

Wānaka-Upper Clutha Community Board

20 February 2025

Report for Agenda Item | Rīpoata moto e Rāraki take [1]

Department: Planning & Development

Title | Taitara: Licence to Occupy 9 Sir Tim Wallis Drive, Wānaka (LO240039)

Purpose of the Report | Te Take mō te Pūroko

The purpose of this report is to consider granting a Licence to Occupy Road Reserve to enable KAB Commercial Limited, the owners of 9 Sir Tim Wallis Drive, Wānaka, to construct verandahs on the first-floor level of a commercial building that will overhang the airspace above the Council-owned Road Reserve.

Recommendation | Kā Tūtohuka

That the Wānaka-Upper Clutha Community Board:

1. **Note** the contents of this report and in particular;
2. **Grant** a Licence to Occupy Sir Tim Wallis Drive, Wānaka road reserve to enable KAB Commercial Limited to construct three verandahs on the first-floor level of a commercial building that will overhang footpath areas of the road reserve outside 9 Sir Tim Wallis Drive, Wānaka, subject to the following conditions:
 - a. The licence shall remain at Council's pleasure;
 - b. It is the responsibility of the Applicant to ensure that all works on the road reserve comply with both the Building Act, and the Resource Management Act 1991;
 - c. Resource Consent and Building consents are to be obtained prior to works commencing, if required;
 - d. Prior to works commencing, a Corridor Access Request (CAR) must be approved, which includes a Traffic Management Plan;
 - e. All activities are to be undertaken in accordance with the Health and Safety at Work Act 2015;
 - f. Ongoing maintenance of the structure and/or occupation are to be the responsibility of the Licensee;

- g. The applicant consents to the Licence being encumbered against the title Lot 35 DP 567411 to ensure the recommended terms and conditions are met in perpetuity for all future owners of the property;
3. **Authorise** this report and resolution to be made available to the public as part of the next Chief Executive's report to Council.

Prepared by:



Name: Adam Geekie

Title: LTO & TRC
Administrator
25 October 2024

Reviewed by:



Name: Craig Hughes

Title: Team Leader – Acceptance,
Development Engineering
5 November 2024

Approved by:



Name: David Wallace

Title: GM Planning &
Development
28 January 2025

Context | Horopaki

1. KAB Commercial Limited (herein referred to as the “the Applicant”) has applied to construct three verandahs on the first floor of a commercial building that will overhang footpath areas of the road reserve outside 9 Sir Tim Wallis Drive, Wānaka.
2. The legal description of 9 Sir Tim Wallis Drive, Wānaka is Lot 35 DP 567411.
3. The total site is 693m² in area and is comprised of a larger square area between Sir Tim Wallis Drive and Lister Lane, and a parking area that includes angled car parks on the opposite side of Lister Lane. The site also has joint ownership in Lister Lane, which provides one-way vehicular access from the south-west to the north-east.
4. Sir Tim Wallis Drive is the main road within the Three Parks Development. The Business Mixed Use Zone (BMUZ) extends along either side of Sir Tim Wallis Drive. There are several established office buildings along Sir Tim Wallis Drive, and industrial and service activities to the south and north. Further to the east there are several large-scale retail activities.
5. An Outline Development Plan (ODP) for the Three Parks Zone was approved on 1 December 2015 (RM140354) with an amended ODP being approved on 14 June 2018 (RM171167). Both ODP’s 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.
6. Resource consent will be applied for to construct a three-story commercial building with associated parking, manoeuvring and servicing of Lot 35.
7. The verandahs associated with the building are to be constructed above Council’s road reserve on Sir Tim Wallis Drive. The verandahs will be 3 meters above the ground and extend over the footpath areas in the road reserve for a maximum of distance of 1.4 meters.

Analysis and Advice | Tatāritaka me kā Tohutohu

8. The verandahs would extend out 1.4 meters from the building and therefore would not be above the existing footpath that is in place, however there is agreement between QLDC and developer Willowridge to widen the footpaths to the lot frontages as the lots are on sold and developed with the deferred timing intended to limit footpath construction damage. The verandahs will be above the new public path following construction.
9. Council officers have been consulted and have confirmed support for the proposal essentially confirming that the LTO presence will not detract from maintenance and renewal obligations within the road reserve.
10. This report identifies and assesses the following reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002.

11. Option 1 The Wānaka-Upper Clutha Community Board can **grant** the Licence to Occupy Road Reserve application subject to the conditions proposed above.

Advantages:

- The applicant can progress with their proposed development as planned.

Disadvantages:

- QLDC Airspace will be occupied with private infrastructure.

12. Option 2 The Wānaka-Upper Clutha Community Board can **decline** the Licence to Occupy Road Reserve application.

Advantages:

- The QLDC Airspace will not be occupied with private infrastructure.

Disadvantages:

- The applicant cannot progress their proposed development as planned.

13. This report recommends **Option 1** for addressing the matter as the works can 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

14. 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.
15. The level of significance determines the level of compliance necessary with the decision making requirements in sections 76-78 of the Local Government Act 2002. A higher level of compliance must be achieved for a significant decision.
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.

Māori Consultation | Iwi Rūnaka

18. Māori have not been consulted as part of this report.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

19. This matter relates to the Community & Wellbeing risk category. It is associated with RISK10021 Ineffective operations and maintenance of property or infrastructure assets within the QLDC Risk Register. This risk has been assessed as having a very high residual risk rating.

