unit 5 will comprise of living, kitchen and dining at ground level and two bedrooms and two bathrooms at first floor level. Units 6 and 7 will comprise of living, kitchen and dining at ground level and three bedrooms and two bathrooms at first floor level. Units 9 – 16 are studio units, with Units 9, 11, 13 and 15 located at first floor level.

12. Outdoor living will be provided in the form of decks on the ground floor and balconies for Units 9, 11, 13 and 15 on the first floor that face east.

13. Rubbish and recycling will be stored behind garaging for Untis 1 – 4 and 6 – 8. The remaining units will utilise a shared bin space to the north of Units 9 and 10. This area will provide for 140 litre bins with each pair of studios sharing bins.

14. A comprehensive Landscape Plan is provided in **Appendix 4**, which provides for 16.9% of the site as landscaped area (96.1% of which is tree and shrub area). A compliant 25.2% permeable area is proposed. The Landscape Plan also includes surface treatments, a planting palette and fencing detail.

Earthworks

15. The Site Earthworks Plan is included in the Servicing Report attached as **Appendix 5**. Earthworks are described by Engco as follows and will comprise 1,012m^3 of filling and 592m^3 of cut. Cut will be to a maximum depth of 1m. The earthworks volumes include excavation and fill for the building foundations.

    Earthworks are proposed to form the shared accessway (Lot 100) and building platforms to achieve the minimum floor levels described in Section 3.1. The earthworks are shown on Drawing C3.0. Fill depths of up to approximately 0.9 m are required across the central and eastern parts of the site (existing Lot 2), with cut of up to approximately 0.8 m at the Russell Street / Stratford Terrace corner. Retaining walls within the boundary are proposed along the Stratford Terrace frontage and the Russell Street / Stratford Terrace corner, with a maximum retained height of 1.0m. The proposed depths/volumes do not account for topsoil stripping or excavation to designed subgrade levels.

16. Erosion and sediment control measures are proposed as detailed in section 3.3 of the Engineering Report and Environmental Management Plan.

Servicing

17. A Servicing Report is provided by Engco in **Appendix 5.** This details the proposed servicing as follows:

    - *Stormwater from roofs and hardstand areas is to be collected and discharged to ground via an onsite soakage system designed to meet the requirements of the QLDC LDSCP noting there is limited or no capacity in the public network*
    - *Wastewater will be in the form of each unit connecting to the realigned public main with approval also sought to build over this.*
    - *The existing metered connection from Russell Street and the existing water meter at the north-eastern corner of the site are to be removed and capped. The existing metered connection from Stratford Terrace is to be replaced with a DN63 PE80 PN12.5 submain with a DN63 gate valve, supplying 16 Acuflo GM900 toby valves within the Stratford Terrace road reserve, one for each unit. This is consistent with QLDC's requirements on the adjoining development (RM250757). Each unit will have an individual 20 mm (ID) PE80 PN12.5 lateral.*
    - *Underground power and telecommunications services will be provided for the proposed development by connecting to the existing infrastructure in the area. Easements in gross over Lot 100 in favour of Aurora Energy Ltd and Chorus New Zealand Ltd are proposed on the scheme plan. Capacity and connection points to be confirmed with Aurora Energy and Chorus.*

18. Overall, Engco conclude that the required servicing in is feasible subject to confirmation of specific matters as detailed below:

    We consider that the proposed development is feasible, through the provision of stormwater, wastewater, water supply services, connection to the local power and telecommunications reticulation, and access in accordance with relevant standards, subject to confirmation of the following:

- *Confirmation of the 1% AEP TWL (estimated at 297.45–297.60 m NZVD2016) from QLDC model data, and the resulting minimum habitable FFL of 298.10 m NZVD2016*
- *Maintenance of the secondary flow path to 22 Russell Street, and demonstration that filling will not adversely affect neighbouring properties*
- *Detailing and QLDC acceptance of the public wastewater main realignment and downstream connection in Russell Street, including the crossing beneath the Unit 7 garage, confirmation of the existing main invert at the connection, and an easement in gross in favour of QLDC*
- *Site-specific soakage testing and groundwater levels, and final sizing of the soakage system*
- *Geotechnical investigation of liquefaction susceptibility to inform foundation design*
- *Earthworks volumes, and water supply and firefighting capacity*

Access and Car Parking

19. Access will be from a new vehicle crossing and pedestrian pathway from Russell Street, located centrally along the road boundary. A second pedestrian access will be provided from Stratford Terrace, via a new 1.5m wide pedestrian accessway. There are five at grade carparks proposed on site, with Units 1 – 4 and 6 – 8 having attached garages.

20. A Transport Assessment has been prepared by Novo Group and included as **Appendix 6** to this application, which provides further detail of the transport related aspects of the proposal and should be read in conjunction with this report.

Subdivision

21. After the completion of the construction, it is proposed to subdivide the site into 17 allotments, 12 of which will accommodate a unit and outdoor living areas (Lots 1 – 12), one will be a balance lot (Lot 100) which will contain the access and manoeuvring areas, and four (Lots 13 – 16) will be carpark lots. The balance lot (Lot 100) will be held in 12 undivided shares by the residential lots.

22. Access to each unit will be protected by pedestrian Rights of Way (RoW). The proposed Subdivision Scheme Plan is attached as part of **Appendix 7** to this application.

23. The proposed lot sizes and associated building coverage will be as follows

Table 1: Proposed Lots sizes

Lot	Site area (m^2)	Building coverage	Approximate permeable landscape coverage (excludes decking)
1	130 (net) 135 (gross)	54.62	24.74
2	106 (net)	67.45	12.40

	109 (gross)		
3	113 (net and gross)	62.88	11.96
4	120 (net) 128 (gross)	59.18	16.32
5	100 (net and gross)	41.37	28.5
6	106 (net) 108 (gross)	62.09	10.61
7	106 (net) 108 (gross)	62.09	10.61
8	121 (net) 131 (gross)	58.72	10.48
9	88 (net) 95 (gross)	52.03	15.47
10	73 (net and gross)	63.37	14.93
11	77 (net and gross)	60.07	19.35
12	109 (net and gross)	42.01	37.10
13 - 16	12 (carparks)	-	-
100	337 (access)	-	4.52

Residential Visitor Accommodation

24. It is proposed to enable the use of the units for residential visitor accommodation for up to 365 nights a year. The number of guests will be limited to 2 per bedroom for a total of 2 - 8 guests per unit.

25. The Residential Visitor Accommodation activities will be managed by a property management company to ensure that activities onsite are undertaken in accordance with any conditions of resource consent and a proposed Visitor Accommodation Management Plan (VAMP) is attached as **Appendix 8**.

Statutory Framework

National Policy Statement for Natural Hazards 2025

26. The National Policy Statement for Natural Hazards ('**NPS-NH**') came into effect on 15 January 2026 and seeks to avoid development in areas where natural hazard risk is assessed as being *very high* in the specified risk matrix.

27. The Hazard – Liquefaction GIS indicates that the application site has *nil to low* liquefaction vulnerability. Applying the NPS-NH risk matrix, it is considered that risk will not exceed *low.* Further, the application site is not subject to any provisions in the District Plan relating to liquefaction, therefore risk associated with this natural hazard is considered to be **acceptable**.

28. The QLDC Flood Hazard maps show that the site is generally safe for people, vehicles and building and any flood water depth will be approximately 0.4m or less across the site (**Figures 2** and **3**). The Engineering Report in Appendix ? detailed flooding in section 3.1 and should be read in conjunction with this report and floor levels of 298.10m NZVD2016 are adopted based on the Engineering Report. Secondary flow paths are also provided for in the design. Accordingly, when considering risk level under the risk matrix, it is considered that this will be *low* and adequately mitigated. This is further reinforced by the assessment provided by Engco in their Geotechnical Assessment, provided as **Appendix 10.**

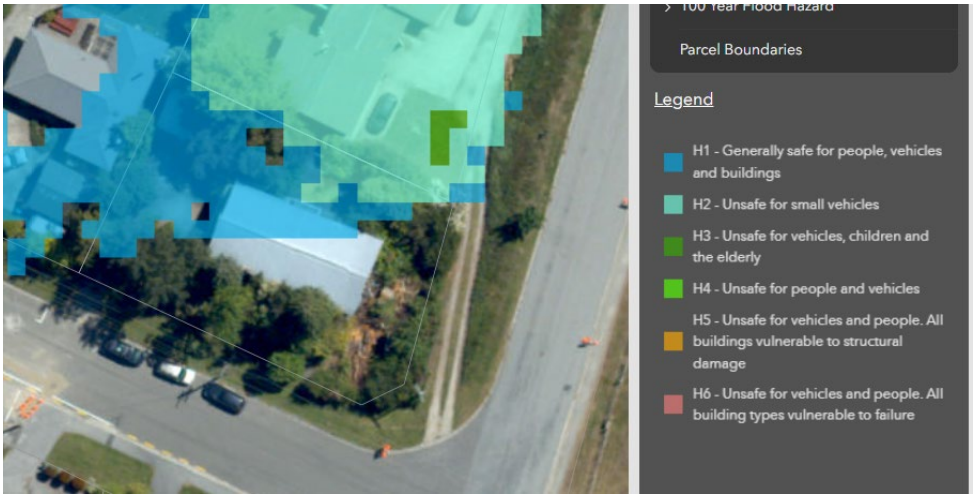


Figure 2. Potential flood hazard level

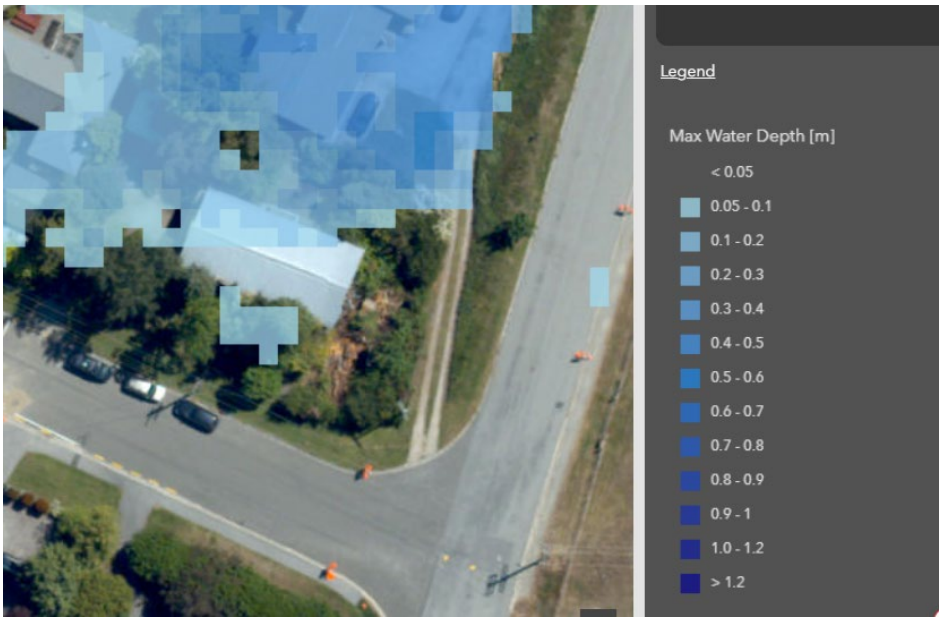


Figure 3. Modelled water depth

National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011 ('NESCS')

29. Based on a review of the SLUS held by Otago Regional Council (searched 16/09/26), there is no evidence of ground contamination or of activities described on the Hazardous Substances and Industries List (HAIL) occurring or having occurred on the site. Accordingly, the NESCS does not apply to the activity.

