



DECISION OF THE QUEENSTOWN LAKES DISTRICT COUNCIL
RESOURCE MANAGEMENT ACT 1991

Applicant:	Woodlot Properties Limited
RM reference:	RM161106
Location:	45 Middleton Road, Queenstown
Proposal:	Convert one residential unit into two residential units
Type of Consent:	Land use
Legal Description:	Lot 12 Deposited Plan 503134
Zoning:	Low Density Residential
Activity Status:	Non-complying
Notification:	Publicly notified 5 July 2017
Commissioner:	Wendy Baker
Date Issued:	20 October 2017
Decision:	Consent is GRANTED

IN THE MATTER	of the Resource Management Act 1991
AND	
IN THE MATTER	of the Queenstown Lakes District Plan
IN THE MATTER	of an application for resource consent to convert one residential unit into two residential units
BY	Woodlot Properties Limited – RM161106

DECISION OF COMMISSIONER WENDY BAKER

Abbreviations

“ODP” – the Operative District Plan
 “PDP” – the Proposed District Plan
 “RPS” – the Regional Policy Statement
 “PRPS” – the Proposed Regional Policy Statement
 “the Applicant” – Woodlot Properties Limited

Introduction

1. The applicant sought to install a kitchenette downstairs in an existing 4-bedroom residential unit, creating a second residential unit.
2. I have been delegated the Queenstown Lakes District Council’s powers pursuant to section 34A of the Resource Management Act 1991 (the Act/RMA) to hear and decide this application and decide on any procedural matters related to the hearing of it.

Hearing and Site Visit

3. I undertook a site visit on 28 September 2017 accompanied by Mr Hamish Anderson, QLDC Consultant Planner. We viewed the unit and the site from the road; walked onto the site and down the stairs to the bottom part of the unit; and walked a short distance up and down Middleton Road viewing the surroundings.
4. The hearing was held in Queenstown on 28 September 2017.

5. I adjourned the hearing on 28 September having heard all evidence and closing submissions.

Appearances

6. For the applicant:
 Ms Jayne MacDonald - Counsel
 Mr Nick Geddes – Planner
 Mr J Bartlett – Traffic and Transportation Engineer

Council Officers

Mr Hamish Anderson –Consultant Planner
 Ms Wendy Banks – Consultant Traffic Engineer
 Ms C Evans – Administrative Support

7. The Applicant, Mr David Broomfield, was also present to answer any questions I may have. QLDC Senior Planner, Ms Alana Standish, attended in a supporting capacity to Mr Anderson.
8. The Council's section 42A report and the Applicant's evidence were pre-circulated in accordance with the requirements of the Act. I pre-read that material and took it as read.

The Application

9. The application is described in the Assessment of Effects on the Environment (AEE) lodged by the Applicant with the application. I adopt this description.

Submissions and Approvals

10. The Application was publicly notified with submissions closing on 2 August 2017. No submissions were received.
11. No parties provided written approvals in respect of the proposal.

Reasons consent is required

12. The site is zoned Low Density Residential in the ODP.
13. The Applicant and Mr Anderson agreed that the proposal falls to be considered as a **non complying** activity under the ODP and that resource consent is required for the following reasons:
 - A **restricted discretionary** activity resource consent pursuant to Rule 7.5.3.4 for a breach of the Site Standard 7.5.5.2 (viii) whereby the outdoor living space will infringe the minimum required for a residential unit.

The District Plan requires 36m² contained in one area with a minimum dimension of 4.5m at the ground floor level and 8m² contained in one area with a minimum dimension of 2m at any above ground floor level. Therefore 36m² is required for each

unit at ground floor level. Unit E does not have a ground floor level outdoor living space, however it does have above ground floor outdoor space of greater than 8m².

- A **non-complying** activity resource consent pursuant to Rule 7.5.3.5 for a breach of the Zone Standard 7.5.5.3 (iii) for density whereby the proposed additional unit will result in two units on a site measuring 391m² where 450m² is the minimum net area per unit.
- A **restricted discretionary** activity resource consent pursuant to Rule 14.2.2.3 (ii) for a breach of the Site Standard 14.2.4.1 (i) whereby each residential unit is required to have two car parking spaces. The proposal will create an additional residential unit but no additional car park space leaving a shortfall of two car parks.

