

### 13. Item 3: Licence to Occupy at 13 Sir Tim Wallis Drive, Wānaka

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#### PURPOSE OF THE REPORT | TE TAKE MO TE PURONGO

1. The purpose of this report is to consider granting a Licence to Occupy Road Reserve to enable Fyfe Karamaena Law Limited, to construct a verandah and architectural features associated with a commercial building at 13 Sir Tim Wallis Drive, Wānaka. The merits of the verandah and the architectural features will be considered under resource consent should this LTO be approved.

#### RECOMMENDATION | NGA TUTOHUNGA

That the Wānaka-Upper Clutha Community Board:

1. **Note** the contents of this report
2. **Grants** a licence to occupy 13 Sir Tim Wallis Drive road reserve to enable Fyfe Karamaena Law Limited to construct a first floor verandah and architectural features associated with a commercial building subject to the following conditions;
  - a. The licence shall remain at Council's pleasure.
  - b. Building and Resource Consent to be obtained prior to works commencing if required.
  - c. Approval of a Traffic Management Plan (TMP) and Corridor Access Request (CAR) by Council Engineers before work commences.
  - d. All activities are to be undertaken in accordance with Worksafe New Zealand's standards for the work environment.
  - e. Any works within the road reserve to be undertaken to the specification and approval of Council's Engineers.
  - f. All services including three-waters, telecommunications, power and gas within the road reserve must be identified and catered for and no compromise shall be made to Council Infrastructure or access to same.
  - g. The verandah and the architectural features must not compromise roading or services maintenance activities.
  - h. Ongoing maintenance of the structures and/or occupation are to be the responsibility of the Licensee.
  - i. Any damage to council infrastructure caused due to the construction of the verandah and/or the architectural features is to be resolved to the satisfaction of Council Engineers at the cost of the applicant.
  - j. In the event that Council requires access any Council services in or in close proximity to the agreed location (including responding to a failure of the main), Council will not be liable for damage to, or reinstatement of, the verandah and/or architectural features

|           | <b>Prepared by:</b>   | <b>Reviewed and Authorised by:</b>  |
|-----------|---|---|
| Name      | Madhulika Puri  | David Wallace   |
| Position  | Subdivision Officer   | Resource Consent Engineering Manager  |
| Signature |  |  |
| Date      | 24 January 2023   | 27 January 2023   |

## REPORT CONTENT & ATTACHMENTS | NGA TAPIRIHANGA

| <b>Number</b> | <b>Title of Attachment</b>                   |
|---------------|--|
| 1.            | Covering report                              |
| 2.            | Attachment A: Location Plan                  |
| 3.            | Attachment B: Plans, sections and elevations |
| 4.            | Attachment C: Cover letter from applicant    |

## Attachment 1 - Sir Tim Wallis Drive LTO application covering report

Council Report | Te Rīpoata Kaunihera ā-rohe



A unique place. An inspiring future. He Wāhi Tūhāhā. He Āmua Whakaohooho.

**Wānaka Community Board**  
**16 February 2023**

**Report for Agenda Item | Rīpoata moto e Rāraki take : 2**

**Department: Planning & Development**

**Title | Taitara Licence to Occupy at 13 Sir Tim Wallis Drive, Wānaka**

### **PURPOSE OF THE REPORT | TE TAKE MŌ TE PŪRONGO**

The purpose of this report is to consider granting a Licence to Occupy Road Reserve to enable Fyfe Karamaena Law Limited, to construct a verandah and architectural features associated with a commercial building at 13 Sir Tim Wallis Drive, Wānaka. The merits of the verandah and the architectural features will be considered under resource consent should this LTO be approved.

### **RECOMMENDATION | NGĀ TŪTOHUNGA**

That the Wānaka Community Board;

1. **Notes** the contents of this report;
2. **Grants** a licence to occupy 13 Sir Tim Wallis Drive road reserve to enable Fyfe Karamaena Law Limited to construct a first floor verandah and architectural features associated with a commercial building subject to the following conditions;
  - a. The licence shall remain at Council's pleasure.
  - b. Building and Resource Consent to be obtained prior to works commencing if required.
  - c. Approval of a Traffic Management Plan (TMP) and Corridor Access Request (CAR) by Council Engineers before work commences.
  - d. All activities are to be undertaken in accordance with Worksafe New Zealand's standards for the work environment.
  - e. Any works within the road reserve to be undertaken to the specification and approval of Council's Engineers.
  - f. All services including three-waters, telecommunications, power and gas within the road reserve must be identified and catered for and no compromise shall be made to Council Infrastructure or access to same.
  - g. The verandah and the architectural features must not compromise roading or services maintenance activities.
  - h. Ongoing maintenance of the structures and/or occupation are to be the responsibility of the Licensee.

- i. Any damage to council infrastructure caused due to the construction of the verandah and/or the architectural features is to be resolved to the satisfaction of Council Engineers at the cost of the applicant.
- j. In the event that Council requires access any Council services in or in close proximity to the agreed location (including responding to a failure of the main), Council will not be liable for damage to, or reinstatement of, the verandah and/or architectural features.

| Prepared by:  | Reviewed and Authorised by:  |
|---|--|
|  |  |
| Madhulika Puri<br>Subdivision Officer<br><br>24/01/2023                           | David Wallace<br>Manager for Resource Management<br>Engineering<br><br>27/01/2023  |

## CONTEXT | HOROPAKI

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- 1 Fyfe Karamaena Law Limited (herein referred to as the “the Applicant”) are constructing a building at 13 Sir Tim Wallis Drive, Wānaka.
- 2 The proposal includes architectural features framing the first floor glazing and a verandah to be built over the footpath within the Council’s road reserve at Sir Tim Wallis Drive. See Attachments A, B and C.
- 3 The verandah will extend 2.25m over the footpath and be set back from the edge of the kerb by 2.25m. It is proposed to be constructed above the First Floor floor level. The architectural features framing the glazing at the first floor level will be constructed above the level of the verandah and extend 0.81m over the footpath.
- 4 There is no usable commercial space above the verandah as it is only an architectural feature. As such it is not considered appropriate to charge a fee as the Council’s policy for fees for use of airspace generally relates to usable commercial space within that public airspace.

## ANALYSIS AND ADVICE | TATĀRITANGA ME NGĀ TOHUTOHU

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- 5 Council’s Engineers have been consulted who have confirmed support for the proposal.
- 6 Option 1 Council can grant the Licence to Occupy Road Reserve application subject to the conditions proposed above.

*Advantages:*

- 7 The applicant can complete their development as planned.

*Disadvantages:*

- 8 The air space above the road reserve will be encumbered with private structures.
- 9 There will be some disruption to the public during the construction of the overhanging verandah and the architectural features.

