

APPLICATION AS NOTIFIED

D Kenton & L Tombling

(RM240242)

FORM 12

File Number RM240242

QUEENSTOWN LAKES DISTRICT COUNCIL

PUBLIC NOTIFICATION

Notification of an application for a Resource Consent under Section 95A of the Resource Management Act 1991.

The Queenstown Lakes District Council has received an application for a resource consent from:

Diane Kenton and Lee-Ann Tombling

What is proposed:

Subdivision consent is sought to undertake a two-lot subdivision and create a new building platform.

Consent is also sought to change Conditions 11(g) and (i) of Consent Notice 5038871.4 to allow for the proposed building platform and a future residential unit within it.

The location in respect of which this application relates is situated at:

1147B Lake Hawea-Albert Town Road, Lake Hawea

Lot 2 Deposited Plan 300393 held in Record of Title 2432

The application includes an assessment of environmental effects. This file can also be viewed at our public computers at these Council offices:

- 74 Shotover Street, Queenstown;
- Gorge Road, Queenstown;
- and 47 Ardmore Street, Wanaka during normal office hours (8.30am to 5.00pm).

Alternatively, you can view them on our website when the submission period commences:

<https://www.qldc.govt.nz/services/resource-consents/notified-resource-consents#public-rc> or via our edocs website using RM240242 as the reference <https://edocs.qldc.govt.nz/Account/Login>

The Council planner processing this application on behalf of the Council is Lisa Bos, who may be contacted by phone at 03 441 3699 or email at lisa.bos@qldc.govt.nz.

Any person may make a submission on the application, but a person who is a trade competitor of the applicant may do so only if that person is directly affected by an effect of the activity to which the application relates that –

- a) adversely affects the environment; and
- b) does not relate to trade competition or the effects of trade competition.

If you wish to make a submission on this application, you may do so by sending a written submission to the consent authority no later than:

Tuesday 2nd July 2024

The submission must be dated, signed by you and must include the following information:

- a) Your name and postal address and phone number/fax number.
- b) Details of the application in respect of which you are making the submission including location.
- c) Whether you support or oppose the application.
- d) Your submission, with reasons.
- e) The decision you wish the consent authority to make.
- f) Whether you wish to be heard in support of your submission.

You may make a submission by sending a written or electronic submission to Council (details below). The submission should be in the format of Form 13. Copies of this form are available Council website:

https://www.qldc.govt.nz/services/resource-consents/application-forms-and-fees#other_forms

You must serve a copy of your submission to the applicant (Diane Kenton and Lee-Ann Tombling at di.kenton@xtra.co.nz) as soon as reasonably practicable after serving your submission to Council:

Trustees D L Kenton Family Trust
di.kenton@xtra.co.nz
1147B Lake Hawea-Albert Town Road
R D 2
Wanaka

QUEENSTOWN LAKES DISTRICT COUNCIL



(signed by Jacob Neaves, Senior Planner, pursuant to a delegation given under Section 34A of the Resource Management Act 1991)

Date of Notification: Friday 31st May 2024

Address for Service for Consent Authority:

**Queenstown Lakes District Council
Private Bag 50072, Queenstown 9348
Gorge Road, Queenstown 9300**

**Phone
Email
Website**

**03 441 0499
rcsubmission@qldc.govt.nz
www.qldc.govt.nz**

TechnologyOne ECM Document Summary

Printed On 22-May-2024

Class	Description	Doc Set Id / Note Id	Version	Date
PUB_ACC	[A] - Form 9	7982016	1	09-Apr-2024
PUB_ACC	AEE	7982015	1	09-Apr-2024
PUB_ACC	[B] - Record of title 2432	7982017	1	09-Apr-2024
PUB_ACC	[B1] - Gazette Notice 5016824.1	7982022	1	09-Apr-2024
PUB_ACC	[B2] - Consent Notice 5038871.4	7982021	1	09-Apr-2024
PUB_ACC	[B3] - Land Covenant 5064066.5 Lot owners association document	7982020	1	09-Apr-2024
PUB_ACC	[B4] - Notice Transit NZ Act 5148000.1	7982019	1	09-Apr-2024
PUB_ACC	[B5] - Variation of land covenant 5181084.2	7982018	1	09-Apr-2024
PUB_ACC	[B6] - Variation of Consent Notice 5477407.1	7982027	1	09-Apr-2024
PUB_ACC	[B7] - Variation of Consent Notice 5477421.1	7982026	1	09-Apr-2024
PUB_ACC	[B8] - Variation of Consent Notice 8326481.1	7982025	1	09-Apr-2024
PUB_ACC	[B9] - Variation of Consent Notice 9652912.1	7982024	1	09-Apr-2024
PUB_ACC	[B10] - Variation of consent notice 12635550.2	7982023	1	09-Apr-2024
PUB_ACC	[C] - Proposed Scheme Plan	7982028	1	09-Apr-2024

PUB_ACC	[D] - ORC bore consent RM22.047.01	7982030	1	09-Apr-2024
PUB_ACC	[E] - Schedule of Native Planting Areas Plan	7982029	1	09-Apr-2024
PUB_ACC	[F] - RM190947 s95 & Decision	7982031	1	09-Apr-2024
PUB_ACC	[G] - Landscape and visual effects assessment - Vivian and Espie Ltd	7982034	1	09-Apr-2024
PUB_ACC	[H] - Central Water Ltd potable water design	7982033	1	09-Apr-2024
PUB_ACC	[I] - Water test results March 2024 and May 2022	7982032	1	09-Apr-2024
PUB_ACC	[J] - Volunteered consent notice conditions 02-05-24	8009050	1	02-May-2024
PUB_ACC	[K] - Geotechnical report April 2024 - GeoSolve Ltd	7982035	1	09-Apr-2024
PUB_ACC	[L] - Geotechnical report July 2019 - GeoSolve Ltd	7982042	1	09-Apr-2024
PUB_ACC	[M] - Aurora and Chorus confirmation letters and confirmation not national grid	7982041	1	09-Apr-2024
PUB_ACC	[M] - Aurora confirmation letter and confirmation not national grid	7982040	1	09-Apr-2024
PUB_ACC	[N] - HAIL Assessment Report	7982039	1	09-Apr-2024
PUB_ACC	[O] - Puretec water treatment	7982038	1	09-Apr-2024
PUB_ACC	[P] - NPS-HPL Mapping	7982037	1	09-Apr-2024
PUB_ACC	[Q] - Assessment against ODP objectives and policies	7982043	1	09-Apr-2024

PUB_ACC	APA 1172 Lake Hawea Albert Town Road	7986340	1	12-Apr-2024
PUB_ACC	APA 1147C Lake Hawea Albert Town Road	7986341	1	12-Apr-2024
PUB_ACC	APA- 1147E Lake Hawea Albert Town Road	8021562	1	08-May-2024
PUB_ACC	Email from applicant with APAs & Forestry Management Plan - 11.04.24	7986343	1	12-Apr-2024
PUB_ACC	FINAL NZTA Written approval letter, Kenton (NZTA Ref 2024-0431)	8009993	1	02-May-2024
PUB_ACC	Bore Construction Report (24.04.24)	8000478	1	24-Apr-2024
PUB_ACC	Forestry Management Plan and Map	7986745	1	12-Apr-2024



APPLICATION FOR RESOURCE CONSENT OR
FAST TRACK RESOURCE CONSENT

FORM 9: GENERAL APPLICATION



Under Section 87AAC, 88 & 145 of the Resource Management Act 1991 (Form 9)

PLEASE COMPLETE ALL MANDATORY FIELDS* OF THIS FORM.

This form provides contact information and details of your application. If your form does not provide the required information it will be returned to you to complete. Until we receive a completed form and payment of the initial fee, your application may not be accepted for processing.



APPLICANT //

- Must be a person or legal entity (limited liability company or trust).
- Full names of all trustees required.
- The applicant name(s) will be the consent holder(s) responsible for the consent and any associated costs.

*Applicant's Full Name / Company / Trust:

(Name Decision is to be issued in)

All trustee names (if applicable):

*Contact name for company or trust:

*Postal Address:

*Post code:

*Contact details supplied must be for the applicant and not for an agent acting on their behalf and must include a valid postal address

*Email Address:

*Phone Numbers: Day

Mobile:

*The Applicant is:

Owner

Prospective Purchaser (of the site to which the application relates)

Occupier

Lessee

Other - Please Specify:



Our preferred methods of corresponding with you are by email and phone.

The decision will be sent to the Correspondence Details by email unless requested otherwise.



CORRESPONDENCE DETAILS // If you are acting on behalf of the applicant e.g. agent, consultant or architect please fill in your details in this section.

*Name & Company:

*Phone Numbers: Day

Mobile:

*Email Address:

*Postal Address:

*Postcode:



INVOICING DETAILS //

Invoices will be made out to the applicant but can be sent to another party if paying on the applicant's behalf.

For more information regarding payment please refer to the Fees Information section of this form.

*Please select a preference for who should receive any invoices and how they would like to receive them.

Applicant:

Agent:

Other - Please specify:

Email:

Post:

*Attention:

*Postal Address:

*Post code:

*Please provide an email AND full postal address.

*Email:



OWNER DETAILS // Please supply owner details for the subject site/property if not already indicated above

Owner Name:

Owner Address:

Owner Email:

If the property has recently changed ownership please indicate on what date (approximately) AND the names of the previous owners:

Date:

Names:



DEVELOPMENT CONTRIBUTIONS INVOICING DETAILS //

If it is assessed that your consent requires development contributions any invoices and correspondence relating to these will be sent via email. Invoices will be sent to the email address provided above unless an alternative address is provided below. Invoices will be made out to the applicant/owner but can be sent to another party if paying on the applicant's behalf.

*Please select a preference for who should receive any invoices.

Details are the same as for invoicing

Applicant:

Landowner:

Other, please specify:

*Attention:

*Email:

[Click here for further information and our estimate request form](#)



DETAILS OF SITE // Legal description field must list legal descriptions for all sites pertaining to the application. Any fields stating 'refer AEE' will result in return of the form to be fully completed.

*Address / Location to which this application relates:

*Legal Description: Can be found on the Computer Freehold Register or Rates Notice – e.g Lot x DPxxx (or valuation number)

District Plan Zone(s):



SITE VISIT REQUIREMENTS // Should a Council officer need to undertake a site visit please answer the questions below

Is there a gate or security system restricting access by council?

YES NO

Is there a dog on the property?

YES NO

Are there any other hazards or entry restrictions that council staff need to be aware of?

YES NO

If 'yes' please provide information below



PRE-APPLICATION MEETING OR URBAN DESIGN PANEL

Have you had a pre-application meeting with QLDC or attended the urban design panel regarding this proposal?

Yes

No

Copy of minutes attached

If 'yes', provide the reference number and/or name of staff member involved:



CONSENT(S) APPLIED FOR // * Identify all consents sought // ALSO FILL IN OTHER CONSENTS SECTION BELOW

Land use consent

Subdivision consent

Change/cancellation of consent or consent notice conditions

Certificate of compliance

Extension of lapse period of consent (time extension) s125

Existing use certificate

Land use consent includes Earthworks



QUALIFIED FAST-TRACK APPLICATION UNDER SECTION 87AAC

Controlled Activity

Deemed Permitted Boundary Activity

If your consent qualifies as a fast-track application under section 87AAC, tick here to opt out of the fast track process



BRIEF DESCRIPTION OF THE PROPOSAL //

* Please complete this section, any form stating 'refer AEE' will be returned to be completed with a description of the proposal

*Consent is sought to:



APPLICATION NOTIFICATION

Are you requesting public notification for the application?

Yes

No

Please note there is an additional fee payable for notification. Please refer to Fees schedule



OTHER CONSENTS

Is consent required under a National Environmental Standard (NES)?

- NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2012

An applicant is required to address the NES in regard to past use of the land which could contaminate soil to a level that poses a risk to human health. Information regarding the NES is available on the website

<https://environment.govt.nz/publications/national-environmental-standard-for-assessing-and-managing-contaminants-in-soil-to-protect-human-health-information-for-landowners-and-developers/>

You can address the NES in your application AEE OR by selecting ONE of the following:

This application does not involve subdivision (excluding production land), change of use or removal of (part of) a fuel storage system. Any earthworks will meet section 8(3) of the NES (including volume not exceeding 25m³ per 500m²). Therefore the NES does not apply.

I have undertaken a comprehensive review of District and Regional Council records and I have found no record suggesting an activity on the HAIL has taken place on the piece of land which is subject to this application.

NOTE: depending on the scale and nature of your proposal you may be required to provide details of the records reviewed and the details found.



OTHER CONSENTS // CONTINUED

I have included a Preliminary Site Investigation undertaken by a suitably qualified person.

An activity listed on the HAIL has more likely than not taken place on the piece of land which is subject to this application. I have addressed the NES requirements in the Assessment of Environmental Effects.

Any other National Environmental Standard

Yes

N/A

Do you need any consent(s) from Otago Regional Council?

Yes

N/A

If Yes have you applied for it?

Yes

No

If Yes supply ORC Consent Reference(s)

If ORC Earthworks Consent is required would you like a joint site visit ?

Yes

No



INFORMATION REQUIRED TO BE SUBMITTED //

Attach to this form any information required (see below & appendices 1-2).

To be accepted for processing, your application should include the following:

Computer Freehold Register for the property (no more than 3 months old) and copies of any consent notices and covenants (Can be obtained from Land Information NZ at <https://www.linz.govt.nz>).

A plan or map showing the locality of the site, topographical features, buildings etc.

A site plan at a convenient scale.

Written approval of every person who may be adversely affected by the granting of consent (s95E).

An Assessment of Effects (AEE).
An AEE is a written document outlining how the potential effects of the activity have been considered along with any other relevant matters, for example if a consent notice is proposed to be changed. Address the relevant provisions of the District Plan and affected parties including who has or has not provided written approval. See [Appendix 1](#) for more detail.



We prefer to receive applications electronically – please see Appendix 5 – [Naming of Documents Guide](#) for how documents should be named. Please ensure documents are scanned at a minimum resolution of 300 dpi. Each document should be no greater than 10mb



PRIVACY INFORMATION

The information you have provided on this form is required so that your application can be processed under the Resource Management Act 1991 and may also be used in statistics collected and provided to the Ministry for the Environment and Queenstown Lakes District Council. The information will be stored on a public register and may be made available to the public on request or on the company's or the Council's websites.



FEEES INFORMATION

Section 36 of the Resource Management Act 1991 deals with administrative charges and allows a local authority to levy charges that relate to, but are not limited to, carrying out its functions in relation to receiving, processing and granting of resource consents (including certificates of compliance and existing use certificates).

Invoiced sums are payable by the 20th of the month after the work was undertaken. If unpaid, the processing of an application, provision of a service, or performance of a function will be suspended until the sum is paid. You may also be required to make an additional payment, or bring the account up to date, prior to milestones such as notification, setting a hearing date or releasing the decision. In particular, all charges related to processing of a resource consent application are payable prior to issuing of the decision. Payment is due on the 20th of the month or prior to the issue date – whichever is earlier.



FEES INFORMATION // CONTINUED

If your application is notified or requires a hearing you will be requested to pay a notification deposit and/or a hearing deposit. An applicant may not offset any invoiced processing charges against such payments.

Section 357B of the Resource Management Act provides a right of objection in respect of additional charges. An objection must be in writing and must be lodged within 15 working days of notification of the decision.

LIABILITY FOR PAYMENT – Please note that by signing and lodging this application form you are acknowledging that the details in the invoicing section are responsible for payment of invoices and in addition will be liable to pay all costs and expenses of debt recovery and/or legal costs incurred by QLDC related to the enforcement of any debt.

MONITORING FEES – Please also note that the fee paid at lodgement includes an initial monitoring fee of \$273 for land use resource consent applications and designation related applications, as once Resource Consent is approved you will be required to meet the costs of monitoring any conditions applying to the consent, pursuant to Section 35 of the Resource Management Act 1991.

DEVELOPMENT CONTRIBUTIONS – Your development, if granted, may also incur development contributions under the Local Government Act 2002. You will be liable for payment of any such contributions.

A list of Consent Charges is available on the on the Resource Consent Application Forms section of the QLDC website. If you are unsure of the amount to pay, [please call 03 441 0499](tel:034410499) and ask to speak to our duty planner.

Please ensure to [reference any banking payments correctly](#). Incorrectly referenced payments may cause delays to the processing of your application whilst payment is identified.

If the initial fee charged is insufficient to cover the actual and reasonable costs of work undertaken on the application you will be required to pay any additional amounts and will be invoiced monthly as work on the application continues. Please note that if the Applicant has outstanding fees owing to Council in respect of other applications, Council may choose to apply the initial fee to any outstanding balances in which case the initial fee for processing this application may be deemed not to have been paid.



PAYMENT // An initial fee must be paid prior to or at the time of the application and proof of payment submitted. Unless you have requested an invoice.

Please reference your payments as follows:

Applications yet to be submitted: RM followed by first 5 letters of applicant name e.g RMJONES

Applications already submitted: Please use the RM# reference that has been assigned to your application, this will have been emailed to yourself or your agent and included on the invoice.

Please note processing will not begin until payment is received (or identified if incorrectly referenced).

I confirm payment by:

Bank transfer to account 02 0948 0002000 00 (if paying from overseas swiftcode is – BKNZ22)

Invoice for initial fee requested and payment to follow

Manual Payment (can only be accepted once application has been lodged and acknowledgement email received with your unique RM reference number)

Reference

Amount Paid: Land Use and Subdivision Resource Consent fees - please select from drop down list below

(For required initial fees refer to website for Resource Consent Charges or speak to the Duty Planner by phoning 03 441 0499)

Date of Payment

APPLICATION & DECLARATION

The Council relies on the information contained in this application being complete and accurate. The Applicant must take all reasonable steps to ensure that it is complete and accurate and accepts responsibility for information in this application being so.

If lodging this application as **the Applicant:**

I/we hereby represent and warrant that I am/we are aware of all of my/our obligations arising under this application including, in particular but without limitation, my/our obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to within the Fees Information section.

OR:

If lodging this application as **agent of the Applicant:**

I/we hereby represent and warrant that I am/we are authorised to act as agent of the Applicant in respect of the completion and lodging of this application and that the Applicant / Agent whose details are in the invoicing section is aware of all of his/her/its obligations arising under this application including, in particular but without limitation, his/her/its obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to within the Fees Information section.

I hereby apply for the resource consent(s) for the Proposal described above and I certify that, to the best of my knowledge and belief, the information given in this application is complete and accurate.

PLEASE TICK

Signed (by or as authorised agent of the Applicant) **

Full name of person lodging this form

Firm/Company

Dated

**If this form is being completed on-line you will not be able, or required, to sign this form and the on-line lodgement will be treated as confirmation of your acknowledgement and acceptance of the above responsibilities and liabilities and that you have made the above representations, warranties and certification.



Section 2 of the District Plan provides additional information on the information that should be submitted with a land use or subdivision consent.

The RMA (Fourth Schedule to the Act) requires the following:

1 INFORMATION MUST BE SPECIFIED IN SUFFICIENT DETAIL

- Any information required by this schedule, including an assessment under clause 2(1)(f) or (g), must be specified in sufficient detail to satisfy the purpose for which it is required.

2 INFORMATION REQUIRED IN ALL APPLICATIONS

- (1) An application for a resource consent for an activity (the activity) must include the following:

- (a) a description of the activity;
- (b) a description of the site at which the activity is to occur;
- (c) the full name and address of each owner or occupier of the site;
- (d) a description of any other activities that are part of the proposal to which the application relates;
- (e) a description of any other resource consents required for the proposal to which the application relates;
- (f) an assessment of the activity against the matters set out in Part 2;
- (g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b).

(2) The assessment under subclause (1)(g) must include an assessment of the activity against—

- (a) any relevant objectives, policies, or rules in a document; and
- (b) any relevant requirements, conditions, or permissions in any rules in a document; and
- (c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).