14. The Application hinges on the definitions of 'residential unit' and 'residential flat' in the ODP which read as follows:

RESIDENTIAL FLAT	Means a residential activity that: <ul style="list-style-type: none"> • Consists of no more than one flat in the same ownership as the residential unit; and • Is contained within the same residential unit; and • If attached to a detached accessory building does not cover more than 50% of the total Gross Floor Area of the building containing the flat and detached accessory building; and • Contains no more than one kitchen and one laundry; and • Does not cover more than 35% of the total Gross Floor Area of the building(s) containing the residential unit and flat (but excluding accessory buildings).
RESIDENTIAL UNIT	Means a residential activity which consists of a single self contained household unit, whether of one or more persons, and includes accessory buildings. Where more than one kitchen and/or laundry facility is provided on the site, other than a kitchen and/or laundry facility in a residential flat, there shall be deemed to be more than one residential unit.

Relevant Statutory Provisions

15. Section 104 sets out the matters to be considered in determining an application for resource consent. Section 104D applies specifically to non complying applications and requires that one or both 'gateway' tests is passed if consent is to be granted. If the application is able to be granted pursuant to section 104D then under section 104B I may grant or refuse consent. If I grant consent I may impose conditions under section 108.

Relevant Regional Policy Statement Provisions

16. Both the Operative and Proposed Regional Policy Statements are relevant to this application although neither the Applicant nor the Council have provided any direction in this regard.

17. Part 9 (Built Environment) of the RPS and Chapter 4 of the PRPS. Both seek to achieve quality outcomes for the urban areas of the Region.

18. The PRPS was notified on 23 May 2015, and decisions were notified on 1 October 2016. Some 26 Notices of Appeal have been lodged and I consider that I am therefore unable to give any significant weight to it.

Relevant District Plan Provisions

19. The section 42A report and the Applicant's AEE referred me to Parts 4, 7 and 14 of the ODP, which I agree are the relevant provisions to consider.
20. Council notified stage 1 of the PDP on 26 August 2016. To date all evidence and submissions have been heard and one decision has been made relating to Millbrook Special zone. This zone is not relevant to this application. The Applicant's AEE refers me to Chapters 3, 4 and 7 of the PDP. I consider all these are relevant albeit that limited weight can be placed on the PDP.
21. In particular I note that Stage 1 of the PDP does not include traffic or transportation matters.

The existing and receiving environment

22. I generally concur with Mr Anderson's description of the existing environment as set out in his paragraph 8.1.1 as follows, although I note that this includes the receiving environment also in terms of any unimplemented consents.

"The existing environment comprises the residential units that have been completed, partially completed and consented for on Middleton Road."

23. Ms MacDonald in her opening submissions at paragraph 15 put to me that 'a road where vehicles can be parked on both sides' also forms part of the existing environment. I concur with her that the road forms part of the existing environment. However, I do not agree that simply the presence of a road means that the existing environment includes vehicles parked on both sides (or in any available spaces as may be the case). As a matter of law it is certainly the case that subject to any restrictions put in place parking can occur on both sides of the road to the fullest extent. However, as I get to further on, the evidence from the both traffic engineers is that there is sufficient on street parking to accommodate the overflow parking requirements generated by the proposal. On that basis I have to conclude that as a matter of fact parking does not occur to the fullest extent. If it did there would be no space for the overflow. I therefore do not agree with Ms MacDonald that the effects from parking to capacity are part of the existing environment. I accept that some parking – that which currently occurs – is part of the existing environment.

Permitted baseline

24. Both Mr Anderson and Mr Geddes identify that one residential flat is permitted in association with one residential unit. I concur with this, and consider that this is a relevant permitted baseline in this case and I choose to disregard any effects of the proposal which would result from it. To be permitted the flat is required to provide 36m² of outdoor living space at ground floor level or 8m² at upper levels, and it is also required to provide one off-street parking space.

