

RM number: RM220084
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Applicant: Ropata Lodge Village Ltd
Agent: Urban Edge Planning Ltd
Address: PO Box 39071
Wellington Mail Centre
Lower Hutt 5045
Attention: Kerry Wynne

Zachery Montgomery
Environmental Consents
T: 027 361 0186
Zachery.Montgomery@huttcity.govt.nz
Our reference: RM220084

NOTIFICATION REPORT FOR THE REDEVELOPMENT OF AN EXISTING RETIREMENT VILLAGE COMPRISING OF 48 DWELLING UNITS, ASSOCIATED EARTHWORKS AND THE VARIATION TO CONSENT NOTICE B432001.5 AT 758 AND 760 HIGH STREET, BOULCOTT

1. PROPOSAL

Land Use

The applicant's Assessment of Environmental Effects ("AEE") includes a description of the proposal, which I adopt for the purposes of this report. The applicant's proposal description should be read in conjunction with this report. In summary the application is for land use consent for the construction of a 48-unit retirement village, including a communal facility and associated earthworks at 758 and 760 High Street, Boulcott. The existing buildings on the subject sites are proposed to be removed to facilitate this proposal.

Ropata Lodge Villa Ltd is presently operating at 758 High Street and 48 units are proposed to be constructed in the form of apartments split between two buildings. In addition to the residential units, it is proposed to incorporate a proposed communal facility, private café, outdoor courtyard and parking. The units will be made up of five typologies.

- Apartment Type A will comprise two bedrooms, one-bathroom, built-in laundry facilities and open plan kitchen, dining and living areas. There are 29 Type A apartments as part of this development, and they will comprise a floor area of approximately 69m².
- Apartment Types B and C will comprise one bedroom, one bathroom, and open plan kitchen, dining and living areas. There are 13 Type B and two Type C apartments, comprising floor areas of approximately 46m² and 56m², respectively.
- Apartment Types D and E will comprise three bedrooms, two bathrooms, one built-in laundry and open plan kitchen, dining and living areas. There are three Type D and one Type E apartments, comprising floor areas of approximately 97m².

Apart from the entry porch and verandah along the road boundary, the residential buildings are sufficiently setback from the external boundaries.

As part of the residential buildings it is also proposed to include a communal facility and communal parking within the central area of the subject sites. This communal facility will include the following features:

- An activity rooms
- Lounge
- Kitchen and café
- Pool and gym
- Reception and admin area; and
- Female and male toilets.

The development is proposed to be landscaped in accordance with the landscaping plan provided as part of this application.

Access to the proposed development will be via the existing vehicle crossing in the south-western corner which will be widened to enable two-way vehicle movement. There will be 14 on-site carparks (including one accessible park). The allocation of car parks will be as follows:

- Two dedicated staff parks
- Two dedicated visitor parks
- One accessible car park
- One dedicated electric vehicle park, with an EV to provide under a car share scheme of residents
- Eight car parks available for lease by occupants of the apartments.

The proposed units will be connected to water, wastewater, stormwater, power and telecommunication services.

Earthworks

Land use consent is also sought to undertake 2,500m³ of earthworks over the subject sites. It is proposed to undertake approximately 1,340m³ of cut and 1,160m³ of fill. The earthworks will have a maximum depth/height of 0.75m.

Consent notice variation

The Record of Titles provided with the application contains one consent notice listed as an interest; identified as B432001.5. This was imposed as part of the subdivision which created the sites and contained four items that had ongoing effect relevant to the subject sites.

- The six Trees shown on plan TP.2026 to be retained and protected and any necessary pruning to be carried out by a suitably qualified person.
- Final proposals for the activity to be substantially in terms of the plan submitted with the application.
- The driveways and carparks to be sealed and marked to the satisfaction of Council.
- Landscaping of the site before the use commences and maintenance thereafter to the continuing satisfaction of the group manager cite environment. Such landscaping shall be in terms of a plan approved by the divisional manager leisure services prior to the issue of a building consent. Such a plan is to be prepared by a person with a sound knowledge of this site requirements involved. With regard to the approved landscaping plan there will be a performance bond of an appropriate sum such bond to be held by council.

In accordance with s.221 the Applicant is proposing to cancel three items of the consent notice conditions and proposes to vary the first item of the consent notice to as follows: That the Pohutukawa tree identified on Sheet No. L003 (Ref: Project No. 21156, Sheet No. L0003, entitled “Vegetation Plan”, prepared by Urban Edge Planning and dated 22/02/22) is retained and protected. Any works that may impact on the physical condition of the roots, trunk, or crown of the tree including, but not limited to, the pruning and trimming of branches or works within the dripline (whether above or below ground) shall be carried out under the supervision of a suitably qualified arborist to ensure the long-term health of the tree.

2. SITE DESCRIPTION

The application sites are located on the eastern side of High Street, Boulcott at numbers 758 and 760. The sites are approximately 120m north of Thornycroft Avenue and south of Lincoln Avenue. The site at 758 High Street is held in a series of Unit Titles, with the parent allotment legally described as Lot 2 DP 80154, held within Record of Title WN46D/795; the unit titles each have their own Record of Title described as follows.

WN47A/387	WN47A/388	WN47A/389	WN47A/390
WN47A/391	WN47A/392	WN47A/393	WN47A/394
WN47A/395	WN47A/396	WN47A/397	WN47A/398
WN47A/399	WN50B/754	WN50B/755	WN50B/756
WN50B/757	WN50B/758	WN50B/759	WN52D/333

The site at 760 High Street is legally described as Lot 1 DP 80154, held within Record of Title WN47A/71. The unit titles identified above and WN47A/71 contain a consent notice as referenced in section 1 above. There are no other title interests considered to be relevant to the assessment of this application.

The applicant has provided a detailed site description which I adopt. This reads below

The application site consists of two adjoining properties at 758-760 High Street, Boulcott. As illustrated in Figure 1 below, the properties are located on the eastern side of the road carriageway. Combined, the two sites create a regular shaped property with a total area of 4,028m².

The property at 758 High Street is currently utilised as Ropata Lodge Village, being a largely independent living retirement facility. The ‘u-shaped’ site includes two vehicle access points with a driveway extending along the southern and eastern boundaries and a separate carpark at the north-western corner of the site. Within the site are a total of 20 existing retirement units. These one and two storey residential units are arranged around a central courtyard containing mature vegetation, a pond, and lawn.

760 High Street has an area of 500m² and is surrounded on three sides by No 758. The property contains a two storey dwelling house accessed via a driveway along the north-eastern boundary. A paved patio and modest lawn provide outdoor living space to the north-west of the dwelling, with concrete service areas to the south-east.

