

**DECISION OF THE QUEENSTOWN-LAKES DISTRICT COUNCIL**

**RESOURCE MANAGEMENT ACT 1991**

<b>Applicant:</b>	<b>WANAKA COMMUNITY HOUSE CHARITABLE TRUST INC</b>
<b>RM reference:</b>	<b>RM150434</b>
<b>Location:</b>	186 Brownston Street, Wanaka
<b>Proposal:</b>	To construct, operate and maintain a Community house comprising a 140 seat hall, offices and meeting rooms.
<b>Legal Description:</b>	Sections 4-5 Block XXI Town of Pembroke contained in CFR OT 297/8.
<b>Zoning:</b>	Low Density Residential (Operative District Plan) Medium Density Residential (Proposed District Plan)
<b>Activity Status:</b>	Non-complying Activity
<b>Notification:</b>	12 November 2015
<b>Closing Date of Submissions:</b>	10 December 2015
<b>Commissioners:</b>	Commissioners A Henderson and DJ Taylor
<b>Date:</b>	15 June 2016
<b>Decision:</b>	<b>Consent is granted subject to conditions</b>
<b>Re-Issue Date:</b>	28 June 2016

Pursuant to section 133A of the RMA this consent is being re-issued to correct typographical errors identified in the decision as follows; Para 11(a) correction of name to Nick Brown, Para 27 correction of name to Winton Davies and Para 102 correction of time to 2200 (10pm) in accordance with the time set in condition 24.

The assessment undertaken has not changed, however the relevant text has been revised accordingly. This is considered a minor mistake or defect and therefore the consent can be reissued on 28 June 2016 pursuant to section 133A of the RMA. The re-issue is authorised by Sarah Picard, Senior Planner, as delegate for Council on 28 June 2016. This re-issue is made 9 working days after the grant of the consent, within the statutory timeframes prescribed by Section 133A of the RMA.

## **UNDER THE RESOURCE MANAGEMENT ACT 1991**

**IN THE MATTER OF** an application by the Wanaka Community House Charitable Trust Inc to construct, operate and maintain a Community house comprising a 140 seat hall, offices and meeting rooms.

Council File: RM150434

### **DECISION OF QUEENSTOWN LAKES DISTRICT COUNCIL HEARINGS COMMISSIONERS A. HENDERSON AND J. TAYLOR, HEARING COMMISSIONERS APPOINTED PURSUANT TO SECTION 34A OF THE ACT**

#### **The Proposal**

1. We have been given delegated authority to hear and determine this application by the Queenstown Lakes District Council ("Council") under section 34 of the Resource Management Act 1991 ("the Act") and, if granted, to impose conditions of consent.
2. The application (RM150434) has been made by the Wanaka Community House Charitable Trust Inc to construct, operate and maintain a Community House comprising a 140 seat hall, offices and meeting rooms.
3. A detailed description of the proposal was provided in paragraphs 5.2 – 5.10 of the evidence of Ms Ayres, the Applicant's Landscape Architect. Key elements of the proposed building are as follows:
  - The proposed community house is to have a floor area of 684m<sup>2</sup>, and will be 45 metres long and 8 metres wide. It will have a maximum height of 5 metres.
  - The building is oriented to the South West, with the entry opening on to McDougall Street.
  - The building will be in vertical weatherboards stained in Resene Wood-X Endeavour, and will have a Grey Friars metal tray roof.
  - The southern end of the building will comprise the hall, a kitchen, storage and office space, the combined areas of which equate to approximately one third of the floor space. The remainder of the building will be occupied by offices and meeting areas, separated from the hall by a toilet area.
4. The proposed landscaping was also described by Ms Ayres in paragraphs 5.11 – 5.16 of her Statement of Evidence, where she noted that the key design criteria for the landscape plan was the retention of the important view shaft from the church to the lake and mountains beyond, and views of the church when travelling south west along McDougall Street. She also noted that the parking area was not screened to the extent required by the District Plan in order to assist in retaining these views.

#### **Site Description**

5. A detailed description of the site and receiving environment within which the application sits can be found in paragraphs 4.2 - 4.23 of Ms Ayres evidence. These descriptions were not disputed by any party and we are therefore content to rely upon them, noting that the descriptions accord with our impressions from our visit to the site, neighbouring property and surrounding area.
6. The site is legally described as Sections 4-5 Block XXI Town of Pembroke contained in CFR OT 297/8. We note at this point that some submitters asserted the development was inappropriate on the basis that the land upon which the church sits was historically gifted to the church, and on the understanding the land would only be used for church purposes. We note that there is no covenant or other restriction to the same recorded on the Title, and we therefore accept Ms Caunter's submission that as the Title is clear there is no impediment to the development proceeding.

### Notification and Submissions

7. Notification of the application on 12 November 2015 drew 219 submissions, of which 175 were in support and 42 in opposition to the application. One neutral submission was received as well as one seeking changes. Three late submissions were also received.

8. The matters raised in the submissions were summarised in the section 42A report as follows.

#### *Support*

- *Need and benefit for a community building as proposed*
- *The proposal is a good and efficient use of the church land for the community*
- *The design of the building is appropriate*
- *Sufficient car parking is available*

#### *Opposition*

- *The position of the building next to the church which has heritage values is not appropriate*
- *The community house is supported but not in the location proposed*
- *Inappropriate for the proposal to be in the Low Density residential Zone*
- *Car parking insufficient, especially if the venue on the opposite side of McDougall Street were also to be granted (RM141047 – Varina Proprietary)*
- *Noise effects on the neighbouring property*
- *The proposal has a commercial nature so is inappropriate*
- *The proposal is not a viable business due to not having an anchor tenant*
- *The land is intended for the Anglican church and worship purposes and was gifted on this basis. The proposed activity is not a church function.*
- *Lack of consultation.*

9. The matters raised in the submissions are addressed where relevant later in this decision.

10. The late submissions were received from Jenny Campbell, John Wellington and RS & J Emmerson. All three were in support, and raised issues that were covered in other supporting submissions. We do not consider that accepting these late submissions would prejudice any party, and accordingly we accept the late submissions pursuant to section 37 of the Act.

### The Hearing

11. A hearing to consider the application was convened on 15 and 16 February 2016, and reconvened on 3 May 2016. In attendance were:
  - (a) The Applicant, represented by Ms Jan Caunter (Counsel) and Mr Nick Brown (WCHT), and a number of experts as detailed below; and
  - (b) Council Officers, being Ms Sarah Picard (Planning) and Mr Mike Smith (Transport); and
  - (c) Submitters, as detailed below.

12. We had the benefit of a section 42A report prepared by Council's planner, Ms Sarah Picard. Based upon her assessment of the application, Ms Picard recommended that the application be granted for reasons including:
- The adverse effects of the activity will be minor; and
  - The proposal is not contrary to the relevant objectives and policies of the District Plan; and
  - The proposal promotes the overall purpose of the Act.

### **Summary of Evidence Heard**

13. Evidence for this hearing was pre-circulated, and the Applicant's experts all provided a summary of their evidence at the hearing. We have read all of the material, and the following is a brief outline of the submissions and evidence presented. This summary does not detail everything that was advanced at the hearing, but captures the key elements of what we were told. The material generally reinforced the matters included in the application and submissions.
14. A procedural issue was raised whereby a submitter challenged the Applicant's reliance upon existing use rights insofar as they related to the church having no on site car parking. The challenge arose from correspondence between the church and Council in 1998 indicating that the church was required to have 20 on site parks. We sought legal advice on this question and we set out our findings later in this decision.
15. Where relevant, we address specific issues raised by submitters in our assessment.

### **Applicant**

16. **Ms Jan Caunter** introduced the application, and presented a set of agreed facts. She considered that the proposal falls within the definition of 'Community Activity', as the definition does not exclude the possibility of some tenants paying some rental charge or charging for their services. She also considered that it was appropriate to apply the permitted baseline in this case. Ms Caunter noted that there was little difference between the experts for the Council and applicant, apart from the parking effects. Her overall submission was that the application meets both threshold tests and that the proposal meets the purpose of the Act. She noted that the church had existing use rights and no conditions could be attached to that activity. She also noted that conditions requiring activities by third parties were unlawful and on that basis no conditions could be imposed on patrons once they had left the facility.
17. **Mr Nick Brown** (Trustee, Wanaka Community Housing Trust). Mr Brown noted that none of the 42 opposing submitters opposed the concept of a community house. He explained the history and development of the proposal, and indicated that the lease of the site from the Anglican Church at a peppercorn rental made the proposal financially viable. He did not consider the site was too far away from the centre of town, as it was only a 7 minute walk. He considered that the only possible area of contention related to car parking, and he proposed an amended condition to clarify the Traffic Management Plan and the triggers necessary for it to be amended.
18. **Ms Sarah Scott** (Architect) described the design process, noting that the design approach had taken into account the presence of a highly valued heritage building. The proposal sought to integrate the historic building and the modern new building whilst preserving views to the lake and to protect residential amenity. She considered the site was suitable for the mixture of uses proposed.
19. **Ms Hannah Ayres** (Landscape Architect) considered that overall the landscape and visual and amenity effects of the Wanaka Community House will be acceptable within the context of the receiving environment. She considered that from most viewpoints, the building would be readily absorbed and that that adverse effects on residential character would be no more than minor. Ms Ayres also considered there would be few adverse effects on amenity and outlook from



within adjoining residential properties. She considered that some views of the site would change from open space to a building and a more structured landscape, she considered that the design of the building and the landscaping would ensure that any adverse effects would be no more than minor.

20. **Dr Jeremy Trevathan** (Acoustic Engineer) noted that he had assessed the noise that could be expected from all sources associated with the Community House, and had factored in the acoustic mitigation that would be provided by a proposed 2m high acoustic fence on the north east boundary, with a 1.2m high section to the north. He considered that the District Plan noise limits would be complied with at all times based upon the management measures and conditions proposed by the Applicant. He also noted that there would be no significant effects arising from the additional traffic generated by the proposal or from pedestrian movements associated with the site. Dr Trevathan also addressed the potential cumulative effects of noise associated with the visitor accommodation proposal opposite the site on McDougall Street. He considered that only 33 McDougall Street could receive elevated noise from both venues, but only in the event that peak traffic generation from the community house would need to occur in the same 15 minute period as peak occupancy in the outdoor areas at 37 McDougall St (the site of the Varina Proprietary application). He considered this would occur infrequently and only for limited periods.
21. **Mr Andy Carr** (Transportation Engineer) discussed the traffic effects of the proposal. He noted that his approach to the Community House application had been to disaggregate the various activities on the site, calculate the traffic generation of each, and add the various elements together. His initial view was that if all land uses generated traffic simultaneously then 37 vehicle movements per hour would be expected. He considered that this level of traffic could easily be accommodated within the roading network and the intersections close to the site. Mr Carr noted that the critical matter was that there would be a shortfall in on-site parking resulting in a reliance on on-street parking when the community house was busy. He did not consider that all of the activities would occur simultaneously as it was more likely the hall would be used at the weekends when the offices were not being used. He also considered that it was unlikely there would be an adverse cumulative effect with the nearby Varina application, as even if the 'perfect storm' occurred whereby both sites were at capacity at the same time, there was sufficient capacity within the surrounding area to accommodate the parking demand on the streets.
22. At the reconvened hearing, Mr Carr indicated that the 'perfect storm' was a statistical improbability. There would not be a scenario, for example, where the church and community house were both at capacity, as the Church has the ability to prevent activities at the hall when the church is being used. We address Mr Carr's supplementary evidence as presented at the reconvened hearing later in this decision.
23. Mr Carr and Mr Smith for the Council prepared two expert witness conferencing statements as the hearing progressed, where they identified common ground and areas of disagreement. By the end of the hearing, it was apparent that there were only two general areas of disagreement, being the appropriateness of relying upon the on-street parking to accommodate the overflow from the site, and the matters that should be contained within the traffic management plan that may be required by the conditions of consent should it be granted. We address these matters later in this decision.
24. **Mr Scott Edgar (Planner)** drew on the evidence provided by the various experts for the Applicant. He concluded overall that subject to appropriate conditions of consent, the adverse effects of the proposed development will be adequately mitigated such that they will be minor. He also considered that the proposal would not be contrary to the objectives and policies of the Plan, and was consistent with the purpose of the Act.

