

8 November 2021  
Our job no. 717353

**The Property Group Limited**  
Queenstown Office  
PO Box 2130 Queenstown 9371  
Level 3 / Five Mile Centre  
36 Grant Road  
Frankton  
Queenstown 9371

Resource Consent Planning Department  
Queenstown Lakes District Council  
74 Shotover Street  
Queenstown  
9300

Dear Sir/Madam

### Application for Resource Consent – Hāwea Commercial Development at 5-7 Bodkin Street

Please find enclosed a resource consent application on behalf of Project H Ltd to construct a commercial building containing multiple tenancies, one of which will exceed the gross floor area permitted for an individual retail activity at 85-87 Parry Crescent and 5-7 Bodkin Street, Hāwea (Lot 196 & 197 DP 8676, and Lot 231 and 232 DP 9760) (the site).

This application includes a Form 9, a detailed description of the proposal, along with an assessment of environmental effects and supporting appendices.

A lodgement deposit of \$3000.00 will be paid by electronic transfer upon receipt of an invoice.

The Property Group Limited (TPG) is the agent for this application and should be the contact for any correspondence or telephone discussions.

I would appreciate being able to review draft conditions prior to consent being issued.

Please contact me should you have any questions regarding the application.

Yours sincerely



**Jo Skuse**

Planner

03 363 5901 / 027 498 1745  
jskuse@propertygroup.co.nz

## Form 9

### Application for Resource Consent - Section 88, Resource Management Act 1991

---

<b>To:</b>	Queenstown Lakes District Council (QLDC)
------------	--

---

<b>Applicant:</b>	Project H
-------------------	-----------

---

<b>Agent:</b>	Jo Skuse Planner The Property Group Limited (TPG) 027 445 6845 jskuse@propertygroup.co.nz
---------------	---

---

<b>Address for service:</b>	The Property Group Limited PO Box 2130, Queenstown 9371 Level 3 / Five Mile Centre, 36 Grant Road, Frankton, Queenstown 9371 Attention: Jo Skuse
-----------------------------	---

---

<b>Invoice details:</b>	Ray Macleod
-------------------------	-------------

---

<b>Site address:</b>	85-87 Parry Crescent and 5-7 Bodkin Street, Hāwea
----------------------	---

---

<b>Legal description:</b>	Lot 196 & 197 DP 8676 and Lot 231 and 232 DP 9760
---------------------------	---

---

<b>Owner of site:</b>	Project H Ltd
-----------------------	---------------

---

<b>Consent for:</b>	Non-complying resource consent (land use) No other resource consents are required for this proposal
---------------------	--

---

<b>Description:</b>	Land use consent to construct a commercial building accommodating a retail activity which will exceed the gross floor area permitted, with associate earthworks and landscaping.
---------------------	--

---

<b>Enclosed:</b>	Application and AEE Appendix 1 – Objective and Policies Assessment Appendix 2 – Record of Title Appendix 3 – Architectural Plans Appendix 4 – Landscape Package Appendix 5 – Urban Design and Landscape Statement Appendix 6 – Retail Impact Assessment Appendix 7 – Integrated Transport Assessment
------------------	---

---

---

Appendix 8 – Civil Infrastructure Report and Plans

Appendix 9 – Noise Statement

---

**Signed:**



**Joanne Skuse**

Planner

---

**Date:**

8 November 2021

---

# **Application for Resource Consent**


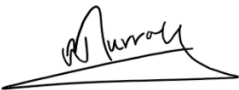
## **Hāwea Commercial Development**

**85-87 Parry Crescent and 5-7 Bodkin Street,  
Hāwea**

**Project H Ltd**

**November 2021**

Quality control

<b>Title:</b>	Hāwea Commercial Development
<b>Client:</b>	Project H Ltd
<b>Job number:</b>	717353
<b>Prepared by:</b>	Joanne Skuse
<b>Signature:</b>	
<b>Reviewed by:</b>	Werner Murray
<b>Signature:</b>	

## 1. Introduction

Project H Ltd hereby applies for resource consent from Queenstown Lakes District Council (Council) for a commercial development at 85-87 Parry Crescent and 5-7 Bodkin Street, Hāwea. The site is located within the Local Shopping Centre zone (LSCZ) of the Proposed District Plan (District Plan) and requires resource consent for the reasons outlined in section 4 of this report. The application includes plans of the proposal which are included as Appendix 3 and 4.

In summary, consent is required to construct a two-storey commercial building which will accommodate a retail tenancy (convenience supermarket) which exceeds the 300m<sup>2</sup> gross floor area (GFA) permitted by the zone by 150m<sup>2</sup>. As the GFA will not exceed 500m<sup>2</sup> the retail activity is not considered to be large format retail as defined by the Proposed District Plan. The remaining tenancies will comply with the GFA permitted by the zone for other commercial and business activities.



Figure 1: Renders of east and west elevations viewed from Bodkin Street and Parry Crescent respectively

## 2. Site description

### 2.1 Location and description

The site comprises of four titles which extend from Parry Crescent to Bodkin Street along a west-east axis. The combined area of the site is 1944m<sup>2</sup>. The site has approximately 24m of road frontage to Parry Crescent to the west and Bodkin Street to the east. The site is generally level but rises to Parry Crescent by 1.3–2.2m at the boundary. This slope continues further to the curb resulting in an overall level change of 2.6m at the western boundary and 3.2m at the eastern boundary. An existing residential unit is located within the north eastern corner of the site.

In December 1987 the site was zoned commercial under the then Vincent County District Scheme. The area that was zoned commercial in 1987 was slightly larger than the area that is zoned Local Shopping Centre under the PDP and extended out to include 11 Bodkin Street. Subsequently the ODP zoned the site Township and then the PDP zoned it Local Shopping Centre.