- 10 Option 2 Council can decline the Licence to Occupy Road Reserve application.

*Advantages:*

- 11 The air space above the road reserve will not be encumbered by private structures.
- 12 The public will not be disrupted by construction activities.

*Disadvantages:*

- 13 The developer will need to review their plans which may result in an aesthetically less pleasing building frontage.

- 14 This report recommends Option 1 for addressing the matter as agreement to grant the Licence to Occupy will allow the works to be undertaken and completed under terms and conditions deemed appropriate by Council's engineers.

#### CONSULTATION PROCESS | HĀTEPE MATAPAKI:

##### > SIGNIFICANCE AND ENGAGEMENT | TE WHAKAMAHI I KĀ WHAKAARO HIRAKA

- 15 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy as it relates to Council's roading network which is identified as a significant asset.
- 16 There are no persons, other than the applicants, identified who are adversely affected by or would be significantly interested in this matter.
- 17 Council Engineers have been consulted about this application and their comments are contained within this report.

#### RISK AND MITIGATIONS | NGĀ RARU TŪPONO ME NGĀ WHAKAMAURUTANGA

- 18 This matter relates to the Community & Wellbeing risk category. It is associated with RISK00009 within the QLDC Risk Register. This risk has been assessed as having a High inherent risk rating.
- 19 This matter relates to this risk because a property right contained in the road reserve does carry risk to Council for any future works. The risk has been mitigated by retaining the licence at Council's pleasure.

#### FINANCIAL IMPLICATIONS | NGĀ RITENGA Ā-PŪTEA

- 20 The Applicants have paid a fee for their application to be processed which includes the preparation of the licence document if successful.
- 21 Should legal review of the licence be required, Council's legal costs will be recovered from the applicant.

#### COUNCIL EFFECTS AND VIEWS | NGĀ WHAKAAWEAWE ME NGĀ TIROHANGA A TE KAUNIHERA

- 22 The following Council policies, strategies and bylaws were considered:
- Significance and Engagement Policy 2014* – providing clarity on Council's decision making processes and assessing the extent to which individuals, organisations, groups and sectors in the community are affected by the Council's decisions.
  - Long Term Plan* – the consideration to grant or otherwise a Licence to Occupy is considered part of the Council's 'Regulatory Services' outlined in the Plan.
- 23 The recommended option is consistent with the principles set out in the named policy/policies.

- 24 This matter is not included in the Ten Year Plan/Annual Plan as the cost of the licence will be met by the applicant.

**LOCAL GOVERNMENT ACT 2002 PURPOSE PROVISIONS | TE WHAKATURETURE 2002 O TE KĀWANATAKA Ā-KĀIKA**

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- 25 Section 10 of the Local Government Act 2002 states that the purpose of local government is to:
- a. Enable democratic, local decision-making and action by, and on behalf of. Communities; and
  - b. Promote the social, economic, environmental and cultural well-being of communities in the present and for the future.
- 26 As such, the recommendation in this report is appropriate and within the ambit of Section 10 because it will allow a commercial development to proceed as per its design.
- 27 The recommended option:
- Is consistent with the Council's plans and policies; and
  - Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

**ATTACHMENTS | NGĀ TĀPIRIHANGA**

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|   |                                |
|---|--------------------------------|
| A | LOCATION PLAN                  |
| B | PLANS, SECTIONS AND ELEVATIONS |
| C | COVER LETTER                   |

Attachment 2 - 2a. A. Location Plan

ATTACHMENT A

LOCATION PLAN



**Attachment 3 - 2b. Plans Sections and Elevations**

Attachment B: Plans, sections and elevations

# CONDON SCOTT

ARCHITECTS

## Architectural Drawings - Resource Consent -

Print Date: 30/01/2023

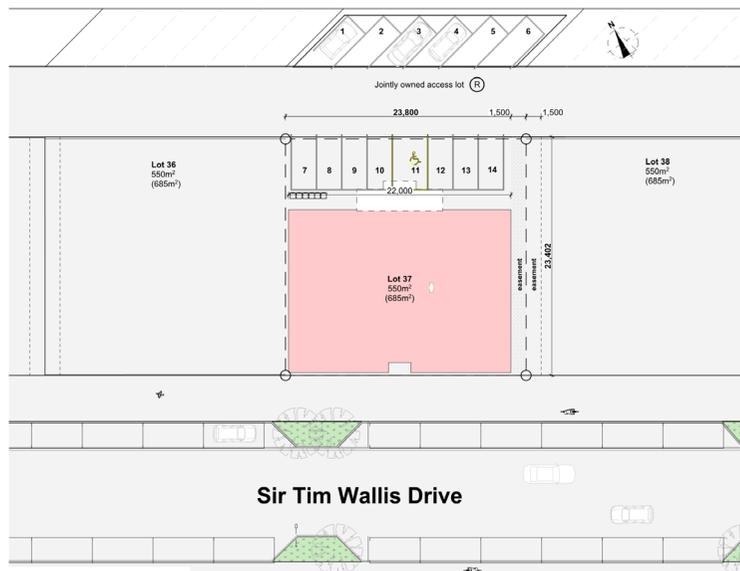
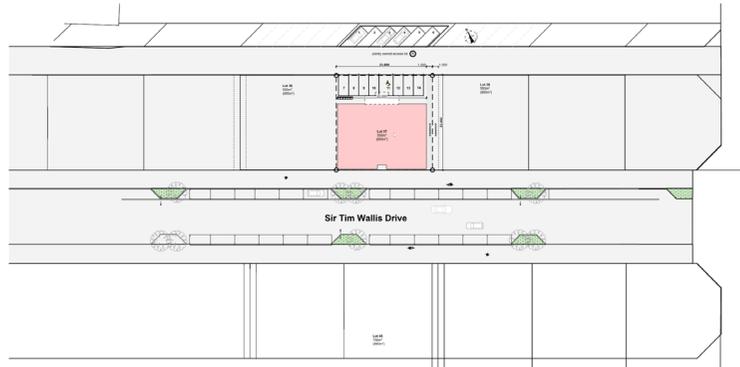


| Layout           | Rev | Sheet Name             |
|------------------|-----|------------------------|
| Working Drawings |     | Cover Page             |
| A1 Site          |     | Site Plan              |
| A2 Plans         |     | Floor Plans            |
| A200             |     | Ground Floor Plan      |
| A201             |     | First Floor Plan       |
| A202             |     | First Floor Floor Plan |
| A203             |     | First Floor Floor Plan |
| A204             |     | Roof Plan              |
| A3 Elevations    |     | Elevations             |
| A300             |     |                        |
| A4 Sections      |     | Sections AA, BB        |
| A400             |     | Sections CC, DD        |
| A401             |     | Sections EE, FF        |
| A402             |     |                        |
| A5 3D            |     | Render Images - V-Rib  |
| A500             |     |                        |