Queenstown Lakes District Plans

30. QLDC currently has an Operative District Plan (ODP) and Proposed District Plan (PDP). Council notified its decisions on Stage 1 of the PDP on 7 May 2018, decisions on Stage 2 of the PDP on 21 March 2019 and decisions on Stage 3 and 3B of the PDP on 1 April 2021. There are a number of appeals on these decisions. Where there are rules in the PDP that are treated as operative under s.86F of the RMA, corresponding rules in the ODP are treated as inoperative.

31. Council notified its decisions on the Proposed District Plan Urban Intensification Variation (PDP UIV) on 20 February 2026, and the appeals period closed on 9 April 2026. As a result, the PDP now contains rules that have legal effect but are not yet treated as operative, alongside new rules that are treated as operative and previous rules that are now inoperative (s86F RMA).

Operative Queenstown Lakes District Plan (ODP)

32. The site is zoned *High Density Residential* and there are no relevant rules under the ODP as the relevant rules of Chapter 7 (Residential Areas) are treated as inoperative given the relevant rules under the PDP are treated as operative pursuant to section 86F.

Proposed Queenstown Lakes District Plan (PDP)

33. The application site is zoned *Medium Residential Density* under the Proposed District Plan and is within the Urban Growth Boundary.

34. An assessment of the proposal's compliance with the applicable rules in the PDP is set out in **Appendix 3**. Based on that assessment, resource consent is required in respect of the following matters:

Rules that have legal effects under s86B(1) but are not yet treated as operative due to appeals are:

- A discretionary activity resource consent pursuant to Rule 8.5.1, where standard 8.5.1.2.b permits a maximum building height of 8m.

Land use

- A **restricted discretionary activity** pursuant to Rule 8.4.8 for buildings within the Wānaka Town Centre Transition Overlay.
- A **restricted discretionary activity** pursuant to Rule 8.4.10.3 and 8.4.10.4(i) and (iii) for the construction of more than three residential units (16 proposed) and a density exceeding one dwelling per 250m².
- A **restricted discretionary activity** pursuant to Rules 29.5.6.g, 29.5.13.a and 29.5.13.c relating to transport matters (refer to **Appendix 6**).
- A **restricted discretionary activity** resource consent for the outdoor living space of Unit 10 having a minimum dimension of <3m.
- A **restricted discretionary activity** resource consent for various breaches of the 4 x 4m outlook space.
- A **restricted discretionary activity** resource consent for recession plane breaches of Units 1 – 5 on the west internal boundary.
- A **restricted discretionary activity** resource consent for breaches to the road boundary setback.
- A **restricted discretionary activity** resource consent for Blocks B and C exceeding 24m above ground floor level.
- A **restricted discretionary activity** resource consent for building coverage
- A **restricted discretionary activity** resource consent for waste and recycling non-compliances
- A **restricted discretionary activity** resource consent for earthworks exceeding 300m^3 (371m^3).
- A **restricted discretionary activity** pursuant to Rule 8.4.11 for residential visitor accommodation in the Wānaka Town Centre Transition Overlay

- A **restricted discretionary activity** pursuant to Rule 8.5.17.1 for residential visitor accommodation exceeding 90 nights per year. It is proposed to enable residential visitor accommodation from all 16 units for up to 365 nights per year.

- A **non-complying activity** land use consent pursuant to Rule 8.5.1 as the units will exceed the maximum 7m height limit.

Subdivision

- A **restricted discretionary activity** subdivision consent pursuant to Rule 27.5.7 for the proposed urban subdivision to create 12 residential allotments, one access allotment and four carpark allotments.

Activity Status

35. Overall, the applications require consent as a **non-complying activity** under the Proposed Queenstown Lakes District Plan.

Assessment of Environment Effects

36. An assessment of effects on the environment relevant to this proposal follows and addresses the following matters:

- Permitted Baseline;
- Buildings within the Wānaka Town Centre Transition Overlay;
- Building Design Effects;
- Oudoor Living Space;
- Outlook Space;
- Minimum Boundary Setbacks;
- Building Length;
- Recession Planes;
- Building Height;
- Building Coverage;
- Waste and Recycling;
- Transport and Vehicle Access Effects;
- Earthworks Effects;

- Residential Visitor Accommodation;
- Cultural Effects;
- Servicing Effects; and
- Subdivison Effects.

Permitted Baseline

37. It is appropriate to consider the permitted baseline. This allows the consent authority to disregard an adverse effect of the activity if a rule or National Environmental Standard permits an activity with that effect. In this case, under the PDP, the permitted baseline provides for two residential units, which comply with the relevant standards including:

    - A maximum height of 8m;
    - A minimum internal boundary setback of 1.5m;
    - Road boundary setback of 3m, or nil if an accessory building of <7.5m;
    - Continuous above ground façade length of 24m;
    - Building coverage of 45%; and
    - 25% landscaped permeable surfacing

38. For earthworks, the permitted baseline under the PDP provides for a maximum volume of no greater than 300m^3 over a contiguous area of 1000m^2 or 2500m^2 (for slopes less than and great than 10 degrees respectively), erosion, sediment and dust control measures being in place, a depth of cut and fill being no greater than 2.4m and 2m respectively, and separation from boundaries for earthworks supported by retaining walls of at least the height of the retaining wall.

39. Residential visitor accommodation use is also enabled by plan for up to 90 nights a year. Homestay is likewise permitted 365 nights a year. In this instance it is considered that the permitted baseline is of relevance to the below assessment and has been referenced where applicable.

Buildings within the Wānaka Town Centre Transition Overlay

40. The proposal is for 16 residential units within two storey three blocks located within the *Wānaka Town Centre Transition Overlay.* An Urban Design Assessment has been prepared by DCM Urban and is attached as **Appendix 9.** The Urban Design Assessment is **only** relied upon to the extent that it is referenced in this report.

41. The relevant assessment matters are addressed below:

    a. external design and appearance including the achievement of a development that is compatible with the town centre transitional context, integrating any relevant views or view shafts;

42. The urban design assessment prepared by DCM Urban (**Appendix 9**) is relied upon and concludes;

Overall, the proposal represents a well-designed medium-density residential development that responds appropriately to its site context, achieves a high standard of residential amenity, and supports the outcomes anticipated within the Medium Density Residential Zone.

43. For this and the reasons contained in the DCM Urban assessment, effects are considered to be **acceptable.**

b. the external appearance of buildings, including that the use of stone, schist, plaster or natural timber be encouraged;

44. The proposed buildings are well articulated through repeated gabled roof forms, variations in roof height, recessed wall elements, and contrasting cladding treatments. These features are considered to visually separate the individual units and reduce the perceived length and bulk of the buildings, particularly Blocks B and C. The development will appear as a collection of smaller building forms rather than as three continuous, unmodulated blocks.

45. The proposed cladding comprises of a mixture of plaster, horizontal timber cladding and stone. This combination provides visual interest and is consistent with the *natural materials* referenced by the assessment matter.

46. Overall, the variation in form, materials and cladding will provide a coherent and high-quality external appearance that is appropriate to the Town Centre Transition Overlay.

c. privacy for occupants of the subject site and neighbouring sites;

47. The proposed units do not contain any living space windows located within 3m of an internal boundary, as such overlooking effects are considered to be less than minor on persons at adjoining properties.

48. The arrangement of the three blocks provides physical separation between groups of units, while wing walls, changes in orientation and the articulated building forms avoid direct lines of sight between principal living areas and outdoor spaces between units. Ground-floor outdoor living areas are separated from internal circulation areas and neighbouring spaces by building walls, fencing and landscaping.

49. There will inevitably be some overlooking between units and across shared internal areas however, this is an anticipated consequence of development of this density. These views will generally be oblique, directed across access or landscaped areas. As such, the proposed built form provides an acceptable level of privacy for future occupants and appropriately manages potential overlooking of neighbouring sites. Any adverse privacy effects are considered to be **less than minor** and **acceptable.**

d. street activation;

50. The proposal addresses both Russell Street and Stratford Terrace through a high proportion of street facing glazing. The proposed buildings do not present long blank walls to either road frontage, and the glazing provides a degree of passive surveillance over the streets.

51. A dedicated pedestrian pathway is proposed from Russell Street through the central part of the development, with a second pedestrian pathway accessed from Stratford Terrace. These pathways provide legible access between the units and to both street frontages.

52. Any views of garaging from the street will be oblique and remote, and is not considered to dominate the street facing elevations.

53. Overall, the proposal is considered to provide a good level of street activation and will contribute positively to the safety, visual interest and amenity of Russell Street and Stratford Terrace.

54. This is reinforced by the urban design assessment by DCM Urban in **Appendix 9.**

e. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area:

i. the nature and degree of risk the hazard(s) pose to people and property;

ii. whether the proposal will alter the risk to any site; and

iii. the extent to which such risk can be avoided or sufficiently mitigated.

55. The application site is not located within a natural hazard overlay. **Figures 2** and **3** above show the extent of flood hazard on the site, which is considered to be low risk.

Building Design Effects

56. The proposal comprises of 16 residential units, therefore is subject to the assessment matters in Rule 8.4.10. The urban design assessment by DCM Urban is relied upon and concludes;

"Overall, the proposal represents a well-designed medium-density residential development that responds appropriately to its site context, achieves a high standard of residential amenity, and supports the outcomes anticipated within the Medium Density Residential Zone."

57. For this and the reasons contained in the DCM Urban assessment, effects are considered to be **less than minor** and **acceptable** and no persons will be adversely affected.

Outdoor Living Space

58. All units achieve the required area and dimension for outdoor living space, except Unit 10. Unit 10 has a total area of 23.11m^2 and minimum dimension of approximately 2.5m. The outdoor living space tapers out to a maximum dimension of approximately 3.44m. The relevant assessment matters are addressed below:

a. Meeting the needs of the number of occupants the residential unit is designed to accommodate.

59. Unit 10 is a studio unit designed to accommodate a small household, ordinarily one or two occupants. Its outdoor living space exceeds the minimum required area of 20m^2, and is directly associated with the unit. Although the minimum dimension has a shortfall of approximately 0.5m, the space widens to approximately 3.44m and remains capable of accommodating outdoor seating and other day-to-day recreational use. The small scale breach does not reduce the usability of the space or its ability to meet the needs of occupants.

b. The extent to which the infringement is necessary to enable the provision of housing diversity and options for smaller households on the site.

60. The breach is a result of the angled boundary and the proposed layout of the site. Providing a uniform 3m dimension for the full extent of Unit 10's outdoor living area would reduce the efficiency of the overall site layout. Retaining the proposed layout contributes to housing diversity by providing a studio unit suited to a single person or couple, alongside the larger multi-bedroom units proposed on the site. The 0.5m shortfall is small scale given the outdoor living area widens beyond 3m.

c. The accessibility of public open space and recreation reserves in close proximity to the site.

61. Lismore Park is located approximately 550m north of the site and is accessible by vehicle or walking. It provides a substantial public open space and recreation resource within a convenient walking distance of the site.