## Submitters

25. **Mr Jeremy Burdon** opposed the community house in the proposed location and considered it should be closer to the CDB. He considered the activity was a commercial activity and would give rise to traffic issues.
26. **Ms Lyn Christie** (Lake Wanaka Sounds Inc) supported the application for reasons including the absence in Wanaka of a hub for cultural and arts activities. A space is needed where people can meet, rehearse, network and so on. There should be no issues with noise.
27. **Mr Winton Davies** spoke in support of the proposal on behalf of the Upper Clutha Senior Citizens association, and noted that they are looking for a meeting place that is level, easily accessible has plenty of space and is low cost.
28. **Mr Michael Horder** is a member of St Columba's Anglican Church and is a church appointed observer to the Wanaka Community Housing Trust. He outlined the development process of the community house, and noted that while some submitters considered the proposal was not in keeping of the purpose of the land, supposedly gifted to the church for church activities, they were incorrect. He considered these claims to be unverifiable. Mr Horder considered that the hours of operation proposed in the conditions of consent were unworkable, and that a blanket restriction of 10.30 pm would be more appropriate.
29. **The Mills Family Trust** were represented by Barbara Hyde, who read a statement on their behalf. The Trust considered that the application did not protect or enhance the cohesion of residential activity and the sense of community and wellbeing associated with residential neighbours. The Trust considered that the hall was unnecessarily large and would be underutilised, and that there were other sites more suitable, such as the area behind the Council office in Ardmore Street. The submitter was also concerned that there would be traffic and pedestrian congestion, noise and parking issues.
30. **Ms Jane Hyde** spoke in support of her submission, noting that as the immediate neighbour to the site the Hyde family property was the most affected property by the development. She noted that the courtyard area proposed was immediately adjacent to the Hyde's outdoor living space and would adversely affect the amenity of the residential property. She also considered that the proposal was a commercial activity, and that users would expect a bar facility. In conjunction with the Varina application, the Community House would give rise to cumulative effects. Of particular concern was the potential noise from the property, and the proposed restrictions on noise after 8pm would be ineffective. Ms Hyde also considered that there would be significant adverse effects arising from the parking and traffic generated by the proposal. She also considered that their outdoor amenity would be adversely affected by the use of the Community House outdoor area. The proposed Community House is in the wrong location.
31. **Ms Barbara Hyde** spoke on behalf of herself and Mrs J Hyde who resides at the adjacent property. While a community hub was supported in Wanaka, the proposed location is inappropriate. The application needs to be considered in light of the Varina application and the cumulative parking, noise and traffic effects assessed together. She noted consultation had been limited and stressful. Overall, Ms Hyde considered that the development, by virtue of being on a low density residential environment, would greatly compromise their well-being due to the effects of noise, hours of operation and impaired privacy.
32. **Ms Yeverley McCarthy** spoke in support of the proposal, noting that there had been registrations of interest from 68 groups, and not just social service agencies. There was also interest from tangata whenua, art groups and others. She considered that the location of the facility offers good access, closeness to town, privacy and discretion, which can be important to people who may be struggling with various matters.
33. **Mr Brian Lloyd** spoke in support of the proposal and indicated that the QLDC had identified a need for a facility 15 years ago. He considered that there was a need, that sufficient

investigation regarding the viability of the facility had been undertaken, that the site was suitable, and that the building was sympathetic to its surroundings.

34. **Ms Tania Brett** spoke in support of the application on behalf of the local manawhenua. She considered the location was appropriate and embraced natural values with the lake and mountains in the vicinity. The community has been awaiting a community facility for many years, and the building would provide the opportunity for manawhenua to lease some space as a support area for manawhenua.
35. **Mrs Loris King** opposed the proposal on the basis that any kind of commercial activity should be located in the Central Business District. She was concerned that residential character will be eroded, and that there will be parking and traffic effects. She also considered that acoustic fences do not satisfactorily address noise.
36. **Mrs Lesley Burdon** opposed the proposal in the proposed location. She considered that the building does not complement the existing church, and there will be traffic issues arising from the operation of the community house. Mrs Burdon stated that the land was gifted to the church in 1902 for the purpose of Anglican worship, and considered that the land should be used for what it was intended for. Mrs Burdon also considered the consultation was inadequate.
37. **Mr Bob Holland** opposed the proposal in the proposed location. He noted that the Church was built on site in 1905, and the Presbyterian Church added in 1988. In 2000, the church gained Category 2 protection from Heritage NZ, and is one of only 3 Category 2 features in the Upper Clutha area, the other two being the Cardrona Hotel Façade and the old Luggate Flour Mill (located in the Upper Clutha Transport yard). Mr Holland did not consider the proposed building had anything in common with the church, and that it crowded it on the site. He also considered the proposal should be treated as a commercial activity. Mr Holland tabled a 1988 letter from the Council in which it indicated that 20 car parks were required on the site for the church. He considered parking was a significant issue.
38. **Ms Jude Battson** spoke to her submission on behalf of the Upper Clutha Womens' Support Group. She noted that it was not the role of Local Government to provide social services. She considered the site was appropriate as it would afford privacy to those who needed it. Ms Battson also noted that parking in Ardmore Street was challenging now.
39. **Mrs Margaret West** is the Deputy Chair of the Alpine Community Development Trust, and spoke on its behalf. She noted that the Trust supports the concept of the Community House, and the key issue is the location. She considered clients would be more likely to find and access services if they were located centrally, and considered the applicant should work alongside the Council to find an alternative site.
40. **Mr Denis Bartley** is a previous vicar of the Upper Clutha Anglican parish, and supported the application, noting that siting the community house with a variety of social and community agencies alongside the church affords the potential to marry spiritual well-being with overall wellbeing. He also noted that there is no public record that the land was given to the church for the sole purpose of Anglican worship.
41. **Mr Peter Southwick** spoke to his submission as a Trustee of the Wanaka Community House Charitable Trust and as a property valuer. He considered that the Community House will become a hub for like-minded community service providers, and that there was strong demand for such a facility. He also considered that the proposed Community House is sympathetic to the site and the historic church buildings, and he considered it paid 'great respect' to the adjoining residential property owned by the Hyde family.
42. **Mr Graeme Todd** presented legal submissions on behalf of a number of submitters who did not consider the site to be suitable for the proposed community house. He considered there were a number of adverse effects relating to traffic and parking, the proximity to the existing church building, adverse amenity effects and cumulative effects. With respect to the permitted

baseline, Mr Todd considered that if the entire site was used for residential purposes, it would be unlikely to get the same level of patronage that is likely from the church, a 140 seat hall and the community house employing 10 people, as well as customers and clients. He considered that the parking assessment ignores the fact that there is no formal off street parking provided by the church. Mr Todd also referred us to the definition of 'effect' in the Act, and considered that the effects of the proposal would be more than minor. He also considered the proposal to be contrary to the objectives and policies, and thereby failed the gateway tests.

43. **Mr Peter Gordon** opposed the proposed community house in the current location. He considered it should be located on community land and administered by the Community Board.

#### **Officers**

44. **Mr Smith** (Council's Consultant transportation engineer) considered that there would be an overlap in parking demand between the Community House and the Varina application. He also considered that the parking bays relied upon by the Applicant were designed for an arterial road, and that the parking on the local roads (such as Upton and Roche Street) would have a different impact than parking on the arterial roads. Mr Smith explained that the basic principle is that a Traffic Management Plan is required for any activity altering the normal operating conditions of a road or an off road activity that spills onto the street. His view was that a Traffic Management Plan should start with a broad brush approach to controls, allowing matters to be refined as it is implemented. He considered that the cumulative effects of the application in association with the Varina application would be a saturation of parking in the local area.
45. **Ms Picard** (Council's planner) stood by the recommendation in the section 42A report, and considered that a robust traffic management plan would minimise any adverse effects. She noted that any sale of liquor would be subject to the Sale and Supply of Alcohol Act, and suggested minor changes to the proposed conditions of consent.

#### **Applicant's Right of Reply**

46. **Ms Caunter** provided a comprehensive Right of Reply, in which she reiterated a number of matters raised throughout the hearing, including traffic management and parking, the issue of 'saturation' parking, the church car parking issue and existing use rights. We refer to these and other matters she raised later in this decision.

#### **District Plan Provisions**

##### Proposed District Plan

47. Section 86[b](1) of the RMA states a rule in a proposed plan has legal effect only once a decision on submissions relating to the rule is made and publicly notified. An exemption to this is section 86[b](3) in which case a rule has immediate legal effect in certain circumstances including if the rule protects or relates to water, air or soil.
48. The Proposed District Plan ("PDP") was notified on 26 August 2015. Pursuant to Section 86[b](3) of the RMA, a number of rules that protect or relate to water have immediate legal effect. None of these rules are relevant to this application, and by extension we therefore conclude that there are no rules in the Proposed District Plan that are relevant to our consideration of this application.

##### Plan Change 49: Earthworks

49. Plan Change 49 ("PC49") was a Council initiated plan change that was publicly notified on 2 July 2014. A decision on Plan Change 49- Earthworks was ratified by Council on 15 June 2015. Although an appeal has subsequently been lodged, we were advised by Ms Picard that the appeal is limited to bulk earthworks in the rural area and the definition of earthworks as it

relates to fences posts. As the appeal points do not relate to residential areas, we are satisfied that the provisions of Plan Change 49 can be treated as operative in terms of section 86F for these areas. We consider that the earthworks are appropriate. The area of earthworks will be appropriately re-vegetated, and we agree with the section 42A report that conditions can be imposed to ensure any accidental discovery would be appropriately dealt with.