(3) An application must also include an assessment of the activity's effects on the environment that—

- (a) includes the information required by clause 6; and
- (b) addresses the matters specified in clause 7; and
- (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

Information provided within the Form above

Include in an attached Assessment of Effects (see Clauses 6 & 7 below)

ADDITIONAL INFORMATION REQUIRED IN SOME APPLICATIONS

- An application must also include any of the following that apply:
 - (a) if any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1));
 - (b) if the application is affected by section 124 or 165ZH(1)(c) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A));



ASSESSMENT OF ENVIRONMENTAL EFFECTS

Clause 6: Information required in assessment of environmental effects

- (1) An assessment of the activity's effects on the environment must include the following information:
 - (a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity;
 - (b) an assessment of the actual or potential effect on the environment of the activity;
 - (c) if the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise from such use;
 - (d) if the activity includes the discharge of any contaminant, a description of—
 - (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
 - (ii) any possible alternative methods of discharge, including discharge into any other receiving environment;
 - (e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect;
 - (f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted;
 - (g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved;
 - (h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).
- (2) A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.
- (3) To avoid doubt, subclause (1)(f) obliges an applicant to report as to the persons identified as being affected by the proposal, but does not—
 - (a) oblige the applicant to consult any person; or
 - (b) create any ground for expecting that the applicant will consult any person.

CLAUSE 7: MATTERS THAT MUST BE ADDRESSED BY ASSESSMENT OF ENVIRONMENTAL EFFECTS

- (1) An assessment of the activity's effects on the environment must address the following matters:
 - (a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects;
 - (b) any physical effect on the locality, including any landscape and visual effects;
 - (c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity;
 - (d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations;
 - (e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants;
 - (f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.
- (2) The requirement to address a matter in the assessment of environmental effects is subject to the provisions of any policy statement or plan.



UNDER THE FOURTH SCHEDULE TO THE ACT:

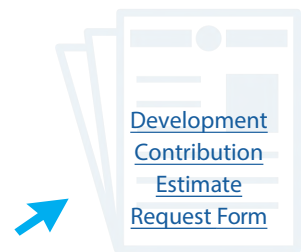
- An application for a subdivision consent must also include information that adequately defines the following:
 - (a) the position of all new boundaries:
 - (b) the areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan:
 - (c) the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips:
 - (d) the locations and areas of any existing esplanade reserves, esplanade strips, and access strips:
 - (e) the locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A:
 - (f) the locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under section 237A):
 - (g) the locations and areas of land to be set aside as new roads.

Will your resource consent result in a Development Contribution and what is it?

- A Development Contribution can be triggered by the granting of a resource consent and is a financial charge levied on new developments. It is assessed and collected under the Local Government Act 2002. It is intended to ensure that any party, who creates additional demand on Council infrastructure, contributes to the extra cost that they impose on the community. These contributions are related to the provision of the following council services:
 - Water supply
 - Wastewater supply
 - Stormwater supply
 - Reserves, Reserve Improvements and Community Facilities
 - Transportation (also known as Roding)

[Click here for more information on development contributions and their charges](#)

OR Submit an Estimate request *please note administration charges will apply



Please note that some land use consents can be dealt with as fast track land use consent. This term applies to resource consents where they require a controlled activity and no other activity. A 10 day processing time applies to a fast track consent.

If the consent authority determines that the activity is a deemed permitted boundary activity under section 87BA of the Act, written approval cannot be withdrawn if this process is followed instead.

A fast-track application may cease to be a fast-track application under section 87AAC(2) of the Act.

While it is not essential that your documents are named the following, it would be helpful if you could title your documents for us. You may have documents that do not fit these names; therefore below is a guide of some of the documents we receive for resource consents. Please use a generic name indicating the type of document.

Application Form 9

Assessment of Environmental Effects (AEE)

Computer Register (CFR)

Covenants & Consent Notice

Affected Party Approval/s

Landscape Report

Ecological Report

Engineering Report

Geotechnical Report

Wastewater Assessment

Traffic Report

Waste Event Form

Urban Design Report

ASSESSMENT OF ENVIRONMENTAL EFFECTS

TO UNDERTAKE A TWO LOT
SUBDIVISION INCLUDING THE
CREATION OF A BUILDING PLATFORM,
AT 1147B LAKE HAWEA-ALBERT TOWN
ROAD, LAKE HAWEA, AND

VARY EXISTING CONSENT NOTICE
CONDITIONS

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Quality assurance

Prepared by	Blair Devlin	Senior Planner/Director	9 April 2024
Reviewed by	Gabi Glory	Planner	9 April 2024

1. Key Information

Address	1147B Lake Hawea-Albert Town Road, Lake Hawea
Legal Description	Lot 2 DP 300393 held in Record of Title 2432 (Attachment [B])
Site Area	10.3 hectares
Owners	Diane Kenton and Lee-Ann Tombling
Occupiers	Diane Kenton
Applicant	Diane Kenton and Lee-Ann Tombling
Operative District Plan Zoning	Rural General Zone
Designations & Special Provisions	None
Proposed District Plan Zoning	Rural Zone
Designations & Special Provisions	<ul style="list-style-type: none"> Partly within the Rural Character Landscape Partly within the Outstanding Natural Landscape Partly covered by a Wahi Tupuna – 2 Paetarariki & Timaru (slopes and lake margins around southern Lake Hawea). Aurora Distribution Lines are shown crossing the site <p>Priority Areas (notified, no decisions issued):</p> <ul style="list-style-type: none"> West of Hawea River and Hawea South RCL; and North Grandview ONL
Proposed Activity	<p>Subdivide the subject site into two allotments:</p> <ul style="list-style-type: none"> Proposed Lot 1 measures 4.5 hectares and includes an existing house within an approved building platform measuring 998m² Proposed Lot 2 measures 5.8 hectares and includes a new building platform measuring 1000m², subject to a 5m height limit. Amend existing consent notice conditions <p>The proposal includes associated infrastructure and retention of existing landscaping. Access to the both lots is already formed.</p>
Consents Required	<p><u>Proposed District Plan</u></p> <ul style="list-style-type: none"> Rule 27.5.12 –all subdivision activities in the Rural Zone are a discretionary activity. A restricted discretionary activity pursuant to Rule 27.5.11 for subdivision of land that results in creation of an additional lot within an identified wahi tupuna area outside of the urban environment, where subdivision is a potential threat as set out in Schedule 39.6. The proposal will create an additional lot within a small part of an identified wāhi tūpuna area. Rule 21.4.9 – the use of land or buildings for residential activity except as provided for in any other rule shall be a discretionary activity. Rule 21.4.10 – the identification of a building platform not less than 70m² and not greater than 1000m² shall be a discretionary activity.

	<p><u>Please Note:</u> The proposal can comply with Rule 27.11.3.1 which relates to the New Zealand electrical Code of Practice for Electrical Safe Distances (NZECP34:2001).</p> <p>Overall, the proposal is for a discretionary activity under the PDP</p> <p><u>Operative District Plan</u> The rules listed above for the PDP are not shown as being under appeal in the annotated version of the PDP. Therefore, the relevant rules under the ODP must now be treated as inoperative under s86F of the RMA 1991.</p> <p><u>Section 221 Resource Management Act</u></p> <p>A discretionary activity resource consent to vary existing consent notice conditions to enable the additional platform and future residential unit.</p>
<p>Written Approvals and Consultation</p>	<p>The applicant has engaged with neighbouring property owners and affected party approvals have been obtained from the owners / occupiers of:</p> <ul style="list-style-type: none"> • 1147C Lake Hawea Albert Town Road (R. Prout) <p>Additional affected party approvals will be provided when received.</p> <p>The applicant has contacted the New Zealand Transport Agency (Waka Kotahi).</p>
<p>Other consents/permits</p>	<p>ORC Bore consent RM22.047 (Attachment [D])</p>

2. Introduction

This report is submitted as part of the application by Diane Kenton and Lee-Ann Tombling (**Applicant**) for resource consent from Queenstown-Lakes District Council (**QLDC** or “Council”) associated with the two-lot subdivision and development of land at 1147B Lake Hawea-Albert Town Road, Wanaka. The completed Form 9 is appended as Attachment **[A]** and the Record of Title is appended as Attachment **[B]**. Proposed plans are appended as Attachment **[C]**. The purpose of this report is to provide sufficient information to enable a full understanding of the proposal and any effects that the proposal may have on the environment.

3. Existing Environment

3.1 Subject site and surrounding environment

The site is a 10.3-hectare site located at 1147B Lake Hawea-Albert Town Road, Wanaka, legally described as Lot 2 DP 300393 held in Record of Title 2432. The site is located approximately 350m west of the Hawea River, and directly west adjoining State Highway 6 (SH6). The site is currently used for residential purposes and features a large area of native ecological restoration. The applicant’s existing residential dwelling is located on the upper slopes of the site.

The eastern portion of the site adjoining SH6 is generally flat, and comprises of the existing barn/shed and extensive native planting along SH6, around the edge of the swale (that was created under RM190947 at the base of the hill to capture ephemeral run off), and on the other site boundaries. The site slopes up towards the western boundary for approximately 130m. A significant area of pine (visible in Figure 1 below) and other noxious exotic weed vegetation including broom, bracken and blackberry has been removed from the site by the applicant and the area extensively re-planted with native planting (refer section 3.2 for the site history). This remains an on-going commitment from the applicant, improving indigenous cover and decreasing fire risk across the hillslope. The north-western portion of the site is occupied by an existing dwelling and ancillary buildings. A swale is located at the base of the hill, which captures the ephemeral run off from the upper slopes of the site. The area surrounding this re-shaped swale has been significantly planted with native vegetation.

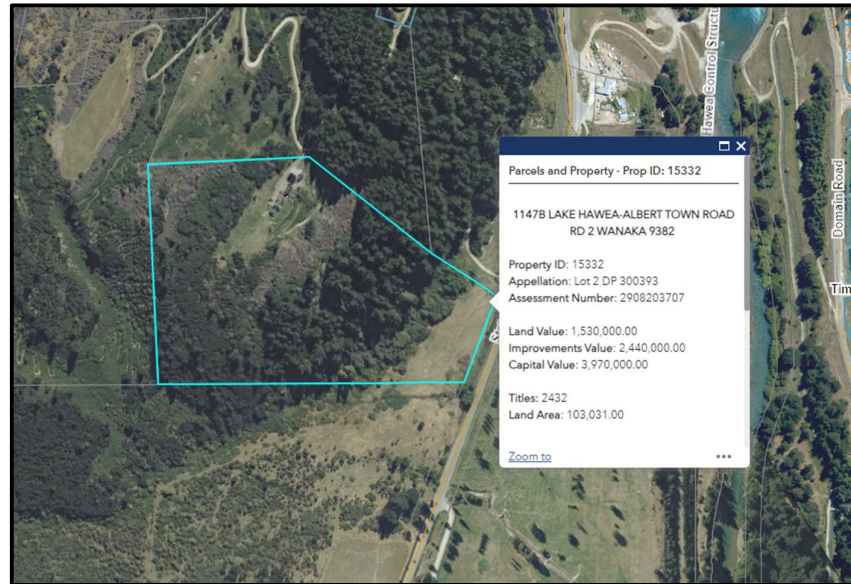


Figure 1: Subject site (outlined in blue) and surrounds

The site has two accesses. The existing residence on the site is accessed via an existing private right of way from SH6, which is shared with 1147A, 1147C, 1147D and 1147E Lake Hawea-Albert Town Road.

A recently constructed access driveway from SH6 (completed in 2020 under RM190947) is located near the southern boundary of the site, and has been designed and constructed to New Zealand Transport Agency (NZTA) Diagram C standard.. A diversion bund was constructed on the southern boundary of the site to mitigate an alluvial fan hazard from the slope, and bunds adjoining SH6 were also approved by RM190947.

3.2 Site history – ecological restoration

The majority of the site was recently covered in mature wilding Corsican pine trees, which are not only a pest species, but a significant fire risk to the property and surrounds. Over the last five years the applicant has, at considerable personal cost, removed all the wilding tree species from the site, including the hill slope, and replanted in a significant amount of native vegetation. The northern end of the property has also been planted in natives. This remains an on-going commitment from the owner as the native plants continue to establish and mature.

The catalyst for this ecological enhancement was a large fire in the wilding conifers present on the site and surrounds that occurred in 2018. Were it not for the five helicopters with monsoon buckets, all five properties on the hill would have been at risk of fire damage. The newspaper article regarding this fire is available at the following link:

<https://www.pressreader.com/new-zealand/otago-daily-times/20181103/281509342191254>

To reduce the fire risk, the applicant removed the wilding conifers present on the site, and undertook an extensive ecological restoration programme, so the slope remains vegetated and native biodiversity replaces the exotic pest

trees. The native replanting was also undertaken for erosion management purposes due to the steepness of the slope. The battle against wilding conifers is covered in the newspaper article below:

[Community group to fight Upper Clutha's pest pines | Crux - Local News - Queenstown, Wānaka and Cromwell.](#)

An inventory of the native planting was undertaken in February 2024 which is included in **Attachment [E]**. The applicant has planted 6618 plants within proposed Lot 2 over the last few years and removed approximately five hectares of wilding pines to restore native biodiversity and natural character to the site.

Further, this list does not include the native planting that undertaken up by the existing house on the upper part of the site (that was also covered in wilding Corsican pines). The numbers of native planting up in the 4.7 hectares around the house is on par number wise with what is in the lower 5.7 hectares, and they are predominantly the same species of natives.

In summary the applicant has undertaken significant wilding pine removal and ecological restoration, and the proposed subdivision includes the legal retention and protection of this planting through a consent notice condition.

3.3 Consent history

The following resource consents have been identified through Council's eDocs system, and are considered relevant to this application:

RM960687	Resource consent was granted on 17 February 1997 for a six-lot subdivision. Consent notice 962942.9 was created through this subdivision. A subsequent variation was granted in March 1997 to create an additional lot- Lot 7, to be amalgamated with Lot 6.
RM990140	Resource consent was granted on 3 October 2000 for a five-lot subdivision, including the subject site. The consent was implemented and consent notice 5038871.4 was created through this subdivision.
RM020792	Resource consent was granted on 24 October 2002 to construct an accessory tractor shed/workshop. The consent lapsed and was not exercised.
RM090002	Resource consent was granted on 18 March 2009 for the construction of a dwelling, and a three-car garage building with upstairs games room. The application included associated earthworks. The dwelling component of this consent was implemented, but the garage was not. This consent varied a condition of consent notice 5038871.4 in regard to enabling the dwelling to be larger than 150m ² and have a greater length of 20m.
RM130267	Resource consent was granted on 24 May 2013 to vary plans approved under RM090002, including variation of the existing consent notice to alter the design of approved garage and boiler shed. This consent was implemented.
RM190947 Attachment [F]	Resource consent was granted on 17 December 2019 for the construction of a 146m ² barn/shed, new access from the State Highway, and earthworks- all located on the lower part of the site. The consent included positioning the swale channel at the foot of the slope (40m

	back from its previous location). Consent notice 962942.9 was cancelled to remove outdated conditions from the title, and 5038871.4 conditions 11(b), 11(e) and 11(i) were varied to enable a barn outside the building platform, with cladding not listed in the consent notice, and a roof pitch which exceeds that provided for.
RM191209	Resource consent was granted on 9 December 2019 for the extension of the dwelling to incorporate a new kitchen. Consent notice 5038871.4 conditions (g) and (i) were varied to enable the dwelling to be partially outside the building platform. Condition 3 of consent notice 5038871.4 was also varied. This consent notice variation is in the process of being updated on the title- it has been approved by the QLDC and the legal update is underway.
RM220974	Resource consent for a two-lot subdivision which was returned as incomplete under s88.

No other resource consents are listed on eDocs.

3.4 Covenants and consent notices

There are relevant covenants and consent notices listed on the Record of Title relevant to the subject site. The documents are appended as Attachment **[B1] – [B10]**. Of relevance are:

[B1] Gazette Notice 5016824.1

This declares State Highway 6 to be a Limited Access Road.

[B2] Consent Notice 5038871.4

This consent notice was imposed on the original rural lifestyle subdivision that created the site. It includes the following conditions that are relevant to the subject site:

Recital C - 11

- a) *Maximum building height 4.5m. [varied through [B6] for the site to 6m).*
- b) *Roof pitch 22.5 to 45°. Flat roofs are only permitted as connections between structures and shall not exceed 20% of the total roof area.*
- c) *Roof materials shall comprise cedar shingles, slate, steel or other such materials which are consistent with condition 11(d) of this consent.*
- d) *Roof colours shall comprise dark, recessive hues and shall be of low reflectivity. All steel roofing shall be painted or otherwise colour-treated, and shall exclude zincalume, galfan and other similar matte- finish untreated corrugated iron products. Acceptable Colorsteel hues include, but shall not be limited to Karaka, Charcoal, Ironsand, Lignite or Grayfriars.*
- e) *Wall materials shall comprise timber, smooth plaster, or stone (local schist). Walls shall be continuous in one cladding from ground to roof, for any building component consistent with condition 11(g).*
- f) *Wall colours to be natural (in materials as stated above) or in the range of browns, tussock, greys or natural greens.*
- g) *Mass and proportion: building forms shall be clustered or otherwise arranged on each Lot to reduce perceived mass and to avoid single large-scale structures. No separate component shall have a floor area greater than 150 square metres and a length greater than 20 metres.*
- h) *Joinery shall comprise timber, steel or aluminium. Joinery colours shall match roofing, gutter and spouting colours.*

- i) *All structures shall be located within the building platforms as shown on the Concept Development Plan date-stamped by the Committee as 'Approved' on 26 May 1999.*
 - j) *Fencing: boundary fencing shall comprise standard post and wire only.*
2. *The owner, its successors in title and assigns and the successive owners of the lots shall not allow any dwelling to be established on the land to which this Consent Notice applies except to the extent that such dwelling complies with the terms of condition 11 as described in paragraph C in the recital to this Consent Notice.*

It is noted that resource consents RM191209 and RM190947 have varied this condition to add ... 'with the exception of the dwelling approved by resource consent RM191209'. Please refer **Attachment [B10]** which follows, which includes the amended wording.

- 3. *Minimum water storage requirement of 23,000L which should accommodate a minimum static firefighting reserve of 14,000L.*
- 4. *The treatment of household sewage shall be carried out by an on-site treatment system designed in accordance with the draft standard AS/NZS 1547 for On-Site Domestic Wastewater Management and standard AS/NZs 1546 for Septic Tanks for Domestic Wastewater. The Davie Lovell-Smith report dated 25 August 1998 on site suitability should also be referenced as part of any design considerations. The design shall be approved by a registered geotechnical engineer in relation to any impact of the system on the stability of the land affected by the effluent disposal field.*

[B3] Land Covenant 5064066.5

This is the Lot Owners Association covenant.

[B4] Notice under Transit NZ Act 5148000.1

This identifies the approved crossing point which has been formed to NZTA requirements.

[B5] Variation of [B3] Land Covenant 5181084.2

This variation made some technical amendments to the land covenant concerning the design controls and what constitutes a 'separate component'.

[B6] 5477407.1 Variation to Consent Notice 5038871.4

Varied the requirement in 11(a) for all buildings to be a maximum height of 4.5m and increased the maximum height to 6.0m on Lot 2.

[B7] 5477421.1 Variation to Consent Notice 5038871.4;

This variation relates to the maximum height on Lot 3 DP 300393. This consent notice therefore does not relate to the subject site which is Lot 2 DP 300393.

[B8] 8326481.1 Variation to Consent Notice 5038871.4;

Varied condition 11(g) to allow the dwelling on the site to be larger than 150m² and longer than 20m. Consent RM191209 (refer Attachment **[B10]**) further varied this condition so it reads as follows:

11(g) Mass and proportion: building forms shall be clustered or otherwise arranged on each lot to reduce perceived mass and to avoid single large-scale structures. No separate components shall have a floor area greater than 150 square meters and the length greater than 20 metres with the exception of the dwelling approved by resource consent RM090002 and RM191209.