62. Overall, effects relating to the shortfall in outdoor living space dimension will be **less than minor** and **acceptable.**

Outlook Space

63. Units 1 – 4 will not comply with width or depth of the 4 x 4m outlook space owing to wing walls and boundary fencing. Units 5 – 8 will not comply with width of the 4 x 4m outlook space owing to wing walls and Unit 10 will not comply with depth of the 4 x 4m outlook space owing to eastern boundary fencing. An assessment on the relevant matters is set out below[1].

a. Privacy, and access to sun and daylight;

64. The breaches relating to outlook space width are a result of the wingwalls. These walls are of a small size and beyond them, the outlook spaces remain open and provide principal living rooms with access to daylight and an adequate sense of spaciousness, noting that the minimum area for outdoor living space is exceeded. The breaches relating to depth of Units 1 – 4 and 10 are a result of boundary fencing, however, the outlook spaces retain functional width beyond the constrained points and the fencing provides privacy and separation from adjacent areas. Accordingly, the breaches are not considered to materially reduce access to sunlight or daylight, or result in privacy effects.

b. The extent to which the infringement is necessary to enable the provision of housing diversity and options for smaller units on the site.

65. The proposed breaches are of small scale (i.e. approximately 200mm shortfall in depth for Units 1 – 4) and are considered necessary to provide for the proposed units and site layout. The breaches of width could be resolved by removing the wingwalls, however, the walls are key design features that provide a high level of amenity and structural integrity of the built form. The proposal includes a range of typologies, which contributes to housing diversity within the zone.

66. Overall, the outlook spaces will provide adequate privacy, daylight and a sense of spaciousness. The small scale of the breaches are offset by the wider open outlook available beyond the wing walls and any adverse effects will be **less than minor** and **acceptable**.

[1] The DCM Urban Design Assessment is not relied upon to assess the effects of outlook space breaches.

Minimum Boundary Setback

67. Unit 1 and Units 15/16 are located approximately 1.62m and 2.125m from the Russell Street road boundary, respectively. The garage of Unit 8 is 1.079m from the Stratford Terrace road boundary and is at least 7.5m in length. Units 9/10 are located approximately 2.596m from the Stratford Terrace road boundary. A 3m setback from road boundaries is required. **Figures 4** and **5** below show the relevant frontages and the relevant assessment matters contained in Rule 8.5.9 are addressed below[2].



Figure 4. Indicative render of Russell Street road frontage (Source: Figure & Ground)



Figure 5. Indicative render of Stratford Terrace road frontage (Source: Figure & Ground)

a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;

68. The proposed buildings are of high-quality architectural design, and are considered to present an attractive frontage to both Russell Street and Stratford Terrace. The design incorporates gabled roof forms, variations in roof height, recessed wall elements and contrasting plaster, timber and stone cladding. These features

[2] The DCM Urban Design Assessment is not relied upon to assess the effects of boundary setback breaches.

reduce the apparent building bulk when viewed from both the street and adjoining properties to the west and north (noting that the proposal complies with internal boundary setbacks). The breach relating to Unit 9 / 10 is considered to be indiscernible to persons, noting that the building setback increases as the boundary tapers southeast to compliance. Similarly, the setback of the Unit 8 garage increases towards the southeast to a maximum of approximately 2.56m. Stratford Terrace comprises of an approximately 10m wide berm (i.e. from the road boundary to the road corridor), which provides further separation of the Units 8 and 9/10 breaches to the pedestrian footpath that is located on the east side of Stratford Terrace.

69. The landscape plan provides for two trees in front of Units 1 and 15/16, and one tree each in front of Units 9/10 and 8. These will be planted in areas open to the street, or behind open style fencing. The landscaping within the road boundary setback areas is considered to sufficiently soften any potential visual bulk and dominance effects.

70. Overall, the proposed units are not considered to result in any unacceptable visual dominance effects.

b. streetscape character and amenity;

71. The reduced road boundary setbacks will result in an increased perception of interaction with the street. The street facing elevations of Units 1 and 15/16 provide a good level of glazing, and a variation in material and roof form, as mentioned above. Street-facing windows will provide visual interest and passive surveillance over both road frontages from ground and first floor level, or first floor level only for Unit 8.

72. The road boundary setback areas will include landscaping and pedestrian access rather than being dominated by vehicle parking or manoeuvring. The dedicated pedestrian connections from both Russell Street and Stratford Terrace will also strengthen the relationship between the development and the streets. Although the proposed built form will be positioned closer to the road boundaries than permitted, the remaining separation, landscaping and architectural treatment are considered to contribute to a high quality street scene and provide a high level of amenity.

c. any sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants;

73. The proposed units meet internal boundary setback requirements. Potential sunlight, shading and privacy effects are addressed further below under the recession planes assessment.

74. The proposed units are considered to be set back sufficiently for privacy effects on occupants to be **less than minor** and **acceptable.**

d. effects on any significant public views (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);

75. The proposed built form is located within an established urban environment and this type of development is anticipated by the underlying zone and the Town Centre Transition Overlay. The reduced road boundary setbacks do not appear to obstruct any significant public view or viewshaft. Views along Russell Street and Stratford Terrace will remain available, and the articulated façades, varied roof forms and gaps between building blocks will avoid the appearance of a continuous built wall.

76. Any effects on public views arising from the setback breaches are considered to be **less than minor** and **acceptable.**

e. parking and access layout: safety, efficiency and impacts on on-street parking and neighbours;

77. Vehicle access is proposed via a new vehicle crossing from Russell Street, with separate pedestrian accesses provided from both Russell Street and Stratford Terrace. The proposed road boundary setback breaches do not affect the vehicle crossing or internal access arrangement. Buildings are clear of visibility splays and manoeuvring areas.

78. Taking into account the Transport Assessment (**Appendix 6**), the reduced road boundary setbacks will not materially affect the safety or efficiency of the access arrangements, the availability of on-street parking, or the amenity of neighbouring properties. Any adverse parking and access effects from the road boundary setback breaches will be **less than minor.**

Building Length

79. Blocks B and C exceed 24m in length, with approximately 30.5m and 27m proposed respectively. The relevant assessment matter relates to external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties.

80. The proposed units are well articulated through variation in cladding and materials, including contrasting vertical and textured finishes. The blocks also have a good level of variations in roof height and repeated gable ends punctuated with lower sections of roofing. These features present the units as having visually distinct components, provide visual interest, and avoid the appearance of a single long, monotonous built form.

81. The south elevation of Block C will be viewed remotely and obliquely from Russell Street, while there may be oblique views of the east elevation of Block B from Stratford Terrace. These oblique views will further reduce the perception of the overall building lengths. From adjoining properties, the west elevation of Block B provides variation in form, materials and roof profile, while the north elevation of Block C is similarly articulated and adjoins the Town Centre Zone, where a greater scale and intensity of built form is anticipated. Overall, the additional building length will not result in a visually dominant development when viewed from the street or adjacent properties, and any adverse effects will be **less than minor** and **acceptable**.

Recession Planes

82. The activity comprises multiple breaches of recession planes relating to the north and west boundaries. The relevant assessment matters are addressed below[3]:

a. any sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants;

[3] The DCM Urban Design Assessment is not relied upon to assess the effects of recession planes.

b. effects on any significant public views (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);

c. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;

d. in Arrowtown, consistency with Arrowtown's existing character.

e. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road, any adverse effects on that infrastructure.

83. The key effects for consideration are those matters in a. and c above, noting d and e are not relevant, there will be no effects on significant views in terms of b.

84. First, in respect of the breaches to the west it is salient that resource consent has been approved earlier this year and building consent approved in June for a residential development comprising seven units. With building consent having been approved it is reasonable to considered that the approved resource consent is "likely to be implemented" and therefore legitimately forms part of the existing environment against which it is appropriate to assess effects on persons.

85. **Figure 6** below indicatively aligns the proposed development with the approved adjacent development aligned roughly to north. The recession planes largely adjoin a pedestrian accessway, which will be inherently less sensitive to shading effects, being a transient space, and to privacy, being a shared space, notwithstanding the lack of windows within the intruding built form, save for small parts well above eye height. The exception is Unit 5, which has westerns windows that fully intrude the recession planes. However, effects are mitigated by the high sill height, which will reduce vies down and into the adjacent site, while sensitivity is also reduced given the nature of the adjacent approved development as discussed above.



Figure 6. Proposed western extent of development (right) relative to approved "likely to be implemented" development at 22 Russell Street" (left)

86. On its own, the above is not sufficient to determine effects will be less than minor and further interrogation is required. **Figures 7** and **8** below show the adjacent development's eastern elevation and floor plan. The windows as can be seen on the floor plans relate predominantly to storage rooms adjoining the accessway, which will be inherently less sensitive to shading and dominance effects than habitable rooms. Front doors and associated sidelight windows are significantly recessed, and internal living and outdoor living spaces are oriented to the opposite side of the site away from the application site. Accordingly, it is considered that effects are **less than minor** on persons to the west.



Figure 7. Approved 22 Russell Street eastern elevation

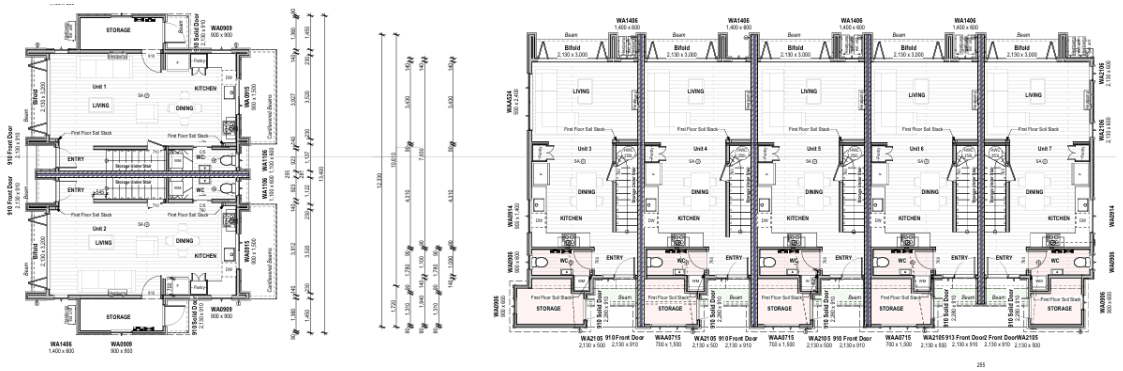


Figure 8. Approved 22 Russell Street floor plans

87. To the north, the recession plane breaches are much smaller and relate to the peak of three gable forms. They adjoin the site at 1 Stratford Terrace and face that site's south boundary. The orientation to the south will limit the potential for shading effects, while privacy effects are avoided by the lack on intruding windows, and the scale of the breaches each have a small triangular volume overall.

88. Overall, effects on persons to the north and west are considered to be **less than minor** and **acceptable**.

Building Height

89. Multiple height breaches are proposed in relation to both the 7m and 8m height limits. In this respect it is noted that because there is an outstanding appeal relating to building height, the existing 7m height limit for sloping sites remains relevant as consent will be required under both the pre-and post UIV versions of the Proposed District Plan for the height infringements. In respect of the 7 & 8m height limits, there are small in scale and will have a **less than minor** effect on persons and the environment as a result of their small scale, as well as the nature of the built form which breaks up the overall height and massing.

90. In respect of the 7m height breach, effects will be largely internalised and given the well broken up built form and massing any effects on the streetscape and public realm will be less than minor and acceptable. In respect of the adjacent site to the west, for the reasons discussed in the recession plane assessment above, in particular given the nature of the approved and "likely to be implemented" development, there will be less sensitivity to breach. To the north, the recession plane breach assessment above is equally applicable noting the similarity of the breach in terms of the intruding form proximal to the boundary with

the lower roof form that punctuates the gables, only exceeding the permitted height further back into the site.