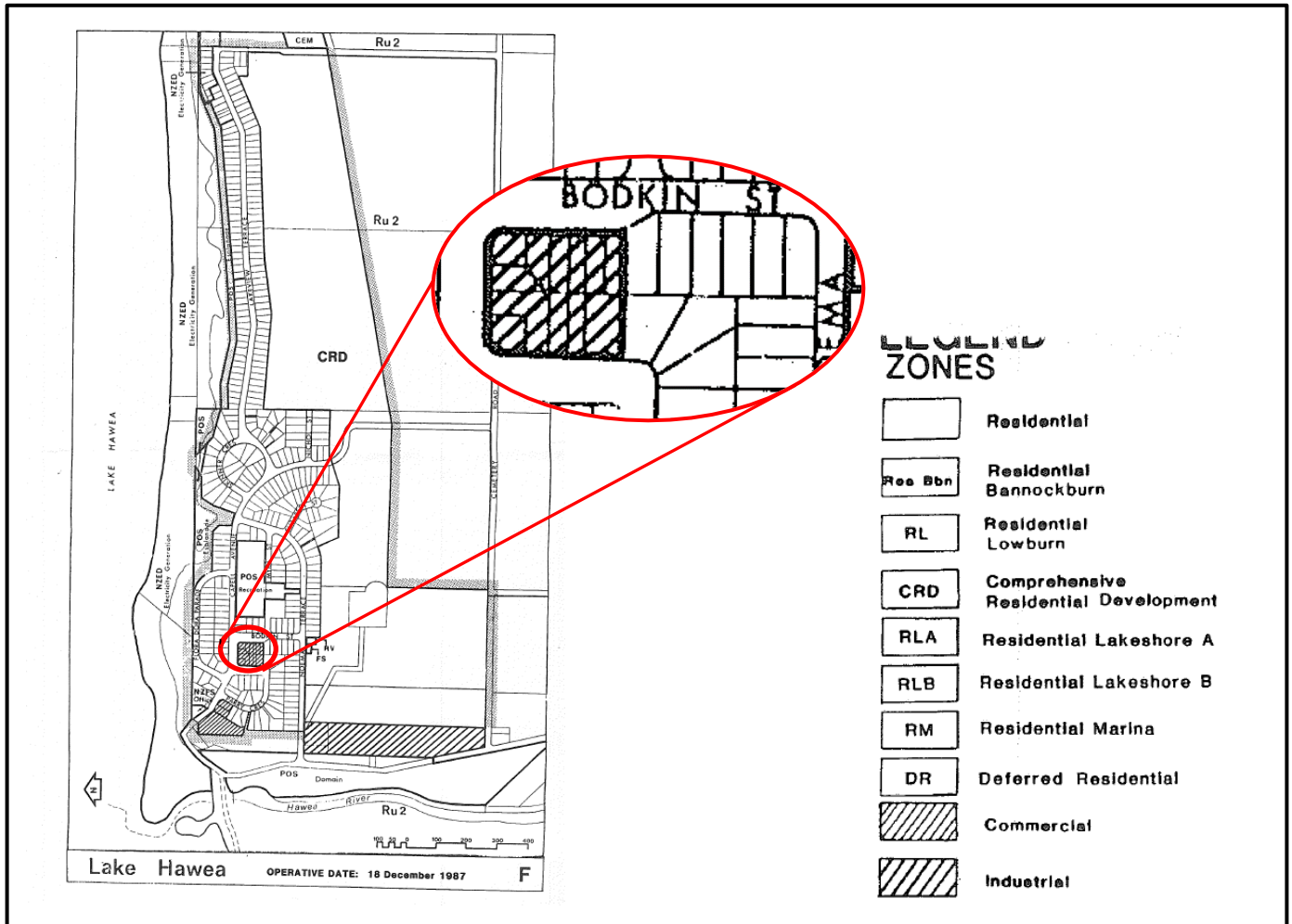


Figure 2: Zoning in 1987 (Source: Vincent County District Scheme)

Currently the site is zoned *Local Shopping Centre* and is within the urban growth boundary. The Local Centre area itself is located roughly 800m east of the SH6 transition (Lake Hāwea-Albert Town Road to Makarora-Lake Hāwea Road) over the Hāwea River and up Capell Ave, the main local road that runs the full width of Hāwea itself above the lake.

The land adjoining the northern boundary of the site is also zoned *Local Shopping Centre* and contains a two-storey building in the north western corner, currently operating as a café/restaurant and grocery store. The corner site to north east is an informal recreation reserve. The southern boundary of the site adjoins residential properties. The sites to the south and the surrounding neighbourhood are zoned Lower Density Suburban Residential.

Bodkin Street and Parry Crescent are both local roads within the QLDC road hierarchy. These roads provide access from the Capell Avenue, a collector road to the north, to the neighbouring properties. As residential streets within Lake Hāwea these roads have a posted speed limit of 40km/hr, the assessed operating speed will be less than 40km/hr based on the general alignment, overall length and the level of roadside development.

Bodkin Street provides a through road link between Noeme Terrace to the south and Capell Avenue. Parry Crescent is a loop road providing access to a number of residential properties from Capell Avenue. Both roads are considered to be low volume local roads.



A footpath is provided on Bodkin Street, this forms part of a north-south pedestrian route providing access between the residential areas to the south and Capell Avenue. There is no cycle infrastructure near to the site. A bus stop is located on Bodkin Street, this is immediately to the north of the site. It is understood that this bus stop is used by school buses only, there are no public transport services that serve Lake Hāwea.

The site does not include any indigenous ecosystems, wildlife habitats, wetlands, significant cultural, historic, geological or geomorphologic features.



Figure 3: Aerial photograph of the site [QLDC Spatial Data Hub Property Map]

**Wider Environment**

Hāwea is a relatively small (population circa 2,800) but is a developing community along with other local towns (specifically Wanaka) in the area and as such, is experiencing growth pressures. Being located at the foot of the Haast Pass route (Makarora Road -SH6) and close to Wanaka (16km and a little over 15mins by car) it is a popular visitor location, and like other lakefront communities in the wider region it accommodates substantial additional visitor numbers in holiday times.

There have been approximately 430 developed sections in Timsfield and Sentinel Park in recent years – almost doubling the number of developed sections in the Hāwea Township Zone. Further a Special Housing development has been approved containing future residential development. Despite this growth in household demand there has been no change in the provision of local commercial supply in the LSCZ.



### 3. Proposal

The proposed site layout and building has been designed by Breen's to meet the Applicant's and the prospective supermarket tenant's requirements, guided by technical input from various experts. The architectural drawings are attached as Appendix 3.

The two-storey commercial building will be located within the western portion of the site, fronting Parry Crescent. The building will be located 7.5m from the northern boundary and 3m from the southern boundary. The maximum building height will be 7m.

The building is somewhat of a cross between a traditional barn structure and that of a traditional lake-side crib (or bach) that are found throughout the district, and features:

- A simple barn-like form with a traditional gable-roof
- Pergola, porch and deck areas to articulate entry spaces and common areas
- Simple materials palette with natural color tones including stone and natural timber feature details

The colour, materials and native plant palette has been chosen to complement the existing built form in the area. The exterior finishes will be comprised of corrugated Colorsteel roofing; vertical corrugated Colorsteel cladding; local schist veneer; aluminium framed shopfront; various painted fibre cement sheet board and timber cladding.

Particular attention has been afforded to the southern façade of the building which will be articulated with timber-latticed panels in between the vertical colorsteel sections.

Lighting will be minimal and will be designed in accordance with the Southern Lights Strategy. This will include generally low-level lighting along footpaths and in the car park. All mechanical plant will be incorporated in the building design and screened from view. No plant will be located on the roof of the building.

The ground floor tenancy will have a gross floor area (GFA) of 450m<sup>2</sup> including back of house, office, and staff facilities. The main entrance to this tenancy will be via Bodkin Street. The tenancy will exceed the 300m<sup>2</sup> limit provided by the plan as the intended activity will be a convenience supermarket. As the GFA will not exceed 500m<sup>2</sup> the activity is not considered to be *large format retail* as defined by the Proposed District Plan. The supermarket is intended to service the needs of the Hāwea township for purchase of convenience goods.

The trading hours proposed are 7am to 9pm, 7 days. Deliveries to the store via trucks would be limited to 8am to 8pm, 7 days.

The first floor tenancies will be accessed from Parry Crescent via an accessible ramp. The three separate tenancies have GFAs of 75m<sup>2</sup> with an outdoor area, located on the northern side of the building, for shared use. These tenancies will be utilised by small scale commercial and business activities. Such activities are permitted by the District Plan in this zone.

Pedestrian access to the site is provided for via both Parry Crescent and Bodkin Street. Vehicle access and parking for the building is located within the eastern part of the site adjacent to Bodkin Street. Two vehicle crossings are proposed to support the entry and egress of vehicles.

A services lane is located along the northern boundary of the site. The service lane will be 3.5m wide and provides a through road on Parry Crescent negating the need for trucks to undertake reverse manoeuvres. The service lane accommodates deliveries for the ground floor tenancy. The loading area will be screened and secured.

23 car parks are provided on site including two fully accessible parks. 7 bike parks are further provided to support and encourage active travel.

Landscaping includes native planting along the southern, western and eastern boundaries, and internally between pedestrian and parking areas. Refer to the landscape plans for further detail on landscaping and plant selection, attached at Appendix 4.

Signage platforms are proposed as shown on the architectural plans. The first-floor tenancy signage will be located on the western façade of the building visible from Parry Crescent. The platforms are limited to three and will be uniform in size covering an area of 0.8m x 0.8m in total.

Three signage platforms will be located on the eastern façade of the building for the ground floor tenancy. Two platforms measuring 1.8m x 1.8m will be located under the canopy of the building. The third, measuring 6.3m x 0.75m is located on the exterior of the building. A plinth sign is proposed at the Bodkin Street entrance. The plinth sign is 7.5m in height and 1.8m in width with signage on either side. The location of the sign is shown on Sheet A100 of the Architectural plan set.

As we are applying for platforms we are happy to discuss conditions containing parameters for appropriate signage and enabling Council to review signage prior to establishment.

