



Infill Subdivision

26 Balmoral Terrace, Tauranga

P Schultz

Application for Subdivision and
Land Use Consent

November 2021

Report Control Form

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1 Applicant and Property Details

Applicant	P Schultz
Property Address	26 Balmoral Terrace, Tauranga
Legal Description	Lot 10 DPS 13949
Identifier	SA11D/1455
Title Interests	Mortgage only
Site Area	670m ²
District Plan	Tauranga City Plan
Map Ref	L13 / R13
Zoning	Suburban Residential
Overlays	Overland flowpath



Figure 1 - Site Location (in yellow)

2 Proposal

The applicant, P Schultz, is proposing an infill subdivision to create one additional lot at the rear of the property. Lot 1 will include the existing dwelling at the front of the site with a nett site area of 364m². Because the existing dwelling is being retained the rear lot will have a nett site area of 235m².

In response to the subdivision and development the existing shed will be removed and part of the existing garage wall will be demolished and rebuilt so it is clear of the new vehicle access. Earthworks will be required within Lot 2 to create a suitable building platform. This will result in retaining along the rear boundary up to a maximum height of 1.2m and between the dwellings on Lot 1 / Lot 2

In terms of servicing each lot / dwelling will be provided with individual water, stormwater and wastewater connections.

Lot 1 will retain existing water, wastewater and stormwater connections at the Balmoral Terrace frontage. Lot 2 will be provided with new water and wastewater connections at the road frontage a stormwater connection will be provided to the stormwater main running along the southern boundary. Each lot will be provided with adequate power and telecommunication connections.

All services and connections will be covered by appropriate easements and designed in accordance with the Council's Infrastructure Development Code.

A subdivision scheme plan is included in **Appendix 2**. House plans for Lot 2 are included in **Appendix 3**.

3 Site and Surrounds

3.1 Site Description

The site is located on the northern side of Balmoral Terrace and consists of a rectangular parcel of land with a single storey residential dwelling located at the front of the property. The topography of the site is predominantly flat with a retained raised lawn area at the rear of the site. Whilst the existing dwelling is situated on flat land it occupies an elevated position relative to the road. As a result the vehicle access ramps up from the road frontage to the garage. The balance of the site consists of lawn areas and mature shrubs and trees. A detached shed is situated behind the dwelling. The side and rear boundaries are defined by a mix of fencing and hedge planting. The front of the site is open to the road.

The Council's GIS shows water, wastewater and stormwater connections at the road frontage. A stormwater main also runs through the site parallel with the southern from Hinewa Road.



Figure 2 – The site (yellow), services and contours

Council's GIS identifies the site is prone to 'Possible' liquefaction vulnerability and that it includes minor overland flowpath during extreme rainfall events as identified under Plan Change 27.



Figure 3 - GIS Liquefaction overlay



Figure 4 - Plan Change 27 overlay

3.2 Surrounding Environment

The surrounding environment is characterised by a combination of the landform and the pattern of built development within it. The landform includes a mix of flat and stepper areas of a larger remanet gully feature that runs northwards toward the Otumoetai Golf Club. Established comprehensive residential development spreads out over this landform and is defined by a mix of predominantly older single storey houses and some two storey homes.



Figure 5 - Site and surrounds (including zoning)

4 Reasons for the Application

4.1 Tauranga City Plan

4.1.1 Operative City Plan

Table 12A.1 – Subdivision Activity Status identifies that subdivision for freehold allotments in the Suburban Residential Zone is a controlled activity and subject to the standards and terms under Rule 12B.3 – Controlled Activity Rules.

The relevant rules are assessed in more detail in Table 1 below.

Table 1 – District Plan Assessment

Rule	Assessment
Section 12B – Residential Zones	
Rule 12B.3.1 – Controlled Activity Standards and Terms	
12B.3.1.1 – Minimum Allotment Size	Does not Comply a) The proposed subdivision will result in the following nett site areas for each lot: - Lot 1 – 364m² - Lot 2 – 235m²
12B.3.1.4 – Design Assessment	Does not Comply In response to the subdivision: a) The proposal will not comply with clause (i), (iii) and (iv) but will comply with the requirements under clause (ii), (v) and (vi) b) Access, parking and manoeuvring will be provided in accordance with clause (i) - (vi). (Note – These matters are assessed in more detail below.)
12B.3.1.5 – Earthworks	Complies Earthworks directly associated with the subdivision will be to those required to create a suitable building platform at the rear of the site and for service connections and installation. Given the topography of the site the Lot 2 building platform will require cut / fill and associated retaining. The extent of retaining required is identified on the scheme plan. All earthworks and retaining will be undertaken in accordance with the geotechnical report recommendations (refer Appendix 4). As more than 100m² of site area are likely to be exposed erosion and sediment control measures will be implemented in accordance with Appendix 4N.
12B.3.1.6 – Building Platforms	N/A The subject site is not located in Papamoa.

12B.3.1.7 - Services	Will Comply Refer assessment under 12G.3.1 below.
12B.3.1.8 – Infrastructure	N/A The proposal does not require construction of infrastructure to vest in the Council.
12B.3.1.12 – Potentially Contaminated Land	N/A The subject site has been assessed in against the provisions of the NESCS in section 4.2 of this AEE.
12B.3.1.13 – Staging	N/A Staging is not proposed.
Section 12G – Service and Infrastructure	
Rule 12G.3 – Permitted Activity Rules - Services	
12G.3.1 – Minimum Service Requirements	Will Comply a) Each lot will be provided with: i) A connection to a Council owned wastewater system. ii) A connection to a Council owned water system. iii) A connection to a Council owned stormwater system iv) Access to the transport network b) Connections to the energy and telecommunications network are available (Appendix 5).
Section 14B – Suburban Residential Zone	
Rule 14B.3 – Permitted Activity Rules	
Rule 14B.3.1 - Density	Will not Comply As identified above the subdivision will result in the following nett site area density: - Lot 1 – 364m² - Lot 2 – 235m²
Rule 14B.3.2 – Height	Will Comply The dwelling on Lot 1 is single storey and the Lot 2 dwelling is two storey and will not exceed a height of 9 metres.
Rule 14B.3.3 – Streetscape	Will Comply The existing dwelling on Lot 1 complies with the streetscape setback requirements.
Rule 14B.3.4 – Setbacks	Will not Comply As a result of the internal boundary the existing dwelling on Lot 1 will be setback 1.34m from the boundary. The proposed