91. Overall, any effects of the building height intrusions will be **less than minor** and **acceptable.**

Building Coverage

92. The proposed development will exceed the permitted 45% building coverage, with 62% proposed across the wider application site with coverages ranging from 43% to 76% for individual proposed lots. The relevant matters of discretion are listed below.

    a. *external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;*

    b. *achievement of a spacious on-site amenity including setbacks from boundaries and between buildings within a site;*

    c. *effects on privacy, sunlight and shading on adjacent properties and/or occupiers of adjacent land;*

    d. *parking and access layout: safety, efficiency and impacts on on-street parking and neighbours;*

    e. *in Arrowtown, consistency with Arrowtown's existing character;*

    f. *stormwater related effects including flooding and water nuisance.*

93. The matters in a. have been well traversed in the assessment above, including in the urban design report by DCM Urban. Overall, the site coverage exceedance does not weigh against the positive aspects of development, with the design reducing the perception of bulk and apparent massing.

94. There is a spacious on-site amenity, which is reinforced by the high level of compliance with outdoor living spaces. Setbacks are complied with or have been assessed as being acceptable with less than minor effects.

95. The access and parking layout will function well and has been assessed by Novo Group as having less than minor and acceptable effects. Parking is internal to the site and will not impact neighbours.

96. The site is not in Arrowtown.

97. Stormwater matters have been assessed in the servicing report, and the required 25% site permeability is achieved.

98. Overall, any effects are considered to be **less than minor** and **acceptable.**

Waste and Recycling

99. Eight units share a communal area, which will provide for less than the required $2m^2$ per unit for waste and recycling space per unit. Consent may also be required if it is considered bins are not "easy to manoeuvre". The relevant matters of discretion are as follows:

a. *Effects on amenity values;*

b. *Size, location and access of waste and recycling storage space; and*

c. *Whether there is sufficient space for safe kerbside collection to occur; and*

d. *Whether a suitable communal or other alternative waste and recycling storage and collection solution is available.*

100. The communal area is provided to serve the four pairs of studio units, with each pair having provision for three 140 litre bins. It is considered that this provision is acceptable given the nature of these units, with pairs being held within one title following subdivision and these will be able to be managed appropriately by residents or visitors.

101. For those units where bins need to be moved though garaging, this is considered to be a minor and infrequent inconvenience and one that residents will be able to manage on site. Being a corner site, there is significant frontage available providing space for safe kerbside collection.

102. Overall, any effects are considered to be **less than minor** and **acceptable**.

Transport and Vehicle Access Effects

103. A Transport Assessment (**Appendix 6**) has been prepared by Ashar Jafri, Transport Engineer at Novo Group. The Transport Assessment identifies breaches relating to reverse manoeuvring and access and road design (i.e. formed width exceedance and number of units accessed from a shared private access where legal road access is required).

104. The assessment concludes as follows:

> **Summary and Conclusion**
>
> 18. The proposed site layout has been reviewed against the transport rules of the District Plan, and the identified non-compliances are:
>
> - 29.5.6.g. Reverse Manoeuvring
> - 29.5.13.a. Access and Road Design
> - 29.5.13.c. Access and Road Design
>
> 19. The above section details the effects resulting from these non-compliances; however, overall, it is considered that these are **acceptable** and **less than minor**.

105. Relying on the experise of Mr Jafri and the assessment contained in **Appendix 6,** any adverse transport effects as a result of the proposed activity are considered to be **acceptable** and **less than minor**.

Earthworks Effects

106. The earthworks provisions for the zone permit up to 300m^3 as a permitted activity where the maximum depth does not exceed 2.4m for cuts and 2m for fill, and where appropriate erosion and sediment control and dust management are in place.

107. The earthworks will not comply with these requirements with a total volume of 1,604m^3 with a maximum cut depth of 1m.

108. It is considered that the nature and scale of the proposed earthworks will be consistent with the development of the site for residential purposes. The buildings will be appropriately designed and authorised by a building consent. The limited height of the remaining earthworks relating to the driveway will minimise stability effects and they will be retained as appropriate and removed from boundaries with neighbouring properties. Best practice measures will be employed in respect of erosion, sediment and dust (which are volunteered as a consent condition and it is self-evident that such effects can be feasibly managed), and the works will ultimately be screened by the buildings, driveway or landscaping with no surfaces remaining exposed post development.

109. No boundary or fence retaining is proposed along the west or north boundaries, to allow for the existing overland flow path to continue to be unobstructed, as shown in **Figure 9** below.,

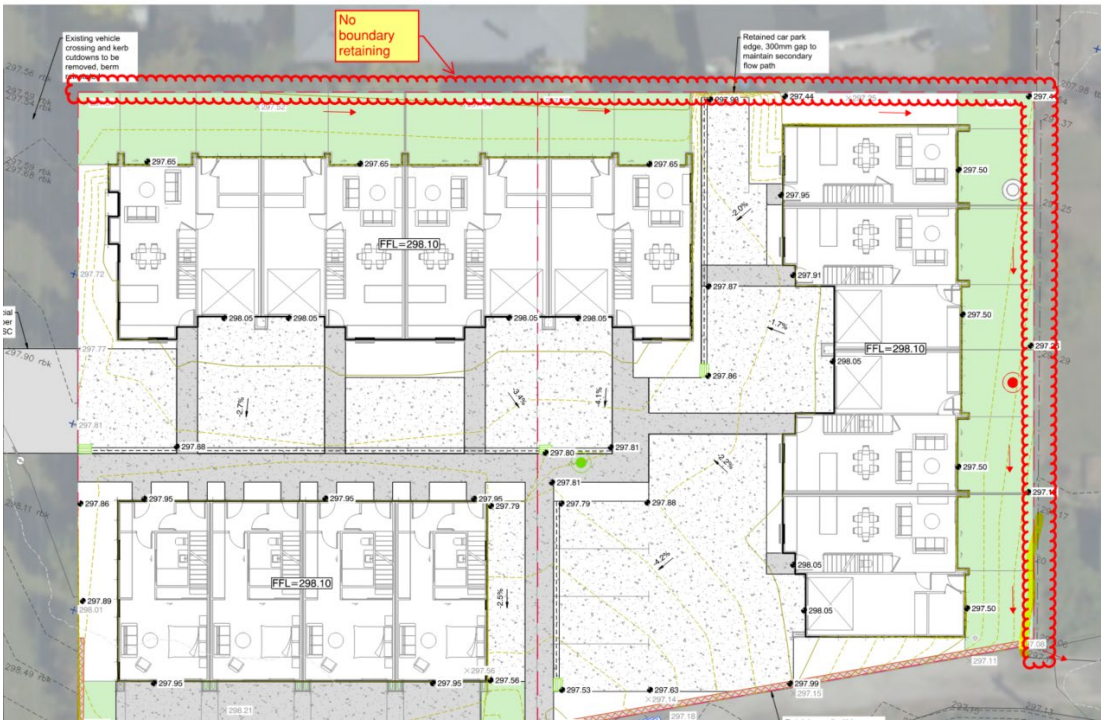


Figure 9. Site plan showing no boundary retaining

110. Based on the above assessment, actual and potential effects of the proposed earthworks on the surrounding environment are concluded to be **less than minor** and **acceptable**.

Residential Visitor Accommodation

111. The proposal seeks to utilise the residential units for visitor accommodation up to 365 nights per year. The matters of discretion are used to guide the assessment below:

a. The location, nature and scale of activities

112. The site is located in close proximity to the Wānaka Town Centre and is located within the *Town Centre Transition Overlay*. The proposal provides for residential visitor accommodation across the 16 units, comprising 36 bedrooms and capacity for up to 72 guests, although it is unlikely that every unit will be used for visitor accommodation because some are expected to be purchased and occupied for residential purposes.

113. The activity will remain residential in nature and will be managed through the Visitor Accommodation Management Plan ('**VAMP**') provided in **Appendix 8**. The size of the units will reduce the likelihood of large gatherings, while parties and gatherings will be expressly prohibited in the VAMP.

114. The proposal includes provision to allow the visitor accommodation consent to be surrendered on a unit-by-unit basis, meaning the activity need not be perpetual and does not preclude permitted residential use.

115. It is a difficult exercise in terms of discriminating or stereotyping certain groups of people. In this respect it is likely over time some residents may be worse neighbours than some guests and vice versa. What will endure though is the VAMP and the temporary nature of guests. For example, a shift worker with a noisy car as a permanent resident might wake up residents on a daily basis for the period of their ownership or tenure, which could be years, whereas residents would enjoy relief from a noisy short-term guest who quickly leaves and/or residents would have recourse under the conditions of consent. The same would be the case with parties and gatherings for example where permanent residents might have these frequently where guests are prohibited from such under the terms of the VAMP.

116. Provided the VAMP is complied with and enforced through consent conditions, the visitor accommodation activity is expected to be largely indiscernible from residential occupation. The additional controls applying to guests, together with the temporary nature of their stays, will appropriately maintain residential character and amenity.

117. Any effects will be largely internalised within the wider application site, where the applicant's written approval is implicit. The applicant has confirmed that no sale and purchase agreements exist. Overall, effects on persons will be **less than minor** and **acceptable**, in terms of the nature, location and scale of the activity.

b. Vehicle access and parking

118. One car park will be provided for Units 1 – 8 and one carpark for Units 9/10, 11/12, 13/14 and 15/16. Parking areas will be screened from views from the road. Guests will be advised that only one car park is available per unit, or in the cases of Units 9 – 16, that there is one carpark per two units.

119. Given the nature and scale of the activity, traffic generation is expected to be minimal and no greater than that associated with residential use. Guests may also use public and active transport to access the site, rather than private vehicles. Pedestrian wayfinding is straightforward, and the VAMP will require the appointed property manager to provide guests, before their stay, with a map and clear directions for pedestrian and vehicle access to their unit. Overall, effects relating to vehicle access and parking are considered to be **less than minor**.

c. The management of noise, rubbish, recycling and outdoor activities

120. The VAMP will prohibit parties and gatherings and require outdoor living areas not to be used between the hours of 10.00pm and 7.00am. Activities must also comply with the District Plan noise limits. The relatively small scale of each unit further reduces the likelihood of large gatherings and associated noise.

121. Although guests may occasionally arrive with luggage early in the morning or late at night, such movements are expected to be infrequent. The controls applied to visitor accommodation within the VAMP and consent conditions are more stringent than those applying to permanent residential occupation. No pets will be permitted and any social gatherings will be restricted. These factors, together with the VAMP, are expected to minimise noise effects.

122. Rubbish and recycling will be managed through the communal bin area adjacent to Unit 10. The VAMP will require that rubbish and recycling are not left on or adjacent to the road except on the day of collection. Overall, noise, rubbish, recycling and outdoor activity effects will be appropriately managed and will be **less than minor**.

d. Privacy and overlooking

123. The visitor accommodation use will occur within the approved residential built form and will not introduce additional overlooking beyond that associated with standard residential activity and the bult form. Outdoor living space use will be subject to the VAMP and the restriction of use between 10.00pm and 7.00am. Any effects will be largely internalised within the wider application site. Having regard to the building design, separation from adjacent properties, and management controls via the VAMP, adverse privacy and overlooking effects will be **less than minor**.

e. Outdoor lighting

124. Any outdoor lighting associated with the visitor accommodation activity will comply with the District Plan lighting and glare standards, including being directed downward and away from adjoining sites and roads and meeting the applicable light-spill limit. On that basis, adverse lighting effects will be **less than minor**.

f. Guest management and complaints procedures

125. The accommodation will be managed by a professional property management company, or by a person experienced in managing visitor accommodation. The VAMP (**Appendix 8**) sets out requirements for information provided to guests, appropriate guest behaviour, house rules and complaints procedures.