The proposal includes raising and lowering the existing ground levels to achieve appropriate falls for access and for a gravity stormwater system to discharge from the various hardstand and roof areas within the site to reticulated stormwater. Stormwater will be connected to council reticulation through a new connection to reticulated services on the eastern side of Bodkin Street. Development of new sewer infrastructure will require connection to council reticulation via an existing manhole within Bodkin Street at the eastern boundary of site. An application to build over Council Services has been included in the application as it is proposed to re-route a sewage pipe currently dissecting the site.

Minor earthworks will be undertaken to prepare the site for construction and construct vehicle crossings. Total volume will be approximately 432m<sup>3</sup>. Cut depths and fill heights will comply with the District Plan. The cut and fill will be setback the required distance from the boundary and/or will utilise compliant batter slopes. Earthworks will extend into the road reserve areas in order to construct the vehicle crossings and ensure levels are consistent for the proposed footpath. We envisage the Property and Infrastructure Department will be given the opportunity to comment along with the 'Build Over' application.

#### **4. Statutory framework**

##### **4.1 National Environmental Standard for Assessing and Managing Contaminants in Soil to Project Human Health Regulations 2011 (NESCS)**

The NESCS 2011 applies to land that currently has, or historically had, an activity or industry undertaken on it that is included in the Hazardous Activities and Industries List (HAIL).

There is no known history of an activity on the HAIL list occurring on the subject site. In addition, there is nothing to suggest that previous activities and use of the site would result in the land being potentially contaminated, nor is there any new activity or use proposed by this application which could lead to potential contamination. The proposal therefore does not require consideration under the NESCS 20011.

**4.2 Proposed District Plan**

The site is zoned Local Shopping Centre Zone in the Proposed District Plan.

Parry Crescent and Bodkin Street are classified as local roads.



Figure 4: Proposed District Plan zoning [QLDC Spatial Data Hub Proposed and Operative District Plan Map]

**4.3 Compliance**

The following table is an assessment of the proposal against the relevant activities and standards in the Local Shopping Centre Zone, and District Wide Chapters.

Local Shopping Centre Zone activities			
Rule	Description	Comments	Compliance
15.4.1	Activities which are not listed in this table and comply with all standards <b>Permitted</b>	A wide range of business activities, commercial premises, offices, and/or retail stores are permitted activities for use of the buildings in this zone.	General commercial and office activities permitted on first floor of building.  Consent required for supermarket activity given GFA.

15.4.3	Buildings		<b>Restricted Discretionary</b> activity consent required
<b>Local Shopping Centre Zone Standards</b>			
Rule	Description	Comment	Compliance
15.5.1	Maximum Building Coverage 75%		Complies
15.5.2	Setbacks and Sunlight Access – sites adjoining any Residential zone	Recession line at an angle of 35° from points 3m above any Residential Zone; 3m setback	Complies
15.5.3	Acoustic Insulation	No residential or visitor accommodation activities are proposed	Complies
15.5.7	Building Height 7m		Complies
15.5.8	Noise a. Daytime (0800 to 2200hrs) 60 dBLAeq(15 min) b. Night-time (2200 to 0800hrs) 50 dB LAeq (15 min) c. Night-time (2200 to 0800hrs) 75 dB LAFmax		Complies
15.5.9	Lighting and Glare 15.5.9.2 15.5.9.3	All exterior lighting installed on site will be directed away from adjacent sites, roads and public places.  The activity will not result in a greater than 10 lux spill	Complies
15.5.10*	Retail and Office Activities  a. individual Retail activities shall not exceed 300m <sup>2</sup> gross floor area; b. individual Office activities shall not exceed 200m <sup>2</sup> gross floor area;	Individual office activities will comply. Ground floor tenancy will breach standard by 150m <sup>2</sup>	<b>Non-complying</b> activity consent required
<b>Earthworks Standards</b>			
Rule	Description	Comments	Compliance

*Subject to appeal see below*

25.4.2	Volume of Earthworks 500m <sup>3</sup>	432m <sup>3</sup> is proposed	Complies
25.5.15	Maximum depth of any cut shall not exceed 2.4 metres	The deepest cut will be within the south west corner and will be approximately 2m in depth. This area of cut is setback more than 2m from the boundaries.	Complies
25.5.16	Maximum height of any fill shall not exceed 2 metres	Fill will not exceed 2m	Complies
25.5.18	Setback from the site boundary  Earthworks greater than 0.5 metres in height or depth shall be set back a certain distance from the boundary.	The proposed earthworks will not exceed 0.5m in fill height or cut depth at the boundary.	Complies

### Transport

Rule	Description	Comments	Compliance
29.4.11	High Traffic Generating Activities		Restricted Discretionary activity consent required
29.5.3	Size of Parking Spaces and Layout  Table 29.7, and Diagram 3 (car space layouts) of Schedule 29.2	The car park spaces for people with disabilities are to be provided as visitor car parking spaces with a shared strip of 1.1m beside the car park space. These will meet the requirements of the NZ Standard.	Does not comply
29.5.9	Queuing  12m queuing required for over 21-50 onsite car parks.	Only 2m queuing length is provided onsite.	Does not comply
29.5.12	Lighting of Parking Areas  Required when car park is likely to be used at night.	Carpark illumination not identified; however will be provided at detailed design	Does not comply

### Signage

Rule	Description	Comments	Compliance
------	-------------	----------	------------

31.6.1	Static signage Platforms		<b>Controlled</b>	Activity consent required
31.6.4 (31.7.3 standard)	Ground Floor Signs 5m <sup>2</sup> per tenancy or 15% of ground floor facade	The signage for the supermarket tenancy will exceed 5m <sup>2</sup>	<b>Discretionary</b>	Activity consent required
31.6.5 (31.7.5 standard)	Above ground signs Cumulatively exceed 3m <sup>2</sup> per building of 1m <sup>2</sup> per building up to 3m <sup>2</sup> per floor	The cumulative above ground signage will exceed 3m <sup>2</sup>	<b>Discretionary</b>	Activity consent required

### \*Appeals on Proposed District Plan

ENV-2021-CHC-037 – Universal Developments Hāwea Limited

This appeal is site specific to the land south of Cemetery Road. The Appellant is seeking changes to the Hāwea Urban Growth Boundary and rezoning of their land. In relation to the above rule, they seek that rule is amended to include an exception to rule 15.5.10(a) to allow one individual retail activity which may exceed 300m<sup>2</sup> gross floor area, but shall not exceed 1000m<sup>2</sup> gross floor area.

Given the appeal is site specific, it is not considered to affect the operative status of rule as it relates to the subject site. Further, the relief sought is a specific addition and therefore is unlikely to have the scope to amend the other wording within the rule.

If Council is of the view that resource consent is required for alternative or additional matters to those identified above, it has the discretion to grant consent to those matters as well as, or in lieu of those identified in this AEE. **This includes the provisions of the Operative District Plan if Council believes this is required.** The assessment provided below is considered sufficient to be applicable to the ODP.

Additionally, if Council is of the view that the activity status of any of the matters requiring consent is different to that described, Council has the ability under Section 104(5) of the Act to process the application, regardless of the type of activity that the application was expressed to be for.

#### 4.4 Activity status

- A **restricted discretionary activity** consent pursuant to Rule 15.4.3.1 for buildings. Council's discretion is restricted to:
  - a. external appearance, including materials glazing treatment vertical and horizontal emphasis and the location of storage;
  - b. signage platforms;
  - c. lighting;
  - d. the impact of the building on the streetscape, compatibility with adjoining buildings and contribution to an integrated built form;
  - e. where residential units are proposed provision of private or communal open space, or a combination thereof;

- f. where a site is subject to natural hazards and the proposal results in an increase in gross floor area; and
  - g. natural hazards where the proposal results in an increase in gross floor area:
    - the nature and degree of risk the hazard(s) pose to people and property;
    - whether the proposal will alter the risk to any site; and
    - whether such risk can be avoided or sufficiently reduced.
- A **non-complying activity** consent pursuant to 15.5.10(a) for retail and office activities. Individual retail activities shall not exceed 300m<sup>2</sup> gross floor area. The lower level of the building will be 450m<sup>2</sup>.
  - A **restricted discretionary activity** consent pursuant to Rule 29.4.11 for a High Traffic Generating Activity. Any new land-use that exceeds the traffic generation standards or thresholds set out in Table 29.5 requires consent. Standard 29.9.9 includes traffic generation of greater than 400 additional vehicle trips per day or 50 additional trips during the commuter peak hour. Discretion is restricted to effects on the transport network.
  - A **restricted discretionary activity** consent pursuant to Rule 29.5.3 in relation to the size of car parks. The car park spaces for people with disabilities are to be provided as visitor car parking spaces with a shared strip of 1.1m beside the car park space. These will meet the requirements of the NZ Standard.
  - A **restricted discretionary activity** consent pursuant to Rule 29.5.9 in relation to queueing, only 2m queueing length is provided onsite.
  - A **restricted discretionary activity** consent pursuant to Rule 29.5.12 in relation to lighting of the carpark when likely to be used at night. A finalised lighting plan will be provided at detailed design.
  - A **controlled activity** consent pursuant to Rule 31.6.1 for signage platforms.
  - A **discretionary activity** consent pursuant to 31.6.4 and 31.6.5 in relation to the signage platform size for both ground floor and first floor tenancies.