20. The approval of the recommended option will support the Council by allowing us to implement additional controls for this risk. This shall be achieved by the conditions imposed by the Licence to Occupy.

Financial Implications | Kā Riteka ā-Pūtea

21. The Applicants have paid a fee for their application to be processed which includes the preparation of the licence document if successful.

22. Should legal review of the licence be required, Council's legal costs will be recovered from the applicant.

23. Council's legal costs to have the Licence recorded against the applicant's title by a Covenant in Gross will be recovered from the applicant.

Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera

24. The following Council policies, strategies and bylaws were considered:

- a. Significance and Engagement Policy 2024 – 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.
- b. 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.

25. The recommended option is consistent with the principles set out in the named policy/policies.

26. This matter is not included in the Long Term 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-Kiaka

27. Section 10 of the Local Government Act 2002 states the purpose of local government is

- a. to enable democratic local decision-making and action by, and on behalf of, communities; and

- b. to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future
- c. Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by allowing them to install a bus shelter on a concrete pad at no risk to the community.

28. The recommended option:

- Is consistent with the Council's plans and policies; and
- Would not significantly alter 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 | Kā Tāpirihaka

A	LTO COVER LETTER
B	PLANS



Engineering Approvals
Queenstown Lakes District Council
Wānaka

Edgar Planning Ltd
PO Box 716
Wanaka 9343

9 October 2024

To Whom it May Concern;

Commercial Building – 9 Sir Tim Wallis Drive

1.0 INTRODUCTION

Please find enclosed our application to occupy Council Road Reserve at 9 Sir Tim Wallis Drive, Wānaka.

2.0 SITE DESCRIPTION

2.1 The site is located at 9 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 693m² in area and is comprised of a larger square area between Sir Tim Wallis drive and Lister Lane, and a parking area that includes angled car parks on the opposite side of Lister

Lane. The site also has joint ownership in Lister Lane, which provides one-way vehicular access from the south-west to the north-east.

- 2.3 Council's reticulated water and wastewater services are available to the boundary of the site, as are connections to the electricity and telecommunications networks. A connection to the private stormwater disposal network is also available.
- 2.4 Sir Tim Wallis Drive is the main road within the Three Parks Development. The Business Mixed Use Zone (BMUZ) extends along either side of Sir Tim Wallis Drive. There are a number of established office buildings 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.

3.0 PROPOSAL

- 3.1 Resource consent will be applied for to construct a three-story commercial building with associated parking, maneuvering and servicing on Lot 35. A copy of the plans is included as **Appendix A**.
- 3.2 The verandahs associated with the building are proposed to be constructed over the footpath, which is within Council's road reserve on Sir Tim Wallis Drive. The verandahs will be 3m above the footpath and extend over the road reserve for a maximum distance of 1.5m. 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

