

APPLICATION AS NOTIFIED

Varina Pty Limited

(RM230125)

File Number RM230125

QUEENSTOWN LAKES DISTRICT COUNCIL

SERVICE OF NOTICE / LIMITED NOTIFICATION

Service of Notice for Limited Notification of a Resource Consent application under Section 95B of the Resource Management Act 1991.

The Queenstown Lakes District Council has received an application for a resource consent from:

Varina Pty Limited

What is proposed:

To use four existing residential units and three existing residential flats on the site for Residential Visitor Accommodation. Each unit and each flat is proposed to be able to be let for up to 275 nights per year.

The location in respect of which this application relates is situated at:

208 Brownston Street, Wanaka

A full copy of this Limited Notified package is available for you to download on the following link:

<https://www.qldc.govt.nz/services/resource-consents/notified-resource-consents#limited-not-rc> or via our edocs website using RM230125 as the reference <https://edocs.qldc.govt.nz/Account/Login>

This file can also be viewed at our public computers at these Council offices:

- **74 Shotover Street, Queenstown;**
- **Gorge Road, Queenstown;**
- **and 47 Ardmore Street, Wanaka during normal office hours (8.30am to 5.00pm).**

The Council planner processing this application on behalf of the Council is Tara Enright, who may be contacted by phone at 027 276 9797 or e-mail at tara.enright@qldc.govt.nz.

Any person who is notified of this application, but a person who is a trade competitor of the applicant may do so only if that person is directly affected by an effect of the activity to which the application relates that –

- a) adversely affects the environment; and
- b) does not relate to trade competition or the effects of trade competition.

If you wish to make a submission on this application, you may do so by sending a written submission to the consent authority no later than:

13 September 2024

The submission must be dated, signed by you and must include the following information:

- a) Your name and postal address and phone number/fax number.
- b) Details of the application in respect of which you are making the submission including location.
- c) Whether you support or oppose the application.
- d) Your submission, with reasons.
- e) The decision you wish the consent authority to make.
- f) Whether you wish to be heard in support of your submission.

You may make a submission by sending a written or electronic submission to Council (details below). The submission should be in the format of Form 13. Copies of this form are available Council website:

https://www.qldc.govt.nz/services/resource-consents/application-forms-and-fees#other_forms

You must serve a copy of your submission to the applicant (Varina Pty Limited c/o IP Solutions, nicole@ipsolutions.nz and cam@ipsolutions.nz) as soon as reasonably practicable after serving your submission to Council:

C/- IP Solutions
nicole@ipsolutions.nz and cam@ipsolutions.nz
5 Chalmers Street
Wanaka 9305

QUEENSTOWN LAKES DISTRICT COUNCIL



(signed by Wendy Baker pursuant to a delegation given under Section 34A of the Resource Management Act 1991)

Date of Notification: 16 August 2024

Address for Service for Consent Authority:

Queenstown Lakes District Council
Private Bag 50072, Queenstown 9348
Gorge Road, Queenstown 9300

Phone
Email
Website

03 441 0499
rsubmission@qldc.govt.nz
www.qldc.govt.nz

TechnologyOne ECM Document Summary

Printed On 13-Aug-2024

Class	Description	Doc Set Id / Note Id	Version	Date
PUB_ACC	Appendix A - Form 9	7538886	1	02-Mar-2023
PUB_ACC	AEE	7538887	1	02-Mar-2023
PUB_ACC	Appendix B - Record of Title	7538885	1	02-Mar-2023
PUB_ACC	Appendix B - Caveat	7547994	1	09-Mar-2023
PUB_ACC	Appendix C - Plans	7538884	1	02-Mar-2023
PUB_ACC	Appendix D - Traffic Report	7538883	1	02-Mar-2023
PUB_ACC	Appendix E - Operational Management Plan	7538882	1	02-Mar-2023

APPLICATION FOR RESOURCE CONSENT OR
FAST TRACK RESOURCE CONSENTFORM 9: GENERAL
APPLICATION

Under Section 87AAC, 88 & 145 of the Resource Management Act 1991 (Form 9)

PLEASE COMPLETE ALL **MANDATORY FIELDS*** OF THIS FORM.

This form provides contact information and details of your application. If your form does not provide the required information it will be returned to you to complete. Until we receive a completed form and payment of the initial fee, your application may not be accepted for processing.



APPLICANT //

- Must be a person or legal entity (limited liability company or trust).
- Full names of all trustees required.
- The applicant name(s) will be the consent holder(s) responsible for the consent and any associated costs.

*Applicant's Full Name / Company / Trust: **Varina Pty Limited**

(Name Decision is to be issued in)

All trustee names (if applicable):

*Contact name for company or trust: **Duffy Krook***Postal Address: **2/184A Kurruba Road, Newutral Bay, NSW, 2089, Australia**

*Post code:

2089*Contact details supplied must be for the [applicant and not for an agent acting on their behalf](#) and must include a valid postal address*Email Address: **duffy.krook@gmail.com***Phone Numbers: Day **0061418164616**

Mobile:

*The Applicant is:



Owner



Prospective Purchaser (of the site to which the application relates)



Occupier



Lessee

Other - Please Specify:

Our preferred methods of corresponding with you are by **email** and **phone**.The decision will be sent to the Correspondence Details by **email** unless requested otherwise.

CORRESPONDENCE DETAILS // If you are acting on behalf of the applicant e.g. agent, consultant or architect please fill in your details in this section.

*Name & Company: **Nicole Malpass***Phone Numbers: Day **02108060084**

Mobile:

*Email Address: **nicole@ipsolutions.nz***Postal Address: **5 chalmers street, wanaka**

*Postcode:

9305

INVOICING DETAILS //

Invoices will be made out to the applicant but can be sent to another party if paying on the applicant's behalf. For more information regarding payment please refer to the Fees Information section of this form.

*Please select a preference for who should receive any invoices and how they would like to receive them.

Applicant:



Agent:



Other - Please specify:

Email:



Post:

*Attention: **Varina Pty Limited***Postal Address: **2/184A Kurruba Road, Newutral Bay, NSW, 2089, Australia**

*Post code:

2089

*Please provide an email AND full postal address.

*Email: **varinabills@gmail.com**



OWNER DETAILS // Please supply owner details for the subject site/property if not already indicated above

Owner Name:

Owner Address:

If the property has recently changed ownership please indicate on what date (approximately) AND the names of the previous owners:

Date:

Names:



DEVELOPMENT CONTRIBUTIONS INVOICING DETAILS //

If it is assessed that your consent requires development contributions any invoices and correspondence relating to these will be sent via email. Invoices will be sent to the email address provided above unless an alternative address is provided below. Invoices will be made out to the applicant/owner but can be sent to another party if paying on the applicant's behalf.

*Please select a preference for who should receive any invoices.

Details are the same as for invoicing

Applicant:

Landowner:

Other, please specify:

*Attention: **Duffy Krook**

*Email: **varinabills@gmail.com**

[Click here for further information and our estimate request form](#)



DETAILS OF SITE // Legal description field must list legal descriptions for all sites pertaining to the application. Any fields stating 'refer AEE' will result in return of the form to be fully completed.

*Address / Location to which this application relates:

208 Brownston Street, Wanaka, 9305

*Legal Description: Can be found on the Computer Freehold Register or Rates Notice – e.g Lot x DPxxx (or valuation number)

Lot 1 DP 9409

District Plan Zone(s):



SITE VISIT REQUIREMENTS // Should a Council officer need to undertake a site visit please answer the questions below

Is there a gate or security system restricting access by council?

YES NO

Is there a dog on the property?

YES NO

Are there any other hazards or entry restrictions that council staff need to be aware of?
If 'yes' please provide information below

YES NO

**PRE-APPLICATION MEETING OR URBAN DESIGN PANEL**

Have you had a pre-application meeting with QLDC or attended the urban design panel regarding this proposal?

Yes

No

Copy of minutes attached

If 'yes', provide the reference number and/or name of staff member involved:

**CONSENT(S) APPLIED FOR // * Identify all consents sought // ALSO FILL IN OTHER CONSENTS SECTION BELOW**

Land use consent

Subdivision consent

Change/cancellation of consent or consent notice conditions

Certificate of compliance

Extension of lapse period of consent (time extension) s125

Existing use certificate

Land use consent includes Earthworks

**QUALIFIED FAST-TRACK APPLICATION UNDER SECTION 87AAC**

Controlled Activity

Deemed Permitted Boundary Activity

If your consent qualifies as a fast-track application under section 87AAC, tick here to opt out of the fast track process**BRIEF DESCRIPTION OF THE PROPOSAL // * Please complete this section, any form stating 'refer AEE' will be returned to be completed with a description of the proposal**

*Consent is sought to:

Operate RVA for up to 275 nights a year from 4 existing residential units and 3 associated residential flats.

**APPLICATION NOTIFICATION**

Are you requesting public notification for the application?

Yes

No

Please note there is an additional fee payable for notification. Please refer to Fees schedule

**OTHER CONSENTS****Is consent required under a National Environmental Standard (NES)?**

- NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2012

An applicant is required to address the NES in regard to past use of the land which could contaminate soil to a level that poses a risk to human health. Information regarding the NES is available on the website

➔ <https://environment.govt.nz/publications/national-environmental-standard-for-assessing-and-managing-contaminants-in-soil-to-protect-human-health-information-for-landowners-and-developers/>

You can address the NES in your application AEE OR by selecting ONE of the following:

This application does not involve subdivision (excluding production land), change of use or removal of (part of) a fuel storage system. Any earthworks will meet section 8(3) of the NES (including volume not exceeding 25m³ per 500m²). Therefore the NES does not apply.

I have undertaken a comprehensive review of District and Regional Council records and I have found no record suggesting an activity on the HAIL has taken place on the piece of land which is subject to this application.

NOTE: depending on the scale and nature of your proposal you may be required to provide details of the records reviewed and the details found.



OTHER CONSENTS // CONTINUED

I have included a Preliminary Site Investigation undertaken by a suitably qualified person.

An activity listed on the HAIL has more likely than not taken place on the piece of land which is subject to this application. I have addressed the NES requirements in the Assessment of Environmental Effects.

Any other National Environmental Standard

Yes N/A

Do you need any consent(s) from Otago Regional Council?

Yes N/A

If Yes have you applied for it?

Yes No

If Yes supply ORC Consent Reference(s)

If ORC Earthworks Consent is required would you like a joint site visit ?

Yes No



INFORMATION REQUIRED TO BE SUBMITTED //

Attach to this form any information required (see below & appendices 1-2).

To be accepted for processing, your application should include the following:

- Computer Freehold Register for the property (no more than 3 months old) and copies of any consent notices and covenants (Can be obtained from Land Information NZ at <https://www.linz.govt.nz/>).
- A plan or map showing the locality of the site, topographical features, buildings etc.
- A site plan at a convenient scale.
- Written approval of every person who may be adversely affected by the granting of consent (s95E).
- An Assessment of Effects (AEE).
An AEE is a written document outlining how the potential effects of the activity have been considered along with any other relevant matters, for example if a consent notice is proposed to be changed. Address the relevant provisions of the District Plan and affected parties including who has or has not provided written approval. See [Appendix 1](#) for more detail.

We prefer to receive applications electronically – please see Appendix 5 – [Naming of Documents Guide](#) for how documents should be named. Please ensure documents are scanned at a minimum resolution of 300 dpi. Each document should be no greater than 10mb



PRIVACY INFORMATION

The information you have provided on this form is required so that your application can be processed under the Resource Management Act 1991 and may also be used in statistics collected and provided to the Ministry for the Environment and Queenstown Lakes District Council. The information will be stored on a public register and may be made available to the public on request or on the company's or the Council's websites.



FEES INFORMATION

Section 36 of the Resource Management Act 1991 deals with administrative charges and allows a local authority to levy charges that relate to, but are not limited to, carrying out its functions in relation to receiving, processing and granting of resource consents (including certificates of compliance and existing use certificates).

Invoiced sums are payable by the 20th of the month after the work was undertaken. If unpaid, the processing of an application, provision of a service, or performance of a function will be suspended until the sum is paid. You may also be required to make an additional payment, or bring the account up to date, prior to milestones such as notification, setting a hearing date or releasing the decision. In particular, all charges related to processing of a resource consent application are payable **prior to issuing of the decision**. Payment is due on the 20th of the month or **prior to the issue date – whichever is earlier**.

**FEES INFORMATION // CONTINUED**

If your application is notified or requires a hearing you will be requested to pay a notification deposit and/or a hearing deposit. An applicant may not offset any invoiced processing charges against such payments.

Section 357B of the Resource Management Act provides a right of objection in respect of additional charges. An objection must be in writing and must be lodged within 15 working days of notification of the decision.

LIABILITY FOR PAYMENT – Please note that by signing and lodging this application form you are acknowledging that the details in the invoicing section are responsible for payment of invoices and in addition will be liable to pay all costs and expenses of debt recovery and/or legal costs incurred by QLDC related to the enforcement of any debt.

MONITORING FEES – Please also note that if this application is approved you will be required to meet the costs of monitoring any conditions applying to the consent, pursuant to Section 35 of the Resource Management Act 1991.

DEVELOPMENT CONTRIBUTIONS – Your development, if granted, may also incur development contributions under the Local Government Act 2002. You will be liable for payment of any such contributions.

A list of Consent Charges is available on the on the Resource Consent Application Forms section of the QLDC website. If you are unsure of the amount to pay, [please call 03 441 0499](tel:034410499) and ask to speak to our duty planner.

Please ensure to [reference any banking payments correctly](#). Incorrectly referenced payments may cause delays to the processing of your application whilst payment is identified.

If the initial fee charged is insufficient to cover the actual and reasonable costs of work undertaken on the application you will be required to pay any additional amounts and will be invoiced monthly as work on the application continues. Please note that if the Applicant has outstanding fees owing to Council in respect of other applications, Council may choose to apply the initial fee to any outstanding balances in which case the initial fee for processing this application may be deemed not to have been paid.

**PAYMENT // An initial fee must be paid prior to or at the time of the application and proof of payment submitted.**

Please reference your payments as follows:

Applications yet to be submitted: RM followed by first 5 letters of applicant name e.g RMJONES

Applications already submitted: Please use the RM# reference that has been assigned to your application, this will have been emailed to yourself or your agent.

Please note processing will not begin until payment is received (or identified if incorrectly referenced).

- I confirm payment by:
- Bank transfer to account 02 0948 0002000 00 (If paying from overseas swiftcode is – BKNZ222)
 - Invoice for initial fee requested and payment to follow
 - Manual Payment (can only be accepted once application has been lodged and acknowledgement email received with your unique RM reference number)

*Reference **RMVARINA**

*Amount Paid: Landuse and Subdivision Resource Consent fees - please select from drop down list below

\$2200 - Restricted Discretionary Activity (overall consent status)

(For required initial fees refer to website for Resource Consent Charges or spoke to the Duty Planner by phoning 03 441 0499)

*Date of Payment **TBC**

Invoices are available on request

APPLICATION & DECLARATION

The Council relies on the information contained in this application being complete and accurate. The Applicant must take all reasonable steps to ensure that it is complete and accurate and accepts responsibility for information in this application being so.