Evidence and submissions

25. Both parties presented evidence on the full proposal. However, as there was no disagreement between the parties on any matters other than the effects resulting from the number of on-site car parks, I have confined the summaries below to this matter. The summaries capture the essence of what I was told, but do not include all details.
26. **Ms MacDonald** in her submissions summarises the issues as follows in her paragraph 8:
- Additional cars parked in/on road reserve. The issue here is not the additional cars per se resulting from the activity, but that cars will not be parked on-site and the resultant effects of that.
 - Safety concerns – change to vertical and horizontal alignment
 - Cumulative v's Precedent effect.
27. In terms of the road, Ms MacDonald put to me that there is no such thing as a road reserve in legal terms and I accept that point. She set out the function and nature of a road in paragraphs 11 and 12, although on questioning advised that this was not based on any statute or documentation. She stressed that the function of a road is not to provide openness and one of the functions is the parking of vehicles.
28. In her paragraphs 16 and 17, Ms MacDonald opines that the non complying status of the application is a technicality and makes the point that the undersupply of on-site car parks is not the reason for the status of the activity. I take her point, noting that Ms MacDonald was not suggesting that the application should or could be unbundled. As is clear from this decision I have focussed on the effects of the car parking. However, I have not restricted my discretion.
29. Ms MacDonald recommends that I may benefit from a joint witness statement from the engineers. I have considered this matter and am of the view that their respective positions are sufficiently clear, and that I do not require this.
30. With regards to the concepts of cumulative effects and precedent, Ms MacDonald points out errors made by Council officers. Suffice to state here that I agree with her on this matter. Council officers do appear to have confused the two and also considered future effects that could result from further similar applications being granted.
31. **Mr Bartlett** advised that in his assessment the on-site car parking demand associated with the proposal will be for three spaces. As only two are to be provided, Mr Bartlett concludes at paragraph 40 of his evidence that *'The proposed development will therefore have a demand for one off-site park space.'*
32. Mr Bartlett considers that the overflow car park demand can be provided for on the accessway/driveway which is within the road reserve (paragraph 41) or that on street parking could be used to cater for any overflow demand (paragraph 42). A diagram is attached to Mr

Bartlett's evidence as Attachment A showing how this would be achieved. On questioning Mr Bartlett confirmed that the distance between the rear of the space shown on Attachment A and the footpath would be around 2m. At paragraph 26 Mr Bartlett states that the existing Middleton Road has sufficient on-street parking to accommodate the anticipated demand from residential development.

33. Mr Bartlett reaches the conclusion that the effects of the parking shortfall on the operation and safety of Middleton Road will be minimal.
34. Mr Bartlett drew to my attention that by using the driveway to accommodate the overflow parking, and that using this was in essence taking advantage of an area that could not be used for anything else.
35. I asked Mr Bartlett whether there was any evidence that more vehicles would be associated with 2 x 2-bedroom units than would be with 1 x 4-bedroom unit in this location given the propensity for flatting and filling all rooms currently occurring in this district. Mr Bartlett advised that he had no statistics on this.
36. Mr Bartlett commented that given Middleton Road was a new road in this location and the road corridor was wide, in his view it was unlikely that the road would be widened in the near future rendering the option of parking on the driveway obsolete. In his view I could be confident this parking option would remain available for the foreseeable future.
37. **Mr Geddes** adopts the views of Mr Bartlett in his evidence and of relevance addresses amenity. In paragraph 17 he states that he accepts that parking of the road reserve and parking on the street can be perceived as a decrease in amenity when undertaking a fine-grained assessment of the streetscape. Mr Geddes clarified at the hearing that by fine-grained he meant extremely localised. He goes on to state that there is some expectation that cars will be visible on, along and adjoining the roadside. He concludes that the effects of the addition of one vehicle will be de minimus.
38. At paragraph 19 he directs that as any member of the public can park on the road, this forms part of the permitted baseline and I must dismiss this. On questioning he confirms that he means I can dismiss this.
39. **Ms Banks** provided a brief technical review of Mr Bartlett's report. She concludes in recommending that a minimum of three on-site parking spaces should be provided, although she does not state that this is the demand generated by the proposal. I posed the same question that I also asked Mr Bartlett relating to the number of bedrooms and whether in this district there was a correlation to vehicle ownership. She advised that she did not have any data on that.
40. Ms Banks raises some operational concerns with vehicles parking on the road in general, but states at paragraph 2 of her memo that she acknowledges that the traffic effects of the

proposal will be minimum [sic] on the surrounding road network and that if the occurrence for the car park shortfall was a one off this could be deemed acceptable. She then comments on the consequences of similar applications being granted for other properties in this location and concludes that that would result in adverse effects. I note here that this is speculative at best and is it is unusual to base an assessment of what might happen in the future. I understand Ms Banks to be referring to a precedent being set however, and I address this later.