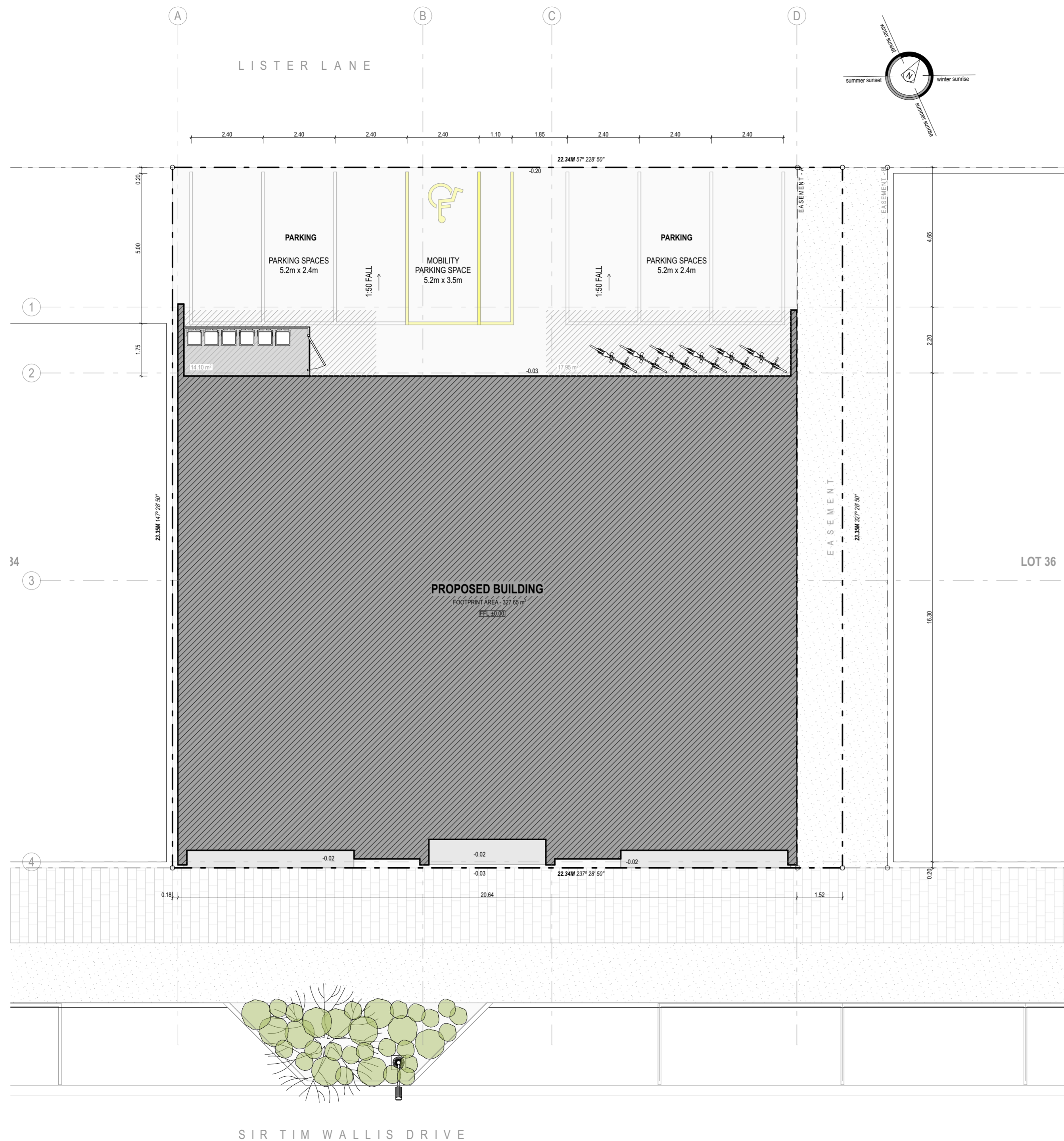
Attachment B: Plans



THREE PARKS BUILDING

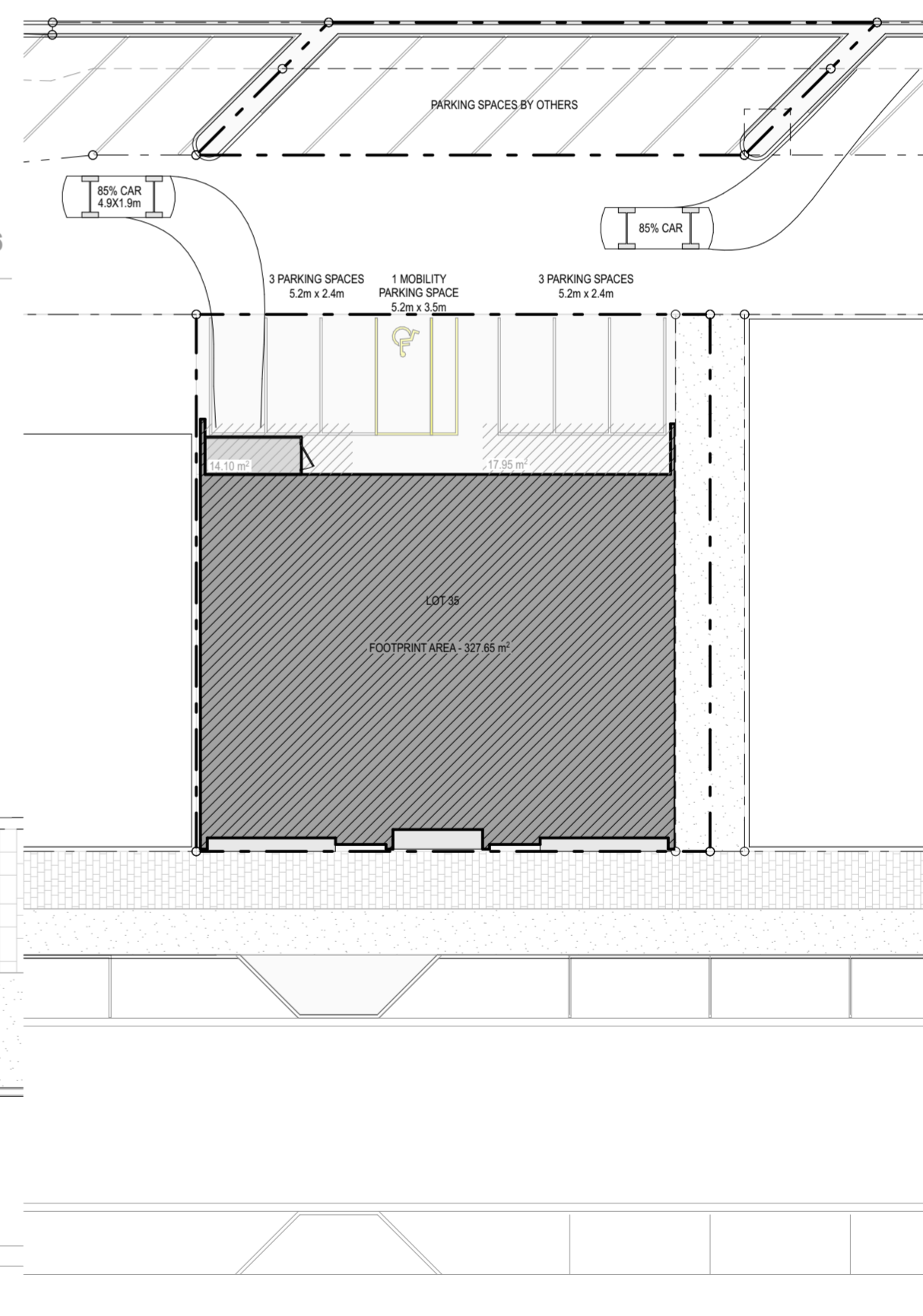
COMMERCIAL BUILDING FOR KAB COMMERCIAL

LOT 35 SIR TIM WALLIS DRIVE
THREE PARKS
WANAKA



PROPOSED SITE PLAN

SCALE: 1:100



PROPOSED SITE PLAN - SCHEMATIC

SCALE: 1:250

SITE INFORMATION

SITE ADDRESS: LOT 35 SIR TIM WALLIS DRIVE, THREE PARKS, WANAKA
 PROPRIETOR: KAB COMMERCIAL
 LEGAL DESCRIPTION: DP 567411, LOT 35
 SITE AREA: 559m²
 BUILDING FOOTPRINT AREA: 327.6 m²
 INC. COVERED AREA: 359.6 m²
 SITE COVERAGE: 64.6% (INC. COVERED)
 DISTRICT PLAN ZONE: BUSINESS MIXED USE
 SNOW ZONE: N4 - (UP TO 2KPA)
 WIND ZONE: HIGH
 EARTHQUAKE ZONE: 3
 DURABILITY ZONE: B
 TOPOGRAPHIC CLASS: FLAT
 FLOOD MANAGEMENT AREA: -
 RAINFALL INTENSITY: 20-30mm

SITE PLANNING INFORMATION

- PLANNING ZONE - BUSINESS MIXED USE
- CONTROLLED ACTIVITY PURSUANT TO:
 - RULE 31.6.1 - PROPOSED SIGNAGE