### The Operative District Plan

50. The subject site is zoned Low Density Residential under the Operative District Plan (“ODP”).
51. The relevant provisions of the Plan that require consideration can be found in Part 4 (District Wide Issues), Part 7 (Residential Areas), and Part 14 (Transportation). We agree with Ms Picard that the following resource consents are required:

#### Land Use

- A **controlled** activity resource consent pursuant to *Rule 7.5.3.2.iii(a)* in regard to construction of a building for non-residential activities. Council’s control is with respect to the matters listed in Assessment Matter 7.7.2(iii).
- A **restricted discretionary** activity resource consent pursuant to *Rule 7.5.3.4(vi)* as the proposed development does not comply with *Site Standard 7.5.6.2 i* in regard to the nature and scale of the activity where no staff will reside on the site and the floor area exceeds 40m<sup>2</sup>. The proposal is for a community activity within a building that has a floor area of 684m<sup>2</sup>.
- A **restricted discretionary** activity resource consent pursuant to *Rule 7.5.3.4(vi)* as the proposed development does not comply with *Site Standard 7.5.6.2 (ii)(b)* in regard to setback from roads in relation to the requirement to provide screening to car parking with a minimum height of 1.8m. Screening of car parking is to be limited to small shrubs.
- A **restricted discretionary** activity resource consent pursuant to *Rule 7.5.3.4(vi)* as the proposed development does not comply with *Site Standard 7.5.6.2(iii)(a)* as part of the building will project into the north-eastern 4.5 metre internal boundary setback by up to 400mm over a length of approximately 8m.
- A **restricted discretionary** activity resource consent pursuant to *Rule 7.5.3.4(vi)* as the proposed development does not comply with *Site Standard 7.5.6.2(iv)* which requires that, where the aggregate length of a building measured parallel to an internal boundary exceeds 16m the building shall be setback an additional 0.5m for every 6m of additional length. The building has an additional 1.5 metres of length within the 4.5 metre setback.
- A **non-complying** activity resource consent pursuant to *Rule 7.5.3.5* as the proposed development does not comply with *Zone Standard 7.5.6.3(iv) – Hours of Operation* which restricts the hours of operation for non-residential activities to between 0730 – 2000. Proposed hours of operation are 8:00am to 10:30pm with 10 times per year the hall being used until midnight.
- A **non-complying** activity resource consent pursuant to *Rule 7.5.3.5* as the proposed development does not comply with *Zone Standard 7.5.6.3(v) – Nature and Scale of Activities* as the no person engaged in the proposed activity will reside on site and more than three full-time equivalent persons will reside off site. No person engaged in the activity is to reside on the site and it is proposed that the proposal will have up to 10 full time staff.
- A **controlled** activity resource consent pursuant to *Rule 13.2.3.1* as the proposal will involve alterations to the church grounds and low stone wall on its McDougall Street and Upton Street frontages.

- A **restricted discretionary** activity resource consent pursuant to *Rule 14.2.2.3(ii)* as the proposed parking provision does not comply with *Site Standard 14.2.4.1 i – Minimum Parking Space Numbers*. 17 on-site car parks are provided where 27 on-site car parks are required.
- A **restricted discretionary** activity resource consent pursuant to *Rule 14.2.2.3(ii)* as a number of the proposed parking spaces do not comply with *Site Standard 14.2.4.1(iii) – Size of Parking Spaces*.
- A **restricted discretionary** activity resource consent pursuant to *Rule 14.2.2.3(ii)* as the proposed disabled parking space does not comply with the dimensions set out in *Site Standard 14.2.4.1(vi) – Car Spaces for People with Disabilities*. The dimensions of the accessible car park do not meet the District Plan requirements.
- A **restricted discretionary** activity resource consent pursuant to *Rule 14.2.2.3(ii)* as the existing vehicle crossing onto Upton Street does not meet the minimum length for vehicle crossings as set out in *Site Standard 14.2.4.2 i – Length of Vehicle Crossings*. The crossing has a width of 3.7 where a minimum of 4 metres is required.
- A **restricted discretionary** activity resource consent pursuant to *Rule 14.2.2.3(ii)* as, due to the proximity of the vehicle crossings to intersections, the crossings do not comply with *Site Standard 14.2.4.2 iv – Minimum Sight Distances from Vehicle Access*. The northern access is approximately 35 metres from the McDougall Street and Brownston Street intersection and the southern crossing is approximately 27 metres from the McDougall Street and Upton Street intersection where a minimum setback of 40 metres is required.
- A **discretionary** activity resource consent pursuant to *Rule 18.2.5* for signage (Activity Table 2-4) within the Low Density Residential Zone.

52. Overall, we agree that the application is required to be assessed as a **non-complying** activity.

#### Relevant Statutory Provisions

53. This application must be considered in terms of Section 104 of the RMA.

54. Subject to Part 2 of the RMA, Section 104 sets out those matters to be considered by the consent authority when considering a resource consent application. Considerations of relevance to this application are:

- a) *any actual and potential effects on the environment of allowing the activity; and*
- (b) *any relevant provisions of:*
  - (i) *A national environmental standards;*
  - (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 matters the consent authority considers relevant and reasonably necessary to determine the application.*

55. In addition, Section 104D (Particular Restrictions on non-complying activity) states that:

- (1) *Despite any decision made for the purpose of section 95A(2)(a) in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either –*

- (a) *the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or*
- (b) *the application is for an activity that will not be contrary to the objectives and policies of-*
  - (i) *the relevant plan, if there is a plan but no proposed plan in respect of the activity; or*
  - (ii) *the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or*
  - (iii) *both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.*

56. Following assessment under Section 104, the application must be considered under Section 104B of the RMA. Section 104B states:

*After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority –*

- a) *may grant or refuse the application; and*
- b) *if it grants the application, may impose conditions under section 108.*

57. Section 108 empowers us to impose conditions on a resource consent.

58. Section 104(3)(b) requires that we have no regard to effects on people who have given written approvals of the application. This is particularly relevant in this application as written approval has been obtained from the following parties:

<b>Person (owner/occupier)</b>	<b>Address (location in respect of subject site)</b>
Dunedin Diocesan Trust Board	186 Brownston Street, Wanaka (owner)
The Upper Clutha Anglican Parish/St Columba Church	186 Brownston Street, Wanaka (occupier)
D Plimmer and R Phipps	186 Brownston Street, Wanaka (occupier)
Varina Proprietary Ltd Duffy Krook – (Director)	37 and 41 McDougall Street, Wanaka

59. Pursuant to section 104(3)(a)(ii) of the Act, any effects on these properties have not been considered.

60. In reaching or decision we note that we have taken into account all of the information provided with the application, the section 42A report and appended assessments, and the evidence presented at and subsequent to the hearing, and at the reconvened hearing. We undertook site visits on 15 and 16 February 2016 and are satisfied these enabled us to obtain a sufficient understanding of the site and surrounding environment. We have also considered the provisions of the relevant plans, and Part 2 of the Act.

## Preliminary matters:

### Community Activity' or 'Commercial Activity'?

61. The question was raised whether the Community House should be treated as a commercial activity on the basis that it was possible that office space would be available on a rental basis. The section 42A report set out the definitions of 'Community Activity' and 'Commercial Activity' as follows:

<b>COMMUNITY ACTIVITY</b>	Means the use of land and buildings for the primary purpose of health, welfare, care, safety, education, culture and/or spiritual well being. Excludes recreational activities. A community activity includes schools, hospitals, doctors surgeries and other health professionals, churches, halls, libraries, community centres, police stations, fire stations, courthouses, probation and detention centres, government and local government offices.
<b>COMMERCIAL ACTIVITY</b>	Means the use of land and buildings for the display, offering, provision, sale or hire of goods, equipment or services, and includes shops, postal services, markets, showrooms, restaurants, takeaway food bars, professional, commercial and administrative offices, service stations, motor vehicle sales, the sale of liquor and associated parking areas. Excludes recreational, community and service activities, home occupations, visitor accommodation, registered holiday homes and registered homestays.

62. We note that by definition, the purpose of a 'Community Activity' is the use of land and buildings for the primary purpose of health, welfare, care, safety, education, culture and/or spiritual well-being. Given that the definition includes some activities that have a commercial element (such as doctors' surgeries), we consider that it is the nature of the activity undertaken, and its purpose, that is determinant in whether something is a community activity or a commercial activity in terms of the Plan. Community activities provide a service to the community that provide for health and wellbeing, among other things, whereas commercial activities are those where goods or services are available for sale or hire. We agree in this case that the 'primary purpose' of the activity is for the social and cultural wellbeing of the community, and that fact that rent may be paid for office space is insufficient grounds to classify it as a commercial activity. We therefore agree with Ms Caunter's submission that the fact that a rental may be charged does not mean that the activity becomes a commercial one. We are satisfied that the primary purpose of the proposed community house is to support the well-being of the Wanaka community and that it is therefore appropriate that it be considered to be a 'Community Activity'.

### Priority

63. As the Wanaka Community House application and the Varina Proprietary application were to be heard around the same time, and were in close proximity to each other, we received a memorandum from the applicant for Varina to make a determination on priority. We consider that this would only be relevant if we reached the view that the adverse cumulative effects of the parking issues warranted the refusal of one of the applications. We have not reached that



view, and therefore do not consider that we are required to make a determination on the priority issue.

#### Existing Use Rights and the Church Car parking

64. We have received and reviewed the various memoranda prepared by the parties in relation to the issue of the Church's claim to existing use rights, and we are grateful for the depth of information they provide. Ms Caunter's closing submissions set out the issue clearly, and we provide a brief summary of the issues and our view below.
65. No parties questioned that the church had been lawfully established. However, some submitters argued that the existing use rights (at least as they related to car parking) were invalidated by virtue of the parking condition seemingly imposed on the 1988 building consent, whereas the Applicant challenged the vires of this condition. Ms Caunter noted that if we found the condition was lawful, there may be some question over the church's existing use right for that aspect of the activity. Ms Caunter also asserted that the application and the expert evidence clearly addressed the effects of both the church and Community House, and that site and landscape plans incorporated both activities. She considered that the application enabled both activities to operate, and provided carparking. Contrary to the position expressed by Mr Todd in his memorandum to us, Ms Caunter considered that the lack of 20 car parks on the church site was not fatal to the application.
66. We have considered this issue and the question of whether a grant of this application would render the church unable to operate on the basis that its consent was not being complied with. We agree with Ms Caunter. While the lawfulness of the requirement for 20 car parks was unclear, we do not consider that the lack of them requires us to refuse this consent. The expert evidence of Mr Carr was that there is sufficient capacity within the surrounding roading network to provide for the demand from the entire site (which includes the church and the community house activities). We also agree that the site in the context of this application includes both the church and Community House, and the site plan will replace the 1988 plan that showed the 20 parks for the church.

#### **Permitted baseline, existing environment and receiving environment**

67. Mr Edgar and Ms Picard largely agreed on the permitted baseline, noting that it included:
- Residential development with 40% building coverage and one residential unit per 450m<sup>2</sup>;
  - Buildings up to 7m in height and /or 16m in length within 4.5 m of a road boundary, and 2m from internal boundaries; and
  - Boundary fencing up to 2m in height.
68. Mr Edgar considered that the permitted baseline is of relevance to the consideration of the proposed development in terms of the bulk and location of buildings, the effects they may have on neighbours in terms of privacy, noise and shading, and the extent of vehicle movements. We note that Ms Picard largely agreed, noting that the permitted baseline relates largely to residential activities.
69. We consider the permitted baseline does have some relevance to the proposal, particularly in relation to the built form proposed. The coverage and height of the proposal fall within what would be permitted for a residential development. However, we are not inclined to agree that the extent of the effects from activities within the community house is necessarily consistent with the permitted baseline. The range of potential uses, the volume of people that could be accommodated, and the potential for noise (particularly at night) are matters that we consider fall outside the permitted baseline.

#### **Assessment**

70. Planning evidence was provided by Ms Picard for the Council via the section 42A report, and by Mr Scott Edgar for the Applicant. No other party provided expert planning evidence, and it was

clear that the two planning experts were in general agreement, with Ms Picard noting at the reconvened hearing that she remained of the view that consent could be granted.

71. There was no expert evidence provided at the hearing from any other party. Given the level of agreement on the effects of the proposal among the experts, we address the relevant effects in the order in which they were addressed in the section 42A report.

