

Date:	24 November 2023	App Number:	SP/0074/23 & LU/0155/23
Reporting Planner:	Dominic Harris	Site Visit on:	7 September 2023

Applicant:	Assured Construction Limited
Property Address:	153 Taylor Street, Cambridge
Legal Description:	Lot 4 DPS 6188 (Record of Title SA1762/65)
Site Area:	809m ²
Activity Status:	Non-complying
Zoning:	Residential
Policy Area(s):	Compact Housing Area
Proposal:	<ul style="list-style-type: none"> a) Land use consent to establish compact housing comprising seven dwellings in the compact housing area; and b) Subdivision consent to undertake one into seven lot subdivision around each dwelling

1 INTRODUCTION

Pursuant to Section 88 of the Resource Management Act 1991 ('the Act'), Barker and Associates Ltd ('the agent') have applied for combined subdivision and land use consent on behalf of Assured Construction Limited ('the applicant') to establish a compact housing development comprising seven dwellings in the compact housing overlay.

1.1 Description of site

The subject site is located on the southern side of Taylor Street, is 809m² in area and contains an existing single storey dwelling and combined garage and sleepout connected to the dwelling by

a covered walkway. At the rear of the property is a small shed. The balance of the property is kept in lawn, garden and driveway.

Surrounding properties are predominantly residential in nature, comprising suburban sections with dwellings and accessory buildings. The Cambridge Green Belt is located directly opposite the subject site on the other side of Taylor Street.

The subject site is located within the Residential Zone and the Compact Housing Area policy overlay area of the Waipā District Plan ('District Plan').

Council's Special Features Map identifies the subject site as having any notables.

Refer to Figures 1 to 3 for an aerial photograph of the subject site and Council's planning maps.



Figure 1: Aerial photograph of site.

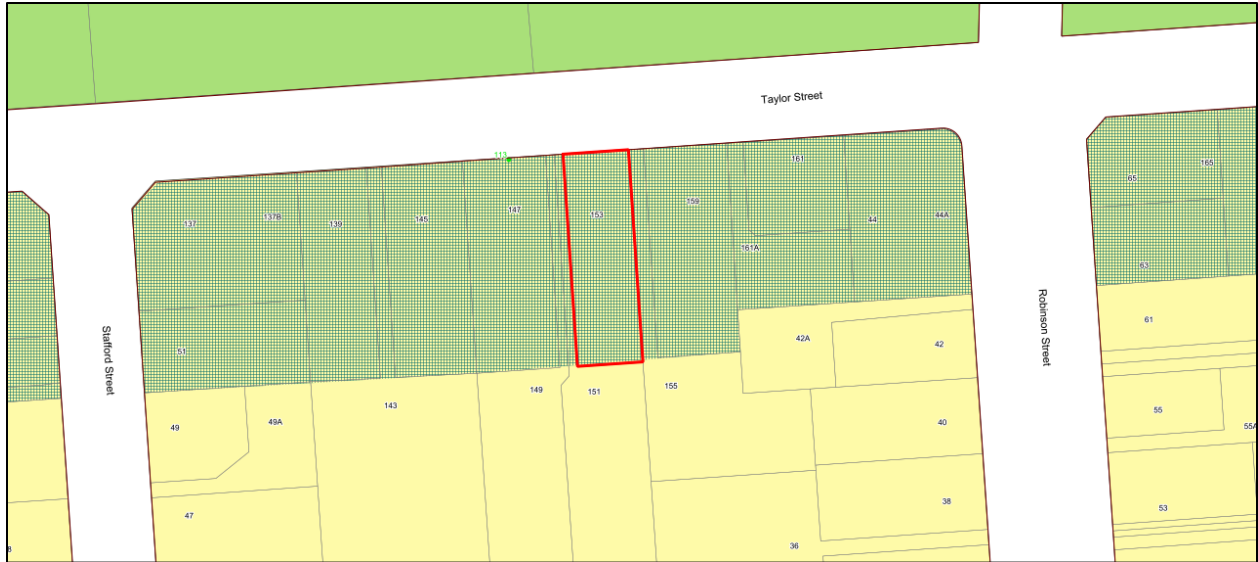


Figure 2: District Plan Zone and Policy Overlays.



Figure 3: Special Features.



Figure 4: Site visit photo showing subject site frontage to Taylor St.



Figure 5: Site visit photo showing Taylor St frontage to the east of the subject site.



Figure 6: Site visit photo showing Taylor St frontage to the west of the subject site.



Figure 7: Site visit photo showing front yard of subject site and existing dwelling.



Figure 8: Site visit photo showing adjoining front dwelling at 159 Taylor St.



Figure 9: Site visit photo showing adjoining rear dwelling at 159 Taylor St.



Figure 10: Site visit photo showing rear of subject site and adjoining garage/sleepout at 151 Taylor St.



Figure 11: Site visit photo showing adjoining dwelling at 149 Taylor St.



Figure 12: Site visit photo showing rear of subject site, existing combined garage/sleepout.



Figure 13: Site visit photo showing western boundary of subject site and adjoining right of way.



Figure 14: Site visit photo showing adjoining dwelling at 153 Taylor St.

1.2 Legal interests in the property

Table 1 below summarises the relevant interests on the existing title.

Record of Title	Legal Description	Size	Date Issued	Relevant Interests
SA1762/65	Lot 4 DPS 6188	809m ²	19 January 1961	N/A

Table 1: Existing title and interests.

There are no interests listed on the title that would restrict the proposal from proceeding.

1.3 History

There is no consenting history on the subject site relevant to the proposal.

1.4 Proposal

Pursuant to Section 88 of the Resource Management Act 1991 ('the Act'), Barker and Associates Ltd ('the agent') have applied for combined subdivision and land use consent on behalf of Assured Construction Limited ('the applicant') to establish a compact housing development comprising seven dwellings in the compact housing overlay. The proposal is outlined in further detail below.

1.4.1 Landuse consent

Land use consent is required to establish the proposed compact housing within the Compact Housing Area policy overlay on a site that is 809m² instead of the minimum 2000m², in addition for various non-compliances which are outlined in Section 2.2 of this report.

The compact housing development is separated into two blocks, two storeys in height, with the front block comprising five units arranged vertically along the site and the second block comprising two units at the rear of the property. Refer to Figures 15 to 19 for the existing site plan and proposed site and elevations plans.

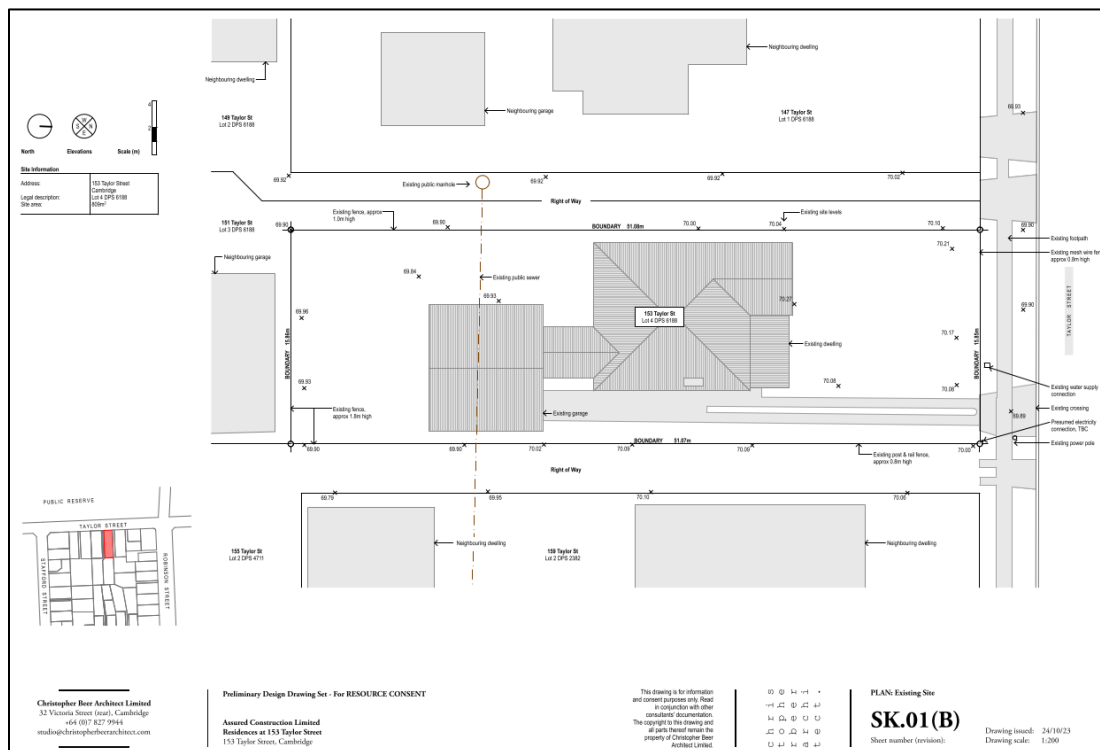


Figure 15: Existing site plan.

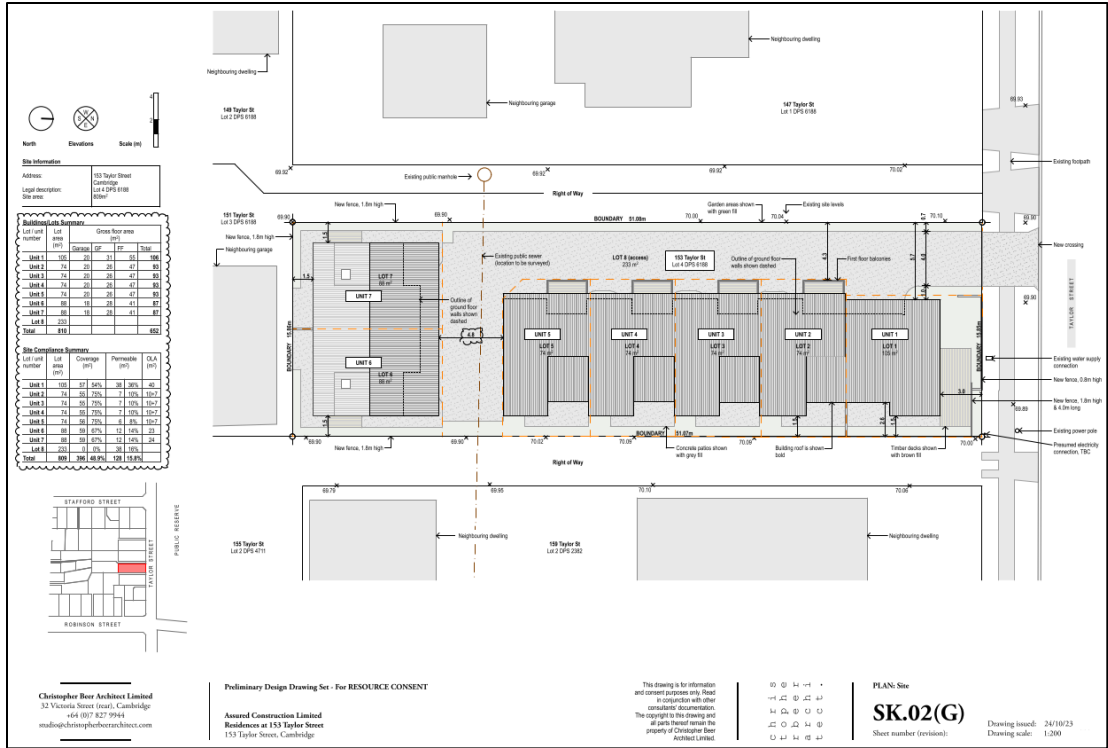


Figure 16: Proposed site plan.