## New Office Building

Lot 37 Sir Tim Wallis Drive  
Three Parks Wanaka





| SITE INFORMATION   |   |
|--------------------|---|
| Legal Description: | Lot 37 DP 523538  |
| Physical Address:  | Three Parks, Wanaka   |
| Valuation No:      | TBC   |
| Site Area:         | 550m <sup>2</sup> * 135m <sup>2</sup>                         |
| Site Zone:         | Business Main Street Subzone - Three Parks Special Zone       |
| Site Coverage:     | No maximum % specified.<br>Allow 10% of permeable landscaping |
| Wind Zone:         | Very High (VH) TBC  |
| Snow Zone:         | N5 - 2.0kPa   |
| Earthquake Zone:   | Zone 3  |
| Durability Zone:   | Zone B  |

**Resource Consent General Notes**

01. The information must be used only for the coordination and/or completion of the consent process for the client or commissioning party. These parties cannot rely on or use the data contained herein.

02. The Plan has been prepared for the purpose of RMA & Resource Consent Application only. All depths and dimensions are likely to vary upon survey if included on attached to sale & purchase agreements without an appropriate condition to cover such variations.

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**New Office Building**  
Lot 37 Sir Tim Wallis Drive  
Three Parks Wanaka  
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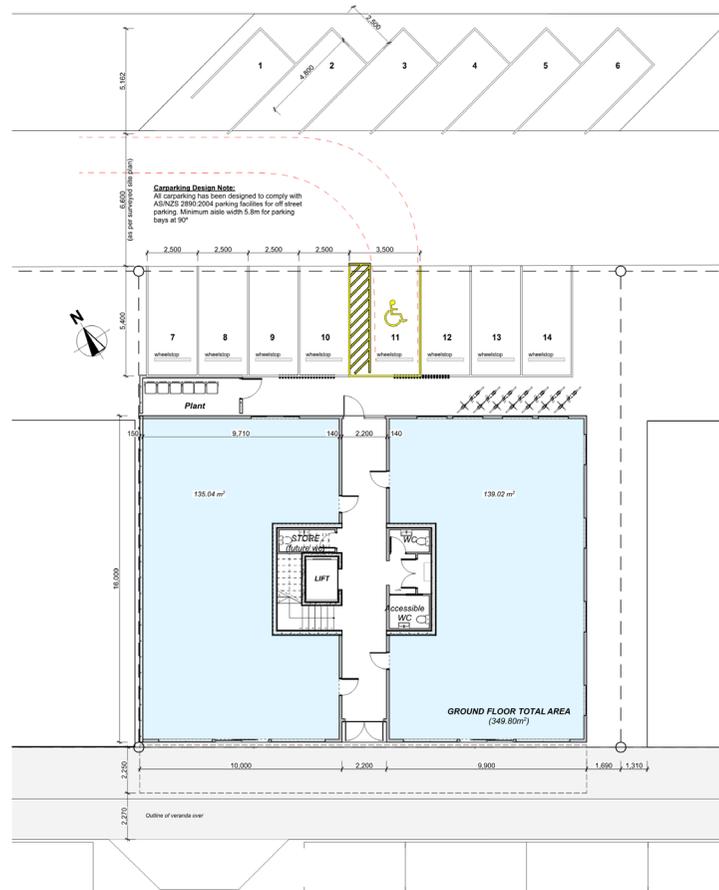
Drawing Title:

Site Plan

Client: Fyfe Karamaena Ltd

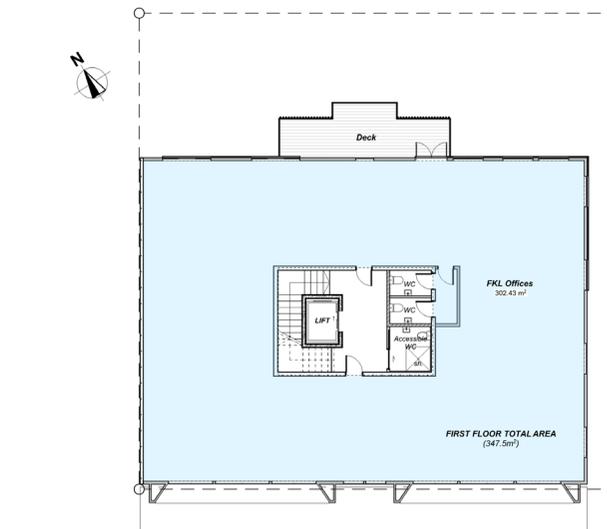
Project: 19.18

| Resource Consent         |                    |              |
|--------------------------|--------------------|--------------|
| Scale: A1 = as indicated | A3 = 50% reduction |              |
| Design: CSA              | Drawn: CSA         | Checked: CSA |
| Plot Date: 30/01/2023    | Drawn/Revised:     | Version:     |
|                          | <b>A100</b>        |              |



1 Ground Floor Plan 1:100  
Scale 1:100

Risk Group WB (C/ASS)  
Importance Level 2



1 First Floor Plan 1:100  
Scale 1:100

**Resource Consent General Notes**

- The information must be used only for the coordination and/or completion of the consent process for the client or commissioning party. This carries no liability on the part of the design professional.
- The Plan has been prepared for the purpose of Resource Consent Application only. All levels and dimensions are likely to vary upon survey or should not be attached to sale & purchase agreements without an appropriate condition to cover such variations.