*Traffic, Car parking and Access*

72. The potential adverse effects on on-street car parking and the associated nuisance that would result, together with road safety and traffic congestion, was a major concern of many of the submitters in opposition to the proposal. As detailed above, the Applicant has provided comprehensive traffic evidence from Mr Andrew Carr, which has been reviewed by Mr Mike Smith for Council.
73. The Reporting Officer has noted that the District Plan requires 27 on site car parks, whereas 17 are provided on site, leaving a deficit of 10 car parks. This was common ground between the Applicant and the Reporting Officer. We note that the Application as notified was premised on the fact that the church enjoyed existing use rights, and as it had operated without any formed car parks on the site for many years the existing use rights were considered to cover the absence of any parks on the site. As discussed earlier, it emerged during the hearing that there was an apparent requirement of a 1988 Building Consent for 20 on site car parks to service the church. We sought legal advice on this point, and specifically whether there was in fact a requirement for the parks, and if there was, whether that presented a jurisdictional barrier to a grant of consent.
74. We have earlier discussed this matter in this decision and expressed the view that even if there were 20 parks required, consideration of any effects of their absence is within the scope of this application. The site of the consent application includes the church and hall, enabling us to consider the parking requirements of the entire site. Even if we are wrong in this interpretation, we note that the traffic evidence of Mr Carr included consideration of the additional 20 parks and found that overall there was sufficient capacity within the available on street parking for the site's requirements.
75. Mr Carr and Mr Smith (the Council's consultant transportation planner) undertook witness caucusing and produced a series of joint statements, which we found most useful. When the hearing was reconvened, it was apparent that the only general points of difference between the two experts was whether overflow parking from the church and community house could be accommodated on the surrounding streets, and whether a traffic management plan should start from a permissive or restrictive position.
76. We note at the outset of this assessment that many submitters were concerned with the cumulative effect of carparking arising from the Community House and nearby conference centre application (Varina Pty Ltd, RM141047). However, we note that the Varina application has not been consented at the time of preparing this decision, and accordingly we have not considered the parking demand of that application in our assessment of effects.
77. The Transportation Assessment prepared by Mr Carr in support of the application identified that during the daytime, up to five additional vehicles will park on the street, and six in the evenings. This assessment was agreed by the traffic experts in their first Joint Memorandum to us, where it was also agreed that the traffic generated by the Community House would be highly unlikely to give rise to efficiency or road safety effects on the adjacent roading network, providing that it is suitably managed.
78. We agree with this assessment. In particular, we are satisfied that the complementary nature of the church and Community House uses are such that it will be unlikely that they will both operate at maximum occupancy simultaneously. As noted by Mr Edgar (Paragraph 9.17) , aside from midweek funerals or weddings, church activities that will generate significant parking

demand are unlikely to occur when the Community House is in operation, as Church services normally occur evenings, weekends and public holidays such as Easter or Christmas.

79. In this regard we also note that the License between the Wanaka Community House Charitable Trust and the Dunedin Diocesan Trust Board (attached to the evidence of Mr Brown) gives the Diocese (St Columba's) the exclusive use of the hall every Sunday, Christmas Eve, Christmas Day, Good Friday and Easter Sunday. Rent free use of the hall is also available to Church for weddings and funerals at the Church subject to two months or two days' notice respectively. We consider this agreement adds strength to the Applicant's position that there will be no significant adverse effects arising from car parking generated by the Community House.
80. At the reconvened hearing, Mr Carr presented a supplementary evidence statement, in which he summarised the parking surveys and calculations he had undertaken for the Varina application and focussed these where appropriate on the Community House application. Mr Carr identified that the experts agreed that the availability of off-site parking in the area approximates that set out in Mr Carr's letter of 19 January 2016 ("the study area"), which shows:
- a. 99 spaces within the on-street laybys (on McDougall Street and Upton Street) south of McDougall Street; plus
  - b. 54 angled spaces on Brownstown Street (between McDougall Street and Roche Street); plus
  - c. 21 on-street spaces on Upton Street (between McDougall Street and Roche Street)<sup>1</sup>.
81. With respect to the demand from the Community House, Mr Carr noted in his supplementary evidence (paragraph 6.10) that the parking surveys identified a maximum of 54 cars parked in the study area on Sundays, (including 23 on the church site), and that this demand was less than the capacity of the on-street parking bays (even if the parking demand from the Varina application was included).
82. Mr Carr also noted (para 6.11, Supplementary evidence) that there could be a 'perfect storm' when:
- a. All activities at the proposed Community House are in use at the same time;
  - b. A capacity event is held at the Varina site;
  - c. The Church is operating; and
  - d. There is some third party event (such as the AMP Show, Contact Ironman or the Ruby) being held, such that additional on-street parking spaces were in use.
83. Mr Carr then indicated his view that the statistical probability of all of these events occurring at the one time was 0.01% per annum. In the event that this did occur, he noted that there would be a demand for 170 spaces against the capacity of the 153 marked on street spaces available. This would require some overflow in to the on-street, unmarked parking spaces.
84. Mr Carr did not consider this demand was significant, although he conceded that under some circumstances it may need managing.
85. Mr Smith held a different view, and was concerned in relation to the effect of parking use on road safety and network functionality. He considered that the use of the on-street parks, especially in the residential streets surrounding the Community House, would reduce the functionality of those streets and result in adverse safety effects on road users.

<sup>1</sup> Ibid, paragraph 3.1

86. Mr Carr and Mr Smith agreed that these issues could be managed through the use of a Traffic Management Plan, as set out in the first joint expert witness statement. In answering a question, Mr Smith noted that technically a Traffic Management Plan is required for any activity that alters the normal operating conditions of a road, or if there is an off road activity that spills onto the street. We understood from Mr Smith that the requirement for a Traffic Management Plan exists even if the traffic is within the capacity and design standard of the road – the trigger is whether the normal operating conditions of the road are altered. In Mr Carr's view, the need for a management plan for the Community House was minimal, as the on-street parking is sufficient to accommodate any overflow. The plan should therefore start at a small scale and be enlarged if necessary. Mr Smith's view was that the plan should start at a wider level and be scaled back. He relied on his experience with traffic management plan in larger urban centres (such as Christchurch and Auckland).
87. Ms Caunter submitted that this approach was an 'overkill' given the low contribution of the Community House to the overall parking demand, and would unnecessarily increase compliance costs. She therefore invited us to prefer Mr Carr's evidence, as it responded to the likely effects to be generated by the proposed community house and practically and cost effectively deals with these effects in a small rural town.
88. Having considered the evidence before us, we have concluded that the effects arising from parking, traffic congestion and the safety of the road network associated with the Community House are no more than minor and can be adequately mitigated subject to the preparation of an appropriate traffic management plan. We therefore prefer the evidence of Mr Carr in this matter, and note that the amended conditions provided by Ms Caunter provide the following triggers for implementation of the traffic management plan:
- When the total occupancy of the meeting rooms and the hall between 9am and 5pm on a weekday is expected to exceed 170 people; or
  - The total occupancy of the meeting rooms and the hall will exceed 200 people after 5pm on a weekday; or
  - Concurrent events at the church and the hall will exceed an occupancy of 70 people in the hall on any day between 9 am and 5 pm; or
  - Concurrent events at the church and the hall will exceed an occupancy of 100 people in the hall on any day after 5 pm.
89. We consider that these trigger points are appropriate. The higher occupancy provided for after 5pm recognises that there will likely be available parking on site when normal activity or office use ceases. We consider that the inclusion of the appropriate review clauses on the consent will enable the Council to review the traffic management plan and its implementation should the trigger points need to be revised.
90. In reaching this decision, we are cognisant that the Applicant has failed to provide a number of the spaces that are required by the District Plan. The assessment matters at (iii)(b) require us to consider whether there is an adequate alternative supply of parking or loading spaces in the vicinity and goes on to state that *"in general on-street parking is not considered an alternative"*. We also note that the Plan treats the lack of parking as a restricted discretionary activity, contemplating to some degree that the lack of on-site parking is not fatal to an application but must be assessed to determine the level of effect on the wider road network.

91. Given the relatively low nature of parking demand from the Community House, apart from peak period where there may be a large event at the church, we are satisfied that the proposal satisfies this Assessment Matter. The lack of parking will not have an adverse effect on the character and amenity of the surrounding area, particularly pedestrian amenity and safety as a result of not providing the required parking spaces, given the low demand that will be generated in the majority of circumstances as identified in the evidence of Mr Carr.
92. Overall we have concluded that irrespective of whether the Varina application is granted consent, the effects on parking in particular, and the resultant impact on the road network and neighbouring low density residential environment, are not more than minor and can be managed with appropriate conditions of consent, including a Traffic management Plan.
93. We also note that the condition includes a requirement that the traffic management plan include the means by which the Consent Holder will communicate with the operators of the Varina site, which already has a number of consents in place for visitor accommodation. In the event that the Varina Proprietary Consent for the function centre succeeds, this condition will ensure that the potential parking effects of simultaneous events or successive events can be appropriately managed.

#### *Character and Amenity*

94. Ms Scott's evidence set out the design process, which aimed to produce a building that was domestic in scale and respected both the church and the adjoining sites. The building has been designed to integrate with and to preserve the views to the lake and the surrounding residential amenity.
95. Ms Ayres considered overall that the building and car park would not be out of place in the surrounding neighbourhood, given the diverse range of old and new buildings and residential and non-residential activities in the area. She considered that there would be no more than minor effects on residential character of the site and surrounding area, noting that:
- The building is single storey and is set back towards the back boundary of the site so as to preserve the integrity of the St Columba's building as the most important feature on the site;
  - The amenity and park like quality of the landscape and gardens around the church will be improved; and
  - Views into the site and towards the lake and mountains from the church will not be disrupted.
96. Many of the opposing submissions opposed the location of the Community House on this site. However, we note that there was no evidence from any party that opposed the design of the building or that presented a different assessment of these effects, and we therefore accept Mr Edgar's planning evidence which concluded that the Community House and its associated landscaping, access and parking has been carefully designed and positioned to ensure that the integrity of the church is retained, and that important view shafts from and to the site are protected and the building reflects the domestic scale of the area within which it is set. We note that the Wanaka Urban Design Panel reviewed the design, and was supportive of the project, noting also that the scale and location of the building sits well with the existing church and is compatible with its residential neighbours.

#### *Nuisance – Noise*

97. The application was supported by a noise assessment prepared by Dr Jeremy Trevathan. He identified that the potential noise sources from the operation of the community house included

breakout noise from the hall during musical events or performances, noise from staff and visitors in the outdoor area, noise from vehicles associated with the facility, and noise from external mechanical plant.

98. Dr Trevathan's assessment concluded that subject to appropriate mitigation measures, the effects of noise from these potential sources would be no more than minor. The mitigation measures are:
- A 1.2 and 2.0 metre high acoustic fence constructed on the north east boundary of the site;
  - Closing windows and doors during times of peak internal activity; and
  - Either the use of a Noise Management Plan or discouraging the use of the external courtyard after 2000 hours.
99. Dr Stephen Chiles has assessed the application and provided comment on behalf of the Council. He considered that the noise prior to 20:00 should comply with the District Plan noise limits and be reasonable and acceptable. We note the agreement of the noise experts in this regard and accept this view.
100. The evidence provided by the Hyde family raised concerns with regard to the potential noise from the facility at night, and this was supported to a degree by the evidence of Mrs King which questioned the efficacy of acoustic fences. In this regard, we note that the Applicant seeks that the hours of operation of the Community House be between 0800 and 2230 Monday to Sunday, with an additional allowance for events to extend until midnight on up to 10 occasions throughout the year.
101. We agree with Dr Chiles that activities at night time within the hall (ie after 8 pm) will require noise management to control potential noise effects including ensuring that all windows and doors are closed, and that the outdoor courtyard is not occupied after 8 pm. We consider that this is appropriate, particularly given the outdoor courtyard areas that are adjacent to the Hyde property and the potential adverse effects on their residential amenity. We agree that the conditions of consent offered by the Applicant will manage the noise from the activity to some degree. Provided the conditions are adhered to, subject to our views on the hours of operation and use of the outdoor courtyard area as discussed below, we consider that any adverse noise effects on the adjacent residential property and the wider residential neighbourhood will be no more than minor.
102. We have considered the proposed hours of operation sought by the Applicant. With respect to the actual and potential noise effects of the proposal, we do not consider it appropriate to enable activities within the Community House beyond 2200 (10pm). The surrounding land uses (disregarding those who have provided written approval) are generally residential, and we consider that non-residential activities operating late into the evening (and to midnight on some occasions) have the potential to adversely affect residential amenity. We consider this is a particularly important point for the adjoining property. We have considered the evidence provided by the Hyde family carefully, and we consider that there is a potential adverse effect on their amenity in particular should events be allowed to occur beyond 2200 (10pm). As the surrounding environment is residential, the expectation of amenity in this zone is significantly greater than in other commercial or non-residential zones.
103. We also consider it appropriate to restrict the use of the outdoor courtyard area adjacent to the Hyde property, as the concentration of people in that area after business hours also has the potential to detract from the amenity of the residential neighbours. We therefore consider it appropriate that use of the courtyard be restricted to the hours of 8am to 5pm Monday to Friday, to be consistent with the business hours of the Community House, and that it should be a designated smoke free area to maintain the amenity of the adjoining residential property, while still being available for use for occupants of the Community House.