126. The property manager will be responsible for ensuring compliance with the VAMP, responding to complaints, and taking prompt remedial action where required. Neighbouring residents will be able to contact the property manager if any guest causes a disturbance where the complaints process can be worked through. These measures are considered to sufficiently mitigate any effects associated with guest behaviour and management and effects will be **less than minor**.

g. The keeping of records of residential visitor accommodation use, and availability of records for Council inspection

127. Current records will be kept for each unit, including the dates and duration of guest stays, the number of guests staying each night, and details of any complaints received and action taken to resolve issues. The records will be provided to Council annually and made available for Council inspection.

h. Monitoring requirements, including imposition of an annual monitoring charge

128. The activity will be registered with Council prior to commencement. Property management contact details and confirmation that immediately adjoining properties and properties sharing access have been notified will be supplied at registration, reviewed annually and resubmitted to Council. Compliance with the VAMP can be monitored through the Council's compliance process and the complaints records.

129. Overall, implementation and enforcement of the VAMP will adequately mitigate the effects of residential visitor accommodation. Adverse effects on residential amenity, neighbouring persons, traffic and the wider environment will be **less than minor**.

Cultural Effects

130. The application site is located within the Take Karara Wahi Tupuna Overlay. The applicant is amenable to conditions of consent requiring an Accidental Discovery Protocol for the proposed earthworks and development works. Further, the application site is zoned for residential development and the proposed activity is not considered to result in adverse effects on Mana Whenua. With an Accidental Discovery Protocol in place, effects are considered to be **less than minor** and **acceptable.**

Servicing Effects

131. A Servicing Report prepared by Engco is provided as **Appendix 5**. The report confirms that the establishment of residential development on the site is practicable with respect to infrastructure and servicing. It is anticipated that feedback will be provided by Council's Development Engineer through the resource consent process and the applicant will comply with the requirements for the provision of services at the time of subdivision certification and/or building consent and any adverse effects with respect to servicing will be **less than minor** and **acceptable**.

Subdivision Effects

132. The proposed subdivision will result in 17 allotments (12 residential, one balance and four carpark allotments) and the proposed design reflects the built form layout and design, with each unit to be located within its own freehold title.

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

134. Each lot to be created will include outdoor living space with reciprocal Rights of Way providing for pedestrian access. Easements will cover the parking and servicing arrangements for the development.

135. As discussed further above and in the Transport Assessment (**Appendix 6**), any potential effects relating to transport are acceptable.

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

Summary of Effects

137. Based on the above assessment, actual and potential effects of the proposal on the surrounding environment are concluded to be **less than minor** on the environment and persons and **acceptable**.

Relevant Provisions of Planning Instruments

138. The planning documents of relevance to this application and the provisions therein are listed and assessed in turn below:

Operative Queenstown Lakes District Plan – Objectives and Policies

139. The relevant operative objectives and policies are contained within Part 4 (District Wide Issues), 7 (High Density Residential), Part 15 (Subdivision) and 22 (Earthworks) of the Operative District Plan (ODP).

140. Part 4 provides for urban development that maintains and protects residential character and amenity values and the proposal is considered to be appropriate in this regard.

141. The proposal represents development generally anticipated within the High Density Residential zone under the ODP and is therefore consistent with the provisions of Part 7.

142. The relevant objectives and policies of Part 15 relate to providing necessary services to subdivided lots. Each lot will be appropriately serviced.

143. The relevant objectives and policies of Part 22 (Earthworks) relate to enabling earthworks that avoid, remedy and mitigate adverse effects on communities, rural areas and the natural environment. Ensuring the stability of land and the protection of waterways are also considerations. The proposal is therefore considered to be consistent with, and therefore not contrary to, the objectives and policies of Part 22.

144. Overall, it is considered that the proposal is consistent with the objectives and policies of the Operative District Plan.

Proposed Queenstown Lakes District Plan – Objectives and Policies

145. The relevant objectives and policies are contained within Chapter 3 (Strategic Direction), Chapter 4 (Urban Development), Chapter 8 (Medium Density Residential), Chapter 25 (Earthworks), Chapter 27 (Subdivision) and Chapter 29 (Transport) of the Proposed District Plan. These are assessed in **Table 2** below.

Table 2: Assessment of relevant plan provisions

District Plan provision	Comment / Assessment
Chapter 3 – Strategic Direction	
3.2.1 Objective - The development of a prosperous, resilient and equitable economy in the District *3.2.1.2 The Queenstown and Wānaka town centres are the hubs of New Zealand's premier alpine visitor resorts and the District's economy.*	The proposal will contribute to these strategic outcomes by facilitating additional medium density residential development within an established urban area that is well served by existing infrastructure and located within walking distance of the Wānaka Town Centre,

District Plan provision	Comment / Assessment
3.2.2 Objective - Urban growth is managed in a strategic and integrated manner. *3.2.2.1 Urban development occurs in a logical manner so as to:* *a. promote a compact, well designed and integrated urban form;* *b. build on historical urban settlement patterns;* *c. achieve a built environment that provides desirable, healthy and safe places to live, work and play;* *d. minimise the natural hazard risk, taking into account the predicted effects of climate change;* *e. protect the District's rural landscapes from sporadic and sprawling urban development;* *f. ensure a mix of housing opportunities including access to housing that is more affordable for residents to live in;* *g. contain a high quality network of open spaces and community facilities; and* *h. be integrated with existing, and proposed infrastructure and appropriately manage effects on that infrastructure.* *3.2.3 Objective - A quality built environment taking into account the character of individual* *3.2.3.2 Built form integrates well with its surrounding urban environment.*	employment opportunities and community activities. The proposal represents an efficient use of serviced urban land and contributes to the supply and diversity of housing anticipated within the urban environment. The proposal also provides flexibility for the residential units to be used for Residential Visitor Accommodation for up to 365 days per calendar year, while the units would be able to retain their primary residential function when not used for visitor accommodation. The proposal has been comprehensively designed, with the land use and subdivision components integrated to achieve a coordinated development outcome. While the proposal requires consent for infringements of a number of built form and transport standards, these departures do not undermine the strategic outcomes sought by Chapter 3. Overall, the proposal is considered to be consistent with, and not contrary to, the strategic direction of the Proposed District Plan by supporting a compact urban form, making efficient use of existing urban infrastructure and providing a high-quality residential development within an area identified for urban growth.
Chapter 4 – Urban Development	
4.2.2A Objective – A compact, integrated and well-designed urban form within the Urban Growth Boundaries that: *(i) is coordinated with the efficient provision, use and operation of infrastructure and services; and….* *Policies* *4.2.2.3 Enable an increased density of well-designed residential development in close proximity to town centres, public transport routes, community and education facilities, while ensuring development is consistent with any structure plan for the area and responds to the character of its site, the street, open space and surrounding area.* *4.2.2.4 Encourage urban development that enhances connections to public recreation activities, reserves, open space and active transport networks.* *4.2.2.7 Explore and encourage innovative approaches to design to assist provision of quality affordable housing* *4.2.2.8 In applying plan provisions, have regard to the extent to which the minimum site size, density, height, building coverage and other quality controls have a disproportionate adverse effect on housing affordability.*	The site is located within the Wānaka Urban Growth Boundary and is zoned Medium Density Residential, where increased residential density is anticipated. The proposal will make efficient use of serviced urban land by providing additional residential development within an established urban area, contributing towards housing supply (if/when not occupied as residential visitor accommodation) while avoiding the need for outward urban expansion. The proposal also utilises existing transport and infrastructure networks and is located within convenient walking distance of the Wānaka Town Centre, community facilities and employment opportunities, supporting a compact and connected urban form. The proposal also provides for Residential Visitor Accommodation for up to 365 days per year in an appropriate location adjacent the Wānaka Town Centre zone proximal to associated commercial services, recreation opportunities and existing transport network. Overall, the proposal is considered to be consistent with, and not contrary to, the relevant objectives and policies of Chapter 4, as it contributes towards a compact and integrated urban form, efficiently utilises existing infrastructure, supports housing capacity within the urban environment and achieves a coordinated, high quality residential development and will assist with housing affordability.

District Plan provision	Comment / Assessment
Chapter 8 – Medium Density Residential	
8.2.1 Objective - Medium density development occurs close to employment centres which encourage travel via non-vehicular modes of transport or via public transport. *8.2.1.1* *Provide opportunities for medium density housing close to town centres, local shopping zones, activity centres and public transport routes.* *8.2.1.2* *Provide for compact development forms that encourage a diverse housing supply and contribute toward containing the outward spread of residential growth away from employment centres.* *8.2.1.3* *Enable increased densities where they are located within easy walking distance of employment centres and public transport routes, subject to environmental constraints including local topography, stability and waterways, that may justify a limitation in density or the extent of development.* *8.2.1.4* *Enable medium density development through a variety of different housing forms including terrace, semi- detached, duplex, townhouse, or small lot detached housing.*	The proposed subdivision supports Objective 8.2.1 and it's relevant implementing policies for the following reasons: - Adjoining the Wānaka Town Centre Zone on the northeast boundary and being within easy walking distance of employment, shops, services and public transport connections. - The location supporting travel by walking, cycling and public transport given its close proximity to centres. - Providing a compact form of medium-density development on an existing urban site, increasing housing supply close to a town centre and helping contain outward residential expansion. - Providing a range of housing typologies, including multi-bedroom townhouse-style units and smaller studio units. - The DCM Urban assessment is supportive of the proposal when considered against these policies from an urban design perspective. Overall, the site is well suited to increased density due to its proximity to the town centre and active-transport connections and the proposal contributes to a diverse housing supply and is consistent with these objectives and policies.
8.2.2 *Objective - Development contributes to the creation of a new, high quality built character within the zone through quality urban design solutions which positively respond to the site, neighbourhood and wider context.* *Policies* *8.2.2.1* *Ensure buildings address streets and other adjacent public space with limited presentation of unarticulated blank walls or facades to the street(s) or public space(s).* *8.2.2.2* *Require visual connection with the street through the inclusion of windows, outdoor living areas, low profile fencing or landscaping.* *8.2.2.3* *Ensure street frontages are not dominated by garaging through consideration of their width, design and proximity to the street boundary.* *8.2.2.4* *Ensure developments reduce visual dominance effects through variation in facades and materials, roof form, building separation and recessions or other techniques.* *8.2.2.5* *Ensure landscaped areas are well designed and integrated into the design of developments, providing high amenity spaces for residents, and to soften the visual impact of development, with particular regard to any street frontage(s).* *8.2.2.6* *Left intentionally blank.*	These matters have been traversed in the DCM Urban assessment which is relied upon and the proposal is considered to be consistent with this objective and its implementing policies.