The surrounding area is primarily residential in character with the majority of surrounding sites containing a standalone dwelling and associated accessory buildings. There is evidence of

infill with older cross-lease style development and backyard infill evident in the surround area. A school is located approximately 190m to the east of the site (across Dyer Street), with a church and two clusters of shops located within 400m to the north of the site.

For clarity, No. 758 has a land area of 3,528m² and No. 760 has a land area of 500m².

The application site is located within the General Residential Activity Area of the District Plan. The land surrounding the sites is General Residential zoned land, typically on smaller urban allotments and developed for residential purposes.

The application site is located within the High-Density Activity Area of Plan Change 56 (PC56). The site is not subject to any further designation, heritage protections, identified natural hazards or significant natural, cultural or archaeological resources under the PC56 provisions

3. RELEVANT PLANNING RULES AND REGULATIONS

Operative District Plan

The District Plan is the appropriate planning instrument with which to assess the proposal. Rules relating to the General Residential activity area, which this proposal falls within, are contained in chapters 4A (General Residential) and 14 (General Rules).

District Plan as modified by Plan Change 56

On 18 August 2022 Hutt City Council notified Proposed District Plan Change 56 ('PC56'). PC56 gives effect to the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (the 'Housing Supply Act'), which was enacted in December 2021. The Housing Supply Act prescribes new mandatory Medium Density Residential Standards ('MDRS'), introduces the concept of qualifying matters and makes changes to policies 3 and 4 of the National Policy Statement on Urban Development 2020 ('NPS-UD'). These intensification and qualifying matters must be added to District Plans using the Intensification Streamlined Planning Process ('ISPP').

PC56 is processed under the ISPP provisions of the RMA introduced by the Housing Supply Act. The MDRS have been incorporated into the proposed Medium-Density Residential Activity Area (MRAA) and High-Density Residential Activity Area (HRAA) chapters of PC56. In accordance with the Housing Supply Act these provisions have immediate legal effect from the date of notification and the corresponding ODP provisions cease to apply, subject to meeting a number of tests.

The subject site is located within the High-Density Residential Activity Area under PC56. The proposal is exempt from the rules with immediate legal effect under PC56 as the activity is not exclusively for residential units even if the use is residential in character or nature it forms a comprehensive development for a retirement village. As such the provisions of the MDRS do not apply to the proposal.

The proposal requires resource consent for the following District Plan non-compliances:

Operative District Plan

Chapter 3 defines a Retirement Village / Housing for the Elderly as:

“a managed comprehensive residential development used to provide accommodation for aged people, including recreation, leisure, supported residential care, welfare and medical facilities and other related non-residential activities.”

Operative District Plan permitted rules and standards which continue to have legal effect –

Rule 4A 4.1.7(a): Retirement Villages are restricted discretionary activities.

The proposal is for a retirement village that will provide for 48 units on the site.

- *Restricted Discretionary Activity under Rule 4A 4.1.7 (b) of the Operative District Plan.*

Rule 4A 4.1.10(a): Activities that would cause vibration are permitted activities if the activity is managed and controlled in such a way that no vibration from the activity is discernible beyond the boundary of the site.

In order to construct the retaining walls and foundations at the propose development, construction methodologies may be utilised which generate vibration that may be discernible beyond the boundary of the site.

- *Restricted Discretionary Activity under Rule 4A 4.1.10 (b) of the Operative District Plan.*

Rule 4A 4.2.10 (b) an activity is a Discretionary Activity under the comprehensive residential development if it does not comply with the restricted discretionary activity standards (i) – (vii) specified in this rule:

- (i) The proposal equates to 47% site coverage, achieving compliance with standard (i).
- (ii) The building has a maximum height of 8.96m, being 0.96m higher than permitted under standard (ii).
- (iii) Recession planes do not apply to the north-western (front) boundary. The proposal creates the following breaches with standard (iii): -

North-eastern boundary: The veranda over the upper-level balconies and a portion of the façade to the lift/stairwell along the north-eastern boundary breach the recession plane by up to 0.69m.

South-eastern boundary: Up to 3.435m from the external edge of the stairwell; and up to 3.263m from the external edge of Units 24 and 41. The corridor adjacent to Units 42-45 breaches the recession plane by up to 1.218m.

South-western boundary: the corridor adjacent to Units 45-48 breaches the recession plane by up to 1.164m as measured from the south-western boundary.

- (iv) The entry porch to the south-western stairwell is 0.8m from the front boundary, while the veranda over the entry ramp and patio adjacent to the café is positioned 0.5m off the front boundary. These are a breach of the 2m requirement under standard (iv). In addition, boundary fencing adjoining Lot 20 (western boundary) will exceed 2.4m in height when measured from the base of the retaining wall so is

- considered a building and breaches the 1m side yard setback. Within the front yard of Units 1 – 3 fencing may reach 2.1m in height so will be considered a building and will breach the 3m front yard setback.
- (v) The private outdoor living space for the following units fall short of the required 20m² area: - Unit 4 - 16.91m² - Unit 5 – 16.3m²; and - Units 15-48, with balconies ranging from 6.21m² – 15.8m² in size. The outdoor living for the following Units falls short of the required 3m minimum dimension: - Units 5-11, with a minimum dimension of 2.6m; - Units 15-24 and 26-48, with a minimum dimension of 1.8m; and - Unit 25 with a minimum dimension of 2.5m.
 - (vi) Stormwater neutrality will be achieved for the site through an alternative stormwater detention method.
 - (vii) No roads are proposed to be vested to Hutt City Council such that the location of stormwater treatment devices is not controlled by the District Plan.
 - *Discretionary Activity under Rule 4A 4.2.10 (b) of the Operative District Plan*

Rule 14A 5.1(a) Any activity is permitted if it complies with the standards listed in Appendix Transport 1; and does not exceed the high trip generator thresholds specified in Appendix Transport 2

The proposal will not comply with the following Appendix 1 Transport standards:

- Standard 2(c) – the proposal does not comply with this standard as rubbish trucks will have to reverse into or out of the site.
- Standard 5 – as the development is for more than 20 dwellings, an onsite loading facility is required for rubbish collection vehicles. No dedicated loading bay is proposed, whereby rubbish trucks will be required to temporarily pause in the private driveway when loading.
- *Restricted Discretionary Activity under Rule 4A 4.2.12 (b) of the Operative District Plan*

Rule 14B 2.4.1(a) In all activity areas, excluding the Petone Commercial Activity Area 1 any Permitted, Controlled or Restricted Discretionary Activity which does not comply with any of the Permitted Activity Conditions.

The proposal includes signage that breaches the size standards of 1m² per site, exceeding the permitted standard by 1m² at 3m² for the development.