- PERMITTED DISCRETIONARY PURSUANT TO:
 - RULE 16.2.2
 - RULE 29.4.17
 - RULE 29.5.4 - MOBILITY PARKS REQUIRED
 - RULE 29.5.12 - CYCLE PARKS REQUIRED

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 PO BOX 7208 SYDENHAM CHRISTCHURCH 8240 P (Daniel) 021 100 7185 P (Bryce) 027 425 0644 admin@threefoldarchitecture.co.nz

PROJECT: COMMERCIAL BUILDING FOR KAB COMMERCIAL
 LOT 35 SIR TIM WALLIS DRIVE, THREE PARKS, WANAKA

DRAWING TITLE: SITE PLANS

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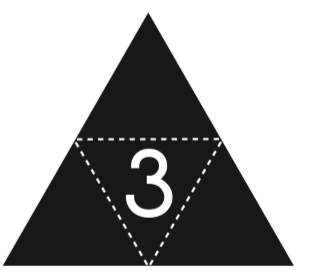
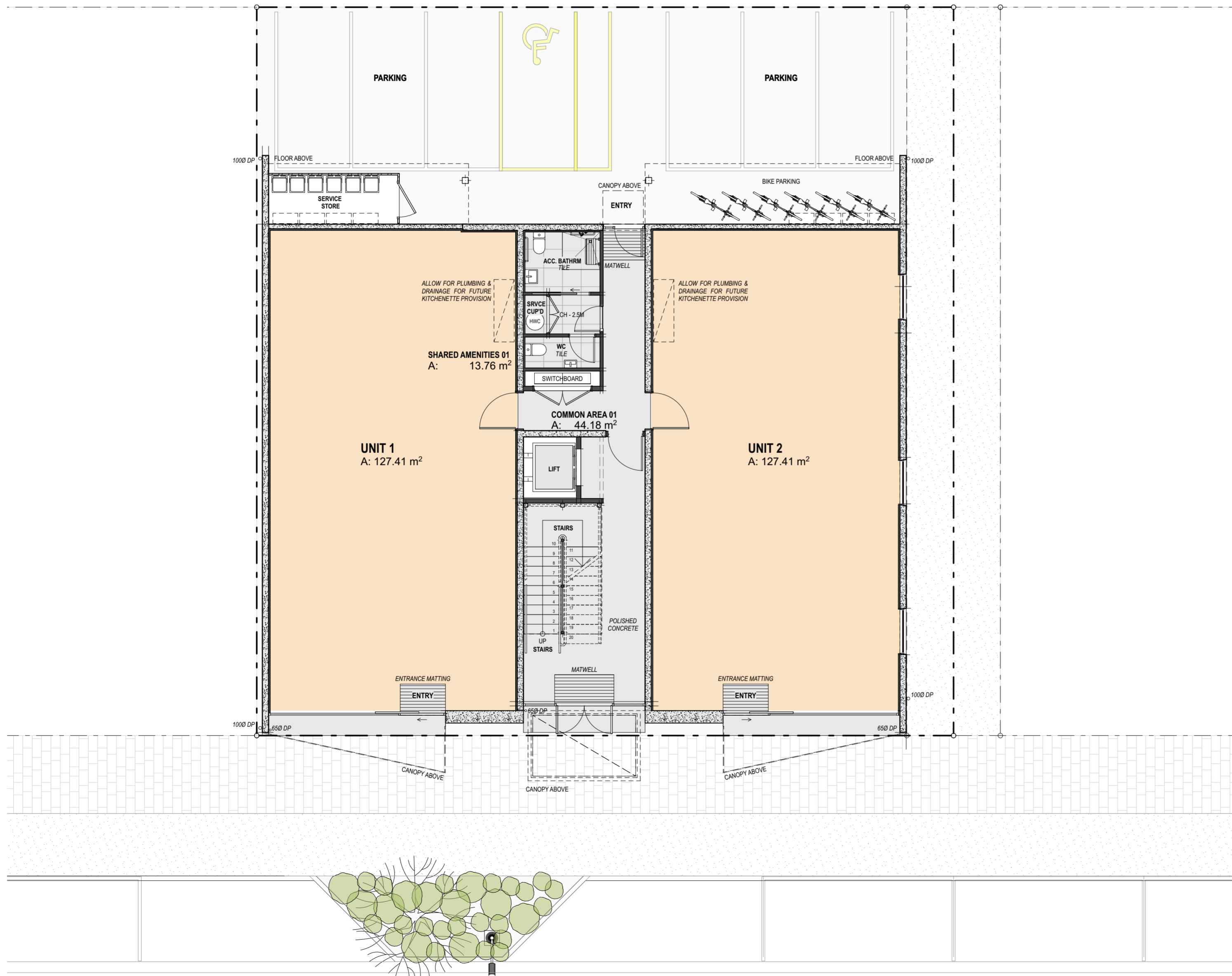
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FLOOR AREA SCHEDULE	
COMMON AREA 01	44.18
COMMON AREA 02	42.21
COMMON AREA 03	49.04
SHARED AMENITIES 01	13.76
SHARED AMENITIES 02	15.40
SHARED AMENITIES 02	15.40
UNIT 1	127.41
UNIT 2	127.41
UNIT 3	133.86
UNIT 4	142.19
UNIT 5	133.86
UNIT 6	142.19
	986.91 m²