*Heritage*

104. St Columba's Church has a Category II heritage listing with Heritage New Zealand (Record #7465). We were told it is one of only three Category II listings in the Upper Clutha. Correspondence from Heritage New Zealand provided by the Applicant identified that the classification does not include the values of the church setting or the stone wall, and that the heritage value of the site is based upon the fact that the church continues its original use as being a spiritual and social focus for the community. Ms Caunter's submissions noted that there is no specific protection of the church. Even so, we note that no works are proposed directly to the fabric of the church building, and importantly that no heritage rules or assessment matters are triggered by the proposal. Ms Ayre's evidence explained in detail how the landscaping had been designed to maintain views both from and to the church, and we agree that although much of the site is to be occupied by built form and car parking, the landscaping proposed is appropriate to ensure that the views and heritage values of the church are not compromised. There was no evidence from any party that contradicted these views, and we are satisfied overall that there will be less than minor effects on the heritage values of the existing church.

*Positive Effects*

105. The proposed Community House will provide a place for community groups to establish and co-locate, host public events and private meetings, as well as provide a community hall. We note that the application included provided letters of support from some community groups, and that this support was reiterated in the strong evidence of many community groups who attended the hearing. Location aside, all parties noted they supported the idea of a community house as it would provide for the needs of many groups within the community. On the basis of this evidence, we are satisfied that the proposal will have positive effects associated with the delivery of wide ranging community activities and thereby provide for the social and cultural wellbeing of the community.

*Infrastructure*

106. The section 42A report noted that the subject site sits within an area where Council reticulated services are available, and the Applicant had provided confirmation that power and telecommunications supply would be available to the site should the Community House proceed. No party challenged the availability of the services or provided any evidence to the contrary, and we therefore accept the conclusion in the section 42A report that subject to appropriate and standard conditions, there will be less than minor effects associated with the provision of the necessary infrastructure to support the development.

*Summary of Effects*

107. Overall, having considered the evidence presented at the hearing, the application and supporting reports, the submissions and the amended plan provided subsequent to the hearing, we are satisfied that the adverse effects of the proposed activity will not be more than minor, and we therefore consider that the proposal meets the threshold in section 104D(1)(a) of the Act. We consider that conditions of consent can be imposed that will be sufficient to ensure that any adverse effects are appropriately avoided, remedied or mitigated.

**Objectives and Policies of the Operative District Plan**

108. We have considered the detailed assessments of the objectives and policies of the Plan as set out in the Application, the section 42A report and the evidence of the planning experts. We note that Ms Picard and Mr Edgar were in general agreement, and that there was no expert evidence that provided an alternative position. We accept the evidence of the planning experts and summarise our findings below, and address specific issues raised by Ms Picard where necessary.

Operative Queenstown Lakes District Plan

109. We agree that the relevant Objectives and Policies are found within Section 7 *Residential Areas*, Section 14 *Transport*, and Section 18 *Signs*.

#### *Part 7: Residential Areas*

110. Part 7.1.2, Objective 3, Policy 3.9 encourages on site car parking to ensure the amenity of neighbours and the functioning of streets is maintained. We have found above that the adverse effects of the lack of on-site parking will not have a more than minor effect on the amenity of the surrounding residential sites and the functioning of the roading network, provided that a traffic management plan is prepared to manage any effects. We therefore consider the proposal to be consistent with this objective.

#### *Part 14: Transport*

111. Objective 2 addresses safety and accessibility. Policy 2.2 particularly directs that the nature and intensity of activities are compatible with the road capacity and function. Objective 3 Policy 3.2 seeks to discourage traffic in areas where it would have adverse effects on the environment. Objective 5 specifically seeks sufficient car parking for anticipated demands. We agree with Ms Picard's assessment that provided that conditions of consent are imposed to ensure appropriate traffic management to reduce adverse effects associated with traffic and car parking demand, the proposal is consistent with objective 2 and the corresponding policies.

#### *Plan Change 48- Signs (Part 18)*

112. Plan Change 48 has amended the Part 18 Signs provisions within the Operative District Plan and was made operative on the 24 June 2015. Ms Picard identified that the proposed signage has been considered within the overall design of the building and will serve to identify the intended use of the building. We agree with her assessment that the size and finish of the sign will be appropriate in the context of the site and its surrounds, and consider therefore that the proposal is consistent with Objective 1 and the relevant policies contained within Part 18.

#### *Plan Change 49- Earthworks (Part 22)*

113. A decision on Plan Change 49- Earthworks was ratified by Council on 15 June 2015, with a subsequent appeal which at the time the application was lodged had not been resolved. The appeal was limited to bulk earthworks in the rural area and the definition of earthworks as it relates to fences posts, and as such is not relevant to this application. We agree with Ms Picard that for the purpose of this application, the provisions of Plan Change 49 can be treated as operative in terms of section 86F for these areas. We consider that the earthworks required for the application are minor in nature, and subject to appropriate re-vegetation and appropriate conditions of consent, including providing for accidental discovery protocols and the management of sediment, the proposal will be consistent with the objectives and policies of Part 22- Earthworks.

#### *Summary: Operative District Plan*

114. Overall we agree with the planning evidence that the proposal is consistent with the objectives and policies of the Operative District Plan. Although the proposal for a non-residential activity, we consider that the community activity is compatible with the residential amenity of the surrounding area, and that conditions can be imposed to ensure that the amenity of surrounding residential development is maintained. We consider that the built form is appropriate in relation to the character of the surrounding area, and will maintain the heritage values associated with the church and the site.

#### **Proposed District Plan**



115. While the application was lodged prior to the notification of the District Plan review, we note that Section 88A(2) directs that we have regard to any proposed plan that exists at the time the application is considered. The subject site is within an area that is proposed to be re-zoned as Medium Density Residential, the purpose of which is to provide for increased residential density and for limited non-residential activity where it is compatible with the surrounding residential development.
116. The relevant sections of the Proposed District Plan, as identified by Ms Picard, are:
- Part 2: Strategy - Section 3 Strategic Direction and Section 4- Urban Development;
  - Part 3: Urban Environment - Section 8 Medium Density Residential; and
  - Part 5: District Wide Matters - Section 26 Historic Heritage and Section 36 Noise.

*Strategic Direction*

117. The evidence of Ms Scott and Ms Ayres identified that the proposal has been designed with the character of both the church and the surrounding residential area in mind. Policies 3.2.3.3.1 and 3.2.3.3.2 are directed at community facilities, and we consider that the proposal includes accessible design. Policy 3.2.3.3.2 directs that community facilities be located and designed to be desirable, safe and accessible places. We are satisfied that the proposal creates a quality built design that includes accessible facilities and car parking. As we indicated earlier we are satisfied that the access and parking aspects of the proposal will have no more than minor effects and we therefore consider that the proposal is consistent with these provisions.

*Urban Development*

118. Policy 4.2.3.6 encourages development to improve connections to community facilities whilst enhancing the amenity and vibrancy of urban areas. Although we note that many submissions opposed the location of the community house, we consider that the proposal will locate community facilities within a residential area that is a short distance (either by vehicle or foot) from the town centre, and we therefore consider that the proposal is consistent with this policy.

*Medium Density Residential*

119. Objective 8.2.8 provides for community activities that are generally best located in a residential environment close to residents, and its associated policies require that adverse effects on amenity and traffic are appropriately avoided or mitigated, and that any facilities are of a design, scale and appearance compatible with a residential context.
120. We note that the site is not residential in nature. However, we consider that the built form proposed is appropriate. The proposed building will be lower than Saint Columba's Church, ensuring that it will remain a prominent form within the site and surrounding area. We also agree with Ms Ayres' evidence that the proposed landscaping is appropriate, and will maintain views into and from the site. We are satisfied that the proposal is not contrary to these provisions.
121. Objective 8.2.7 seeks to ensure that development minimises impact on roading networks. Policy 8.2.7.3 provides for appropriate development where access and parking is located and designed to optimise efficiency and safety and minimise impacts to on-street parking. The on-site car parking is appropriately designed in terms of layout. We have considered the effects of the on-street parking associated with this development, and as discussed our view is that the effects are no more than minor and can be appropriately managed through the use of a traffic management plan. Overall we consider that the proposal is consistent with Objective 8.2.7 and its subsequent policies.

122. We note that while there was no disagreement that the community house will accommodate activities that are necessary and supported in Wanaka, it was the location of the proposal that was opposed, and we acknowledge the many submissions that considered the proposal would best be accommodated elsewhere. We note that we are not required (or able) to determine whether the site is the best for the activity; our consideration is limited to the effects of the proposal on the site.
123. We have earlier determined that the traffic and amenity effects of the proposal can be appropriately managed through conditions of consent. We consider that the residential amenity of the surrounding area will be maintained with the imposition of the attached conditions which address, among other matters, traffic, hours of operation and noise.

#### *Historic Heritage*

124. No adverse effects have been identified on the historic heritage of the Saint Columba Church and we therefore consider the proposal to be consistent with the relevant objectives and policies relating to historic heritage within the PDP.

#### *Noise*

125. We consider that the controls to be imposed over the activity through the conditions of consent are appropriate to mitigate adverse noise effects, having particular regard to the sensitivity of residential development, and particularly the adjacent property within the surrounding area.

#### *Summary*

126. Overall we are satisfied that the proposal is consistent with the objectives and policies of the PDP. The building is an appropriate design and scale within the context of the residential character of the surrounding area.

#### *Weighting of the Operative District Plan and Proposed District Plan*

127. The section 42A report identified that the Proposed District Plan was notified on 26 August 2015. Submissions closed 23 October and Further submissions closed on 18 December 2015. While we acknowledge that we are to have regard to the provisions of the Proposed District Plan, it can be given minimal weight given that hearings have yet to be completed and decision made. Notwithstanding this minimal weighting, we consider that the proposal is generally consistent with the relevant provisions within the Proposed District Plan.

### **Other Matters**

#### *Precedent*

128. Section 10 of the Applicant's AEE provides an assessment of precedent. We do not consider that this decision raises any precedent issues, and we concur with the Applicant's evidence in this effect.