If lodging this application as **the Applicant:**

I/we hereby represent and warrant that I am/we are aware of all of my/our obligations arising under this application including, in particular but without limitation, my/our obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to within the Fees Information section.

OR:

If lodging this application as **agent of the Applicant:**

I/we hereby represent and warrant that I am/we are authorised to act as agent of the Applicant in respect of the completion and lodging of this application and that the Applicant / Agent whose details are in the invoicing section is aware of all of his/her/its obligations arising under this application including, in particular but without limitation, his/her/its obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to within the Fees Information section.

PLEASE TICK

I hereby apply for the resource consent(s) for the Proposal described above and I certify that, to the best of my knowledge and belief, the information given in this application is complete and accurate.

Signed (by or as authorised agent of the Applicant) **

Full name of person lodging this form **Nicole Malpass**

Firm/Company **IP Solutions Ltd**

Dated **3/3/2023**

**If this form is being completed on-line you will not be able, or required, to sign this form and the on-line lodgement will be treated as confirmation of your acknowledgement and acceptance of the above responsibilities and liabilities and that you have made the above representations, warranties and certification.



Section 2 of the District Plan provides additional information on the information that should be submitted with a land use or subdivision consent.

The RMA (Fourth Schedule to the Act) requires the following:

1 INFORMATION MUST BE SPECIFIED IN SUFFICIENT DETAIL

- Any information required by this schedule, including an assessment under clause 2(1)(f) or (g), must be specified in sufficient detail to satisfy the purpose for which it is required.

2 INFORMATION REQUIRED IN ALL APPLICATIONS

- (1) An application for a resource consent for an activity (the activity) must include the following:

- (a) a description of the activity;
- (b) a description of the site at which the activity is to occur;
- (c) the full name and address of each owner or occupier of the site;
- (d) a description of any other activities that are part of the proposal to which the application relates;
- (e) a description of any other resource consents required for the proposal to which the application relates;

Information provided within the Form above

- (f) an assessment of the activity against the matters set out in Part 2;
- (g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b).

- (2) The assessment under subclause (1)(g) must include an assessment of the activity against—

- (a) any relevant objectives, policies, or rules in a document; and
- (b) any relevant requirements, conditions, or permissions in any rules in a document; and
- (c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).

Include in an attached Assessment of Effects (see Clauses 6 & 7 below)

- (3) An application must also include an assessment of the activity's effects on the environment that—

- (a) includes the information required by clause 6; and
- (b) addresses the matters specified in clause 7; and
- (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

ADDITIONAL INFORMATION REQUIRED IN SOME APPLICATIONS

- An application must also include any of the following that apply:
 - (a) if any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1));
 - (b) if the application is affected by section 124 or 165ZH(1)(c) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A));



ASSESSMENT OF ENVIRONMENTAL EFFECTS

Clause 6: Information required in assessment of environmental effects

- (1) An assessment of the activity's effects on the environment must include the following information:
 - (a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:
 - (b) an assessment of the actual or potential effect on the environment of the activity:
 - (c) if the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise from such use:
 - (d) if the activity includes the discharge of any contaminant, a description of—
 - (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
 - (ii) any possible alternative methods of discharge, including discharge into any other receiving environment:
 - (e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect:
 - (f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted:
 - (g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:
 - (h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).

(2) A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.

(3) To avoid doubt, subclause (1)(f) obliges an applicant to report as to the persons identified as being affected by the proposal, but does not—

- (a) oblige the applicant to consult any person; or
- (b) create any ground for expecting that the applicant will consult any person.

CLAUSE 7: MATTERS THAT MUST BE ADDRESSED BY ASSESSMENT OF ENVIRONMENTAL EFFECTS

- (1) An assessment of the activity's effects on the environment must address the following matters:
 - (a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:
 - (b) any physical effect on the locality, including any landscape and visual effects:
 - (c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:
 - (d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:
 - (e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:
 - (f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.

(2) The requirement to address a matter in the assessment of environmental effects is subject to the provisions of any policy statement or plan.



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APPENDIX 2 // Information requirements for subdivision

UNDER THE FOURTH SCHEDULE TO THE ACT:

- An application for a subdivision consent must also include information that adequately defines the following:
 - (a) the position of all new boundaries:
 - (b) the areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan:
 - (c) the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips:
 - (d) the locations and areas of any existing esplanade reserves, esplanade strips, and access strips:
 - (e) the locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A:
 - (f) the locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under section 237A):
 - (g) the locations and areas of land to be set aside as new roads.

A3

APPENDIX 3 // Development Contributions

Will your resource consent result in a Development Contribution and what is it?

- A Development Contribution can be triggered by the granting of a resource consent and is a financial charge levied on new developments. It is assessed and collected under the Local Government Act 2002. It is intended to ensure that any party, who creates additional demand on Council infrastructure, contributes to the extra cost that they impose on the community. These contributions are related to the provision of the following council services:
 - Water supply
 - Wastewater supply
 - Stormwater supply
 - Reserves, Reserve Improvements and Community Facilities
 - Transportation (also known as Roading)

[Click here for more information on development contributions and their charges](#)

OR Submit an Estimate request *please note administration charges will apply



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APPENDIX 4 // Fast - Track Application

Please note that some land use consents can be dealt with as fast track land use consent. This term applies to resource consents where they require a controlled activity and no other activity. A 10 day processing time applies to a fast track consent.

If the consent authority determines that the activity is a deemed permitted boundary activity under section 87BA of the Act, written approval cannot be withdrawn if this process is followed instead.

A fast-track application may cease to be a fast-track application under section 87AAC(2) of the Act.

A5

APPENDIX 5 // Naming of documents guide

While it is not essential that your documents are named the following, it would be helpful if you could title your documents for us. You may have documents that do not fit these names; therefore below is a guide of some of the documents we receive for resource consents. Please use a generic name indicating the type of document.

Application Form 9

Assessment of Environmental Effects (AEE)

Computer Register (CFR)

Covenants & Consent Notice

Affected Party Approval/s

Landscape Report

Ecological Report

Engineering Report

Geotechnical Report

Wastewater Assessment

Traffic Report

Waste Event Form

Urban Design Report

February 2023

Queenstown Lakes District Council
Wanaka Office
47 Ardmore Street
WANAKA 9305

Attention: Wanaka Planning Department**1.0 INTRODUCTION**

Please find enclosed an application to enable the use of 4 residential units and 3 residential flats associated with those units for 275 nights of Residential Visitor Accommodation (RVA) per 12 month period.

The application includes a site description, description of the proposed activity and an assessment of how the proposal aligns with the relevant District Plan rules and assessment criteria. A traffic report has also been submitted as part of this report prepared by Carriageway Consulting.

Given the less than minor degree of adverse effects that would be generated, it is requested that this application be processed and approved on a non-notified basis, subject to the inclusion of appropriate conditions.

2.0 APPLICATION DETAILS

APPLICANT	VARINA PTY LIMITED
SITE LOCATION	208 BROWNSTON STREET
LEGAL DESCRIPTION	LOT 2, DP 471320, RECORD OF TITLE 639351
SITE AREA	1,012m²
ZONING (ODP)	LOW DENSITY RESIDENTIAL

ZONING (PDP)**MEDIUM DENSITY RESIDENTIAL****3.0 APPENDICES**

APPENDIX A	FORM 9
APPENDIX B	RECORD OF TITLE
APPENDIX C	PLANS
APPENDIX D	TRAFFIC REPORT
APPENDIX E	OPERATIONAL MANAGEMENT PLAN

4.0 SITE DESCRIPTION AND DESCRIPTION OF PROPOSAL

The subject site is located at the western extent of Brownston Street, located in the block of properties encompassed by Brownston, McDougall and Upton Streets. The site is 1,012m², and contains four residential units which include three residential flats which have recently been constructed. This built form was approved on 16th November 2020 under RM200713.

Figure 1 below shows the subject site and immediate surrounds.



Figure 1: Aerial Image of subject site (outlined in blue) and surrounds. Image taken from QLDC GIS. Note: site has recently been developed as per RM200713 and the aerial image does not reflect what exists in actuality.

It is noted that whilst the application for RM200713 initially proposed a Residential Visitor Accommodation (RVA) element, this was later removed due to the covid-19 pandemic and the associated impact on visitors to the region.

This application now seeks to provide short term visitor accommodation from established residential units and residential flats for a total of 275 nights per calendar year.

For description purposes, the buildings have been separated into units. Unit A contains a residential unit on the ground floor and comprises of two bedrooms. The associated residential flat is situated on the first floor and also contains two bedrooms. This layout and number of bedrooms is the same for units A, B and C. Unit D encompasses one bedroom. The application proposes that the residential units and the residential flats are able to be rented out to separate parties/groups and that no more than two adults per bedroom are accommodated. This totals a maximum of 26 persons being accommodated.

The property gains access from two vehicle crossings extending onto/from Brownston Street. There are six parking spaces to the rear which are all served by one access which connects to Brownstown Street and a second access serves the garaged parking space (associated with Unit C).

It is proposed as part of this application that the parking spaces shall be managed such that each unit is allocated a parking space, meaning that there is no possibility that a guest would enter to find that all spaces are occupied.

The required mobility parking space (space 4 marked on the plans), does not meet District Plan requirements where a 3.6m width is required and an 8.0m aisle. In this case, space 4

provides for the mobility impaired and has the following dimensions; 3.2m wide (plus and additional 2.2), 5.0m long and an aisle of 6.4m. Further to this, there is a non-compliance in terms of vehicle crossing widths being 3.5m instead of 4m (for RVA) as well as minimum sight distances due to the nature of Brownston Street.

It is noted that some of these rules were triggered and assessed within RM200713, however, some were not necessary being that the RVA element was removed last minute.

4.1 NATIONAL ENVIRONMENTAL STANDARDS FOR ASSESSING CONTAMINANTS IN SOIL

The NES does not apply being that this application does not involve any disturbance of land.

5.0 SITE HISTORY

As noted above, RM200713 approved the construction of four residential units, including three residential flats which breaches recession plane controls, earthworks and transport standards.

6.0 ACTIVITY STATUS

6.1 ACTIVITY STATUS (OPERATIVE DISTRICT PLAN)

The subject site is zoned Low Density Residential under the ODP. The application does not require consent under the ODP being that the relevant appeals under the PDP have since been resolved in Consent Order No. [2023] NZEnvC11. It is noted in this respect that the at the time of writing, the Annotated Appeals version of the PDP has not been updated to reflect this Consent Order.

6.2 ACTIVITY STATUS (PROPOSED DISTRICT)

The subject site is zone Medium Density Residential under the PDP and the proposed activity requires consent for the following reasons:

- A **restricted discretionary** activity pursuant to Rule 8.5.16 for Residential Visitor Accommodation where the total nights of occupation by paying guests on a site exceed a cumulative total of 90 nights per annum and whereby the residential units are rented separately to the residential flats. Council's discretion is restricted to the following matters:
 - a. The location, nature and scale of activities;
 - b. Vehicle access and parking;
 - c. The management of noise, rubbish, recycling and outdoor activities;
 - d. Privacy and overlooking;
 - e. Outdoor lighting;
 - f. Guest managements and complaint procedures;
 - g. The keeping of records of residential visitor accommodation use, and availability of records for council inspection; and
 - h. Monitoring requirements, including imposition of annual monitoring charge.

- A **restricted discretionary** activity pursuant to Rule 29.5.17 as the proposal breaches minimum sight distance. The current vehicle crossing location provides for approximately 70m to the east and 42m to the west, whereas 80m is required for activities other than residential. Council's discretion is restricted to the following matters:
 - a. Effects on safety, efficiency and amenity of the site and of the transport network, including the pedestrian and cycling environment;

- A **restricted discretionary** activity pursuant to rule 29.5.14 as the proposal does not meet the minimum requirement for width and design of vehicle crossings for activities other than residential. The vehicle crossings are 0.5m less than permitted. Council's discretion is restricted to the following matters:
 - a. Effects on safety, efficiency and amenity of the site and of the transport network, including the pedestrian and cycling environment;
 - b. The location, design and width of the vehicle crossing;

- A **restricted discretionary** activity pursuant to rule 29.5.4 as the proposal does not meet the district plan requirement for minimum mobility space sizes where a 3.6m width is required and an 8.0m aisle. In this case, space for provides for the mobility impaired and has the following dimensions; 3.2m wide (plus an additional 2.2m), 5.0m long and an aisle of 6.4m is provided. Council's discretion is restricted to the following matters:
 - a. The number, location and design of mobility parking spaces, including the accessibility of the spaces to the building(s); and
 - b. Effectiveness of the associated signage.

Overall, this application requires Resource Consent as a **restricted discretionary** activity.

7.0 ASSESSMENT OF ADVERSE EFFECTS

7.1 PERMITTED BASELINE

Pursuant to Section 104(2) of the Act, when considering the actual and potential effects of an application for resource consent, a consent authority may disregard an adverse effect of an

activity on the environment if the plan permits an activity with that effect (the permitted baseline). The permitted baseline in this case is as follows.

The subject site is zoned Medium Density Residential under the Proposed District Plan. The permitted baseline in this case includes the following;

- Residential Visitor Accommodation up to 90 nights for one group per residential unit (which includes a residential flat) so long as standards are complied with.

7.2 EXISTING ENVIRONMENT

The existing environment is also of relevance to the consideration of the proposal and comprises of consented development. The existing environment includes the existing four residential units with three associated residential flats, as well as the associated access, parking and manoeuvring areas.

7.3 RECEIVING ENVIRONMENT

The surrounding area is characterised by a mix of standalone properties and multi-unit developments. Based on the available records from council, the following properties in the vicinity have been investigated as to whether lawfully established visitor accommodation activities are undertaken:

- 200 Brownston Street – Resource Consent for visitor accommodation (up to 365 days a year) under RM141047;
- 41 McDougall Street – Resource Consent for visitor accommodation (up to 365 days a year) under RM141047;
- 37 McDougall Street - Resource Consent for visitor accommodation (for up to 365 days a year) under RM120715 (rear unit). RM140181 which relates to the front unit on site consented non-residential activities (i.e. conferences/workshop/functions) to be

operated in association with the groups of visitors staying within the visitor accommodation units approved as part of resource consents RM110276 and RM110494 (located at 181-185 Upton Street). RM141047 consented the separation between the use of this non-residential activity from the visitor accommodation facilities within the immediate vicinity and also consented the sale of liquor;

- 177 Upton Street – Resource Consent for visitor accommodation (up to 365 days a year) under RM141047;
- 181 and 185 Upton Street – Gained Resource Consent under RM110276 varied by RM110494, for the construction of four visitor accommodation buildings of a twelve-unit visitor accommodation activity (up to 365 days a year).

Based on the above, as well as accounting for Lakeview Holiday Park located southwest of the subject site (213 McDougall Street), the predominant use for properties located within the vicinity of 208 Brownston street is that of visitor accommodation activities.