Please refer to **Attachment [B10]**.

[B9] 9652912.1 Variation to Consent Notice 5038871.4;

Varied condition 11(b), 11(e), 11(f), 11(i) to enable the shed approved under RM130267 to breach the roof pitch, comprise alternative wall materials and colours, and be located outside the building platform 'B'. Consents RM190947 (barn / shed and access) and RM191209 (extension of the existing dwelling) approved further changes to these conditions so they read as follows:

11(b) Except for the sheds as approved under RM130267 and RM190947, Roof pitch is to be 22.5 to 45°. Flat roofs are only permitted as connections between structures and shall not exceed 20% of the total roof area.

11(e) Except for the sheds as approved under RM130267 and RM190947, wall materials shall comprise timber, smooth plaster, or stone (local schist). Walls shall be continuous in one cladding from ground to roof, for any building component consistent with condition 11(g).

11(f) Wall colours to be natural (in materials as stated above) or in the range of browns, tussock, greys or natural greens except for the shed as approved under RM130267.

11(i) All structures shall be located within the building platforms as shown on the Concept Development Plan date stamped by the Committee as 'Approved' on 26 May 1999 except for the sheds as approved under RM130267 and RM190947 and the dwelling as approved under RM191209.

Consent notice **[B10]** actioned the amended wording.

[B10] 12635550.2 – Variation of consent notice 5038871.4

This was a variation of consent notice 5038871.4 (**Attachment [B2]**). The changes included making additions to recognise resource consent RM190947 (barn / shed and access) and RM191209 (extension of the existing dwelling).

4. The Proposal

4.1 Subdivision

The proposal is to subdivide the site into two lots and create a new residential building platform on proposed Lot 2. The proposal includes associated infrastructure and landscaping. Access to both proposed lots is already formed and no changes are proposed to the physical or legal access arrangements. As shown on the Proposed Scheme Plan in **Attachment [C]**, the 10.3-hectare property will result in two freehold lots:

Proposed Lot 1

Proposed Lot 1 measures 4.528 hectares, encompassing the western side of the site and containing the existing dwelling and associated buildings which have an existing building platform (998m²) containing most of the buildings. The lot will continue to be accessed from the existing shared driveway through the neighbouring properties to the north, and the existing servicing will not be altered.

Proposed Lot 2

Proposed Lot 2 measures 5.772 hectares, at the eastern side of the site. The lot will be accessed off the existing formed crossing point from the Lake Hawea-Albert Town Road (State Highway 6). A 1000m² residential building platform is proposed to be located a minimum of 48.95 metres from the State Highway. The platform is subject to a proposed 5m height limit. The platform is set back 9.28m from the transmission lines, which do not fall within the definition of National Grid, as they are not owned or operated by Transpower. The proposal complies with the New Zealand Electrical Code of Practice (**NZCEP**) (refer section 7.6 of AEE).

Lot 2 includes the existing shed at the foot of the hillslope, which will remain unaltered as part of this application, and the majority of the hillslope. The shed was constructed and is used for storage purposes associated with the clearance of wilding pines and replanting with natives. The lower part of the site is used as an orchard.

It is noted Aurora have an easement across proposed Lot 2 for the overhead powerlines, however this will not be affected by the proposal.

The purpose of the subdivision is to enable the applicant to build a new home within the new platform within proposed Lot 2. The plan of subdivision is shown in Figure 2 below:

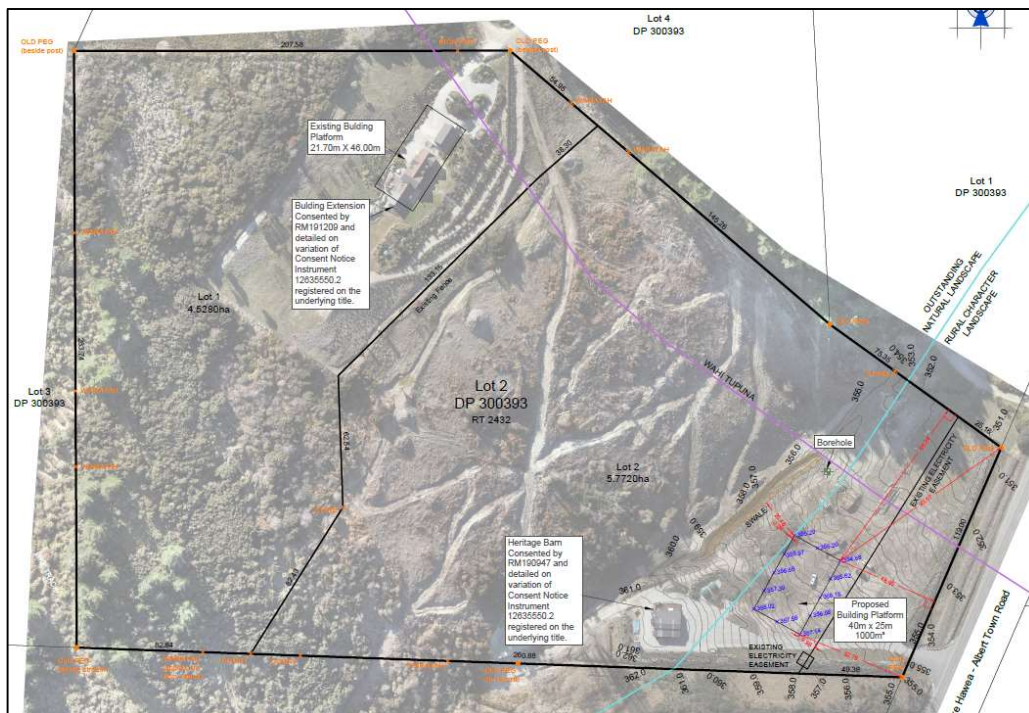


Figure 2: Proposed plan of subdivision

4.2 Landscaping

The proposal includes retaining and maintaining the existing native vegetation on the site through volunteered consent notice conditions. The extent of the native planting is shown on the landscape plan and schedule in **Attachment [G]**. The native planting in proximity to the proposed platform on Lot 2 was approved under RM190947 and has subsequently been enhanced through further planting by the applicant. This planting provides sufficient mitigation that further planting is not necessary to soften the future building within the building platform.

When the original subdivision was approved in 1999 under RM990140, a Forestry Management Plan was required as a condition of consent. It stipulates that wilding pines on properties 1147A, 1147D and 1147E were to be retained in perpetuity but they were not to be spread from their current location as of 25 years ago. Therefore, there is an ongoing legal obligation for neighbouring properties to remove their wilding pines from the subject site, which they have been legally responsible for that since they took ownership of their properties.

4.3 Access

No changes to the physical access arrangements to either lot are required. Both accesses have previously been approved by the New Zealand Transport Agency. The access that will service the new building platform has been constructed to NZTA standards, has the necessary sight distances and no physical changes are required.

4.4 Water Supply

The existing consented bore will provide water for the new building platform on proposed Lot 2. The water supply has been designed by Ken Higgie of Central Water Ltd (**Attachment [H]**). In summary, water will be pumped from the existing bore and be treated prior to going to two existing 30,000 litre tanks next to the Barn. The treated water is then pumped to the new residential unit.

A land use consent from Otago Regional Council (ORC) for a bore was granted in 2022 (RM22.047.01 (**Attachment [D]**)), and a permitted take of 25,000L/day can be taken from this bore, pursuant to Rule 12.2.2.1 of the Regional Plan: Water for Otago. The water quality analysis is appended as **Attachment [I]**.

The existing residential unit on proposed Lot 1 is part of the Lake Hawea Alpine Water scheme. No changes are proposed to this existing situation, and this water source will continue to serve the existing house and Lot 1.

4.5 Wastewater Treatment and Disposal

On-site wastewater disposal is proposed to ground, following test pitting undertaken by GeoSolve which has confirmed the viability of on-site disposal. A consent notice condition is included in Attachment **[J]** to ensure the recommendations of GeoSolve are factored into any future design.

The existing barn has a bathroom installed, and the wastewater from this system is piped into a septic holding tank adjoining the shed. This is emptied every 18 months on average. No changes are proposed with regard to how the Barn is serviced.

The recommendations from Geosolve regarding stormwater are accepted and form part of the proposal.

4.6 Stormwater Treatment and Disposal

A site investigation undertaken by Geosolve in April 2024, appended as **Attachment [K]**, has confirmed that a combination of storage and soakage can be used to dispose of stormwater. The recommendations from Geosolve regarding stormwater are accepted and form part of the proposal.

4.7 Firefighting water supply

The existing dwelling on proposed Lot 1 has two 30,000 litre tanks for firefighting purposes and is maintained in a static supply. No changes to this are proposed. This arrangement is in accordance with Consent notice 5038871.4 clause 3 (**Attachment [B2]**) which requires a minimum water storage requirement of 23,000L and a static firefighting reserve of 14,000L. This is being adhered to Lot 1.

Water provision for 45,000L static supply is already provided for next to the existing barn with the two existing 30,000L water tanks, in compliance with the firefighting condition 14(d) in RM190947. This firefighting water supply is also suitably located to service the future residential unit within the building platform, and meets the requirements with regard to a hard stand area and distance from the future dwelling.

4.8 Power and telecommunications

Proposed Lot 1 is already serviced with a power and telecommunication supply.

On proposed Lot 2, electricity has already been provided to the barn via a separate meter. Aurora has confirmed a power supply can readily be provided to the new building platform (**Attachment [M]**).

No physical hard line telecommunications connection is proposed to service the new building platform on proposed Lot 2, rather consent is sought to have phone and data services available via wireless technology e.g. Starlink or similar. It is noted that telecommunications are already been provided to the existing barn via its own internet which runs on wireless phone account, confirming the feasibility of this approach. The shed has a separate modem with telecom cables laid to it.

4.9 Earthworks

No earthworks are proposed as part of this application.

4.10 Variation of Consent Notice Conditions

Pursuant to section 221 of the RMA, two existing consent notice conditions will require variation. These are listed below with the proposed changes shown in **bold underline** and ~~strikethrough~~.

The proposed change to Clause 11(g) and (i) as varied by **[B10]** reads as follow:

11(g) Mass and proportion: building forms shall be clustered or otherwise arranged on each lot to reduce perceived mass and to avoid single large-scale structures. No separate components shall have a floor area greater than 150 square meters and the length greater than 20 metres with the exception of the dwelling approved by Resource

consent RM090002 and RM191209 and the dwelling to be located within the platform approved under RM24####

11(i) All structures shall be located within the building platforms as shown on the Concept Development Plan date stamped by the Committee as 'Approved' on 26 May 1999 except for the sheds as approved under RM130267 and RM190947 and the dwelling as approved under RM191209 and the dwelling to be located within the platform approved under RM24####.

5. Matters Requiring Consent

5.1 National Environmental Standard – Contaminated Land

As the proposed development includes subdivision and a change of use of parts of the application site, the applicant has elected to comply with the provisions of the NES through a review of Council records. Based on our review of Council records, including those set out in section 3.3 above, the piece of land to which this application relates is not a HAIL site, and therefore the NES does not apply. This approach was accepted with regard to RM190947 for the barn located on proposed Lot 2 of the site.

In addition a Preliminary Site Investigation was undertaken by WSP in 2018 in relation to a proposal to place chalets in the same location as the building platform. The chalets proposal did not proceed, however the PSI report was completed in 2018, and the conclusions remain valid. The PSI report is appended as **Attachment [N]**.

According to the PSI report prepared by WSP, “no HAIL activities have been undertaken on the site. As such, the NES regulations do not apply to this site”. The Application therefore does not require consent under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (“NES - Contamination”) as the requirements of Rule 8(4) has been met.

5.2 Proposed District Plan (Stage 3 – Decisions Version)

The subject site was zoned Rural Zone (Rural Character Landscape) and Priority Areas: West of Hawea River and Hawea South and North Grandview ONL. The proposal requires consent under the PDP for the following matters.

Chapter 21: Rural Zone

- A **discretionary** activity pursuant to Rule 21.4.9 for the use of land or buildings for residential activity except as provided for in any other rule (it is not clear if the following rule 21.4.10, which only refers to building platforms and not residential building platforms, means this rule does not need to be triggered).
- A **discretionary** activity pursuant to Rule 21.4.10 for the identification of a building platform not less than 70m² and not greater than 1000m² in the Rural Zone. It is proposed to identify one building platform on the new allotment.

Chapter 27: Subdivision and Development

- A **discretionary** activity pursuant to Rule 27.5.12 for subdivision in the Rural Zone. It is proposed to subdivide the site into two allotments in the Rural Zone.
- A **restricted discretionary** activity pursuant to Rule 27.5.11 for subdivision of land that results in creation of an additional lot within an identified wahi tupuna area outside of the urban environment, where subdivision is a potential threat as set out in Schedule 39.6. The proposal will create an additional lot within a small part of an identified wāhi tūpuna area.

Compliance with other rules

- **New Zealand Electrical Code of Practice** – Rule 27.11.3.1 – the transmission lines that go through the property are Aurora lines (11,000 volts) and do not fall within the definition of National Grid, as they are not owned or operated by Transpower. The proposal complies with the New Zealand Electrical Code of Practice (NZECP) (refer section 7.6 of AEE).
- **Setback from water bodies** – Rule 21.5.4 requires a setback of buildings from waterbodies of 20m. The proposed building platform is set back 20.5m from the swale at the base of the hill.

5.3 Operative District Plan

The subject site is zoned Rural General under the Operative District Plan (ODP). The equivalent Proposed District Plan rules to those listed above are no longer under appeal, therefore the relevant rules in the ODP must be treated as inoperative pursuant to Section 86F of the RMA. The zoning of the site itself is not under appeal.

5.4 Variation of consent notice conditions

Pursuant to section 221 and 127 of the RMA, the variation of the consent notice conditions is treated as a **discretionary activity**.

5.5 Overall activity status

In summary, the proposal is:

- a **permitted** activity under the Operative District Plan
- a **permitted** activity under the National Environmental Standard for contaminated land,
- a **discretionary** activity under the PDP
- a **discretionary** activity under section 221 / 127 of the RMA to vary the consent notices .

Overall the proposal is a **discretionary activity**.

5.6 Scope of Application

This application is for all matters requiring resource consent rather than for the specific list of consent matters / non-compliances identified by the author. If the Council is of the view that resource consent is required for alternative or additional matters to those identified in this AEE, it has the discretion to grant consent to those matters as well as or in lieu of those identified in this AEE. If the Council is of the view that the activity status of any of the matters requiring consent is different to that described in this AEE, or that some or all of the matters requiring consent should be bundled or unbundled in a way that results in a different outcome to that expressed in this AEE, the Council has the ability under Section 104(5) of the Resource Management Act 1991 ("Act") to process the application regardless of the type of activity that the application was expressed to be for.

6. Statutory Considerations

Council's decision on the proposal must give effect to the purpose and principles of the Act, as set out in Part 2 of the Act, and have regard to the relevant matters in sections 104 to 108 of the Act.

6.1 Section 104B – Discretionary Activities

Under Section 104B of the Act, a consent authority processing an application for a discretionary activity may grant or refuse the application and can impose conditions under section 108. An assessment of the effects of the proposal on the environment is provided in section 7 of this AEE while an assessment against the relevant objectives and policies of the relevant plans is provided in section 9 of this AEE.

7. Assessment of Environmental Effects

While the site is located within both the RCL and ONL. As the proposed platform is within the RCL, and no changes are proposed in the ONL part of the site other than a new boundary following an existing fence line, the assessment matters listed in Chapter 21 Rural (21.21.2 – Rural Character Landscape) have been used as a basis for this assessment regarding landscape matters.

7.1 The Permitted Baseline

In the Rural zone, all new buildings require resource consent (unless located within an approved building platform that meets the standards). However, the following activities are permitted and can be undertaken without resource consent:

- farming activity
- planting of indigenous and exotic trees / vegetation (non-wilding species), which can have a domesticating effect.
- earthworks up to 1000m³, provided the work does not involve a road track or access way with a cut or batter greater than 1m vertically which is not laid back steeper than 65 degrees, and does not exceed a

maximum fill height of 2m, or exceeds 20m³ within 7m of a water body, and employs environmental protection measures.

- a forestry woodlot not exceeding 0.4 hectares in non-wildings species.
- a building less than 5m² and less than 2m in height.
- fences up to 2m in height, except for within 10m of a road boundary

As the permitted baseline listed above can change the character of site, it is appropriate to apply a permitted baseline with regard to the activities above.

7.2 Receiving Environment

The receiving environment beyond the subject site includes permitted activities (listed in 7.1 above) under the relevant plans, lawfully established activities (via existing use rights or resource consent), and any unimplemented resource consents that are likely to be implemented.

The consented barn and landscaping which were approved under RM190947 have been given effect to and form part of the receiving environment.

The application across the State Highway from the site, RM230542, has been lodged but no decision has been made. It does not form part of the receiving environment.

7.3 Subdivision design, location and size of building platforms, and density of development

7.3.1 Subdivision design

The shape and boundary locations of proposed Lots 1 and 2 has been designed to align with the natural terraces and existing fence lines evident on the site. Proposed Lot 1 contains the existing residential dwelling and the upper part of the site, and the boundary follows an existing fence line.

Proposed Lot 2 contains the proposed building platform, existing barn and the ecological planting and watercourse. The location of the proposed building platform on Lot 2 has been determined by a number of factors including:

- the Aurora power lines and necessary NZECP clearance distances
- the 40m PDP setback requirement from the State Highway
- the 20m PDP setback requirement from the swale (if this is considered to be a waterbody)
- the location of the existing barn and vehicle access.
- staying out of the wāhi tūpuna annotation.

Once these factors are considered, the design / location options for the platform are limited. The location chosen was able to address the relevant assessment matters for a RCL landscape (refer **Attachment [G]**) and was well screened by existing vegetation to the north. Overall the subdivision design is logical and respectful of landscape / topographic lines.

7.3.2 Location and size of building platforms

As noted above, the location of the building platform on Lot 2 was determined by the five factors listed. The size of the platform, 1000m², is standard as this gives future occupiers the flexibility to design a house within the space provided. It is noted that Rule 21.7.3 will apply to any future built form, meaning that if a person sought to build a house bigger than 500m², further approvals from QLDC would be required.

7.3.3 Density of development

From a density perspective, it is noted that there are no minimum lot areas for land zoned Rural, however the proposed allotments remain substantial in size being 5.8 and 4.5 hectares, therefore enabling the potential for rural activities on these lots (including restoration of natural character / nature conservation values) and retaining the sense of rural character and openness. The proposal will not result in an appearance of development being too dense or too close together for the Rural Zone. This is due to the elevated location of the platform on Lot 1, and the proposed platform within the RCL part of the site, being well separated from each other.

7.4 Transport / Access effects

No changes to the physical access arrangements to either lot are required. Both accesses are already formed to NZTA requirements and have previously been approved by the NZTA. The access that will service the new building platform meets NZTA standards, has the necessary sight distances and no physical changes are required.

7.5 Infrastructure / Servicing Effects

As much of the infrastructure has already been installed on site, no specific engineering report has been prepared for the subdivision application however the specialist reports are appended and are summarised below. At a high level, the site can be serviced with the infrastructure necessary for the additional residential allotment.

7.5.1 Potable Water

The site has an existing bore located within proposed Lot 2 as shown onto the survey plan in **Attachment [C]**. The ORC reference is CA13/0131 approved by consent RM22.047.01. The bore is to a depth of 41.54 meters and provides for a maximum daily volume of 25 cubic metres at a maximum rate of 1.38 litres per second (refer **Attachment [D]**). The bore was test pumped in March 2024 and May 2022 and the water has been tested and is potable (refer **Attachment [I]**).