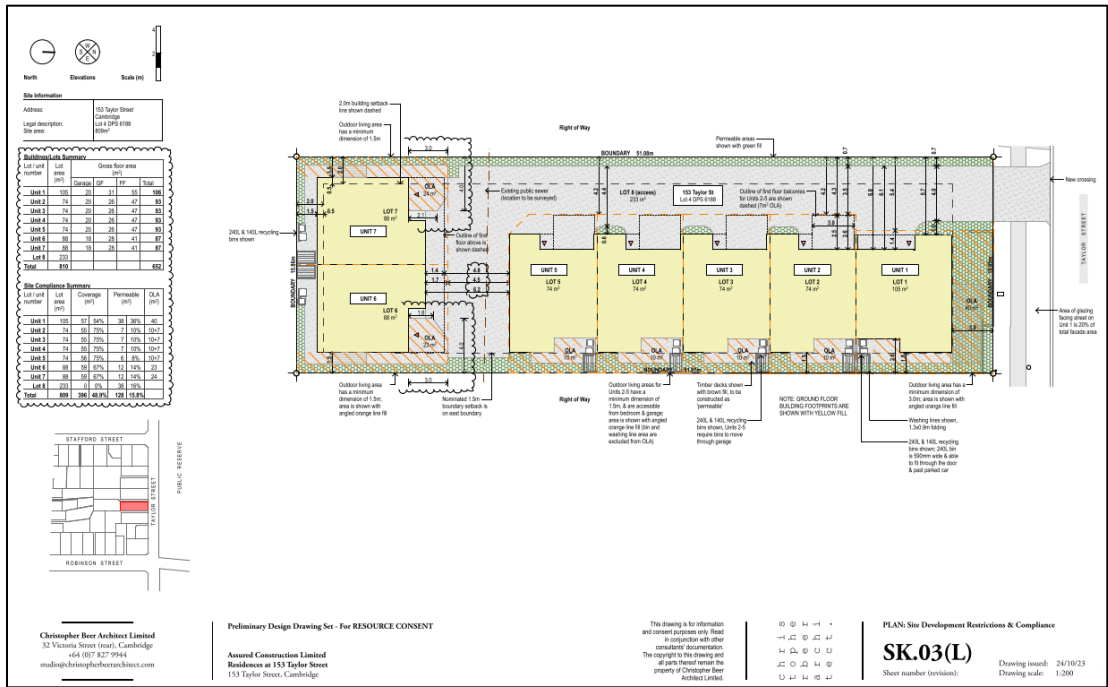


Figure 17: Proposed site development restrictions and compliance plan.

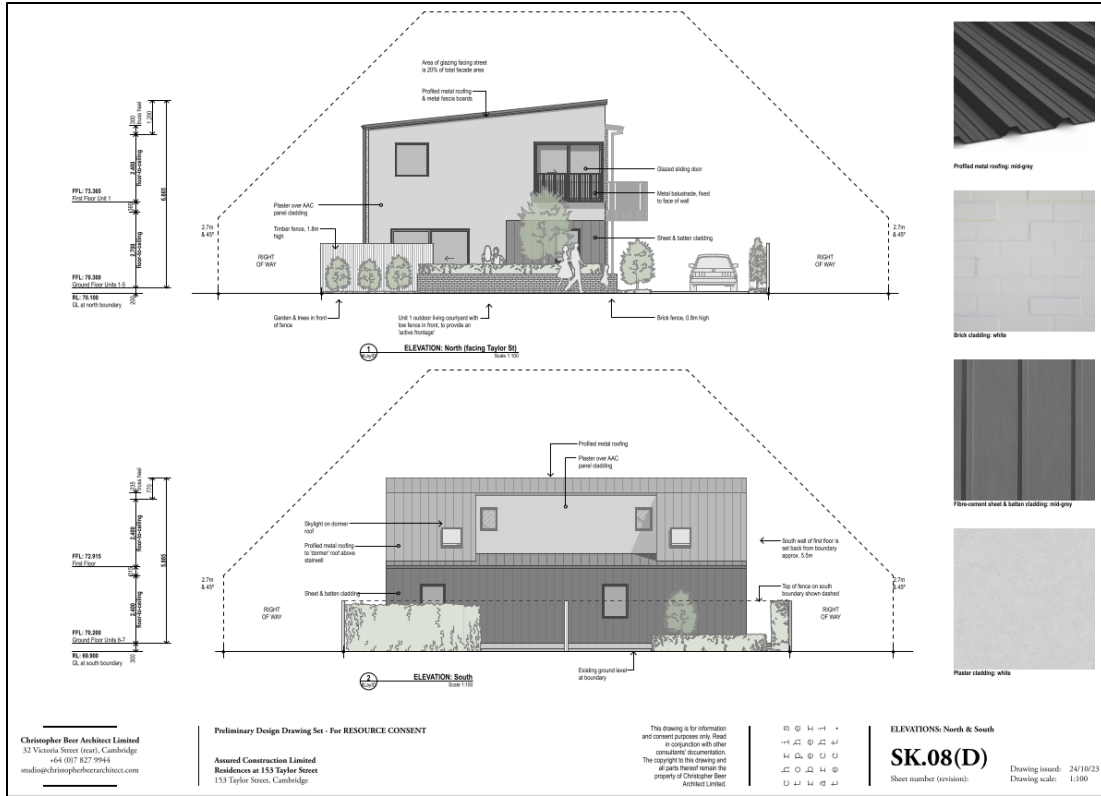


Figure 18: Proposed north and south elevations plan.



Figure 19: Proposed east and west elevations plan.

Units 1 to 5

Unit 1 has the kitchen, living area and garage on the ground floor, with two bedrooms, two bathrooms and a study on the first floor. The outdoor living area for this unit is oriented to the north of the site in a courtyard at ground level.

The remaining units in this block all have one bedroom, a bathroom and a single garage on the ground floor, with the first floors containing the second bedroom with ensuite, kitchen and living area. In terms of the outdoor living area for these units, these are split across two spaces with small courtyards on the ground floor along the eastern boundary of the site and balconies on the first floor oriented to the west. The following table provides a breakdown of the proposed units in this block.

Block 1				
Unit	Bedrooms	Outdoor living area (combined)	Garage Area	Gross Floor Area
1	2	40m ²	20m ²	106m ²
2	2	17m ²	20m ²	93m ²
3	2	17m ²	20m ²	93m ²
4	2	17m ²	20m ²	93m ²
5	2	17m ²	20m ²	93m ²

Table 2: Block 1 breakdown.



Figure 20: 3D perspective drawings.

Units 6 & 7

These units are contained within the block at the rear of the property and will comprise a single garage, kitchen and living area on the ground floor. The first floor of each unit will contain two bedrooms and a separate bathroom. The outdoor living areas for these units are located at ground level in a courtyard which extends to the side and back of the units. The following table provides a breakdown of the proposed units in this block.

Block 2				
Unit	Bedrooms	Outdoor living area	Garage Area	Gross Floor Area
6	2	23	18m ²	87m ²
7	2	24	18m ²	87m ²

Table 3: Block 2 breakdown.

Landscaping

Included in the application is landscaping plan which outlines the proposed planting across the site. The periphery is to be planted in a mixture of hedging up to 2m in height, trees and low ground planting/shrubs, with some landscaping at the front of most of the units. A 1.8m high

fence will be established along all internal boundaries and partially along the road boundary to provide some privacy for the courtyard for unit 1. Refer to Figure 21 below for the proposed landscaping plan.

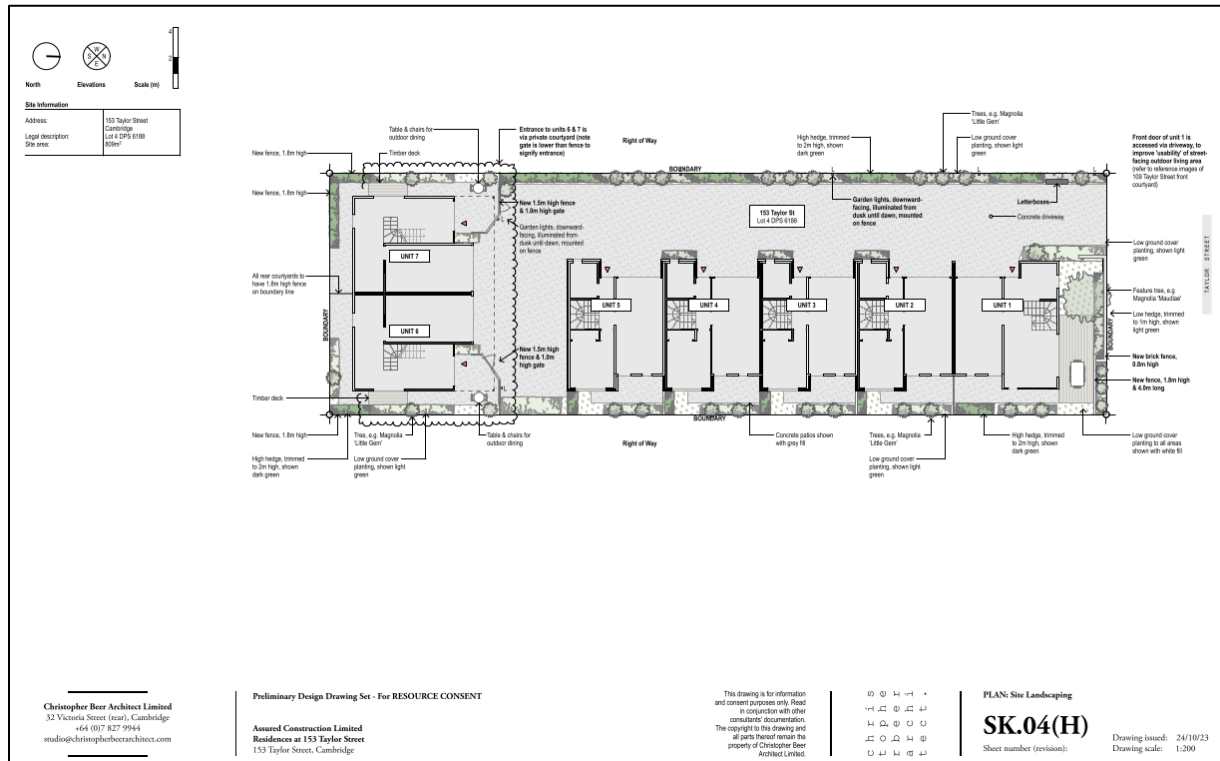


Figure 21: Landscaping plan.

1.4.2 Subdivision

Concurrent subdivision consent is sought to facilitate the creation of freehold titles around the proposed units and access area. The following table provides a breakdown of the proposed lots.