	dwelling on Lot 2 will be setback 1.3m from the boundary. The Lot 2 dwelling will comply with all other side and rear setback requirements as they relate to all adjacent external property boundaries.
Rule 14B.3.5 – Setbacks – Traffic Management	Will Comply The Lot 2 garage is located to comply with this rule. The Lot 1 garage is existing and complies with the rule.
Rule 14B.3.6 – Overshadowing	Will not Comply The proposed dwelling on Lot 2 will not comply with the overshadowing envelope along the internal boundary as shown on the scheme plan. It will comply for all other external property boundaries. The dwelling on Lot 1 will continue to comply with overshadowing requirements.
Rule 14B.3.7 – Site Coverage	Will Comply As a result of the subdivision the coverage for each lot will be: • Lot 1– 33.5% • Lot 2– 47%
Rule 14B.3.9 – Access	Will Comply The existing / proposed access will comply with the City Plan width and physical formation requirements.
Rule 14B.3.10 – Outdoor Living Area	Will Comply - Lots 1 and 2 are able to contain a 50m² outdoor living area that: - Is for the exclusive use of each dwelling. - Includes a minimum 50m² with 4mx3m area at ground level. - Is directly accessible from a main living area. - Is free of driveways and manoeuvring areas. - Will be unenclosed.
Rule 14B.4.8 – Rules in Other Sections of the Plan	Discussed below where relevant
Chapter 4 – General Rules	
Section 4B – Transportation	
4B.2.3 – On-site Parking Requirements – General	Will Comply - All parking is located within the site. - Stacking is not proposed. - All parking will be provided with a formed and sealed all-weather surface.

4B.2.4 – On-Site Parking Design	Will Comply The car parks provided will comply with clause (a)-(c) as required.
4B.2.5 – On-Site Manoeuvring	Will Comply a) The site has access to a Local Road and on-site manoeuvring is not required. b) Noted c) n/a. d) n/a. e) n/a f) Accessway width design complies.
4B.2.6 – Vehicle Loading Requirements	N/A Loading spaces are not required.
4B.2.7 – Site Access and Vehicle Crossings	Will Comply a) The vehicle crossing location complies with Appendix 4G. b) n/a c) n/a d) The crossing width will comply with the minimum. e) The existing crossing will be retained. f) Sight distances from the crossing will comply with Appendix 4H. g) n/a
Section 4C – Earthworks	
Rule 4C.2.2 – All Zones	Will Comply a) Earthworks will be ancillary to a discretionary activity and therefore not permitted. b) Erosion and sediment control measures shall be utilised in accordance with <i>Appendix 4N</i> . c) n/a. d) n/a e) n/a f) n/a

Operative Plan Activity Status

Based on the assessment above the proposal is overall identified as being:

- A Discretionary Activity under Rule 12B.5(a) due to non-compliance with Rule 12B.3.1.1 (and subsequently 12B.3.1.4(a)(i) and Rule 14B.3.1).

- A Restricted Discretionary Activity under Rule 12B.4(b) non-compliance with Rule 12B.3.1.4(a)(iii) and (iv) (and subsequently Rule 14B.3.4 and 14B.3.6).
- A Restricted Discretionary Activity under Rule 4C.3(a) for earthworks that are associated with a discretionary activity and therefore not permitted.

4.1.2 Plan Change 27

The purpose of Plan Change 27 (**PC27**) is to ensure that future land use, subdivision and development within Tauranga is planned to be resilient to flooding. The plan change introduces a new rule framework to the Tauranga City Plan to manage the effects of flooding from intense rainfall on people, properties and infrastructure.

PC27 was notified on 16 November 2020 and has legal effect in accordance with section 86 of the RMA.

Table 2 - Plan Change 27 Assessment

Rule	Assessment
Chapter 4 – General Rules	
Section 4C – Earthworks	
4C.2.10 – Floodplains, Major Overland Flowpaths and Flood Prone Areas	Complies The proposed earthworks are not occurring within a <i>floodplain, major overland flowpath or flood prone area</i> .
Chapter 8 – Natural Hazards	
Section 8D – Flooding from Intense Rainfall	
8D.3.1 – Walls and Fences	Will not Comply The proposal includes a retaining wall within part of an overland flowpath..
Section 14B – Suburban Residential Zone	
Rule 14B.3 – Permitted Activity Rules	
14B.3.7 – Site Coverage	Complies In response to the subdivision the existing and proposed development will not result in impervious surface coverage exceeding 70% of the site area.

Plan Change Activity Status

Based on the assessment above the proposal is overall identified as being:

- A Restricted Discretionary Activity in accordance with Rule 8D.4.1(a) – Restricted Discretionary Activity Rules.

4.1.3 Overall Activity Status

Based on the assessment above the overall activity is assessed as a **Discretionary Activity**.

4.2 Other Resource Consent Considerations

4.2.1 National Environmental Standard – Assessing & Managing Contaminants in Soil (NESCS)

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health regulations (**NESCS**) came into force on 1 January 2012 and apply when a person wants to do an activity described in regulation 5(2) to 5(6) on a piece of land described in regulation 5(7) or 5(8). Regulation 5(1) of the NESCS identifies how it is to be applied.

A desktop review of historic aerial photographs show the site originally formed part of a larger pastoral area in 1943 and continued to be used for this purpose until residential subdivision and development of the site was completed in the 1970's. The site has remained in residential use ever since.

There is no additional information on the Council's property file or the regional council GIS to indicate that the site would be considered a 'piece of land'.

On this basis there is no indication that an activity or industry described in the HAIL has been undertaken on the site, or is more likely than not to have been undertaken on the site. For these reasons it is considered that the activity is not occurring on a piece of land described under regulation 5(7) and therefore the provisions of NESCS, in this instance, do not apply to the proposal.

4.2.2 Regional Council

The proposal does not require any consent from regional council.