The overall proposal requires resource consent as a **non-complying** activity.

#### 4.5 Scope of application

This application seeks resource consent under the Proposed District Plan in order to establish all aspects of the proposed development, including site works, construction and occupancy.

If Council is of the view that resource consent is required for alternative or additional matters to those identified in Section 4.4 of this report, it has the discretion to grant consent to those matters as well as, or in lieu of those identified in this AEE. This includes the provisions of the Operative District Plan if Council believes this is required.

Additionally, if Council is of the view that the activity status of any of the matters requiring consent is different to that described in Section 4.4 of this report, Council has the ability under Section 104(5) of



the Act to process the application, regardless of the type of activity that the application was expressed to be for.

## 5. Assessment of environmental effects

In accordance with section 88(2)(b) of the Act and Clause 1(d) of Schedule 4 to the Act, this assessment of environmental effects of the proposed activity has been prepared in such detail as corresponds with the scale and significance of the effects that it may have on the environment.

### 5.1 Permitted baseline

In forming the opinion for the purposes of s95 and s104(1)(a), adverse effects on the environment can be disregarded if the Plan permits an activity with that effect.

In relation to the activities able to be undertaken on site, a wide range of commercial activities such as offices, restaurants, cafes, retail stores are permitted, as well as residential and visitor accommodation use, provided they comply with the standards.

In relation to the proposed building, all buildings require consent therefore no permitted baseline can be applied. The performance standards are however an indication of the bulk and location of buildings anticipated on site. The relevant bulk and location standards include provision for a 75% building coverage, a 3m setback from residential zoned land with an applicable recession plane, and a 7m building height.

In undertaking the effects assessment below, reference has been made and actual and potential effects compared to that of this permitted baseline development in relation to the *activity* proposed.

### 5.2 Retail Activity – exceedance of 300m<sup>2</sup> threshold

The purpose of the *Local Shopping Centre* zone (LSCZ) is to reduce the necessity for people to travel longer distances to town centres to purchase convenience goods and access services. The Hāwea area is transitioning from a holiday home settlement to a sizable resident community. The growing number of households have a very limited supply of local convenience and service outlets. The proposed retail activity will exceed the permitted 300m<sup>2</sup> in order to accommodate the demand present in Hāwea.

Exceeding the floor area has the potential to result in adverse effects on the environment in relation to the scale of the proposed retail activity and the effects of its operation and changes in travel patterns and centre patronage induced by new retail supply.

Economist Derek Foy of Formative Limited has undertaken an economic assessment to determine the effect of increasing supermarket supply in the northern part of Queenstown Lakes District.

#### **Floor Area Effects – Scale of the proposed Store**

A risk of enabling a larger retail activity in a *Local Shopping Centre* is that it may detract from the Town Centres. A consent authority must not, when considering an application, have regard to trade competition effects (section 104(3) of the RMA), *unless* they will generate significant adverse indirect effects. Indirect effects are not limited to effects on individual businesses, but rather the wider effects

on a centre or the community. These wider effects can arise with a consequent change in centres' vitality, vibrancy and amenity.

It is noted that this was discussed at length by Mr Timothy Heath the economist on behalf of Council in the Stream 08 Hearing for the Local Shopping Centre Zone, as part of the Proposed District Plan review. Mr Heath's view was that the objectives and policies of the LSCZ have a scale focus to limit the types of stores that could locate in the LSCZ. This was done in order to discourage the establishment of Large Format Retail (LFR) stores, which would attract shoppers from well beyond local residential areas.

The 300m<sup>2</sup> maximum floor area was therefore put in place in order to discourage the establishment of Large Format Retail (LFR) stores, which would attract shoppers from well beyond local residential areas.

While the floor area of the proposed supermarket is larger than 300m<sup>2</sup> it is not defined as large format retail under the PDP as large format retail means any single retail tenancy which occupies 500m<sup>2</sup> or more of GFA. Further a supermarket is different in nature to a large format retail store, as it does not attract people to travel to it as a destination. It serves a purpose as convenience retail for those in its proximity. It is not probable that a patron will travel from Wanaka to this supermarket when they have multiple choices of larger supermarkets in Wanaka.

The increased scale of the activity can have an impact on the surrounding residential environment. The LSCZ seeks to reduce the necessity for people to travel longer distances to town centres to purchase convenience goods and access services. Therefore, by virtue of needing to be in a convenient locality, the Zone's location is within a predominantly residential environment. To ensure adverse effects on residential amenity are limited and to discourage the establishment of inappropriate activities, the zone includes built form standards and operation standards. The proposed supermarket complies with the bulk and location standards as well as the noise and lighting standards and therefore the effect of an increased floor area is no more than minor despite the floor area being larger than 300m<sup>2</sup>.

### **Retail Distribution and Demand Effects**

Indirect effects are also often referred to as retail distribution effects, and are not limited to effects on individual businesses, but rather have wider effects on a centre or the community. These wider effects can arise due to changes in travel patterns and centre patronage induced by new retail supply, with a consequent change in centres' vitality, vibrancy and amenity. To be considered these indirect effects must be significant and go beyond the effects of trade competition.

Mr Foy identifies in relation to projected sales, the supermarket would be a good performer from the outset. Suggesting the demand for this size retail activity is existing. Further, Mr Foy states the ongoing sales growth in the catchment indicates some potential for additional supermarket supply in the future, with one possible location being the commercial precinct approved (but not zoned) as part of the Hāwea SHA on Cemetery Road.

Mr Foy's report identifies five supermarkets within the catchment area of the proposed new supermarket. These include the two New World stores in Wanaka (Wanaka, and Three Parks), the Countdown Metro (yet to open) in Wanaka and two Four Squares (Albert Town and Wanaka).

Aside from those four supermarkets, there are several other food retailers operating in the same broad competitive sphere as the potential Hāwea supermarket. As the stores tend to be either more specialised and targeted than the national chain brand grocery stores (for instance the Wanaka Artisan market, Organic Wholefoods, Honest Wholefood Co) or a small premise (for instance Night 'n Day). It is considered that the proposed store in Hāwea would have a negligible effect on those specialist retailers in Wanaka.

Mr Foy outlines three scenarios<sup>1</sup> of the direct effects on the supermarkets identified above. They show the large New World stores are quite invulnerable to adverse effects of the proposed Hāwea Supermarket, because of their large size. Depending on assumptions made about the distribution of impacts (across the large and small stores), the smaller supermarkets could see a 2-9% drop in sales, however this is equivalent to the sales of impacted stores reducing, at worst, only to 2021 levels. This is therefore considered an effect limited to trade competition and cannot be considered in this assessment. It is Mr Foy's opinion that as the effects fall far short of being significant, they would have no noticeable effect on the town centre or business area those stores are in.

Overall, the economic assessment concludes, that there is sufficient demand in the catchment of the proposed Hāwea supermarket now to support a supermarket of the size proposed, without creating any more than minor adverse effects on other businesses in the catchment. A smaller store would not adequately provide for community needs and would result in higher ongoing shares of demand flowing out of Hāwea to the supermarkets in Wanaka. The size of the supermarket will not adversely affect the retention and establishment of other activities in the LSCZ. On the contrary, the presence of the supermarket in the LSCZ would be likely to anchor the LSCZ, and encourage development of the balance of the centre.