- *Discretionary Activity under Rule 14B 2.4.1 (a) of the Operative District Plan*

Rule 14I 2.1.1(a) In all activity areas, excluding the Petone Commercial Activity Area 1 any Permitted, Controlled or Restricted Discretionary Activity which does not comply with any of the Permitted Activity Conditions.

The proposal includes earthworks comprising 1,340m³ of cut and 1,160m³ of fill, with a maximum vertical alteration of 0.75m.

- *Restricted Discretionary Activity under Rule 14I 2.2 (a) of the Operative District Plan*

Overall activity status

The proposal requires resource consent as a restricted discretionary activity under 14A 5.1(b) and 14I 2.2(a) and as a discretionary activity under Rules 4A 4.2.10(b) and 14B 2.4(a)

It is considered that the land use consents are not mutually exclusive, and hence it is necessary to consider the effects of all land use under a single assessment. On this basis, when bundled, the overall activity status of the proposal is **Discretionary**.

As the land use consent is to be assessed as a discretionary activity, the Council retains full discretion and there are no restrictions on the matters to which Council can consider in determining this application. However, guidance is provided in the assessment criteria set out in the Restricted Discretionary matters of the proposal.

Cancellation and variation of a consent notice under s221(3)

In accordance s221(3A), [sections 88 to 121](#) and [127\(4\) to 132](#) apply, with all necessary modifications, in relation to an application made to vary or cancel a consent notice.

National Environmental Standards

The proposal does not require assessment under any National Environmental Standards.

4. PERMITTED BASELINE

The permitted baseline allows a consent authority to disregard environmental effects that are the same as could arise from a permitted development.

The relevant permitted baseline standards are those listed the High-Density Residential Activity Standards (PC56). These standards are as follows:

- Up to Three residential units permitted
- Building coverage 50%
- Height recession plane 4m + 60 degrees from all side an rear boundaries
- Permeable surfaces 30%
- Outdoor living space 20m² / 1.8m², minimum dimension of 3m / 1.8m
- Service areas screened
- Outlook Space – Habitable room 4m x 4m and habitable room window 1m x1m.
- Windows to street - Residential units facing the street have a minimum of 20% of the street-facing façade in glazing,
- Landscaping - minimum landscaped area 20%.

Under the operative district plan (General Residential Activity Area) the following permitted baseline standards are still relevant:

- Building height 8m
- Yards with a 3m front yard, 1m side and rear yards
- Accessory buildings if site coverage, building height, recession planes, yards, and permeable surfaces are complied with
- A rainwater tank is provided that collects rainwater from a roofed building

Compliance would also be required with the general rules of the District Plan, including earthworks with up to 50m³ in volume and up to 1.2m change in ground level permitted. Given the subject site comprises two titles, six dwellings could be constructed where they meet the above development standards.

The current use of No. 758 High Street is an operational 20-unit retirement village. The permitted baseline would only provide for the redevelopment of the site to comprise six residential dwellings. Given the size of the property, I consider it fanciful that the existing 20-unit development would be demolished for the construction of six dwellings on a site of this size, given its proximity to public transport and other sought-after facilities in the Hutt City. As such, I concur with the statement by the applicant and that such a proposal is fanciful and therefore the permitted baseline is considered of limited relevance to this assessment.

5. NOTIFICATION ASSESSMENT

Council must assess any resource consent application under section 95 of the Resource Management Act 1991 to determine whether a resource consent application should be notified. The Resource Management Act 1991 details a four step process that must be followed, and triggers or precludes notification of applications in certain circumstances. The sections below follow the four step process for public notification (under section 95A) and limited notification (under section 95E).

5.1 - PUBLIC NOTIFICATION STEPS – SECTION 95A

Pursuant to section 95A of the Resource Management Act, this section follows the 4 step process to determine if public notification is required.

Step 1 - Public notification is mandatory in certain circumstances

Public notification is mandatory in certain circumstances.

Has the applicant requested public notification?	No
Is public notification required under s95C?	No
Is the application made jointly with an application to exchange recreation reserve land under s15AA of the Reserves Act?	No

Public notification is not mandatory under step 1.

Step 2 - Public notification is precluded in certain circumstances

If public notification is not required under step 1 it may be precluded in certain circumstances (unless special circumstances apply under step 4).

Are all activities in the application subject to a rule in a Plan or National Environmental Standard precluding public notification?	No
Is the application for one or more of the following (but no other) activities? <ul style="list-style-type: none"> ▪ A controlled activity ▪ A boundary activity with a restricted discretionary, discretionary or non-complying activity status 	No

Public notification is not precluded under step 2.

Step 3 - Public notification is required in certain circumstances

If public notification is not precluded under step 2, public notification may be required in certain circumstances.

Is any activity in the application subject to a rule in a Plan or National	No
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Environmental Standard that requires public notification?	
Does the activity have, or is likely to have, adverse environmental effects that are more than minor in accordance with s95D?	No (see assessment below)

Does the activity have, or is likely to have, adverse environmental effects that are more than minor in accordance with s95D?

Public notification is required under step 3 if the activity will have or is likely to have adverse effects on the environment that are more than minor.

In considering if the adverse effects on the environment are more than minor, the effects on persons who own or occupy the land in, on, or over which the activity will occur; or any land adjacent to that land must be disregarded. I have therefore disregarded the effects on the persons who own or occupy properties at 756A, 756B, 764, 766, 789, 791, 793, 795, 797 High Street, 12-26 Dyer Street in making an assessment under s95D:

Streetscape, Residential Character and Amenity Effects

A key matter of discretion for the proposal is to consider the effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.

High Street is highly residential and moderately vegetated within close proximity to the subject sites, with small-scale commercial activities to the north-east and south-west. The existing development pattern primarily consists of square or rectangular allotments containing single and double storey detached dwellings typically ranging between 550m² and 760m² in area, with some larger properties in the area over 1,000m². The proposed development is for a three-storey, apartment complex accommodating 48 residential units. As such, the application represents a higher density of development than currently exists in the wider area where the prevalent housing type is single-storey residential dwellings with generally one dwelling per site. It is noted that the existing use of the site is an independent living retirement village comprising 20 residential units.

The proposal has the potential to change the face of the existing streetscape and residential character, affecting general amenity. However, over time it is expected that higher density development will become a more standard feature in the residential landscape, particularly with the advent of PC56 and the introduction of the High-Density Residential Zone to this area.

Within the wider environment there is no evidence of infill development to the same scale and nature as the proposal. However, I note that is similar to the existing trends for infill development occurring within the General Residential activity area within the wider Hutt Valley context. It is noted that the character of High Street is rapidly changing, with a greater number of medium density residential developments emerging. In terms of the streetscape, the proposal has been designed with one block along the High Street frontage and is unmistakably residential in nature. The building is contemporary and employs best-practice design elements such as variation in building material and articulation and the inclusion of green walls. It is suitably designed to provide a positive façade along High Street. The siting of this front block along the application sites' frontage provides screening of the remaining

residential units when viewed from the public realm in large. The development would be visible from Dyer Street to the east; however, I consider this to be partially screened by directly adjoining properties and therefore would be in a transient nature.