5 Assessment of Environmental Effects

5.1 Discretionary Activities

As a discretionary activity the Council's consideration of effects associated with the proposal are, within reason, unrestricted with particular regard being given to the relevant objectives and policies of the City Plan. In accordance with section 87A(4) of the RMA the Council may refuse consent or grant consent and impose conditions.

In regard to any actual or potential adverse effects associated with the proposal these have been broadly defined in relation to:

- Subdivision of land
- Residential Character and Amenity.

The permitted baseline is also considered relevant to this proposal.

The proposal and its effects are discussed in more detail below in this context.

5.2 Permitted Baseline

When assessing the effects of a proposal for the purpose of notification and decision making those effects may be disregarded where they are otherwise permitted by a rule. Whilst the application of the permitted baseline is discretionary it is relevant where those effects are credible and non-fanciful.

Given the demand and shortage of housing within Tauranga (and other national urban centres) consideration of alternative credible, non-fanciful residential development scenarios are relevant.

In this instance the site has an underlying Suburban Residential Zone with a total area of 670m². Under the operative City Plan it is considered the most likely credible permitted development scenario for the site would be a secondary independent dwelling unit (**SIDU**) given the nett site area easily complies the critical standard of 500m². This could be achieved by either attaching an SIDU to the rear of the building or redeveloping the site to include a new principal dwelling and SIDU.

Whilst those development scenarios would be subject to specific design, that level of development ultimately reflects a density that is permitted (and therefore anticipated to occur) on the site under the City Plan.

In our opinion the effects associated with that level of intensification across the site are relevant when assessing the effects associated with this proposal; particularly as that would likely result in a similar level of effect in terms of intensity, building bulk and scale, day to day use, vehicle movements and service demand.

In terms of intensity of use it is noted that a full site redevelopment option resulting in a four bedroom house and attached SIDU would result in a total of six bedrooms – the same outcome as the proposed development. Similarly, with regard to building bulk and scale, that scenario would also more likely than not result in a two-storey dwelling with an attached single storey SIDU – also a built form outcome not dissimilar to the proposal.

5.3 Subdivision of Land

As the proposal includes subdivision of land within the Suburban Residential Zone the effects of that have been assessed against the relevant matters of control under Rule 12B.3. The matters relevant to Plan Change 27 are also discussed in this section.

5.3.1 Topography and Landform

The subdivision will result in a lot around the existing dwelling and a development section at the rear of the property. The earthworks directly associated with the subdivision include cut and fill earthworks to create a suitable building platform on Lot 2 and those required to service trenching and installation. The earthworks required to create a suitable building platform will result in a retained cut face along the rear boundary (up to 1.2m) and retaining along the side boundaries that will run out to tie into existing ground levels. The fill face of the building platform along the internal common boundary will also be supported by a small retaining wall. As a result, the Lot 2 building platform will be raised relative to Lot 1. The height difference is not significant and the finished levels resulting from filling will be consistent with the ground levels at adjoining boundaries.

In regard to drainage patterns there is a minor overland flowpath identified within the site through Plan Change 27. Given the flowpath is shown mostly over the existing dwelling or otherwise within a flat part of the site its accuracy is questionable. Regardless the proposed subdivision and development does not result in any fundamental changes to the ability of stormwater to flow in this direction. In response to the matters identified under Rule 8D.4.2.1:

- The proposal mitigates the identified on-site flood hazard (assuming it is accurate).
- The proposal will not result in increased flood risk to neighbouring properties.
- The proposal will continue to provide for the conveyance of water within the overland flowpath.

As previously noted a GAR has been completed in response to the geotechnical and topographical constraints across the site to confirm the site suitability for residential development. Based on the existing site conditions and constraints and the GAR identifies the following:

- The site has a medium to high liquefaction risk profile that requires further investigation and analysis as part of any future building consent.
- The requirement for retaining in response to the relic slip below Hinewa Road. The design and height of wall will be confirmed in response to the final building layout.
- The soils do not meet the definition of 'good ground' under of NZS3604:2011 and therefore specific foundation design is required.
- Foundation design recommendations include deep driven or bored timber piles to a depth of at least 3.1m below ground level or otherwise confirmed through detailed geotechnical design. This will need to take account of the stormwater main zone of influence
- No significant settlement is expected subject to specific foundation design.
- All cut and fill earthworks to be completed under the supervision of a geotechnical engineer as per NZS4431.
- Geotechnical review of the final building plans as part of the building consent process.

Subject to compliance with the recommendations the GAR considers that the site is suitable for development.

When earthworks associated with the construction of the dwelling commence erosion and sediment controls will be implemented as part of the development process in accordance with Appendix 4N. The details of these will be provided through the building consent process once the approved contractor has been appointed.

Although the earthworks associated with the proposal trigger a consent under the City Plan this is more of a technical issue associated with the overall activity status and is not reflective of potential significant adverse effects on the environment.

5.3.2 Ecology and Open Space

The subject site has an underlying Suburban Residential Zone and is located within an established residential area. There are no ecological values identified over or close to the site. The site is located within walking distance of council reserves, harbour walkways and the Outmoetai Golf Course

5.3.3 Connectivity and Transportation

Whilst this matter relates to greenfield subdivision it is noted that the existing access and vehicle crossing will be retained and upgraded for shared use by the dwellings / lots. The shared access will comply with City Plan and IDC width and formation requirements. Each lot will be provided with on-site car parks and Balmoral Terrace is classified as a Local Road.

5.3.4 Block Size and Allotment Layout

Whilst the subdivision results in an undersized lot the creation the location of internal common boundary is a direct and pragmatic response to the existing and proposed development on the site. Being at the rear of the site Lot 2 and its associated outdoor living area is north facing. The location of the new development also retains the existing street frontage and vehicle crossing location. Overall, the subdivision will enable development of the site to maintain the existing permeable street layout; maximise sunlight and daylight; and be directly accessible from the road.

5.3.5 Infrastructure and Services

In terms of service connections new water, stormwater and wastewater connections will be provided in accordance with the Council's IDC and covered by appropriate easements as required and as shown on the scheme plan. Vehicle access will be via the existing crossing which will be upgraded and constructed to comply with the IDC.

Given the development provides for in a level of occupation across the site that is similar to development outcomes anticipated for this site under the City Plan the proposal will not generate an unanticipated level of demand or compromise the surrounding network.