41. I questioned Ms Banks on the parking spaces shown on Mr Bartlett's Attachment A on the road within the subject site's driveway. She advised that they appeared to be of adequate dimensions to accommodate a vehicle. Whilst she pointed out that tandem car parking would not be a permitted activity on this site, she advised that she did not have any concerns with tandem parking in this location (other than the fact that it was off-site).
42. **Mr Anderson** recommends that consent be refused for the application as he considers that the adverse effects will be more than minor and the proposal is inconsistent with a number of relevant objectives and policies. He adopts the assessment provided by Ms Banks and he considers that the proposal raises the following actual and potential effects:
 - Reduction in the amenity for residents and travelling past the site
 - Potential decrease in safety for people driving along Middleton Road
 - Negative precedent for intensification of existing sites without sufficient on-site car parks
43. I record here that I concur with Ms MacDonald that precedent is not an effect.
44. Mr Anderson considers that the increase of vehicles parked in the road reserve results in a decrease of amenity and concludes that the adverse character, view and scale effects resulting from the development will be unacceptable. He also deems the parking shortfall to result in adverse density effects, adverse parking effects.
45. In his final paragraph on page 8 of the section 42A report, Mr Anderson addresses cumulative effects and states that there is currently limited on-street parking available. However, he provides no detail of this and on page 9, similar to Ms Banks and partially relying on Ms Banks, he draws in future effects which could result if similar applications were made and granted for other nearby properties. On questioning, Mr Anderson confirmed that this was not in his view a cumulative effect and I concur. Mr Anderson did not identify that the current proposal would result in a threshold being reached whereby cumulative effects became a concern for this application.

Effects Assessment

46. The Applicant and Mr Anderson were mostly in agreement and the only matter of contention at the hearing related to quantity of on-site parking to be provided and the resultant effects. I adopt their views on the other matters and in the interest of keeping this decision concise, I simply record that:

- Having taking into consideration the permitted baseline, I consider that the second residential unit being only 2-bedroom and being only marginally greater in area than a residential flat will not result in any unanticipated effects in terms of activity and nuisance associated with the additional residential activity on the subject site;
- The outdoor living space associated with the downstairs unit is commensurate to that required for an upper floor. I consider that given the steep topography of the subject site, the ground floor is similar in terms of use to an upper storey and the outdoor living area is adequate in terms of size. It is located immediately in front of the 2 bedrooms with access to the living area around the corner, some 4m over a concrete path. I consider this is appropriate to the style of the development and deem the outdoor living area functional and suitable.

47. In terms of the provision of parking, I have had regard to the assessment matters set out in Section 14.3.2 iii. Of particular relevance I note:

- (b) Whether there is an adequate alternative supply of parking or loading spaces in the vicinity. In general on-street parking is not considered an alternative.

Road functionality

48. The evidence of both traffic engineers is that there will be insufficient parking on-site to accommodate demand. It is somewhat unclear what demand actually is, but both engineers advise that three on-site car parking spaces would suffice. Only two are provided, so there is a one-car-overflow which would need to be accommodated on the road – either on the driveway or curbside. Both of these options rely on on-street parking which the Assessment Matter quoted above has specifically stated is not generally considered an alternative.
49. Both traffic engineers concur that the effects in terms of operation, safety and efficiency of Middleton Road of the addition of this single vehicle would be minimal. I have no other expert evidence before me and therefore accept these opinions and conclude that the proposal will have insignificant effects on the functioning of the road.