Pedestrian access is provided through this façade, directly to High Street via a secure entrance, along with separate pathways to Units 1 to 4. Vehicle access has been limited to one and the shared parking space is located to the centre of the site, screened by the buildings, which is less than what is existing with three entrances. This aids to minimise the dominance of hardstand areas and ensure the overall development offers a softer appearance.

While in contrast to the permitted baseline for the underlying application sites (six dwellings) and the existing development pattern, the proposal has been appropriately designed through layout, and building design including materials. I also consider that the development is not contrary to the future outcomes sought by the District Plan. The effects on streetscape, residential character and amenity are therefore less than minor.

Privacy and Shading Effects

Passive surveillance of the public space is promoted through both the District Plan and Design Guide. It is the balance of private internal spaces, while ensuring the public spaces are kept 'safe' with perceived viewpoints.

With respect to the proposal, this generates recession plane non-compliances around most of the periphery of the proposed buildings. However, I consider that these effects would be limited to the directly adjoining persons so in accordance with Step 3 of s95D, I have disregarded these effects. Any shading on High Street as a transient space will also be less than minor.

In terms of reverse sensitivity, the dwelling setback (both horizontally and vertically), and presence of hard and soft landscaping, provides for a suitable level of privacy for the occupants of the western units (Units 1-4, 15-18, and 32-35).

As such, privacy and shading effects on the environment are less than minor.

Transport Effects

David Wanty, Council's consultant traffic engineering advisor, undertook a review of the proposed development prior to the application being lodged. Changes were made to the development prior to lodgement. The development as was submitted for resource consent has been reviewed by Mr. Wanty.

The applicant's Assessment of Environmental Effects identifies that the transport-related non-compliances associated with the proposal are limited to the requirement for rubbish trucks to reverse from the site, and that there is no dedicated loading bay for rubbish trucks.

Overall, the effects generated by these non-compliances have been reviewed by Mr. Wanty, who has advised that the use of a loading space for turning when all other car spaces are full is tolerable.

Mr Wanty does raise a concern with the rubbish truck blocking the footpath. However, I consider that should the public footpath be blocked this is considered more likely at times of lower pedestrian movement and will be temporary in nature. The drawings provided by the applicant's traffic consultant, Mr. Benner, illustrate that a truck can reverse up to the waste collection area without blocking the footpath. Vehicle access to the development will be blocked, however, I consider that this will be temporary in nature to not cause nuisance.

There is no longer a District Plan requirement to provide parking for residential developments such as this, therefore Council has no scope to consider effects caused by the lack of onsite parking provided, nor is there scope to require parking onsite as the proposal does not trigger High Trip Generator thresholds within the District Plan, which are triggered where a development seeks to establish 60 or more dwellings. Effects from the lack of onsite parking are therefore not considered to be relevant for this notification decision. In considering alternative modes of transport, the subject site is located within about 470m of Boulcott Village and approximately 100m from bus stops along High Street connecting with Lower Hutt's main shopping district. I consider there to be sufficient alternative transport opportunities and accessibility to services to justify the lack of off-street parking. There is also a ride share car as part of the development which will aid in discouraging private vehicle ownership.

Overall, the transport effects are considered to be less than minor on the environment.

Earthworks and Construction Effects

Approximately 2,500m³ of earthworks are proposed across the site, which well exceeds the permitted baseline of 50m³. The earthworks comprise a maximum height/depth of 0.75m, for the purpose of creating suitable building platforms, outdoor living areas, and vehicular access. No retaining walls are proposed.

The subject site is already reasonably flat, so I am satisfied that the proposed earthworks will not significantly alter the site's topography. While the maximum ground level alteration will be 0.75m, these are in pockets of the site, while the majority of the site will be altered no more than 0.25m. These pockets of 0.75m change are restricted to a section in the centre of the site (cut), which will not contain a building and will be screened by the final development. The other section is a small pocket in the northern corner (fill) of the site which will be landscaped and not built upon. Based on the information available, the subject site is also not identified to contain any significant cultural, historical or natural features as identified and protected by the District Plan. Given the nature of the works, I am also satisfied that, upon completion, there will not be any exposed areas or scarred landforms, as the entirety of the site is to be development and covered with dwellings, vehicle access, and landscaping.

The applicant has advised that the works will be undertaken in accordance with a Construction Management Plan (CMP), which will include erosion and sediment control measures. An erosion and sediment control plan will mitigate instability, dust, sedimentation, and erosion effects associated with the earthworks and for the construction works. The CMP will also include controls in relation to vibration which will be provided prior to works being undertaken which will identify appropriate controls to ensure any adverse construction effects upon the public domain and wider environment will be sufficiently avoided or mitigated.

Considering the above, I consider the potential adverse effects arising from earthworks and construction to be less than minor and not beyond what could be considered standard practice.

Flood Risk

Wellington Water Limited has advised it does not hold any flood information for the subject site, and that minimum floor levels can be set based on building code requirements. The Development Engineering team have also assessed the proposal and arrived at the same conclusion. Therefore, I consider the potential adverse effects arising from flood hazards to be less than minor.

Servicing and Infrastructure Effects

Adequate stormwater detention is provided onsite via an oversized stormwater pipe and rainwater garden. Council's subdivision engineer has reviewed this proposal and confirmed this design is satisfactory in managing onsite stormwater detention and disposal.

The proposal is also compliant with all transport standards in the District Plan (except for standards 2(c) and 5) and proposes appropriate servicing of each building such that the existing servicing arrangements for those within the wider area of the application site will not be compromised. A communal collection area is provided within the development, whereby a waste collection truck can access the site from the road, the need for onsite loading is reduced and effects deemed less than minor on the environment.

The application has been reviewed by Council's development engineer who has concluded it can meet the District Plan's engineering standards for achieving stormwater neutrality, and that the proposal will be adequately serviced for water and wastewater. Achieving stormwater neutrality will also limit the potential for stormwater runoff or ponding on adjacent sites. The proposal will not affect the capacity of the surrounding water or wastewater network. Servicing effects are thus less than minor.