The proposed Hāwea supermarket will not undermine the role and function of the Wanaka (or any other) town centre, and instead the proposed store will be at an appropriately limited scale that will supplement the function of the town centre. Mr Foy considers based on his assessment that the 450m<sup>2</sup> GFA is appropriate given the amount of local demand for supermarket supply, and to efficiently provide for local retail needs. Further, even though the store is larger than the permitted maximum, it will not preclude the development of additional supermarket space in Hāwea.

Finally, the proposed store would create a range of economic benefits, increasing local retail supply and employment opportunities in a manner consistent with that envisaged in the PDP. As a result the

---

<sup>1</sup> Scenarios show impacts in 2023, by which time market growth has increased store sales from the 2021 estimates in the report.

adverse effects on the wider environment of the single retail activity for a supermarket exceeding 300m<sup>2</sup> will be no more than minor.

### 5.3 Built Form

#### 5.3.1 External appearance, including materials glazing treatment vertical and horizontal emphasis and the location of storage

A combined Landscape and Urban Design Statement, undertaken by W+A and Gilchrist Design, has been submitted with the application. The design has been developed and reviewed against 'best practice' urban design principles including the '7C's' from the Ministry for the Environment's Urban Design Protocol, as well as guidance contained in Queenstown Lakes District Council's (QLDC) Subdivision Guidelines and Urban Design Strategy (2009).

The site layout and design of the building are principally a factor of the minimum supermarket requirements (specifically footplate, loading and parking) as well as council's built-form controls, particularly with respect to the adjoining low density residential environment on the southern boundary.

The colour, materials and native plant palette has been chosen to complement the existing built form and landscape whilst ensuring users understand the buildings purpose and how the spaces function and flow in terms of access for both pedestrians and vehicles. The colour palette is in keeping with the residential character of the area.

When viewed from Bodkin Street, because the full height (7m) is apparent, the building appears more significant – and this is a desirable outcome given the role a convenience supermarket plays in a small community like Hāwea. The high levels of glazing at the supermarket front entry, including the front canopied area, ensures good overlooking of the car parking area from within the supermarket. The slatted canopy-end detail plus the side windows from the checkout area also provide outlook to the footpath on the south side, increasing surveillance of and safety for that area.

When viewed from Parry Crescent, the Level 1 commercial spaces have relatively minor elevation above the streetscape because of the level change from street down into the site. This creates an almost domestic scale and character. The accessible ramping up to the common decked area along with windows from tenancy overlooking the street also ensures a high level of overlooking (surveillance of the public realm) – particularly for the access path down to the supermarket below.

The southern elevation has been successfully fragmented and articulated with timber-latticed panels in between the vertical color steel sections to break up its length. The northern boundary treatment reflects the use of the site accommodating the storage and loading area. The bins and service areas located close to Parry Crescent are largely hidden from view by the extensive front boundary planting and the access ramp up the first floor commercial tenancies. All plant required for the building will not be located on the roof and will be screened.

Landscaping includes native planting along the southern, western and eastern boundaries, and internally between pedestrian and parking areas. The planting will help soften and integrate the building into the existing setting. Refer to the landscape plans for further detail on landscaping and plant selection.

The acoustic fence along the southern boundary will provide screening for the car park. The building, fencing and car park will further be complemented with landscaping to soften the development enabling it to integrate with the surrounding environment.

Both experts conclude, the proposal represents a well-considered and appropriate solution to deliver not only an amenity (the supermarket) that the community needs but also the opportunity to bring new or existing business into the centre. The architecture delivers an appropriate form and scale, and combined with the considered landscape response, provides a quality response to CPTED considerations and will minimize almost all potential impact issues.

Overall, the building has been designed in response to the site. The external appearance will reflect the expectation of a Local Shopping Centre in terms of scale and colours and materials. Adverse effects on the wider environment will be less than minor.

### 5.3.2 Signage platforms

As a new development within an area yet to realise the potential and purpose of the zoning, signage is a way to add character and identify the site as a local shopping centre. The number of signage platforms proposed are representative of the number of tenancies accommodated within the building. The site is zoned for commercial and business use and so a degree of signage to identify the businesses is anticipated.

The signage visible from Parry Crescent is modest and discrete. It serves the purpose of wayfinding rather than advertisement. The signage on Bodkin Street is limited to the west elevation and a pylon sign. The western elevation is well set back from the street and the proposed signage integrated into the design of the building. Corporate colours have been used sparingly and the larger signs located on the inner walls of the canopy.

The plinth sign serves as wayfinding from further afield. Landscaping has been strategically placed to screen the plinth sign from the residential properties to the south.

Overall, the character and amenity values anticipated for the site, street scene and surrounding environment will be maintained and adverse effects on the wider environment in relation to signage, no more than minor.

### 5.3.3 Lighting

Lighting will be minimal and will be designed in accordance with the Southern Lights Strategy. This will include generally low-level lighting to ensure good lighting levels for crime prevention purposes whilst minimizing potential light-spill effects. Acoustic fencing has also been incorporated down the entire southern boundary to ensure any impacts on neighbors with respect to light-spill can be minimized.

### 5.3.4 The impact of the building on the streetscape, compatibility with adjoining buildings and contribution to an integrated built form;

The proposal is fully compliant with the standards set out in the Proposed District Plan for the *Local Shopping Centre* zone, including the necessary setbacks from the adjacent *Residential Low Density* zone.

One of the key outcomes sought by the design is to integrate well with the surrounding character and form.

The building responds to the existing topography of the site. This enables a dual-frontage outcome that works for both tenant groups as the level change across the site facilitates at-grade access and parking for the supermarket, whilst the upper-level commercial tenants get dedicated street frontage and good dedicated access.

From Parry Crescent, the Level 1 commercial spaces have relatively minor elevation above the streetscape because of the level change from street down into the site. This creates an almost domestic scale and character, integrating the building with the streetscape.

The elevation visible from Bodkin Street is well setback and so although it achieves 7m in height it is not considered to be a dominant feature on the streetscape.

The service lane has purposefully been located along the north boundary to distance any nuisance effects from its use from the southern neighbours. Its location also allows for a dialogue with future shopping centre development to the north.

The continuous building length along the north and south boundaries is relatively long at 33m, though meets required setback rules. This southern elevation has been successfully fragmented and articulated with timber-latticed panels in between the vertical color steel sections. The northern elevation has no such issues as it is broken by the full-height service doors necessary for goods delivery.

Acoustic fencing has further been incorporated down the entire southern boundary to ensure any impacts on neighbors with respect to noise (and light-spill) can be minimized.

Overall, from an urban design and landscape perspective, the proposed development is appropriate in its urban context – both in terms of supporting the wider Local Centre vitality and development, as well as being respectful of the surrounding residential environment.

#### 5.4 Noise

Styles Group has assessed the potential noise and vibration effects of the proposed construction and operation of a supermarket at 85-87 Parry Crescent and 5-7 Bodkin Street, Lake Hawea.

The service lane has been purposefully located to the north to enable the building to absorb noise from service vehicles to reduce impact on residential neighbours to the South. The service area requires trucks to be unloaded from one side only. Forklifts therefore are mainly within the building where noise can be absorbed. An acoustic fence will further be erected along the southern boundary.

The noise experienced at the surrounding sites will be from vehicle movements, the operation of an electric forklift, delivery trucks, and mechanical services. These sounds are generally consistent with activities anticipated by the Local Shopping Centre Zone.

Noise generated by the supermarket between 10 pm and 7 am, when sleep disturbance could be considered a potential effect, will only be from mechanical plant e.g., from refrigeration units running overnight. All mechanical plant will be designed and operated to ensure compliance with proposed limits that are 10 dB below the PDP permitted standards during the night-time.