Amenity

50. Mr Anderson has put to me that additional cars within the road corridor will affect amenity. Mr Geddes is of the opinion that views of vehicles are anticipated and that there is no expectation of openness. I concur with Mr Anderson that the subject site already has two open parking spaces with no screening or other mitigation of the parked vehicles. In my opinion adding another vehicle to this, particularly in the tandem configuration will reduce the amenity of the streetscape. This is not so much in my view an issue of reducing openness, but more an issue of increased clutter and views of parked vehicles rather than attractive facades and active frontages. Given that in this case the effect is limited to one additional vehicle, I consider that the adverse effects will be minor only.

Cumulative effects

51. I record here that I am not at liberty to consider the potential effects of similar future applications being granted within my assessment of the cumulative effects. I am limited to the receiving environment including permitted activities and whether the addition of the one vehicle on the street represents the overstepping of a threshold. Neither traffic engineer is suggesting that the single additional vehicle on the street resulting from this proposal cannot be accommodated. I therefore conclude that the cumulative effects of this proposal will be minimal.

Overall Consideration of the Proposal on the Environment

52. I am of the view that the adverse effects of this proposal will be minor at most.

Objectives and Policies

Operative District Plan

53. Mr Geddes and Mr Anderson have provided an assessment against the relevant objectives and policies of the ODP. Mr Geddes reaches the conclusion that the proposal is consistent with all of them, whereas Mr Anderson considers the proposal inconsistent with a number.

54. Of particular relevance to this proposal are the following:

Part 7.1.2, Objective 3, Policy 3.9 - *To encourage on-site parking in association with development and to allow shared off-site parking in close proximity to development in residential areas to ensure the amenity of neighbours and the functioning of streets is maintained.*

I consider that the proposal is neutral with regards to this Policy as the evidence is that there is demand for three parking spaces in association with the development and only two on-site spaces are provided. There is no provision made by the applicant for alternative off-site parking, the overflow is to be absorbed by the public road. There will be a minor adverse effect on the amenity of the streetscape.

Part 14, Objective 1 – *Efficient use of the District's existing and future transportation resource and of fossil fuel usage associated with transportation.*

Policy 1.3 - *To promote the efficient use of roads by ensuring that the nature of activities alongside roads are compatible with road capacity and function.*

Policy 1.9 - *To require off-road parking and loading for most activities to limit congestion and loss of safety and efficiency of adjacent roads and to promote the maintenance and efficiency of those roads.*

Objective 2 - *Maintenance and improvement of access, ease and safety of pedestrian and vehicle movement throughout the District.*

Policy 2.2 - *To ensure the intensity and nature of activities along particular roads is compatible with road capacity and function, to ensure both vehicle and pedestrian safety.*

The evidence is that the addition of one parked vehicle to the road will not affect the operation, safety, function or capacity of the road. I therefore conclude that the proposal is consistent with these objectives and policies.

Proposed District Plan

55. To the limited extent that the PDP has weight, I conclude that the scale of development proposed through this application would be generally consistent with its objectives and policies.

RPS and PRPS

56. The Regional Policy Statements (Operative and Proposed) are given effect to through the District Plan and Proposed District Plan. Suffice to record here that I have considered the objectives and policies and conclude that the conclusions reached in terms of the District Plans are applicable also to the Regional Policy Statements. Although expressed in much more general terms, the suite of policies in these policy statements in my view support a grant of consent for the development as proposed.

Section 104D

57. Section 104D states that a consent for a non complying activity may only be granted if either the adverse effects are no more than minor or if the proposal is not contrary to the relevant objectives and policies. In this case the proposal passes both tests and I am therefore able to exercise discretion under section 104B to grant or decline consent.

Other matters – Precedent and Confidence in Plan administration

58. I consider that precedent and confidence in plan administration are relevant considerations for this proposal. This site is not unique and that it is extremely likely that similar applications will be lodged and will seek to rely on this consent to justify granting. There are in my view two prongs to the issue of the precedent set by this consent.

In terms of the effects on road functionality, the point at which this precedent becomes undesirable is the same point at which the cumulative effects of the on-street parking reach tipping point. In other words, it may well be acceptable to grant a number of similar consents yet. For this reason I conclude that that aspect of precedent granting of this consent sets is appropriate

In terms of the reliance the application and all the evidence places on the use of on-street parking, I consider that the granting of this consent sets a precedent which has the potential to undermine confidence in plan administration. Particularly in respect of the assessment matter quoted earlier advising that on-street parking is not generally considered an alternative.