Effects of varying consent notice B432001.5

The applicant is seeking the variation of the consent notice B432001.5. This consent notice has four conditions attached to it. The applicant seeks the cancellation of three conditions which relate to activities being undertaken in accordance with approved plans, the sealing and marking of driveways and carparks, and landscaping requirements/maintenance. The applicant has proffered a variation/replacement consent notice condition for the protection of a single specimen tree (pohutukawa) only, with the remaining five to be removed. As conditions 2-4 are largely imposed in relation to the existing operation of the site and a previous consent, I consider it is appropriate to cancel these conditions as part of the proposed development should it be granted. With respect to the removal of existing protected trees I have reviewed the applicants assessment within their application and concur with their conclusions as presented on pages 26-29 of their AEE. I therefore adopt the applicant assessment for the purpose of the assessment of effects for the cancellation and variation of consent notice B432001.5.

Based on the above and the replacement consent notice condition as proffered by the applicant, I consider actual and potential effects associated with the variation of B432001.5 will be less than minor.

Summary

Under s95A, I have considered if the proposed activity has, or is likely to have, adverse environmental effects that are more than minor (in accordance with s95D). Discounting adjoining properties, I have considered the potential adverse effects on streetscape, residential character and amenity, privacy and shading, infrastructure, transportation, earthworks and construction and flood risk. In conclusion, the potential adverse effects would be less than minor and therefore, public notification is not required under Step 3.

Public notification is not required under step 3.

Step 4 – Public notification is required in special circumstances

If public notification is not required under step 3 it may still be warranted where there are special circumstances.

Do special circumstances exist that warrant public notification?	No
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Special circumstances have been defined as circumstances that are unusual or exceptional but may be less than extraordinary or unique. The proposal relates to land use for the development of 48 units on land zoned High Density Residential. While the number of proposed dwellings is high, it is noted that the District Plan anticipates a higher density of development on larger sites in this zone. In this respect, the resource consent application is not considered to be unusual. There is clear policy direction and assessment matters within the District Plan, and it is not considered that public notification will reveal any new information relevant to determination.

On this basis, it is not considered necessary to publicly notify the application due to special circumstances.

Conclusion

Public notification is not required.

5.2 - LIMITED NOTIFICATION STEPS - SECTION 95B

As determined in section 5.1, public notification is not required. Pursuant to section 95B of the Resource Management Act, a 4 step process must therefore be followed to determine if limited notification is required.

Step 1 – Certain affected groups/persons must be notified

Limited notification is mandatory for certain groups/persons.

Are there affected customary rights groups?	No
Are there affected customary marine title groups (for accommodated activities)?	No
Is the proposal on or adjacent to, or may affect, land that is subject to a statutory acknowledgement and whether the person to whom the statutory acknowledgement is made affected under section 95E?	No

Limited notification is not required under step 1.

Step 2 – Limited notification is precluded in certain circumstances

Limited notification to any other persons not referenced in step 1 is precluded in certain circumstances (unless special circumstances apply under step 4).

Are all activities in the application subject to a rule in a Plan or National Environmental Standard precluding limited notification?	No
Is the application for the following, but no other activity: <ul style="list-style-type: none"> ▪ A controlled activity (other than a subdivision) under the District Plan 	No

Limited notification is not precluded under step 2.

Step 3 – Certain other persons must be notified

If limited notification is not precluded under step 2, limited notification is required for any persons found affected under s95E.

Are any of the following persons ‘affected’ under s95E? <ul style="list-style-type: none"> ▪ For ‘boundary activities’ an owner of an allotment with an ‘infringed boundary’ 	No
For all other activities, are there any affected persons in accordance with s95E?	Yes (see below assessment)

In accordance with s95E are there any affected persons?

Section 95E(3)(a) stipulates that those individuals who give written approval to a proposal cannot be considered to be an affected person/s. No persons have given written approval.

In accordance with section 95E, I have considered whether the proposal could adversely affect any other persons. I consider there to be affected persons as the potential environmental effects will be minor for the following reasons:

789, 791, 1/793, 795, and 797 High Street

These five residential properties are located to the west of the subject sites, across High Street, by a distance of 22m (boundary to boundary). They are primarily single storey, apart from No.’s 791 and 797, and all have vehicular access directly to High Street. The dwellings are situated toward the eastern (road) boundary of the site. Whilst these properties will have a direct outlook to the proposed development, the primary outdoor living areas of these properties are typically to the north-west, away from the proposal / subject sites.

With regard to shading, the applicant provided shading diagrams which illustrate additional shading (beyond the existing environment) during the morning hours at the summer solstice, and March and September equinoxes. This shading is before 7am and 8am, respectively, and on areas which are typically secondary yards or areas of vehicular movement / storage. I consider the shading effects on the properties at 789 to 797 High Street as less than minor.

With regard to amenity, it is acknowledged that the proposed development density is well above the existing environment. However, I consider the proposal offers variation in materials, colours, roof angle, and the inclusion of balconies which will provide visual interest and modulation. Furthermore, I consider that in addition to the above features the separation distance between these persons and the application site will aid in mitigating amenity effects. The incorporation of soft landscaping along the ground floor will also provide a visual connection to other properties in the immediate area, continuing a largely vegetated street

front and softening the bulk of the building. The layout of the development is such that the front units (Units 1-4, 15-18, and 32-35) will effectively screen the remaining units. Thus, resulting in only one building being largely visible to these opposite persons. As such, I consider the proposal will not introduce any privacy, shading or amenity (i.e. peaceful enjoyment) effects on the occupants of 789 to 797 High Street that could be considered minor.

Overall, I consider the layout of the building, and the general contemporary design of the proposal renders the potential adverse effects associated with development density and general residential amenity on 789, 791, 1/793, 795 and 797 High Street to be less than minor.

12A, 14, 16, 18, 20, 24 and 26 Dyer Street

No. 12A Dyer Street is located to the north-east of the subject site and contains one single storey dwelling, with primary outdoor living areas to the north and west. No.'s 14 to 22 are located along the south-eastern boundary and each comprise one single storey dwelling, except for No. 22 which is vacant. These dwellings are located in the eastern portion of the property with outdoor living directly to the rear of the buildings (between the dwelling and the subject site). No.'s 24 and 26 are to the south and each contain one dwelling. No. 26 has a detached double garage in the north of the site. Occupants of these properties share a common boundary with the site.

12A Dyer Street

In terms of shading effects, the shading assessment carried out by Jerram, Tocker + Barron Architects shows that the proposal will begin to shade this property from after 5pm during the summer solstice and March and September equinoxes. There will be very little difference in shading between the proposal and the existing environment during the winter solstice. The proposal will include additional shading on account of the breached height standard and height recession plane standard which is currently limited to 8m and 2.5m + 45°. Overall I consider the proposed shading effects will be minor.

With regards to privacy, the outdoor living space at 12A Dyer Street is to the north and west of the dwelling with the western outdoor living area being directly adjacent to the common boundary. I consider that these areas are where privacy is highly valued. The ground level boundary treatments (such as fencing) will reduce the potential for additional privacy effects from the ground level units. Given the three-storey design of the building, the balconies for Units 22, 23, 40 and 41 along the northern façade will have direct outlook across the persons at 12A Dyer Street. Given the lack of any credible permitted baseline and the matters identified above I consider the real and perceived privacy effects on persons at No. 12A to be minor.