District Plan provision	Comment / Assessment
8.2.3 *Objective - Development provides high quality living environments for residents and provides reasonable maintenance of amenity values enjoyed on adjoining sites, while taking into account the changing future character intended within the zone.* *Policies* *8.2.3.1* *Apply permitted activity and resource consent requirements based on recession plane, building height, setbacks and site coverage controls as the primary means of ensuring reasonable maintenance of neighbours' privacy and amenity values.* *8.2.3.2* *Where a resource consent is required for new development, reasonably minimise the adverse effects of the new development on the amenity values enjoyed by occupants of adjoining sites, and have particular regard to the maintenance of privacy for occupants of the development site and neighbouring sites through the application of setbacks, offsetting of habitable room windows from one another, screening or other means.* *8.2.3.3* *Ensure development along the western side of Designation 270[1] has the least possible impact on views from the formed walkway to the west toward Lake Wānaka and beyond, and generally limit development on land immediately adjoining the western side of Designation 270 to the permitted building height, recession plane, site coverage and setback limits (including between units) to achieve this.* *[1] Running south from Aubrey Road, Wānaka*	These matters have been traversed in the DCM Urban Design Assessment which is relied upon and the proposal is considered to be consistent with this objective and its implementing policies. The assessment of the recession planes in DCM's objectives and policies assessment is not relied upon.
8.2.5 *Objective - Development efficiently utilises existing infrastructure and minimises impacts on infrastructure and roading networks.* *Policies* *8.2.5.1* *Ensure access and vehicle parking is located and designed to optimise safety and efficiency of the road network and minimise adverse effects on on-street vehicle parking.* *8.2.5.2* *Encourage a reduction in car parking provision where a site is located within 800m of a bus stop or the edge of the Town Centre Zone to help facilitate mode shift.* *8.2.5.3* *Ensure development is designed consistent with the capacity of existing and/or planned infrastructure networks or upgrades, and where practicable, incorporates low impact approaches to stormwater management and efficient use of potable water.* *8.2.5.4* *Integrate development with all transport networks and in particular, and where practicable, improve connections to public transport services and active transport networks (tracks, trails, walkways and cycleways).*	The proposal has a high level of compliance with relevant Transport standards indicating a high level of safety and efficiency for the read network as anticipated by the PDP, and where there are breaches of transport standards, these have been assessed as being acceptable by Novo Group, whose expertise is relied upon. There is limited parkin provided for on site, which along with the proximity to the Town Centre Zone immediately adjacent, is likely to result in active forms of transport for many needs. The proposal will utilise existing infrastructure and contribute to a compact urban form. Overall, the proposal is considered to be consistent with this objective and its implementing policies.
8.2.11 *Objective - Visitor accommodation, residential visitor accommodation and homestays are enabled at locations, and at a scale, intensity and frequency, that maintain the residential character and amenity values of the zone.* *8.2.11.1*	The proposal achieves the intent of this objective and its implementing policies to the extent that the site is located within the *Wānaka Town Centre Transition Overlay* where visitor accommodation is considered

District Plan provision	Comment / Assessment
Provide for visitor accommodation and residential visitor accommodation in the Visitor Accommodation Sub-Zones and the Wānaka Town Centre Transition Overlay Sub-Zones, and for residential visitor accommodation in proximity to the Wānaka town centre, that are appropriate for the medium density residential environment, ensuring that adverse effects on residential amenity values are avoided, remedied or mitigated. *8.2.11.2* *Restrict the establishment of visitor accommodation in locations outside the Visitor Accommodation Sub-Zones and the Wānaka Town Centre Transition Overlay to ensure that the zone maintains a residential character.* *8.2.11.3* *Ensure that residential visitor accommodation and homestays are of a scale and character that are compatible with the surrounding residential context and maintain residential character and amenity values.* *8.2.11.4* *Manage the effects of residential visitor accommodation and homestays outside the Visitor Accommodation Sub-Zone by controlling the scale, intensity and frequency of use and those effects that differentiate them from residential activities.* *8.2.11.5* *Provide opportunities for low intensity residential visitor accommodation and homestays as a contributor to the diversity of accommodation options available to visitors and to provide for social and economic wellbeing.*	appropriate and its establishment need not be restricted. The scale will be commensurate with the residential density proposed, and effects will be managed by stringent controls, including via the implementation and adherence to a Visitor Accommodation Management Plan.
Chapter 25 - Earthworks	
25.2.1 *Objective – Earthworks are undertaken in a manner that minimises adverse effects on the environment, including through mitigation or remediation, and protects people and communities.* *Policies* *25.2.1.1* *Ensure earthworks minimise erosion, land instability, and sediment generation and off-site discharge during construction activities associated with subdivision and development.* *25.2.1.2* *Manage the adverse effects of earthworks to avoid inappropriate adverse effects and minimise other adverse effects, in a way that:* *a. Protects the values of Outstanding Natural Features and Landscapes;* *b. Maintains the amenity values of Rural Character Landscapes;* *c. Protects the values of Significant Natural Areas and the margins of lakes, rivers and wetlands;* *d. Minimises the exposure of aquifers, in particular the Wakatipu Basin, Hāwea Basin, Wānaka Basin and Cardrona alluvial ribbon aquifers;* *Note: These aquifers are identified in the Otago Regional Plan: Water for Otago 2004.* *e. Protects Māori cultural values, including wāhi tapu and wāhi tūpuna and other sites of significance to Māori;*	Chapter 25 seeks to ensure that earthworks are undertaken in a manner that minimises adverse environmental effects, including erosion and sediment discharge, nuisance effects, effects on adjoining sites and infrastructure, and land instability. The proposed earthworks are associated with the redevelopment of an established urban site and will be undertaken in accordance with the submitted Environmental Management Plan and the recommendations of the geotechnical assessment. Subject to the recommended conditions of consent, including erosion and sediment controls and engineering/geotechnical supervision, the earthworks are considered to be consistent with the relevant objectives and policies of Chapter 25.

District Plan provision	Comment / Assessment
f. Protects the values of heritage sites, precincts and landscape overlays from inappropriate subdivision, use and development; and *g. Maintains public access to and along lakes and rivers.* *25.2.1.3* *Avoid, where practicable, or remedy or mitigate adverse visual effects of earthworks on visually prominent slopes, natural landforms and ridgelines.* *25.2.1.4* *Manage the scale and extent of earthworks to maintain the amenity values and quality of rural and urban areas.* *25.2.1.5* *Design earthworks to recognise the constraints and opportunities of the site and environment.* *25.2.1.6* *Ensure that earthworks are designed and undertaken in a manner that does not adversely affect infrastructure, buildings and the stability of adjoining sites.* *25.2.1.7* *Encourage limiting the area and volume of earthworks being undertaken on a site at any one time to minimise adverse effects on water bodies and nuisance effects of adverse construction noise, vibration, odour, dust and traffic effects.* *25.2.1.8* *Undertake processes to avoid adverse effects on cultural heritage, including wāhi tapu, wāhi tūpuna and other taonga, and archaeological sites, or where these cannot be avoided, effects are remedied or mitigated.* *25.2.1.9* *Manage the potential adverse effects arising from exposing or disturbing accidentally discovered material by following the Accidental Discovery Protocol in Schedule 25.10.* *25.2.1.10* *Ensure that earthworks that generate traffic movements maintain the safety of roads and accesses, and do not degrade the amenity and quality of surrounding land.* *25.2.1.11* *Ensure that earthworks minimise natural hazard risk to people, communities and property, in particular earthworks undertaken to facilitate land development or natural hazard mitigation.* *25.2.2* *Objective – The social, cultural and economic wellbeing of people and communities benefits from earthworks* *Policies* *25.2.2.1* *Enable earthworks that are necessary to provide for people and communities wellbeing, having particular regard to the importance of:* *a. Nationally and Regionally Significant Infrastructure;* *b. tourism infrastructure and activities, including the continued operation, and provision for future sensitive development of recreation and tourism activities within the Ski Area Sub Zones and the vehicle testing facility within the Waiorau Ski Area Sub Zone;* *c. minimising the risk of natural hazards;*	

District Plan provision	Comment / Assessment
d. enhancing the operational efficiency of farming including maintenance and improvement of track access and fencing; and *e. the use and enjoyment of land for recreation, including public walkways and trails; and* *f. maintaining or enhancing the operational efficiency of existing infrastructure.*	
Chapter 27 – Subdivision	
27.2.1 Objective - Subdivision that will enable quality environments to ensure the District is a desirable place to live, visit, work and play. *Policies:* *21.2.1.1 Require subdivision infrastructure to be constructed and designed so that it is fit for purpose, while recognising opportunities for innovative design.* *27.2.1.2 Enable urban subdivision that is consistent with the QLDC Subdivision Design Guidelines 2015, recognising that good subdivision design responds to the neighbourhood context and the opportunities and constraints of the application site.* *27.2.1.3 Require that allotments are a suitable size and shape, and are able to be serviced and developed for the anticipated land use under the applicable zone provisions.* *27.2.1.4 Discourage non-compliance with minimum allotment size rules in all zones except the* *Suburban Residential or Medium Density Residential Zones where the subdivision is* *proposed in a combined manner with a land use consent, or if the subdivision is proposed* *based on a land use consent that has been implemented. However, where minimum* *allotment sizes are not achieved in urban areas, consideration will be given to whether* *any adverse effects are mitigated or compensated by providing:* *a. desirable urban design outcomes;* *b. greater efficiency in the development and use of the land resource;* *c. affordable or community housing;* *d. greater diversity in housing typologies particularly smaller and more affordable* *e. housing. 27.2.1.5 Recognise that there is an expectation by future landowners that the key effects of and resources required by anticipated land uses will have been resolved through the subdivision approval process.* *27.2.1.6 Ensure the requirements of other relevant agencies are fully integrated into the subdivision development process.* *27.2.1.7 Recognise there will be certain subdivision activities, such as boundary adjustments, that will not require the provision of services.* *27.2.2 Objective - Subdivision design achieves benefits for the subdivider, future residents and the community.* *Policies:* *27.2.2.1 Ensure subdivision design in urban areas provides a high level of amenity for future residents by aligning roads and allotments to maximise sunlight access.* *27.2.2.2 Ensure subdivision design maximises the opportunity for buildings in urban areas to front the road.*	The proposal is generally consistent with the relevant objectives and policies of Chapter 27. The proposed subdivision is directly associated with, and facilitates, the comprehensive residential development of the site as assessed through the land-use components of this application. The subdivision does not create vacant allotments, nor will it result in an inefficient pattern of land use. Rather, it formalises the tenure arrangements for the approved development reflecting the built form layout and design, and provides the necessary legal access and servicing rights to each allotment. Overall, the proposal is considered to be generally consistent with, and not contrary to, the relevant objectives and policies of Chapter 27.

District Plan provision	Comment / Assessment
27.2.2.3 Locate open spaces and reserves in appropriate locations having regard to topography, accessibility, use and ease of maintenance, while ensuring these areas are a practicable size for their intended use. *27.2.2.4 Urban subdivision shall seek to provide for good and integrated connections and accessibility to:* *a. existing and planned areas of employment;* *b. community facilities;* *c. services;* *d. trails;* *e. public transport; and* *f. existing and planned adjoining neighbourhoods, both within and adjoining the subdivision area.* *27.2.2.5 Urban subdivision design will integrate neighbourhoods by creating and utilising connections that are easy and safe to use for pedestrians and cyclists and that reduce vehicle dependence within the subdivision.* *27.2.2.6 Encourage innovative subdivision design that responds to the local context, climate, landforms and opportunities for views or shelter.* *27.2.2.7 Promote informal surveillance for safety in urban areas through overlooking of open spaces and transport corridors from adjacent sites and dwellings and by effective lighting.*	
Chapter 29 – Transport	
29.2.2 Objective - Parking, loading, access, and onsite manoeuvring that are consistent with the character, scale, intensity, and location of the zone and contributes toward: *a. providing a safe and efficient transport network;* *b. compact urban growth;* *c. economic development;* *d. facilitating an increase in walking and cycling and the use of public transport; and* *e. achieving the level of residential amenity and quality of urban design anticipated in the zone.* *Policies:* *29.2.2.1 Manage the number, pricing, location, type and design of parking spaces, queuing space, access, and loading space in a manner that:* *a. is safe and efficient for all transport modes and users, including those with restricted mobility, and particularly in relation to facilities such as hospitals, educational facilities, and day care facilities;* *b. ...* *c. contributes to an increased uptake in public transport, cycling, and walking in locations where such alternative travel modes either exist; are identified on any Council active transport network plan or public transport network plan; or are proposed as part of the subdivision, use, or development;* *d. ...* *e....* *f....* *g.avoids or mitigates adverse effects on the amenity of the streetscape and adjoining sites; and* *h.provides adequate vehicle access width and manoeuvring for all emergency vehicles.* *29.2.2.5 Enable a reduction in the minimum number of car parking spaces required only where:*	The activity will utilise the existing road network and will be of a density supported by the Medium Density Residential Zone and it is considered in this context that the roading network is suitable to accommodate the proposed development. A Transport Assessment has been provided by Novo Group, whose expertise is relied upon, and it is considered that the proposal will meet relevant standards or is assessed as having acceptable effects and providing for safe and efficient vehicle access, manoeuvring and pedestrian movement. Overall, the proposal is considered to be generally consistent with, and not contrary to, the relevant objectives and policies of Chapter 29.