Mr Simon Burroughs of Waterforce, Cromwell, has observed that many of the values are slightly higher between the two bore water tests in 2022 and 2024, which is likely due to the bore sitting for some time. Mr Burroughs considers that further flushing may be desired before using for potable applications. As the intention is for the bore to pump to storage tanks, it is expected that there will be some settling of the iron and manganese.

The design of the potable water system is shown in the Central Water drawing in **Attachment [H]** and in Figure 3 below:

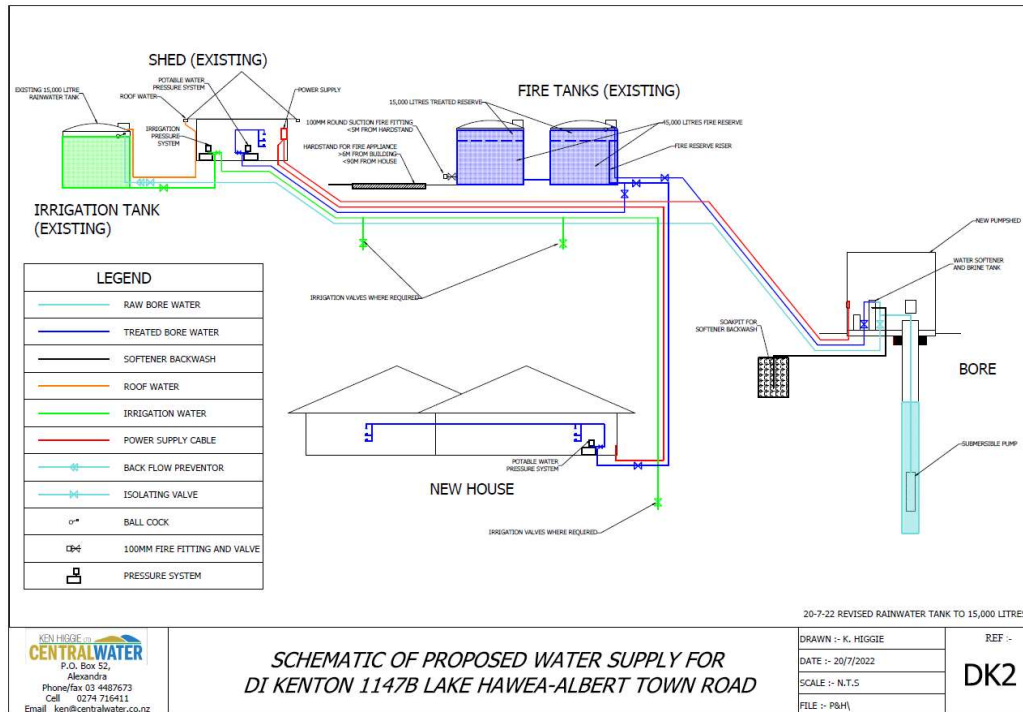


Figure 3: Water supply design – Central Water Ltd

Following this, treatment with the Puretec system in **Attachment [O]** will be suitable to address the hardness of the water. Treatment of the hardness will involve sediment filtration and ion exchange (softener).

The future building platform will be serviced by this bore under the permitted water take rule for domestic purposes

- 12.2.2.1** The taking and use of groundwater for domestic needs or the needs of animals for drinking water is a *permitted* activity providing:
- (a) No take is for a volume greater than 25,000 litres per day; and
 - (b) The taking or use does not have an adverse effect on the environment.

For the existing house on proposed Lot 1, this is part of the Lake Hawea Alpine Water scheme, which includes five properties (1147A, B, C, D and E). Water is taken from the water reservoir located on QLDC land (Lot 2 DP 22638) to the north of the property, pumped up to two holding tanks to the west- located on 1147E- then gravity fed to the five properties. No changes are proposed to this existing situation, and this water source will continue to serve the existing house and Lot 1.

Overall, the subdivision can be serviced with potable water.

7.5.2 Stormwater disposal

The site is not able to be serviced by existing QLDC stormwater infrastructure. Stormwater runoff from the future dwelling within the building platform will be by both storage for irrigation and discharged directly to the ground through localised soak pits. No specific stormwater treatment devices are necessary as the runoff is unlikely to contain high levels of contaminants such as heavy metals or hydrocarbons.

A site investigation undertaken by Geosolve, appended as **Attachment [K]**, has confirmed the soils are suitable for this combined approach including stormwater disposal by soakage to ground. This is dealt with at the time of building consent, where there is a requirement to demonstrate how stormwater will be managed.

Geosolve recommend that the base of the stormwater soak pit is located within the predominate sandy GRAVEL unit observed to extend to 1.5 m below ground level in Test Pits 9 and 10 and that the maximum thickness of sandy GRAVEL overlying the observed SILT layers (while having sufficient storage capacity) remains below the base of the soakage system. It is recommended that a specific soakage test is completed at detailed design once the soak pit location is confirmed. This advice is accepted.

The effects of on-site stormwater drainage can be suitably managed by a combination of storage of irrigation and disposal to ground. A consent notice is volunteered requiring specific design at the time of building consent. Adverse effects regarding stormwater disposal will be less than minor.

7.5.3 Wastewater disposal

The site is not able to be serviced by existing QLDC wastewater infrastructure, and the proposal is to dispose of wastewater to ground via on-site treatment and soakage. The GeoSolve report considers the feasibility of on-site wastewater disposal (**Attachment [K]**). The recommendations of the GeoSolve report are accepted and the necessary consent notices are anticipated.

A disposal field can be placed that is located 50m away from the swale and bore, and therefore meet ORC permitted activity rules.

A condition of consent is volunteered for the matters above, and the effects of the onsite wastewater disposal can be managed through treatment so that no adverse effects on the environment will arise.

7.5.4 Firefighting water supply

The existing dwelling on proposed Lot 1 has two 30,000 litre tanks for firefighting purposes and is maintained in a static supply. No changes to this are proposed. This arrangement is in accordance with Consent Notice 5038871.4 clause 3 (**Attachment [B2]**) which requires a minimum water storage requirement of 23,000L and a static firefighting reserve of 14,000L. The applicant seeks to retain this existing firefighting water supply for Lot 1 and is not required to increase it as part of the subdivision as Rule 21.7.5 only relates to new buildings for residential activities.

Water provision for 45,000L static supply is already provided for next to the existing barn with the two existing 30,000L water tanks, in compliance with the firefighting condition 14(d) in RM190947. This firefighting water supply is also suitably located to service the future building within the building platform, and meets the requirements of Rule 21.7.5. This firefighting water supply has the appropriate hard stand area and couplings as required by condition 14(d) of RM190947 and meets the requirement of Appendix B – SNZ PAS 4509:2008 (or superseding standard) as it is located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site.

In summary, both lots are already serviced with a firefighting water supply, and the supply for Proposed Lot 2 meets the PDP requirements of Rule 21.7.5.

7.5.5 Power and telecommunications

Proposed Lot 1 is already serviced with a power and telecommunication supply. On proposed Lot 2, electricity has already been provided to the barn via a separate meter. Aurora has confirmed a power supply can readily be provided to the new building platform (**Attachment [M]**). No physical hard line telecommunications connection is proposed to service the new building platform on proposed Lot 2, rather consent is sought to have phone and data services available via wireless technology e.g. Starlink or similar. It is noted that telecommunications are already been provided to the existing barn via its own internet which runs on wireless phone account (to run the Hydrowise irrigation app), confirming the feasibility of this approach. The shed has a separate modem with telecom cables laid to it.

7.6 Effects on power lines

The PDP planning maps show an 11,000 volt Aurora distribution line crossing the site. The proposed platform is 9.28m away from the centre line of the transmission lines, and therefore meet the requirements of the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP34:2001) as required under Rule 27.11.3.1. The applicant has also consulted with Aurora regarding the proposed subdivision and this correspondence is appended as **Attachment [M]**.

Table 1: Extract from NZECP showing Required setback of buildings

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TABLE 3 MINIMUM SAFE DISTANCES OF CONDUCTORS FROM BUILDINGS AND OTHER STRUCTURES WHERE SPECIFIC CALCULATION OF CONDUCTOR MOVEMENT HAS BEEN CARRIED OUT

Safe distance conditions	Not exceeding 1 kV			Exceeding 1 kV		Exceeding 1 kV but not exceeding 33 kV	Exceeding 33 kV but not exceeding 110 kV	Exceeding 110 kV but not exceeding 220 kV	Exceeding 220 kV a.c. or d.c.
	Insulated m	Bare neutral m	Bare active m	Insulated with earthed screen m	Insulated without earthed screen m	Bare or covered m	Bare m	Bare m	Bare m
A Vertically above those parts of any structure normally accessible to persons	2.7	2.7	3.7	2.7	3.7	4.5	5	6.5	7
B Vertically above those parts of any structure not normally accessible to persons but on which a person can stand	0.1	2.7	2.7	0.1	2.7	3.7	4.5	6	6.5
C In any direction (other than vertically above) from those parts of any structure normally accessible to persons, or from any part not normally accessible to persons but on which a person can stand	0.1	0.9	1.5	0.1	L.V 1.5	H.V 2.1	3	4.5	5
D In any direction from those parts of any structure not normally accessible to persons	0.1*	0.3*	0.6*	0.1	0.6	1.5	2.5	3.5	4
E In any direction from the ground	Refer to Table 4								

* This distance can be further reduced to allow for termination at the point of attachment

7.7 Landscape and visual effects assessment

A landscape and visual effects assessment (LVEA) has been prepared and appended as **Attachment [G]**. The landscape report meets the requirements of Strategic Policy 3.3.29(a) and (b) as the site includes both ONL and RCL landscapes. Section 6.3 of the PDP regarding managing activities in RCL landscapes (which is where the proposed building platform is located). It describes the existing landscape quality and character using physical, associative and perceptual dimensions. The site is located within the Priority Area 21.23.3: West of Hawea River (RCL) and 21.22.23 Hawea South and North Grandview (ONL).

As explained above, as there are no real changes occurring to the ONL part of the site, the focus of the LVEA has been on the RCL part of the site, where the building platform is proposed.

7.7.1 Effects on landscape character (RCL)

Effects on landscape character are considered in full in the LVEA in **Attachment [G]** including Appendix 1 of that document. As recorded in the 'right of reply version of the landscape schedule 21.23.3, the land use pattern of this PA is dominated by low-density rural living and hobby farming. The proposal is in accordance with this dominant land use pattern.

Built development throughout the gentle slopes flanking Mount Maude is generally well integrated with the hummocky topography and/or existing vegetation; comprising a distinctly working rural character; and / or are not prominent in views from the road. The proposed platform will be well integrated with existing vegetation and not prominent in views from the road.

Distinctive vegetation types include grazed and cropped pasture with conifer and poplar shelterbelts, forestry block on the toe of Mt Maude, wilding conifers, and amenity plantings around rural and rural living dwellings and farm buildings. There is a moderate degree of naturalness due to the predominance of natural elements, despite modified agricultural land and rural living being evident.

The capacity for additional rural living has been characterised as very limited with the PA being particularly vulnerable to further fragmentation and domestication. The schedule gives some suggestions regarding what sort of rural living development will be appropriate, and this relates to landscape character and is set out in section 7.7.3 to follow.

The landscape report confirms that the proposal will intensify rural living activity within the landscape, however the platform on proposed Lot 2 and its future dwelling will be particularly well contained. The result of the proposed activity (i.e. the presence of an additional dwelling and associated activity) will not create a situation that is at odds with existing landscape character or values. A future dwelling will sit within this flat area of topography within the extensive existing native vegetation. As such, it is considered that the resultant land use pattern will preserve the attributes and values of the existing RCL landscape, and as such the proposal is considered to not result in adverse effects that are more than minor.

7.7.2 Effects on views and visual amenity

The landscape report **Attachment [G]** provides a plan of the context of the site, on which relevant viewpoints have been identified and are summarised below.

Lake Hawea – Albert Town Road

For the southbound traveller, visibility of the site is gained as one passes the Allied service station (refer Photograph C of Appendix 4). The existing Barn on the site is visible, as are the power lines through the lower part of the site. The strong roadside native vegetation provides significant screening (refer Photograph D), but upper parts of building profile poles are visible. The roof of a dwelling on the proposed building platform may be seen, but is likely to be screened by the burgeoning vegetation in the medium term. A southbound viewer of this sort has recently passed the Hawea Control Structure and the area of the Allied service station. The minor visibility of parts of a dwelling through native vegetation will not amount to a detractor from the existing visual amenity that is experienced. The hillside slopes of the side are widely seen. Existing native revegetation appears juvenile, with its many plant guards. As this vegetation matures, the hillside will take on the image of a mosaic of vegetative patterns.

For a northbound traveller on SH6, the most visible part of the site is again the open hillside, which is revegetating. At the road level, more mature native vegetation along the southern boundary of the lower part of the site generally screens the lower Lot 2 area (Photograph H in **Attachment [G]**). Upper parts of building profile poles are visible. The vegetation on the southern boundary is growing well and is likely to screen any built form in the medium term. Any detractor from visual amenity will be minimal.

Overall, the LVEA concludes that any adverse effects on visual amenity as experienced from SH6 will be of a very low degree.

Hāwea Township

Future built form and associated activities will not be visible from the flatter parts of Hāwea township (the Timsfield area and south of Cemetery Road), nor from the north-facing parts of the township (the Capell Avenue area and northwards).

From some elevated or open viewpoints that look to the south, visibility towards the subject site is available (see Photograph G of Appendix 4 of LVEA). In these views, the profile poles on the subject site were not visible, primarily due to the dense, mature, intervening, evergreen trees that are adjacent to Domain Road. In the absence of these trees, vegetation within and adjacent to the site may screen visibility in any event. Viewing distances are between 1 and 1.5km. In these views, the flatter lower terrace part of the subject site and its neighbouring sites generally cannot be seen, although built form is visible on the more elevated, sloping land west of SH6, including in the vicinity of 1089 and 1091 Lake Hawea- Albert Town Road.

While it may be that individual private properties (which were not able to be accessed) may gain views towards the platform location, the LVEA concludes that the visual difference between the proposed situation and the existing situation will be particularly slight. In this context, any adverse effect on the amenity associated with these views will be of a very low degree.

Lake Hāwea Control Structure & Hāwea War memorial

Hawea Control Structure Road connects SH6 to Hawea township. It also accesses the Hawea War Memorial Peninsula. Both locations allow visibility towards the subject site (refer Photographs E and F of LVEA). The LVEA notes that in these views, the site makes up a small part of a broad view. Only the lower part of the site (the flats of Lot 2) can be seen. Visibility of these flats is over the top of the currently juvenile vegetation on the site's northern boundary. The Allied service station forms a relatively prominent foreground element. In these views, a future dwelling on the Lot 2 platform will add another built element to the view, but one that is significantly inconspicuous. The LVEA concludes that any effect on visual amenity will be of a low degree and this will decrease as vegetation grows

Effects on neighbours

At the time of lodgement, no affected party approvals have been obtained. It is expected that some affected party approvals will be obtained and submitted as they are received. This assessment covers all neighbouring properties.

Overall, the location of the proposed building platform is already well screened by landscaping required under RM190947 (as part of the barn consent – **Attachment [F]**), and by other native planting undertaken by the applicant on the lower part of the site (refer **Attachment [G]**).

To the immediate north of the site is 1147A Lake Hawea-Albert Town Road. This site is part of a rural living subdivision comprising of five large lots in the order of 10ha each (including the application site). The proposed platform will not be visible from the residences of any of the five lots. From the lower part of 1147A, which includes the shared access to the wider subdivision used by all residents, the subject site is visible if looking to the south.

This lower part of 1147A also contains a farm shed building (consented by RM120287) that is visible from the adjacent stretch of SH6. In these views, a future dwelling on proposed Lot 2 will be visible in views from the shared accessway when looking towards the south. For these viewers, the future dwelling will be seen in the context of the farm shed and the barn on the subject site (which is partly visible). Vegetation within the site, adjacent to the northern boundary, provides screening of the lower part of the subject site, and this will increase as this existing vegetation grows and matures. Once mature, the future dwelling within the proposed building platform is likely to remain visible to a small degree from this lower part of 1147A when looking south. The LVEA concludes that, in this context and as existing vegetation grows and matures, a future dwelling will not be at odds with expectations within this RCL, and that effects on visual amenity as experienced from the users of the access located on the 1147A property will be of a very low degree.

To the immediate south of the site is Lot 6 DP 300393. This site is vacant rural land. The existing established native landscaping along the southern boundary of the site (required under RM190947 as part of the barn consent – **Attachment [F]**), and other native planting undertaken by the applicant on the lower part of the site (refer **Attachment [G]**) already provides a demarcation and visual separation between this property and the subject site. Approximately the upper half of the subject site's existing barn can be seen from this property to the south. From the lower part of this property, which is close to the highway, there will be some visibility to the upper parts of a future dwelling within the proposed building platform. The boundary vegetation will provide considerable visual softening. In relation to a user of the rural land of Lot 6 DP 300393, we consider that any effect on their visual amenity will be of a very low degree.

With regard to the residential properties at 1087, 1089 and 1091 Lake Hawea-Albert Town Road, these are located further to the south. These properties are elevated, however do not have a line-of-sight to the proposed building platform.

To the east across SH6 from the site is 1172 Lake Hawea-Albert Town Road. This property contains one residential dwelling and several large established trees. Resource consent (RM230542) has been sought for four additional building platforms on this site, however this is yet to be determined. Due to the established native planting along the State Highway road boundary, both within the site and outside of it, it appears that there will be no visibility of the proposed platform from the dwelling at 1172 Lake Hawea-Albert Town Road.

With regard to the Lake Hawea golf course, as noted above, established native planting along the State Highway road boundary, both within the site and outside of it, provide significant screening. The recessively coloured roof of a future dwelling within the platform is likely to be possible from discrete parts of the golf course and its access driveway area. Any effect on the visual amenity experienced will be of a very low degree at most.

To the west is the elevated terrain of Mount Maude, being part of the ONL. From beyond the existing dwelling on proposed Lot 1, no built form will be apparent.

7.7.3 Capacity rating for rural living

Schedule 21.23.3 recognises there is very limited landscape capacity to absorb rural living without cumulative adverse effects on associative and perceptual values. The Schedule goes on to give guidance regarding how this (very limited capacity) might be realised:

- ***set well back from roads and public tracks;***

The platform meets the required 40m setback from the State Highway. Locating it further back would result in it moving up the hill onto the more elevated and visible parts of the site that have been planted with native vegetation.

- ***co-located with existing development;***

The platform is located next to the existing barn and existing formed vehicle accessway, as well as being located within a larger rural living subdivision.

- ***located to optimise the screening and/or filtering benefit of natural landscape elements;***

The platform is located so as to optimise the screening and filtering benefit of the existing native planting, and to locate it on the more modified flat part of the site near the base of the hill outside of the ONL.

- ***designed to be of a modest scale;***

The platform will enable a single residential dwelling. The nature and design of a future dwelling is subject to the standards of the Rural Zone and will be scrutinised via a resource consent process if it is not able to meet the applicable standards.

- ***have a 'low-key' rural character;***

The extensive native planting will screen the lower part of a future dwelling, which will be limited to a 5m maximum height. As above, the nature and design of a future dwelling will be subject to a resource consent process.

- ***integrate landscape restoration and enhancement (where appropriate);***

Extensive landscape restoration and enhancement has been undertaken on the site by the applicant over recent years. This has involved the clearance of a large area of mature Corsican pine (a pest species, highly prone to wilding spread and prohibited pursuant to Chapter 34 of the PDP) and replanting with mixed indigenous species, suited to the site, in large numbers. This vegetation is set out on the plan that forms Appendix 3 to this report. The current consent application seeks to give ongoing protection to this native vegetation by way of conditions of consent that are proposed to form part of a consent notice to be associated with the title of Lot 2.

- ***enhance public access (where appropriate); and***

There are no obvious opportunities for public access through the site to public land elsewhere.