5.3.6 Heritage

There are no heritage features identified over or close to the site under the City Plan. If discovered historic heritage (not identified in the City Plan) will be managed in accordance with the New Zealand Pouhere Taonga Act 2014

5.3.7 Potentially Contaminated Land

Refer to the assessment in section 4.2.1 of this report.

5.3.8 Consent Notices

It is anticipated consent notice conditions will be imposed relating to the recommendations of the GAR.

5.3.9 Financial Contributions

All matters relating to financial contributions are managed through the Council's development Contributions Policy. We anticipate the proposal will be subject to financial contributions in accordance with this policy.

5.4 Residential Character and Amenity

Section 2 of the RMA defines amenity values as:

"those natural and physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes"

Reducing lot size and increasing density on a site has the potential to generate adverse effects on residential amenity through built form, layout and design and intensity of use. Those effects in turn relate to the quality of the future living environment within the site itself (on-site effects) and how those effects are perceived within the surrounding environment (off site effects).

Specific components of the proposed development are identified and assessed in this context below.

5.4.1 Built Form and Layout

In terms of how the built form effects of the development are likely to be perceived within the surrounding environment specific consideration has been given to the location of the site and the character and scale of existing residential development within the wider neighbourhood.

The established residential character along Balmoral Terrace is reflected by a mix of single and two storey houses located on a mix of single sites (e.g. 18 Balmoral Terrace) or cross leased sites (e.g. 17 Balmoral Terrace). Two storey houses are located on the northern side of Balmoral Terrace where they take advantage of views available from higher ground. The Balmoral Terrace road corridor also rises gradual up to the cul-de-sac head with properties occupying elevated positions along its length relative to the road. The building platforms and curtilages of these properties are mostly benched into the landform and have open frontages such that compact residential built form is perceived as the defining characteristic within the streetscape. Within this context the built form generally acts to conceal the rear of those properties so that from the street there is no appreciation of any open space behind those buildings. The sense of compacted built form is also accentuated by elevated residential development beyond Balmoral Terrace spread across surrounding slopes and along escarpment edges (e.g. Hinewa Road and Lemon Grove Avenue).

In assessing visual effects of the additional built form within Lot 2 the extent of these effects are tempered by the landform, the dwelling at the front of the property and existing development on adjacent sites (including the orientation of that development). From the street the visual effects of the additional dwelling at ground level will be predominantly concealed by the existing house. Where the upper storey is visible it will be seen against the backdrop of the sloping land and elevated houses of properties along Hinewa Road. As such the proposal does not result in any fundamental changes to streetscape character.

Whilst the dwelling will likely be more apparent to other surrounding two storey properties or elevated properties it does not interfere with any existing lines of sight available from those properties and it will still be viewed in context with existing surrounding built environment.

In regard to properties directly adjoining the side and rear boundaries the development outcome is not significantly different to the design and layout or building bulk and scale those properties could reasonably expect to occur through the permitted development of the site (as

provided for through the underlying zone provisions). Ultimately the built form and layout outcome is consistent with the existing environment.

As shown on the scheme plan Lot 2 can contain a building footprint that complies with the City Plan bulk, location and coverage requirements¹. That ultimately results in a level of built form across the site that provides a building to open space ratio that is consistent with the environmental outcomes anticipated by the City Plan.

5.4.2 Intensity of Use

Increasing development density has implications for intensity of use on a site and the associated effects of that on residential amenity values beyond the site boundaries. These effects are most likely manifest through day-to-day activity on the site mainly through use of living space (privacy and noise) and traffic movements. The likely extent of those effects is in turn influenced by the scale and layout of the development.

Although the subdivision results in a lot size that is closer to *medium density*² outcome in our view that interpretation would be a misnomer given that a similar outcome could be achieved without a subdivision, whereby two independent dwelling units would result in a density that more closely resembles *low density*³. As noted previously an SIDU development outcome is also able to be achieved on the site which would also result in an intensity of use effect that is not materially different to the proposal.

Although the subdivision results in a smaller lot size that density outcome is more consistent with *low density* rather than a *medium density* outcome and ultimately consistent with the surrounding residential environment. As noted above an SIDU development is also able to be easily achieved on the site which would also result in a level of intensity and associated effects that is not materially different to the proposal.

In addition, the Lot 2 dwelling will be located within the site so it complies with separation distances from residential activities on adjoining properties whilst incorporating an indoor and outdoor layout that integrates with the layout and orientation of development on adjoining sites such that privacy and noise effects are unlikely to be significant.

In regard to traffic movements the development has the potential to generate up to an additional 10 vehicle per day (vpd) movements. By comparison an SIDU could be expected to generate 7 vpd. If the site was used for rental accommodation the vpd movements would likely be at least comparable and likely more. Overall, the number of additional vehicle movements associated with this proposal is not significantly different to vpd's associated with development outcomes anticipated for this site under the City Plan. In addition because the existing access and driveway will be retained those movements will continue to occur at a point along the boundary where they are adjacent to the driveway on the adjoining property and separated from outdoor living areas on those properties.

5.4.3 On-Site Amenity

Although Lot 2 has a nett site area of 235m² the subdivision boundaries have been influenced by the retention of the existing development on the site and the desire to enable the best use of the balance of the land at the rear of the site.

¹ The owner can consent to the internal building envelope non-compliances

² City Plan Definitions

³ Ibid

The City Plan identifies development in Suburban Residential Zones should be consistent with the existing suburban residential character through a layout and design that provides physical separation between buildings and sites; on-site open space and useable outdoor living areas. The ability to achieve this development outcome is influenced by the proposed subdivision design and allotment sizes.

As shown on the scheme plan the rear lot can contain a building footprint that complies with the majority of City Plan bulk, location and coverage requirements whilst providing complying (north facing) outdoor living areas. Although the subdivision will create a setback and overshadowing non-compliance, and the applicant is the owner of the site, it is considered that the effects of these encroachments are not significant given the non-compliances are limited to the interface between two buildings where they do not result in material adverse effects on day to day on-site living environments within each lot.

Overall, it is considered that the lot size provides adequate ability to deliver a level of residential development that provides appropriate areas of open space around the dwelling to meet future living requirements.