With regards to bulk and dominance, the proposal is setback 4.6m from the property boundary with 12A Dyer Street providing a degree of openness. While the buildings will appear as relatively solid and long visually with little relief in the form of breaks along the boundary the buildings have been designed so that there is variation in colour, materials, and form to break up the perceived bulk of the buildings. However, these mitigation measures go little way in softening the appearance as a relatively large mass reasonably close to the boundary particularly with consideration of the existing environment (single storey) and the lack of a permitted baseline. As such I consider that the amenity effects relative to bulk and dominance will be minor.

With regards to residential character, the proposal is a design that is uncommon in the immediate surrounds as it reflects medium density in an area that is predominately at a lower density. However, it is still residential in character with each unit having an outdoor living area and the development being no more than three storeys. I therefore consider the effects on residential character to be less than minor.

The proposal represents an increase in density beyond the existing environment and as previously identified I consider that there is no credible permitted baseline to compare density effects against. However it is noted that the proposal includes limited use of the common boundary between 12A and the application site. The number of units directly adjoining no. 12A is also limited, with the amenity effects of an increased density in people being limited to additional lighting or windows, which while noticeable from this neighbouring site I believe the effects will be mitigated given the number of units directly adjacent to the persons at 12A. In stating this I acknowledge that the wider development and use of the northern building block will still be visible albeit at an oblique viewshaft from no. 12A. In comparing the proposal against the existing environment and the lack of a credible permitted baseline I can only conclude that the amenity effects relative to the increased density will be minor.

Overall, I consider the amenity effects associated with proposed building bulk and density to be minor on persons at 12A Dyer Street. I also consider the shading and privacy effects to be minor on the persons at 12A Dyer Street.

14 – 22 Dyer Street

In terms of shading effects, the shading assessment carried out by Jerram, Tocker + Barron Architects shows that the proposal will shade No.'s 14 and 16 from 6pm during the summer solstice when compared to the existing environment. The proposal will result in additional shading over the outdoor living areas of No.'s 14 – 20 from 2pm during the March and September equinoxes. During the winter solstice there are varying levels of additional shade on the outdoor living areas of No.'s 16 to 22 between 11am and 5pm, and No. 14 from 4pm. These properties lose much of their outdoor living area by 3pm during the winter solstice. The additional shading on account of the breached height and height recession plane standard is considered to contribute to additional shading. As such, I consider the effects from shading to be minor on persons at 12-22 Dyer Street.

With regards to privacy, the outdoor living spaces of these properties are to the rear of the dwellings and generally oriented toward the subject sites. The proposal is designed whereby the areas of building facing these adjoining properties contain circulation areas (hallways to access the units) and are therefore more transient in nature. Windows along the middle level are a range of large windowpanes and narrow windows, with all windows on the top floor narrow. These will assist in the perceived overlooking. I consider the real and perceived privacy effects on persons at No.'s 14 to 22 will be less than minor as a result.

With regards to bulk and dominance, the proposal is setback 4.5m from the property boundary with 14 to 22 providing a small degree of openness. The building block will appear as a relatively solid and long structure (approximately 54m) visually with no breaks along the boundary (and with an additional two storeys over the existing environment). The building has been designed with variation in colour, materials, and form so to break up the perceived bulk of the buildings, along with landscaping which can soften the visual bulk of the building. However, in saying this, despite the more mature pot size proposed, it will still take time to grow. At the time of planting, these will hardly achieve the intended result of softening the appearance of the building as a relatively solid mass reasonably close to the boundary. The

amenity effects associated with the bulk and dominance of the proposed building is therefore considered to be minor on persons at No.'s 14 to 22 are.

With regards to residential character, the proposal is a design that is uncommon in the immediate surrounds as it reflects medium density in an area that is predominately at a lower density. However, it is still residential in character with each unit having an outdoor living area and the development being no more than three storeys. I therefore consider the effects on residential character to be less than minor.

The proposal represents an increase in density beyond the existing environment and as previously identified I consider that there is no credible permitted baseline to compare density effects against. However, it is noted that the proposal includes limited use of the common boundary between the application site and these properties notably this is illustrated through the north facing outdoor spaces while the south-eastern façade of the proposed building will contain walkways for access to dwelling units. As such the amenity effects of an increased density in people is considered to be limited to additional lighting or windows associated with hallway access which is to be managed via the window design and layout, such that it will largely limit the above properties from noticing an increase in people on the site.

Overall, I consider the amenity effects associated with proposed building bulk to be minor on persons at 14 to 22 Dyer Street. I also consider the shading effects to be minor on the persons at 14 to 22 Dyer Street.

24 and 26 Dyer Street

In terms of shading effects, the shading assessment carried out by Jerram, Tocker + Barron Architects shows that the only additional shading on these properties occurs during the winter solstice between 9am and 3pm. Most of the outdoor living for No. 26 is in shade from 10am-11am. As the proposal breaches the height and height recession plane standards of the District Plan contributing to additional shading and that sunlight access is valuable during winter months, I consider the effects from shading to be minor.

With regards to privacy, the outdoor living spaces of these properties are to the rear of the dwellings and generally oriented toward the subject sites. The proposal is designed whereby the areas of building toward these adjoining properties are circulation areas (hallways to access the units) and are therefore more transient in nature. Windows along the middle level are a range of large windowpanes and narrow windows, with all windows on the top floor being narrow. These will assist in the perceived overlooking. As such, I consider the real and perceived privacy effects on persons at No.'s 24 and 26 to be less than minor.

With regards to bulk and dominance, the proposal is setback 4.7m from the property boundary with No.'s 24 and 26 providing a small degree of openness. The buildings will appear as relatively solid and long, and whilst there is some separation in building bulk to the south-western corner, the extent of the view shaft is short with the remainder of the development along the northern boundary "filling in" the break – similarly standing at the rear of the dwellings on these adjoining sites will present a wider outlook of the south-eastern block in addition to the north-western block. There are also an additional two storeys when compared to the existing environment. The building has been designed with variation in colour, materials, and form so to break up the perceived bulk of the buildings, along with landscaping which can soften the visual bulk of the building. However, in saying this, despite the more mature pot size proposed, it will still take time to grow to achieve appropriate mitigation effects. At the time of planting, these will go little way in softening the appearance of the

building as a relatively solid mass reasonably close to the boundary. The amenity effects resulting from bulk and dominance on persons at No.'s 24 to 26 are considered to be minor.