- ***should maintain the impression of expansive rural views from public vantage points.***

Public views are considered in the LVEA and above. The platform location is already enclosed to a significant degree by the extensive native planting which is in good health and is of a generally juvenile state. Growth over upcoming years will result to significantly more visual enclosure. Only glimpses of visibility are expected from SH6 and other public places, and this will be of a recessively coloured roof. The impression of expansive rural views from public vantage points will not be unduly affected.

7.7.4 Effects on landscape quality and character (adjacent ONL/F)

The site includes part of, and the platform location is adjacent to an Outstanding Natural Landscape (Mount Maude). The landscape report notes that the proposed development will be in the foreground of views of the Mt Maude ONL from discrete stretches of the Lake Hawea-Albert Town Road (State Highway 6). The slopes of the ONL that are within the site have been considerably enhanced in terms of ecology (an exotic wilding forest has been converted to a broad area of native restoration). The current proposal seeks to ensure this situation into the future by way of consent notice conditions. This represents an enhancement of the lower foreground slopes of the ONL. The location of the proposed platforms relative to Mount Maude will not block views of the ONL due to the existing planting. The proposal will not result in adverse effects on the Mount Maude ONF.

7.7.5 Summary of landscape and visual effects

Overall, the landscape and visual effects assessment report confirms that the proposal will be in keeping with the landscape character of the area as described in the Priority Area schedule. There will be minimal visibility from public places and any effect is Very Low or Low. As such, it is considered that the proposal does not result in adverse effects that are more than minor with regard to landscape character and visual effects.

7.8 Earthworks effects

No earthworks are proposed as part of the subdivision. A future dwelling within the building platform is unlikely to trigger the earthworks provisions for the Rural zone, which enables up to 1000m³. A small part of the site is within a wāhi tūpuna area, however the location of the building platform is outside of this area. If an item of significance is found during *future* permitted earthwork activities, all works will be undertaken in accordance with the obligations set out in the *Heritage New Zealand Pouhere Taonga Act 2014*. The applicant is happy to accept an accidental discovery protocol consent condition. As such, effects on cultural or archaeological sites are not relevant to this application.

7.9 Natural Hazard Effects

The site of the proposed building platform on Lot 2 is identified in Council's online hazard mapping as being subject to alluvial fan hazards. Two geotechnical reports have been prepared by Geosolve for the site of the platform on Lot 2, and are appended as **Attachments [K]** and **[L]**. The earlier report dated July 2019 was prepared in relation to the consented barn (RM190947) observes that:

The proposed development is located on the distal toe of a broad alluvial fan which has developed eastward from the range front (see Figure 2 below). The alluvial fan is identified as being a fan less recently active on the ORC natural hazards database. From the test pit logs, topsoil development around

the proposed site area is good and ranges in thickness from 0.2-0.4 m. There is no evidence of recent alluvial fan activity around the development area, however there is extensive evidence for debris flows near the apex of the fan. Coarse grained lobate and ridge like deposits characteristic of debris flows can be observed amongst the scrub and there is also a notable lack of topsoil development around the apex of the alluvial fan.

Recommended mitigation measures for the alluvial fan hazard were installed to the south of the site as part of RM190947. This work mitigated the effect of the alluvial fan hazard on the Barn and also manages effects on the proposed platform.

In the later geotechnical assessment specifically for the proposed building platform is appended as **Attachment [K]**, Geosolve recommend that any dwelling is elevated from the surrounding ground level. Constructing the dwelling on piles is one approach. Alternatively, if the dwelling is proposed to be cut/filled into the gently sloping ground profile a bund could be constructed surrounding the top of the cut to divert any sheet flow around the building. The preference between the bund and floor level raise (including the geometry of the mitigation works) should be confirmed at detailed design following confirmation of the dwelling location and earthworks plans for the dwelling.

GeoSolve observed the soil conditions varied significantly between test locations in the south and north of the proposed building platform, therefore it is recommended that the most suitable foundation solution is confirmed at detailed design once a specific dwelling footprint is established for the site. This advice is accepted.

The site has been split into two scenarios depending on the soil conditions surrounding the specific dwelling. The soil conditions and most suitable foundation solution should be confirmed with a set of test pits surrounding the dwelling to assess whether the organic material observed within surrounding areas of the building platform is located below the proposed dwelling.

There are two scenarios:

1. If the recommended test pits observe organic material below the proposed dwelling
2. If organic material is not observed below proposed dwelling

The foundation solution should be agreed by the project structural and geotechnical engineers at detailed design, following the completion of the test pitting. The recommendations of the GeoSolve report in **Attachment [K]** are accepted and consent notice conditions are anticipated in this regard. As such, adverse effects from natural hazards are able to be appropriately managed.

In the event that the option selected is to place the dwelling within the platform by cut/fill into the gently sloping ground profile, and a bund is created along the top of any cut to divert any sheet flow around the building, then consultation with the ORC would be required as to whether this is considered to be a defence against water under Rule 14.3.2.1 of the Regional Plan: Water.

7.10 Tangata Whenua, biodiversity and geological values

As noted above, a small part of the subject site has been identified as a wahi tupuna however no changes will occur to that part of the site as a result of the application. There are no geological values of significance. The removal of pest plants including Corsican Pine and restoration with indigenous native planting is considered to be consistent with Ngai Tahu values including kaitiakitanga. As such, no adverse effects regarding Tangata Whenua values, geological or geomorphological features is anticipated as a result of the proposed subdivision and development.

7.11 Effects on wahi tupuna

As noted earlier, a small part of the site is within a wāhi tūpuna. The proposal includes significant restoration of natural character and indigenous biodiversity values. No adverse effects will arise are expected to arise as no change is proposed to the part of the site affected by the wāhi tūpuna annotation. In the event that future permitted earthworks to construct a residential dwelling uncover any items of significance, all works will be undertaken in accordance with the obligation of the *Heritage New Zealand Pouhere Taonga Act, 2014* and in accordance with the Heritage New Zealand Archaeological Discovery Protocol which is anticipated as condition of consent.

7.12 Cumulative Effects

A cumulative effect is an effect which arises over time or in combination with other effects. A cumulative effect is not the same as a potential effect. The Court of Appeal has held that:

A cumulative effect is concerned with things that will occur rather than with something which may occur, that being the connotation of a potential effect.¹

A cumulative effect will arise from the proposal because the subdivision creates an additional allotment and building platform, however the *adverse* cumulative effect of an additional building platform and associated domestic activities in this part of the landscape will not be significant. Extensive mitigation is already in place to ensure that the proposed building platform is mitigated in views from surrounding public places and neighbours.

7.13 Reverse Sensitivity effects

As noted in the landscape schedule, the primary land use in the vicinity is low density rural living and hobby farming. There are no known activities in the vicinity that cause objectionable effects that could be complained about by future occupiers of the building platforms. The proposed activity (additional building platform) with large areas of land for native planting / ecological restoration is compatible with the nature of the surrounding activities.

7.14 Positive Effects

The proposed development will have the following positive effects:

- Legal retention and protection of the indigenous vegetation on the site as per Structural Landscape Plan.

¹ Dye v Auckland Regional Council [2002] 1 NZLR 337 (CA)

- Enabling the applicant to provide for their social and economic well-being through selling proposed Lot 1 and establishing their own new dwelling on proposed Lot 2.
- Enabling the applicant to continue to manage the extensive native planting on the hillside and flats on a site that is, in total, too small to be an economically viable standalone agricultural unit, and ensure the upkeep of the land.
- A small increase to the volume of housing stock available in the Queenstown Lakes district.

8. Notification Assessment

Public notification is volunteered by the applicant.

9. Policy Framework

9.1 National policy Statement for Highly Productive Land

As shown in **Attachment [P]** and Figure 4 below, only a small part of the site is LUC 3 and falls within the ambit of the NPS-HPL.

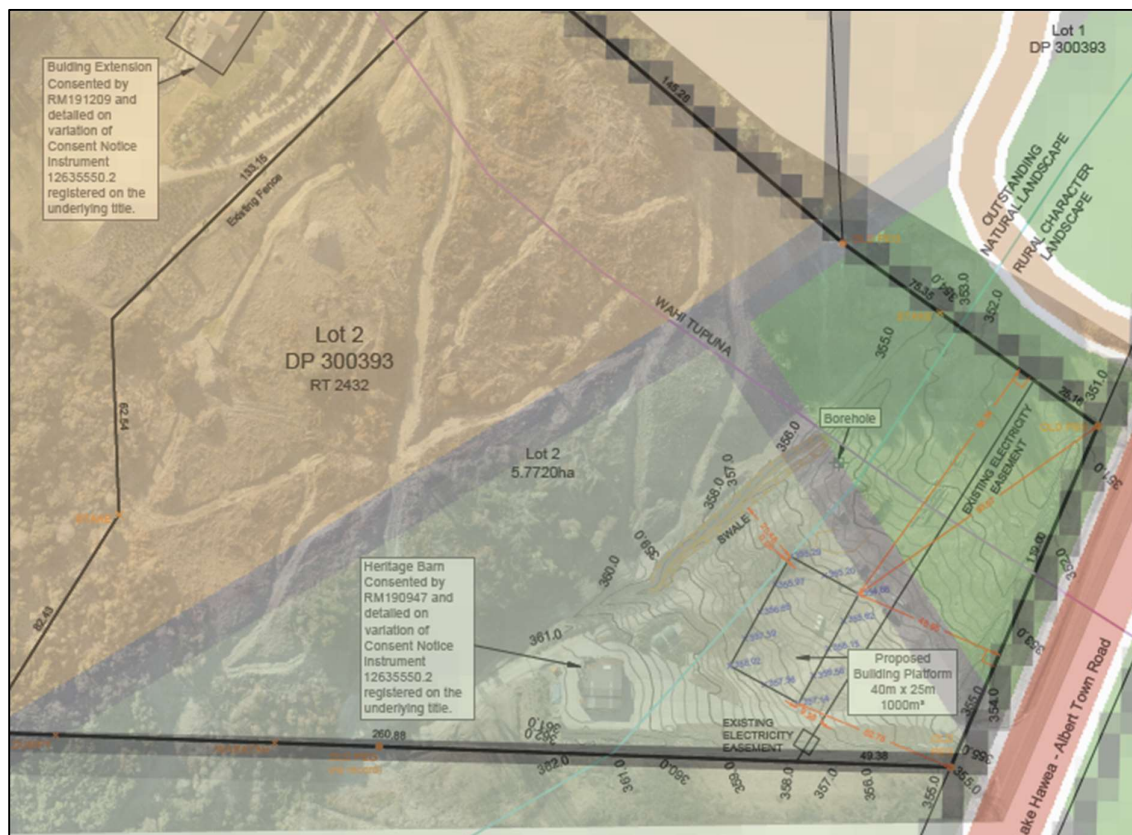


Figure 4: Extract from Attachment [P] showing LUC mapping overlaid on aerial photography

Ministry for the Environment guidance² makes it clear that the NPS-HPL only applies to that part of the site that is mapped as LUC 3:

Where only part of the site is identified as HPL (either under [transitional definition](#) or when mapped in a regional policy statement) then the consideration of how the proposal aligns with the direction in the NPS-HPL will be on a case-by-case basis. The intent of Clause 3.8 is that:

- the proposed lot layout should not result in the HPL being further fragmented across multiple lots
- reverse sensitivity effects on land-based primary production activities will be avoided if possible, or otherwise mitigated.

This part of the site is already used for productive purposes by the applicant who has an orchard with fruit trees and olives planted, and edged with feijoa hedging. This occupies over 2000m² of land. The applicant has advised that this productive area was created using imported topsoil due to the poor rocky soil conditions experienced at the site.

The part of the land that is LUC 3 and subject to the NPS-HPL is not being subdivided / fragmented, in the sense that it will remain in a single lot as it is today.

In summary:

- the subdivision does not affect the land that is subject to the NPS-HPL as Clause 3.8(1)(a) applies in that the proposed lot containing the LUC 3 land will retain the overall productive capacity of the subject land over the long term.
- Under Clause 3.10(1)(a), the small amount of LUC 3 land within the title is a permanent and long term constraint that means the use of the highly productive land for land based primary production is not able to be economically viable for at least 30 years. It will however be utilised for domestic production.

9.2 Operative Regional Policy Statement (1998)

Section 104(1)(b)(v) requires a consent authority to have regard to any regional policy statement or proposed regional policy statement. The Operative Regional Policy Statement 1998 (ORPS) has now been revoked³.

9.3 Partially Operative Regional Policy Statement (March 2021)

Noting that the PORPS is high level, and given effect to through the PDP, brief comments in respect of the relevant provisions and the proposed development are set out below:

Objective 1.1 Otago's resources are used sustainably to promote economic, social, and cultural wellbeing for its people and communities

² Ministry for the Environment document 'National Policy Statement for Highly Productive Land Guide to Implementation March 2023.

³ Otago Regional Policy Statements: <https://www.orc.govt.nz/plans-policies-reports/regional-plans-and-policies/otago-regional-policy-statements>

The proposed subdivision provides for the economic and social wellbeing of the applicant and any future owners by enabling the creation of an additional building platform suitable for housing needs whilst maintaining rural character. The proposal also legally protects the extensive native planting undertaken on the site.

Objective 2.2 Kāi Tahu values, interests and customary resources are recognised and provided for

This objective has been achieved by the QLDC mapping wāhi tūpuna areas in its PDP. A small amount of the site is covered by a wāhi tūpuna annotation.

Policy 2.2.3 Wāhi tūpuna and associated sites

Enable Kāi Tahu relationships with wāhi tūpuna by all of the following:

- a) Recognising that relationships between sites of cultural significance are an important element of wāhi tūpuna;***
- b) Recognising and using traditional place names.***

A small part of the site is covered by a wāhi tūpuna annotation under the PDP, however no change to the environment within the wāhi tūpuna area is proposed. The new building platform is outside of the wāhi tūpuna, and no adverse effects on the wāhi tūpuna will arise. Consultation over the extent of the wāhi tūpuna annotation occurred as part of the PDP process, and consultation on this application will occur as part of the formal public notification process.

Objective 3.1 The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded

The ecological values of the site have been enhanced by the applicant, where they had been severely degraded by the spread of wilding pines across the site. It is proposed that this extensive native planting be protected through a consent notice condition.

Policy 3.1.8 Soil erosion Minimise soil erosion resulting from activities, by undertaking all of the following:

- a) Using appropriate erosion controls and soil conservation methods;***
- b) Maintaining vegetative cover on erosion prone land;***
- c) Remediating land where significant soil erosion has occurred;***
- d) Encouraging activities that enhance soil retention.***

While no earthworks are proposed, it is relevant to note the proposal includes the legal protection and retention of the extensive native revegetation that has occurred following the removal of the wilding Corsican pines that were present on the site. This will maintain vegetative cover over the steeper erosion prone hillside.

Policy 3.1.9 Ecosystems and indigenous biological diversity

Manage ecosystems and indigenous biological diversity in terrestrial, freshwater and marine environments to:

- a) Maintain or enhance:***
 - i. Ecosystem health and indigenous biological diversity including habitats of indigenous fauna;***
 - ii. Biological diversity where the presence of exotic flora and fauna supports indigenous biological diversity;***
- b) Maintain or enhance as far as practicable:***
 - i. Areas of predominantly indigenous vegetation;***

- ii. Habitats of trout and salmon unless detrimental to indigenous biological diversity; iii. Areas buffering or linking ecosystems;*
- c) Recognise and provide for:**
 - i. Hydrological services, including the services provided by tall tussock grassland;*
 - ii. Natural resources and processes that support indigenous biological diversity; d) Control the adverse effects of pest species, prevent their introduction and reduce their spread.*

The proposal includes ongoing management / maintenance of the extensive native replanting present on the site, including legal protection through a consent notice condition. This contributes to ecosystem health and indigenous biological diversity.

Objective 3.2 Otago's significant and highly-valued natural resources are identified and protected, or enhanced where degraded

Objective 3.2 is that Otago's significant and highly valued natural resources are identified and protected, or enhanced where degraded. The proposal achieves this objective through the restoration of the ONL hillside in native vegetation following the removal of the wilding pines present. The ONL has been significantly enhanced by native planting, where it was degraded by wilding pines. This has occurred progressively over time as evidenced in the HAIL report in Attachment [N].

Policy 3.2.4 Managing outstanding natural features, landscapes and seascapes

Protect, enhance or restore outstanding natural features, landscapes and seascapes, by all of the following:

- a) In the coastal environment, avoiding adverse effects on the values (even if those values are not themselves outstanding) that contribute to the natural feature, landscape or seascape being outstanding;*
- b) Beyond the coastal environment, maintaining the values (even if those values are not themselves outstanding) that contribute to the natural feature, landscape or seascape being outstanding;*
- c) Avoiding, remedying or mitigating other adverse effects;*
- d) Encouraging enhancement of those areas and values that contribute to the significance of the natural feature, landscape or seascape.*

The proposal achieves this policy through the extensive native restoration that has been undertaken, which is to be legally protected through a consent notice to be retained in perpetuity. The subdivision will not result in adverse effects on the ONL part of the site.

Policy 3.2.6 Managing highly valued natural features, landscapes and seascapes

Maintain or enhance highly valued natural features, landscapes and seascapes by all of the following:

- a) Avoiding significant adverse effects on those values that contribute to the high value of the natural feature, landscape or seascape;*
- b) Avoiding, remedying or mitigating other adverse effects;*
- c) Encouraging enhancement of those values that contribute to the high value of the natural feature, landscape or seascape.*

Policy 3.2.6 would apply to the Rural Character Landscape part of the site, where the building platform is proposed. The proposal is consistent with the policy as no significant adverse effects will arise. The building platform is very well screened / softened by the extensive native planting that has been undertaken onto the site.

Objective 4.1 Risks that natural hazards pose to Otago's communities are minimised

The proposal is subject to natural hazard risk however this risk has been / can be minimised through the advice of the geotechnical experts in **Attachments [K]** and **[L]**.

Policy 4.1.3 Natural hazard consequence

Assess the consequences of natural hazard events, by considering all of the following:

- a) The nature of activities in the area;**
- b) Individual and community vulnerability;**
- c) Impacts on individual and community health and safety;**
- d) Impacts on social, cultural and economic wellbeing;**
- e) Impacts on infrastructure and property, including access and services;**
- f) Risk reduction and hazard mitigation measures;**
- g) Lifeline utilities, essential and emergency services, and their co-dependence;**
- h) Implications for civil defence agencies and emergency services;**
- i) Cumulative effects;**
- j) Factors that may exacerbate a hazard event.**

The consequences and impacts of natural hazard events has been assessed by GeoSolve Ltd in **Attachments [K]** and **[L]** and can be managed.

Policy 4.1.4 Assessing activities for natural hazard risk

Assess activities for natural hazard risk to people, property and communities, by considering all of the following:

- a) The natural hazard risk identified, including residual risk;**
- b) Any measures to avoid, remedy or mitigate those risks, including relocation and recovery methods;**
- c) The long-term viability and affordability of those measures;**
- d) Flow-on effects of the risk to other activities, individuals and communities;**
- e) The availability of, and ability to provide, lifeline utilities, and essential and emergency services, during and after a natural hazard event.**

The natural hazard risk has been assessed by GeoSolve Ltd in **Attachments [K]** and **[L]** including measures to avoid, remedy and mitigate those risks.

Policy 4.1.5 Natural hazard risk

Manage natural hazard risk to people, property and communities, with particular regard to all of the following:

- a) The risk posed, considering the likelihood and consequences of natural hazard events;**
- b) The implications of residual risk;**
- c) The community's tolerance of that risk, now and in the future, including the community's ability and willingness to prepare for and adapt to that risk, and respond to an event;**
- d) Sensitivity of activities to risk;**
- e) The need to encourage system resilience;**
- f) The social costs of recovery.**

The risk from the proposal is tolerable as it is able to be managed in accordance with the Gesolve recommendations.