Subdivision details			
Lot reference	Size	Purpose	Method of subdivision
1	105m ²	Residential	15.4.1.1 – Non-complying
2	74m ²	Residential	15.4.1.1 – Non-complying
3	74m ²	Residential	15.4.1.1 – Non-complying
4	74m ²	Residential	15.4.1.1 – Non-complying
5	74m ²	Residential	15.4.1.1 – Non-complying
6	89m ²	Residential	15.4.1.1 – Non-complying
7	88m ²	Residential	15.4.1.1 – Non-complying
8	231m ²	Access	15.4.1.1 – Non-complying

Table 4: Subdivision details.

Refer to Figure 22 below for the proposed scheme plan.

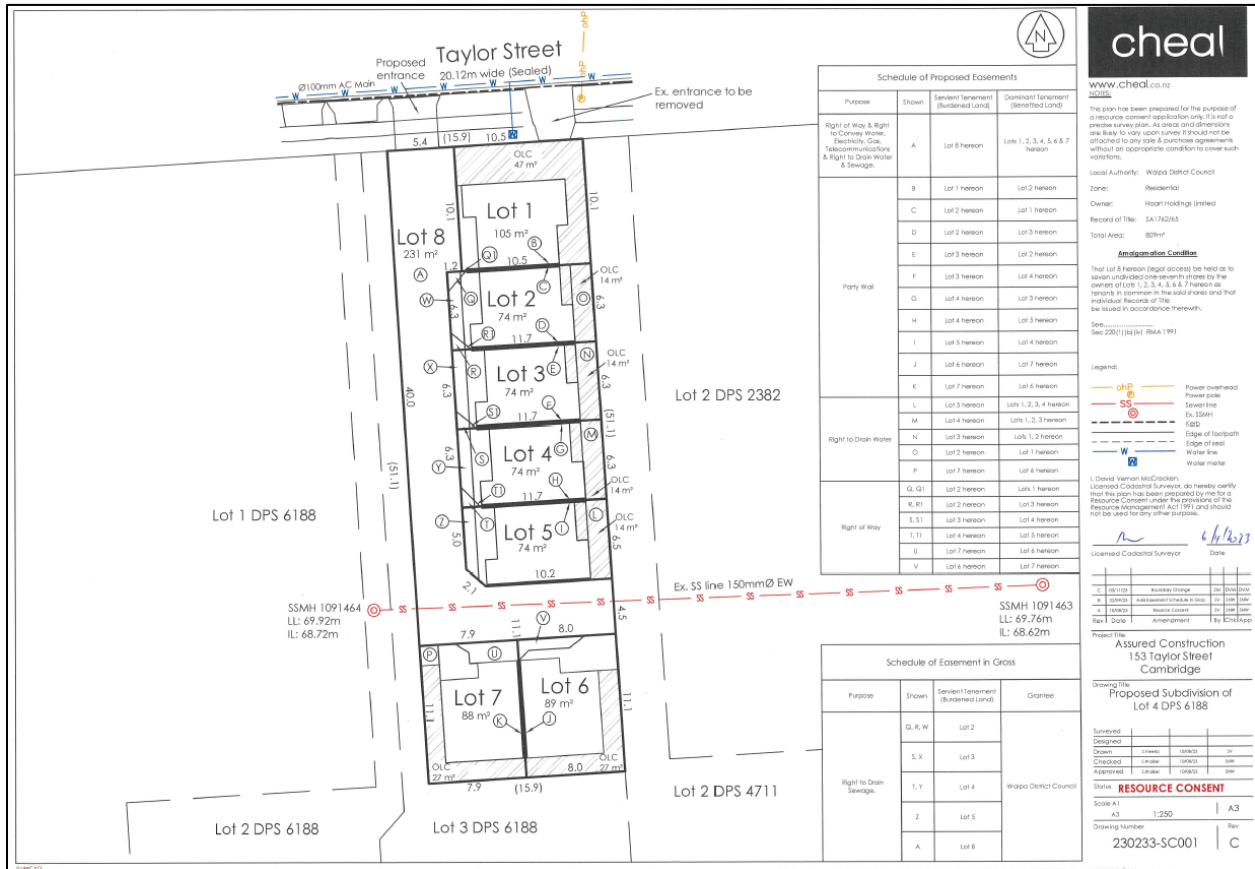


Figure 22: Proposed scheme plan.

Servicing

In terms of servicing, the application has included a Site Hazard & Suitability Assessment prepared by Titus Consulting Engineers, dated 28 July 2023. In summary, the report concludes that the site is considered to be appropriate for development, subject to specific design requirements. Each unit will be provided with a connection to Council’s reticulated water and wastewater networks. Stormwater is proposed to be disposed of centrally via underground detention and soakage. The existing vehicle entrance to the subject site will be closed and a new vehicle entrance will be formed, which will service a right of way and the single car garages of each unit. Refer to Figure 23 below for the proposed engineering works plan.

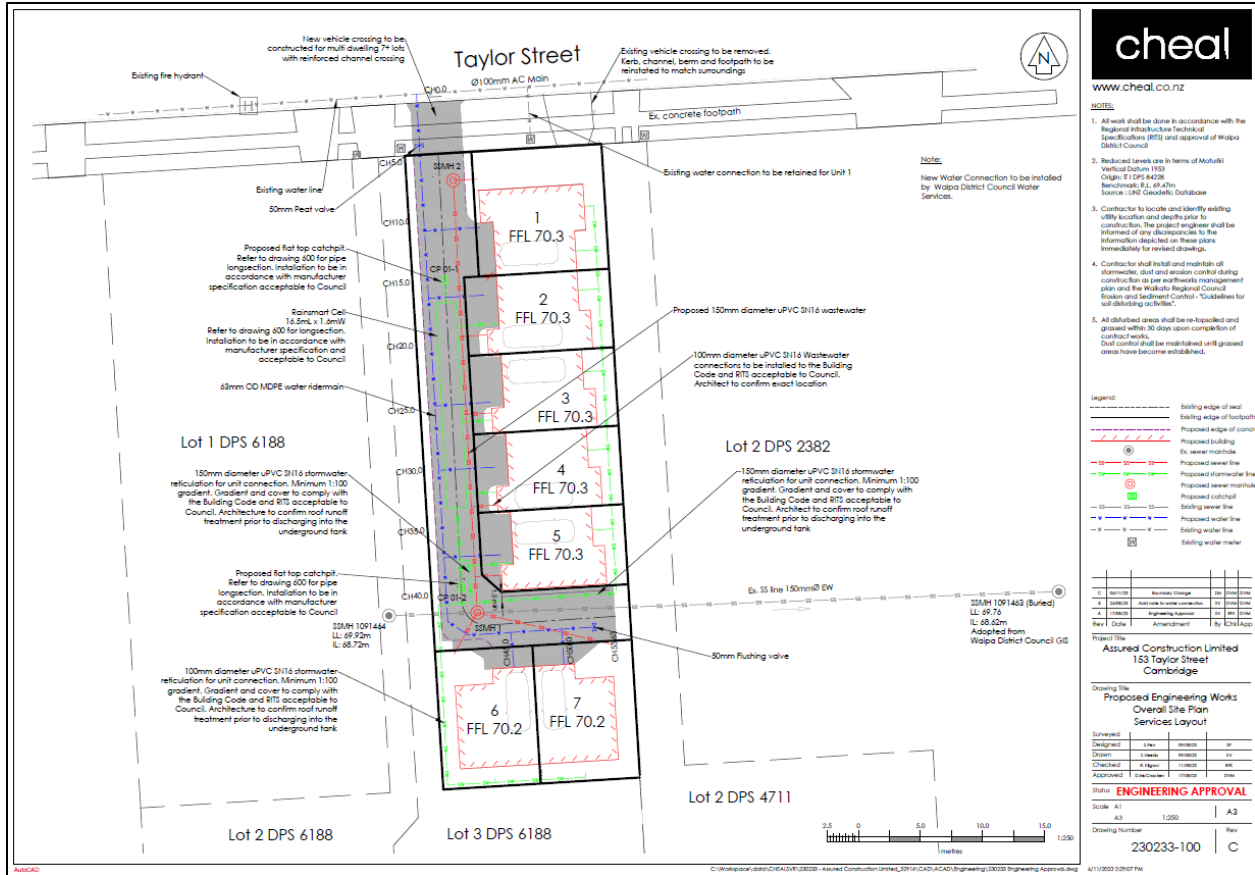


Figure 23: Proposed engineering works plan.

Easements

In terms of easements, a right of way, convey water, electricity, gas, telecommunications and rights to drain water and sewage will be provided through the right of way access, with an easement over Lots 2 to 5 for stormwater. Party wall easements will be provided between each unit. The applicant has confirmed that water and wastewater will be vested to Council if consent is granted, at the request of Water services due to the number of dwellings serviced.

1.5 Process Matters

A s92 further information request was issued on 14 September 2023, requesting the following:

- Provide an amended landscaping plan and planting schedule clarifying the height at which the landscaping will be planted and the timeframe it will take for each species to grow to the desired height.

- Confirm which internal boundary setback will be nominated to be reduced to 1.5m under Rule 2.4.2.5(i) as a permitted activity so that the effects of the other reduced setbacks can be assessed accordingly.
- The proposed service areas located within each lot are restricted to access either via the single car garages (which do not appear to have sufficient space with the car parked inside) or via bedrooms. Please provide an amended design to ensure that rubbish and recycling within the proposed service areas can be suitably transported outside of each unit for collection.
- Provide an assessment against policies 2.3.3.1, 2.3.3.2 & 2.3.3.4.
- Although amended manoeuvring plans for 99 percentile car have been provided, the design looks inadequate and the tracking curve looks unrealistic. The line's path is not a smooth curve; instead, it has many distinct inflection points. A typical manoeuvre for a three-point turning is to be referred to AS/NZS 2890.1:2004. Please provide updated plans showing the on-site vehicle manoeuvring appropriate.
- The vehicle manoeuvring tack shown on the plan shows B99 can only access lot 6 via a 5-point turn. This does not comply with the WDC Plan Rule 16.4.2.16 (f): *“The right of way shall be of sufficient dimension to provide for a vehicle manoeuvring area of a standard adequate to accommodate a 99.8 percentile car, in order to ensure that all vehicles have the ability to access the adjoining road in a forward direction after no more than a three-point turning manoeuvre on the site.”* Please provide updated plans showing the on-site vehicle manoeuvring for lot 6 as appropriate.
- The proposed wastewater drain will require an extra manhole at the connection to the Council’s wastewater gravity main. Council will need to access manholes for maintenance and easements are appropriate to protect this. Please provide updated plans showing the easements as appropriate.
- As per the proposed Engineering Plan, Lot 5 doesn’t provide an appropriate setback distance to Council’s wastewater gravity main. Building adjacent to pipe standards are to be referred to RITS 5.2.9. Please provide updated plans showing the wastewater connection as appropriate.

Further, following advice from Council’s Urban Design Consultant, Mr Sam Foster, the following requests/recommendations were made on 15 September 2023:

- More certainty of the outcome proposed could be established through the provision of a detailed planting/landscape plan, which would identify the scale of the proposed planting. Ensuring the right plants are chosen and planted at the most appropriate

size/time will enable planting to establish as quickly as possible, achieving the “soften the visual appearance and dominance of the development” as described in the application.