Styles Group conclude operational noise will comply with the PDP permitted noise limits within the Lower Density Suburban Residential Zone and the Local Shopping Centre Zone. They do not expect noise from the operation of the supermarket to cause disturbance at the surrounding sites during the day or night. This is based on the ability of the proposed activity to fully comply with the PDP permitted noise standards, and the frequency, timing, and duration of the peak periods for noise.

With the inclusion of these mitigating factors the noise levels will be compliant with the Proposed District Plan.

In relation to construction, Styles Group conclude the proposed construction works can be undertaken to comply with the PDP permitted construction noise limits, based on worst-case noise level assumptions. Several construction activities can be undertaken on site at once without resulting in infringements of the permitted standards. There are no high vibration generating activities proposed. The PDP permitted construction vibration limits are designed for avoiding cosmetic building damage. Styles group conclude these will be readily complied with by a considerable margin.

Overall, the potential construction noise and vibration effects are no greater than those anticipated and provided for by the permitted standards of the PDP.

### 5.5 Access and parking effects

The site will have 3 vehicle crossings this will include 2 site entries and 1 site exit. The 2 site entries include a service/deliveries entry from Parry Crescent which will accommodate service and delivery vehicles, a separate customer entry is provided from Bodkin Street. The single site exit to Bodkin Street will accommodate both customer vehicles (cars) and service/delivery vehicles.

The design incorporates 23 at-grade car parks (2 of which are fully accessible) which are access from Bodkin Street. A pedestrian linkage runs down the southern boundary within the 3m yard and connects Parry Crescent to the supermarket entry on the ground level. Onsite footpaths and cycle parks will further allow for access, using active transport modes, from the surrounding residential areas. The bus stops located to the north of the Bodkin Street site exit, used by school buses, will not be affected by the proposed development given the separation distance.

Bartlett Consulting have provided an Integrated Transport Assessment attached at Appendix 7. Bartlett Consulting provide a comprehensive description of the proposed vehicle access, crossings, parking demands and vehicle movements.

The traffic generation for the site, being 512vpd including 69vph during the peak hour, will mean that the proposed activity breaches the limits set in the QLDC Proposed District Plan for High Traffic Generating Activities (Section 29.9, Table 29.5 part 29.9.9). A detailed assessment of the proposed development against the QLDC Proposed District Plan transport rules (29.5.1 to 29.5.24) has been undertaken by Bartlett Consulting at Appendix D of the Transport Assessment.

The 23 onsite car park spaces accommodate the anticipated peak parking demand, such that there will be minimal transport effect as a result of parking on the surrounding road network. It is noted that the proposed development also provides the same number of car parks required by the PDP should it apply in this zone.



The proposed car parks will have the dimensions of 2.6m bay width, 5m bay depth with a 7.5m aisle width. These car park dimensions have a greater aisle width than required by the PDP, the car parks therefore meet the minimum requirements for visitor parking.

There will be no capacity concerns with the operation of either Bodkin Street or the nearby intersection of Bodkin Street with Capell Avenue. The sight distances of the vehicle crossing (Bodkin Street and Parry Street) meet the minimum requirements based on the road type, traffic flow and operating speed.

The Transport Assessment further addresses the other PDP non-compliances such that adverse effects on the wider environment are considered to be no more than minor. To manage these through the design process the following consent condition is volunteered:

*That prior to any onsite construction the detailed design of the onsite parking and access is to be provided to QLDC for review and approval. The detailed design shall include:*

- *The car park spaces for people with disabilities are to be provided in accordance with the NZ Standards and shall include a share strip of 1.1m (minimum) between the car park spaces.*
- *A lighting design is to be provided for the car park areas, roads and pedestrian areas. The lighting design should meet the minimum requirements of the QLDC District Plan and Southern Light the QLDC lighting strategy.*
- *Details of the proposed vehicle crossings to be established within the legal road reserve. The Parry Crescent site entrance and the Bodkin Street site exit is to be designed to accommodate a large delivery vehicle, (RTS18) 11.5m large rigid truck, as a design vehicle.*

In summary, the proposed development will provide sufficient onsite car parking for the typical use anticipated. The proposed vehicle access', from Parry Crescent and Bodkin Street are considered to be appropriate for the traffic generation. The overall traffic generation will mean that any potential transport effects on the adjacent local road network will be no more than minor.

## 5.6 Servicing effects

Cosgroves Limited have provided a Civil Infrastructure Report in respect of the development. Stormwater will be connected to council reticulation through a new connection to reticulated services on the eastern side of Bodkin Street. Development of new sewer infrastructure will require connection to council reticulation via an existing manhole within Bodkin Street at the eastern boundary of site. We are happy to volunteer an either / or condition in relation to firefighting infrastructure depending on the hydrant pressure available.

Overall, the development can be adequately serviced and adverse effects on the wider environment less than minor.

## 5.7 Earthworks effects

Earthworks will be required to remove existing topsoil on site. Industry best practice will be followed in relation to specific erosion and sediment controls. The contractor will mitigate dust, sediment, and debris from all construction activities. Earthwork activities will not affect the safe operation of local streets and the neighbouring properties. There will be approved site

entrances on Bodkin Street as required during construction to accommodate construction traffic movements.

Adverse effects on the wider environment from the earthworks can be appropriately managed and no more than minor.

### 5.8 Positive effects

The proposed Supermarket would provide greater supply of food and grocery products that are frequently purchased by households for their day to day use. The additional supply created by the proposal would reduce the need to travel to Wanaka to meet the everyday needs of residents, consistent with the purposes of the zone.

The proposed supermarket would initially employ around 20 workers, a number of whom would be part time. Mr Foy notes that whilst this is not a large number in absolute terms, that would increase total employment in the Lake Hāwea settlement by 8% and provide local employment opportunities in an area where there are currently few. The additional tenancies will further support employment options.

## 6. Assessment on Persons



Figure 5: subject site outlined in yellow, neighbouring sites highlighted red

### 6.1 Properties to the north

The properties to the north are zoned Local Shopping Centre apart from the north eastern corner which is a Council owned recreation reserve. Currently only the north western corner of the site has been developed for commercial use.

The Council has received an application to develop the entirety of the site to the north as an extensive commercial development. No decision has been made on the application. Of note the design includes a 7m high wall running the length of the adjoining boundary, it is assumed some articulation of the wall

will be provided to limit adverse effects of the dominance of the wall on the subject site.

The proposed building will be setback from the northern sites to accommodate the laneway. The laneway has been positioned on the northern boundary to distance traffic from residential neighbours and also provide an opportunity to connect with the northern sites. The building is compliant with the zone standards and will not have an adverse effect on these persons in terms of privacy, access to sunlight or dominance. The activities proposed within the building are likely to be similar to those taking place within buildings on the northern sites once developed. Further, Styles Group conclude that they do not expect noise from the operation of the supermarket to cause disturbance at the surrounding sites during the day or night. This is based on the ability of the proposed activity to fully comply with the PDP permitted noise standards, and the frequency, timing, and duration of the peak periods for noise. As a result adverse effects are anticipated and will not exceed those anticipated by the zone.

The subject site is separated from the Council reserve by one lot. Access to the reserve will not be impeded and the amenity values experienced by users will be maintained.

Overall, the adverse effects on owners and occupiers of sites to the north will be less than minor.

## 6.2 Properties to the south

### 6.2.1 81 Parry Crescent

81 Parry Crescent contains a single residential and accessory building located towards the southern boundary of the site. The driveway is located along the northern boundary adjacent to the subject site. The proposed building is located 3m from the adjoining boundary is therefore compliant with the required setback and recession plane. An acoustic fence will run the length of the adjoining boundary resembling a residential fence typically found in suburban living environments.

As a result of the topography of Parry Crescent the existing residential unit will sit at the same height as the first floor of the proposed commercial building (*Figure 6*). In this respect the building will appear single storey when viewed from the south looking north. The fence will screen much of the lower level and so although the building length is extensive, the visible section will be setback over 6m from the boundary. This distance will mitigate potential dominance effects of the building length. Further, as is demonstrated by the southern elevation, differing colours and materials have been utilised to break up the façade adding articulation and visual interest. As the windows in the façade are relatively small and given the setback will not result in privacy effects or overlooking.