Part 2

59. For completeness, given the inconsistent approach of the High Court at the time of writing this decision, I have considered Part 2.

60. There are no relevant matters of national importance as set out in section 6.

61. Section 7 requires, of relevance, that particular regard is had to:

(b) the efficient use and development of natural and physical resources.

(c) the maintenance and enhancement of amenity values

The proposed conversion will allow the applicant to use the unit in a more efficient manner. However to achieve this reliance is placed on the use of the public road to mitigate the effects of a private development providing insufficient parking to meet demands. I do not consider this an efficient use of the roading resource in this instance.

I have concluded that the addition of one vehicle into the streetscape will have minor adverse effects on the amenity values.

62. There are no relevant Treaty matters under section 8.

63. The overarching purpose of the RMA as set out in section 5 is to promote the sustainable management of natural and physical resources. It is clarified in (2) that sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety while –

(a) Sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations; and

(b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and

(c) Avoiding, remedying or mitigating any adverse effects of activities on the environment.

64. In my opinion, given the potential precedent that this proposal sets, I am not convinced that managing a parking demand by using the public road resource enables communities to provide for their wellbeing. Although I acknowledge that in this case the adverse effects of this proposal are minor.

65. I conclude that the proposal generally achieves the purpose of the Act, but is mildly inconsistent in terms of the precedent that this set for future applications to rely on the public road resource as mitigation.

Overall Assessment

66. I have concluded that:

- The proposal is neutral or consistent with the relevant objectives and policies.
- The adverse effects of the proposal will be no more than minor.
- There is potential for an undesirable precedent to be set by the granting of this consent in terms of relying on space on the public road to mitigate the effects of parking demand in excess of on-site parking available.
- The proposal is mildly inconsistent with the purpose of the RMA.

67. For a precedent to be set if I were to grant this application, sufficient to refuse consent, it must be plausible that doing so will result in a proliferation of materially indistinguishable applications. I am not convinced that this proposal is unique. There are many dwellings within the district that could have a kitchenette fitted resulting in a similar situation. Any such case where there is then insufficient space on site to accommodate parking for the extra demand would be similar to this application. In my view it is realistic that if this consent is granted there will be a significant number of such applications made relying on being treated in the same manner as this application.

68. However, as pointed out by Ms MacDonald in opening submissions, the non complying status does not result from the parking breach. It results from the relative sizes of the residential unit and flat. Whilst there are likely to be many similar cases in terms of the parking shortfall, they are also likely to have a restricted discretionary status rather than a non complying status. Caselaw has determined that precedent is not a relevant consideration for restricted discretionary activities.

69. This is a very finely balanced and rather unusual decision which I find ultimately succeeds or fails depending on the weighting I give to precedence. Whilst this is a non-complying activity and precedence has been determined by the courts to be a relevant matter, I am also conscious of the caution caselaw has urged in regards to reliance on precedence in decisionmaking. In this case I consider that the minimal environmental effects of this particular case are deserving of the most significant weight and precedence of a lesser weight.

70. For these reasons consent is GRANTED subject to conditions appended to this decision.

20 October 2017



Wendy Baker

APPENDIX 1 – Consent Conditions

APPENDIX 1 - CONDITIONS OF CONSENT

1. That the development must be undertaken/carried out in accordance with the plan drawn by Fat Hippo Design Group Limited
 - 'Remarkables View Apartments – Lower Units Revised Concept – 10/11/2016, Slab/Drainage Plans Sheet 1 of 2' Drawing number 17, Revision A.
 - 'Remarkables View Apartments – Lower Units Revised Concept – 10/11/2016, Units E, F & G Lower and Mid Layouts' Drawing number 05, Revision A.