- The provision of a clear and safe pedestrian access to the site would achieve a better street address and response to Tylor Street and is recommended to be included.
- On-site amenity for residents is considered to be compromised for the duplex units due to the size and shape of the outdoor living areas proposed and reconsideration is recommended. The outdoor living areas for the duplexes are 1.5m wide reducing the useability and functionality of these spaces for the residents. While the Town Belt offers some offset of outdoor living requirements, these should still be of a size and shape that is useable for residents. It is considered that these outdoor living areas offer reduced on-site amenity for the occupants.
- The definition of ‘outdoor living area’ excludes outdoor service and storage areas. The proposed service areas for rubbish and recycling is located within the outdoor living area of the units, further reducing the true outdoor living area and could result in odour that would deter residents from utilising their outdoor living areas. Accordingly, it is requested that the proposal reconsider the outdoor service area and outdoor living area to provide a greater level of on-site amenity.
- **Rule 2.4.2.44(h) – Compact Housing** requires that outdoor living areas are located/and or screened so that at least 50% of the outdoor living area has complete visual privacy from the living rooms and outdoor living areas of other dwellings on the same site. The application has assessed the proposal as complying with this provision, however the balconies of Units 1 to 5 do not appear to achieve the 50% screening from the adjoining balconies required. Please address this non-compliance, such as providing screening options for residents on the southern end of each balcony to ensure access to sunlight is retained.
- Please include the proposed fencing on all site plans where relevant, particularly the landscaping plans as the proposed hedging and planting appears to conflict with the location of the fencing along the boundaries.

A s92 response was received from the agent on 29 September 2023, and included updated plans and commentary on key points. Council responded on 5 October 2023, advising that the s92 had not been satisfied and the application would remain on hold. These matters were primarily related to the outdoor living areas, vehicle manoeuvring, and the existing wastewater pipe traversing the property.

A further s92 response was submitted by the agent on 7 November 2023, including an amended design to cater for the manoeuvring, existing pipe and outdoor living areas. Following review

from Council’s Planning Team, Development Engineering and Water Services, the application was taken off hold on 20 November 2023 and processing commenced.

2 REASON FOR THE APPLICATION

A resource consent as described under Section 87A of the Resource Management Act 1991 is required for the reasons set out below.

2.1 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (‘NES’)

These regulations 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). Following a review of the historical aerial photographs contained within Council’s records, a HAIL activity does not appear to have been undertaken on the site. In accordance with Regulation 5(7), the site is not a ‘piece of land’ and consent is not required under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

2.2 Waipā District Plan Rule Assessment

An assessment of the proposal’s compliance with the relevant rules of the District Plan has been completed. In summary, Table 5 below outlines the relevant rules relating to the proposed subdivision.

Rule #	Rule Name	Status of Activity	Comment
<i>Section 2 – Residential Zone</i>			
2.4.1.3(b)	Activity Table	Restricted Discretionary	<p>This rule provides for compact housing seven or more dwellings per site located within the compact housing overlay identified on the Planning Maps.</p> <p><i>The proposal is to establish a compact housing development comprising 7 dwellings within the compact housing overlay and therefore requires consent as a Restricted Discretionary activity</i></p>

Rule #	Rule Name	Status of Activity	Comment
			<i>under this rule.</i>
2.4.2.1	Minimum building setback from road boundaries	Discretionary	<p>This rule requires that buildings have a minimum setback of 4m from road boundaries, provided that garages have a setback of 5m.</p> <p><i>Unit 1 will be located 3m from the Taylor Street road boundary and therefore requires consent as a Discretionary Activity under this rule. Additionally, the 1.8m high fence is considered a building and also located within the road boundary setback.</i></p>
2.4.2.3	Design of building façade	Complies	<p>This rule requires that where a garage that is integrated into and forms part of a dwelling must not exceed 50% of the total front façade length of a building as measured from the inside internal walls of the garage.</p> <p><i>Unit 1 is the only dwelling with frontage to Taylor Street, the attached garage is located to the rear of the building and does not form part of the front façade.</i></p>
2.4.2.5	Minimum building setback from internal site boundaries	Restricted Discretionary	<p>This rule requires that the minimum building setback from internal site boundaries is 2m, provided that one internal setback per site may be reduced to 1.5m.</p> <p><i>Units 1 to 5 will be located 1.5m from the eastern internal boundary. Units 6 & 7 will be located 1.5m from the eastern, southern and western internal boundaries. This requires consent as a Restricted Discretionary Activity under this rule.</i></p>
2.4.2.8	Maximum building length	Restricted Discretionary	<p>This rule requires that the maximum length of the wall and roofline of any building parallel to an internal site boundary shall be 23m, provided that:</p> <p>a) Building lines in excess of 23m shall have the wall and roofline stepped to a minimum of 2.4m and a minimum length of 3m; and</p>

Rule #	Rule Name	Status of Activity	Comment
			<p>b) For every additional 23m in length the wall and roofline of a building shall be stepped to a minimum of 2.4m and a minimum length of 3m.</p> <p><i>The compact housing provisions have a separate rule for building length, however this rule is not excluded from being applicable to compact housing and so it has been applied. Block 1 will be approximately 32m² in length, and is stepped in various places but less than 2.4m in depth. This requires consent as a Restricted Discretionary Activity under this rule. Block 2 will comply with this rule.</i></p>
2.4.2.10(e)	Maximum height	Complies	<p>This rule requires that buildings shall be no more than two storeys and no greater than 10m in height for compact housing.</p> <p><i>The proposed compact housing development is two storeys and will not exceed 10m in height.</i></p>
2.4.2.11	Daylight control	Complies	<p>This rule requires that buildings do not penetrate a recession plane at right angles to the boundary inclined inwards from 2.7m above ground level at internal boundaries. Provided that where an internal boundary of a site abuts a driveway or right of way the recession plane may be measured from points 2.7m above the furthest boundary of the driveway or right of way.</p> <p><i>The proposed compact housing development will comply with the daylight control recession plane on all boundaries.</i></p>
2.4.2.13(b)	Impermeable surfaces	Restricted Discretionary	<p>This rule requires that impermeable surfaces must not exceed 60% of the net site area.</p> <p><i>The proposal will result in approximately 81.3% of the site being in impermeable surfaces. For each proposed lot, the impermeable surfaces will be:</i></p>

Rule #	Rule Name	Status of Activity	Comment
			<ul style="list-style-type: none"> ▪ Lot 1 – 64% ▪ Lot 2 – 90% ▪ Lot 3 – 90% ▪ Lot 4 – 90% ▪ Lot 5 – 92% ▪ Lot 6 – 86% ▪ Lot 7 – 86% ▪ Lot 8 – 84% <p><i>Accordingly, consent is required as a Restricted Discretionary Activity under this rule.</i></p>
2.4.2.20	Neighbourhood amenity and safety - Glazing	Complies	<p>This rule requires that the front façade of a building that adjoins a public place as a minimum area of glazing of 15%.</p> <p><i>Unit 1 is the only unit that fronts a public place, and will have a glazing area of 20% of the front façade.</i></p>
2.4.2.21	Neighbourhood amenity and safety – Fencing	Restricted Discretionary	<p>This rule requires that fences between buildings on a site and the road shall be no higher than 1.2m in height if not visually permeable, or no more than 1.8m in height if visually permeable.</p> <p><i>The proposal is to have a 1.8m high visually impermeable fence along a portion of the Taylor Street boundary on Lot 1, requiring consent under this rule as a Restricted Discretionary Activity.</i></p>
2.4.2.23	Neighbourhood amenity and safety – Landscaping	Complies	<p>This rule requires that landscape planting between buildings on a site and any public place shall allow visibility between the dwelling and the public place.</p> <p><i>The proposed landscape planting along Lot 1 will allow visibility between the adjoining public place and Unit 1.</i></p>
2.4.2.25	Design and layout of development	N/A	<p>This rule requires that the design and layout of development shall ensure that water bodies and reserves are fronted by either the front or side</p>

Rule #	Rule Name	Status of Activity	Comment
	adjoining water bodies and reserves		<p>façade of a dwelling.</p> <p><i>The subject site adjoins private properties and Taylor Street and therefore this rule is not applicable.</i></p>
2.4.2.26	Noise	Complies	<p>This rule requires that activities are conducted and buildings locates so that they do not exceed the limits set out in the rule.</p> <p><i>The application states that all noise emanating from the site will be associated with a residential activity and will not exceed these limits.</i></p>
2.4.2.28	Construction Noise	Complies	<p>This rule requires that construction noise emanating from a site shall meet the limits recommended in NZS 6803:1999 Acoustics – Construction Noise.</p> <p><i>The application states that construction will be minimal and all noise will comply with these requirements.</i></p>
2.4.2.35	Earthworks	Complies	<p>This rule requires earthworks shall not exceed a total volume of 25m³ or a total area of 250m³ in a single activity or in cumulative activities in any calendar year. Provided that this rule shall not apply to earthworks incidental to an approved resource consent or building consent.</p> <p><i>The application states that given the flat contour of the site, any earthworks will fall within the permitted earthworks standards of the District Plan.</i></p>
2.4.2.44	Compact Housing	Discretionary	<p>This rule sets out the requirements for compact housing, including that compact housing shall have a minimum area of 2000m².</p> <p><i>The subject site is only 809m² and does not meet the minimum 2000m².</i></p>

Rule #	Rule Name	Status of Activity	Comment
			<p><i>a) Both blocks will comply with this component of the rule, having a building line that is frequently stepped (or broken).</i></p> <p><i>b) There are two buildings on the site and will be separated by more than 3.5m.</i></p> <p><i>c) There is no direct line of sight between the main living areas of any of the dwellings.</i></p> <p><i>d) The proposed units have windows in more than one direction that provide a dual aspect.</i></p> <p><i>e) All dwellings are two bedrooms. All dwellings will exceed the minimum 70m² gross floor area. The proposed units will have a single dwelling across two floors. All units will be provided with a ground and first floor outdoor living area, except for Units 1, 6 & 7 which will only have a ground floor courtyard. The outdoor living area for Unit 1 complies with the minimum area and dimensions. The outdoor living areas for all other units on both floors do not comply with the minimum area and dimensions, as detailed on the Site Development Restrictions & Compliance Plan SK.03(1).</i></p> <p><i>f) Unit 1 complies with the minimum 30% permeable area. All other units are units are unable to meet the minimum 30% permeable area as detailed on the Site Development Restrictions & Compliance Plan SK.03(1).</i></p> <p><i>g) No communal outdoor service area or storage court is provided.</i></p> <p><i>h) All ground level outdoor living areas will have a 1.8m high fence providing screening from adjoining units. The balcony outdoor living areas will not be screened to at least 50% to provide</i></p>