Figure 6: Level change at 81 Parry Crescent, views from existing property over fence. (Source: Google Street view 2009)

In relation to the activities within the building, the subject site has been up zoned to Local Shopping Centre as part of the District Plan review process. This has been ongoing since 2015 with opportunities for community involvement and feedback throughout. As a result of the zoning, small scale commercial activities are now anticipated on the site and with those effects tantamount to the operation of businesses such as vehicle movements, increased foot traffic and deliveries. The proposed activities on site would be permitted but for the exceedance of 150m<sup>2</sup> GFA for the supermarket tenancy. Given the subject site comprises four sites, independent developments could result in four buildings with multiple tenancies in each and would likely generate a similar level of activity on site. The size of the supermarket is not comparable to that of the larger stores in the Wanaka Town Centre. It will accommodate convenience needs. The site has been designed so that the service lane is at the furthest distance possible from the residential properties to the south to reduce noise from delivery trucks. Further, the building itself will act as a buffer and will help absorb noise from deliveries. As a result, Styles Group conclude that they do not expect noise from the operation of the supermarket to cause disturbance at the surrounding sites during the day or night. This is based on the ability of the proposed activity to fully comply with the PDP permitted noise standards, and the frequency, timing, and duration of the peak periods for noise.

Overall, the increased size of a single retail tenancy will not have adverse effects on person residing at 81 Parry Crescent.

#### 6.2.2 9 & 11 Bodkin Street

### 6.3 Properties to the east (2, 4, 8, 12 Bodkin Street)

The properties to the east contain residential units well setback from the road boundary. Bodkin Street has a wide road reserve either side of the chip seal. The proposed building will be well setback from these properties and the visual effects will be less than minor. In the vicinity of these properties is the proposed car park. The visual effects of the car park will be mitigated with landscaping to soften the sealed area. Any lighting will be designed so that it will not contribute to light spill beyond the site.

In relation to the activity on site, commercial businesses generate vehicle movements as people pass the site on their way to and from other destinations. The proposed development accommodates parking



on site which will reduce the possibility of ad hoc parking on verges and residential streets.

Styles Group conclude that they do not expect noise from the operation of the supermarket to cause disturbance at the surrounding sites during the day or night. This is based on the ability of the proposed activity to fully comply with the PDP permitted noise standards, and the frequency, timing, and duration of the peak periods for noise.

**6.4 Properties to the west (60, 82, 86, 90 Parry Crescent)**

The properties to the west contain residential units well setback from the road boundary. Parry Crescent further has a wide road reserve either side of the chip seal. The western elevation will be visible to persons residing at these properties. The composition of the building from this viewpoint is arguably similar to a residential dwelling and will be in keeping with the surrounding streetscape and character. The visual effects of the building on these persons will be less than minor.

Styles Group conclude that they do not expect noise from the operation of the supermarket to cause disturbance at the surrounding sites during the day or night. This is based on the ability of the proposed activity to fully comply with the PDP permitted noise standards, and the frequency, timing, and duration of the peak periods for noise. Only vehicle access for deliveries will utilise the Parry Crescent entrance/exit. The tenant estimates likely truck movements will be around 6 to 8 per weekday, and 3 or 4 on weekend days. Over the course of the day this is a small amount. All other vehicles will utilise the Bodkin Street entrance. As a result, the adverse effects potentially experienced by the owners and occupants of properties to the west of the development will be no more than the zone anticipates for a commercial use and therefore less than minor.

**7. Objectives and policies (Proposed and Operative District Plan)**

**7.1 Proposed District Plan**

A full assessment against the objectives and policies of the Proposed District Plan is included at Appendix 1 of this application.

The following objective and policies of the Proposed District Plan is considered critical to the proposal and is therefore assessed below.

---

<b>Objective 15.2.1</b>	Objective – Local Shopping Centres provide a focal point for a range of activities that meet the day to day needs of the community at a limited scale that supplements the function of town centres
-------------------------	---

---

<b>Policy 15.2.1.4</b>	Avoid individual retail activities exceeding 300m2 gross floor area and individual office activities exceeding 200m2 gross floor area that would adversely affect the: <ul style="list-style-type: none"> <li>a. retention and establishment of a mix of activities within the local shopping centre;</li> <li>b. role and function of town centres and commercial zones that provide for large scale retailing; and</li> </ul>
------------------------	---

---

---

c. safe and efficient operation of the transport network.

---

The proposed commercial building can accommodate four businesses. These may include accountants, real estate agents, healthcare providers such as physios, chiropractors, beauty salons, hairdressers, café and much more to meet the needs of the community. Whilst it is recognised that the supermarket activity is a retail activity that exceeds the 300m<sup>2</sup> threshold, it is not comparable to the scale of the supermarkets found in the Wanaka CBD or Three Parks. The GFA enables a store that can accommodate the community demand which has outgrown a traditional village dairy, but will not negatively affect the role and viability of Wanaka centres.

Our interpretation of policy 15.2.1.4 is that individual retail activities exceeding 300m<sup>2</sup> should be avoided unless it can be demonstrated that the activity will not adversely affect points a – c.

Currently the site contains a single storey residential unit, the remainder of the site is vacant. The zone encourages residential activity but only above the ground floor. As a result, the site is anticipated to be extensively developed to achieve the intentions of the zone. Given the current activity on site is not wholly in accordance with the purpose of the zone, its retention could potentially be problematic for the integration of future development. As the development is providing the opportunity for four tenancies to establish in the local shopping centre it is promoting the establishment of a mix of activities and therefore would not adversely affect point (a).

Large scale retailing or large format retail, as defined by the Proposed District Plan, have a GFA of 500m<sup>2</sup>. Whilst one proposed tenancy will exceed the 300m<sup>2</sup> threshold it is not akin to the scale of the supermarkets found in the Wanaka CBD or Three Parks. The GFA enables a store that can accommodate the community demand which has outgrown a traditional dairy but will not negatively affect the role and function of the Wanaka town centre and commercial zones that provide for large scale retailing. The supermarket will service the convenience needs of the local community, a small midweek shop, a bottle of wine on the way home or a forgotten ingredient. It is expected that most community members will still undertake the generally bigger weekly shop at the larger supermarkets in Wanaka as they typically have a greater product range and choice. In this respect the retail activity is still representative of a convenience activity servicing the local area rather than a destination point that will attract people away from the town centre.

The economic impact scenarios tested by Mr Foy demonstrate the size of the retail activity will not undermine the role and function of the Wanaka (or any other) town centre, and instead the proposed store will be at an appropriately limited scale that will supplement the function of the town centre. From this assessment the fact that the proposed store is 150m<sup>2</sup> larger than the 300m<sup>2</sup> maximum proposed is appropriate given the amount of local demand for supermarket supply, and to efficiently provide for local retail needs.

Given the specificity of this particular retail activity, it will not encourage or set a precedent for other retail activities larger than 300m<sup>2</sup>. Overall, the retail activity is commensurate with demand growth but will not adversely affect the role and function of the Wanaka town centre and commercial zones that provide for large scale retailing as stated in point (b).

An assessment of the projected car parking demand has been undertaken and the resultant car parks have been provided for on site. The laneway provides a through road so that trucks are not required to undertake manoeuvres on site.

The Integrated Traffic Assessment undertaken by Bartlett Consulting has concluded the proposed development will provide sufficient onsite car parking for the use anticipated. The proposed vehicle access, from Parry Crescent and Bodkin Street are considered to be appropriate for the traffic generation. The overall transport design will mean that any potential transport effects on the adjacent local road network will remain safe and efficient in line with point (c).

Overall, the proposal is not creating an adverse effect on points a – c and therefore the 300m<sup>2</sup> GFA is appropriate in this instance. Overall, the development is not contrary to Policy 15.2.1.4 and is consistent with the overriding Objective 15.2.1.