5.5 Objectives and Policies

The relevant objectives and policies of the City Plan have been assessed in more detail in section 6.4 of this report. Overall, it is considered that the proposal will implement the policies and achieve the objectives through providing subdivision and development at a density that is able to mitigate any adverse effects on the residential character and amenity of adjoining properties through its overall design and layout and consistency with the environmental outcomes anticipated for the Suburban Residential Zone through the relevant provisions

5.6 Summary of Effects

In summary the proposal represents a level of development that will retain the character and amenity of the existing environment; ensuring the continued safe, efficient and effective operation of the surrounding transport network and result in an anticipated level of service demand that is within the capacity of existing infrastructure. As such it is considered that the proposal will not generate any significant adverse effects on adjoining properties or the wider surrounding environment.

6 Statutory Documents

6.1 National Policy Statement

6.1.1 National Policy Statement – Urban Development

This National Policy Statement – Urban Development (**NPS – UD**) requires councils to plan well for growth and ensure well-functioning urban environments for all people, communities and future generations. Under the NPS-UD Tauranga is identified as a Tier 1 urban environment. The relevant provisions of the NPS-UD in terms of this proposal are identified below:

Objective 1

New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

Objective 2

Planning decisions improve housing affordability by supporting competitive land and development markets.

Objective 4

New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.

Objective 6

Local authority decisions on urban development that affect urban environments are:

- a) integrated with infrastructure planning and funding decisions; and*
- b) strategic over the medium term and long term; and*
- c) responsive, particularly in relation to proposals that would supply significant development capacity*

Objective 8

New Zealand's urban environments:

- a) support reductions in greenhouse gas emissions; and*
- b) are resilient to the current and future effects of climate change.*

Policy 1

Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:

- a) have or enable a variety of homes that:*
 - i) meet the needs, in terms of type, price, and location, of different households; and*
 - ii) enable Māori to express their cultural traditions and norms; and*
- b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*

- c) *have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*
- d) *support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*
- e) *support reductions in greenhouse gas emissions; and are resilient to the likely current and future effects of climate change*

Policy 6

When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:

- a) *the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement*
- b) *that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:*
 - i) *may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and*
 - ii) *are not, of themselves, an adverse effect*
- c) *the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)*
- d) *any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity*
- e) *the likely current and future effects of climate change.*

Comment: This proposal represents a continued residential use of the site that is consistent with the character and amenity requirements and infrastructure demands of the underlying zone. Overall, the proposal represents an efficient use of land within an urban environment in way that provides housing choice in an accessible location, whilst being able to be adequately serviced within existing infrastructure capacity. The proposal will implement the policies of the NPS-UD and achieve its objectives on this basis.

6.2 Regional Policy Statement

Objective 23

A compact, well designed and sustainable urban form that effectively and efficiently accommodates the region's urban growth.

Policy UG 11B

Managing the effects of subdivision, use and development on infrastructure.

Comment: The proposal will continue provide for the efficient and effective growth of the region and will not result in any significant adverse effects on existing character and amenity values or infrastructure. Overall, the proposal will give effect to the policies and achieve the objectives identified above on this basis.

6.3 District Plan

6.3.1 Transportation

4B.1.2 Objective – Maintaining a Sustainable Transport Network

Transport-related effects of the subdivision, use and development of land do not compromise the integrated, safe, sustainable and efficient function of the transport network within the sub-region.

4B.1.2.1 Policy – Use of Land

Ensuring the pattern of subdivision, use and development of land occurs in a co-ordinated and comprehensive manner that optimises land availability whilst integrating with the transport network to maintain its safe and efficient function.

4B.1.2.2 Policy – Maintaining Road Function

By ensuring that traffic generation associated with the subdivision, use and development of land does not adversely affect the primary function of roads within the road hierarchy.

4B.1.3 Objective – Parking

Parking is provided that meets the demand of activities either on-site or in the vicinity to ensure that the safe, sustainable and efficient functioning of the adjoining transport network is maintained and that parking areas provide appropriate stormwater disposal.

4B.1.3.1 Policy – On-Site Parking Requirements

Ensuring that land use activities provide:

- a) A level of onsite vehicle parking that reflects anticipated demand;*
- b) Bicycle parking that meets the requirements of Appendix 4C - Bicycle Parking Dimensions and Design Requirements, where bicycle parking is proposed to be provided;*
- c) Parking and loading areas that are appropriately located and designed for their intended use;*
- d) On-site parking and loading areas that are configured to provide for the practical and safe movement of vehicles on-site and off-site, and avoid, remedy or mitigate adverse effects on the safe and efficient operation of the transport network (including the function of roads as identified in the road hierarchy).*

Comment: These objectives and policies are focused on ensuring that parking is designed and provided to meet the actual demands of activities whilst ensuring that the safe and efficient functioning of the surrounding transport network is maintained. This proposal is able to provide appropriate levels of parking on site with safe and suitable vehicle access. Given the character and scale of the activity the traffic generation from the site is consistent with what is anticipated by the City Plan and at a rate that is able to be accommodated safely and efficiently with the surrounding transport network. The site is also located close to reserves and community facilities. Overall, the proposal will implement the transportation policies and achieve the objectives of the City Plan on this basis and the safe and efficient functioning of the transport network will be maintained.

6.3.2 Earthworks

Objective 4C.1.1 – Earthworks

Earthworks are provided for and managed to ensure they do not adversely affect the environment, Plan Areas or cultural and heritage values.

Policy 4C.1.1.1 – Stability

By ensuring that areas of cut and fill associated with site earthworks are managed to minimise the risk of instability and damage to other properties both during and after construction.

Policy 4C.1.1.2 – Sediment Run-Off

By ensuring earthworks are managed to minimise sediment run-off from a site, particularly into the Council's stormwater system, through the adoption of suitable sediment and erosion controls.

Comment: The earthworks associated with the proposal will be limited to building platform preparation and service connections. The site has been subject to a geotechnical assessment that has defined the hazard profile for the site and recommendations for development on that basis. The all earthworks and development will be undertaken in accordance with City Plan and geotechnical requirements and appropriate erosion and sediment control measures will be used as required. Overall the proposal will give effect to these policies and implement the objective on this basis.