Rule #	Rule Name	Status of Activity	Comment
			<p><i>visual privacy from adjoining balconies. Also, the balconies are not screened from adjoining sites. These aspects of the proposal do not comply with this rule. All outdoor living areas will either be oriented to the north, east or west.</i></p> <p><i>i) No communal outdoor living area is provided.</i></p> <p><i>j) An area for letterboxes is provided along the western boundary of the subject site.</i></p> <p><i>k) The application proposes for refuse and recycling material to be collected from the road reserve.</i></p> <p><i>l) Unit 1 faces the road and does not have a front door facing the road, but does have sliding doors facing the road.</i></p> <p><i>Due to the non-compliances outlined above, consent is required as a Discretionary Activity under this rule.</i></p>
Section 15 – Infrastructure, Hazards, Development & Subdivision			
15.4.1.1	Activity Status Table	Non-complying	<p>This table sets out that where activities fail to comply with this table and have no associated rule, resource consent for a Non-complying activity is required.</p> <p><i>There is no applicable rule for the subdivision of compact housing outside of the C1, C2, & C3 Structure Plan Areas and therefore the proposed subdivision defaults to a Non-complying Activity.</i></p>
15.4.2.1(b)	Net lot area rules – Residential Zone Compact Housing	Non-complying	<p>This rule refers to Residential Zone Compact Housing Developments to Rule 2.4.2.43. This has since been updated to Rule 2.4.2.44, which provides for compact housing within the relevant policy overlay with a minimum of 2000m².</p> <p><i>In this instance, the subject site is 809m² and</i></p>

Rule #	Rule Name	Status of Activity	Comment
			<i>therefore does not meet the minimum area.</i>
15.4.2.3	Lot frontage, lot shape factor and vehicle crossings	Discretionary	<p>This rule requires a minimum lot frontage area of 20m, a 13m diameter lot shape factor circle and a vehicle crossing with a minimum width of 3m and maximum width of 5.5m.</p> <p><i>Lot 1 is the only front lot and has a frontage of 10.5m, a shortfall of the required 20m. None of the proposed lots are able to accommodate the 13m diameter lot shape factor. The proposed vehicle crossing is 4m in width.</i></p>
15.4.2.4	Minimum width of vehicle access to rear lots	Complies	<p>This rule requires that where there are 7 lots or more, a public or private road may be required but does not specify a minimum width.</p> <p><i>A private right of way is proposed with a minimum width of 3.5m.</i></p>
15.4.2.5	Lot design – shape factor circle	Discretionary	<p>This rule requires that each new lot is able to incorporate the lot shape factor in a position which does not encroach on any building setback or easement requirement.</p> <p><i>The agent has assessed this rule as not relevant, however there is no exception for compact housing under this rule and therefore I have assessed it. As outlined in the assessment of Rule 15.4.2.3 above, none of the proposed lots are able to accommodate the lot shape factor. This requires consent as a Discretionary Activity.</i></p>
15.4.2.6; 15.4.2.7	Lot design	Discretionary	<p>These rules require that subdivision with the urban limits shall not create more than two rear lots unless provided for under Rule 15.4.2.64 (correct reference is now Rule 15.4.2.63), and that new residential lots shall have frontage to only one road or street.</p> <p><i>The subject site is not located within a greenfield subdivision nor Houchens Road Large Lot</i></p>

Rule #	Rule Name	Status of Activity	Comment
			<i>Residential Structure Plan area as outlined in Rule 15.4.2.63. The proposal will create six rear lots, exceeding the minimum of 2. This number of rear lots requires consent as a Discretionary Activity. Lot 1 will be the only front lot and will only have frontage to Taylor Street.</i>
15.4.2.11	Design and layout of development and subdivision adjoining water bodies and reserves	N/A	This rule requires that within the urban limits, the design and layout of subdivisions shall ensure that water bodies and reserves are fronted by either roads or the front or side boundary of a lot. <i>The subject site does not adjoin a water body or reserve and therefore this rule is not applicable.</i>
15.4.2.13	Site suitability: General	Complies	This rule requires that subdivision and development shall have a defined building platform in a complying location that is capable of being serviced to the requirements of the zone. <i>In this instance, the subject site is located within the Residential Zone. The application has included a Site Hazard & Suitability Assessment prepared by Titus Consulting Engineers & Water Impact Assessment and Engineering Design Report prepared by Cheal Consultants which demonstrate that the relevant services can be provided to all lots. Connections to electricity and telecommunications will be provided.</i>
15.4.2.16	Infrastructure servicing in all zones	Complies	This rule requires that all lots in a subdivision and any sites in a development shall be connected to a formed public road, electricity, telecommunications and fibre optic cable. <i>All lots will be provided with access to Taylor St via a right of way and will be provided with electricity, telecommunications and fibre optic connections.</i>
15.4.2.18;	Additional	Non-complying	These rules require that all lots in a subdivision

Rule #	Rule Name	Status of Activity	Comment
15.4.2.19; 15.4.2.20	infrastructure servicing for the Residential, Commercial and Industrial Zones within the urban limits		<p>are connected to Council's reticulated wastewater, water supply and water supply for firefighting services, that any connection to the mains water supply is located in the adjacent berm and that disposal of stormwater generated from lots not vested in Council is within the boundaries of the respective lot.</p> <p><i>The proposed lots will be connected to Council's reticulated services. Connections to the mains water supply will be located within the berm. Stormwater is proposed to be disposed of centrally within the right of way via an underground soakage system and therefore each lot will not dispose of stormwater within its own boundaries. This requires consent as a Non-complying Activity.</i></p>
15.4.2.25	Stormwater	Non-complying	<p>This rule requires that all lots are of a sufficient size to enable on site detention and disposal of stormwater resulting from any future development permitted in the zone.</p> <p><i>Proposed Lots 1 to 7 are not of a sufficient size to enable on site detention and disposal of stormwater, hence why a centralised system has been proposed. This requires consent as a Non-complying Activity.</i></p>
15.4.2.26	Stormwater – Overland and secondary flow paths	Complies	<p>This rule requires that development does not obstruct any overland and secondary flow paths.</p> <p><i>The application includes a Site Hazard & Suitability Assessment prepared by Titus Consulting Engineers which states that the proposed works will not influence the existing stormwater overland flow paths. It is proposed for the secondary flow path to be directed via the right of way.</i></p>
15.4.2.64	Design and	Complies	This rule requires that subdivision of 7 or more

Rule #	Rule Name	Status of Activity	Comment
	location of infrastructure services		lots within the urban limits shall provide a utilities corridor in the road reserve free of tree plantings. <i>A private right of way is proposed to service the lots, through which services will be provided.</i>
Section 16 - Transportation			
16.4.2.4	Vehicular access to sites in all zones	Complies	This rule requires that every site is provided with vehicle access to a formed road that is constructed to a permanent standard. The vehicle access shall be designed to accommodate the demands of all traffic from the activity on that site. <i>The proposed development will be provided with access via a new vehicle entrance onto Taylor Street, with the existing vehicle entrance to be closed.</i>
16.4.2.5	Vehicle entrance separation from intersections and other vehicle entrances	Discretionary	This rule requires for roads with a posted speed limit of 60km/hr or less a distance of less than 4m or more than 11m from adjoining accessways and a minimum distance of 20m/30m from intersections. <i>The application has stated that the proposal will comply with this provision. However, in my assessment, the proposed vehicle entrance will be located approximately 5m from the adjoining entrance servicing 149 and 151 Taylor Street and therefore requires consent as a Discretionary Activity under this rule. The entrance complies with separation distances from all other entrances and nearby intersections.</i>
16.4.2.8	Vehicle access to compact housing development	Complies	This rule requires that compact housing developments have only one access point to a strategic road. <i>The proposed compact housing development will not have direct access onto a strategic road.</i>

Rule #	Rule Name	Status of Activity	Comment
16.4.2.13	Parking, loading, and manoeuvring	Complies	<p>This rule requires that all activities that involve the erection, construction or substantial reconstruction, alteration or addition to a building on any site, or changes the use of any land or building, shall provide loading/unloading spaces for vehicles on the site as set out in Appendix T1. This rule also provides for one of the parking spaces for a dwelling to be stacked.</p> <p><i>Appendix T1 does not require any loading spaces for compact housing and therefore the proposal complies. No stacked parking spaces are proposed.</i></p>
16.4.2.14	Parking, loading, and manoeuvring	Discretionary	<p>This rule requires that vehicle parking (if provided), loading/unloading, and manoeuvring areas shall:</p> <ul style="list-style-type: none"> (a) Not encroach on any setback, outdoor living area, or bicycle parking spaces; and loading/unloading areas and manoeuvring areas shall not encroach over vehicle parking spaces; and (b) Be designed, formed, and constructed to ensure that the surface of the required area provides a dust free environment; and (c) Provide for the safe and efficient disposal of surface stormwater clear of any adjoining access or road surface in a way that does not result in ponding or scouring; and (d) Be constructed to accommodate the anticipated use of the area by all traffic likely to access the site in the zone in which it is located, including construction traffic taking into account pavement, surfacing, demarcation of spaces, aisles and circulation roads; and (e) Be provided on the site on which the building, activity or proposal is located, except where the provisions of Rules

Rule #	Rule Name	Status of Activity	Comment
			<p>16.4.2.15 and 16.4.2.16 apply.</p> <p>Provided that:</p> <ul style="list-style-type: none"> i. In all zones the vehicle entrance may cross the road boundary setback; and ii. For front and corner sites in the Residential Zone where Rules 16.4.2.15 and 16.4.2.16 do not apply, vehicle parking and manoeuvring areas associated with dwellings may encroach into the setbacks, provided that a 1m wide setback is retained at the road boundary, excluding the vehicle entrance; and iii. For rear sites in the Residential Zone served by an access leg/driveway, vehicle parking and manoeuvring associated with dwellings may encroach into any setback (refer to diagram following Rule 16.4.2.16); and v. In the Residential and Commercial Zones, vehicle parking, loading/unloading and manoeuvring areas must be sealed and drained; and <p><i>Vehicle manoeuvring will occur within internal boundary setbacks on the western and eastern internal boundaries. Refer to the Site Manoeuvring Plans submitted, Sheets SK.22(D) and SK.23(D). This requires consent as a Discretionary Activity under this rule. The proposal will comply with the other requirements.</i></p>
16.4.2.16	Parking, loading and manoeuvring	Complies	<p>This rule requires that on sites in the Residential Zone with access to a right of way, manoeuvring may occur in the right of way and sites may be exempt from Rule 16.4.2.14(e) where:</p> <ul style="list-style-type: none"> (a) The site contains a single, primary dwelling; and

Rule #	Rule Name	Status of Activity	Comment
			<p>(b) The garage doors, or vehicle entrance to the carport face the right of way where the vehicle will access; and</p> <p>(c) The distance between the garage door, or vehicle entrance to the carport and the site boundary with the right of way is no more than 12m; and</p> <p>(d) The driveway does not encroach on any minimum outdoor living area as required under Rule 2.4.2.19; and</p> <p>(e) Rights over the right of way shall be apportioned so as to provide legal access to all sites for the purposes of vehicle manoeuvring; and</p> <p>(f) The right of way shall be of sufficient dimension to provide for a vehicle manoeuvring area of a standard adequate to accommodate a 99.8 percentile car, in order to ensure that all vehicles have the ability to access the adjoining road in a forward direction after no more than a three-point turning manoeuvre on the site.</p> <p><i>The application has included site manoeuvring plans which demonstrate that the parking spaces and right of way can accommodate 99.8 percentile cars and exit the site in a forward-facing manner in no more than a three-point turn.</i></p>
16.4.2.17	Parking, loading and manoeuvring	Complies	<p>This rule requires that the design and layout of sites shall ensure that access to each required loading and unloading space, or parking space if provided is directly from the required access or manoeuvring area.</p> <p><i>The proposed manoeuvring areas are provided directly from the parking spaces.</i></p>
16.4.2.18	Parking, loading	N/A	This rule requires that vehicle manoeuvring areas