LEASE AREA SCHEDULE	
UNIT	AREA
UNIT 1	127.41
UNIT 2	127.41
UNIT 3	133.86
UNIT 4	142.19
UNIT 5	133.86
UNIT 6	142.19
	806.92 m²



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LOT 35 SIR TIM WALLIS DRIVE
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DRAWING TITLE:
GROUND FLOOR PLAN LAYOUT

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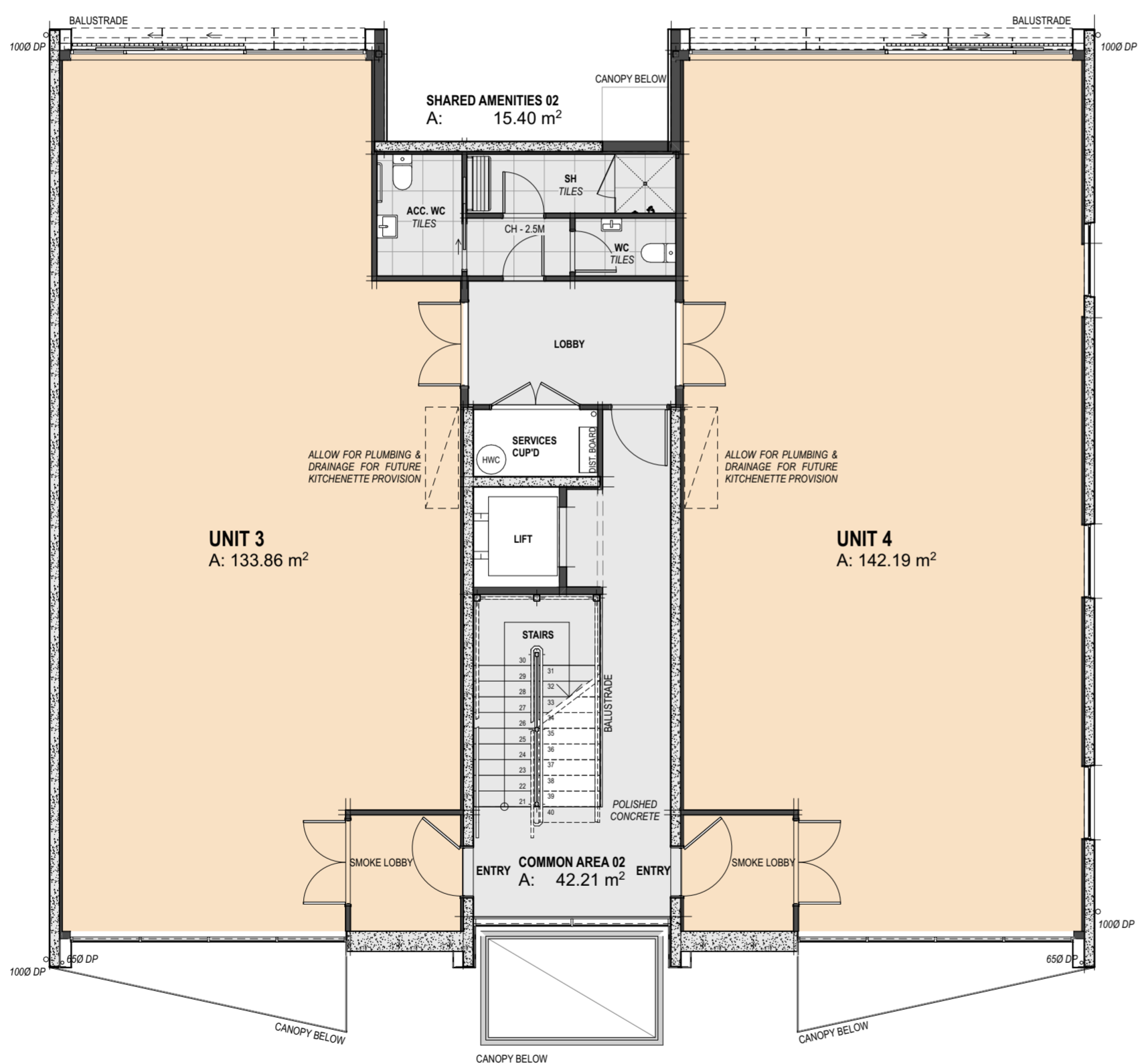
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PROJECT:
COMMERCIAL BUILDING FOR KAB COMMERCIAL
LOT 35 SIR TIM WALLIS DRIVE
THREE PARKS
WANAKA