Policy 4.1.6 Minimising increase in natural hazard risk

Minimise natural hazard risk to people, communities, property and other aspects of the environment by:

- a) Avoiding activities that result in significant risk from natural hazard;**
- b) Enabling activities that result in no or low residual risk from natural hazard;**
- c) Avoiding activities that increase risk in areas potentially affected by coastal hazards over at least the next 100 years;**
- d) Encouraging the location of infrastructure away from areas of hazard risk where practicable;**
- e) Minimising any other risk from natural hazard.**

The proposal will not result in significant risk from natural hazards. The proposal will result in no to low residual risk.

Objective 5.3 Sufficient land is managed and protected for economic production

The site includes a small area of LUC 3 land that will continue to be used for domestic production. It is too small to be used for production on a commercial basis. The LUC 3 land will remain in a single Record of Title and is not being further fragmented.

Policy 5.3.1 Rural activities

Manage activities in rural areas, to support the region's economy and communities, by:

- a) Enabling primary production and other rural activities that support that production;**
- b) Providing for mineral exploration, extraction and processing;**
- c) Minimising the loss of significant soils;**
- d) Restricting the establishment of incompatible activities in rural areas that are likely to lead to reverse sensitivity effects;**
- e) Minimising the subdivision of productive rural land into smaller lots that may result in a loss of its productive capacity or productive efficiency;**
- f) Providing for other activities that have a functional need to locate in rural areas.**

The subject site has already been subdivided for rural living purposes, so its potential for rural production is already limited. In addition, the steeply sloping nature of most of the site further limits the possibility of rural production. As shown in **Attachment [P]**, only a small corner of the site is within eh LUC 3 soil category, defined as being highly productive.

Overall the proposal is consistent with, and not contrary to any of the PORPS 2021.

9.4 Proposed Otago Regional Policy Statement (2021) Decisions Version

The ORC notified its Proposed Regional Policy Statement ("PRPS") on 26 June 2021 and the submissions period closed on 3 September 2021. 'Decisions on submissions' were recently issued, but are subject to an appeal period at the time of writing. As such less weight can be given to this RPS.

The 'decisions version' of the proposed RPS shares many similarities to the POORPS 2021, and the assessment provided above is largely relevant to the Decisions Version of the RPS. A brief assessment is therefore provided.

IM-P13 – Managing cumulative effects

In resource management decision-making, recognise and manage the impact of cumulative effects on the form, functioning and resilience of Otago's environment (including resilience to climate change) and the opportunities available for future generations.

As noted in the landscape and visual effects assessment in **Attachment [G]**, the proposal will result in a cumulative effect however the scale of the cumulative effect is small.

LF-LS-011 – Land and soil

The availability and productive capacity of highly productive land for primary production is protected now and for future generations.

LF-LS-012 – Use, development, and protection

The use, development, and protection of land and soil:

- (1) safeguards the life-supporting capacity of soil,***
- (2) contributes to achieving environmental outcomes for fresh water, and***
- (3) recognises the role of these resources in providing for the social, economic, and cultural well-being of Otago's people and communities.***

The site contains a small area of land that falls within the LUC 3 category and is therefore defined as being highly productive under the NPS-HPL. The LUC 3 land is not being subdivided as such, and will remain in a single Record of Title and used for domestic production purposes.

UFD-04 – Development in rural areas

Development in Otago's rural areas occurs in a way that:

- (4) provides for the ongoing use of rural areas for primary production and rural industry, and***
- (4A) does not compromise the long term viability of primary production and rural communities.***

The proposal will not compromise the long term viability of primary production and rural communities. The land is already subdivided into rural living allotments. The steeply sloping nature of the site that has been revegetated in native vegetation is not particularly suited to primary production or rural industry.

LF-LS-P19 – Highly productive land

Maintain the availability and productive capacity of highly productive land by:

(1) identifying highly productive land based on the following criteria:

(d) land must be identified as highly productive land if:

- (i) it is in a general rural zone or rural production zone, and***
- (ii) it is predominantly LUC 1, 2, or 3 land, and***
- (iii) it forms a large and geographically cohesive area,***

(e) land may be identified as highly productive land if;

- (i) it is in a general rural zone or rural production zone, and***
- (ii) it is not LUC 1, 2, or 3 land, and***

(iii) it is or has potential to be highly productive for land-based primary production in Otago, having regard to the soil type, the physical characteristics of the land and soil, and the climate, and

(f) land must not be identified as highly productive land if it was identified for future urban development on or before 17 October 2022, and

(2) prioritising the use of highly productive land for land-based primary production in accordance with the NPSHPL

This policy is aimed more at the ORC as plan writer rather than for specific consent applications.

UFD-P7 –Rural Areas

The management of development in rural areas:

- (2) maintains rural areas as places where people live, work and recreate and where a range of activities and services are required to support these rural functions, and provide for social and economic wellbeing within rural communities and the wider region,*
- (3) prioritises land-based primary production on highly productive land in accordance with the NPS-HPL, except as provided for in (5) below,*
- (5) enables the use by Kāi Tahu of Native Reserves and Māori Land, for papakāika, kāika, nohoaka, marae and marae related activities in accordance with MW-P4,*
- (6) restricts the establishment of non-rural activities which could adversely affect, including by way of reverse sensitivity or fragmentation, the productive capacity of highly productive land, or existing or anticipated primary production and rural industry activities, except as provided for in (5) or the NPSHPL.*

The proposal is not expected to result in any reverse sensitivity effects. The proposal will not affect the use of the small part of the site that is within the LUC 3 category defined as highly productive.

UFD-P8 – Rural lifestyle development

The establishment, development or expansion of rural lifestyle development only occurs where:

- (2) it avoids land identified for future urban development in a relevant plan or land reasonably likely to be required for its future urban development potential, where the rural lifestyle or rural residential development would foreclose or reduce efficient realisation of that urban development potential,*
- (3) it minimises impacts on existing or anticipates primary production, rural industry and other rural activities and the potential for reverse sensitivity effects.*
- (4) it avoids highly productive land except as provided for in the NPS-HPL,*
- (5) the suitability of the area to accommodate the proposed development is demonstrated, including*
 - (a) capacity for servicing by existing or planned development infrastructure (including self-servicing requirements),*
 - (b) particular regard is given to the individual and cumulative impacts of water supply, wastewater disposal, and stormwater management including self-servicing, on the receiving or supplying environment and impacts on capacity of development infrastructure, if provided, to meet other planned urban area demand, and*
 - (c) likely future demands or implications for publicly funded services including emergency services and additional infrastructure*

The location is not identified for future urban development, and the proposal will have no impact on existing or anticipated primary production, rural industry and other rural activities. No reverse sensitivity effects are anticipated.

ECO-01 – Indigenous biodiversity

Otago's indigenous biodiversity is healthy and thriving and any overall decline in condition, quantity and diversity is halted.

ECO-02 – Restoring and enhancing

Restoration and enhancement activities result in an overall increase in the extent and occupancy of Otago's indigenous biodiversity

The proposal is consistent with these objectives.

HAZ-NH-P2 – Risk assessments

Within areas identified under HAZ-NH-P1 as being to natural hazards, assess natural hazard risk as significant, tolerable, or acceptable by determining a range of natural hazard event scenarios and their potential consequences in accordance with the criteria set out within APP6.

Assessment of the hazard matters has been provided by GeoSolve in **Attachments [K]** and **[L]**, and the hazard risks are not significant. The hazard risk is tolerable.

HAZ–NH–P3 – New activities

Once the level of natural hazard risk associated with an activity has been determined in accordance with HAZ–NH–P2, manage new activities to achieve the following outcomes:

(1) significant natural hazard risks are avoided,

(2) when the natural hazard risk is tolerable, manage the level of risk so that it does not exceed tolerable and

(3) when the natural hazard risk is acceptable, maintain the level of risk

Assessment of the hazard matters has been provided by GeoSolve in **Attachments [K]** and **[L]**. The level of hazard risk is acceptable.

9.5 Operative District Plan

The Council must have regard to the relevant objectives and policies of the ODP. As no rules are triggered under the ODP, there are no rules breached to apply the ODP objectives and policies to. A brief assessment is provided in **Attachment [Q]**.

9.6 Proposed District Plan (Consolidated Decisions Version)

9.6.1 Strategic Direction Objectives and Policies (Chapter 3)

With regard to the assessment of objectives and policies, the focus is on those that relate to RCLs, as the proposal will not affect the ONL as the boundary follows and existing fence line.

Strategic objective 3.2.5 is 'The retention of the District's distinctive landscapes'. The proposal is within a landscape that is both RCL and ONL, however it is of a small scale and will not affect the retention of the Districts' distinctive landscapes. The proposal achieves this strategic objective in that the development will not compromise the distinctive landscape of the Mt Maude ONL. The development is nestled into the landscape with existing planting and mounding as mitigation measures, to ensure that the dominance of the landscape will remain, and therefore not contrary to Objective 3.2.5.

Strategic Objective 3.2.5.2 has been assessed through the landscape and visual effects assessment in **Attachment [G]** and the values of the two Priority Areas found across the site are protected.

Strategic Objective 3.2.5.5 relates to RCLs and requires adverse effects on landscape character and visual amenity values from subdivision, use or development are anticipated and effectively managed, through policies and rules, so that landscape character is maintained, and visual amenity values are maintained or enhanced. The proposal has anticipated and effectively managed the adverse effects on landscape character and visual amenity values. Landscape character and visual amenity values will be maintained by the proposal.

Strategic policy 3.2.5.6 relates to new subdivision, use and development in RCLs in proximity to any Outstanding Natural Landscape does not compromise the landscape values of that Landscape. This has been assessed in the landscape and visual effects assessment and the ONL of Mt Maude will not be adversely affected by the proposal.

Strategic policies 3.3.39 to 3.3.46, sets out the consideration of landscape character and visual amenity values with regard to landscape capacity. These matters have been fully addressed in the landscape assessment report in Attachment [G].

The proposal includes retention of a significant area of native vegetation, consistent with policies 3.2.4 and 3.2.4.3 relating to the protection of natural environments and ecosystems.

The proposal will not affect existing farming activities. Adjacent properties are not extensively farmed, rather hobby farming occurs as recognised in the Priority Area schedule.

The landscape assessment report confirms that the West of Hawea River and Hawea South RCL Priority Area has the capacity to absorb the change and the proposal will not materially degrade the landscape character and visual amenity values. As such, it is considered that the proposal is consistent with the objectives and policies of the PDP Strategic Directions chapter.

9.6.2 Landscapes – Rural Character (Chapter 6)

Policies 6.3.4.1, 6.3.4.4, 6.3.4.5, 6.3.4.6 and 6.3.4.8 are most relevant to the proposal, as the part of site where the platform is proposed is within the Rural Zone and the Rural Character Landscape and a Priority Area. To summarise, the landscape provisions seek to ensure that landscape character is maintained and visual amenity values maintained or enhanced, incremental changes are considered, landscape character and visual amenity values are identified, development that is highly visible from public places or that forms a foreground to an ONL view should not be allowed to have adverse effects, and open landscape character should be maintained where it currently exists.

The proposal will not affect existing farming activities as the site and adjacent properties are not extensively farmed (more hobby farming) and will continue to be maintained as part of those adjoining residential properties, or in the case of the Hawea golf course, a recreational activity. The density of the proposed subdivision still allows for a large portion of the allotment to continue to be open and free of built form, and is of a density which is still appropriate for rural character. This is aligned with Objective 6.3.2 and Policy 6.3.2.1. With regard to policy 6.3.2.4, which seek to avoid urban development and subdivision to urban densities and to enable the continuation and contribution of low-intensity pastoral farming in the Rural Zones, the sites will be used for native vegetation / natural character purposes, rather than low intensity pastoral farming.

No indigenous vegetation is proposed to be cleared by this proposal. The landscaping proposed to be retained and protected through the consent notice not only mitigates adverse effects on visual amenity from the building platform, it will contribute to wider regeneration through off-site seed spread and makes a significant contribution

to the biodiversity of the Lake Hawea environs. The native landscaping is compatible to the surrounding rural environment, will not compromise the landscape values of the West of Hawea River and Hawea South RCL and as such consistent with Policy 6.3.2.6 and 6.3.2.8.

With regard to 6.3.2.7, effects of the build form in the RCL on the ONL has been considered in the landscape and visual effects assessment and the Mt Maude ONL will not be affected by the proposal. The legal retention and protection of the native vegetation on the site will enhance the natural character of the Mt Maude ONL.

The landscape assessment report confirms that there is a cumulative effect from one additional building platform and rural living type developments on the subject site. However, given that the proposed location of the building platform is in an area able to absorb development, the proposal will not adversely affect the landscape character and wider landscape area context, aligned with Policies 6.3.4.3 - 6.3.4.5 and 6.3.4.10. The landscape report confirms that the proposal will not be prevalent or conspicuous, and as such the character will be maintained and not be degraded. The proposal cannot be seen as sprawl along roads, as it is a single platform that is well screened from view.

As such, it is considered that the proposal is consistent with the objectives and policies of Chapter 6 Rural Character.

9.6.3 Rural Zone Objectives and Policies (Chapter 21)

Objective 21.2.1 relates to a range of land uses which are enabled while protecting, maintaining and enhancing landscape, ecosystem services, nature conservation and rural amenity values. The landscape and visual effects report in Attachment [G] confirms that although the proposal will intensify the presence of rural living in the area, the proposal will not result in the degradation of Rural Landscape Character and amenity.

The proposal is sufficiently setback from road and internal boundaries, consistent with Policy 21.2.1.3, and the potential adverse effects on visual amenity and outlook from neighbouring properties are mitigated through retention of the existing native landscaping and mounding. The proposed platform is aggregated with the existing barn on one part of the site. There is no specified domestic curtilage area as domestication is naturally contained within the flatter, lower part of the site. The proposal is not considered to adversely affect the landscape character of the RCL and is compatible with the surrounding land use patterns described in the Priority Area schedule as rural living and hobby farming, consistent with Objective 21.2.4 and Policy 21.2.4.2. Adequate water for firefighting is available, giving certainty that the proposal will be consistent with Policy 21.2.1.9. As such, it is considered that the proposal is consistent with the objectives and policies of Chapter 21 Rural.

9.6.4 Subdivision and Development (Chapter 27)

With regard to subdivision design, the size and design of the subdivision follows the natural contour of the land and the new boundary between Lots 1 and 2 is already fenced. The existing access ways for both lots will be utilised, therefore not creating any additional physical visual effects in this regard. All required services can be

provided to the additional platform. As such, it is considered that the proposal is consistent with the objectives and policies of Chapter 27 Subdivision and Development.

9.6.5 Natural Hazards (Chapter 28)

The natural hazard present on the site have been considered in the geotechnical reports prepared by Geosolve Ltd, appended as **Attachments [K]** and **[L]**.

The PDP objectives and policies relating to natural hazards share many similarities with the those of the Partially Operative RPS and the recent decisions version of the RPS. These objectives and policies were considered in sections 9.3 and 9.4. The PDP objectives and policies also relate to identifying, understanding and managing hazard risk to tolerable levels. Based on the expert advice provided by GeoSolve and the assessment provided in sections 9.3 and 9.4 above, the hazards that exist can be managed to tolerable levels.

9.7 Weighting of the Proposed and Operative Plans

A weighting exercise is only necessary where there is a difference between the ODP and PDP in respect of anticipated outcomes, which in turn lead to a differing outcome on the resource consent application under the decision-making framework. It is concluded that no difference in those provisions arises between the ODP and PDP. The proposal is acceptable relative to the relevant provisions of both the PDP and ODP. Accordingly, the Council does not need to undertake a weighting exercise.

10. Other Matters

Section 104(1)(c) of the Act permits Council to have regard to “any other matter the consent authority considers relevant and reasonably necessary to determine the application”. No other matters are considered relevant to this proposal.

11. Consultation

The applicant has consulted with the New Zealand Transport Agency / Waka Kotahi. The applicant has also consulted with some neighbouring properties and obtained affected party approval from the owners / occupiers of:

- 1147C Lake Hake Hawea Albert town Road (R. Prout).

Additional affected party approvals will be provided as they become available.

No other public consultation has been undertaken for this application.

12. Resource Management Act – Part 2

The purpose of the Act is to promote the sustainable management of natural and physical resources as defined in section 5. The proposed subdivision will provide for the social and economic wellbeing of the current applicant

and any future owners by enabling the construction of an additional building platform, whilst ensuring that the adverse effects of the activity are avoided, remedied and mitigated. In addition, the positive ecological effects created by the applicant on site will be legally protected to be maintained and retained in perpetuity.

The broader principles of the Act are set out in sections 6 to 8 of the Act. Section 6 identifies several matters of national importance. These matters include (relevantly):

- (b) *the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development.*
- (h) *the management of significant risks from natural hazards*

The site itself is classified as both ONL and RCL under the Proposed District Plan. The proposal will protect the ONL part of the site, as no development is proposed in that area. The location of the proposed building platform is within the RCL part of the site, where effects can be mitigated so that adverse effects on the ONL part of the site will not arise.

The site is affected by natural hazards however these have been identified and mitigated through the bund construction from the Barn consent such that the risk is tolerable and not significant.

Section 7 sets out a number of “other matters” to which the Council is required to have regard to. These matters include (relevantly):

- (b) *The efficient use and development of natural and physical resources:*
- (c) *The maintenance and enhancement of amenity values:*
- (f) *Maintenance and enhancement of the quality of the environment:*
- (g) *Any finite characteristics of natural and physical resources:*

The proposed subdivision and building platform and the retention of existing landscaping and mounding will ensure that the amenity values of this part of the Rural Character Landscape are maintained and any potential for adverse effects, particularly on neighbours are mitigated appropriately.

Section 8 requires Council to take into account the principles of the Treaty of Waitangi. The property has a small area of wahi tupuna located on in, however this is not affected by the proposal. Consultation has occurred with regard to the extent of the wahi tupuna annotation as part of the PDP process for mapping of wahi tupuna areas. Further consultation with iwi will occur as part of the public notification of the resource consent application.

Overall, the proposed subdivision is consistent with the purpose and principles of the Resource Management Act 1991.

13. Conclusion

In considering whether to approve the application, the Council is required to have regard to any relevant provisions of any national policy statements, national environmental standards, regional policy statements, regional plans and district plans, “subject to Part 2”. The Council is also required to have regard to the effects of the proposal

on the environment. The proposed development will achieve the purpose of sustainable management under s 5 of the Act, including by reference to the other principles in Part 2 of the Act by:

- Enabling the Applicant to provide for their economic and social well-being through the development of one additional lot and building platforms on a site, where in Priority Area where rural living and hobby farming predominate, while at the same time;
- Avoiding, remedying and mitigating the adverse environmental effects of the proposal, specifically the landscape, visual amenity and rural character effects through design controls (height) and landscaping; and
- Enhancing the natural character of the site through the permanent retention and legal protection via consent notice condition over the native vegetation that has been undertaken on the land.

The proposal promotes sustainable management.

Attachments

Attachment [A]: Form 9

Attachment [B]: Record of Title

Attachments [B1]- [B10]: Consent Notices and other documents on title

Attachment [C]: Scheme Plans – Patterson Pitts Group

Attachment [D]: ORC bore consent RM22.047.01

Attachment [E]: Schedule of native planting areas plan

Attachment [F]: RM190947 s95 & decision

Attachment [G]: Landscape and visual effects assessment – Vivian+Espie

Attachment [H]: Central Water Ltd potable water design

Attachment [I]: Water test results March 2024 and May 2022

Attachment [J]: Volunteered consent notice conditions

Attachment [K]: Geotechnical report April 2024 – Geosolve Ltd

Attachment [L]: Geotechnical report July 2019 – Geosolve Ltd

Attachment [M]: Aurora & Chorus confirmation letters and confirmation not national grid

Attachment [N]: Geotechnical report April 2024 – Geosolve Ltd

Attachment [N]: HAIL assessment report / Preliminary Environmental Site Investigation Report – WSP

Attachment [O]: Puretec water treatment system

Attachment [P]: NPS-HPL mapping

Attachment [Q]: Assessment against ODP objectives and policies.