Rule #	Rule Name	Status of Activity	Comment
	and manoeuvring		loading and unloading spaces, and if provided, parking spaces, including those spaces located in a garage, shall be provided on a site, of a standard adequate to accommodate a 99.8 percentile car, or a 99 percentile truck, in order to ensure that all vehicles have the ability to access the adjoining road in a forward direction after no more than a three point turning manoeuvre on the site, except where Rule 16.4.2.16 applies. <i>This rule does not apply where Rule 16.4.2.16 is applicable.</i>
16.4.2.22	Provision of an integrated transportation assessment	N/A	This rule sets out the thresholds for when an Integrated Transportation Assessment is required. <i>In this instance, the proposed compact housing development comprises seven dwellings, each with a single car garage on-site. While the applicant has provided a specific number of vehicles per day (vpd), it has been stated the proposal will generate less than 250vpd. According to Appendix T6 in the District Plan, compact housing of up to 20 residential units is anticipated to generate less than 100vpd and therefore the proposal does not trigger the requirement for an ITA.</i>

Table 5: District Plan rule assessment.

As outlined in the table above, the application is deemed to be a **Non-complying Activity** being the highest status indicated by the above rules.

3 STAFF COMMENTS

3.1 Development Engineering

Council's Development Engineer, Jane Zhang, has reviewed the application and notes the following points:-

Earthworks

- The site has a relatively flat topography and this subdivision does not propose earthworks of any significance. Some earthworks will be required for the construction of the access lot and establishment of the building platform. All appropriate and sediment control measures will be implemented throughout the duration of the works.
- Any potential effects associated with the earthworks and construction will be no more than minor. Therefore, no condition will be imposed.

Roading/Access

- Taylor Street is considered a collector road, having a posted speed limit of 40km/h. The section of road at the subject site with AADT of 1258 vehicles per day and 3% of heavy vehicles. Opposite the site is the Cambridge green belt, which contains a lot of vehicle movements from the public.
- The development will create a private access lot jointly owned and operated by the future occupants. The J.O.A.L agreement will set out the relevant operation and maintenance obligations associated with this. The existing vehicle crossing will be removed, and a new crossing has been proposed on the western side of the new subdivision. The proposed vehicle crossing has good sightlines on both sides due to the flat topography on Taylor Street. The separation distances from the nearest entrances on each side of Taylor Street are less than 2m on the left and approximately 10.5m on the right which is very close to the minimum requirement of 11m. Considering the relatively low-speed limit on Taylor Street, the adverse effects on road safety are minimal.
- Each dwelling is provided with one internal garage car park. On-site vehicle manoeuvre was designed for 85/90 percentile car that fails to comply with the 99.8 percentile requirement of WDC plan. Moreover, the tracking curves shown on the plan indicate that the manoeuvring space for every unit is tight. The setback of the garages with the protruding walls restricts vehicle manoeuvrability for units 6 and 7. This will result in adverse effects on the safety of users of the right of way, risking collision with walls when manoeuvring in and out of the garages. This is solved by the reduction in size of Units 6 and 7 in section 92 response (ECM: 11134053).
- Therefore, conditions on closing the existing vehicle crossing permanently and constructing a new vehicle crossing and Right of Way (easement included) will be imposed to suit this.

Water supply

- There is a 100mm Council water main located on Tayler Street and an existing water connection is provided to the site. According to the Engineering Design Report, prepared by Assured Construction Ltd, dated 21/8/2023 (ECM:11084071, pages 124-145), the existing connection will be retained for Lot 1 and a private reticulated supply for lots 2-7 will connect to council infrastructure on Street. Reticulation design, construction and QA conditions, and easement have been recommended.
- Firefighting: There is adequate water for firefighting which will be provided from the hydrant outside 147 Taylor Street (Asset ID: 3421178).

Wastewater

- Council's 150mm diameter gravity main runs across the subject site. Assured Construction's report indicates a private gravity reticulated system within the boundary extents. It is proposed that a new 150mm pipe be laid under the proposed accessway with a new manhole installed over the existing gravity main. Lots 1-5 will connect into the new wastewater line and Lots 6 and 7 will connect directly into the new manhole. To ensure there is no inundation to council infrastructure downstream, design, construct and QA conditions and easement have been recommended.

Stormwater

- There is no reticulated stormwater network in this area. No stormwater mitigation devices were noted to be servicing the existing dwelling.
- According to the Engineering Design Report, prepared by Cheal Consultants Ltd, dated 21/8/2023 (ECM:11084071, pages 128-130), a Rainsmart system located under the accessway is proposed to be the primary stormwater disposal. The overflow from the grate system will bubble up in the driveway and then flow towards the public road. 10 year ARI event is considered for primary. Climate change has been considered. A percolation rate of 720mm/hr has been achieved via the onsite testing. Water table was not found within 1.7m of the surface. Based on their preliminary investigations and calculations Cheal Consultants Ltd has recommended that a 16.5m x 1.6m x 0.86m Rainsmart detention cell be installed on proposed Lot 8 to dispose of runoff generated from all impermeable surfaces. DE is satisfied the proposed stormwater management solution is suitable and the adverse effect on the surrounding environment is minimal.
- The easement to drain water (private) needs to be created.
- Therefore, design, construct and QA conditions and easement have been recommended.

Foundation

- The site is located within Cambridge Township. The site is flat and in a regular shape. The Site Suitability Report prepared by Titus, dated 28/07/2023 (Document ID: 11084071 P. 107-108) states that soil with an ultimate bearing capacity of 300kPa (one of the requirements of 'good ground' in NZS3604:2011) was generally found from 0.9m below the ground level. Since the foundation of proposed lot 5 is within the zone of influence of a Council wastewater pipe, a consent notice regarding build over is recommended for Lot 5.

Ms Zhang suggests conditions to ensure that the proposed subdivision and development is sufficiently serviced, should consent be granted. I concur with Ms Zhang's comments. Further, Ms Zhang confirmed she is satisfied with the statements made in my assessment of environmental effects with regard to engineering matters. Refer to Council Doc Set ID: 11144741.

3.2 Urban Design

Council's Urban Design Consultant, Mr Sam Foster, provided the following conclusions from his review:

- The proposal generally represents a well-considered design response to provide compact housing in a location which has been identified for that purpose. The design of the proposal breaks the bulk and mass of the seven dwellings across two buildings, which is similar to the bulk and massing seen on previously subdivided sites in the wider area. The development is two stories, which while not the predominant height in the area, is not uncommon, with some dwellings in the area, including two to the rear of the site being two storied. It is noted that the development meets the height and height in relation to boundary requirements of the plan.
- The design of the buildings ensures that the front unit provides a level of passive surveillance over Taylor Street and the Town Belt Reserve, with glazing situated on the ground and upper floors. A range of materials are used to provide visual interest to the façade.
- More certainty of the outcome proposed could be established through the provision of a detailed planting/landscape plan, which would identify the scale of the proposed planting. Ensuring the right plants are chosen and planted at the most appropriate size/time will enable planting to establish as quickly as possible, achieving the "soften the visual appearance and dominance of the development" as described in the application.

- The provision of a clear and safe pedestrian access to the site would achieve a better street address and response to Tylor Street and is recommended to be included.
- On-site amenity for residents is considered to be compromised for the duplex units due to the size and shape of the outdoor living areas proposed and reconsideration is recommended.

I generally concur with Mr Foster’s comments, though noting that his assessment takes into account the objectives and policies of the Waipa District Plan and the National Policy Statement for Urban Development, both of which are not direct considerations for the purposes of notification.

4 ASSESSMENT FOR THE PURPOSE OF PUBLIC NOTIFICATION

4.1 Adequacy of information

It is my opinion that the information contained within the application is substantially suitable and reliable for the purpose of making a recommendation of and decision on notification. The information within the application is sufficient to understand the characteristics of the proposed activity as it relates to provisions of the District Plan, for identifying the scope and extent of any adverse effects on the environment, and to identify persons who may be affected by the activity’s adverse effects.

4.2 Mandatory Public Notification - Section 95A(2) & (3)

Council must publicly notify the resource consent where:

- a) it has been requested by the applicant; or
- b) a further information request has been not been complied with or the applicant refuses to provide the information pursuant to Section 95C; or
- c) the application has been made jointly with an application to exchange recreation reserve land under Section 15AA of the Reserves Act 1977.

In this instance, none of the above situations apply, therefore public notification is not required under Section 95A(3).

4.3 Public notification precluded – Section 95A(5)

The application is not for a resource consent for one or more of the following:

- a) Controlled activity;
- b) A restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity.

The application is for combined subdivision and land use of the subject site which is within the Residential Zone. This application is not for a controlled activity or a boundary activity and public notification is therefore not precluded pursuant to Section 95A(5)(b).

There are no rules a National Environmental Standard or the District Plan relevant to this proposal that preclude public notification.

4.4 Public notification required in certain circumstances – Section 95A(8)

Council must publicly notify the resource consent where:

- a) The application is for a resource consent for one or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification; or
- b) The consent authority decides, pursuant to Section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.

In this instance, public notification is not required by a rule or a national environmental standard. Refer to Section 4.5 of this report for Council's assessment of the effects.

4.5 Effects that may or must be disregarded – Section 95D(a), (b), (d) and (e)

Pursuant to Section 95D, if a rule or national environmental standard permits an activity with that effect the adverse effect of that activity may be disregarded.

4.5.1 Permitted Baseline

With regard to the proposed development, there are two components to the application to consider with regard to the permitted baseline, being the subdivision and land use. In terms of subdivision, all forms of subdivision within the District Plan require resource consent. Therefore,

there are no subdivision activities permitted by the District Plan which can be considered with respect to the permitted baseline.

When considering the compact housing element of the development, the District Plan requires resource consent for these and therefore there is no directly applicable permitted baseline for this development. The agent has assessed the permitted baseline on page 31 of the application and states that “...the site could be developed with a dwelling, secondary dwelling and ancillary building (or a combination of either of these scenarios)...” However, Rule 2.4.2.43 – Secondary dwelling requires that the minimum net site area required for the erection of a secondary dwelling is 850m². Given that the subject site is 809m² in size, it is unable to meet this requirement and therefore could not accommodate a secondary dwelling as a permitted activity. Nevertheless, the District Plan does provide for one principal dwelling per 500m² of net site area and accessory buildings (such as a shed), subject to performance standards, as a permitted activity. Accordingly, a permitted baseline of effects with regard to the land use component of the application can be established and disregarded.