6.3.3 Natural Hazards

8A.1.1 Objective – Adverse effects of Natural Hazards on People property and Infrastructure

People, property and infrastructure are not adversely affected by natural hazards.

8A.1.1.1 Policy – Avoidance and Mitigation of Natural Hazards

By ensuring that subdivision, use and development avoid or mitigate the adverse effects of natural hazards.

8A.1.1.2 Policy – Functional Need to Undertake Subdivision, Use or Development

By ensuring that where there is a functional need to undertake subdivision, use or development in an area subject to natural hazard risk, that activity is specifically designed to mitigate against those adverse effects.

8A.1.1.3 Policy – Reduction in Nett Vulnerability

By ensuring that development within existing developed areas at risk from natural hazards shall not result in increased vulnerability, and any proposed development shall aim to reduce nett vulnerability over time.

Comment: The proposal will mitigate natural hazard risk to people and property on the site through geotechnical assessment to establish the parameters for future development recommendations and maintaining overland flowpath function. Ultimately the natural hazard risk can be appropriately mitigated to enable functional residential subdivision and development to occur in a way that does not increase the risk vulnerability. Overall the proposal will give effect to these policies and implement the objective on this basis.

6.3.4 Flooding from Intense Rainfall

8D.1.1 Objective - Avoidance or mitigation of flooding from intense rainfall

The flood risk to life, property and infrastructure resulting from subdivision, use and development of land is reduced over time taking into account the effects of climate change.

8D.1.1.2 Policy -Overland Flowpaths – General

Maintain the function of overland flowpaths to safely convey flood water and reduce risk to life, property and infrastructure by:

- a) *Maintaining the water carrying capacity of an overland flowpath;*

- b) *Maintaining the water storage capacity of a major overland flowpath;*
- c) *Restricting activities that may obstruct an overland flowpath;*
- d) *Ensuring that the risk of flooding is not transferred to other people, property or infrastructure; and*
- e) *Ensuring that the minimum freeboard level of habitable rooms is 500mm above the flood level; and*
- f) *Demonstrating that safe evacuation during flood events is provided.*

Comment: The proposal will provide for a level of development that achieves minimum freeboard requirements and provides for the conveyance of stormwater through the site without obstructing or compromising flow which may otherwise lead to an increase in the risk to other people, property or infrastructure. Overall the proposal will give effect to the policy and implement the objective on this basis.

6.3.5 Subdivision – General

12A.1.1 Objective - City Form

Subdivision within the City provides for the efficient consumption of land by facilitating the co-ordinated delivery of integrated, liveable and sustainable communities.

12A.1.1.1 Policy – City Form

By ensuring that subdivision occurs in a way that:

- a) *Does not compromise the purpose of the underlying zone or a Plan Area;*
- b) *Gives effect to and is consistent with the requirements of urban growth plans identified for urban growth areas;*
- c) *Provides an appropriate level of infrastructure and services that caters for future demand without compromising existing demand;*
- d) *Responds positively to the context of the site and the surrounding landscape character;*
- e) *Will reflect and deliver good urban design principles particularly within established urban areas and urban growth areas;*
- f) *Does not facilitate land uses that compromise the safe, sustainable and efficient functioning of the transport network.*

12A.1.1.4 Policy – Allotment Sizes

By ensuring that the dimensions and areas of allotments sustain the City's land resource while accommodating existing and proposed network utilities where necessary and enabling the siting and construction of buildings and structures, in a manner that is consistent with the purpose of the underlying zone.

12A.1.2 Objective – Infrastructure and Servicing

Subdivision within the City provides for the coordinated and sequenced delivery of efficient, effective, functional and sustainable infrastructure and services through the subdivision process.

12A.1.2.1 Policy – Infrastructure and Services

By ensuring the subdivision process provides a level of infrastructure and services that will facilitate land use activities in a manner that is consistent with the purpose of the underlying zone

Comment: The proposed subdivision will deliver a level of development and density that is consistent with the built environment outcomes anticipated under the City Plan for the Suburban Residential Zone and the existing environment surrounding the site. As such the proposal also represents a level the infrastructure and service demand consistent with the underlying zone. Overall, this proposal represents an efficient use of land that facilitates the continued delivery of integrated, liveable and sustainable communities and does not compromise the purpose of the underlying zone. The proposal will implement the policies of the Plan and achieve its objectives on this basis.

6.3.6 Subdivision – Suburban Residential Zone

12B.1.1 Objective – Subdivision in Residential Zones

Subdivision in Residential Zones provides for integrated, liveable and sustainable communities in a way that does not compromise the ability of the residential land resource to accommodate future growth demands.

12B.1.1.1 Policy – Subdivision in the Residential Zone

By ensuring that subdivision design and allotment sizes:

- a) *Can accommodate land use activities in a manner that is consistent with the purpose of the underlying zone;*
- b) *Provide building platforms that will avoid the risk of damage to future land uses or adjoining land through inundation or instability;*
- c) *Incorporate good urban design principles by:*
 - i) *Providing a safe and efficient transport network that effectively integrates with the surrounding area;*
 - ii) *Providing for safe and direct movement through and between neighbourhoods for pedestrians, cyclists and vehicles;*
 - iii) *Providing for efficient public transport layouts;*
 - iv) *Optimising allotment frontage to public roads and reserves;*
 - v) *Providing easy access to open space and reserves;*
 - vi) *Providing good solar orientation of residential allotments, open space and reserves;*
 - vii) *Providing a variety of allotment sizes;*
 - viii) *Retaining and integrating natural features;*
 - ix) *Generally avoiding culs-de-sac where these are not associated with topographical constraints.*

12B.1.1.2 Policy – Undersized Allotments and Infill Development

By avoiding infill subdivision that creates residential allotments less than the minimum area generally anticipated in the Suburban Residential, High Density Residential and City Living Zones so that:

- a) *Intensification does not occur in an ad hoc manner;*

- b) *The amenity values and urban landscape character of those zones is not adversely affected;*
- c) *The capacity of existing or planned infrastructure that serves the land area is not compromised.*

12B.1.1.3 Policy – Undersized Allotments and Intensification

By providing for allotments of a size area less than the minimum anticipated in the Suburban Residential Zone only where:

- a) *They are developed as a comprehensively designed development in accordance with an outline development plan or land use consent; or*
- b) *They are either specifically identified through zoning, or are located appropriately in accordance with the criteria set out in 14B.1.3.2 – Policy - Density of Development - Medium Density Development in the Suburban Residential Zone.*

Comment: Despite the undersized lots the proposed subdivision and development will deliver a level of development that is consistent with the existing character and amenity within the surrounding Suburban Residential Zone. The residential development within the site will also maintain adjoining amenity values and the urban landscape character through compliance with the building envelope requirements as they relate to external boundaries / adjoining sites. The proposal also represents a level the infrastructure and service demand that is consistent with the underlying zone and an efficient use of land that facilitates the continued delivery of integrated, liveable and sustainable communities in a way that does not compromise the purpose of the underlying zone. Overall, this proposal represents an efficient use of land in a well-located position that avoids ad hoc subdivision and provides for future growth of the City in a way that will implement these policies of the Plan and achieve its objectives on this basis.

6.3.7 Service and Infrastructure

12G.1.1 Objective – Services and Infrastructure

The provision of effective, efficient, functional, safe and sustainable services, infrastructure and network utilities throughout the City.

12G.1.1.1 Policy – Services

Ensuring that the subdivision, use and development of land will provide for a level of on-site services, infrastructure and network utilities that:

- a) *Connects to a Council owned system where appropriate;*
- b) *Avoids generating an unanticipated level of demand on infrastructure, service or network utility capacity that is not able to be remedied or mitigated;*
- c) *Do not compromise existing service or infrastructure supply in the broader area; and*
- d) *Are consistent with the purpose of the underlying zone.*

Comment: Each lot will be provided with service connections that are designed to comply with the Council's IDC. Whilst the proposal results in a density non-compliance the actual demand on Council's infrastructure is not significantly different to the level of development anticipated within the underlying zone. Overall, the proposal will implement the policy and achieve the objective on this basis.

6.3.8 Suburban Residential Zones

14B.1.1 Objective – Bulk and Scale of Buildings in the Suburban Residential Zone and Large Lot Residential Zone

Buildings that are of a bulk and scale compatible with the existing and anticipated suburban residential character and amenity anticipated for the zone.

14B.1.1.1 Policy – Bulk and Scale of Buildings in the Suburban Residential Zone and Large Lot Residential Zone – Building Height and Overshadowing

By ensuring buildings are restricted to a height and building envelope that:

- a) Provides flexibility for a range of residential building forms in the varied topographical conditions of the zone;*
- b) Avoids the potential adverse impacts of over height buildings on surrounding dwellings, including their outdoor living areas, and on public open space including the streetscape or skyline through overshadowing, overlooking or visual dominance of buildings;*
- c) Provides for increased height opportunities in the Medium Rise Plan Area in recognition of the incidental amenity of open space and outlook in that locality;*
- d) Avoids the potential adverse impacts of overshadowing on surrounding dwellings, including their outdoor living areas.*

14B.1.2 Objective - Site Layout and Building Design - Suburban Residential Zone and Large Lot Residential Zone

Development within the zones provides a residential amenity consistent with a suburban residential character that is characterised by space about buildings, on-site open space, provision of sunlight and privacy.

14B.1.2.1 Policy – Site and Building Design - Suburban Residential Zone and Large Lot Residential Zone

By ensuring the layout and design of development in the zone:

- a) Provides building setbacks between sites that ensure a physical separation of buildings between sites, access for building maintenance, contributes to the visual and aural privacy of adjoining sites;*
- b) Retains the majority of the site as open space to ensure the bulk of development within the zone is consistent with a suburban residential character;*
- c) Provides a useable area of outdoor open space for on-site recreation and leisure; and cumulatively contributes to the overall open nature of the surrounding neighbourhood;*
- d) Ensures that buildings are setback from the road boundary to provide a consistent streetscape that provides opportunities for landscape planting and encourages passive surveillance of the road;*
- e) Cumulatively contributes to the overall open nature of the surrounding neighbourhood.*

14B.1.3 Objective - Density of Development in the Suburban Residential Zone and Large Lot Residential Zone

To ensure a low density of development that provides for a range of residential activities compatible with a suburban residential character of low, predominantly detached, residential dwellings with private on-site open space and open space between sites incorporating

dedicated areas of intensification through appropriately located medium density development in the Suburban Residential Zone.

14B.1.3.1 Policy - Density of Development - Suburban Residential Zone and Large Lot Residential Zones

By specifying densities for sites in the Suburban Residential Zone and Large Lot Residential Zone that are appropriate for their context as follows:

- a) A low density of dwellings for most sites within the Suburban Residential Zone;*
- b) Providing for the integrated development of secondary independent dwelling units on larger residential sites in the Suburban Residential Zone and in the Large Lot Residential Zone, while ensuring such development is compatible with the amenity and character of the zone through compliance on-site and off-site with the suburban building envelope;*
- c) Applying a Large Lot Residential Zone to areas within the Pyes Pa West Urban Growth Area, which are topographically difficult and geotechnically constrained for conventional residential development and yield requirements, but able to take advantage of reticulated services for water and wastewater and provide residential opportunities;*
- d) Providing for the integrated development of rest home, retirement village and shared accommodation types to meet the specialised accommodation needs of the City's residents, that are compatible with the existing and anticipated suburban residential character and development density;*
- e) Providing for greater density of development on larger sites within the Suburban Residential Zone for the purpose of retirement villages , where adverse effects on the existing and anticipated suburban residential character, Council's infrastructure and the transport network can be avoided and/or mitigated;*
- f) Providing for medium density development in specific areas identified in the Plan as Medium Rise Plan Areas and ensuring that other medium density development is appropriately located and is comprehensively planned development.*

Comment: Despite Lot 2 being undersized the subdivision still enables construction of dwelling on that lot which, through compliance with majority of City Plan building envelope requirements, will ensure future bulk and scale is compatible with existing residential character and amenity values within adjoining sites and the surrounding environment. Whilst the subdivision results in a density / lot size non-compliance the environmental outcome ultimately represents a level of built form that is consistent with the bulk and scale of the surrounding low density suburban residential environment within the surrounding neighbourhood. In terms of the development location the site is situated close to recreational spaces, commercial areas and well connected to the wider transport network. Overall, the proposal will implement the policies and achieve the objectives on this basis.