Affected party approvals:

- 1147C Lake Hawea Albert Town Road (R. Prout)



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy



R.W. Muir
Registrar-General
of Land

Identifier **2432**
Land Registration District **Otago**
Date Issued 03 May 2001

Prior References
OT18B/76 OT18B/77

Estate Fee Simple
Area 10.3031 hectares more or less
Legal Description Lot 2 Deposited Plan 300393
Registered Owners
Diane Lesley Kenton and Lee-Ann Robyn Tombling

Interests

Subject to Part IV A Conservation Act 1987 (affects the land formerly contained in CT OT17D/994)
Subject to Section 8 Mining Act 1971
Subject to Section 11 Crown Minerals Act 1991 (affects the land formerly contained in CT OT17D/994)
Subject to Section 5 Coal Mines Act 1979
962942.11 Transfer creating the following easements in gross - 24.2.1999 at 3:54 pm

Type	Servient Tenement	Easement Area	Grantee	Statutory Restriction
Convey electricity	Lot 2 Deposited Plan 300393 - herein	zb-zc DP 300393	Dunedin Electricity Limited	Subject to Section 243 (a) Resource Management Act 1991

5016824.1 Gazette Notice declaring adjoining road (State Highway No.6) to be a Limited Access Road - 21.12.2000 at 9:21 am

5038871.4 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 3.5.2001 at 9:00 am

5038871.11 Easement Certificate specifying the following easements - 3.5.2001 at 9:00 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Convey water	Lot 4 Deposited Plan 300393 - CT 2434	W, V, R, Q, P, L & K DP 300393	Lot 2 Deposited Plan 300393 - herein	Subject to Section 243 (a) Resource Management Act 1991
Convey water	Lot 5 Deposited Plan 300393 - CT 2435	X DP 300393	Lot 2 Deposited Plan 300393 - herein	Subject to Section 243 (a) Resource Management Act 1991
Convey water, electricity & telecommunications	Lot 4 Deposited Plan 300393 - CT 2434	M DP 300393	Lot 2 Deposited Plan 300393 - herein	Subject to Section 243 (a) Resource Management Act 1991
Right of way	Lot 1 Deposited Plan 300393 - CT 2431	AA, AB,AC, AD & AE DP 300393	Lot 2 Deposited Plan 300393 - herein	Subject to Section 243 (a) Resource Management Act 1991

Right of way	Lot 4 Deposited Plan 300393 - CT 2434	L & M DP 300393	Lot 2 Deposited Plan 300393 - herein	Subject to Section 243 (a) Resource Management Act 1991
Right to locate & operate water pump	Lot 4 Deposited Plan 300393 - CT 2434	P DP 300393	Lot 2 Deposited Plan 300393 - herein	Subject to Section 243 (a) Resource Management Act 1991
Store water	Lot 5 Deposited Plan 300393 - CT 2435	Z DP 300393	Lot 2 Deposited Plan 300393 - herein	Subject to Section 243 (a) Resource Management Act 1991

5038871.16 Transfer creating the following easements - 3.5.2001 at 9:00 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Right of way	Lot 2 Deposited Plan 22638 - CT OT17A/371	AF DP 300393	Lot 2 Deposited Plan 300393 - herein	Subject to Section 243 (a) Resource Management Act 1991

Land Covenant in Deed 5064066.5 - 27.7.2001 at 9:00 am

5148000.1 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 1.2.2002 at 12:30 pm

5181084.2 Variation of Covenant 5064066.5 - 28.3.2002 at 9:46 am

5477407.1 Variation of Consent Notice 5038871.4 pursuant to Section 221 Resource Management Act 1991 - 4.2.2003 at 9:00 am

5477421.1 Variation of Consent Notice 5038871.4 pursuant to Section 221(5) Resource Management Act 1991 - 4.2.2003 at 9:00 am

8326481.1 Variation of Consent Notice 5038871.4 pursuant to Section 221(5) Resource Management Act 1991 - 27.10.2009 at 3:14 pm

9652912.1 Variation of Consent Notice 5038871.4 pursuant to Section 221(5) Resource Management Act 1991 - 2.4.2014 at 3:38 pm

Subject to a right (in gross) to convey electricity and a right (in gross) to transform electricity over part marked A on DP 555384 in favour of Aurora Energy Limited created by Easement Instrument 11901341.2 - 12.11.2020 at 4:16 pm

12635550.2 Variation of Consent Notice 5038871.4 pursuant to Section 221(5) Resource Management Act 1991 - 14.12.2022 at 2:17 pm

Approval

I hereby certify that this plan was approved by the Otago Regional Council pursuant to Section 223 of the Resource Management Act 1991 on the 21st day of August 2000. The easement(s) set out in the Memorandum hereon.

(Principal Administrative Officer / Authorized Officer)

Notes:
 1. The within land is subject to PL MA of the Conservation Act 1987 (Lots 1-5 only).
 2. See Sheet 1 for more easements, covenants and easements thereon.

Schedule of Existing Easements	
Purpose	Document No.
Right to convey water	198906/6
Right to convey electricity in grass	198906/6
Right to convey electricity in grass	198906/6

Schedule of Proposed Easements	
Purpose	Document No.
Right to convey & use telecommunications	Lot 1 hereon
Right of way	Lot 1 hereon
	Lot 2 hereon
	Lot 3 hereon
	Lot 4 hereon
	Lot 5 hereon
	Lot 6 hereon

New Certificates of Title Allocated	
Lot	Document No.
Lot 1	2433/1
Lot 2	2433/2
Lot 3	2433/3
Lot 4	2433/4
Lot 5	2433/5
Lot 6	2433/6

CLASS OF SURVEY : III
 DATUM: Geodetic, 1949
 CIRCUIT: Linids Peak of false origin
 COORDS: 700,000mN 300,000mE

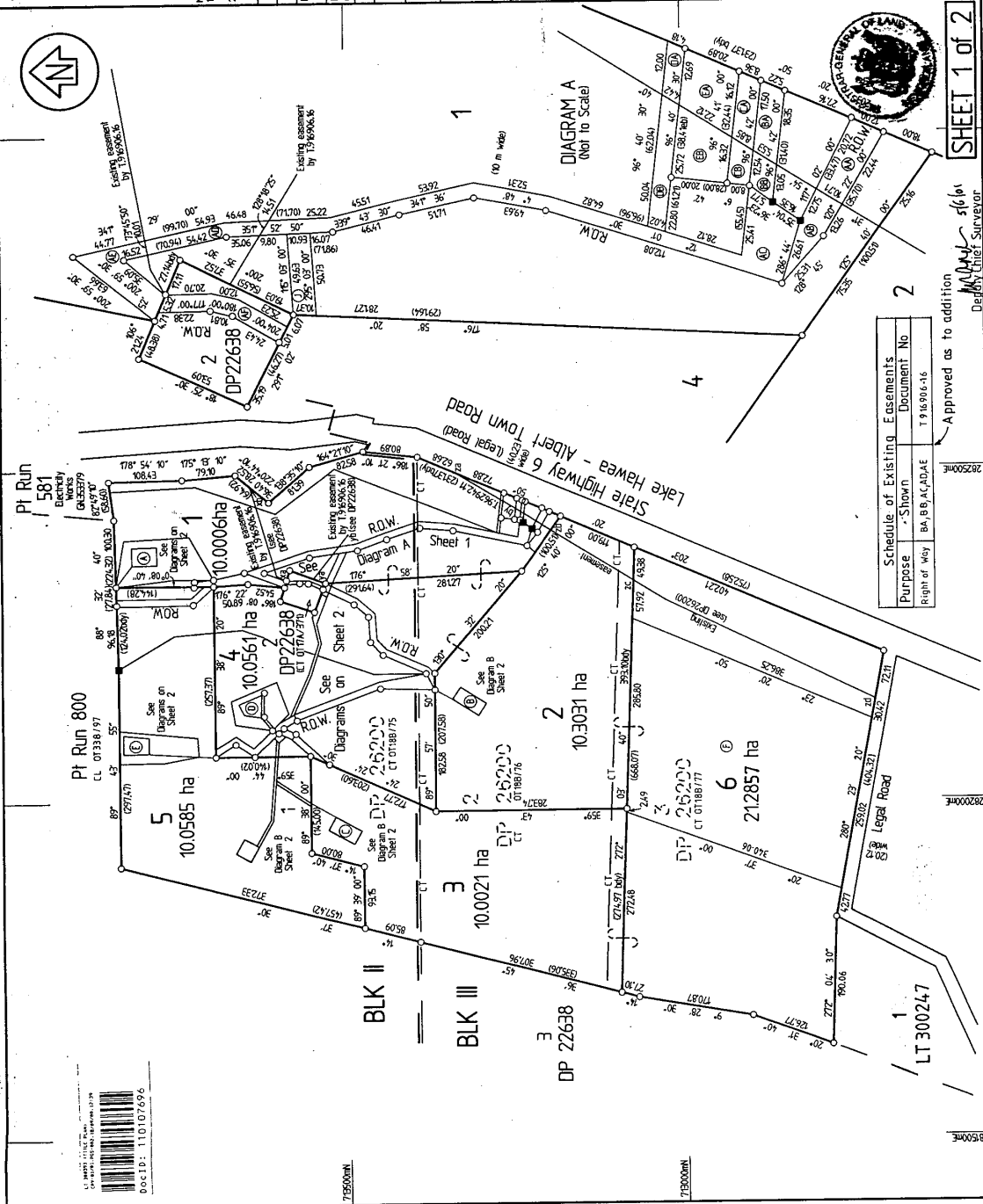
Total Area : 71,7061 ha

Comprised in CT 01188/75, CT 01188/76, CT 01188/77 & CT 0117A/371(E0)

I, BRIAN GEOFFREY WEDDON, being a person entitled to practice as a Registered Surveyor, do hereby certify that the above plan was prepared by me or under my direction in accordance with the Survey Act 1986 and that the same is true and correct. This document is accurate, and has been created in accordance with that Act and those Regulations.

Signed: *Brian Weddon*
 Dated at WANAKA this 21st day of August 2000

Field Book: Traverse Book:
 Reference Plane:
 Examined:
 Approved as to Survey: *M. An*
 Deposited this 21st day of August 2000
 Registrar-General of Land
 File No. W743
 Received 18.9.2000
 Approved 18/9/2000
 DP 300393



SHEET 1 of 2

Approved as to addition
M. An 21/8/00
 Deputy Chief Surveyor

Schedule of Existing Easements	
Purpose	Document No.
Right of way	BA, B, B, A, C, A, D, A, E
	T 918 906-16

TERRITORIAL AUTHORITY: QUEENSTOWN LAKES DISTRICT
 Surveyed by: Paterson, Pitto, Partners, Ltd
 Scale: 1:4000 Date: AUGUST 2000

LOTS 1 - 6 BEING A SUBDIVISION OF
 LOTS 1 - 3 DP26200
 AND EASEMENTS OVER LOT 2 DP22638

LAND DISTRICT: OTAGO
 SURVEY BLK & DIST. II, III, LOWER HAWEA.
 NZMS 261 Sheet G40 Record Map No

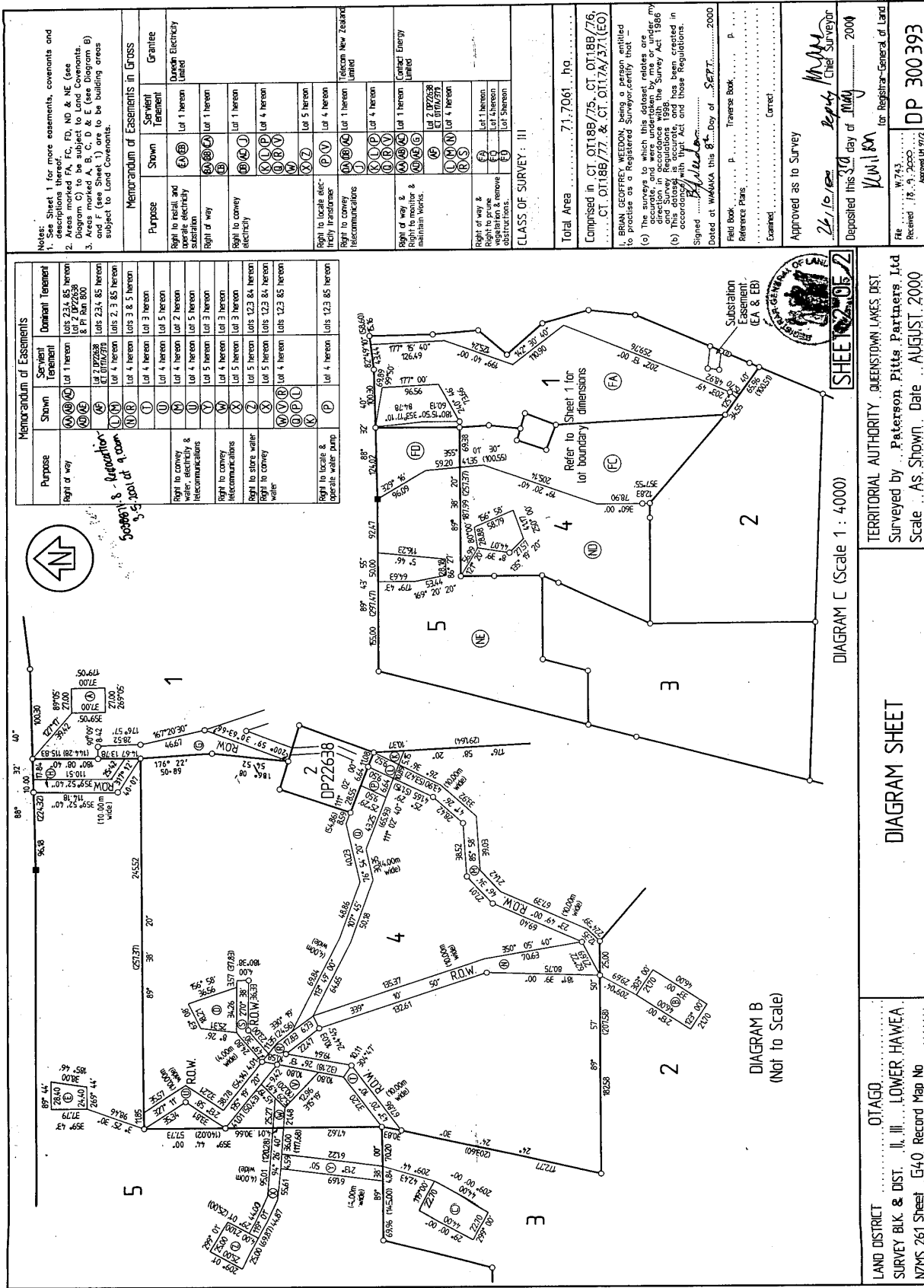


DIAGRAM C (Scale 1 : 4000)

DIAGRAM B (Not to Scale)

SHEET 2 OF 2

TERRITORIAL AUTHORITY QUEENSTOWN LAKES DIST

Surveyed by PATERSON, FITZ, PARTNERS, LTD

Scale AS SHOWN Date AUGUST 2000

LAND DISTRICT OTAGO

SURVEY BLK. & DIST. II, III, LOWER HAWEA

NZMS 261 Sheet E40 Record Map No

Memorandum of Easements

Shown	Servient Tenement	Dominant Tenement	Purpose
(A)	Lot 1 hereon	Lots 2, 3, 4, 5 hereon & 7, 8 hereon	Right of way
(B)	Lot 2 hereon	Lots 2, 3, 4, 5 hereon & 7, 8 hereon	Right of way
(C)	Lot 3 hereon	Lots 2, 3, 4, 5 hereon & 7, 8 hereon	Right of way
(D)	Lot 4 hereon	Lots 2, 3, 4, 5 hereon & 7, 8 hereon	Right of way
(E)	Lot 5 hereon	Lots 2, 3, 4, 5 hereon & 7, 8 hereon	Right of way
(F)	Lot 1 hereon	Lot 2 hereon	Right to convey water, electricity & telecommunications
(G)	Lot 2 hereon	Lot 1 hereon	Right to convey telecommunications
(H)	Lot 3 hereon	Lot 1 hereon	Right to convey telecommunications
(I)	Lot 4 hereon	Lot 1 hereon	Right to store water
(J)	Lot 5 hereon	Lot 1 hereon	Right to store water
(K)	Lot 1 hereon	Lots 2, 3, 4, 5 hereon	Right to locate & operate water pump

CLASS OF SURVEY: II

Total Area 71.7061 ha.

Comprised in CT 01188/75, CT 01189/76, CT 01188/77 & CT 01174/371(EO)

I, BRIAN GEOFFREY WEDDON, being a person entitled to practise as a Registered Surveyor, certify that -

(a) The surveys to which this document relates are in accordance with the Survey Act 1986 in the direction of the Survey Registrar.

(b) The document is a true and correct copy of the original documents and has been created in accordance with that Act and those Regulations.

Signed *Brian Weddon*

Dated at WAIKATA this 8th day of SEPT. 2000

Field Book Traverse Book p

Reference Plans p

Examined Correct

Approved as to Survey

26/10/2000 *John Kelly* Chief Surveyor

Deposited this 31st day of NOV 2000

W. J. M. W. J. M. Registrar-General of Land

File W.743

Received 18.9.2000

Approved 18.9.2000

DP 300393

Note: Sheet 1 for more easements, covenants and Diagram C to be subject to Land Covenants. Areas marked A, B, C, D & E (see Diagram B) and F (see Sheet 1) are to be building areas subject to Land Covenants.

Memorandum of Easements in Gross

Purpose	Shown	Servient Tenement	Dominant Tenement
Right to retail and operate electricity station	(A)	Lot 1 hereon	Lots 2, 3, 4, 5 hereon & 7, 8 hereon
Right of way	(B)	Lot 2 hereon	Lots 2, 3, 4, 5 hereon & 7, 8 hereon
Right to convey electricity	(C)	Lot 3 hereon	Lot 1 hereon
Right to convey telecommunications	(D)	Lot 4 hereon	Lot 1 hereon
Right to store water	(E)	Lot 5 hereon	Lot 1 hereon
Right to locate & operate water pump	(F)	Lot 1 hereon	Lots 2, 3, 4, 5 hereon

**Declaring State Highway to be Limited Access
Road, State Highway No. 6, Lake Hawea to Mt Iron**

It is notified that Transit New Zealand, by resolution dated the 1st day of March 2000 and pursuant to section 88 (1) of the Transit New Zealand Act 1989, hereby declares that part of State Highway No. 6 in Queenstown Lakes District commencing at the intersection with Hawea Hydro Road (Route Position 881/0.00) and proceeding in a generally southerly direction for a distance of 12 kilometres to the intersection with State Highway No. 84 (Route Position 893/0.00) as more particularly shown on Plan LA/13/006/881/A and accompanying schedule held in the office of the Regional State Highway Manager, Transit New Zealand, Dunedin and there available for public inspection, to be a limited access road.

Dated at Wellington this 23rd day of March 2000.