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FIRST FLOOR PLAN LAYOUT

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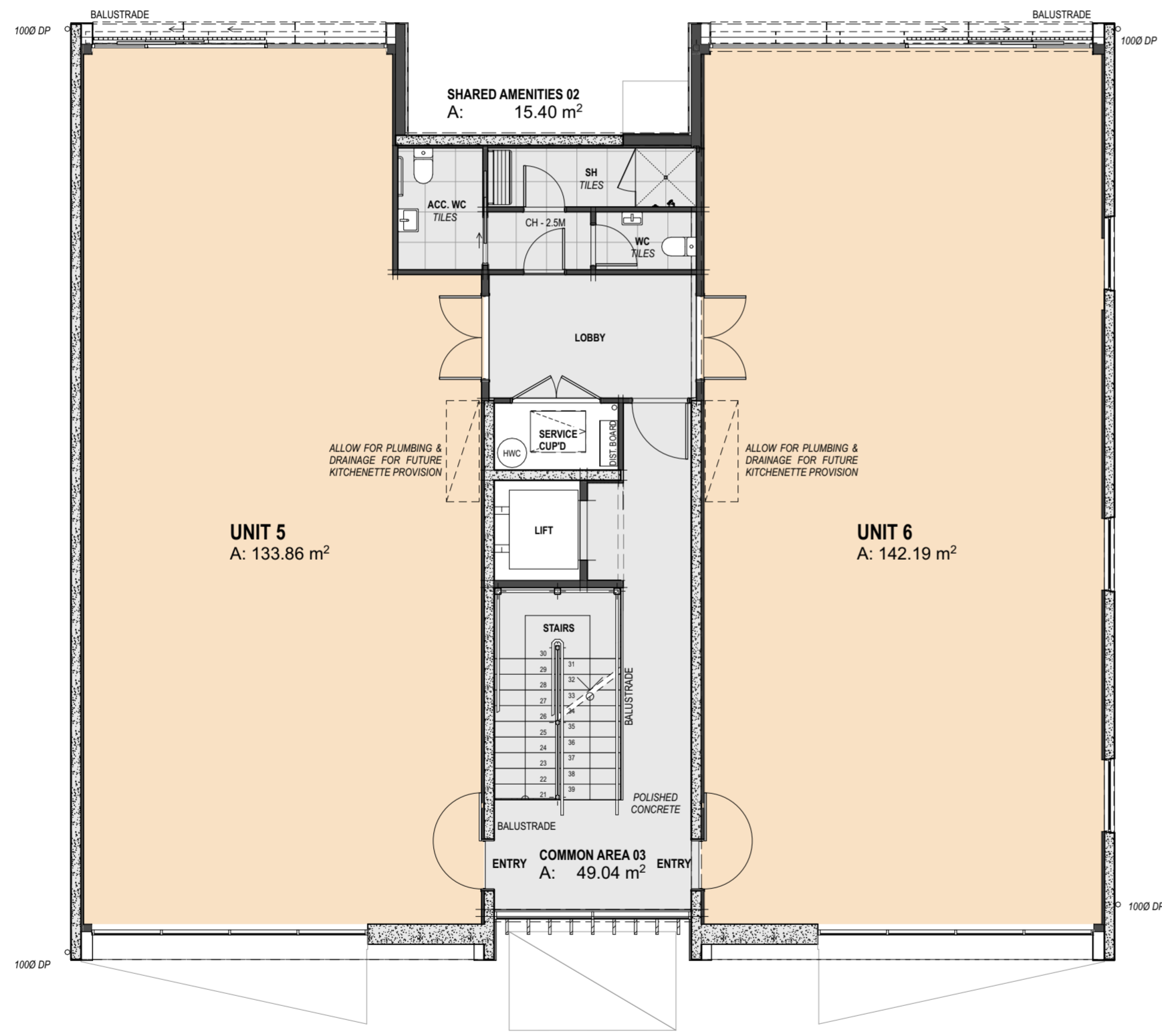
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PROJECT:
**COMMERCIAL BUILDING FOR
KAB COMMERCIAL**