7 Other Matters

7.1 Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill

The Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill is designed to improve housing supply in New Zealand's five largest cities by speeding up implementation of the National Policy Statement on Urban Development (NPS-UD) and enabling more medium density homes.

The Bill will require Tier 1 Councils to increase density in urban areas and give people more choices about where they can live. Although this proposal is not medium density in the true sense the Bill is considered relevant to Council's decision making process on this application in terms of the housing outcomes delivered through the development.

For this proposal it is considered that the subdivision and development will increase housing supply in a way that is consistent with medium density residential standards.

8 Notification Assessment

8.1 Public Notification

The requirements for public notification are set out under the '4 Step Process' outlined in section 95A of the RMA.

8.1.1 Step 1 – Is mandatory public notification required? (Section 95A(2))

The applicant does not request public notification and the application does not involve exchange of recreation reserve land. In terms of 95C any further information requested by the Council will be responded to.

8.1.2 Step 2 – Is public notification precluded? (Section 95A(4))

The proposal is not an activity subject to a rule or NES that precludes public notification.

The application is for a discretionary activity which is a subdivision.

As a result 'Step 3' applies.

8.1.3 Step 3 – Public Notification Requirement (Section 95A(7))

The application is not subject to a rule or national environment that requires public notification.

As a discretionary activity the Council's assessment of effects is unrestricted. In terms of assessing the effects of the proposal in accordance with 95D the Council must disregard effects on owners and occupiers of land on which the activity will occur; or land adjacent to the subject site.

As assessed in section 5 of this report the key potential effects associated with the proposal relate to the character, scale and density of the development associated with the subdivision and the extent of those effects on residential character and amenity (within and beyond the site) and the infrastructure demand and transport network.

Based on this assessment it is considered that the proposal will overall be consistent with the environment outcomes anticipated for the Suburban Residential Zone under the City Plan and it will not result in any adverse effects on the surrounding environment that are more than minor.

As such public notification of the application is not necessary.

8.1.4 Step 4 – Special Circumstances (Section 95A(9))

As a discretionary activity for residential subdivision and land use within a residential zone, it is considered there are no special circumstances that exist or would apply to this application that warrant notification i.e. the proposal is not considered to be exceptional, unusual or unique.

8.1.5 Summary

The proposal does not require public notification under section 95A.

Determination of limited notification is therefore required under section 95B.

8.2 Limited Notification

The requirements for limited notification are set out under the '4 Step Process' outlined in section 95B of the RMA.

8.2.1 Step 1 – Certain Affected Groups and Persons ((Section 95B(2) & (3))

There are no protected customary rights groups or customary marine title groups or statutory acknowledgements affected by the proposal given the nature of the activity and its location.

8.2.2 Step 2 – Is Limited Notification Precluded? (Section 95B(5))

The proposal is not identified as an activity that is subject to a rule or NES standard that precludes limited notification.

The application is for a discretionary activity.

As such 'Step 3' applies.

8.2.3 Step 3 – Other Affected Persons (Section 95B(7))

As a discretionary activity the Council's assessment of effects is unrestricted.

The key potential adverse effects of the proposal have been assessed under section 5 and primarily relate to effects on residential character and amenity (within and beyond the site) and the infrastructure and transport network.

As discussed in section 5 of this report the proposal will not result in any significant adverse effects on persons within other adjacent properties. Overall, any adverse effects from the proposal will be less than minor and there are no persons affected.

On this basis it is considered that limited notification is not required.

8.2.4 Step 4 – Special Circumstances (Section 95B(10))

There are no special circumstances that exist or would apply to this application that warrant limited notification.

8.2.5 Summary

Limited notification of the application is not required.

9 Conclusion

9.1 Part 2 of the RMA

Part 2 of the RMA sets out the purpose and principles of the Act. The matters considered relevant to this proposal are identified as follows:

Section 5 – Purpose

(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

(a) sustaining the potential of natural and physical resources (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.

Section 6 – Matters of National Importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

...

(h) the management of significant risks from natural hazards

Section 7 – Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

...

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

...

(c) the maintenance and enhancement of amenity values:

...

(f) maintenance and enhancement of the quality of the environment:

There are no section 8 matters considered relevant to this application.

In regard to section 6 the proposal will continue to provide for the appropriate management of natural hazard risk.

In terms of section 7 it is considered that the proposal will provide for the efficient use of a land resource whilst ensuring the maintenance and enhancement of amenity values and the quality of the environment.

In accordance with section 5 the proposal will continue to provide for the social and economic well-being of the property owner and the community whilst ensuring that any adverse effects on other people, the wider community and the environment are avoided whilst sustaining the land resource for future generations.

9.2 Section 106

Section 106 of the RMA enables the Council to refuse to grant subdivision consent if the proposed subdivision is likely to be exposed to significant risk of natural hazards or does not provide sufficient legal and physical access. In this instance, sufficient legal and physical access is provided to both lots, and any hazard risk is able to be appropriately managed through engineering design (in relation to ground conditions) or through the location of the lots (in relation to inundation).

9.3 Section 104 and 104B

9.3.1 Section 104

The proposal has been identified overall as a **Discretionary Activity** in accordance with the operative City Plan. Having assessed the proposal, against the City Plan and the NESCS it is considered that any actual or potential adverse effects on the environment from allowing the activity will be less than minor. In addition, given the nature and scale of the proposal it is considered that it is consistent with the relevant national policy statement and it will not generate any adverse effects on the environment or wider community. As such the proposal is considered to be consistent with the relevant objectives and policies of the City Plan and the Regional Policy Statement.

As a result, the proposal is also considered to be consistent with the relevant matters under Part 2 of the RMA.

9.3.2 Section 104B

Overall, as a Discretionary Activity, and having considered the application under section 104, it is appropriate to grant consent to the activity in accordance with section 104B of the RMA subject to appropriate conditions.

APPENDIX 1

Certificate of Title

APPENDIX 2

Subdivision Plan

APPENDIX 3

House Plans

Geotechnical Assessment

Utilities Confirmation