District Plan provision	Comment / Assessment
a. There will be positive or only minor adverse effects on the function of the surrounding transport network and amenity of the surrounding environment; and/or *b. there is good accessibility by active and/or public transport and the activity is designed to encourage public and/or active transport use and projected demand can be demonstrated to be lower than the minimum required by the rules; and/or* *c. the characteristics of the activity or the site justify less parking and projected demand can be demonstrated to be lower than the minimum required by the rules; and/or* *d. there is an ability for shared or reciprocal parking arrangements to meet on-site car parking demands at all times and demand can be demonstrated to be lower than the minimum required by the rules.* *29.2.2.11 Mitigate the effects on safety and efficiency arising from the location, number, width, and design of vehicle crossings and accesses, particularly in close proximity to intersections and adjoining the State Highway, while not unreasonably preventing development and intensification.* *29.2.3 Objective – Roads that facilitate continued growth, are safe and efficient for all users and modes of transport and are compatible with the level of amenity anticipated in the adjoining zones.* *Policies* *29.2.3.1 Establish design standards for roads and accesses, including those in Table 3.2 of the QLDC Land Development and Subdivision Code of Practice (2018), and require adherence to those standards unless it can be demonstrated that the effects of the proposed design on:* *a. the active and public transport networks and the efficiency and safety of the roading network are no more than minor; and* *b. amenity values, urban design, landscape values are appropriately mitigated.* *29.2.3.4 Provide for services and new linear network utilities to be located within road corridors and, where practicable, within the road reserve adjacent to the carriageway in a manner consistent with the provisions of Chapter 30.* *29.2.4 Objective – An integrated approach to managing subdivision, land use, and the transport network in a manner that:* *a. supports improvements to active and public transport networks;* *b. promotes an increase in the use of active and public transport networks and shared transport;* *c. reduces traffic generation; and* *d. manages the effects of the transport network on adjoining land uses and the effects of adjoining land-uses on the transport network.* *Policies* *29.2.4.6 Encourage compact urban growth through reduced parking requirements in the most accessible parts of the District.*	

146. Overall, it is considered that the proposal is consistent with the objectives and policies of the Proposed District Plan.

District Plan Weighting

147. In this case, as the conclusions reached in the above assessment lead to the same conclusion under both the Operative District Plan and the Proposed District Plan, no weighting assessment between the Operative District Plan and Proposed District Plan is required.

Other Matters of Relevance (s104(1)(c))

Consultation

148. Given that the proposed activity is considered to be consistent with the provisions of the ODP and PDP, and that effects will be nil to negligible, no consultation has been undertaken.

Mitigation Measures and Conditions

149. Based on the assessment of effects in the previous section, no mitigation (beyond that incorporated in the proposal) is considered necessary for this proposal.

150. Without predetermining the decision, should Council be minded to grant consent the applicant requests the ability to review any draft conditions prior to issue of a decision, and agrees to place the application on hold to enable these to be considered and any feedback provided.

Consideration of Alternatives

151. As concluded in the preceding assessment of environmental effects, the proposal will not have any significant adverse effects on the environment. On this basis, an assessment of alternatives is not provided.

Monitoring

152. The scale and significance of the activity's effects are such that specific monitoring (beyond Council's standard consent monitoring program) is not considered to be necessary.

Resource Management Act 1991

s95E and s104-104D

153. In terms of notification considerations in sections 95A-95E of the Act the following matters are noted:

i. public notification is not requested by the applicant;
ii. there are no special circumstances necessitating public notification;

154. As a non-complying activity, the provisions in sections 104 and 104B direct the substantive determination of applications and the above sections of the AEE have regard to the relevant provisions referred to therein.

Sections 5-8 (Part II)

155. It is considered that the District Plan gives effect to the relevant provisions of the higher order instruments. Accordingly, there is no need to comment further on Part II provisions in this assessment.

Section 106

156. Section 106 states that consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions if it considered that there is a significant risk from natural hazards or sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.

157. It is considered that any flood hazard risk can be mitigated through finished floor levels, and the assessment provided by Engco in **Appendix 10** is relied upon.

158. Sufficient provision has been made for legal and physical access to each allotment by way of Lot 100 (access lot) and right of way easements, as shown on the Scheme Plan.

159. The Geotechnical Assessment prepared by Engco (**Appendix 10**) confirms that the site is appropriate for subdivision.

Section 106A

160. The assessment above concludes that there are no grounds to refuse consent or impose conditions under Section 106A. The proposal seeks to subdivide the approved built form into fee simple allotments, resulting in built form standard breaches from the new boundaries. The Geotechnical Assessment prepared by Engco (**Appendix 10**) confirms that the site is appropriate for residential development.

Section 220(1)(b)(iv)

161. Amalgamation conditions are sought to provide for access over Lot 100 and Council will need to consult with LINZ as to the practicality of the conditions. The proposed amalgamation conditions are:

"That Lot 100 hereon (legal access) be held as to 12 undivided one-twelfth shares by the owners of Lots 1 – 12 hereon as tenants in common in the said shares and that Individual Records of Title be issued in accordance therewith.

"That Lots 9 & 16 hereon be held in the same Record of Title"

"That Lots 10 & 15 hereon be held in the same Record of Title"

"That Lots 11 & 14 hereon be held in the same Record of Title"

"That Lots 12 & 13 hereon be held in the same Record of Title"

Conclusion

162. In conclusion, the proposal is consistent with the purpose and principles of the Resource Management Act 1991 in that it enables people to provide for their economic and social well-being, whilst maintaining and enhancing the quality and amenity of the local environment and avoiding adverse effects.

163. The proposal is consistent with the relevant objectives and policies of the ODP and PDP, and will have actual or potential effects on the environment which are acceptable and consistent with the environmental outcomes envisaged by the relevant statutory planning framework.

164. The proposal is considered to appropriately avoid, remedy or mitigate any adverse effects of the development to the extent that such effects are considered to be less than minor.

165. Accordingly, we consider that Council should grant consent to the activity on a non-notified basis in accordance with sections 104, 104B, 104D and Part 2 of the Act, subject to appropriate conditions.

Appendix 1
Records of Title

Appendix 2
Application Plans

Appendix 3
PODP Compliance Assessment

RULE	COMPLIANCE ASSESSMENT	STATUS
Chapter 25 - Earthworks		
25.4 Rule – Activities (Earthworks)		
25.4.2	Earthworks that comply with all of the standards in Tables 25.2 and 25.3, except where listed in Table 25.1 as a restricted discretionary or discretionary activity. ***Comment*** *– will not comply, as earthworks exceed 300m^3.*	**Does not comply** – see Table 25.2 below.
25.5 Rules - Standards		
25.5.3	**Table 25.2 Max volume** Medium Density Residential Zone - 300m^3 ***Comment*** *–592m^3 of earthworks cut and 1,316m^3 of fill are proposed.*	**Restricted discretionary activity**
Table 25.3 Nuisance effects, erosion, sediment generation and run-off		
25.5.11	Earthworks over a contiguous area of land shall not exceed the following area: 25.5.11.1 2,500m² where the slope is 10° or greater. 25.5.11.2 1,000m² where the slope is less than 10°. 25.5.11.3 2,500m² at any one time for the construction of a trail. ***Comment*** *– approximately 1,604m^2 of earthworks proposed and slope >* 10°.	Complies
25.5.12	Erosion and sediment control measures must be implemented and maintained during earthworks to minimise the amount of sediment exiting the site, entering water bodies, and stormwater networks. Note: Compliance with this standard is generally deemed to be compliance with Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland region. Auckland Council Guideline Document GD2016/005. ***Comment*** *– appropriate measures will be included to ensure compliance.*	Complies
25.5.13	Dust from earthworks shall be managed through appropriate dust control measures so that dust it does not cause nuisance effects beyond the boundary of the site Note: Compliance with this standard is generally deemed to be compliance with section 9 of Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland region. Auckland Council Guideline Document GD2016/005. ***Comment*** *– appropriate measures will be included to ensure compliance.*	Complies
25.5.14	Earthworks that discovers any of the following: 25.5.14.1 kōiwi tangata (human skeletal remains), wāhi taoka (resources of importance), wāhi tapu (places or features of special significance) or other Māori artefact material, or 25.5.14.2 any feature or archaeological material that predates 1900, or 25.5.14.3 evidence of contaminated land (such as discolouration, vapours, landfill material, significant odours), that is not provided for by the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011, any resource consent or other statutory authority, shall comply with the standards and procedures in Schedule 25.10 'Accidental Discovery Protocol'. ***Comment*** *– will comply or consent will be obtained.*	Complies

RULE	COMPLIANCE ASSESSMENT	STATUS
25.5.15	The maximum depth of any cut shall not exceed 2.4 metres. This rule shall not apply to roads. The maximum depth of any cut for trails shall not exceed 1.5 metres ***Comment** – maximum depth will be 1m for each residential unit.*	Complies
25.5.16	The maximum height of any fill shall not exceed 2 metres. This rule shall not apply to roads and to the backfilling of excavations. The maximum height of any fill for trails shall not exceed 1.5 metres ***Comment** – any fill will comply.*	Complies
25.5.18	Earthworks greater than 0.5 metres in height or depth shall be set back from the site boundary the following minimum distances: Earthworks not supported by retaining walls: a. a distance at least equal to the maximum height of the fill, as measured from the toe of the fill, with a maximum batter slope angle of 1:3 (vertical: horizontal); or b. 300mm plus a batter slope angle of a maximum of 1:3 (vertical: horizontal), as measured from the crest of the cut ***Comment –** the earthworks comply with boundary setbacks noting retaining walls extend south of the garaging on each side of the driveway as shown on Drawing Sheet A2.2.*	Complies
Chapter 27 – Subdivision and Development		
27.5.7	All urban subdivision activities, unless otherwise provided for, within the following zones: 2. Medium Density Residential Zone and Medium Density Residential A Zone ***Comment –** the proposed subdivision is within the Medium Density Residential Zone.*	**Restricted discretionary activity**
Chapter 29 – Transport		
Refer to Appendix 6 for Transport Assessment prepared by Novo Group		
Chapter 8 – Medium Residential Density		
8.4 Rules – Activities		
8.4.6.2	Residential unit For all locations outside of Arrowtown, three (3) or less per site provided the net area per residential unit is no less than 250 square metres. ***Comment** – does not comply, 16 residential units are proposed with less than 250m² net site area per unit.*	**Restricted discretionary activity (see below)**