#### *Wanaka Town Centre Strategy - October 2009*

129. Opposing submitters considered that the proposal was not in keeping with the Wanaka Town Centre Strategy. One aspect of this strategy considered a 'community house' as potentially being within a 'civic hub' to be located within the Wanaka Town centre. Ms Picard advised that the strategy focused on the central core of Wanaka township and remained silent on providing any restriction to development outside the town centre. We also note that the proposal has been considered by the Wanaka Urban Design panel, which was created as an outcome of the

Strategy. Ms Picard also advised that the Wanaka Town Centre Strategy 2009 is a non-statutory document, and that it provides limited direction for considering the Community House given its high level strategic nature. We therefore consider that this Strategy has little bearing on this decision.

#### *Alternative Sites*

130. Much of the opposition from submitters was from the position that the Community House was proposed in the wrong location, and that the Community House would be better located in the town centre, as opposed to the proposed activities. We record that our mandate is to consider the effects of the proposal in the location as notified, and we have neither the scope nor jurisdiction to consider the merits or otherwise of any other site.

#### *Petition*

131. The section 42A report addresses a petition with 38 signatories that predominantly appear to be church parishioners. The petition was received by Council on 10 July 2015, prior to the lodging of the consent application. Although the petition states that the signatories are not in favour of the Community House locating adjacent to the Saint Columba Anglican Church, we do not consider it can be considered a submission. We agree with Ms Picard that the signatories all had the opportunity to make a submission to the notified application, and we therefore afford the petition no weight.

#### **Part 2 Matters**

132. Section 5 states that the purpose of the Resource Management Act is “to promote the sustainable management of natural and physical resources”. “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 wellbeing and for their health and safety while —
- (a) Sustaining the potential of natural and physical resources (excluding minerals) 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.
133. Section 6(f) considers the protection of historic heritage to be a matter of national significance. We are satisfied that the proposal is consistent with this section as the heritage values of the church will not be adversely affected by the proposal
134. Section 7 requires that we have particular regard to a range of matters, including the efficient use of natural and physical resources (s7(b)), the maintenance of amenity values (s7(c)), and the maintenance of the quality of the environment (s7(f)). We are satisfied that the evidence presented on behalf of the Applicant, and that of the Council reporting officers, has demonstrated that these matters are appropriately addressed.
135. There are no particular Treaty of Waitangi issues (Section 8) that need to be taken into account in relation to this application.
136. For the reasons set out in this decision, we consider the application is consistent with relevant matters in Part 2 of the Act, and overall will achieve the purpose of the Act.

#### **Determination**

137. Consent is sought to construct, operate and maintain a Community house comprising a 140 seat hall, offices and meeting rooms.
138. Overall, the activity was assessed as a non-complying activity under sections 104, 104B and 104D of the Act.
139. The Act seeks to avoid, remedy and mitigate adverse effects associated with developments. We consider that the adverse effects of this application can be appropriately avoided, remedied or mitigated and accordingly we are satisfied that the test in section 104D(1)(a) is met.
140. We further find that the proposal is not contrary the relevant objectives and policies of either the Operative or Proposed District Plans, and accordingly we are satisfied that the test in section 104D(1)(b) is also met.
141. Accordingly, we determine that Consent be granted pursuant to sections 104B and 104D of the Act subject to the attached conditions which are imposed under section 108 of the Act.
142. Dated at Queenstown this 15th day of June 2016.

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

Andrew Henderson

Hearings Commissioner

**General Conditions**

1. That the development must be undertaken/carried out in accordance with the plans:

Wanaka Community House prepared by Sarah Scott Architect:

- Site Plan 101 A dated 10-09-2015
- Ground Floor Plan 102 A dated 10-09-2015
- North and East Elevation 103 Rev A dated 15-06-2015
- South and West Elevation 104 Rev A dated 15-06-2015

Wanaka Community House prepared by Rough and Milne:

- Landscape Concept Plan- Revision F dated 15-01-2016

**stamped as approved on 15 June 2016**

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

2. 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.
3. 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 \$240. This initial fee has been set under section 36(1) of the Act.

**Landscaping**

4. Landscaping shall be undertaken in general accordance with the landscape plan approved by condition 1.
5. In the event that any plants die or become diseased they shall be replaced within the following planting season with the same or similar species and grade shown in the final landscape plan.
6. All planting and lawn areas shall be maintained and irrigated to maintain a high quality street amenity.
7. The car park surface shall be paved in segmental block pavers that display a colour and/or texture pattern, with the objective of visually softening the car parking surface and creating a domestic type appearance.

**Engineering**

8. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd June 2015 and subsequent amendments to that document up to the date of issue of any resource consent.

*Note: The current standards are available on Council's website via the following link: <http://www.qldc.govt.nz/planning/resource-consents/qldc-land-development-and-subdivision-code-of-practice/>*

*To be completed prior to the commencement of any works on-site*

9. Prior to commencing works on site, the consent holder shall submit a traffic management plan for construction purposes to the Road Corridor Engineer at Council for approval. The traffic management plan shall be prepared by a Site Traffic Management Supervisor. All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS on site. The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Principal Resource Management Engineer at Council prior to works commencing.
10. The owner of the land being developed shall provide a letter to the Principal Resource Management Engineer at Council advising who their representative is for the design and execution of the engineering works and construction works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under Sections 1.7 & 1.8 of QLDC's Land Development and Subdivision Code of Practice, in relation to this development.
11. Prior to the commencement of any works on the site the consent holder shall provide to the Principal Resource Management Engineer at Council for review and certification, copies of specifications, calculations and design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (8), to detail the following engineering works required:
  - a) The provision of a water supply to the development. The costs of the connection shall be borne by the consent holder.
  - b) The provision of a foul sewer connection to the development. The costs of the connection shall be borne by the consent holder.
  - c) The provision of a connection from all potential impervious areas within the development to the Council reticulated stormwater disposal system. The individual lateral connections shall be designed to provide gravity drainage for the entire area of the site.
  - d) The provision of sealed vehicle crossings to Council's standards. This shall include reconstruction of indented parking bays and kerb lines in general accordance with the Rough+Milne 'Wanaka Community House McDougal Street Wanaka – Landscape Concept Plan' (dated 15/01/2016, Drawing L1.0, rev F) to Council's standards, and include any necessary remedial works to the Upton Street vehicle crossing to meet Council's standards.
  - e) The construction and sealing of all vehicle manoeuvring and car parking areas in accordance with Rough+Milne 'Wanaka Community House McDougal Street Wanaka – Landscape Concept Plan' (dated 15/01/2016, Drawing L1.0, rev F) to Council's standards. This shall include:
    - Parking and loading spaces shall be clearly and permanently marked out.
    - Staff car parks shall be clearly sign posted, and 'Authorised Vehicles Only' signage shall be installed at the Upton Street entrance.
    - All signage and road markings shall be in accordance with MOTSAM (Manual of Traffic Signs and Markings) requirements.
    - Provision shall be made for stormwater disposal.
  - f) The provision of car park lighting in accordance with Council's road lighting policies and standards, including the *Southern Light* lighting strategy. Any lights installed within the carpark shall be isolated from the Council's lighting network circuits and privately maintained.

*To be completed when works finish and before occupation of building*

12. Prior to the occupation of the building, the consent holder shall complete the following:
  - a) The submission of 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this subdivision/development at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built'

standards and shall include all Roads (including right of way and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).

- b) The completion and implementation of all certified works detailed in Condition (11) above.
- c) Any power supply and/or telecommunications connections to the building shall be underground from existing reticulation and in accordance with any requirements/standards of the network provider's requirements.
- d) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

### ***Accidental Discovery Protocol***

13. If the consent holder:

- a) discovers koiwi tangata (human skeletal remains), waahi taoka (resources of importance), waahi tapu (places or features of special significance) or other Maori artefact material, the consent holder shall without delay:
  - i. notify Council, Tangata whenua and Heritage New Zealand Pouhere Taonga and in the case of skeletal remains, the New Zealand Police.
  - ii. stop work within the immediate vicinity of the discovery to allow a site inspection by the Heritage New Zealand Pouhere Taonga and the appropriate runanga and their advisors, who shall determine whether the discovery is likely to be extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required.

Any koiwi tangata discovered shall be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to its removal or preservation. Site work shall recommence following consultation with Council, the New Zealand Pouhere Taonga, Tangata whenua, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.

- b) discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder shall without delay:
  - (i) stop work within the immediate vicinity of the discovery or disturbance and;
  - (ii) advise Council, the Heritage New Zealand Pouhere Taonga and in the case of Maori features or materials, the Tangata whenua and if required, shall make an application for an Archaeological Authority pursuant to the New Zealand Pouhere Taonga Act 2014 and;
  - (iii) arrange for a suitably qualified archaeologist to undertake a survey of the site.

Site work may only recommence following consultation with Council.

### ***Design Controls***

- 14. Mechanical ventilation shall be available to all rooms within the building that will be used after 2000 hrs to ensure that appropriate noise management as set out in Condition 27 can be achieved.
- 15. The colours and materials of the building approved under this resource consent are as follows:

<b>Element</b>	<b>Material</b>	<b>Colour</b>
Walls	Cedar Weatherboard	Resene Endeavour
Roof	Longrun Colorsteel	Grey Friars
Rain screen	Aluminium	Grey Friars

Any alternative colours and/or materials shall be within a similar colour/materials palette and shall be certified by Council prior to use on the building.

### **Signs**

16. Signs shall be limited to the 'Community House' lettering on the west elevation shown in the plan 'South & West Elevation, Drawing 104' approved by condition 1 and any signage displayed at the entry and/or exit of the site shall be limited to a total area of 3m<sup>2</sup>, shall incorporate any signage required by the TMP (certified pursuant to Condition 17) and shall be approved by Council prior to being displayed.

### **Traffic Management (operations of facility)**

17. Prior to commencing operation the consent holder shall prepare a comprehensive Traffic Management Plan (TMP). The objective of the TMP is to manage on-street parking associated with the operation of the Community House to ensure the safe and efficient operation of the adjacent road network.
18. The (TMP) shall be prepared by a Site Traffic Management Supervisor (STMS) in accordance with the current requirements of the Code of Practice for Temporary Traffic Management (CoPTTM).
19. The TMP shall be implemented when:
  - a. The total occupancy of the meeting rooms and the hall between 9am and 5pm on a weekday is expected to exceed 170 people; OR
  - b. The total occupancy of the meeting rooms and the hall is expected to exceed 200 people after 5pm on a weekday; OR
  - c. There is an event at the church taking place at the same time as there is an event at the hall that is expected to result in the occupancy of the hall exceeding 70 people, on any day between 9am and 5pm; OR
  - d. There an event at the church taking place at the same time as an event at the hall that is expected to result in the occupancy of the hall exceeding 100 people on any day after 5pm.
20. The initial iteration of the TMP shall be limited to the following:
  - a. The provision of signage at the car park entrance to clearly advise that the on-site car parking is full.
  - b. The methods and frequency for communication between the Wanaka Community House Charitable Trust and St Columbas Church in order that the potential parking effects of simultaneous or successive events can be avoided or appropriately managed.
  - c. The methods and frequency for communication between the Wanaka Community House Charitable Trust and the owners of the function centre consented and operated under RM141047.
21. The consent holder shall:
  - a) engage an independent, suitably qualified and experienced person to review the operation of the TMP for the first three events that require the implementation of the TMP. The results of this review, including any relevant observations made and any recommended changes to the TMP to minimise adverse effects on the safety and efficiency of Council's roading network, shall be submitted in a report format to the Principal Resource Management Engineer at Council for review by appropriate Council Network Operations staff.

Advice Note: For clarity, this condition does not preclude the ability to change the TMP on site in the event that significant adverse effects are observed, as permitted by CoPTTM.