**LOT 35 SIR TIM WALLIS DRIVE
THREE PARKS
WANAKA**

DRAWING TITLE:
SECOND FLOOR PLAN LAYOUT

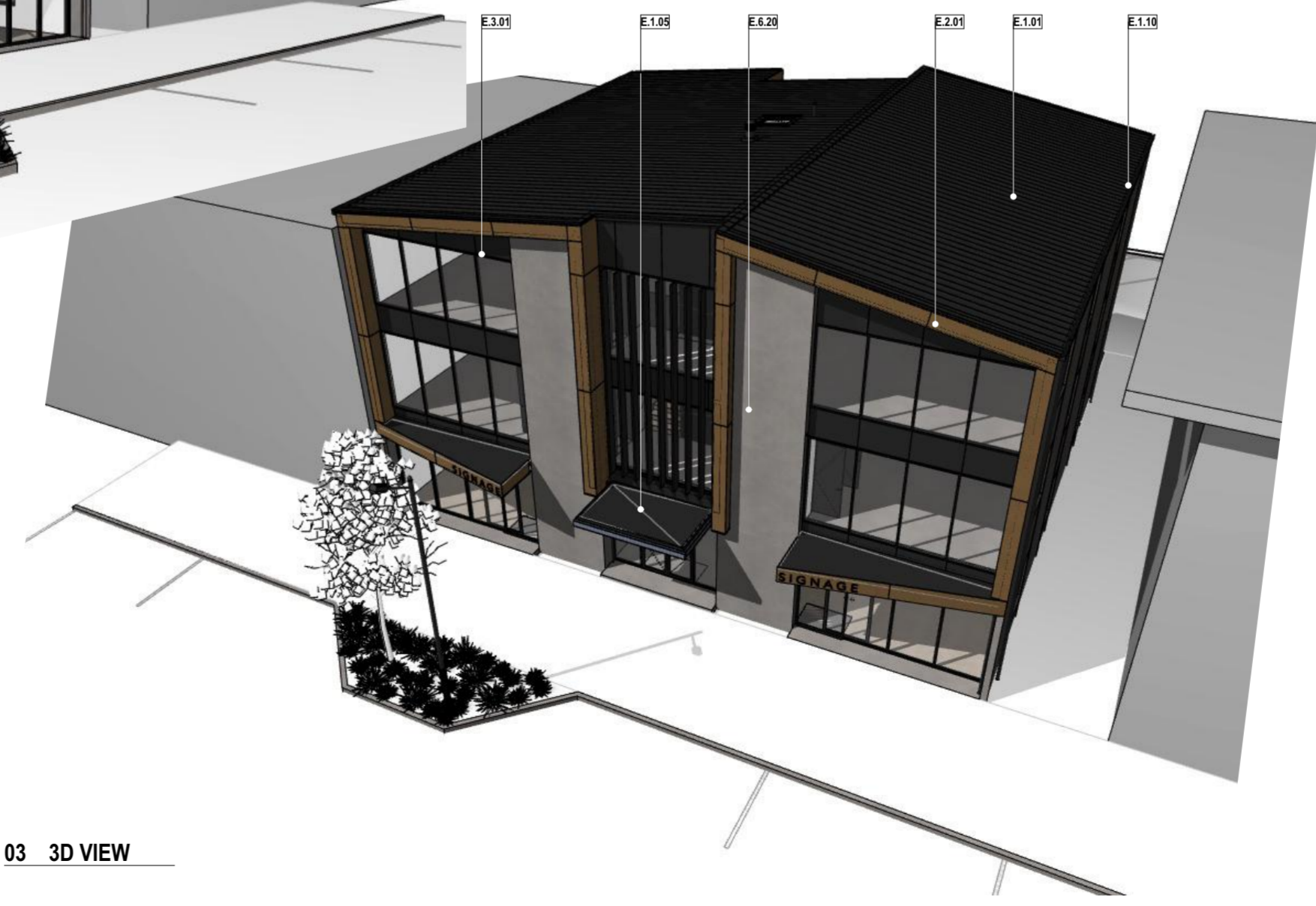
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01 3D VIEW