With regards to residential character, the proposal is a design that is uncommon in the immediate surrounds as it reflects medium density in an area that is predominately at a lower density. However, the proposal is still residential in character with each unit having an outdoor living area and the development being no more than three storeys. I therefore consider the effects on residential character to be less than minor.

The proposal represents an increase in density beyond the existing environment and as previously identified I consider that there is no credible permitted baseline to compare density effects against. However, it is noted that the proposal includes limited use of the common boundary between the application site and these properties notably this is illustrated through the north facing outdoor spaces while the south-eastern façade of the proposed building will contain walkways for access to dwelling units. As such the amenity effects of an increased density in people is considered to be limited to additional lighting or windows associated with hallway access which is to be managed via the window design and layout, such that it will largely limit the above properties from noticing an increase in people on the site.

Overall, I consider the amenity effects associated with proposed building bulk to be minor on persons at 24 and 26 Dyer Street. I also consider the shading effects to be minor on the persons at 24 and 26 Dyer Street.

756A and 756B High Street

These two residential properties are located to the south of the application site and form a duplex cross-lease property. The dwelling addresses High Street via a shared access and have outdoor living areas to the north. Persons at these properties share a common boundary with the application site.

In terms of shading effects, the shading assessment carried out by Jerram, Tocker + Barron Architects shows that there is no additional shading during the summer solstice, and limited additional shading between 7am and 9am during the equinoxes. During the winter solstice, the proposal results in additional shading over the outdoor living area and dwellings between 9am and 11am. Whilst additional shading is over the outdoor living area for the remainder of the day, persons at 756A and 756B are provided with some sunlight during the afternoon hours. The proposal will include additional shading on account of the breached height and height recession plane standard which is currently limited to 8m and 2.5m + 45°. Overall I consider the proposed shading effects will be minor.

With regards to privacy, the outdoor living spaces of these properties are to the rear of the dwellings and generally oriented toward the subject sites. The proposal is designed whereby the areas of building toward these adjoining properties are circulation areas (hallways to access the units), the end of a building, or the carpark areas. These areas are considered more transient in nature. Windows along the middle level are a range of large windowpanes and narrow windows, with all windows on the top floor narrow. These will assist in minimising any perceived overlooking. I consider the real and perceived privacy effects on persons at No.'s 756A and 756B to be less than minor.

With regards to bulk and dominance, the proposal is setback 4.7m from the property boundary with No.'s 756A and 756B providing a small degree of openness. The buildings will appear as relatively solid and long, and whilst the proposal presents a break in the south-western corner of the development, the extent of the outlook for these persons is short with the remainder of

the development along the northern boundary “filling in” the break. There are also an additional two storeys when compared to the existing environment. It is acknowledged that the building has been designed with variation in colour, materials, and form so to break up the perceived bulk of the buildings, along with long term landscaping which can soften the visual bulk of the building. However, in saying this, despite the more mature pot size proposed, it will still take time to grow in order to mitigate any effects from building bulk. At the time of planting, these will go little way in softening the appearance of the building as a relatively solid mass reasonably close to the boundary. As such, I consider the effects on amenity relative to bulk and dominance on persons at No.’s 756A and 756B are minor.

With regards to residential character, the proposal is a design that is uncommon in the immediate surrounds as it reflects medium density in an area that is predominately at a lower density. However, it is still residential in character with each unit having an outdoor living area and the development being no more than three storeys. I therefore consider the effects on residential character to be less than minor.

The proposal represents an increase in density (with respect to people and activity on-site) beyond what is anticipated under the permitted baseline despite utilising a larger site. As such the proposed density is likely to be noticeable. It is however noted it is unlikely that the effects of this will be perceivable as there are no outdoor living areas adjacent to these adjoining properties. The most visually outstanding appearance is likely to be the result of the proposed lighting in hallways which is to be managed via the window design and layout, such that it will largely limit the above properties from noticing an increase in people on this site. Persons at 756A and 756B also adjoin the vehicle access area. The small vehicle area provided to the development will ensure that vehicle movements from the development are low, and therefore less likely to be noticeable to persons at 756A and 756B High Street.

Overall, I consider the amenity effects associated with proposed building bulk to be minor on persons at 756A and 756B High Street. I also consider the shading effects to be minor on the persons at 756A and 756B High Street.

764 and 766 High Street

The two residential properties at 764 and 766 High Street are located to the north of the property and form a duplex cross-lease property. The building addresses High Street with their respective outdoor living areas to the rear (south-east). Occupants of these properties share a common boundary with the site.

In terms of shading effects, the shading assessment carried out by Jerram, Tocker + Barron Architects shows that the proposal will cast some additional shading between 6pm and 7pm during the summer solstice. There is no additional shading over these properties during the equinoxes or the winter solstice, when compared to the existing environment. Given the level of additional shading of the outdoor space for 764 High Street, the lack of clarity for the shading of 766 High Street, and the timeframe of the shading being during the evening in summer I consider the effects from shading to be less than minor on these persons.

With regards to privacy, the outdoor living spaces are adjacent to the common boundary. The ground level boundary treatment (fencing) reduces the potential for additional privacy effects from the ground level units. However, given the three-storey design of the proposed building, the balconies for 12 units are along the northern façade which will have direct views over these properties. With comparison to the existing environment and lack of any non-fanciful permitted baseline, I consider the actual and perceived privacy effects on persons at No.’s 764 and 766 to be minor.

With regards to bulk and dominance, the proposal is setback 4.6m from the property boundary with 764 and 766 High Street providing a small degree of openness. While the buildings will appear as relatively solid and long visually with no breaks along the boundary (with an additional two storeys over the existing environment), they have been designed as such that there is variation in colour, materials, and form so to break up the perceived bulk of the buildings. Despite this fact, these elements go little way in softening the appearance as a relatively solid mass reasonably close to the boundary. As such, I consider that the amenity effects relative to bulk and dominance of the proposed buildings are minor.

With regards to residential character, the proposal is a design that is uncommon in the immediate surrounds as it reflects medium density in an area that is predominately at a lower density. However, it is still residential in character with each unit having an outdoor living area and the development being no more than three storeys. I therefore consider the effects on residential character to be less than minor.

The proposal represents an increase in density over and above that exhibited in the surrounding area that these properties may anticipate, and therefore may notice an increase in activity and the presence of people including visually in the form of light and from noise resulting from the outdoor areas adjacent to the boundary. There are some comparisons to be made in this respect with the effects of the existing environment, however the proposal introduces an additional two storeys, as while the density of the proposal allows for a substantial increase in the number units and associated outdoor areas adjacent, these areas are considerably smaller than outdoor living areas of general residential dwellings. Given the increase of the number of units and associated outdoor space associated with them I consider the amenity effects associated with the increased level of density (in terms of actual and perceived activity levels) to be minor.