It is within the context of the permitted baseline, existing and receiving environments that the actual and potential effects of the proposed development will be considered below.

7.4 AFFECTED PARTY APPROVALS

Given the owner of the subject site is the owner of many surrounding properties, pursuant to s95D(a)(ii), a consent authority must disregard any effects on persons who own or occupy any land adjacent to the subject site on which the proposed activity is occurring. Therefore, any adverse effects on the following properties must be disregarded:

- 200 Brownston Street
- 41 McDougall Street
- 37 McDougall Street
- 177 Upton Street

- 181 Upton Street
- 185 Upton Street



Figure 3: Aerial image from QLDC GIS, subject site highlighted with a red star and surrounding sites which the applicant owns shown with green stars.

7.5 EFFECTS ON THE ENVIRONMENT

Transport

A traffic report has been submitted as part of this application and is attached as **Appendix D**. It is noted that this report has adopted a conservative approach, with its assessment being based on the activity being entirely/only visitor accommodation with no residential component. It is considered that if the parking and manoeuvring is suitable for visitor

accommodation, given that residential users are generally more familiar with particular arrangements it will be appropriate for residential purposes.

The proposal does not comply with the District Plan requirement for minimum mobility space sizes where a 3.6m width is required and an 8.0m aisle. In this case, the space provided for a mobility impaired user has the following dimensions: 3.2m wide (plus an additional 2.2m), 5.0m long and an aisle of 6.4m is provided. Within **Appendix D** it is noted that whilst the dimensions do not meet district plan requirements, they meet the provisions of the applicable overarching standards. The report also notes that Space 3 will be suitable for use by mobility impaired users, sharing the width with the adjacent area (as permitted under Standard NZS4121:2001).

Due to the RVA set up, the mobility parking space will not be marked with the mobility symbol. The reason for this is that when a space is marked as such, it then cannot be used by a driver that does not have mobility impairments. This could lead to a situation where (in the event that all units are occupied and no driver has mobility impairments), there would be a practical shortfall of one parking space. It is considered that, in the event that a booking is made by a mobility impaired person, it is extremely likely that they will ensure that the unit they book is suitable for their needs. As such, one of the two wider spaces can be allocated for that purpose. Overall, in terms of size of parking spaces and layout, any potential adverse effects are considered to be less than minor.

There are two existing vehicle crossings, both of which front on to Brownston Street. The width of the vehicle crossing to the main car park at the property boundary is 3.5m, which is less than that anticipated for residential visitor accommodation, where the minimum width is 4.0m. **Appendix D** notes the width provided is sufficient for the single traffic lane that is proposed. Similarly, the vehicle crossing serving the garaged parking space is 3.5m wide, and this is considered sufficient for the driveway proposed. Therefore, the location, design and width of the vehicle crossing is considered appropriate. The adverse effects on safety,

efficiency and amenity of the site and of the transport network, including the pedestrian and cycling environment will be less than minor in degree.

There are shortfalls with regards to sight distances, however it is noted that this is due to the short length of Brownston street beyond the subject site. **Appendix D** supports that the sight distances proposed are appropriate for the prevailing speeds of vehicles approaching in each direction. Consequently, any adverse effects in terms of safety and efficiency will be less than minor in degree.

Residential Visitor Accommodation

Vehicle access and parking

Vehicle access and parking has been assessed and the associated adverse effects of such have been quantified above.

The location, nature and scale of activities

As discussed above, the nature of the surrounding residential context is characterised (and dominated) by visitor accommodation with a minor apportionment dedicated to residential use. Within a block of nine sites situated between Brownston, Upton and McDougall Street, six are currently being used as RVA, including a consented function centre associated with visitor accommodation at 37 McDougall Street. The subject site shares the southwest boundary with Lakeview Holiday Park (a form of visitor accommodation) with the southern boundary adjoining a visitor accommodation subzone under the ODP and PDP. Considering this, it can be determined that the area has a very small component of residential context as it exists.

Furthermore, it is important to note that in a resort town such as Wanaka, there is no

guarantee that people will purchase and utilise houses for permanent occupation. In this respect, it is not fanciful to suggest that the subject site could accommodate residential units that are left vacant for the majority of the year with their sole purpose being for intermittent holiday accommodation (for owners, friends or others).

Whether a residential dwelling is used permanently or intermittently, a relationship (connection, friendship or other), and/or even familiarity with neighbouring property owners (perhaps referred to as residential cohesion) is not guaranteed to exist. Given the nature of Wanaka's residential character and use, and given the particular character of the subject site's location, adverse effects on residential cohesion (related to establishing RVA within existing residential units) will be less than minor in degree.

It is proposed to undertake RVA from the residential units for up to 275 nights per 12 month period. For the remainder of the 12 month period, the units are able to be used for residential purposes. As outlined within the Noise and Operational Management Plan, each residential unit and/or flat will be let to one paying group of guests at any one time, outdoor area usage will be limited and refuse collection is to be appropriately managed. It is therefore considered that the Operational Management Plan (**Appendix E**) will provide sufficient control over the nuisance effects of RVA, such that the greater intensity of use (over 90 nights per year) can be appropriately managed upon the site.

As demonstrated on the plans, and assessed above, sufficient car parking is allocated in terms of RVA use. This means that guests staying at each unit will not require to park on Brownston Street.

Ultimately, adverse effects in relation to location, nature and scale of the activity as proposed, when considering the existing and receiving environments, are considered to be less than minor.

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

In terms of locations of noise generations, the residential units and flats each include a primary outdoor living area which will be mainly accessed from within the buildings. It is understood that the majority of the proposed activities (residential and RVA use) will occur from within each unit.

With regards to the overall management of noise that may be generated internal or external to each unit, the application proposes a number of restrictions, including:

- A limit on the number of overnight guests (and visitors);
- Time limits on the use of outdoor areas associated with each unit; (i.e. the outside areas cannot be used between 10pm and 7am).
- Restrictions on loud music being played;
- The use of appropriate signage advising guests of the noise/quiet obligations;
- The use of a property manager to provide instructions to guests as to the restrictions of use associated with residential complex from a noise perspective.

Refuse collection is to be appropriately managed and **Appendix E** notes that bins shall not be left on street.

Overall, considered that the Operational Management Plan (**Appendix E**) will provide sufficient control over the nuisance effects of RVA, such that the greater intensity of use (over 90 nights per year) can be appropriately managed upon the site.

Privacy and Overlooking

It is imperative to note that the use of outdoor areas is not limited during residential activities and therefore for the remaining 90 nights, the outdoor areas and peripherals of the site can

be occupied as consistently or sporadically as desired. However, when the property is being utilised for RVA, the use of outdoors areas will be diurnally limited in duration, therefore restricting the potential adverse effects in this regard.

Overall, when account for the receiving environment which, as established contains a comparative lack of residential activities, the potential adverse effects with regards to privacy and overlooking will be less than minor.

Outdoor lighting

It is a permitted activity to locate lights inside and outside of properties within the Medium Density Zone. It is also considered a necessity for on street lighting for safety and surveillance purposes. Outdoor areas are already limited in usage and when considering the existing and receiving environments, including the lack of residential properties around the application site, potential adverse effects with regards to outdoor lighting will be less than minor.

Guest Management and Complaint Procedures

The management plan (**Appendix E**) which is supplied as part of this application details how the activity will be managed on an ongoing basis, so as to avoid adverse effects on the residential components of the surrounding neighbourhood. Management focuses on vetting guests, outlining the restrictions associated with the RVA use and day to day matters such as rubbish collection.

This management plan (**Appendix E**) also details the complaints procedure, so as to provide for neighbours to voice any issues that may arise from the RVA use. Overall, in terms of guest management and complaints procedures, adverse effects will be less than minor in degree.

Keeping of Records and Monitoring

Records of the activity shall be kept, and it is anticipated, and accepted, that this, as well as monitoring requirements shall form conditions of consent. Overall, adverse effects in this regard will be less than minor.

7.5 EFFECTS ON PERSONS

As noted above, pursuant to s95D(a)(ii), a consent authority must disregard any effects on persons who own or occupy any land adjacent to the subject site on which the proposed activity is occurring. In this respect there are, two adjacent neighbouring properties which will be subject to assessment, being 212 McDougall Street and 204 Brownston Street.

204 Brownston Street

From privacy and amenity perspectives, the subject site has installed a boundary fence which will provide a good level of screening between the site and adjoining sites. This screening will enhance privacy both within the site and upon neighbouring sites.

Furthermore, the orientation of the dwelling located at 204 Brownston Street in combination with the proposed orientations of the proposed development (all buildings being oriented northwest, towards the lake) provides for an outcome where buildings and their use are not directed toward each other.

In addition, where there are first floor windows, the setback and orientation is such that they do not overlook the outdoor living spaces of the owners/occupier at 204 Brownston Street. Consequently, in terms of privacy and amenity, potential adverse effects will be less than minor in degree.

Various management controls are proposed as part of this consent that deal with noise for RVA guests, in particular for outdoor areas. Such controls do not apply to residential activities.

In terms of residential cohesion, it is considered that the RVA will not adversely affect such values considering the current nature of the surrounding context. This has been adequately addressed within previous parts of this document.

Given the above, it is considered that the adverse effects on 204 Brownston Street will be less than minor in degree.

212/213 McDougall Street – Lakeview Holiday Park

In terms of residential cohesion, this matter is non-existent when considering the transient nature of visitor accommodation facilities, particularly that of a campground.

Vehicular use associated with the proposed RVA activity, will not affect the occupants of 212/213 McDougall Street as the access of this site is varied with ample parking.

Given the above, it is considered that the effects on 212/213 McDougall Street will be less than minor.

8.0 OBJECTIVES AND POLICIES OF THE OPERATIVE & PROPOSED DISTRICT PLAN

Proposed District Plan (PDP)

The relevant objectives and policies are contained within Chapters 3, 8 (Medium Density Residential Zone) and 29 (Transport).

In terms of Strategic Direction, Policy 3.3.1 is relevant being that it seeks the provision for the visitor industry to maintain and enhance facilities and services within Queenstown and

Wanaka town centres and elsewhere within the District's urban areas where this is consistent with objectives and policies for the relevant zone. This application achieves this via another accommodation option/facility for visitors to the area, located close to Wanaka township, within an urban area.

Chapter 8 of the PDP is the Medium Density Residential Zone. Objective 8.2.11 focusses on visitor accommodation residential visitor accommodation and homestays are enable at locations, and at a scale, intensity and frequency, that maintain the residential character and amenity values of the zone. Relevant policies 8.2.11.1, 8.2.11.3, 8.2.11.4 and 8.2.11.5 generally seeks the provision for residential visitor accommodation in proximity to the Wanaka town centre, appropriate for medium density residential environment, ensuring adverse effects on residential amenity values and character are avoided, remedied or mitigated.

This application proposes RVA in close proximity to Wanaka town centre. Under RM200713 the built form has been deemed a positive architectural outcome for the residential, urban environment. As demonstrated above, when considering the receiving environment, the operational management plan, and the anticipated conditions of consent, the proposal is deemed consistent with the relevant objectives and policies of Chapter 8 of the PDP.

The final Chapter of relevance to this application is Chapter 29, Transport. In terms of individual site development, the relevant objective is 29.2.2. This seeks both appropriate and safe parking, loading, access and onsite manoeuvring areas which are consistent with character, intensity, nature and scale of the surrounding area. Associated policies 29.2.2.1, 29.2.2.10 and 29.2.2.11 are relevant to this application. As demonstrated in the assessment of effects, where sight distances and parking sizes lack, this is either appropriate or adverse effects are able to be mitigated such that safety and efficiency of the transport network is not adversely impacted. Furthermore, the development encourages active transport through parking provision and proximity to both the town centre and recreation spaces. Overall, it is

considered that the proposal is consistent with the above objectives and policies within Chapter 29 of the PDP.

Due to the above, the proposal is considered to be consistent with the above objectives and policies.

Operative District Plan (ODP)

The relevant objectives and policies are contained within Section 4 (District Wide Issues), 7 (Residential Areas) and 14 (Transport).

Section 4 addresses wider District Issues. Objective 2 seeks urban growth which has regard for the built character and amenity values of existing urban areas whilst enabling people to provide for their social, cultural and economic well being. The associated policies 2.1, 2.2 and 2.3 seek appropriate urban development and concentrating visitor accommodation. The policies also seek to encourage the clustering of visitor accommodation in certain locations. In this respect, not only is the development providing for more visitor accommodation in an area which is already compromised, it also provides for potential future residential use.

Objective 5 addresses visitor accommodation activities encouraging visitor accommodation activities whilst adverse effects are avoided, remedied or mitigated. The relevant associated policies are 5.1, 5.2 and 5.3. As mentioned throughout this report, the proposal will mitigate any potential adverse effects of the visitor accommodation component of the development to an appropriate degree, especially when considering the surrounding context.

Overall, the proposal is consistent with the objectives and associated policies of section 4 of the ODP.

Section 7 addresses the residential areas. Objective 3 addresses residential amenity. Associated policies 3.1 and 3.2 seek protection of community cohesion and for development to provide for a low density nature. It has been highlighted throughout this proposal as an area already surrounded by visitor accommodation activities however, the proposal provides for an opportunity for community cohesion through the potential residential use of the properties. Objective 4 seeks to encourage non-residential activities in areas which are appropriate. Visitor accommodation in this respect would class as a non-residential activity however, the adverse effects which may arise can be appropriately avoided and mitigated through conditions of consent to ensure its compatibility with the surrounding area.

Overall, the proposal is consistent with the objectives and associated policies of section 7 of the ODP.

Section 14 addresses transport. Objective 1 promotes efficiency in terms of the use of the District's existing and future transportation resource and fossil fuel usage associated with transportation. Associated policies 1.1, 1.2, 1.5, 1.6, 1.8, 1.9 and 1.10 promote appropriate formation of accesses as well as encouraging active travel and efficiency of vehicle use. Objective 2 and associated policies 2.1, 2.2 and 2.3 focus on safety and accessibility. Whilst the proposal does not comply with the required vehicle crossing dimensions or minimum sight distances, this has been deemed appropriate for the developments purpose by the traffic report giving rise to less than minor adverse effects safety. Furthermore, due to the increased density of the site within proximity of the town centre and recreation areas, the development serves to encourage active transport and consequently efficient vehicle usage.

Objective 5 seeks sufficient accessible parking and loading facilities to cater for the anticipated demands of activities whilst controlling adverse effects. The traffic report attached as **Appendix D** supports the slight non-compliance in terms of mobility parking as well as minimum sight distances and length of vehicle crossings. It is determined that the

outcomes of these non-compliances will not compromise the safety, efficiency of this transport network for both vehicles users and pedestrians.

Overall, the proposal is consistent with the objectives and associated policies of section 14 of the ODP.