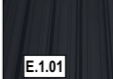


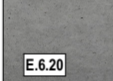




02 3D VIEW



03 3D VIEW

LEGEND

-  **E.1.01** **TRAPEZOIDAL ROOF PANEL SYSTEM**
TRAPEZOIDAL METAL ROOFING PROFILE OVER PIR INSULATED PANEL (120MM THICK), LAID OVER ROOF STRUCTURE
COLOUR - FLAXPOD (LRV: 7%)
-  **E.1.05** **ENTRANCE CANOPY**
SELECTED MEMBRANE ROOFING SYSTEM OVER 17MM H3 PLYWOOD SARKING TO FALL OVER TIMBER FRAMING AND STEEL STRUCTURE. EXPOSED STEEL PERIMETER MEMBERS TO MAIN ENTRY ROOF & CONCEALED STRUCTURE WITH E.2.01 FASCIA PANELS TO THE SEPARATE TENANCY CANOPIES. E.1.20 TO ALL UNDERSIDES.
MEMBRANE COLOUR - DARK GREY
-  **E.1.10** **GUTTERS & DOWNPIPES**
COLORSTEEL ENDURA 0.55MM, 175MM SQUARE EXTERNAL GUTTERS, WITH INTERNAL BRACKETS, SNOW STRAPS @600CRS, ROUND DOWNPIPES (REFER ROOF PLAN FOR SIZES).
GUTTER COLOUR - FLAXPOD (LRV: 7%)
DOWNPIPE COLOUR - TO MATCH
-  **E.1.15** **FLASHINGS & FASCIAS**
COLORSTEEL ENDURA 0.55MM COLORSTEEL FLASHINGS / TRIM, SCREW OR RIVET FIXED WITH COLOR-MATCHED FIXINGS, 5 DEG FALL TO INDICATED EDGE. NO FASCIA OR BARGES REQUIRED.
COLOUR - FLAXPOD (LRV: 7%)
-  **E.1.20** **SOFFIT - FIBRE CEMENT**
6MM FIBRE CEMENT SHEET SOFFIT LININGS, PAINT FINISH. 6MM EXPRESSED JOINTS, BACKED WITH BLACK 0.55MM COLORSTEEL FLASHING & INSEAL TAPE STRIPS.
COLOUR - WHITE & TO MATCH E.1.10
-  **E.2.01** **ALUMINIUM PANEL CLADDING**
ALUMINIUM LAMINATED COMPOSITE PANEL SYSTEM INSTALLED OVER ALUMINIUM FIXING SYSTEM PANEL INSTALLED OVER RAB AND/OR WALL STRUCTURE. PANELS FULLY SEALED AT JOINTS. SETOUT TO BE CONFIRMED.
COLOUR - FLAXPOD BLACK 1266
FEATURE COLOUR - GOLD METALLIC 4150
-  **E.3.01** **EXTERIOR JOINERY**
APL COMMERCIAL SERIES 100MM SHOPFRONT EXTERIOR WINDOW & DOOR JOINERY, WITH STIFFENED MULLIONS AS REQUIRED. POWDER-COAT FINISH. DOUBLE GLAZED.
COLOUR - TO MATCH E.1.10 (LRV: 7%)
-  **E.6.20** **CONCRETE WALL PANEL**
PRECAST CONCRETE REINFORCED STRUCTURAL PANEL. SMOOTH STEEL BED FINISH TO EXPOSED FACES WITH CLEAR (DRY-LOOK) SEALER FINISH.
COLOUR - NATURAL CONCRETE
-  **E.6.21** **SIGNAGE**
FABRICATED STEEL LETTERING, POWDER COATED. SIGNAGE TO BE CONFIRMED.
LETTER COLOUR - TO BE CONFIRMED
-  **E.6.22** **ALUMINIUM BALUSTRADE**
JURALCO EDGETEC INFINITY BALUSTRADE, 1.0M HIGH (FROM DECKING SURFACE), 12MM TOUGHENED SAFETY GLASS WITH POWDER COATED ALUMINIUM CHANNEL, SIDE FIXED TO STRUCTURE.
FRAME COLOUR - TO MATCH E.1.02
-  **E.6.24** **STORE & PLANT ENCLOSURE - STEEL SCREEN**
PROPRIETARY MESH SCREEN FIXED TO STEEL SHS FRAME STRUCTURE. SCREEN PROFILE TO BE CONFIRMED.
STEEL SCREEN COLOUR - TO MATCH E.3.01

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PROJECT:
COMMERCIAL BUILDING FOR KAB COMMERCIAL
LOT 35 SIR TIM WALLIS DRIVE
THREE PARKS
WANAKA

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3D VIEWS

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04 3D VIEW



05 3D VIEW



06 3D VIEW

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 LOT 35 SIR TIM WALLIS DRIVE
 THREE PARKS
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SOUTH ELEVATION
SCALE: 1:100



WEST ELEVATION
SCALE: 1:100

NZBC E2/AS1 RISK ASSESSMENT

BUILDING ENVELOPE RISK MATRIX		
NORTH ELEVATION		
Risk Factor	Risk Severity	Risk Score
Wind zone (per NZS 3604)	High risk	1
Number of storeys	Very high risk	4
Roof/wall intersection design	High risk	3
Eaves width	Very high risk	5
Envelope complexity	Medium risk	1
Deck design	Low risk	0
Total Risk Score:		14
BUILDING ENVELOPE RISK MATRIX		
EAST ELEVATION		
Risk Factor	Risk Severity	Risk Score
Wind zone (per NZS 3604)	High risk	1
Number of storeys	Very high risk	4
Roof/wall intersection design	Medium risk	1
Eaves width	Very high risk	5
Envelope complexity	Low risk	0
Deck design	Low risk	0
Total Risk Score:		11
BUILDING ENVELOPE RISK MATRIX		
SOUTH ELEVATION		
Risk Factor	Risk Severity	Risk Score
Wind zone (per NZS 3604)	High risk	1
Number of storeys	Very high risk	4
Roof/wall intersection design	High risk	3
Eaves width	Very high risk	5
Envelope complexity	Medium risk	1
Deck design	Low risk	0
Total Risk Score:		14
BUILDING ENVELOPE RISK MATRIX		
WEST ELEVATION		
Risk Factor	Risk Severity	Risk Score
Wind zone (per NZS 3604)	High risk	1
Number of storeys	Very high risk	4
Roof/wall intersection design	Medium risk	1
Eaves width	Very high risk	5
Envelope complexity	Low risk	0
Deck design	Low risk	0
Total Risk Score:		11

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**LOT 35 SIR TIM WALLIS DRIVE
THREE PARKS
WANAKA**

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