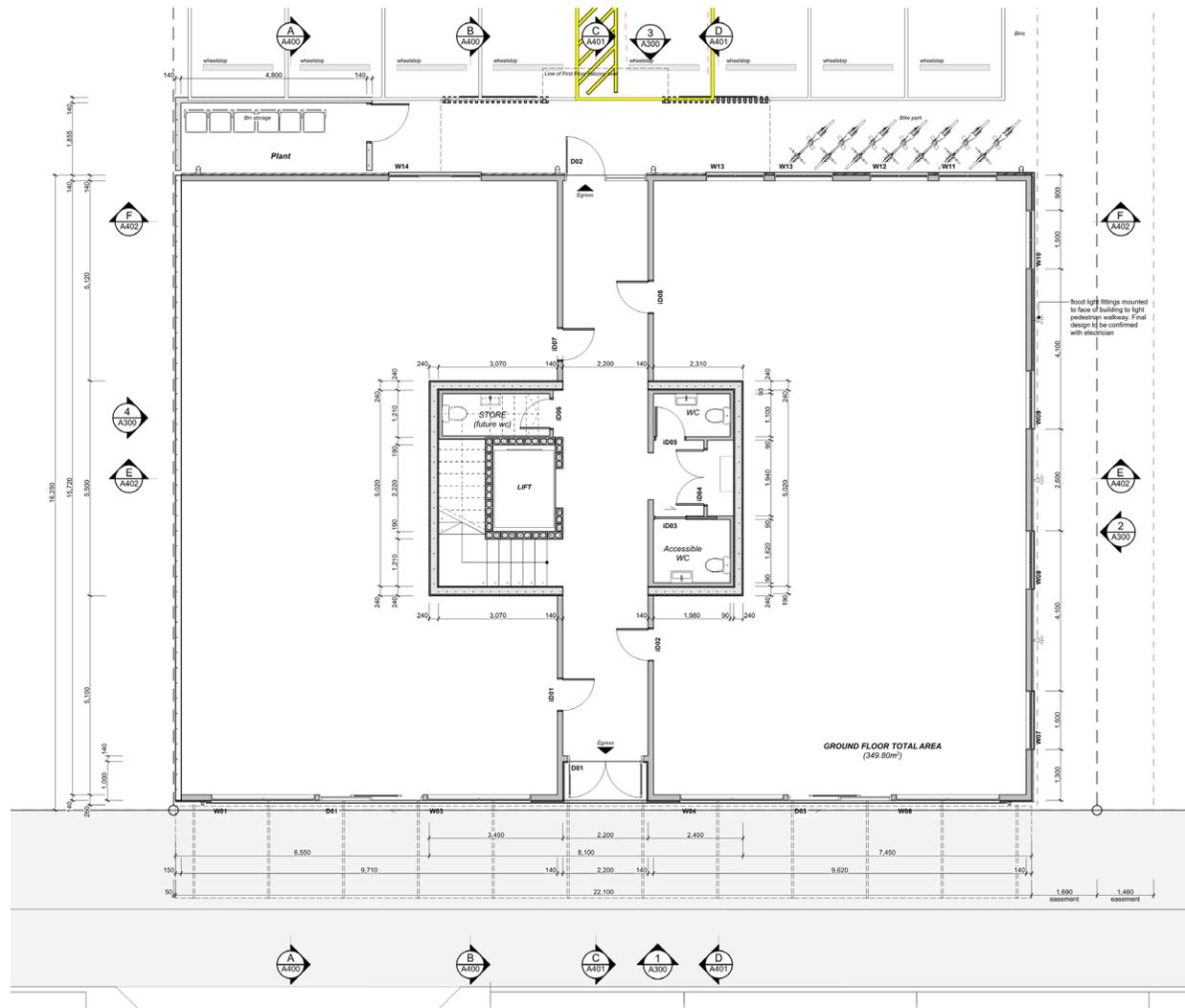
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Drawing Title:  
**Floor Plans**  
Client: Fyfe Karamaena Ltd  
Project: 19.18

**Resource Consent**  
Scale: A1 = as indicated A3 = 50% reduction  
Design: CSA Drawn: CSA Checked: CSA  
Date: 30/01/2023 Drawn/checked: A200  
Version:



1 Ground Floor Plan 1:50  
Scale: 1:50

**Resource Consent General Notes**  
01. The information must be used only for the coordination and/or completion of the consent process for the client or commissioning party. Their parties cannot rely on or use the info contained here.  
02. The Plan has been prepared for the purpose of RA, A, Resource Consent Application only. All levels and dimensions are likely to vary upon survey if that will be attached to sale & purchase agreements without an appropriate condition to cover such variations.

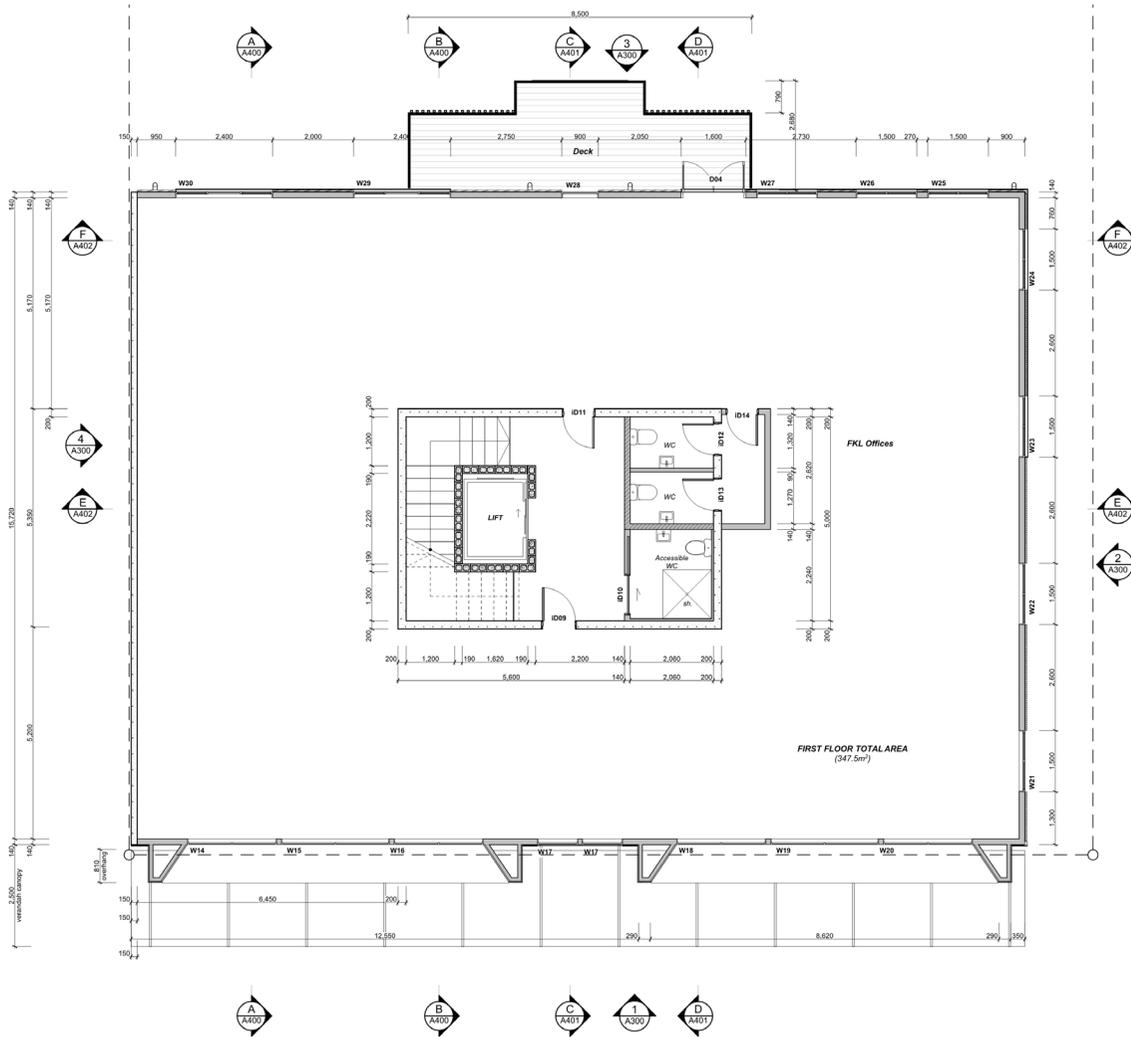
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Drawing Title:  
**Ground Floor Plan**  
Client: Fyfe Karamaena Ltd  
Project: 19.18