stamped as approved on 20 October 2017

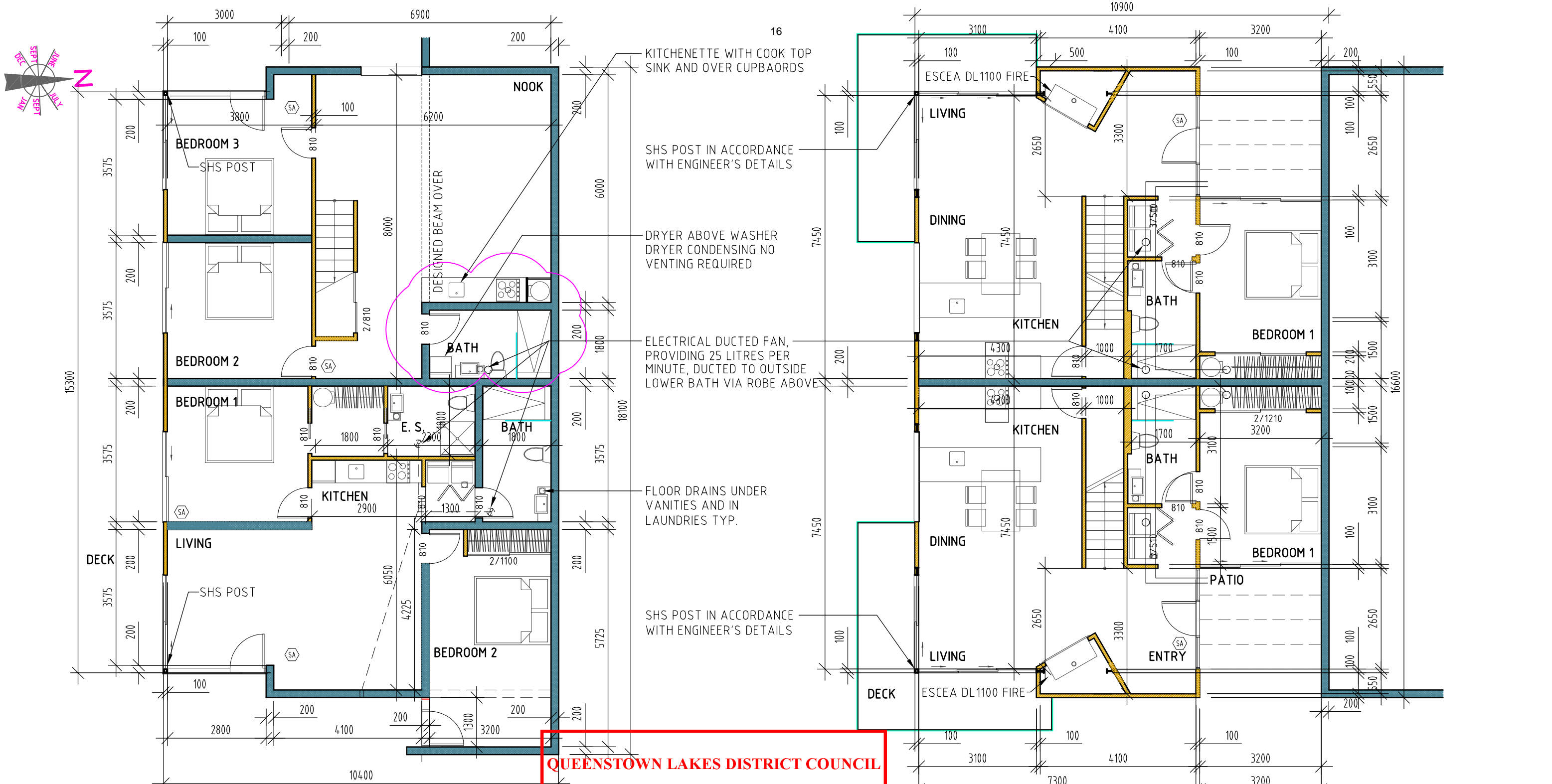
and the application as submitted, with the exception of the amendments required by the following conditions of consent.