As concluded in Appendix 1, the proposal is consistent and therefore not contrary to the following Chapters within the Proposed District Plan:

- Chapter 3 Strategic Direction
- Chapter 15 Local Shopping Centre
- Chapter 25 Earthworks
- Chapter 26 Transport
- Chapter 31 Signs

## 7.2 Operative District Plan

Section 9 of the Operative District Plan details the objectives and policies for the Township zone, including Hāwea. The objectives and accompanying policies seek to recognise the low-density open space residential amenity of the townships and their particular character, built environment and range of uses. The Operative District Plan is over 10 years old, and the Townships of the District have since been subject to substantial development. Policy 1.6 enables a range of small-scale non-residential activities when the development is consistent with the predominant residential environment. AS has been assessed the development is responsive to the existing character of the environment and will not create adverse effects on the amenity value of the area.

In relation to earthworks, transport, and signage the assessment provided in relation to the PDP is also application to the Operative District Plan.

Overall, the development is consistent with the Operative District Plan.

## 7.3 Weighting

The above assessment has found that the proposal is consistent with the provisions of both the Proposed District Plan and the Operative District Plan. Given the limited extent and scope of appeals in relation to the Local Shopping Centre, the chapter is not considered able to substantially change and so ample weight should be given to the Proposed District Plan.

For those reasons outlined above, it is considered that the proposal is consistent with all relevant objectives and policies of the Proposed District Plan.



## **8. Notification assessment**

### **8.1 Public notification – section 95A**

The matters to be considered by the consent authority when deciding whether or not to publicly notify an application are set out in Section 95A of the RMA. In October 2017, Section 95A was amended to have a four-step process to determine whether to publicly notify an application.

#### **Step 1 – Mandatory Public Notification in certain circumstances (sections 95A (2) and (3):**

Mandatory public notification is not required as the applicant does not request public notification s95A(3)(a), and the application has not been made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act s95A(3)(c).

#### **Step 2 – Preclusion to Public Notification:**

Public notification is not precluded because the activity is not subject to any rule in the District Plan that precludes public notification s95A(5)(a) and the activity is not for a controlled activity s95A(5)(b)(i), or a boundary activity s95A(5)(b)(iii)

#### **Step 3 - Public Notification – Rule/Adverse Effects:**

Public notification is not required as the application does not include an activity that is subject to any rule in the District Plan or NES that requires public notification, and in accordance with section 95D adverse effects on the environment will not be more than minor s95A(8)(a) and (b).

#### **Step 4 – Special circumstances:**

There are no special circumstances that warrant public notification under section 95A(9) as none of the circumstances of the application are exceptional or unusual.

Accordingly, it is considered that this application should be processed without public notification.

### **8.2 Limited notification – section 95B**

Section 95B relates to limited notification of consent applications and (in summary) directs that, where notification of an application for resource consent is not required under Section 95A, the consent authority must give limited notification of the application to any affected person. Section 95B is also a four-step process to determine whether to limited notify an application.

#### **Step 1 – Customary Rights and Marine Title Groups, and Statutory Acknowledgements:**

There are no protected customary rights groups or customary marine title groups that will be affected by the proposal, and the proposal is not on, adjacent to, or likely to affect land subject to a statutory acknowledgement s95B(2)(a) and (b) and s95B(3).

#### **Step 2 - Preclusions to Limited Notification:**

There is no preclusion to limited notification as there is no rule in the District Plan that precludes limited notification of the application s95B(6)(a) and the application is for neither a district land use consent with controlled activity status or an activity prescribed by regulations made under section 360H(1)(a)(ii), which precludes limited notification s95B(6)(b).

### **Step 3 – Limited Notification – Affected Persons:**

No persons have provided their written approval to this application.

Limited notification is not required as the effects on any person will be less than minor s95B(8). Refer to the assessment of effects and conclusions in section 6 of this report.

### **Step 4 – Special circumstances:**

There are no special circumstances that exist relating to the application that warrant limited notification to any persons who have not been excluded as affected persons by the assessment above s95B(10). There are no special circumstances that warrant limited notification under section 95B(10) as none of the circumstances of the application are exceptional or unusual.

Accordingly, it is considered that this application should be processed without limited notification.

## **8.3 Notification conclusion**

Section 95 of the Act sets out the requirements for the Council to consider when determining whether an application for resource consent should be notified.

The assessment has found at Section 5 and 6 of this AEE that any effects on specific parties will be less than minor and no more than minor the wider environment. Therefore, in accordance with the steps outlined above, notification of the proposal is not required.

## **9. Statutory assessment**

### **9.1 Section 104D Assessment – Gateway Test**

As the proposal is for a Non-Complying Activity the gateway test of section 104D must be fulfilled, namely that either the effects of the proposal are minor, or that the proposal is not contrary to the objectives and policies of the District Plan, before the application can be considered under to section 104B of the Act.

Under the Assessment of Adverse Effects section above the effects of the proposal have been determined to be no more than minor. Taking into account the further matters relevant under section 104 of the Act, I have determined that the overall adverse effects of the proposal will be no more than minor.

The objectives and policies of the District Plan that are relevant to the proposal have also been assessed above and I have determined that the proposal is not contrary to these objectives and policies. Accordingly, the proposal passes through both of the limbs of the 'gateway tests'.

## 9.2 Section 104 of the RMA

### Section 104

*In considering an application for land use consent, the consent authority must have regard to Part 2 (Purposes and Principles) of the RMA, and to the matters to be considered as set out in section 104(1). Section 104(1) states that, subject to the provisions of Part 2, a consent authority must have regard to:*

- (a) any actual and potential effects on the environment of allowing the activity; and*
- (b) any relevant provisions of –*
  - (i) a national environmental standard:*
  - (ii) other regulations:*
  - (iii) a national policy statement:*
  - (iv) a New Zealand coastal policy statement:*
  - (v) a regional policy statement or proposed regional policy statement:*
  - (vi) a plan or proposed plan; and*
- (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.*

In respect of Section 104(1)(a), an assessment of any actual or potential effects is included in Section 5 of this report. Ultimately, it is concluded that the resulting effects will be no more than minor and acceptable.

I have considered the higher order planning documents specified at section 104(1)(b)(i) – (vi) of the Act. In particular, it is my opinion that there are no National Environmental Standards that are directly relevant to the consideration of this proposal.

The proposal is consistent with the general strategic direction of the Proposed Otago Regional Policy Statement 2021.

The National Policy Statement on Urban Development Capacity 2020 (NPSUD) is relevant to this proposal. The NPSUD is about ensuring urban development recognising the national significance of urban environments and the need to enable such environments to develop and change, and to provide sufficient development capacity to meet the needs of people and communities and future generations in urban environments. The NPSUD directs decision making under the Act to ensure that planning decisions enable development through providing sufficient development capacity for housing and business.

The proposal has been assessed against the relevant policies of the NPSUD and is considered to achieve the outcome sought by the NPSUD. There are no other National Policy Statements Relevant to the assessment of this proposal.

In respect of Section 104(1)(b), the document that provides the relevant statutory context is the Queenstown Lakes Proposed District Plan. As discussed at Section 7 above, the proposal is generally consistent with the relevant objective and policies of the District Plan.

There are no other matters that the consent authority should consider in the determination of this application.

### **9.3 Resource Management Act 1991 – Part 2 Assessment**

I have had regard to matters under Part 2 of the RMA when considering resource consent applications. In achieving the purpose of the Act (Section 5) all persons exercising functions under it, shall recognise and provide for matters of national importance including the protection of historic heritage (Section 6), have particular regard to any other relevant matters (Section 7), and take into account the principles of the Treaty of Waitangi Section 8. Having weighed these matters, I consider that the proposal is consistent with the sustainable management purpose of the Act and Section 5 more generally.

### **10. Conclusion**

This application is being made by Project H Ltd for resource consent from Queenstown Lakes District Council for a commercial development with a single tenancy exceeding 300m<sup>3</sup> GFA.

Section 5 and 6 details an assessment of effects and Section 7 outlines the key planning considerations for this assessment. These assessments conclude that there are no more than minor effects on the wider environment and less than minor effects on persons. The proposal is also consistent with the objectives and policies of the Proposed District Plan.

On this basis, it is considered that consent can be granted on a non-notified basis in accordance with Sections 104 and 104B.

We request the opportunity to review the draft conditions prior to the decision being issued.