| Resource Consent                            |                     |              |
|---|---------------------|--------------|
| Scale: A1 = as indicated A3 = 50% reduction |                     |              |
| Design: CSA                                 | Drawn: CSA          | Checked: CSA |
| Plot Date: 30/01/2023                       | Drawn/Revised: A201 | Version:     |



1 First Floor Plan 1:50  
Scale 1:50

**Resource Consent General Notes**

- The information must be valid and only be used for the coordination and/or completion of the current project for the client or commissioning party. Third parties cannot rely on or use the data contained herein.
- The Plan has been prepared for the purpose of Resource Consent Application only. All levels and dimensions are liable to vary upon survey of the site and be attached to sale & purchase agreements without an appropriate condition to cover such variations.

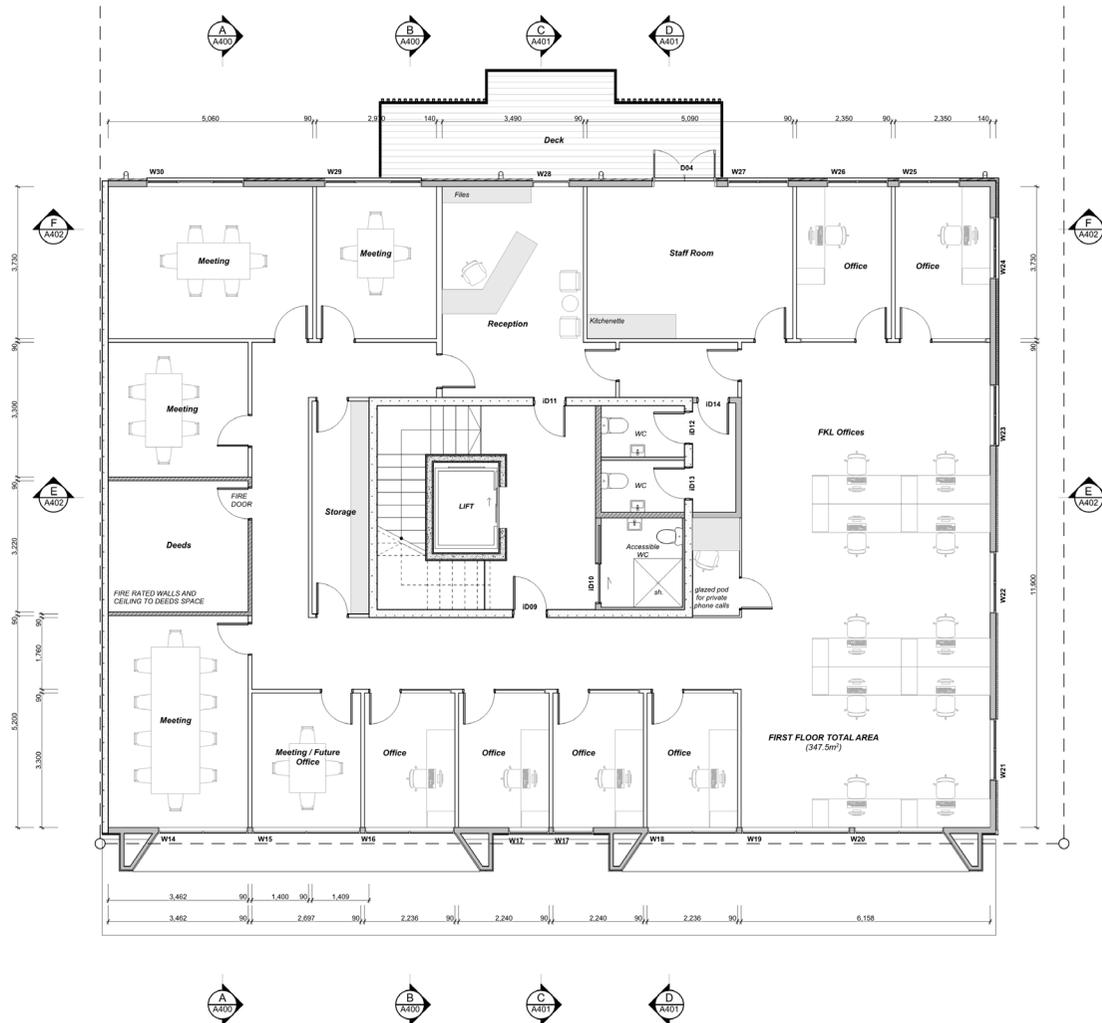
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Drawing Title:  
**First Floor Plan**  
Client:  
Fyte Karamaena Ltd

**Resource Consent**  
Scale: A1 = as indicated A3 = 50% reduction  
Design: CSA Drawn: CSA Checked: CSA  
Project: 19.18  
Date: 30/01/2023  
Revision: A202