- 2a. This consent shall not be exercised and no work or activity associated with it may be commenced or continued until the following charges have been paid in full: all charges fixed in accordance with section 36(1) of the Resource Management Act 1991 and any finalised, additional charges under section 36(3) of the Act.
- 2b. The consent holder is liable for costs associated with the monitoring of this resource consent under Section 35 of the Resource Management Act 1991 and shall pay to Council an initial fee of \$145. This initial fee has been set under section 36(1) of the Act.
3. There shall be no subdivision of the residential units (condition volunteered by the applicant).
4. A covenant pursuant to Section 108(2)(d) of the Resource Management Act 1991 shall be registered on the Computer Freehold Register for Lot 3 DP 13029 providing for the performance of the following condition on an ongoing basis:
 - There shall be no subdivision of Lot 12 Deposited Plan 503134.
5. Within six months of the date of this decision; and/or upon the receipt of information identifying non-compliance with the conditions of this consent, and/or within ten working days of each anniversary of the date of this decision, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this resource consent for any of the following purposes:
 - a) To deal with any adverse effects on the environment that may arise from the exercise of the consent which were not foreseen at the time the application was considered and which it is appropriate to deal with at a later stage.
 - b) To deal with any adverse effects on the environment which may arise from the exercise of the consent and which could not be properly assessed at the time the application was considered.

- c) To avoid, remedy and mitigate any adverse effects on the environment which may arise from the exercise of the consent and which have been caused by a change in circumstances or which may be more appropriately addressed as a result of a change in circumstances, such that the conditions of this resource consent are no longer appropriate in terms of the purpose of the Resource Management Act 1991.

Advice Notes

- This consent does not legalise, authorise or otherwise give any status or rights to the use of the tandem parking space options which were offered on the driveway for the subject property on council road.
- This proposal will result in a development contribution being required which will be invoiced by Council under separate cover.



AREA = 83.98 sq/m UNIT A, 83.98 sq/m UNIT B
GROUND FLOOR

AREA = 77.25 sq/m PER UNIT (INCLUDING STAIR)
MID FLOOR

SCALE 1:100

SCALE 1:100

E2/AS1 RISK MATRIX		
WIND ZONE	HIGH	1
No OF STOREYS	V. HIGH	4
ROOF/WALL INTERSECTION	HIGH	3
EAVES WIDTH	V. HIGH	5
ENVELOPE COMPLEXITY	HIGH	3
DECK DESIGN	MEDIUM	2
TOTAL		18

FLOOR PLAN NOTES
CA RATED DOWNLIGHTS TO BE USED AS STANDARD UNLESS ANOTHER LIGHT SOURCE IS SPECIFIED.
ALL LIGHTING IS TO COMPLY WITH NZBC D1 & G8.
ALL ELECTRICAL INSTALLATIONS TO BE IN ACCORDANCE WITH NZECP 51:2001.
ALL GLAZING TO COMPLY WITH NZS 4223.
ALL HARD FLOOR FINISHED TO COMPLY WITH NZBC D1/AS TABLE 2. FLOOR TILES TO BE NON-SLIP AND HAVE A SLIP COEFFICIENT VALUE OF 0.35-0.65 FOR GRIT FINISHED CERAMIC TILES.

FLOOR PLAN NOTES
MECHANICAL EXTRACTION IS REQUIRED TO TERMINATE TO EXTERNAL AIR SPACE THROUGH SOFFIT
ALL SMOKE ALARMS TO COMPLY WITH EITHER UL217, ULCS531, AS3786 OR BS5446 Pt1
HOT WATER PIPES TO BE SIZED ACCORDING TO NZBC G12 & NZS 4305:1996. MAINS PRESSURE: $\phi 15\text{mm}$ ALLOWS 12m MAX PIPE LENGTH. PIPE LENGTH BEYOND THIS MUST BE LAGGED.
ALL ROBE PANEL SLIDERS TO BE FULL HEIGHT. SHELF AND RAIL TO ROBES.
ARTIFICIAL ELECTRICAL LIGHTING SHALL BE PROVIDED TO ALL AREAS PROVIDING A MINIMUM OF 20 LUX IN ACCORDANCE WITH G8 OF NZBC

MATERIALS USED		LEGEND
FLOOR	REINFORCED CONCRETE SLAB	
FRAMING	BLOCK, H1.2 RADIATA	EXTERNAL WATER TAP
ROOFING	TRAY ROOFING	SMOKE ALARM WITH HUSH
CLADDING	LINEA OBLIQUE, ETERPAN	HOT WATER CYLINDER (300L)
WALL INSULATION	R2.6 BATTS	
ROOF INSULATION	R3.6 BATTS	





SCALE 1:100