9.0 PROPOSED CONDITIONS

- The consent holder shall ensure the visitor accommodation activity is undertaken in accordance with the approved Operational Management Plan (attached as **Appendix E**).
- Each residential dwelling and each residential flat shall be rented out to a maximum of one group at any one time.
- The property may be used for visitor accommodation for up to 275 nights per 12 month period.
- Regarding the use of outdoor space:
 - The use of outdoors areas is prohibited between the hours of 10:00pm to 7:00pm
 - Signage is to be placed at all exit doors and in view from outdoor entertainment areas to advise guests to have consideration for residential neighbours.
- No outdoor speakers are to be installed, or indoor speakers moved to the outdoor areas as part of Visitor Accommodation activities.
- The consent holder shall maintain a record of all tenancies in the form of a register containing the number of occupants and the number of days/nights of occupancy.
- All rubbish and recycling shall be disposed of appropriately. Where there is kerbside collection, rubbish and recycling shall only be placed on the street the day of or a day prior to collection.

10.0 PART II OF RMA 1991

In consideration of the relevant principles outlined in Sections 5, 6, 7 and 8 of the Act, it is considered that if approved, the residential visitor accommodation activity area will continue to achieve the purpose of the Act as presented in Section 5. The proposal will better enable the owner to provide for their social and economic well-being through the running of a RVA facility, while ensuring any adverse effects are avoided, remedied or mitigated.

11.0 CONCLUSION

The application seeks Resource Consent for the use of 4 residential units and 3 residential flats for 275 nights of Residential Visitor Accommodation (RVA) per 12 month period.

When aligned against the relevant assessment criteria, it is considered that the development will promote outcomes encouraged by the rules, assessment criteria, objectives and policies of the District Plans.

As the proposed activity will not give rise to any significant adverse effects, it is respectfully requested that Council approve this proposal subject to appropriate conditions of consent.

Kind Regards,

A handwritten signature in black ink, appearing to read 'Nicole Malpass'.

Nicole Malpass
IP Solutions Ltd



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




 R.W. Muir
 Registrar-General
 of Land

Identifier **OTA1/799**
Land Registration District **Otago**
Date Issued 03 December 1962

Prior References
 OT432/99

Estate Fee Simple
Area 1012 square metres more or less
Legal Description Lot 1 Deposited Plan 9409
Registered Owners
 Varina Pty Limited

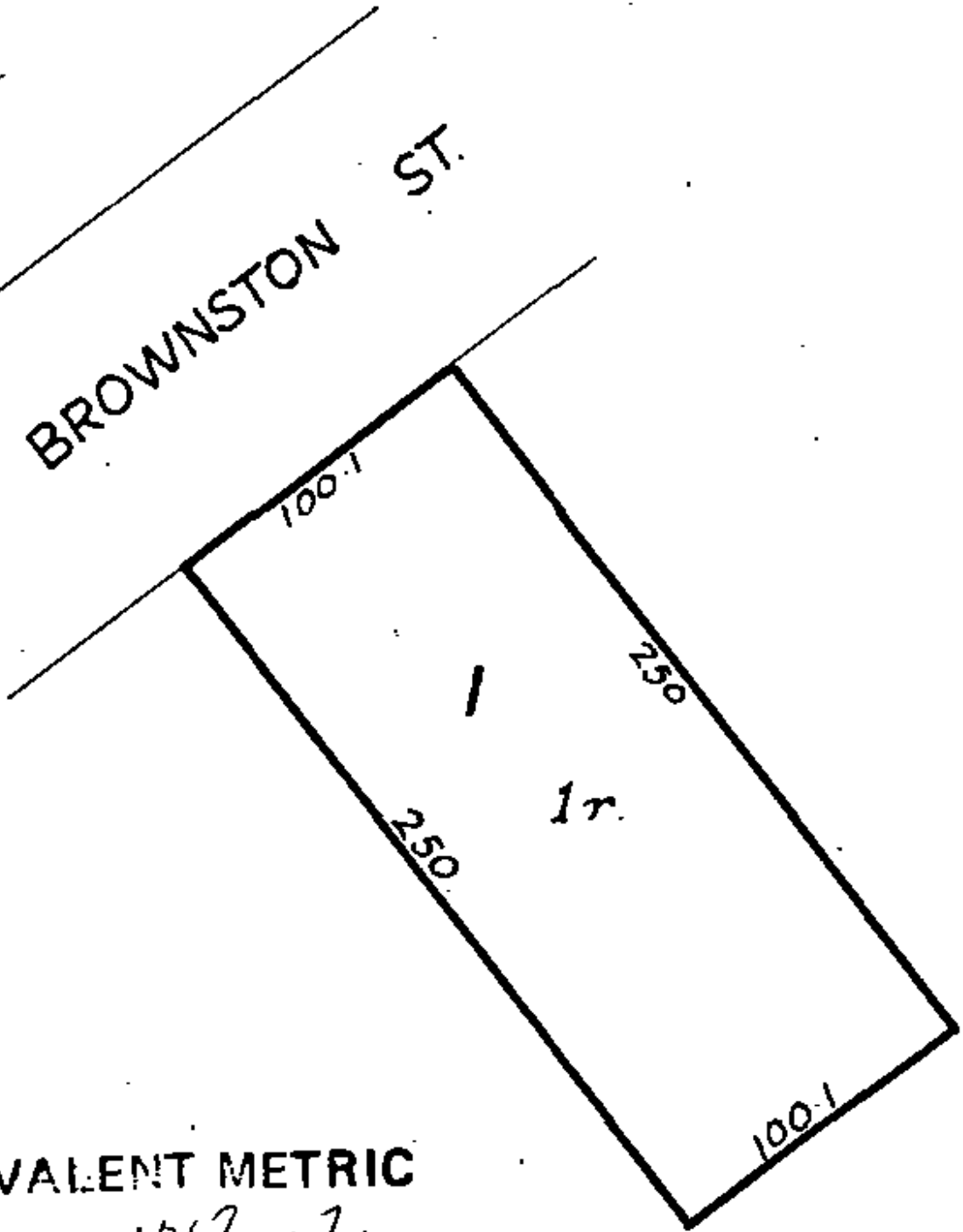
Interests

723282 Transfer creating the following easements - 3.3.1989 at 9.22 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Drain foul sewage	Lot 1 Deposited Plan 9409 - herein	Line Prop Foul Sewer Dr Rt Transfer 723282	Section 7 and Section 9 Block XX Town of Wanaka - CT OT7B/885	
Drain water	Lot 1 Deposited Plan 9409 - herein	Line Prop Foul Sewer Dr Rt Transfer 723282	Section 7 and Section 9 Block XX Town of Wanaka - CT OT7B/885	

12480643.1 CAVEAT BY AURORA ENERGY LIMITED - 10.6.2022 at 9:04 am

BROWNSTON ST.



EQUIVALENT METRIC
AREA IS 1012 m²

Scale: 1 inch = 1 chain.



View Instrument Details

Instrument Type	Caveat against dealings with land under Section 138 Land Transfer Act 2017
Instrument No	12480643.1
Status	Registered
Date & Time Lodged	10 June 2022 09:04
Lodged By	Adamson, Annette Jean

Affected Records of Title	Land District
OTA1/799	Otago

Registered Owner
Varina Pty Limited

Caveator
Aurora Energy Limited

Estate or Interest claimed

Pursuant to an Agreement to Grant an Easement dated 1 March 2022 between the registered owner Varina Pty Limited as Grantor and Aurora Energy Limited as Grantee

Notice

Take notice that the Caveator forbids the registration of any instrument, or the recording of any matter in the register that transfers, charges, or prejudicially affects the estate or interest protected by this caveat until this caveat is withdrawn by the Caveator, removed by order of the High Court, or until the same has lapsed under the provisions of section 143 of the Land Transfer Act 2017.

Address for Service of Caveator

Aurora Energy Limited
C/- Gallaway Cook Allan - Bridget Irving
PO Box 143
Dunedin
New Zealand
9054

Address for Registered Owner

Varina Pty Limited
C/- Todd & Walker - Jessica Weinberg
PO Box 124
Queenstown
New Zealand
9348

Caveator Certifications



View Instrument Details

Caveator Certifications

I certify that I have the authority to act for the Caveator and that the party has the legal capacity to authorise me to lodge this instrument

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument

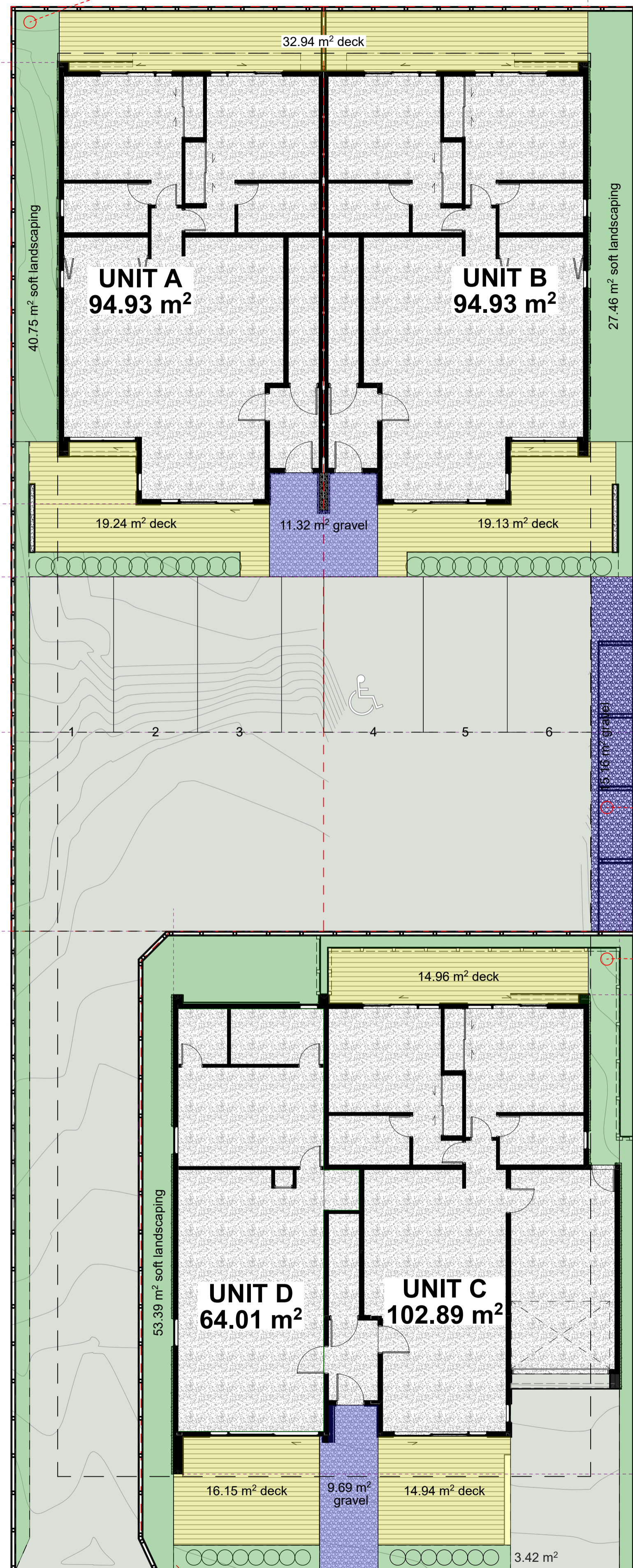
I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period