1 First Floor Plan - Office Layout  
Scale: 1:40

**Resource Consent General Notes**  
01. The information must be valid and only be used for the coordination and/or completion of the consent process for the client or commissioning party. Third parties cannot rely on or use the info contained here.  
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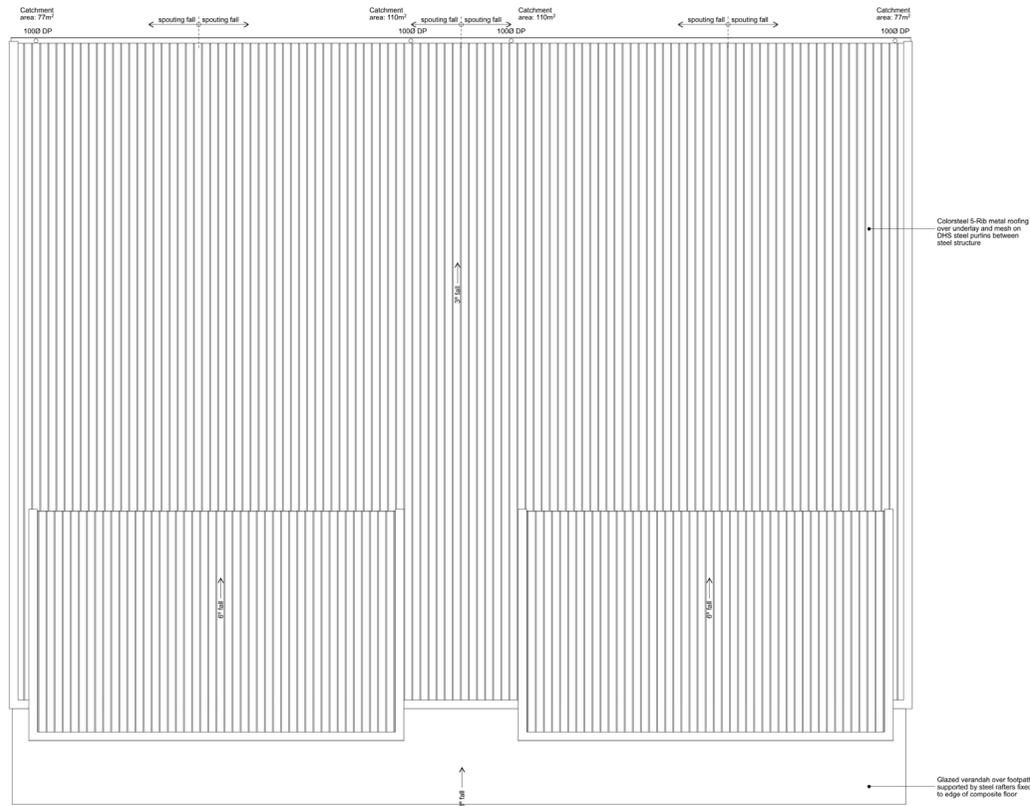
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Drawing Title:  
**First Floor Fitout Plan**

Client: **Fyfe Karamaena Ltd** Project: **19.18**

**Resource Consent**  
Scale: A1 = as indicated A3 = 50% reduction  
Design: CSA Drawn: CSA Checked: CSA  
Date: 30/01/2023 Version: **A203**



1 Roof Plan  
Scale 1:50

**Resource Consent General Notes**  
 01. The information must be used only for the coordination and/or completion of the current project for the client or commissioning party. These parties cannot rely on or use the data contained herein.  
 02. The Plan has been prepared for the purpose of Resource Consent Application only. All levels and dimensions are likely to vary upon survey if required and be attached to sale & purchase agreements without an appropriate condition to cover such variations.

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Drawing Title:

**Roof Plan**

Client: **Fyte Karamaena Ltd**

Project: **19.18**

Issue Date: **30/01/2023**

**Resource Consent**

Scale: A1 = as indicated A3 = 50% reduction  
 Design: CSA Drawn: CSA Checked: CSA  
 Issue Date: 30/01/2023 A204  
 Version:



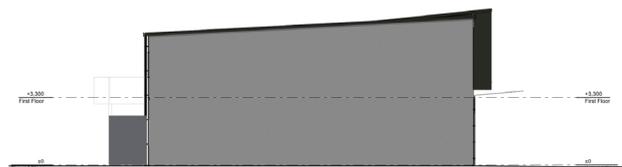
1 South Elevation  
Scale 1:50



2 East Elevation  
Scale 1:50



3 North Elevation  
Scale 1:50



4 West Elevation  
Scale 1:50

**SIGNAGE AREAS ASSESSMENT**

*Note: No specific business signage has been design or confirmed. The purpose of this assessment is to provide council with proposed signage zones with approximate areas to aid with the resource consent application.*

**Signage Areas**  
North Elevation Total = 3.9m<sup>2</sup>  
South Elevation Total = 8.5m<sup>2</sup>  
**Total = 12.4m<sup>2</sup>**

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Drawing Title:  
**Elevations**

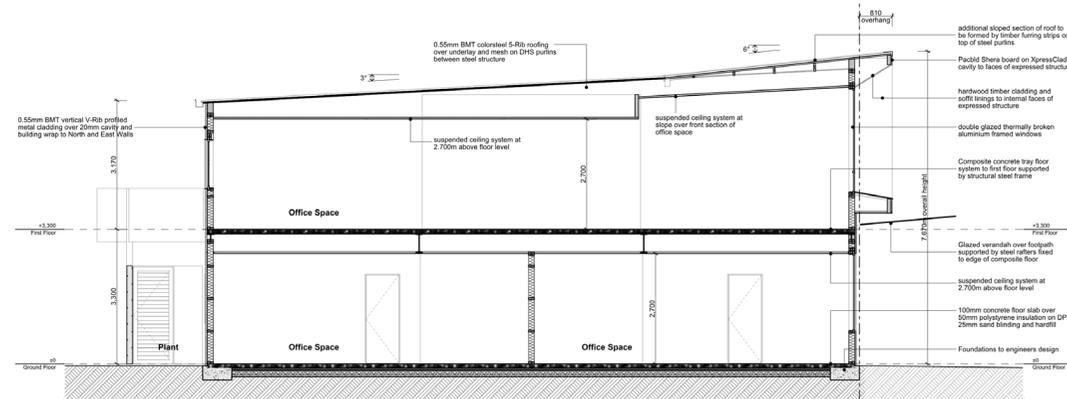
Client:  
**Fyte Karamaena Ltd**

Project:  
**19.18**

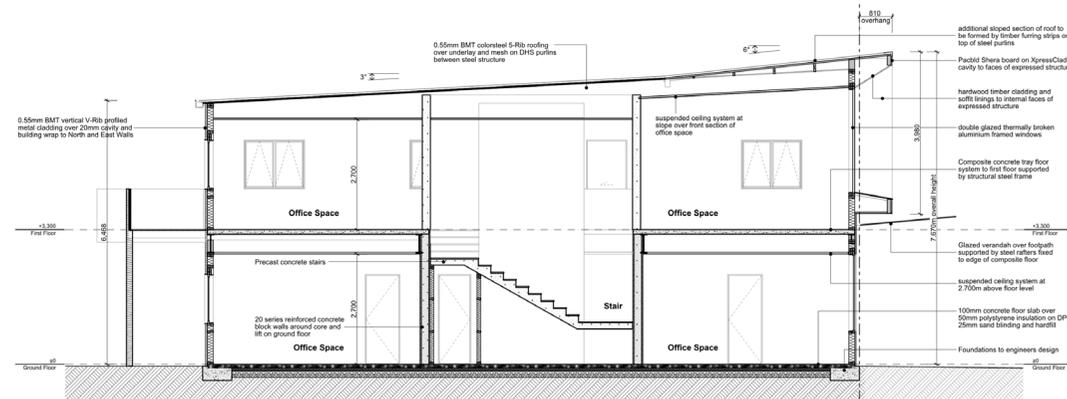
**Resource Consent**

Scale: A1 = as indicated A3 = 50% reduction

|                       |                |              |
|-----------------------|----------------|--------------|
| Design: CSA           | Drawn: CSA     | Checked: CSA |
| Plot Date: 30/01/2023 | Drawn/Revised: | Version:     |
|                       | <b>A300</b>    |              |