4.5.2 Receiving environment

The receiving environment is the environment upon which a proposed activity might have effects. This includes the future state of the environment as it might be modified by the utilisation of rights to carry out permitted activities and as it might be modified by implementing resource consents that have been granted. In terms of granted resource consents, at the time a particular application is considered, these are to be considered where it appears likely that those resource consents will be implemented.

In this instance, none of the directly adjoining properties or those within a close vicinity appear to have recently granted resource consents. The receiving environment is characterised by lots generally ranging between 500m² and 1000m², with some greater in size, containing predominantly single storey detached dwellings of various architectural styles and some accessory buildings. Properties along Hall Street often have large front yards kept in lawn and gardens, with some fencing. Despite what could be established within the receiving environment as a permitted activity, there does not appear to have been much recent redevelopment.

Opposite the subject site on the other side of Taylor Street is the greenbelt, which features a large open green space, with vegetation dispersed throughout. Collectively, these elements form the receiving environment.

4.5.3 Land excluded from the assessment

For the purpose of assessing an application to establish whether public notification is required, effects on owners and occupiers of the subject site and adjacent sites, and persons whom have given written approval **must** be disregarded. The adjacent properties to be excluded from the public notification assessment are listed in Table 6 and shown in Figure 23 below.

ID#	Street Address	Legal Description	Owner
1	147 Taylor Street, Cambridge	Lot 1 DPS 6188	Dawn Laws & Robert Laws
2	149 Taylor Street, Cambridge	Lot 2 DPS 6188	Lynn Haigh, Noel Haigh, Clint Bailey, Rebecca Bailey
3	151 Taylor Street, Cambridge	Lot 3 DPS 6188	Deborah Dwyer & Shannon Macmillan
4	155 Taylor Street, Cambridge	Lot 2 DPS 4711	Michael J Margan
5	159 Taylor Street, Cambridge	Lot 2 DPS 2382	Lynda Richdale, Maree Fisher, Christopher Ryan
6	N/A	Multiple	Waipa District Council

Table 6: Properties excluded for purposes of public notification assessment.

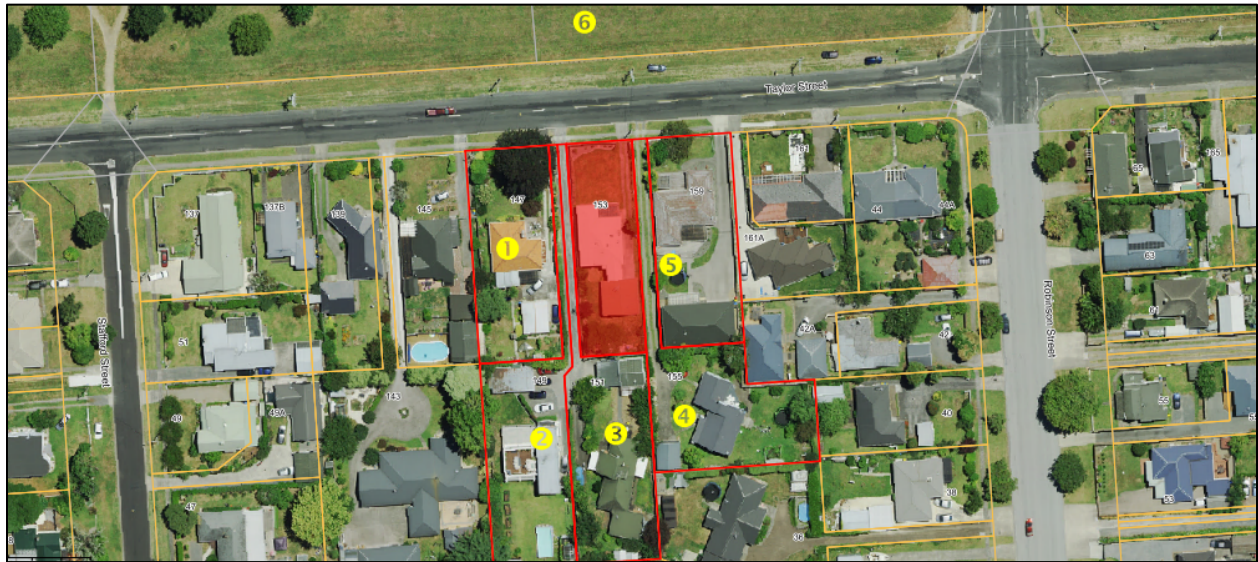


Figure 23: Adjacent properties map (Subject site highlighted in red).

No written approvals were provided with the application.

4.6 Assessment of Adverse Environmental Effects – Section 95D

Part 2 of the Act explains the purpose is to “*promote the sustainable management of natural and physical resources*”. In addition, it is noted the meaning of ‘effect’ is defined under the Act as:

*In this Act, unless the context otherwise requires, the term **effect** includes—*

- (a) any positive or adverse effect; and*
- (b) any temporary or permanent effect; and*
- (c) any past, present, or future effect; and*
- (d) any cumulative effect which arises over time or in combination with other effects — regardless of the scale, intensity, duration, or frequency of the effect, and also includes—*
- (e) any potential effect of high probability; and*
- (f) any potential effect of low probability which has a high potential impact.*

With the definition of ‘effect’ in mind, it is considered appropriate to further examine the effects of the proposed activity relating to character and amenity, traffic, and infrastructure effects. It is acknowledged some of these effects are temporary and directly related to the construction of the subdivision and future development.

4.6.1 Effects on character and amenity

The Act defines amenity values as “*those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes*”. The Residential Zone accommodates the District’s urban areas and considers bulk, existing environment, density, noise and the relationship between private and public spaces. The receiving environment was described in Section 4.5.2 above. Collectively these elements form the character of the area.

The proposal will change the character of the site by removing the existing dwelling and combined garage and sleepout and establishing seven compact housing units on the site, within the Compact Housing Area policy overlay. The units are separated into two blocks, with the front block comprising five units arranged vertically along the site and the second block comprising two units at the rear of the property. The bulk of the development will be setback from the Taylor Street frontage, with the front unit forming the primary view from the wider surrounds, including the green belt to the north. The design does utilise a mixture of materials and a neutral colour palette, with modulated facades and landscaping proposed which does offer some mitigation of the overall visual effect of the development.

In terms of the road boundary encroachment of the front unit, this will bring the development forward and will be a change in the character of the existing streetscape, which does typically

have spacious front yards and landscaping. The front unit has been designed with sufficient glazing to provide passive surveillance of the street, with landscaping and fencing which will offset the bulk of the encroachment. Although some of the fencing along the road boundary will be 1.8m in height and not visually permeable, the majority of the front unit still maintains visibility between the street.

Council commissioned Urban Design Consultant, Sam Foster of Beca, to undertake an assessment of the proposal, who in summary provided the following key comments:

“The proposed fence and wall treatment balances internal privacy with the provision of passive surveillance over the street. With the location of the upper floor window above the portion of wall providing passive surveillance over Taylor Street helping to mitigate the effect of the height of the wall will have, reducing surveillance over this part of the frontage...”

“The architectural design of the building is contemporary and differs to the adjacent properties...Taylor Street has a range of building styles and ages and no clear architectural uniformity. The proposed development will add to this diversity, reflecting the changing nature of the street over time. The choice and range of materials in combination with the variation in the building line, glazing and detailing provides visual interest and breaks up the mass of the building.”

With regard to effects on the wider environment, I generally concur with Mr Foster’s comments. In terms of the primary District Plan non-compliances, including internal boundary setback encroachments, outdoor living area sizes and screening, these will either be indiscernible as viewed within the wider environment or more appropriately considered under s95E and S104.

Overall, the adverse effects on the wider environment with regard to the character and amenity will be less than minor.

4.6.2 Effects on the roading network

Traffic and the effects on the roading network are an instrumental part of the District Plan direction to ensure an integrated approach to land use and transport. At a local scale the integration of new activities need to ensure that the roading network can continue to function in a safe and efficient manner.

The proposed development will introduce seven two-bedroom units on the site, which will result in an increase in the number of vehicle movements per day (vpd) into the surrounding road network. While the application states that the number of vpd will be less than 250vpd, which is

the threshold for an Integrated Transportation Assessment, a specific number of vpd has not been provided. According to Appendix T6 of the District Plan, compact housing developments of up to 20 residential units are anticipated to generate less than 100vpd. Given that there are seven units, each with two bedrooms, the vpd will be less than 250vpd. Any excess parking will occur on-street.

As part of the proposal, the existing vehicle entrance will be closed and a new vehicle entrance created on the western side of the site, providing access to a right of way that will service the units. The right of way and development design allows for vehicles to manoeuvre safely on-site.

Council's Development Engineer, Jane Zhang, has reviewed the design and is supportive of the proposed access and traffic arrangements.

Overall, it is concluded that any adverse effects on the roading network as a result of this proposal will be less than minor.

4.6.3 Effects on Infrastructure

How and where infrastructure occurs is critical to the suitability of a subdivision and the resulting use of the area. The infrastructure required for the development in the Residential Zone includes water supply, stormwater disposal, wastewater disposal, power and telecommunication connections.

The application has a Site Hazard & Suitability Assessment prepared by Titus Consulting Engineers and a Water Impact Assessment and Engineering Design Report prepared by Cheal Consultants Limited. These reports confirm there are workable servicing solutions for the development, covering three waters and foundations. Connections to Council's reticulated water and wastewater networks will be sought. Stormwater is proposed to be disposed of centrally via a underground detention and ground soakage in the right of way.

Council's Development Engineer, Jane Zhang, has reviewed the application and technical reports and is supportive of the proposed infrastructure reticulation. Ms Zhang notes this is subject to detailed design plans which can be submitted and managed via consent conditions, should consent be granted.

Overall, based on the technical reports provided with the application and Council's Development Engineering Team advice, it is my opinion that any adverse effects on infrastructure will be less than minor.

4.6.4 Summary of Effects

Overall it is concluded that any adverse effects of the proposal will be less than minor. On this basis the adverse effects are below the more than minor threshold and the proposal does not require public notification.

4.7 Special Circumstances – Section 95A(9)

Council must publicly notify an application if it considers that special circumstances exist. In effect, special circumstances ‘trumps’ other notification provisions. Special circumstances have been defined as circumstances that are unusual or exceptional, but may be less than extraordinary or unique. Special circumstances provide a mechanism for public notification of an application which may otherwise appear to be routine or uncontentious or minor in its effects.

The purpose of considering special circumstances requires looking at matters that are beyond the plan itself. The fact that a proposal might be contrary to the objectives and policies of a plan is not sufficient to constitute special circumstances. Special circumstances must be more than:

- where a Council has had an indication that people want to make submissions;
- the fact that a large development is proposed; and
- the fact that some persons have concerns about a proposal.

In this instance, the proposal is not considered to have unusual or exceptional circumstances warranting public notification.

4.8 Summary of Public Notification Assessment

Pursuant to Section 95A, the application has been assessed to determine if public notification is required. In this instance, and for the reasons outlined in Sections 4.1 to 4.7 above, it is not considered that the proposal warrants public notification. For this reason the application is required to be assessed pursuant to Section 95B for limited notification.