Signature

Signed by Rosemary Erin Clark as Caveator Representative on 09/06/2022 05:30 PM

*** End of Report ***



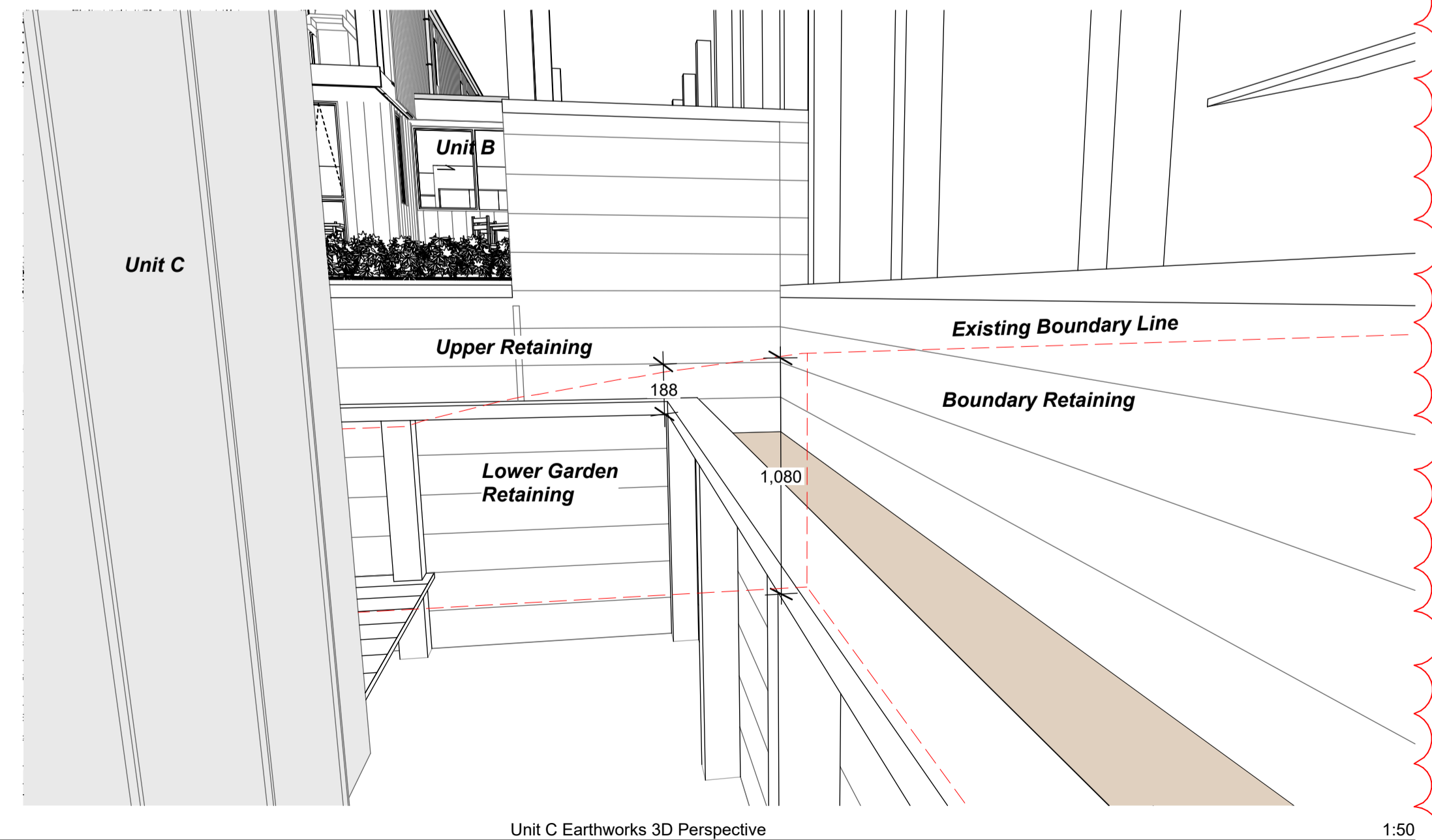
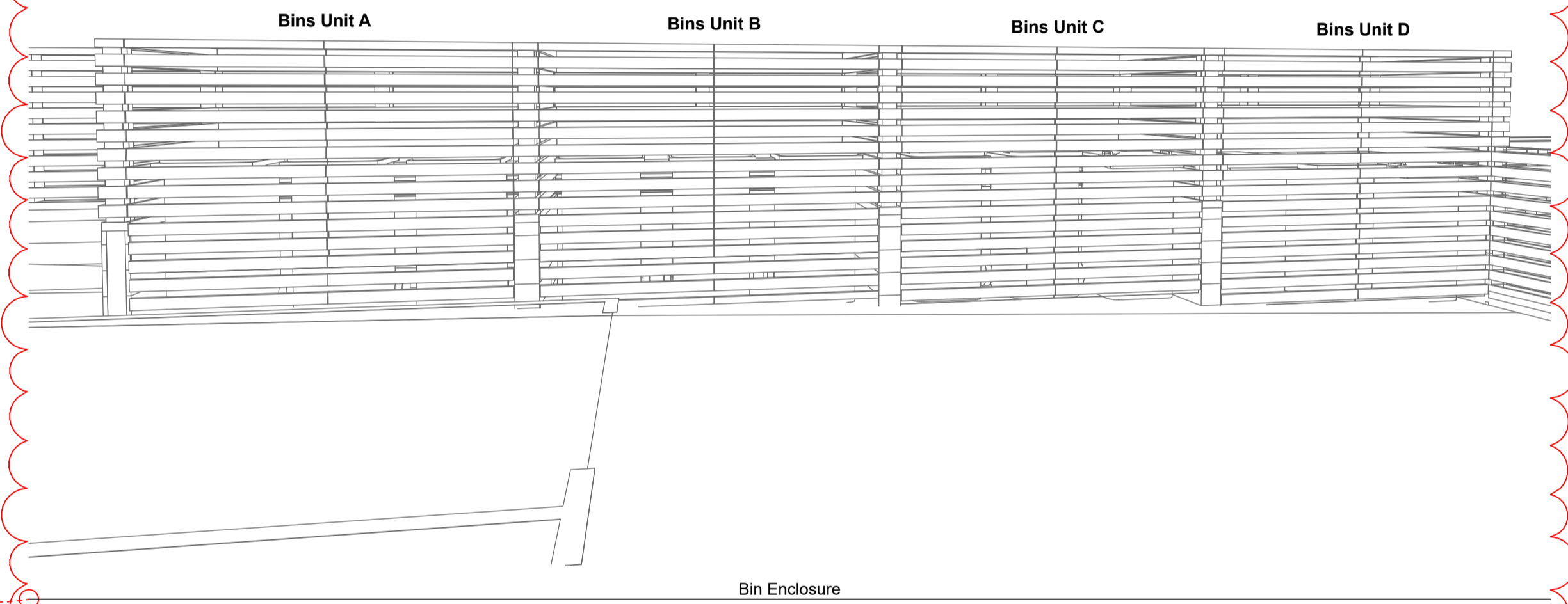
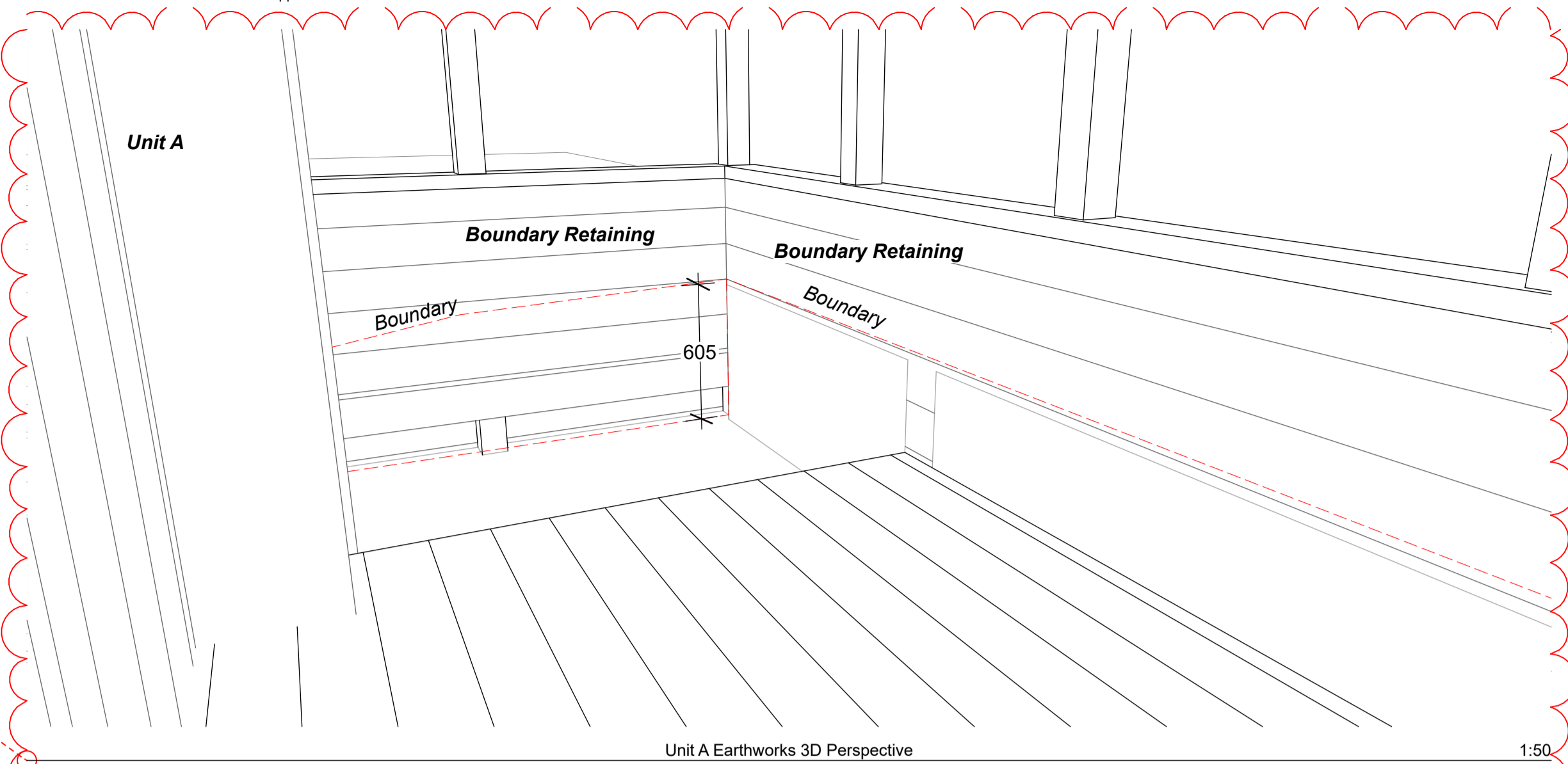
- Permeable Surface (Gravel or similar)
- Decking w/ gaps for permeability
- Soft Landscaping (Grass or similar)

Total Site Area: 1012m²

Total Permeable Area: 278.69m²

Permeable percentage of site: 27.54%

Permeable Surface (Gravel or similar)



QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RMRM200713

16 November 2020

Consultants:

RevID	ChID	Revision	Date
A		Retaining Dimensions added	21/10/20
B	B-1	Permeability Areas Key/Area amended	21/10/20

Design: CSA Drawn: CSA Checked: CSA

Resource Consent Issue

CONDON SCOTT
ARCHITECTS

t: +64 3 443 7919 e: office@condonscott.nz w: condonscott.nz

Brownston Townhouses
208 Brownston St, Wanaka
NZ

Client: **Varina PTY Ltd**
Project: **20:14**

Drawing Title:

Permeability Plan

Scale: A1 = (as indicated), A3 = (50% reduction)		
Print Date: 13/10/20	Drawing Number: A002	Issue ID: B

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CCL Ref: 14663-140820-malpass

14 August 2020

Nicole Malpass
IP Solutions Limited

By e-mail only: nicole@ipsolutions.nz



A. PO Box 29623, Christchurch, 8540
P. 03 377 7010
E. office@carriageway.co.nz

Dear Nicole

Proposed Visitor Accommodation Development, 208 Brownston Street Parking and Access Assessment

Further to our e-mails, we have carried out a review of the proposed development of visitor accommodation units at 4208 Brownston Street, Wanaka. Our review of the site is based on the drawing received by e-mail on 30 July 2020 (Condon Scott Architects bundle of drawings 'Brownston Townhouses') and as requested, our assessment is carried out against **both** the Decisions Version of the proposed District Plan and the operative District Plan¹.

Overview

The site is located at 208 Brownston Street, Wanaka, approximately 0.7km southwest of Wanaka town centre. It is zoned as Medium Density Residential in the Decisions Version of the proposed District Plan and Low Density Residential in the Operative Plan.

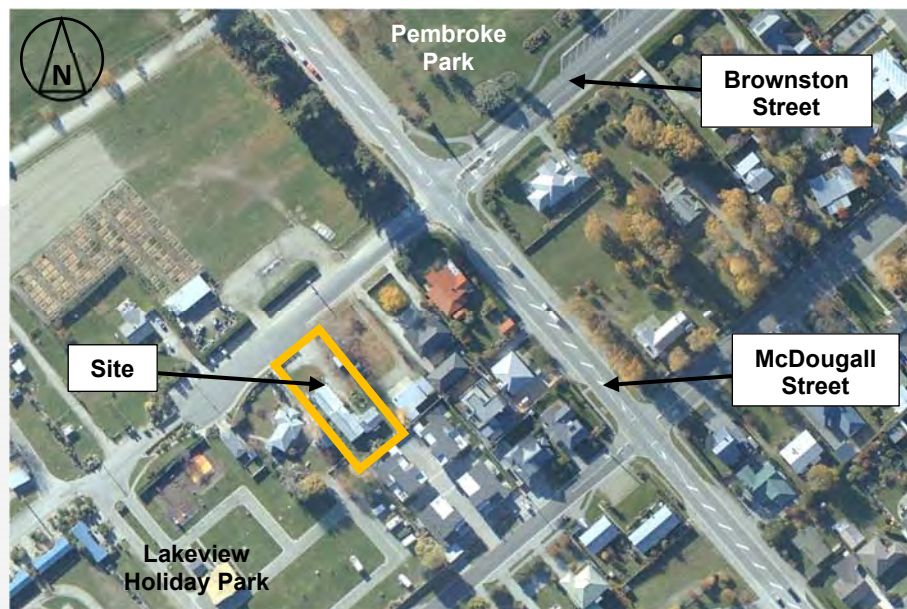


Figure 1: Site Location

¹ In this letter we have considered both versions of the District Plan separately. As a result, each section can be read without reference to the other, but equally, this leads to some repetition within the sections.

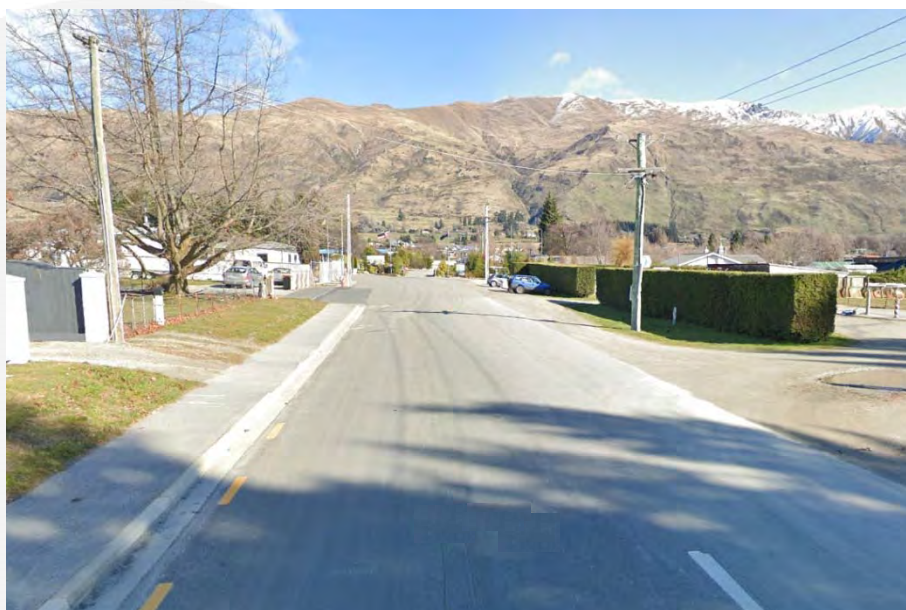


Figure 2: Road Layout Adjacent to Site

It can be seen that the site only has legal frontage onto the southern side of Brownston Street.

In this location, Brownston Street is a Local Road under the District Plan hierarchy. It provides two traffic lanes (one in each direction) and has a carriageway width in the order of 8m with parking generally permitted on both sides of the road, other than for a short section with broken yellow lines on the southern side of the road. We also highlight that to the west of the site, the formed roadway becomes wider, at 11m.

The southern side of the road has a footpath and kerb+channel, but this terminates immediately east and west of the development site. The northern side of the road is formed with a wide metalled shoulder (sufficiently wide that drivers typically park at 90-degrees to the main carriageway), and there is no footpath provided.



Photograph 1: Typical Cross-Section of Brownston Street (Site on Far Left)



Brownston Street is a cul-de-sac and at its western end serves the Lakeview Holiday Park. Towards the eastern end, it meets McDougall Street at a priority ('stop') controlled crossroads, with Brownston Street continuing further eastwards to the town centre. Traffic on McDougall Street has priority at this intersection.

The proposal is for 7 visitor accommodation units and the plans show that 6 units have two bedrooms and 1 unit has one bedroom. One of the units has an internal garage, but the remaining 6 units have parking provided within a communal parking area towards the rear of the site.



Figure 3: Proposed Site Layout (Extract from Condon Scott Drawings)

The six parking spaces to the rear are served by an access that connects to Brownston Street towards the east of the site. There is also a second access, towards the west of the site, that serves the garaged parking space. We understand that the parking spaces will be managed such that they are allocated to a particular unit, meaning that there is no possibility that a guest will enter the site and find that all spaces are occupied.

Proposed District Plan (Decisions Version) Chapter 29: Activities

Rule 29.4.11 High Traffic Generating Activities

The proposal is for 7 units and therefore is below the threshold at which an assessment is required under this Rule.

Proposed District Plan (Decisions Version) Chapter 29: Parking and Loading

Rule 29.5.1 Minimum Parking Requirements

The District Plan sets out a parking ratio for visitor accommodation units within the Medium Density Residential Zone in Wanaka of:

- 0.7 spaces per unit for studio and one-bedroom units; and
- 1.0 spaces per unit for two-bedroom units; and
- 1.5 spaces per unit for units with three or more bedrooms.

In this case, each unit has one or two bedrooms, and 1 parking space is provided per unit, meeting requirements.

No coach parking is required because the site provides fewer than 30 units (and in practice, the small scale of the development means that tour coaches will not visit anyway).