1 Section A-A  
Scale 1:50



2 Section B-B  
Scale 1:50

**Resource Consent General Notes**  
01. The information must be used only for the purposes of the coordination and/or completion of the consent process for the client or commissioning party. These parties cannot rely on or use the info contained here.  
02. The Plan has been prepared for the purposes of RMA & Resource Consent Application only. All details and dimensions are likely to vary upon survey if required and be attached to site & purchase agreements without an appropriate condition to cover such variations.

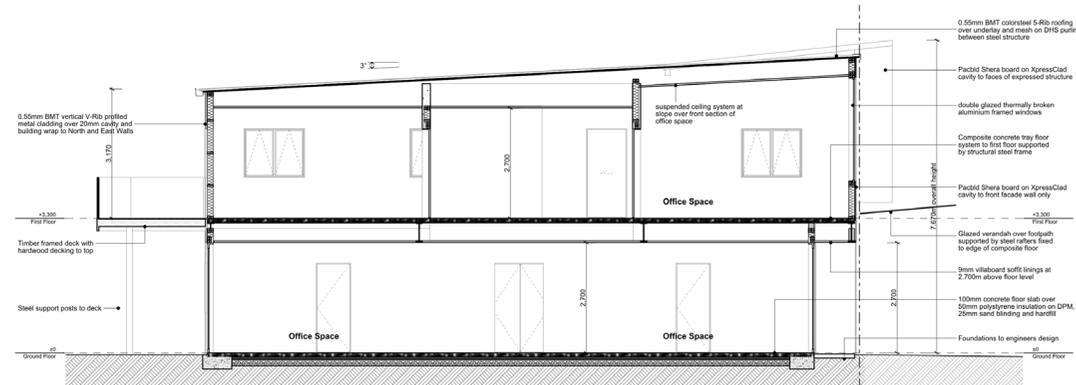
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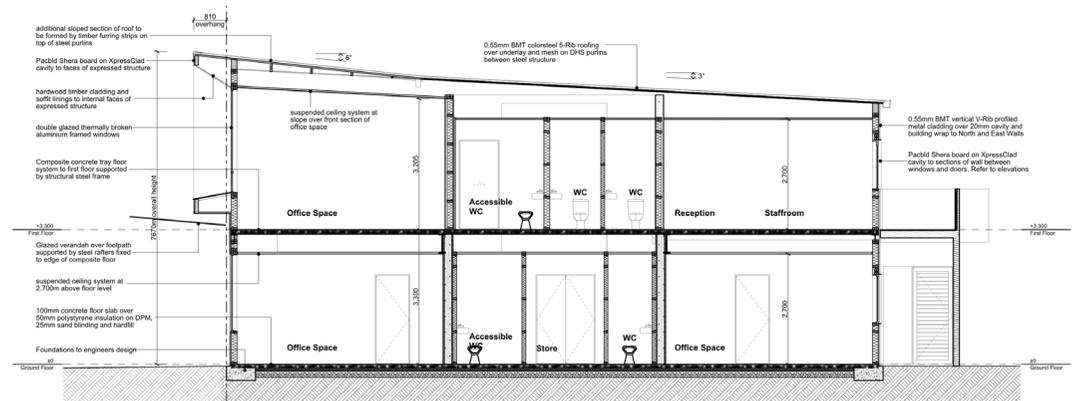
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Drawing Title:  
**Sections AA, BB**  
Client:  
Fyfe Karamaena Ltd

**Resource Consent**  
Scale: A1 = as indicated | A3 = 50% reduction  
Design: CSA | Drawn: CSA | Checked: CSA  
Date: 30/01/2023 | Version: A400



1 Section C-C  
Scale 1:50



2 Section C-C  
Scale 1:50

**Resource Consent General Notes**  
 01. The information must be used only for the coordination and/or completion of resource consent for the user or commissioning party. These parties control any use of the site contained herein.  
 02. The Plan has been prepared for the purpose of RMA & Resource Consent Application only. All details and dimensions are likely to vary upon survey if required and be attached to user & purchase agreements without an appropriate condition to cover such variations.

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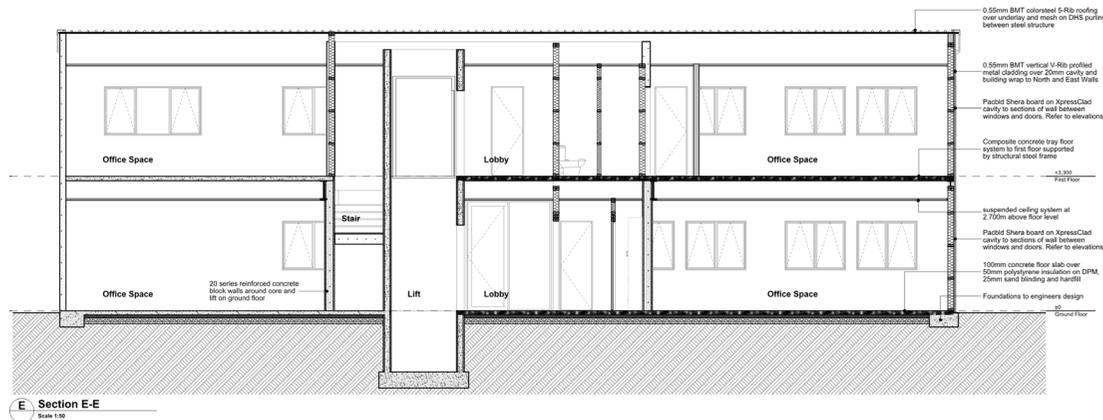
**New Office Building**  
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Drawing Title:  
**Sections CC, DD**