RULE	COMPLIANCE ASSESSMENT	STATUS
8.4.7A	Residential Visitor Accommodation - Means the use of a building established as a residential unit (including a residential flat) by paying guests where the length of stay by any guest is less than 90 nights. ***Comment** – each unit is sought to be used for visitor accommodation for 365 nights per year. However, as the site is within the Wānaka Town Centre Transition Overlay and Rule 8.4.11 applies, it is not considered that the standards apply. If we are wrong on this then consent would also be required here as a restricted discretionary activity. This would not change the activity status but it would bring in additional matters of discretion.*	**N/A**
8.4.8	Buildings in the Wānaka Town Centre Transition Overlay ***Comment** – New buildings are proposed.*	**Restricted discretionary activity**
8.4.10	Residential unit 8.4.10.1 - One (1) or more per site within the Arrowtown Historic management Transition Overlay Area 8.4.10.2 - Two (2) or more per site in Arrowtown. 8.4.10.3 - For all locations outside of Arrowtown, four (4) or more per site.or all locations outside of Arrowtown, four (4) or more per site. 8.4.10.4 - Developments including at least one residential unit that do not comply with the minimum net area requirement in rule 8.4.6, and that comply with the following: i. the rules in section 8.5 of this Chapter; ii. each residential unit must provide legal access from a public road to the net area of that residential unit, in compliance with any relevant access standards within Chapter 29 (this access may be shared with that of other residential units); and iii. each residential unit must have at least one off-street small-vehicle loading space compliant with relevant Chapter 29 standards for a private car parking space (including access and manoeuvring) legally attached to the residential unit and within or within 30m of the residential unit's net area. ***Comment** – Will not comply with 8.4.10.3 and 8.4.10.4*	**Restricted discretionary activity**
8.4.11	Visitor Accommodation in the Visitor Accommodation Sub-Zone and Wānaka Town Centre Transition Overlay	**Restricted discretionary activity**
8.5 Rules – Standards for activities located in the Medium Density Residential Zone		
8.5.1 Pre-UIV	*Building Height (for flat and sloping sites)* *8.5.1.1a Hāwea, Wānaka and Arrowtown: A maximum of 7 metres is permitted.*	**Non-complying activity**
8.5.1.2 UIV	Building Height (for flat and sloping sites) All other locations: a maximum of 8 metres; ***Comment** –* Multiple height breaches are proposed with a maximum breach of 302mm as dimensioned on the elevation plans.	**Discretionary activity**

RULE	COMPLIANCE ASSESSMENT	STATUS
8.5.2	Sound insulation and mechanical ventilation Any residential buildings, or buildings containing an activity sensitive to road noise, and located within 80m of a State Highway shall be designed to achieve an Indoor Design Sound Level of 40Db LAeq24h. Compliance with this rule can be demonstrated by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level. ***Comment –*** *the site is not located within 80m of a state highway.*	N/A
8.5.4	Building Coverage A maximum of 45%. ***Comment*** *– will not comply 61% is proposed across the wider application site with coverages of 43% to 76% for individual proposed lots (see the building coverage table on Drawing Sheet 0.7).*	**Does not comply – Restricted discretionary activity**
8.5.5	Outdoor Living Space (per unit) – Applies only where rule 8.4.6 is not complied with 8.5.5.1 Each residential or visitor accommodation unit at ground floor level, must have outdoor living space that is a minimum of 20m² and that comprises ground floor, balcony, patio, or roof terrace space that: a. Where located at ground level has no dimension less than 3m; and b. Where provided in the form of a balcony, patio, or roof terrace, is at least 8m² in area and has a minimum dimension of 1.8 m. ***Comment –*** *Units 1 – 8, 12, 14 and 16 comply with dimension and area. Unit 10* ***will not comply*** *as a dimension of 3m is not achieved for the whole area.* 8.5.5.2 Each residential or visitor accommodation unit located wholly above ground floor level, must have an outdoor living space that is a minimum of 8m² in area with a minimum dimension of 1.8m. ***Comment –*** *Units 9, 11, 13 and 15 are located above ground floor level and provide a balcony with a width of 2m and area of 8.36m².* 8.5.5.3 Where multiple units are located on a site, the outdoor living spaces may be grouped cumulatively in a communally accessible location or be private spaces located directly adjacent to each unit. ***Comment –*** *no communal outdoor living space is provided in this instance.*	**Does not comply (8.5.5.1) – Restricted discretionary activity**
8.5.6	Outlook Space (per unit) – Applies only where rule 8.4.6 is not complied with The minimum dimensions for the required outlook space for each residential or visitor accommodation unit are as follows: a. A main living room/space must have an outlook space with a minimum dimension of 4m in depth and 4m in width; and b. All other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width ***Comment –*** *all units comply with 1 x 1m outlook spaces.*	**Does not comply – Restricted discretionary activity**

RULE	COMPLIANCE ASSESSMENT	STATUS
	Units 1 – 4 will not comply with width or depth of the 4 x 4m outlook space owing to wing walls and boundary fencing. *Units 5 – 8 will not comply with width of the 4 x 4m outlook space owing to wing walls.* *Unit 10 will not comply with depth of the 4 x 4m outlook space owing to boundary fencing.* *Units 9 and 11 – 16 will comply.*	
8.5.7	Recession plane: a. on flat sites applicable to all buildings; b. on sloping sites only applicable to accessory buildings. 8.5.7.1 Northern boundary: 2.5m and 55 degrees. 8.5.7.2 Western and eastern boundaries: 2.5m and 45 degrees. 8.5.7.3 Southern boundary: 2.5m and 35 degrees. Exemptions: a. gable end roofs may penetrate the building recession plane by no more than one third of the gable height; b. recession planes do not apply to site boundaries adjoining a Town Centre Zone, or fronting a road, or a park or reserve ***Comment –*** *compliance is as follows:* *N – N/A adjoins Town Centre Zone.* *E – N/A road boundary* *S – N/A road boundary* *W – Units 1 – 4 breach on the west internal boundary by 1.913m to 1.919m. Unit 5 breaches by 1.484 to 1.490m.*	**Does not comply – Restricted discretionary activity**
8.5.8	Landscaped permeable surface At least 25% of site area shall comprise landscaped permeable surface. ***Comment –*** *Will comply 25.3% proposed*	Complies
8.5.9	Minimum Boundary Setback a. road boundary setback: 3m minimum, except for: i. State Highway boundaries, where the setback shall be 4.5m minimum; ii. garages, where the setback shall be 4.5m minimum; b. all other boundaries: 1.5m. Exceptions to setback requirements other than any road boundary setback. Accessory buildings for residential activities may be located within the setback distances, where they do not exceed 7.5m in length, there are no windows or openings (other than for carports) along any walls within 1.5m of an internal boundary, and they comply with rules for Building Height and Recession Plane.	**Does not comply – Restricted discretionary activity**

RULE	COMPLIANCE ASSESSMENT	STATUS
	Comment – *Unit 1 and Units 15/16 are located up to 1.62m and 2.125m respectively from the Russell Street road boundary.* *The store room associated with the garage of Unit 8 is 1.079m from the Stratford Terrace road boundary and is at least 7.5m in length.* *Units 9/10 are located 2.596m from the Stratford Terrace road boundary.* *All other units comply.*	
8.5.10	Building Length The length of any building facade above the ground floor level shall not exceed 24m. ***Comment –*** *Blocks B and C will not comply. Approximately 30.5m and 27m proposed respectively.*	**Restricted discretionary activity**
8.5.11	Waste and Recycling Storage Space 8.5.11.1 Each residential unit shall provide, a minimum of $2m^2$ space for waste and recycling storage per residential unit or flat. 8.5.11.2 Waste and recycling bins shall be: a. Located where it is easy to manoeuvre for kerbside collections and avoiding 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; and d. Subject to a communal or private collection arrangement where the number of bins required by a development cannot be accommodated within the available kerbside space in front of the development site, including not impeding the footpath. ***Comment –*** *Units 1 -4 and 6 – 8 have >$2m^2$ for bins and will comply with the required space.* *The remaining units share a communal area, which will provide for less than $2m^2$ per unit and will not comply.* *There is obviously some ambiguity in respect of a., which includes the subjective term "**easy** to manoeuvre". This generally wouldn't meet the statutory test for a District Plan rule, but notwithstanding in our view being ultra vires, the RMA requires Council to enforce and observe their District Plan.* *The need for Units 1 -4 and 6 – 8 residents to bring bins through garaging may not be considered "easy" if vehicles are parked there.*	**Restricted discretionary activity**
8.5.12	Lighting and Glare 8.5.12.1 All exterior lighting shall be directed downward and away from adjacent sites and roads. 8.5.12.2 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. ***Comment -*** *any lighting on site will be designed to comply.*	Permitted activity

RULE	COMPLIANCE ASSESSMENT	STATUS
8.5.14	Garage doors and their supporting structures (measured parallel to the road) shall not exceed 50% of the width of the front elevation of the building which is visible from the street. ***Comment*** **–** no garage doors are parallel to the road.	N/A
8.5.17 **Noting the comments under Rule 8.4.7A this standard is assessed conservatively in case we are wrong that it does not apply.**	Residential Visitor Accommodation where: 8.5.17.1 The total nights of occupation by paying guests on a site do no exceed a cumulative total of 90 nights per annum from the date of initial registration. ***Comment*** **–** *the proposal is for each unit to be utilised for 365 nights per year therefore will not comply.* *8.5.17.2 A single residential unit (inclusive of a residential flat) must be rented to a maximum of one (1) group of guests at any one time.* ***Comment*** **–** *will comply.* *8.5.17.3 The number of guests must not exceed 2 adults per bedroom and the total number of adults and children must not exceed:* *3 in a one-bedroom residential unit* *6 in a two-bedroom residential unit* *9 in a three-bedroom or more residential unit.* ***Comment*** **–** *will comply.* *8.5.17.4 No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.* ***Comment*** **–** *will comply and be included in the VAMP.* *8.5.17.5 Outdoor space is not used between the hours of 10:00pm and 7:00am and sign/s are installed and visible from the outdoor space advising the permitted hours of use.* ***Comment*** **–** *will comply and be included in the VAMP.* *8.5.17.6 Rubbish and recycling is not left on/adjacent to the road, except on the day of collection.* ***Comment*** **–** *will comply and be included in the VAMP.* *8.5.17.7 The activity is registered with Council prior to commencement.* ***Comment*** **–** *will comply.* *8.5.17.8 Council is provided with the following information at the time of registration:* *a. The contact details of the person and/or organisation responsible for managing the property and responding to any complaints; and* *b. Confirmation that the immediately adjacent neighbouring properties, including any property with shared access arrangements, have been provided with written notice that the property is to be used for residential visitor accommodation and the contact details of the person and/or organisation responsible for managing the property and responding to any complaints.* ***Comment*** **–** *will comply.* *8.5.17.9 The information required by Standard 8 is reviewed and resubmitted to Council on an annual basis (from the date of*	**N/A – otherwise if we are wrong on this it does not comply and would be assessed as a restricted discretionary activity Rule 8.5.17.1**

RULE	COMPLIANCE ASSESSMENT	STATUS
	registration of the activity), including the annual provision of written notice to neighbours required by Standard 8.b. ***Comment –*** *will comply.* *8.5.17.10 Up to date records of the activity are kept including:* *a. A record of the date and duration of guest stays and the number of guests staying per night; and* *b. A detailed record of any complaints received and remediation actions taken.* ***Comment –*** *will comply.* *8.5.17.11 The records required by Standard 10 are provided to Council on an annual basis from the date of registration and made available for inspection by Council with 24 hours' notice.* ***Comment –*** *will comply.*	

Appendix 4
Landscape Plan

Appendix 5
Servicing Report & EMP

Appendix 6
Transport Assessment

Appendix 7
Scheme Plan

Appendix 8
Visitor Accommodation Management Plan

Appendix 9
DCM Urban Design Assessment

Appendix 10
Geotechnical Assessment