Rule 29.5.2: Location and Availability of Parking Spaces

The layout indicates that each space will be unobstructed and can be accessed independently, and none are located within an access or other area used for other purposes. All parking spaces are located on the development site itself.

Rule 29.5.3: Size of Parking Spaces and Layout

The plans show the following dimensions for the parking spaces:

- Spaces 1, 2, 5 and 6: 2.7m wide, 5.0m long and an aisle of 6.4m;
- Space 3: 2.7m wide plus an additional 2.2m, 5.0m long and an aisle of 6.4m;
- Space 4: 3.2m wide plus an additional 2.2m, 5.0m long and an aisle of 6.4m; and
- Un-numbered garaged space: 3.3m wide, 6.0m long, aisle of more than 8.0m.

The dimensions of these standard spaces all meet the District Plan requirements for visitor accommodation.

Space 4 is provided for the mobility impaired, and does not meet the District Plan requirement (where a 3.6m width is required and an 8.0m aisle). However Standard AS/NZS2890.1:2004 (*'Parking Facilities Part 1: Off Street Car Parking'*) sets out that the aisle width for a mobility space can be the same as for adjacent standard spaces (Note 5 to Figure 2.2). Standard AS/NZS2890.6:2009 (*'Parking Facilities Part 6: Off Street Parking for People with Disabilities'*) and Standard NZS4121:2001 (*'Design for Access and Mobility: Buildings and Associated Facilities'*) both set out that mobility spaces can be 3.5m wide.

Therefore although the dimensions of the mobility space do not meet the District Plan, they meet the provisions of the overarching Standards.

In passing we also note that Space 3 would also be suitable for use by the mobility impaired, sharing the width with the adjacent area (as permitted under Standard NZS4121:2001).

Rule 29.5.4: Gradient of Car Parks

The site is relatively flat and so there will be no difficulties in achieving the maximum gradient of 1 in 20.

Rule 29.5.5: Mobility Parking Spaces

Since the parking spaces are provided for visitor accommodation, under this Rule there is a requirement for one space to be provided for the mobility impaired, and two possible spaces are shown (Spaces .

In passing, it is anticipated this space will be suitable for the mobility impaired, but will not be marked with the mobility symbol. The reason for this is that when a space is marked as such, it then cannot be used by a driver that does not have mobility impairments. This could lead to a situation where (in the event that all units are occupied and no driver has mobility impairments), there would be a practical shortfall of one parking space.

In the event that a booking is made by a mobility impaired person, it is extremely likely that they will ensure that the unit they book is suitable for their needs. As such, one of the two wider spaces can be allocated for that purpose.



Rule 29.5.6: Drop Off / Pick Up

The site does not provide day care facilities, educational activities, or healthcare facilities and therefore this Rule is not applicable.

Rule 29.5.7: Reverse Manoeuvring

As Brownston Street is a Local Road, it is not permitted for a vehicle to reverse to or from the road where:

- ten or more parking spaces are to be serviced by a single accessway, or
- five or more residential units share a single accessway, or
- the activity is on a rear site

None of these criteria are met by the proposed development and so the Rule does not apply.

In practice, we anticipate that each space will be allocated to a particular unit, so there is no possibility that an incoming driver will find that there are no available spaces within the car park.

Notwithstanding that the requirement to enter and exit each space with no more than one reverse movement does not apply in this case, we have assessed the accessibility of each space as shown below. In these Figures, the cyan line is the area occupied by the bodywork and the red line is a distance of 0.3m from the bodywork.