- b) Upon receiving the outcomes of the review from the Principal Resource Management Engineer, either:
  - i. submit to Council a revised TMP that has addressed the recommendations of the review (if any). This shall be approved by the Council in the same manner as Condition 17; or
  - ii. undertake monitoring of one additional event, update the review report, and resubmit this to Council, in the same manner as Condition 21a
- 22. At the point that the TMP has been certified after review of the events stipulated in Condition 21a, the TMP shall thereafter be submitted to Council to be reviewed every 12 months in accordance with CoPTTM. Any amendments required to the TMP as a result of the review shall be certified by Council in the same manner as Condition 21a.
- 23. The Community House shall not be operated unless a current certified TMP required by condition 17 is implemented to ensure traffic effects are suitably managed.

### **Hours of Operation**

- 24. Hours of operation shall be:

0800 – 2200 hrs Monday to Sunday, provided that the Outdoor Courtyard shall be restricted to the hours of 0800 – 1700 Monday to Friday, and shall be designated as a smoke-free area.

### **Noise Management**

- 25. All activities shall be undertaken so that any noise at 165 Upton Street meets the following standards:
 

Sound from non-residential activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any other site in this zone:

(i)	daytime	(0800 to 2000 hrs)	50 dB $L_{Aeq(15 \text{ min})}$
(ii)	night-time	(2000 to 0800 hrs)	40 dB $L_{Aeq(15 \text{ min})}$
(iii)	night-time	(2000 to 0800 hrs)	70 dB $L_{AFmax}$
- 26. Prior to the occupation of the building the acoustic fence adjacent to 165 Upton Street shall be constructed in accordance with the details of the AES Noise Report submitted with the Application (AC14127-02-D3), dated 20 May 2015.
- 27. A Noise Management Plan shall be submitted to Council for certification by the Monitoring Planner prior to the occupation of the building. The plan shall detail methods to:
  - (a) Ensure that the courtyard is not occupied before 0800 hrs and after 1700 hrs Monday to Friday, or on weekends.
  - (b) Avoid people congregating in other outdoor areas after 2000 hrs.
  - (c) Ensure music does not exceed noise limits specified in Condition 25.
- 28. Prior to the hall being used for a music event the sound insulation shall be certified by a suitably qualified and experienced acoustic engineer.
- 29. All external doors and windows to the building must be kept closed after 2000 hrs.

### **Review**

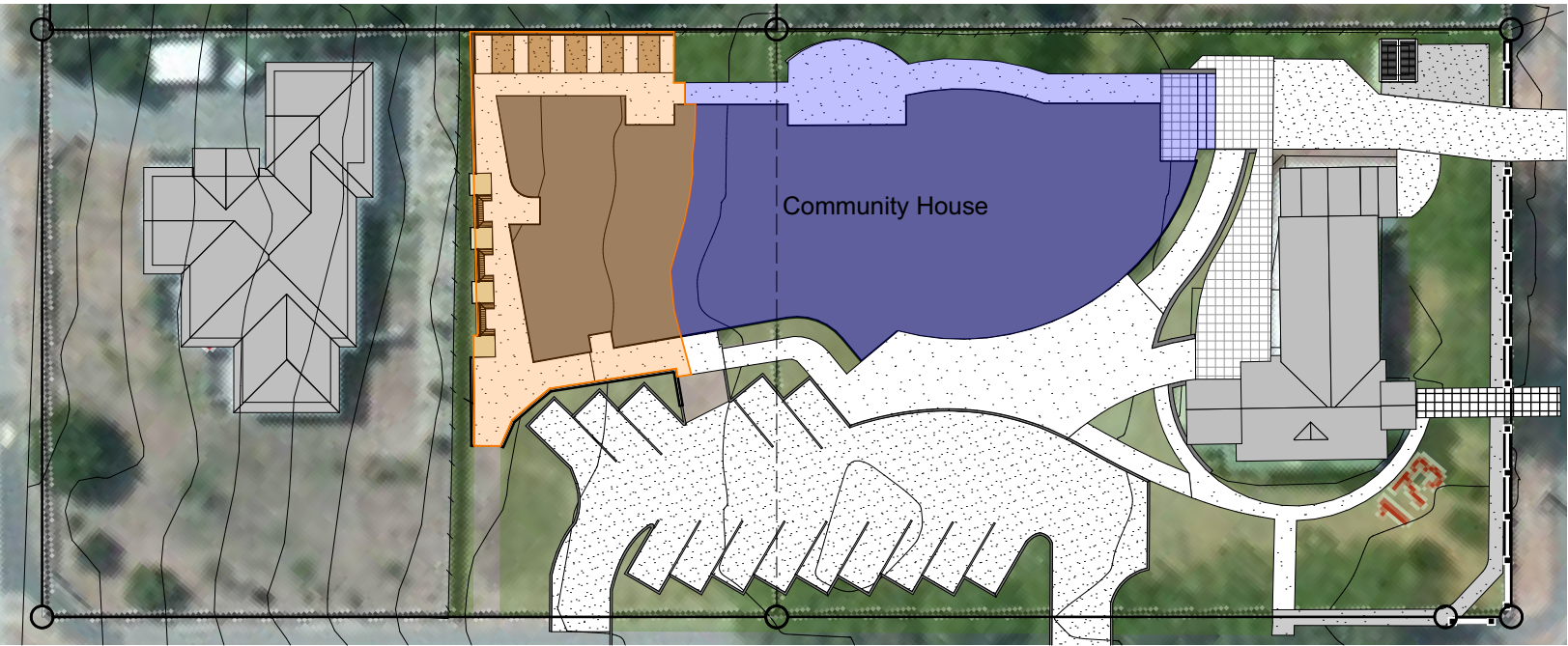
- 30. Within ten working days of each anniversary of the date of this decision the Council may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this resource consent for any of the following purposes:

- (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.
31. As part of the review clause stated in condition 32 of this consent, the Council may have the noise management plan audited at the consent holder's expense.
32. Within 14 days of any changes being made to the Agreement to Lease between the Wanaka Community House Charitable Trust (or any subsequent lessee)(the consent holder) and the Dunedin Diocesan Trust Board, the consent holder shall write to the Principal Resource Management Planner at Queenstown Lakes District Council to advise of the nature of those changes.

**Advice Note:**

1. *This consent triggers a requirement for Development Contributions, please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information please contact the DCN Officer at QLDC.*
2. *Any works within the road reserve to extend the existing stone wall will require a Licence to Occupy road reserve.*
3. *An 'event' at the church is defined as the main Sunday service, the Christmas Eve service, the Christmas Day service, the Good Friday Service, the Easter Sunday service, weddings and funerals.*
4. *An 'event' at the hall is defined as the hall being used for any pre-booked purpose.*





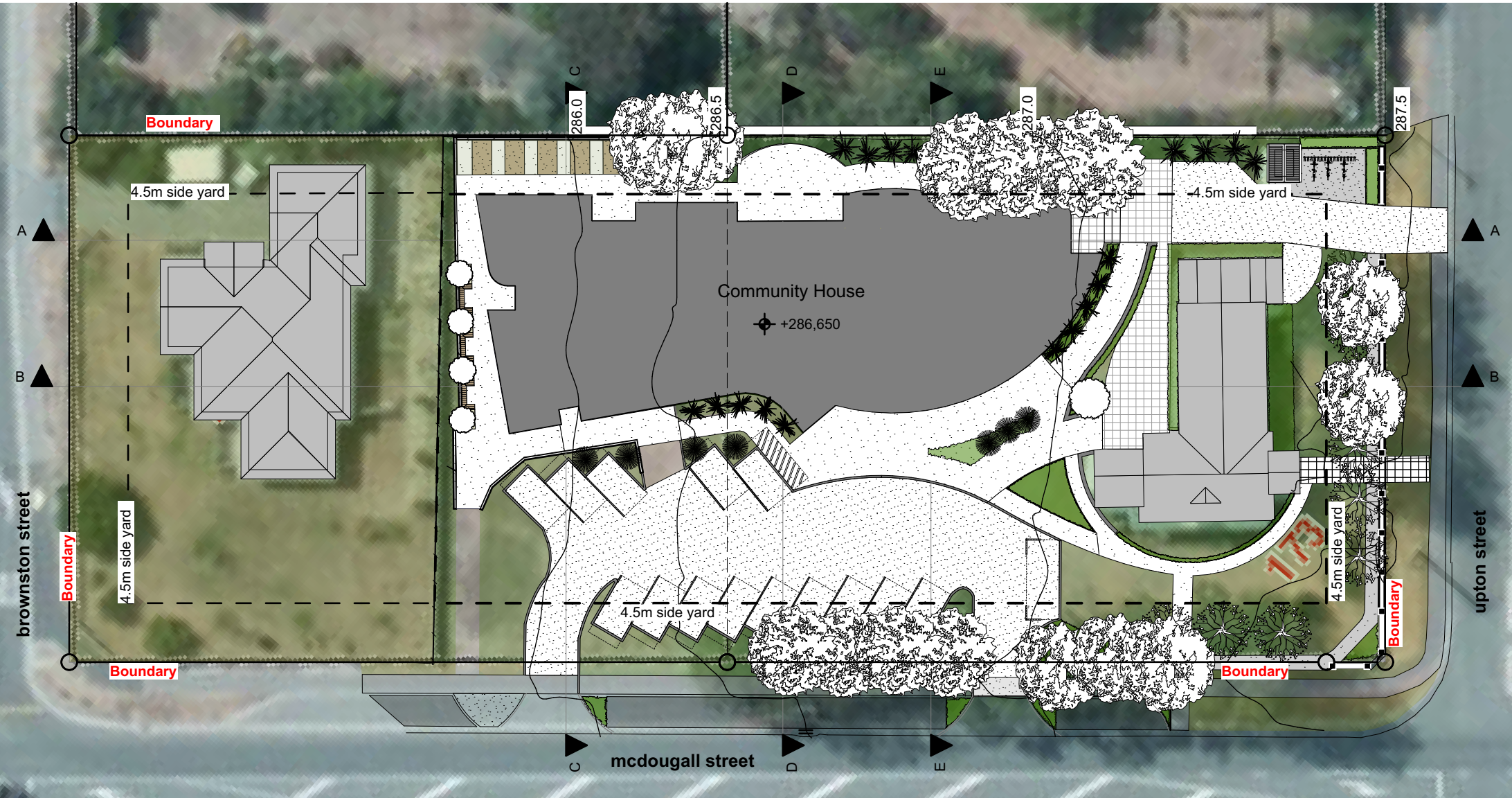
Earthworks Plan

SITE EXCAVATION INFO

Cut Volume:	143m <sup>3</sup>	■	Cut
Fill Volume:	131m <sup>3</sup>	■	Fill
<b>Total Volume</b>	<b>275m<sup>3</sup></b>		
Cut Area	603m <sup>2</sup>		
Fill Area	355m <sup>2</sup>		
<b>Total Area</b>	<b>958m<sup>2</sup></b>		
Max Cut Height:	650mm		
Max Fill Height:	576mm		

SITE INFORMATION

Legal Description	Sec 4/5 BLK XXI Wanaka Tn
Site Zone	Low Density Residential
Site Area	4047m <sup>2</sup>
Community House	684m <sup>2</sup>
Church	173m <sup>2</sup>
House	265m <sup>2</sup>
Site Coverage	32%