5 ASSESSMENT FOR THE PURPOSES OF LIMITED NOTIFICATION

Pursuant to Section 95B(1), where a consent authority decides that public notification is not required under Section 95A of the Act, an assessment is required to determine whether limited notification of an application is required.

5.1 Affected Customary Rights or Marine Title Groups – Section 95B(2)

The property subject to this consent is not within an protected customary rights group area or a customary marine title area as defined by the Marine and Coastal Area (Takutai Moana) Act 2011.

5.2 Statutory Acknowledgment Area – Section 95B(3)

The property subject to this consent is not located within any Statutory Acknowledgement Areas or Deed of Recognition Areas, but is located within Ngāti Hauā and Raukawa Areas of Interest.

A copy of the application was circulated to the Ngaa Iwi Toopu o Waipā iwi (NITOW) representatives and they did not respond for comment. The proposal is for a residential subdivision and development within the Residential Zone of Cambridge, which will require some earthworks to establish the buildings. I do not consider the proposal to be contrary to the cultural, spiritual, historical, and traditional association of Ngāti Hauā and Raukawa with this identified area.

5.3 Limited Notification Precluded in Certain Circumstances – Section 95B(6)

There are no rules in a National Environmental Standard or in the District Plan relevant to this proposal that preclude limited notification.

The application is not a controlled activity requiring consent under the District Plan.

There are no circumstances relevant to this proposal that preclude limited notification.

5.4 Assessment of adversely affected persons - Section 95E

The following provides an assessment of the adverse effects on the potentially affected persons.

5.4.1 Persons at 147 Taylor Street and 159 Taylor Street (Properties 1 & 5)

These properties are located to the west and east of the subject site and are separated by existing access legs on either side. These properties both contain existing single storey detached dwellings and garage/sheds, with the rear building at 159 Taylor Street appearing to be a combined sleepout.

In terms of infrastructure and servicing, the application has included a number of technical reports, including a Site Hazard & Suitability Assessment and Water Impact Assessment and

Engineering Design Report. These reports confirm that the proposed subdivision and development can be suitably serviced. Council's Development Engineer has reviewed the application and technical reports included and confirms that the proposal can be adequately serviced without resulting in adverse effects on persons at these properties. This includes disposing of stormwater within the site without resulting in runoff onto adjacent properties.

Additionally, the site will be serviced by a new vehicle entrance, with the development resulting in additional traffic from seven dwellings and each unit provided with a single car garage. Any excess parking will take place on-street. Council's Development Engineer has also reviewed the access and traffic arrangements and is satisfied that there will not be any adverse effects on persons at these properties and that the increase in traffic will not compromise the safety of the entrances servicing these properties. Accordingly, the consideration of adverse effects on persons at these properties primarily relates to character and amenity.

As outlined in Section 4.5.1 of this report, the subject site could accommodate one principal dwelling and accessory building/s as a permitted activity, subject to compliance with the relevant District Plan performance standards. It is noted for context that although the subject site is located within the Compact Housing Area policy overlay, it does not meet the minimum 2000m² site area, instead being 809m². The proposal is therefore of a higher density than is provided for by the District Plan in this location.

Outlook for persons at these properties will change from the existing single storey dwelling and attached garage/sleepout to a two-storey compact housing development consisting of two blocks and a total of seven dwellings. The development will be of an overall footprint and length greater than what is permitted, which will contribute to a dominance of buildings on the site and a sense of enclosure for persons at these properties. These effects are more pronounced due to the blocks being two storeys and although are separated into two blocks, will read as multiple dwellings due to the terraced design. The design does utilise a mixture of materials and a neutral colour palette, with modulated facades and landscaping proposed which does offer some mitigation of the overall visual effect of the development. However, due to the overall scale of the development relative to the permitted baseline and the surrounding environment, which is currently defined to a large extent by single storey detached dwellings, it is my opinion that the adverse effects on the visual amenity of persons at these properties will be minor and may lead to a loss of appreciation of the 'pleasantness' of the area. I do acknowledge that the adjoining access legs provide a greater degree of separation for these properties, however I do not consider the separation to sufficiently mitigate the visual effects of the proposal to be less than minor.

Compliance with daylight control has been achieved on all boundaries, which will ensure that any shading effects from the proposal are less than minor.

Turning specifically to persons at 147 Taylor Street, although the layout includes a right of way along the western portion of the site which adds to the intervening distance of the adjoining driveways between the development and this property, the proposal will introduce a row of five units with balconies oriented towards the west. While it is acknowledged that the balconies are setback to a greater degree than what could be established as a permitted activity, the proposal will have balconies of four different households overlooking this property, which would be a noticeable increase in residential activity on the site and likely an increased awareness of neighbours. It is my opinion that this will result in minor effects on the visual amenity and privacy of persons at this property.

Comparatively, persons at 159 Taylor Street will be fronted by the outdoor living areas of the two blocks at ground level, which will be predominantly screened by a 1.8m fence and some landscaping. The first-floor windows to bedrooms and bathrooms will look out over this property, which due to the number of dwellings contained within the blocks will contribute to a perceived loss of privacy and increased awareness of neighbours. Accordingly, it is my opinion that the proposal will result in minor effects on the visual amenity and privacy of persons at this property.

In terms of the road boundary encroachment of the front unit, this will bring the development forward and will be a change in the character of the existing streetscape, which does typically have spacious front yards and landscaping. The front unit has been designed with sufficient glazing to provide passive surveillance of the street, with landscaping and fencing which will offset the bulk of the encroachment.

Due to the close proximity of the subject site to these properties, effects associated with the earthworks and construction will be noticeable for persons at these properties. Effects associated with these works may include noise, vibration, dust and traffic, which are all acknowledged as temporary in duration and can be subject to external effects such as weather. It is anticipated that the proposal will comply with the construction noise limits in the Residential Zone and accordingly the adverse effects related to construction activities will be less than minor.

Overall, for the reasons outlined above, it is my opinion that the adverse effects of the proposed subdivision and development on persons at these properties will be minor.

5.4.2 Persons at 149, 151, & 155 Taylor Street (Properties 2 to 4)

These properties are located to the south of the subject site and contain existing dwellings and accessory buildings, which are accessed via the existing access legs on either side of the subject site.

In terms of infrastructure and servicing, the application has included a number of technical reports, including a Site Hazard & Suitability Assessment and Water Impact Assessment and Engineering Design Report. These reports confirm that the proposed subdivision and development can be suitably serviced. Council's Development Engineer has reviewed the application and technical reports included and confirms that the proposal can be adequately serviced without resulting in adverse effects on persons at these properties. This includes disposing of stormwater within the site without resulting in runoff onto adjacent properties.

Additionally, the site will be serviced by a new vehicle entrance with the development resulting in additional traffic from seven dwellings, with each unit provided with a single car garage. Any excess parking will take place on-street. Council's Development Engineer has also reviewed the access and traffic arrangements and is satisfied that there will not be any adverse effects on persons at these properties and that the increase in traffic will not compromise the safety of the entrances servicing these properties. Accordingly, the consideration of adverse effects on persons at these properties primarily relates to character and amenity.

Persons at 151 Taylor Street have the most potential to be affected by the proposal of these three, sharing a direct internal boundary with the subject site where an existing garage/sleepout is located in close proximity to the boundary. Outlook for persons at this property will change with the introduction of the rear block, which will comprise two units abutting the common boundary. The rear block will predominantly screen the rest of the development and the associated bulk and visual effects from the front block. The units have been designed so that any windows facing this property have been minimised, with the primary outdoor living areas located to the north, which will be screened by 1.8m high fences and softened by some landscaping. Due to the number of dwellings proposed, the proposal will result in an increase in the intensity of residential activities on-site, including the number of people that may be outdoors in the living areas and coming and going from the site. Again, the majority of this activity will be focused in the front block, which will be predominantly screened from persons at this property by the two rear units and will be setback by approximately 15.5m from the common boundary with this property, providing a greater degree of separation and subsequent privacy.

The block at the rear encroaches on internal boundary setbacks on the western, eastern and southern internal boundaries. In considering the effects, it is noted that one principal dwelling could be established in this location, as a permitted activity, at the same setback to the common boundary with this property and height as proposed. The rear block will be slightly longer (1 metre), due to the internal boundary encroachments on the west and east. Noting the proximity of the existing sleepout to this boundary, it is my opinion that the proposed length of the rear block will reduce the sense of spaciousness as experienced by persons at this property. For this reason, I consider the adverse effects on persons at this property to be minor.

With regard to persons at 149 and 155 Taylor Street, there is a greater degree of separation from the subject site than that of 151 Taylor Street and although there are internal boundary encroachments on these properties, these relate to the access legs. The dwelling at 149 Taylor Street is two storeys, and so will have a view over the subject site and will likely be able to view both blocks. Due to the design of the units and extent of the intervening distance, it is my opinion that adverse effects on persons at these properties will be less than minor.

5.4.3 Property 6 (Cambridge Green Belt)

This property is located on the opposite side of Taylor Street and is the Cambridge Green Belt, which is zoned Reserve and owned by Waipa District Council.

The proposed development is located opposite this property, the bulk of which will be setback from Taylor Street. Being a Council reserve, that does not directly adjoin the subject site, it is my opinion that any adverse effects will be less than minor.

5.4.4 Wider properties

These properties are located within the wider vicinity of the subject site and generally comprise residential sections with existing dwellings and accessory buildings. Due to the intervening distance between these properties and the subject site, it is my opinion that any adverse effects on persons at these properties will be less than minor.

5.4.5 Summary of Assessment

Based on the above assessment, the proposal will have adverse effects that are minor on the owners and occupiers of 147, 151 & 159 Taylor Street, Cambridge.

5.5 Special Circumstances – Section 95B(10)

Council must limited notify an application, to any other persons not already determined to be eligible for limited notification, if it considers that special circumstances exist in relation to the application.

Special circumstances have been defined as circumstances that are exceptional, abnormal or unusual but may be less than extraordinary or unique. Special circumstances provide a mechanism for limited notification of an application which may otherwise appear to be routine or uncontentious or minor in its effects.

In this instance, the proposal is considered not to have exceptional, abnormal or unusual circumstances warranting limited notification.

5.6 Summary of Limited Notification Assessment

Pursuant to Section 95B, the application has been assessed to determine if limited notification is required. In this instance, and for the reasons outlined in Sections 5.1 to 5.5 above, it is considered that the proposal warrants limited notification to the owners and occupiers of 147, 151 & 159 Taylor Street, Cambridge.

6 SECTION 95 A & B NOTIFICATION RECOMMENDATION AND DECISION UNDER DELEGATED AUTHORITY

Pursuant to Section 95 A & B application SP/0074/23 & LU/0155/23 for a Non-complying Activity shall proceed on a Limited **Notified** basis for the reasons outlined above in Section 5.1 to 5.5. The application shall be notified to the owners and occupiers of the following properties:

- 147 Taylor Street, Cambridge
- 151 Taylor Street, Cambridge
- 159 Taylor Street, Cambridge

Reporting Officer:




Waipā
DISTRICT COUNCIL

Approved By:



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ECM reference: 11093311

Dominic Harris
Intermediate Planner
Dated: 24 November 2023

Quentin Budd
Consents Team Leader
Dated: 28 November 2023