Overall, I consider the amenity effects associated with proposed building bulk and density to be minor on persons at 764 and 766 High Street. I also consider the shading and privacy effects to be minor on the persons at 764 and 766 High Street.

768 High Street

The residential property of 768 High Street is also located to the north of the subject site, separated from the subject site boundary by the properties of 764 and 766 High Street. Outdoor living areas for this dwelling are to the rear (south-east) and through a covered patio directly connected to the internal living area to the north-west.

In terms of shading effects, the shading assessment carried out by Jerram, Tocker + Barron Architects shows that the proposal will shade the property from 7pm during the summer solstice. There is no additional shading over this property during the equinoxes or the winter solstice, when compared to the existing environment. As such, I consider the effects from shading to be less than minor.

With regards to privacy, the primary outdoor living spaces are adjacent to the northern boundary. The separation from the common boundary, and the ground level boundary treatment (fencing) ensures there are no direct privacy effects from the ground level units. Given the three-storey design of the building, the balconies for 12 units are along the northern façade which will have elevated outlook across the outdoor private spaces on the directly adjoining properties and into the rear yard of No. 768. It can only be assumed that the second-floor balconies (being six in total) will be slightly obscured by the detached garage and accessory building which abuts this neighbouring property's southern boundary. Nonetheless,

given the information provided by the applicant and based on the plans presented I consider that the proposal will result in minor privacy effects upon the persons at No. 768 High Street.

With regards to bulk and dominance, the proposal is setback 4.6m from the property boundary and is further separated by at least 16.5m from the dwelling on No. 768. While the buildings will appear as relatively solid and long visually with no breaks along the boundary (with an additional two storeys over the existing environment), they have been designed as such that there is variation in colour, materials, and form so to break up the perceived bulk of the buildings. While this adjacent site shares a recessive boundary compared to the application site this very feature illustrates that the proposed building bulk across the application site will recede away from their respective closest boundary. This neighbouring site is also orientated north-west towards high street which is not directed towards the application site. Furthermore, it needs to be acknowledged that a feasible 3 storey development could be constructed between the application site and this adjacent property which illustrates that at least a certain level of additional building bulk could be constructed with greater actual amenity effects in terms of bulk and dominance. Overall I consider that the amenity effects relative to bulk and dominance will be less than minor.

With regards to residential character, the proposal is a design that is uncommon in the immediate surrounds as it reflects medium density in an area that is predominately at a lower density. However, it is still residential in character with each unit having an outdoor living area and the development being no more than three storeys. I therefore consider the effects on residential character to be less than minor.

The proposal represents an increase in density beyond the existing environment and any non-fanciful permitted baseline despite utilising a larger site. As such the amenity effects relative to the proposed density is likely to be noticeable. While the building density across the site recedes from this neighbouring property, in line with the conclusions above regarding privacy I find it difficult to conclude that the amenity effects relative to density are not interrelated to the perceived privacy effects of the proposal. As such I consider that the potential amenity effects with respect to density will be minor.

Overall, I consider that the effects of building intensity to be less than minor on persons at 768.

Overall, I consider the potential adverse privacy effects and amenity effects relative to density on the persons at 768 High Street to be minor.

General effects on all persons

- All other persons are considered sufficiently screened and/or separated from the subject sites, whereby any adverse visual amenity, bulk and dominance, privacy, shading and intensity effects will be less than minor on all other persons not directly referenced above.
- There will be temporary effects occurring as a result of the earthworks and construction required for the erection of buildings, creation of access and the installation of services. The effects can result in noise, dust and general disturbance to the surrounding area. On this matter I note that the applicant has proposed to develop a Construction Management Plan which is to be developed for the site and is proposed to be submitted to council for consideration and approval prior to the commencement of site works. Such a plan will detail how any effects associated with earthworks, construction traffic, dust and noise will be managed across the site for the duration of works. I consider that any potential effects associated with construction can be appropriately managed through such a Construction Management Plan and

sediment control measures installed on-site, overall I consider the construction effects will be less than minor on all persons.

- Furthermore, the applicant has proffered a condition to impose a construction management plan which will be subject to council approval prior to works starting which will ensure that the construction effects on the environment are mitigated or managed to a degree that is less than minor.
- Although not in keeping with the existing character or density of the area, the proposal aligns with the intended character of the street and materials used will complement the existing character. The proposal comprises of a use and buildings that will clearly be residential in nature.
- The application provides for servicing that is suitable to the site and for which there is capacity in the network so as not to compromise the existing neighbours' connections.
- Earthworks are required on site to provide a level building platform suitable to establish the proposed dwellings. The total volume of earthworks proposed will take place over the entire area of the development to a maximum vertical change of 0.75m, within the central area of the sites. The overall site topography which is generally level will remain relatively unchanged. Upon completion the earthworks will be completely covered by the dwellings or landscaping and will not be readily noticeable beyond the boundary.
- The proposed earthworks are not of a quantity as to be likely to displace floodwater to neighbouring sites.
- The site is not located within any known archaeological, cultural, or historic site of significance as recognised or protected by the District Plan. As such I do not consider there is any likely risk of earthworks affects such sites of significance.
- The overall alteration of contours across the site will be relatively small whereby there will not be any land stability effects. Any potential natural hazard effects as a result of the proposal are considered to be less than minor.
- It is acknowledged that the proposal will increase the level of traffic and parking required servicing site activity. It is noted that the proposal does not trigger any consent requirement within the District Plan relative to car parking or traffic impact. To expand upon this matter the NPS-UD has removed all requirements for the provision of parking whereby the District Plan no longer requires a minimum parking requirement. While there are adverse effects associated with this recent removal of parking requirements, this is nonetheless law and the proposal does provide for parking on-site despite no requirement to do so. In this context I consider any traffic and parking effects to be less than minor on all persons.

Limited notification is required under step 3.

Step 4 – Limited notification is required under special circumstances

If limited notification is not required under step 3, limited notification may still be warranted where there are special circumstances.

Do special circumstances exist that warrant notification of any persons to whom limited notification would otherwise be precluded?	No
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Conclusion

The application must be notified in accordance with the assessment under Step 3 above.

Limited notification is required to the following persons:

- 756A, 756B, 764, 766, and 768 High Street
- 12A, 14, 16, 18, 20, 22, 24 and 26 Dyer Street

5.3 - NOTIFICATION DECISION

In accordance with the notification steps identified in section 5.2, the application shall proceed on a limited notification basis to persons at 756A, 756B, 764, 766, and 768 High Street, and 12A, 14, 16, 18, 20, 22, 24 and 26 Dyer Street.

Processing Planner:



Zac Montgomery
Intermediate Resource Consents Planner

Peer reviewer:



Stephen Dennis
Principal Resource Consents Planner