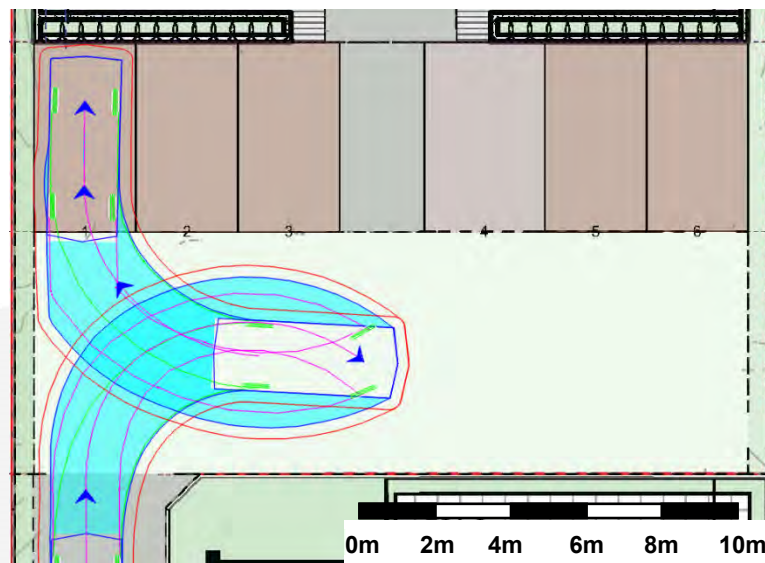


Figure 4: Car Reversing into Space 1

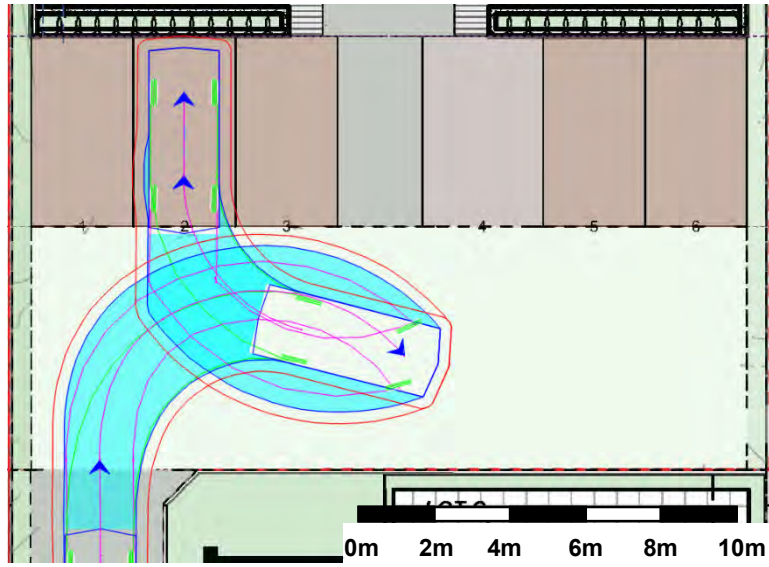


Figure 5: Car Reversing into Space 2

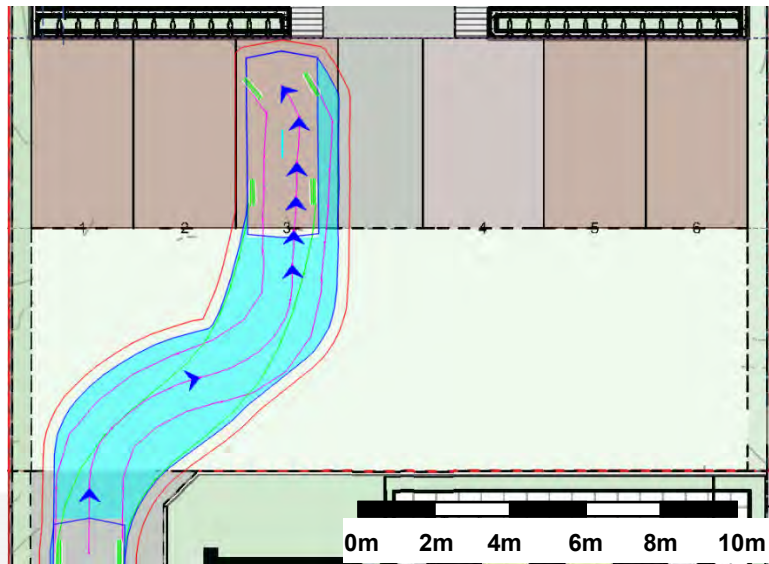


Figure 6: Car Driving Forwards into Space 3

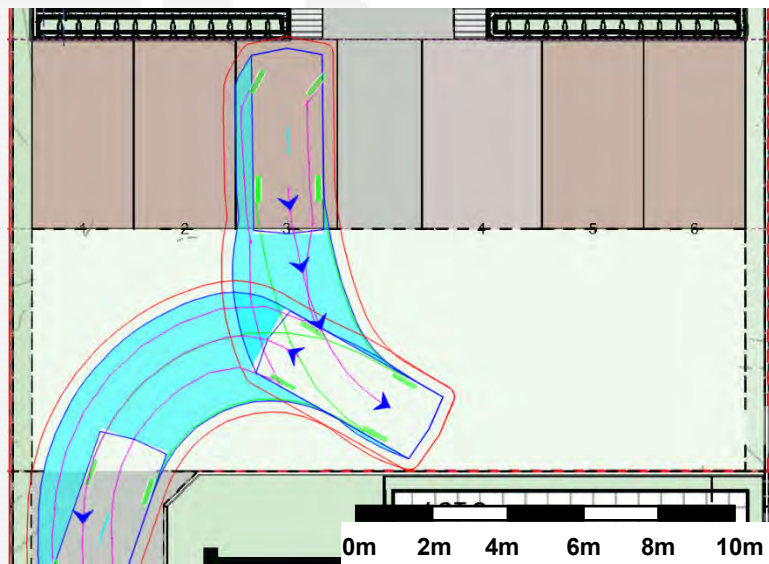


Figure 7: Car Reversing from Space 3

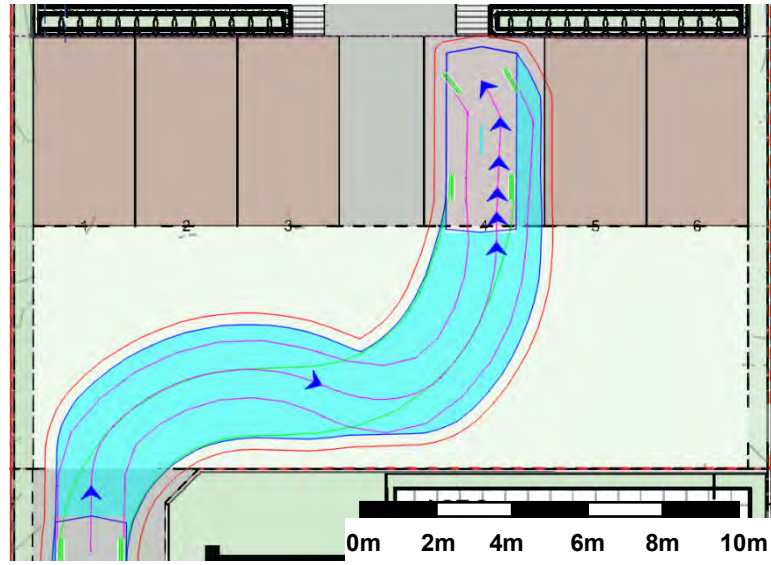


Figure 8: Car Driving Forwards into Space 4

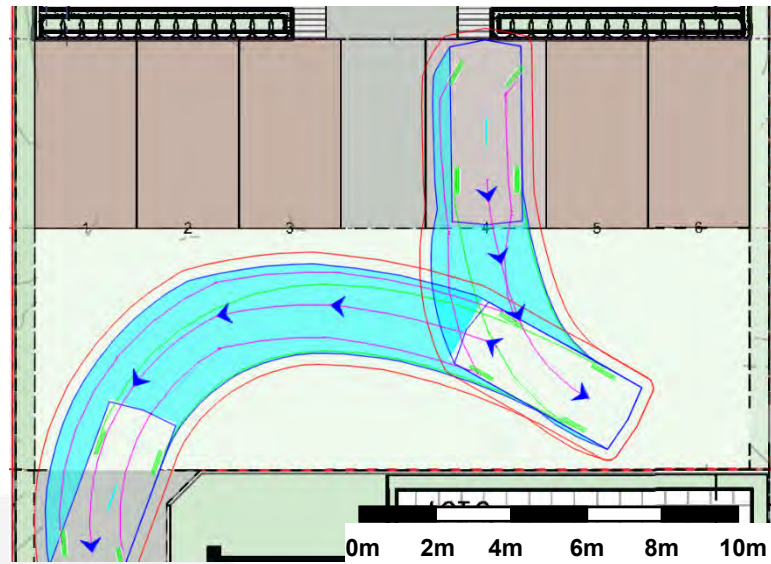


Figure 9: Car Reversing from Space 4

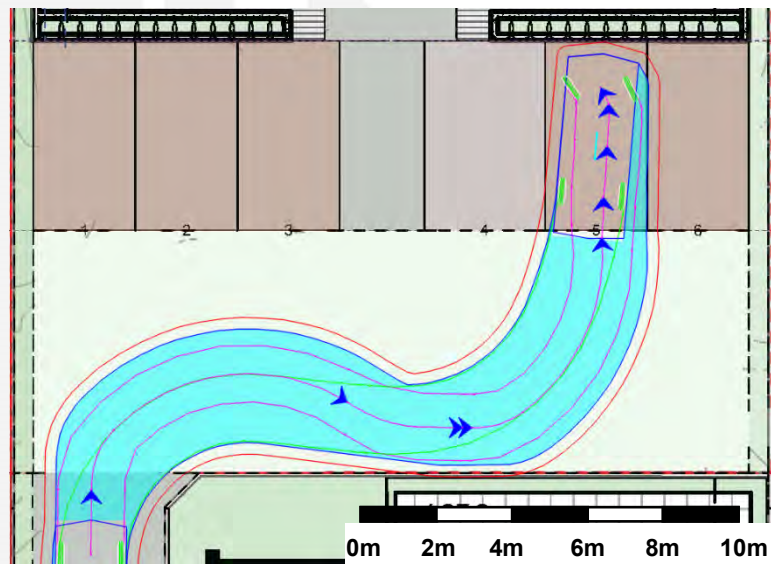


Figure 10: Car Driving Forwards into Space 5

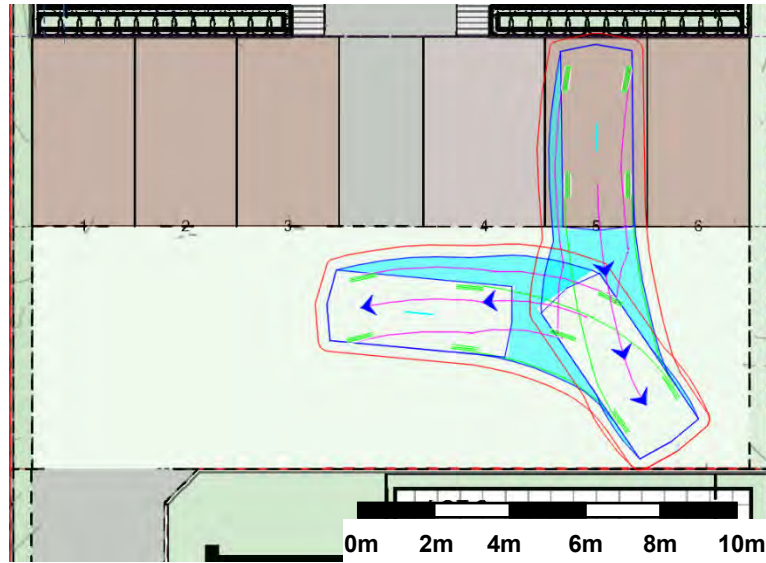


Figure 11: Car Reversing from Space 5

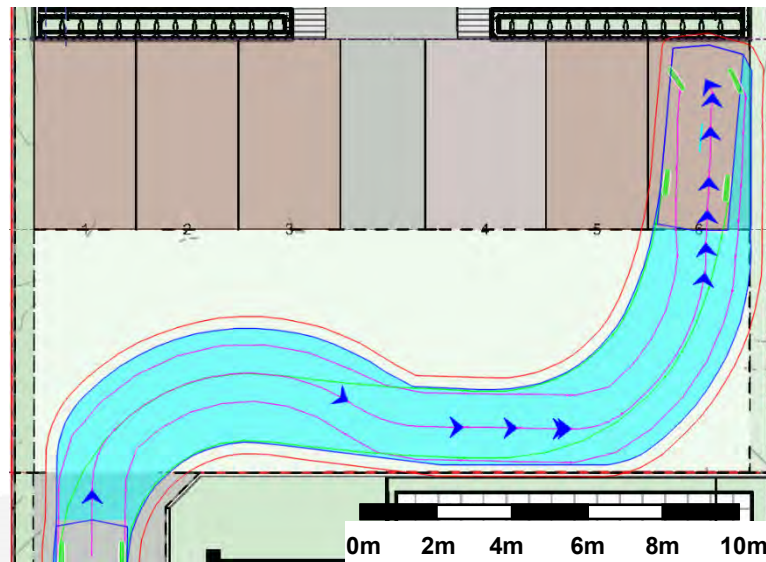


Figure 12: Car Driving Forwards into Space 6

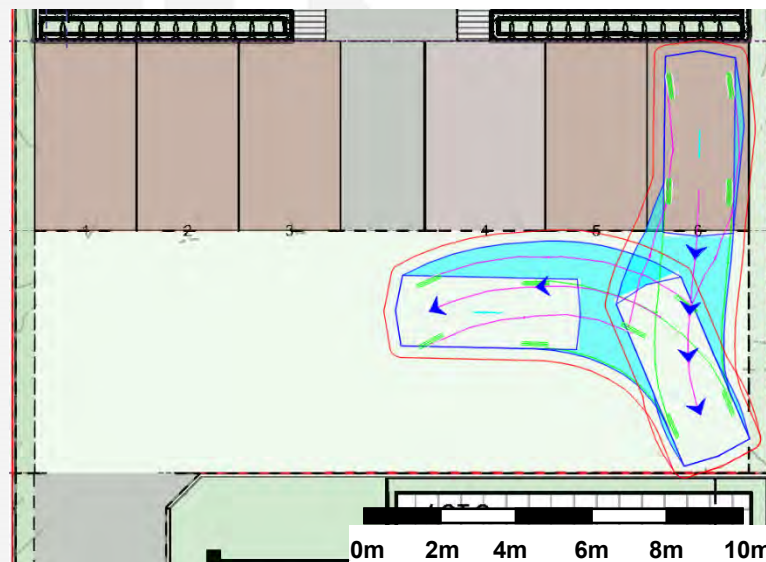


Figure 13: Car Reversing from Space 6



It can be seen that each space can be accessed with no more than one reverse movement. In the cases of Spaces 1 and 2, this is achieved by the vehicle reversing into the space and then driving forwards out. For Spaces 3 to 6, the car may be driven in forwards and then reversed out.

Rule 29.5.8: Residential Parking Space Design

Residential units are not proposed in this case.

Rule 29.5.9: Queuing

The main car park provides 6 parking spaces and therefore queuing space of 6m is required. However no queuing space is provided.

According to the MobileRoad website, this part of Brownston Street carries just 700 vehicles per day, indicating peak hour flows of 80-90 vehicle movements in the peak hours, representing an average of 1 vehicle movement every 40-45 seconds.

The size of the proposed car park will generate at most 1 vehicle movement per car parking space in the peak hours, suggesting a rate of 1 vehicle movement every 10 minutes on average. Furthermore, these volumes will be tidal, with the bulk of traffic exiting the site in the morning peak hour and entering in the evening.

Consequently the potential for one vehicle entering the site to encounter another that is leaving, at the same time as another vehicle passes on Brownston Street is extremely low. Taking into account travel times, we estimate that the potential of all three occurrences happening at the same time is 1 in 325, meaning that it would occur around once every six months. We do not consider that this is significant.

Regardless of the likely frequency of movement, from a practical perspective we consider that there would be merit in drivers that are entering and exiting the site being able to see whether any vehicle is approaching. We therefore recommend that a convex mirror is provided on the northern boundary of the site, within the landscaping strip.

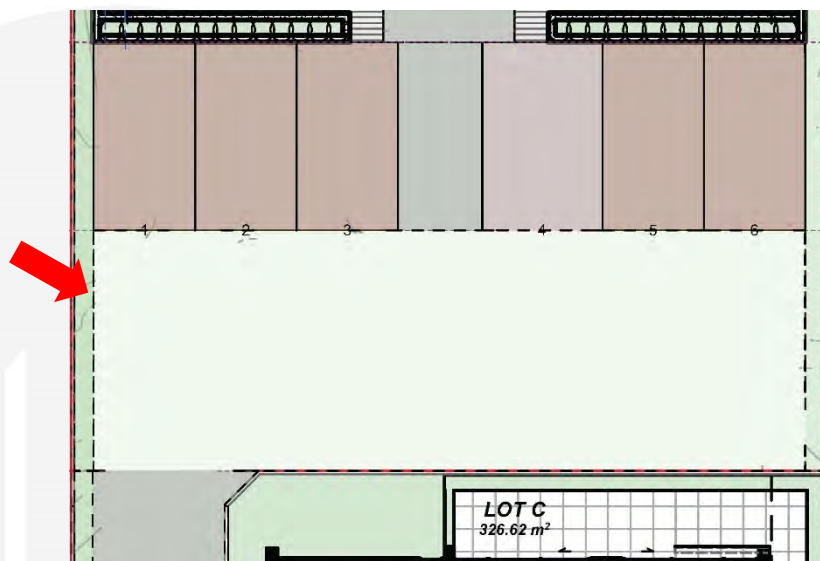


Figure 14: Location for Convex Mirror

For completeness, the garaged parking space does not require any queuing space.



Rule 29.5.10: Loading Spaces

No loading facilities are required for this land use zoning or activity under the District Plan.

Rule 29.5.11: Surface of Parking Spaces, Parking Areas and Loading Spaces

There are no reasons why the parking spaces cannot be marked and the area sealed.

Rule 29.5.12: Lighting of Parking Areas

As the parking area serves visitor accommodation, it is required to be illuminated. There are no reasons why this cannot be achieved.

Rule 29.5.13: Bicycle Parking and the Provision of Lockers and Showers

As the parking area serves visitor accommodation development, there is no requirement for cycle parking.

Proposed District Plan (Decisions Version) Chapter 29: Access

Rule 29.5.14: Access and Road Design

With 6 units proposed to be served by the accessway serving the car park, the Council's Code of Practice requires that the accessway is formed at 3.5m wide (notionally 2.5m plus 0.5 shoulders), with passing places every 50m and pedestrians sharing the access with vehicles. The plans show that the formed width is 3.5m and that there is an additional landscaping strip of 0.5m width on the northern side of the access.

We note however that the illustrations on the plans appear to show that there will be a wall along the southern side of the access. The wall cannot be immediately adjacent to the accessway, and should be separated from it by a clearance of 0.3m.

Rule 29.5.15: Width and Design of Vehicle Crossings – Urban Zones

The width of the vehicle crossing to the main car park at the property boundary is 3.5m, which is less than anticipated for visitor accommodation, where the minimum width is 4.0m. However the width provided is sufficient for the single traffic lane that is proposed. Similarly, the vehicle crossing serving the garaged parking space is 3.5m wide, but this is sufficient for the driveway proposed.

The accesses cross the property boundary at an angle of between 45 degrees and 90 degrees, and intersect with the carriageway at an angle of 90 degrees plus or minus 15 degrees, as required. They can be constructed to meet Diagram 7 of the District Plan.

Rule 29.5.16: Width and Design of Vehicle Crossings – Rural Zones

The site is not within a rural zone.

Rule 29.5.17: Maximum Gradient for Vehicle Access

From our observations, the site is relatively flat and so there should be no difficulties in achieving the maximum gradient of 1 in 6, nor the required breakover angles.



Rule 29.5.18: Minimum Sight Distances from Vehicle Access on all Roads other than State Highways

Brownston Street is subject to a 50km/h speed limit and consequently, 80m sight distances are required for visitor accommodation. These are measured at 3.5m from the edge of the nearest traffic lane, and at a height of 1.15m above the carriageway surface.

In this case, the edge of the carriageway is some 5m from the lot boundary, and therefore the sightlines lie wholly within the legal road reserve. The flat and straight alignment of Brownston Street in this location means that these sight distances are easily achieved along the full length of the road, but the short length of road means that a distance of 70m is available towards the east and 42m is available towards the west.

Towards the east, the sight distance is limited by the presence of the McDougall Street / Brownston Street intersection. However vehicles approaching from this direction must have slowed to give-way to traffic on McDougall Street, or to turn at the intersection, and as such, their speeds will be considerably lower than the maximum permitted of 50km/h.

Towards the west, Brownston Street terminates at the access to the holiday park, and vehicles entering or exiting the holiday park will be travelling at slow speed.

In both cases then, we consider that the sight distances provided are appropriate for the prevailing vehicle speeds.

Rule 29.5.19: Minimum Sight Distances from Vehicle Access onto State Highways

The site does not have frontage onto a state highway.

Rule 29.5.20: Maximum Number of Vehicle Crossings

The site frontage is 20m and therefore as Brownston Street is a Local Road, two vehicle crossings are permitted. Two crossings are proposed.

Rule 29.5.21: Minimum Distance Between Vehicle Crossings onto State Highways

The site does not have frontage onto a state highway.

Rule 29.5.22: Minimum Distances of Vehicle Crossings from Intersections

The site has access onto Brownston Street, which is a Local Road subject to a speed limit of 50km/h, and accordingly, a separation distance to the nearest intersection of 25m is required. The closest intersection is with McDougall Street, which is more than 70m from the closest part of any vehicle crossing.

Rule 29.5.23: Minimum Distances of Vehicle Crossings from Intersections onto State Highways

The site does not have frontage onto a state highway.

Rule 29.5.24: Service Stations

The proposed activity is not a service station.



Summary of Proposed District Plan (Decisions Version) Compliance

On the basis of our analysis, we consider that the proposed layout has non-compliances with the following Site Standards of the Decisions Version of the proposed District Plan:

- Rule 29.5.3: Size of Parking Spaces and Layout
 - The mobility parking space does not meet the District Plan requirements but meets the overarching Standards.
- Rule 29.5.9: Queuing
 - No queuing space is provided at the access to the main car park whereas 6m is required, but the small size of the car park means that it is unlikely one vehicle will meet another and even if that was to occur, the low passing traffic volumes means that vehicles on Brownston Street would be unlikely to be affected
- Rule 29.5.15: Width and Design of Vehicle Crossings – Urban Zones
 - The vehicle crossings are 0.5m less than permitted but this slight difference is unlikely to present any operational or efficiency issues.
- Rule 29.5.18: Minimum Sight Distances from Vehicle Access on all Roads other than State Highways
 - There are shortfalls in the sight distances but this is due to the short length of Brownstone Street, and the sight distances provided are appropriate for the prevailing speeds of vehicles approaching each direction.

We have also recommended that:

- There would be merit in drivers that are entering and exiting the site being able to see whether any vehicle is approaching, and so a convex mirror should be provided on the northern boundary of the site, within the landscaping strip.
- The location of a wall on the southern side of the access should be confirmed with regard to ensuring that it is separated from the main part of the access by 0.3m

Overall, and subject to the above comments, we consider that these non-compliances will not give rise to any adverse effects that are more than minor.

District Plan (Operative Version) Part 14.2.4.1: Parking and Loading

Site Standard 14.2.4.1i: Minimum Parking Space Numbers

The District Plan sets out a parking ratio for visitor accommodation units within the Low Density Residential Zone in Wanaka of 2 parking spaces per unit. The plans show that the units have only one parking space each (although a second car may be parked on the apron outside the garage for the front unit).

Upon reviewing Plan Change 8 which gave rise to the requirement for two parking spaces per unit, we note that the supporting technical information proposed a rate of 1.5 spaces per unit and noted that two spaces per unit was “excessive” (Nigel Williams report, paragraph 207). The rationale for having a higher parking ratio was described by the commissioners as due to the “*profusion of cars, trucks, boats, trailers and other “adult toys” (that) overcrowds streets and lawns and leaves little space for residents and their guests and so tends to undermine the social fabric and sense of community.*” However the commissioners also noted that “*if development eg a traditional motel on one title, can demonstrate a lesser demand for carparking, then this would be appropriately dealt with through the resource consent process*” (Commissioners Decision paragraph 4.5).



We consider that the latter case applies in this instance because what is proposed is such a 'traditional motel'. Taking into account that the rooms cannot be double-keyed, we consider it is extremely unlikely that each unit will generate demand for two parking spaces, and we therefore consider that one space per unit be adequate for the likely demand.

No coach parking is required under the zoning. In practice, the small scale of the development means that four coaches will not visit anyway.

Site Standard 14.2.4.1iv: Location and Availability of Parking Spaces

The layout indicates that each space will be unobstructed and can be accessed independently, and none are located within an access or other area used for other purposes. All parking spaces are located on the development site itself.

Site Standard 14.2.4.1v: Size of Parking Spaces

The plans show the following dimensions for the parking spaces:

- Spaces 1, 2, 5 and 6: 2.7m wide, 5.0m long and an aisle of 6.4m;
- Space 3: 2.7m wide plus an additional 2.2m, 5.0m long and an aisle of 6.4m;
- Space 4: 3.2m wide plus an additional 2.2m, 5.0m long and an aisle of 6.4m; and
- Un-numbered garaged space: 3.3m wide, 6.0m long, aisle of more than 8.0m.

The dimensions of these standard spaces all meet the District Plan requirements for visitor accommodation.

Space 4 is notionally provided for the mobility impaired, and does not meet the District Plan requirement (where a 3.6m width is required and an 8.0m aisle). However Standard AS/NZS2890.1:2004 ('*Parking Facilities Part 1: Off Street Car Parking*') sets out that the aisle width for a mobility space can be the same as for adjacent standard spaces (Note 5 to Figure 2.2). Standard AS/NZS2890.6:2009 ('*Parking Facilities Part 6: Off Street Parking for People with Disabilities*') and Standard NZS4121:2001 ('*Design for Access and Mobility: Buildings and Associated Facilities*') both set out that mobility spaces can be 3.5m wide.