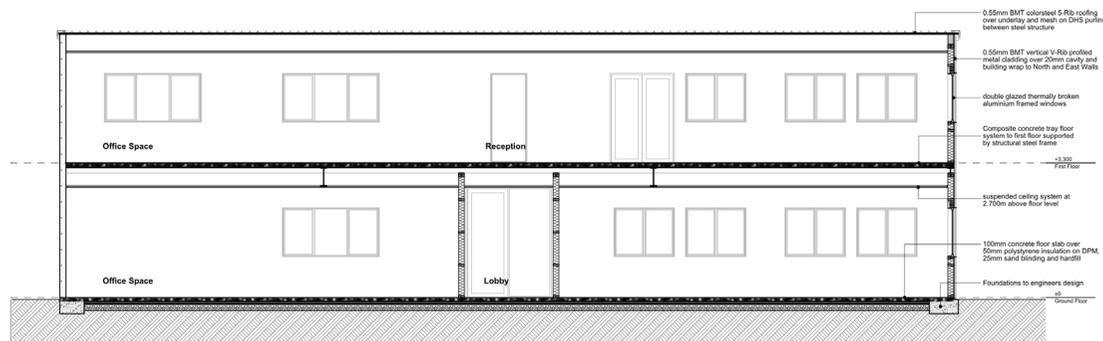
Client: **Fyfe Karamaena Ltd**  
 Project: **19.18**

**Resource Consent**

Scale: A1 = as indicated A3 = 50% reduction  
 Design: CSA | Drawn: CSA | Checked: CSA  
 Date: 30/01/2023 | Drawing Number: **A401** | Revision:



**E Section E-E**  
Scale 1:50



**F Section F-F**  
Scale 1:50

**Resource Consent General Notes**

- The information must be used only for the coordination and/or completion of the consent process for the client or commissioning party. Third parties cannot rely on or use the info contained herein.
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Consultants:

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**New Office Building**  
Lot 37 51 Tim Wailis Drive  
Tirapea Parks Wanaka  
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Drawing Title:  
**Sections EE, FF**  
Client:  
Fyfe Karamaena Ltd  
Project:  
19.18

| Resource Consent                            |                        |              |
|---|------------------------|--------------|
| Scale: A1 = as indicated A3 = 50% reduction |                        |              |
| Design: CSA                                 | Drawn: CSA             | Checked: CSA |
| Plot Date:<br>30/01/2023                    | Drawn/Revised:<br>A402 | Version:     |



**Resource Consent General Notes**  
 01. The information must be valid and only be used for the coordination and/or completion of the consent process for the client or commissioning party. Their parties cannot rely on or use the data contained herein.  
 02. The Plan has been prepared for the purpose of RMA & Resource Consent Application only. All depth and dimensions are likely to vary upon survey if required and be attached to sale & purchase agreements without an appropriate condition to cover such variations.

Consultants:

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**New Office Building**  
 Lot 37/38 Tim Wallis Drive  
 Three Parks Wanaka  
 © Condon Scott Architects Ltd

Drawing Title:  
**Render Images - V-Rib**  
 Client: **Fyte Karamaena Ltd**  
 Project: **19.18**

| Resource Consent         |                    |              |
|--------------------------|--------------------|--------------|
| Scale: A1 = as indicated | A3 = 50% reduction |              |
| Design: CSA              | Drawn: CSA         | Checked: CSA |
| Plot Date: 30/01/2023    | Drawn/Revised:     | Version:     |
|                          | <b>A500</b>        |              |

## Attachment 4 - 2c. Cover letter

### Attachment C: Cover Letter from Applicant



Engineering Approvals  
Queenstown Lakes District Council  
Wanaka

Edgar Planning Ltd  
1 Kamahi Street  
Wanaka 9305

23 September 2022

To Whom it May Concern;

#### Commercial Building – 13 Sir Tim Wallis Drive

#### 1.0 INTRODUCTION

Please find enclosed our application to occupy Council Road Reserve at 13 Sir Tim Wallis Drive, Wānaka.

#### 2.0 SITE DESCRIPTION

2.1 The site is located at 13 Sir Tim Wallis Drive. Please refer to the location plan in **Figure 1** below.



Figure 1 : Approximate Extent of Application Site

2.2 The site is comprised of future allotment 37 and is flat and rectangular in shape. The underlying subdivision, RM181624, is currently being given effect to, with services and the



access lane to the south-west formed. The legal survey has been lodged with LINZ but titles have not yet been issued. Future Lot 37 550m<sup>2</sup> in net area with a gross area of 685m<sup>2</sup>. An access lane runs along the northern extent of the lot, with additional parking available on the opposite side. **Figure 2** below shows the approved scheme plan.



Figure 2 : Approved subdivision Plan RM181624

- 2.3 There is a pedestrian easements between Lot 37 and 38 connecting the parking area and rear service lane to Sir Tim Wallis Drive.
- 2.4 Sir Tim Wallis Drive is the main road within the Three Parks Development. The BMUZ extends along either side of Sir Tim Wallis Drive, with industrial development to the south and north. There are a number of established office buildings to the west along Sir Tim Wallis Drive, and industrial and service activities to the south and north. Further to the east there are a number of large scale retail activities.



- 2.5 An Outline Development Plan (ODP) for the Three Parks Zone was approved on 14 June 2018 (RM140354) with an amended ODP being approved on 14 June 2018 (RM171167). Both ODPs also identified this site as being within the Business (Main Street) Subzone. However, the site and surrounding area have been rezoned as Business Mixed Use (BMUZ) as part of Stage 3 of the District Plan Review.
- 2.6 Subdivision consent RM181624 was granted on 5 July 2019 and re-issued on 9 July 2019 to undertake a 17 lot subdivision. The approved subdivision design included 16 business lots, 16 accessory car parking lots, 2 service lanes, one lot to vest as road and two balance lots. A consent notice is required to be registered on the titles of the future lots and includes conditions in relation to the ongoing management of stormwater disposal and lighting of pedestrian easements.

### 3.0 PROPOSAL

- 3.1 Resource consent has been applied for to construct a two-story commercial building with associated parking and servicing on Lot 37. In addition, a copy of the plans is included as **Appendix A**.
- 3.2 Part of the proposed building, including the verandah and a small portion of the first floor, are proposed to be constructed over the footpath, which is within Council's road reserve on Sir Tim Wallis Drive. The verandah will be 3m above the footpath, with the building sitting above it. Therefore, the proposed projections will not interfere with pedestrian traffic on the footpath.
- 3.3 Please let us know if you need any further information, or have any questions regarding the application.

Yours faithfully,  
Edgar Planning Ltd,

A handwritten signature in black ink, appearing to read 'Erin Stagg'.

Erin Stagg  
Planner

A handwritten signature in black ink, appearing to read 'Scott Edgar'.

Scott Edgar  
Planner