Site Plan



Location Plan

Sheet Index

100	Layout
101	Site Plan
102	Ground Floor Plan
103	North & East Elevations
104	South & West Elevations
105	Sections

Rev A: Car park layout amended 10 Sept 2015

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SARAH SCOTT

architects ltd

t: +64 3 443 7919 a: 63 upton street, wanaka 9305, nz

e: office@sarahscottarchitects.co.nz w: www.sarahscottarchitects.co.nz

WANAKA COMMUNITY HOUSE

Cnr Upton & McDougall Sts, Wanaka

Project: 14.02

Client: Wanaka Community House Charitable Trust

Resource Consent		
Drawing Title:		
Site Plan		
Print Date:	Scale:	Drawing Number:
10/09/15	1:400, 1:500	101 A





LEGEND	
1	Meeting Room
2	Office
3	Waiting Area (private)
4	WC & Shower
5	Storage
6	Kitchen
7	Coms & Data
8	Plant Room
9	Lockers
10	Holiday Store
11	Food Bank
12	Public Computer Room
13	Staff Room
14	Resource Room
15	Reception
16	Waiting Area (public)
17	Storage & Cleaning
18	Rubbish & Recycling
19	Toilets
20	Furniture Storage
21	Hall
22	Stage Area

AREAS	
Hall	158m <sup>2</sup>
Reception	132m <sup>2</sup>
Kitchen/Toilets	42m <sup>2</sup>
Office	151m <sup>2</sup>
Storage	90m <sup>2</sup>
Circulation	111m <sup>2</sup>
Total	684m <sup>2</sup>

Rev A: Car park layout amended 10 Sept 2015

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**SARAH SCOTT**  
architects ltd  
t: +64 3 443 7919 a: 63 upton street, wanaka 9305, nz  
e: office@sarahscottarchitects.co.nz w: www.sarahscottarchitects.co.nz

## WANAKA COMMUNITY HOUSE

Cnr Upton & McDougall Sts, Wanaka

Project: 14.02

Client: Wanaka Community House Charitable Trust

### Resource Consent

Drawing Title:

### Ground Floor Plan

Print Date:

10/09/15

Scale:

1:200

Drawing Number:

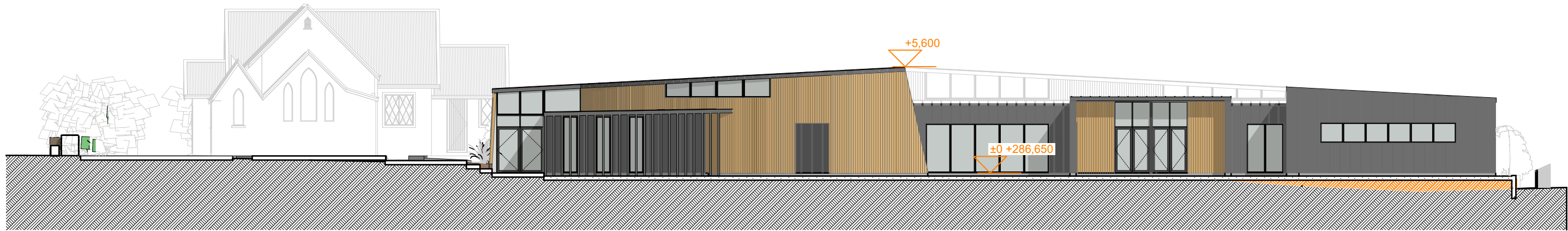
102 A

APPROVED PLAN:  
RM150434

15 June 2016



North Elevation



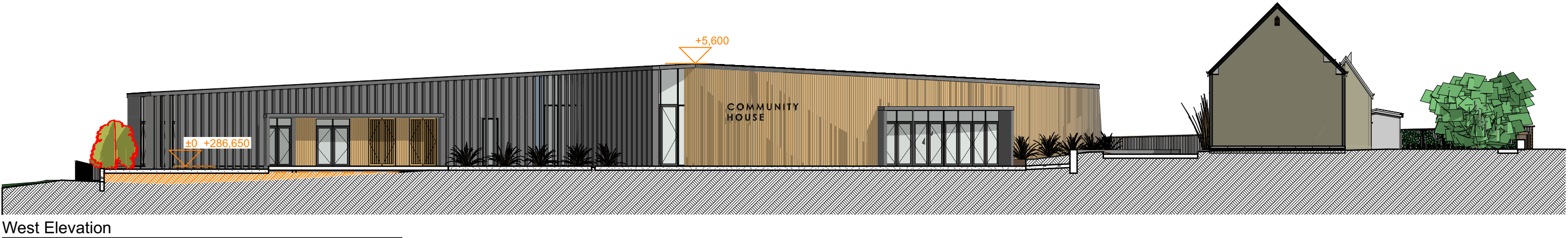
East Elevation

A Floor level datum and height datum added 15 June 2015

**SARAH SCOTT**  
architects ltd  
t: +64 3 443 7919 a: 63 upton street, wanaka 9305, nz  
e: office@sarahscottarchitects.co.nz w: www.sarahscottarchitects.co.nz

**WANAKA COMMUNITY HOUSE**  
Cnr Upton & McDougall Sts, Wanaka  
Project: **14.02**  
Client: Wanaka Community House Charitable Trust

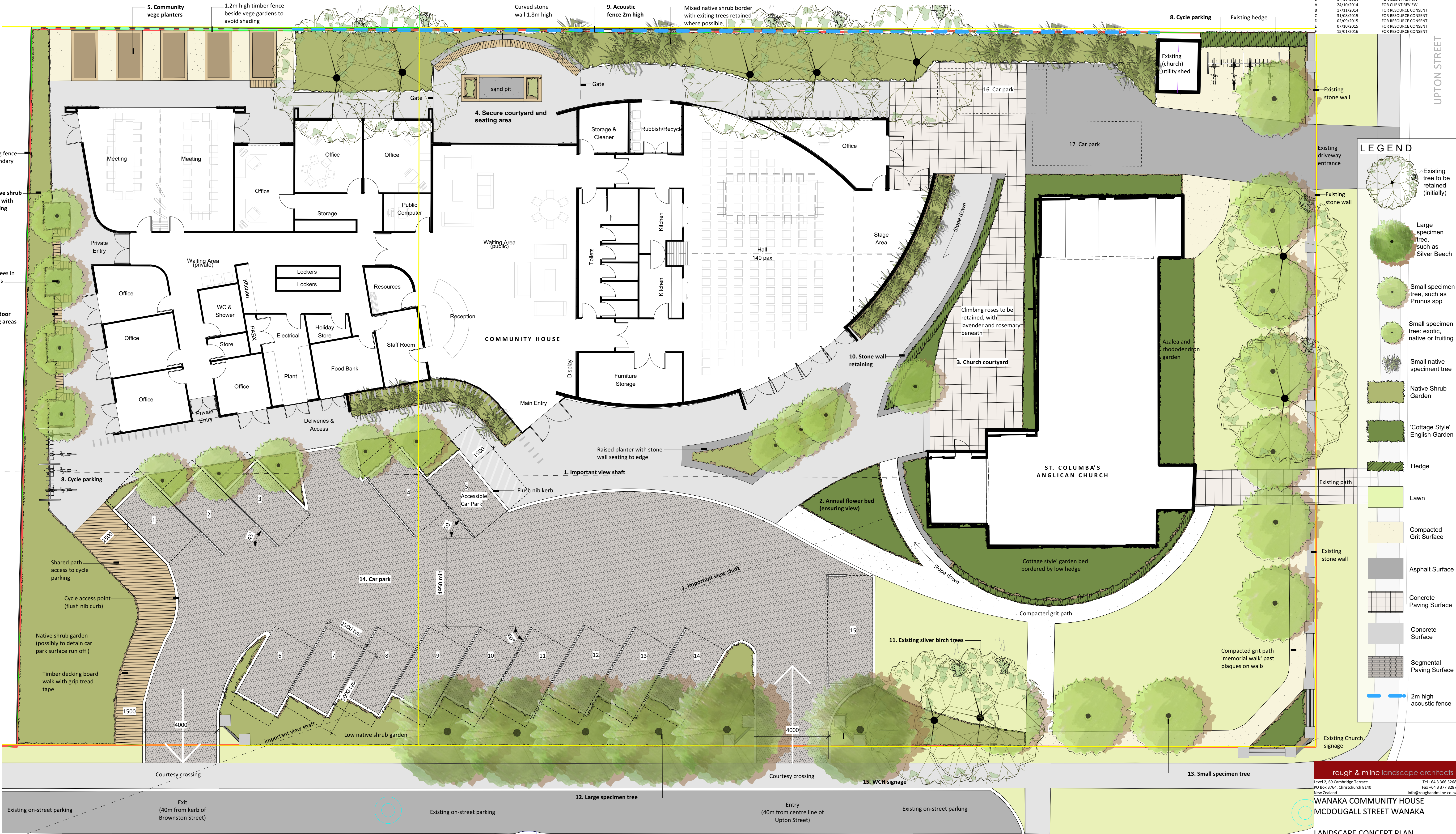
Resource Consent		
Drawing Title: <b>North &amp; East Elevations</b>		
Print Date: 15/06/15	Scale: 1:200	Drawing Number: <b>103 A</b>



A Floor level datum and height datum added 15 June 2015



D	07/10/2014	FOR CLIENT REVIEW
A	24/10/2014	FOR CLIENT REVIEW
B	17/11/2014	FOR RESOURCE CONSENT
C	31/08/2015	FOR RESOURCE CONSENT
D	02/08/2015	FOR RESOURCE CONSENT
E	07/10/2015	FOR RESOURCE CONSENT
F	15/01/2016	FOR RESOURCE CONSENT



QUEENSTOWN LAKES DISTRICT COUNCIL  
APPROVED PLAN:  
RMI150434  
15 June 2016

KEY LANDSCAPE FEATURES

- 1. Important view shaft** | valued view shaft from church picture window to lake is protected
- 2. Annual flower bed** | colourful foreground to the church also ensures (and provides a foreground to) a clear view to the lake
- 3. Church courtyard** | North facing courtyard is extended and enhanced to provide a welcome interface and dwelling area between buildings
- 4. Secure courtyard and seating area** | adjacent to indoor foyer/waiting area, a secure space outside to wait and for children to play

- 5. Community vege planters** | raised vege gardens, maintained as part of the food bank
- 6. Native shrub border** | mixed native shrubs contributing to ecology and biodiversity, strategic shrub placement for screening
- 7. Outdoor seating area** | sunny seating areas to northern boudary create break out space for office users
- 8. Cycle parking** | two cycle stand areas in safe, accessible locations

- 9. Acoustic fence** | 2m high timber acoustic fence to boundary to protect neighbouring property from noise pollution
- 10. Stone wall retaining to plant beds** | in keeping with the characteristic existing stone walls, retain garden beds and provide ledges for seating
- 11. Existing silver birch trees** | of those that are healthy and not likely to be affected by the new car park arrangement, silver birch are retained where possible until new trees are established
- 12. Large specimen trees** | frame the view of the lake along McDougall Street; possibly large native such as Silver Beech

- 13. Small specimen trees** | to frame views of front of church, seasonal and striking, such as Prunus or Sorbus spp.
- 14. Car park** | Designed in such a way so as to enable the car park to flow, use the least amount of space on the site yet proved the maximum number of car parks and allow safe access to the building entrances for pedestrians
- 15. WCH Signage** | Wanaaka Community House signage at entrance to be of similar size and style to Church sign on corner of Upton and McDougall Streets.

LANDSCAPE CONCEPT PLAN

JOB No.	
SCALE	1:100 @ A1
DATE	15/01/16
DESIGNED	HANNAH AYRES
DRAWN	HANNAH AYRES
CHECKED	TONY MILNE
STATUS	FOR RESOURCE CONSENT
DRAWING No.	REVISION
L 1.0	F
SERIES	
1 of 1	