Therefore although the dimensions of the mobility space do not meet the District Plan, they meet the provisions of the overarching Standards.

In passing we also note that Space 3 would also be suitable for use by the mobility impaired, sharing the width with the adjacent area (as permitted under Standard NZS4121:2001).

Site Standard 14.2.4.1vi: Parking Area and Access Design

With 6 units proposed to be served by the accessway serving the car park, the Council's Code of Practice requires that the accessway is formed at 3.5m wide (notionally 2.5m plus 0.5 shoulders), with passing places every 50m and pedestrians sharing the access with vehicles. The plans show that the formed width is 3.5m and that there is an additional landscaping strip of 0.5m width on the northern side of the access.

We note however that the illustrations on the plans appear to show that there will be a wall along the southern side of the access. The wall cannot be immediately adjacent to the accessway, and should be separated from it by a clearance of 0.3m.



Site Standard 14.2.4.1vii: Gradient of Car Parks

The site is relatively flat and so there will be no difficulties in achieving the maximum gradient of 1 in 20.

Site Standard 14.2.4.1viii: Car Spaces for People with Disabilities

Since less than 10 car parking spaces are proposed, under this Rule there is no requirement for any spaces to be provided for the mobility impaired.

Site Standard 14.2.4.1ix: Reverse Manoeuvring

As Brownston Street is a Local Road, it is not permitted for a vehicle to reverse to or from the road where:

- ten or more parking spaces are to be serviced by a single accessway, or
- five or more residential units share a single accessway, or
- the activity is on a rear site

None of these criteria are met by the proposed development and so the Rule does not apply.

In practice, we anticipate that each space will be allocated to a particular unit, so there is no possibility that an incoming driver will find that there are no available spaces within the car park.

Notwithstanding that the requirement to enter and exit each space with no more than one reverse movement does not apply in this case, we have assessed the accessibility of each space as shown on Figure 4 to 13 above. It can be seen that each space can be accessed with no more than one reverse movement. In the cases of Spaces 1 and 2, this is achieved by the vehicle reversing into the space and then driving forwards out. For Spaces 3 to 6, the car may be driven in forwards and then reversed out.

Site Standard 14.2.4.1x: Residential Parking Spaces

Residential units are not proposed in this case.

Site Standard 14.2.4.1xi: Queuing

The main car park provides 6 parking spaces and therefore queuing space of 6m is required. However no queuing space is provided.

According to the MobileRoad website, this part of Brownston Street carries just 700 vehicles per day, indicating peak hour flows of 80-90 vehicle movements in the peak hours, representing an average of 1 vehicle movement every 40-45 seconds.

The size of the proposed car park will generate at most 1 vehicle movement per car parking space in the peak hours, suggesting a rate of 1 vehicle movement every 10 minutes on average. Furthermore, these volumes will be tidal, with the bulk of traffic exiting the site in the morning peak hour and entering in the evening.

Consequently the potential for one vehicle entering the site to encounter another that is leaving, at the same time as another vehicle passes on Brownston Street is extremely low. Taking into account travel times, we estimate that the potential of all three occurrences happening at the same time is 1 in 325, meaning that it would occur around once every six months. We do not consider that this is significant.



Regardless of the likely frequency of movement, from a practical perspective we consider that there would be merit in drivers that are entering and exiting the site being able to see whether any vehicle is approaching. We therefore recommend that a convex mirror is provided on the northern boundary of the site, within the landscaping strip, as shown on Figure 14 above.

For completeness, the garaged parking space does not require any queuing space.

Site Standard 14.2.4.1xiii: Loading Areas

No loading facilities are required for this land use zoning or activity under the District Plan.

Site Standard 14.2.4.1xiv: Surface of Parking and Loading Areas

There are no reasons why the parking spaces cannot be marked and the area sealed.

Site Standard 14.2.4.1xvii: Illumination

As the parking area serves visitor accommodation, it is required to be illuminated. There are no reasons why this cannot be achieved.

District Plan (Operative Version) Part 14.2.4.2: Access

Site Standard 14.2.4.2i: Length of Vehicle Crossings

The length of the vehicle crossing to the main car park at the property boundary is 3.5m, which is less than anticipated for visitor accommodation, where the minimum width is 4.0m. However the width provided is sufficient for the single traffic lane that is proposed. Similarly, the vehicle crossing serving the garaged parking space is 3.5m wide, but this is sufficient for the driveway proposed.

Site Standard 14.2.4.2ii: Design of Vehicle Crossings

Under this Site Standard accesses must cross the property boundary at approximately 90 degrees and can intersect the carriageway at between 45 to 90 degrees. This is achieved.

Site Standard 14.2.4.2iii: Maximum Gradient for Vehicle Access

From our observations, the site is relatively flat and so there should be no difficulties in achieving the maximum gradient of 1 in 6, nor the required breakover angles.

Site Standard 14.2.4.2iv: Minimum Sight Distances from Vehicle Access

Brownston Street is subject to a 50km/h speed limit and consequently, 80m sight distances are required for visitor accommodation. These are measured at 3.5m from the edge of the nearest traffic lane, and at a height of 1.15m above the carriageway surface.

In this case, the edge of the carriageway is some 5m from the lot boundary, and therefore the sightlines lie wholly within the legal road reserve. The flat and straight alignment of Brownston Street in this location means that these sight distances are easily achieved along the full length of the road, but the short length of road means that a distance of 70m is available towards the east and 42m is available towards the west.

Towards the east, the sight distance is limited by the presence of the McDougall Street / Brownston Street intersection. However vehicles approaching from this direction must have slowed to give-



way to traffic on McDougall Street, or to turn at the intersection, and as such, their speeds will be considerably lower than the maximum permitted of 50km/h.

Towards the west, Brownston Street terminates at the access to the holiday park, and vehicles entering or exiting the holiday park will be travelling at slow speed.

In both cases then, we consider that the sight distances provided are appropriate for the prevailing vehicle speeds.

Site Standard 14.2.4.2v: Maximum Number of Vehicle Crossings

The site frontage is 20m and therefore as Brownston Street is a Local Road, two vehicle crossings are permitted. Two crossings are proposed.

Site Standard 14.2.4.1vi: Distances of Vehicle Crossings from Intersections

The site has access onto Brownston Street, which is a Local Road subject to a speed limit of 50km/h. The closest intersection is with McDougall Street, which is an Arterial Road, and accordingly, a separation distance to the nearest intersection of 25m is required. The accesses are more than 70m from the intersection.

Summary of District Plan (Operative Version) Compliance

On the basis of our analysis, we consider that the proposed layout has non-compliances with the following Site Standards of the operative District Plan:

- Site Standard 14.2.4.1i: Minimum Parking Space Numbers:
 - Each unit provides 1 parking spaces whereas 2 are required under the District Plan. However the site will operate as a 'traditional motel', as discussed by the commissioners that determined this level of parking provision, and we consider it is extremely unlikely that each unit will generate demand for two parking spaces.
- Site Standard 14.2.4.1xi: Queuing
 - No queuing space is provided at the access to the main car park whereas 6m is required, but the small size of the car park means that it is unlikely one vehicle will meet another and even if that was to occur, the low passing traffic volumes means that vehicles on Brownston Street would be unlikely to be affected.
- Site Standard 14.2.4.2i: Length of Vehicle Crossings
 - The vehicle crossings are 0.5m less than permitted but this slight difference is unlikely to present any operational or efficiency issues
- Site Standard 14.2.4.2iv: Minimum Sight Distances from Vehicle Access
 - There are shortfalls in the sight distances but this is due to the short length of Brownstone Street, and the sight distances provided are appropriate for the prevailing speeds of vehicles approaching each direction

We have also recommended that:

- There would be merit in drivers that are entering and exiting the site being able to see whether any vehicle is approaching, and so a convex mirror should be provided on the northern boundary of the site, within the landscaping strip.
- The location of a wall on the southern side of the access should be confirmed with regard to ensuring that it is separated from the main part of the access by 0.3m



Overall, and subject to the above comments, we consider that these non-compliances will not give rise to any adverse effects that are more than minor.

Overall Conclusions

The non-compliances under both the Decisions Version of the proposed District Plan and the operative District Plan in respect of queuing distance, width of the vehicle crossings and the sight distances provided are identical.

There is a parking shortfall under the operative District Plan, but the site complies with the parking provision under the proposed District Plan.

The proposed District Plan requires one mobility space to be provided, and the dimensions of this do not meet the Plan provisions, although they meet the overarching Standards. However the operative District Plan does not require any mobility parking to be provided.

In each case however, we do not consider that the non-compliances will result in any adverse effects that are more than minor.

We have also recommended that a convex mirror should be provided so that drivers entering and exiting the site are able to see whether any vehicle is approaching, and that confirmation is provided that a wall on the southern side of the access is separated from the main part of the access by 0.3m. Subject to these, we are able to support the proposed layout from a transportation perspective.

Please do not hesitate to contact me if you require anything further or clarification of any issues.

Kind regards

Carriageway Consulting Limited

A handwritten signature in blue ink, appearing to read 'A Carr', positioned above the printed name.

Andy Carr

Traffic Engineer | Director

Mobile 027 561 1967

Email andy.carr@carriageway.co.nz

**RESIDENTIAL VISITOR ACCOMMODATION FACILITIES, 208 BROWNSTON STREET, WANAKA
OPERATIONAL (INCLUDING NOISE) MANAGEMENT PLAN**

Original prepared by IP Solutions Ltd (August 2018) and updated August 2020

1 PROPERTY MANAGER INFORMATION

Visitor Accommodation Property Address:	208 Brownston Street, Wanaka.
Property Manager Name:	Wanaka Selection Ltd
Address:	Te Wanaka Lodge 23 Brownston Street, Wanaka
Email:	info@tewanaka.co.nz
Phone (24hours):	(03) 443 9224
Alternative Phone:	021 437 2731
On site manager name:	TBC
On site manager 24 hour phone:	TBC

2 GENERAL OPERATIONAL INFORMATION & REQUIREMENTS

MAX number of tenants:	26
Tenant Parking:	On site
Rubbish Collection Day:	Monday (please remove bins from street within 24hours of collection)
Manager On call	24/7

3 NOISE MANAGEMENT INTRODUCTION

This Noise Management Plan 'NMP' provides methodologies which will ensure that the noise associated with the operation of visitor accommodation at 208 Brownston Street, Wanaka does not exceed a reasonable level, and that community goodwill is maintained.

The NMP relates to the control of noise from guests using both indoor and outdoor areas of the facility that is proposed to be used for visitor accommodation activities only.

The purpose of this NMP is to identify and set out the practices and procedures for noise mitigation and management to be implemented to ensure that the noise conditions of a granted resource consent are met at all times, and that noise does not unreasonably disturb wider residential uses.

As has been set out in the approved resource consent application, this will be achieved by:

- Complying with the relevant noise performance standards of the District Plan;
- Developing and implementing strategies as set out in this Operational and NMP;
- Monitoring and reporting on the effectiveness of the mitigation measures implemented by Noise Management procedures, and;
- Identifying and implementing alternative/new mitigation measured wherever necessary to ensure this NMP's continued effectiveness and promote continuous improvement.

The site manager of 208 Brownston Street should be made familiar with the procedures set down in this NMP, and all guests should be notified to abide by the procedures to ensure that noise does not unreasonably disturb neighbors.

4 NOISE CONDITIONS

The following noise conditions shall be met:

- **Visitor accommodation activities shall be conducted so that the following noise limits are not exceeded at any point within the boundary of any other site within the Medium Density Residential:**

Daytime (0800 – 2000)	50dB L_{Aeq} (15 min)	
Nighttime (2000 – 0800)	40dB L_{Aeq} (15 min)	70dB L_{AF max}

- **Noise levels shall be measured and assessed in accordance with NZS 6803:1999.**
- **There shall be no sound system speakers located outside of the building or attached to the exterior of the building (including in any proximity to outdoor roof terraces).**
- **The consent holder shall provide information to all users of the accommodation facility including a copy of this Operational and NMP. Information should specifically request that all users be considerate of adjoining landowners in relation to noise and other activities which may cause disturbance.**

5 NOISE GENERATING ACTIVITIES – ‘RULES’ FOR ALL GUEST TO ABIDE BY

The following measures are to be adopted to ensure compliance with the noise limits set out in this NMP:

Noise from guest conversation and background music is expected to be associated with the facilities at 208 Brownston Street, Wanaka. The effects of this may be minimised as follows:

- **All external doors shall be closed after 2200 hours;**

- Signage is to be placed at all the exit doors and in view from outdoor entertainment areas advising guests to have consideration for residential neighbors;
- No outdoor speakers are to be installed, or indoor speakers moved to the outdoor areas, as part of visitor accommodation activities.

6 MANAGEMENT PROCEDURES

A manager shall administer all requirements outlined by this NMP and remain on-call at all times that guests occupy any unit at 208 Brownston. The manager shall be responsible for implementation of this NMP ensuring that the mitigation strategies listed are adopted by any staff and guests at all times.

The manager will have the following responsibilities:

- Ensure all management and staff personnel are aware of the instructions contained in this NMP and of their responsibilities to control noise emitted from the premises;
- Ensure a copy of the NMP is made available to all guests and staff, and that a hard copy of the current document is held on site at all times;
- Advise guests prior to their stay to have consideration to neighbors, especially during the night time period;
- Ensure all guests are made aware that they have an obligation to minimize noise emissions during their stay, and including during the use of all associated facilities;
- Ensure all signage referred to above is maintained and visible at all times;

The manager’s function shall be to respond to any complaints in relation to the effects of exercising visitor accommodation. The manager shall endeavor to deal with any issue raised immediately and shall be contacted on (as previously outlined under **1 Operational Information**):

Visitor Accommodation Property Address:	208 Brownston Street, Wanaka
Property Manager Name:	TBC
Address:	TBC
Email:	TBC
Phone (24hours):	TBC
Alternative Phone:	TBC

7 COMPLAINTS PROCEDURES

It is essential that consideration is given to those who may be affected by noise from activities conducted as part of visitor accommodation activities at 208 Brownston Street.

The value of maintaining community goodwill should be emphasised at both management and worker levels. Periodically the issue of goodwill should be raised at staff meetings, and the benefits of maintaining a good relationship with the community examined, along with the consequences of a deteriorating community relationship.

Neighboring property owners and users should be given contact telephone numbers that they can use if they have any concerns regarding noise.

Any complaints received shall be logged by staff and appropriate action shall be taken. The date and time of the complaint, the name address and phone number of the complainant and details of the nature of the complaint shall be recorded together with details of the action taken in resolving the issue, and the timing of that corrective action. All complaints shall be investigated within an hour of the time of complaint.

It shall be the responsibility of the manager to ensure that all complaints are followed up, and reasonable steps relating to remediation investigated. This information should be made available to any Council Officer who may request it.

8 REVIEW

This Operational and NMP is a living document, and may be amended, changed or reviewed as required such that best practices are adopted, to ensure the purposes and objectives of the document are continually being met. Any revisions to this document must be provided to the QLDC for approval.