M. K. LAUDER, State Highway Control Manager, Transit New Zealand.

au2193

GN 5016824.1 GAZETTE NOTICE/ORDER
CPY-01/01.PGS-003.21/12/00.12:16



DocID: 110168759

GN 12878139.3 Gazette

Cpy-01/01, Pgs-003, 14/11/23, 12:13



NOTICE NO: 2193

Schedule for Gazette Notice No 2193 dated 30/03/2000 page 729 declaring State Highway to be Limited Access Road, State Highway 6, Lake Hawea to Mt Iron	
Sec 20 SO 18138 CT 10A/476	Lot 51 DP 7458 CT 366/238
Sec 22 Blk III Lower Hawea SD CT 9C/457	Pt Sec 2 SO 958 CT 313/114
Lot 6 DP 26200 CT 18B/79	Sec 25 and 26 SO 18410 CT 10B/1115
Lot 4 DP 27175 CT 19A/255	Lot 3 DP 27175 CT 19A/254
Lot 5 DP 27175 CT 19A/256	Lot 2 DP 27175 CT 19A/253
Lot 6 DP 27175 CT 19A/257	Lot 1 DP 27175 CT 19A/252
Lot 1 DP 23051 CT 15A/931	Lot 1 DP 26282 CT 18B/480
Sec 52 SO 19768, Sec 42 SO 17404 CT 13D/754	Lot 2 DP 26282 CT 18B/481
Sec 1 SO 20288 Lot 1 DP 21025 CT 18C/ 770	Sec 53 SO 21090 CT 10A/1305
Lot 2 DP 21025 CT 12D/533	Pt Sec 2 DP 4995 CT 285/111
Sec 23 SO 12789 CT A1/1176	Lot 1 DP 12900 CT 5B/ 1189
Lot 2 DP 22862 CT 14D/970	Sec 55 SO 15988 CT 3A/60
Lot 1 DP 22862 CT 14D/969	Sec 1 SO 24550 CT 14B/1197
Lot 2 DP 25772 CT 17D/620	Lot 7 DP 23823 CT 16A/4
Lot 2 DP 26708 CT 19B/101	Pt Sec 1 SO 9578 CT 14A/227
Lot 1 DP 23017 CT 15A/524	Sec 3 SO 24120 CT 19A/227
Lot 1 DP 26708 CT 18D/321	Lot 1 DP 17715 CT 8D/1007
Lot 5 DP 26200 CT 18B/78	Pt Sec 8 SO 957 CT 13B/1487
Lot 3 DP 26200 CT 18B/77	Lot 6 DP 12900 CT 5B/1194
Lot 2 DP 26200 CT 18B/76	Lot 1 DP 22678 CT 14D/636
Lot 1 DP 26200 CT 18B/75	Sec 1 SO 23624 CT 18C/1253
Sec 1 SO 23909 CT 17A/511	Lot 2 DP 27665 CT 19B/102
Lot 1 DP 22229 CT 14A/226	Lot 1 DP 27665, Lot 1 DP 22031, Lot 2 DP 26708 CT 19B/101

Sec 42, Pt Sec 6 and Pt Sec 46 Blk IV Lower Wanaka SD CT 9A/152	Lot 5 DP 15016 CT 5B/1115
Sec 2 SO 24550, Pt Lot 4 DP 12900 CT 5B/1192	Sec 45 Blk V Lower Wanaka SD CT 19B/103
Lot 3 DP 12900 CT 5B/1191	Lot 1 DP 27767 CT 19B/409
Pt Lot 2 DP 12900 CT 5B/1190	Lot 2 DP 27767 CT 19B/410
Sec 45 SO 11632 CT 18C/471	Pt Sec 2 SO 24120, Sec 3 SO 24121 CT 19A/227
Sec 1 SO 23389 CT 18C/1253	



IN THE MATTER

of section 221 of the
Resource Management Act
1991

AND

Intra-Q Ltd ("the Owner")

IN THE MATTER

of an application for
subdivision consent to
subdivide that land
containing 71.7029 hectares
being Lots 1 - 3 DP26200
being the land contained
and described in Certificates
of Title OT 18B/75,
OT18B/76 and OT 18B/77.

CONSENT NOTICE

RECITAL

- A The Owner is the registered proprietor of all the land contained in Lots 1 and 2 and part Lot 3 DP26200 being the land contained in Certificates of Title 18B/75 and 18B/76 and part 18B/77 (Otago Land Registry).
- B The owner has made application to the Queenstown Lakes District Council (the "Council") for resource consent to subdivide the land referred to above, to create five new allotments.
- C The Council has granted consent for the application (RM990140) pursuant to sections 104 and 105 of the Resource Management Act 1991 (the "Act") subject to certain conditions imposed pursuant to sections 108 and 220 of the Act. The first relevant condition has subsequently been varied under section 127 of the Resource Management Act 1991, and reads as follows:

"11 *Prior to the Title Plan of subdivision being certified pursuant to Section 224(c) of the Resource Management Act 1991, the consent holder shall prepare in accordance with Section 220 Consent Notices for each of the Titles for Lots 1 – 5 stipulating the following requirements:*

(a) *Maximum Building Height:*

<i>Lot 1</i>	<i>7.0 m</i>
<i>Lot 2</i>	<i>4.5 m</i>
<i>Lot 3</i>	<i>5.0 m</i>
<i>Lot 4</i>	<i>5.5 m</i>
<i>Lot 5</i>	<i>5.5 m</i>

"Height" is as defined in the Proposed District Plan 1995

- (b) *Roof pitch 22.5 to 45°. Flat roofs are only permitted as connections between structures and shall not exceed 20% of the total roof area.*
- (c) *Roof materials shall comprise cedar shingles, slate, steel or other such materials which are consistent with condition 11(d) of this consent.*
- (d) *Roof colours shall comprise dark, recessive hues and shall be of low reflectivity.*

All steel roofing shall be painted or otherwise colour-treated, and shall exclude zincalume, galvan and other similar matt-finish, untreated corrugated iron products. Acceptable Colorsteel hues include, but shall not be limited to Karaka, Charcoal, Ironsand, Lignite or Grayfriars.

- (e) Wall materials shall comprise timber, smooth plaster, or stone (local schist). Walls shall be continuous in one cladding from ground to roof, for any building component consistent with condition 11 (g).*
- (f) Wall colours to be natural (in materials as stated above) or in the range of browns, tussock, greys or natural greens.*
- (g) Mass and proportion: building forms shall be clustered or otherwise arranged on each Lot to reduce perceived mass and to avoid single large-scale structures. No separate component shall have a floor area greater than 150 square metres and a length greater than 20 metres.*
- (h) Joinery shall comprise timber, steel or aluminium. Joinery colours (excepting timber) shall match roofing, gutter and spouting colours.*
- (i) All structures shall be located within the building platforms as shown on the Concept Development Plan date-stamped by the Committee as 'Approved' on 26 May 1999.*
- (j) Fencing: boundary fencing shall comprise standard post and wire only."*

D The second relevant condition is Condition 7 which requires that engineering works be carried out in accordance with New Zealand Standard 4404:1981 and with the amendments to that standard adopted on 1 June 1994, together with associated standards and Codes of Practice. The Fire Service Act 1975 and the Code of Practice for Fire Fighting Water Supplies apply in this respect. The allotments the subject of this consent notice are in an area unreticulated for fire fighting water supply, therefore a minimum static fire fighting reserve of 14,000 litres must be accommodated adjacent to each building platform in order to fulfil the Code of Practice.

E The third relevant condition, condition 6, requires that the treatment of household sewage shall be carried out by an on-site treatment system designed in accordance with the draft standard AS/NZS 1547 for On-site Domestic Wastewater Management and standard AS/NZS 1546 for Septic Tanks for Domestic Wastewater. The Davie Lovell-Smith report dated 25 August 1998 on site suitability should also be referenced as part of any design considerations. The design shall also be approved by a registered geotechnical engineer in relation to any impact on land stability.

OPERATIVE PART

1 This Consent Notice is to be registered under the Land Transfer Act 1952 against the Certificates of Title for the following land to comply with the aforesaid condition of Resource Consent RM990140:

Lot 1 Deposited Plan 300393
Lot 2 Deposited Plan 300393

Certificate of Title 2431
Certificate of Title 2432


Lot 3 Deposited Plan 300393
Lot 4 Deposited Plan 300393
Lot 5 Deposited Plan 300393

Certificate of Title 2433
Certificate of Title 2434
Certificate of Title 2435

- 2 The owner, its successors in title and assigns and the successive owners of the lots shall not allow any dwelling to be established on the land to which this Consent Notice applies except to the extent that such dwelling complies with the terms of condition 11 as described in paragraph C in the recital to this Consent Notice.
- 3 The owner, its successors in title and assigns and the successive owners of the lots shall ensure that any residential unit shall be supplied with a minimum water storage capacity of not less than 23,000 litres which should accommodate a minimum static fire fighting reserve of 14,000 litres at any time. In the event of the number of persons to be accommodated on the site is greater than five, a commensurate increase in water supply will be required.
- 4 The owner, its successors in title and assigns and the successive owners of the lots shall ensure that the treatment of household sewage shall be carried out by an on-site treatment system designed in accordance with the draft standard AS/NZS 1547 for On-site Domestic Wastewater Management and standard AS/NZS 1546 for Septic Tanks for Domestic Wastewater. The Davie Lovell-Smith report dated 25 August 1998 on site suitability should also be referenced as part of any design considerations. The design shall also be approved by a registered geotechnical engineer in relation to any impact of the system on the stability of the land affected by the effluent disposal field.

DATED the 19TH day of December 2000

SIGNED for and on behalf of
the QUEENSTOWN LAKES
DISTRICT COUNCIL



Chief Executive Officer

IN THE MATTER

of section 221 of the
Resource Management Act
1991

AND

Intra-Q Ltd ("the Owner")

IN THE MATTER

of an application for
subdivision consent to
subdivide that land
containing 71.7029 hectares
being Lots 1 - 3 DP26200
being the land contained
and described in Certificates
of Title OT 18B/75,
OT18B/76 and OT 18B/77.

CONSENT NOTICE

RECITAL

- A The Owner is the registered proprietor of all the land contained in Lots 1 and 2 and part Lot 3 DP26200 being the land contained in Certificates of Title 18B/75 and 18B/76 and part 18B/77 (Otago Land Registry).
- B The owner has made application to the Queenstown Lakes District Council (the "Council") for resource consent to subdivide the land referred to above, to create five new allotments.
- C The Council has granted consent for the application (RM990140) pursuant to sections 104 and 105 of the Resource Management Act 1991 (the "Act") subject to certain conditions imposed pursuant to sections 108 and 220 of the Act. The relevant condition has subsequently been varied under section 127 of the Resource Management Act 1991, and reads as follows:

"12 Prior to the Title Plan of subdivision being certified pursuant to Section 224(c) of the Resource Management Act 1991, the consent holder shall prepare in accordance with Section 220 Consent Notices for each of the Titles for Lots 1, 4 & 5 stipulating the following requirements:

- a) *The areas of pine forest (labelled "For") and the revegetation areas (labelled "NV") shown on the Concept Development Plan prepared by Baxter Brown Ltd, plan reference number 8119\1a dated 21 April 1999, shall be retained in perpetuity as areas of existing and/or regenerating indigenous vegetation, wetland areas or streams and their riparian margins.*
- b) *The removal of trees within the area referred to in part a) above, shall be limited to a minimum number of individual trees necessary only to ensure access of sunlight and desirable views, or where a tree is likely to become dangerous by toppling due to natural causes. All trees shall be felled, topped or trimmed in a manner so as to preserve adequate screening of all structures on the Lot as viewed from the Lake Hawea Foreshore area, State Highway 6 and the Hawea Township. No tree shall be removed for commercial timber purposes.*

c) That parts (a) and (b) of this condition do not apply in relation to any vegetation removal required to be undertaken by Contact Energy for survey purposes in relation to the survey pillar on Lot 4".

OPERATIVE PART

1 This Consent Notice is to be registered under the Land Transfer Act 1952 against the Certificates of Title for the following land to comply with the aforesaid condition of Resource Consent RM990140:

Lot 1 Deposited Plan 300393, contained in Certificate of Title 2431
Lot 4 Deposited Plan 300393, contained in Certificate of Title 2434
Lot 5 Deposited Plan 300393, contained in Certificate of Title 2435

2 The areas marked "FA" on Lot 1 DP300393; "FC" on Lot 4 DP300393; and "FD" on Lot 5 DP300393 comprise the parts of those Lots containing pine forest which is protected by this Consent Notice.

3 The areas marked "ND" on Lot 4 DP300393; and "NE" on Lot 5 DP300393, comprise the parts of those Lots containing native vegetation which is protected by this Consent Notice.

4 The owner, its successors in title and assigns and the successive owners of the lots shall comply with the following terms:

- (a) The pine forest within areas "FA", "FC" and "FD" shall be retained in perpetuity as a pine forest.
- (b) The native vegetation within areas "ND" and "NE" shall be retained in perpetuity as areas of existing and/or regenerating indigenous vegetation, wetland areas or streams and their riparian margins.
- (c) The removal of trees within areas "FA", "FC" and "FD", and "ND" and "NE", shall be limited to a minimum number of individual trees necessary only to ensure access of sunlight and desirable views, or where a tree is likely to become dangerous by toppling due to natural causes. Where any tree is to be felled, topped or trimmed in accordance with this clause, it shall be done so in a manner so as to preserve adequate screening of all structures on the Lot as viewed from the Lake Hawea Foreshore area, State Highway 6 and the Hawea Township.
- (d) No tree shall be removed for commercial timber purposes.

Provided that (a), (b), (c), and (d) above shall not apply to vegetation removal required for survey purposes by Contact Energy in relation to the Survey Pillar on Lot 4 DP300393.

DATED the 19TH day of DECEMBER 2000

SIGNED for and on behalf of
the QUEENSTOWN LAKES
DISTRICT COUNCIL



Chief Executive Officer



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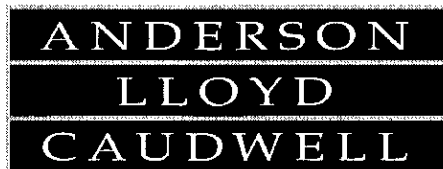
GLEN ROBERT HART and MICHELLE RAE JUDSON

"Covenantor"

INTRA-Q LIMITED

"Covenantee"

DEED OF COVENANT



BARRISTERS, SOLICITORS & NOTARIES SINCE 1862

DUNEDIN, QUEENSTOWN & CHRISTCHURCH
NEW ZEALAND

Tel: 64 3 442 7570

Fax: 64 3 442 8848

E-mail: lawyers@andersonlloyd.co.nz

PO Box 201

Queenstown

LAWLINK

A NETWORK OF INDEPENDENT
LEGAL PRACTICES NATIONWIDE

DEED OF COVENANT dated 25 June 2001

PARTIES:

1. **GLEN ROBERT HART and MICHELLE RAE JUDSON** ("the Covenantor")
2. **INTRA-Q LIMITED** ("the Covenantee")

INTERPRETATION:

In this deed unless the context specifies or requires otherwise, the following words and phrases shall have the following meanings:

"*Building*" means any building or structure higher than 1.2 metres above ground level, including chimneys and satellite dishes, but excluding aerials.

"*Covenantee*" includes all persons executing this deed as Covenantee and jointly and severally if more than one and their executors, administrators, assigns and successors in title the successive owners of the Covenantee's Land and their tenants, licensees and invitees.

"*Covenantee's Land*" means those parcels of land as follows:

Area (hectares, more or less)	Lot Number (on DP300393)	Certificate of Title
10.0006	1	2431
10.3031	2	2432
10.0021	3	2433
10.0561	4	2434

"*Covenantor*" means and includes all persons executing this deed as Covenantor and jointly and severally if more than one and their executors, administrators, assigns and successors in title the successive owners of the Covenantor's Land and their tenants, licensees and invitees.

"*Covenantor's Land*" means that parcel of land containing 10.0585 hectares more or less being Lot 5 Deposited Plan 300393 described in Certificate of Title 2435.

"*Design Controls*" means the building and landscape design controls of Lake Hawea Alpine as attached to this Deed.

"*Dwelling*" means a building or group of buildings designed and occupied as a single self contained household unit, whether of one or more persons, and includes normal accessory structures such as a garage, garden shed, glasshouse, etc.

"*Ground level*" means the finished ground level of a Lot as at the date of deposit of the Subdivision Plan.

"*Height*" in respect of any part of any building means the height of that part of that building measured vertically above ground level.

"*Lots*" means all of the residential lots within Lake Hawea Alpine and "*Lot*" means one of those residential lots. Reference to a Lot or Lots by number or numbers means those numbered Lots as shown on the Subdivision Plan.

"*Lake Hawea Alpine*" means the rural residential development arising from the subdivision and development of Lots 1 and 2 and part Lot 3 Deposited Plan 26200.


"*Procedural Rules*" means the procedural rules which govern the operation and management of the Lot Owners Association as attached to this Deed.

"*Registered proprietor*" includes any registered proprietor and any tenant, licensee, visitor or invitee of any registered proprietor or any other occupier of any Lot. Joint registered proprietors of one Lot shall be deemed to be one registered proprietor.

"*Subdivision Plan*" means Deposited Plan 300393.

Lot Owners Association

1. The registered proprietors for the time being of the Lots shall comprise the Lot Owners Association. Any person ceasing to be a registered proprietor of a Lot shall cease to be a member of the Lot Owners Association.
2. The affairs of the Lot Owners Association shall be carried out in accordance with the Procedural Rules. The first Annual General Meeting of the Lot Owners Association shall be held during the first September following the first sale of a Lot in Lake Hawea Alpine by Intra-Q Limited.
3. The Lot Owners Association shall be responsible for the following in Lake Hawea Alpine:
 - a. Maintenance of all common roads.
 - b. Maintenance of the communal water supply.
 - c. Pest control (rabbits, possums, etc) on any Lot at the request of the and at the cost of the registered proprietor of that Lot.
 - d. Building design approval under clause 6.
4.
 - a. The Lot Owners Association may, but shall not be required to, take any action to ensure compliance with any or all stipulations restrictions and covenants contained in this Deed.
 - b. The Lot Owners Association shall determine any questions arising in respect of the interpretation of this Deed and shall resolve any disputes between registered proprietors in relation to any matters covered by this Deed.

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- c. Any such dispute between registered proprietors shall if necessary be resolved by means of the procedures detailed in the Arbitration Act 1996, and in particular Part V of the First Schedule of that Act, with the Lot Owners Association as arbitrator.
- d. In resolving any interpretation question or dispute the Lot Owners Association shall:
 - i. Implement and be bound by the terms and provisions of this Deed.
 - ii. Subject to subclause (i) above, use its best endeavours to arrive at a decision appropriate to the circumstances.
- e. Any costs incurred by the Lot Owners Association in carrying out its obligations and rights under this clause shall be payable as determined by the Lot Owners Association.

Building Scheme

- 5.
 - a. All buildings erected on any Lot, including additions or extensions to existing buildings, shall be designed and constructed in accordance with the design guidelines detailed in the Design Controls.
 - b. The registered proprietor of any Lot shall, prior to erecting any building on that Lot, submit the plans of the proposed building for approval to the Lot Owners Association. Plans shall be submitted in sufficient detail to enable the Lot Owners Association to assess the design.
 - c. The Lot Owners Association shall not unreasonably or arbitrarily withhold approval for any design.
 - d. Within 15 days after receiving the plans, and any further information requested, the Lot Owners Association shall advise the registered proprietor whether the plans are approved. Approval may be given subject to conditions, in which case the approval is only effective if those conditions are complied with.
 - e. If for any reason the Lot Owners Association fails to respond within the 15 day period referred to in subclause (c) above, the Lot Owners Association shall be deemed to have approved the plans submitted PROVIDED THAT the obtaining of such deemed approval shall not in any way waive or discharge the requirement to comply with the specific design controls detailed in the Design Controls.
 - f. The decision of the Lot Owners Association on any design control assessment is final. No building may be erected upon any Lot unless the design of that building has been approved in writing by the Lot Owners Association.



- g. The Lot Owners Association may, in its discretion, waive compliance with any aspect of the Design Controls if, in the opinion of the Lot Owners Association, the granting of such waiver will not be contrary to the intent and spirit of the Design Controls.
- h. The Lot Owners Association may from time to time, by notice in writing to the registered proprietors of all Lots, vary its procedure for the submission and approval of plans and specifications provided that no such variation may materially alter the rights and obligations arising under this clause.
- i. The person submitting plans for design control approval shall pay the reasonable costs incurred by the Lot Owners Association in assessing such plans as the Lot Owners Association directs.

Registered Proprietors Obligations

- 6. The registered proprietor of any Lot shall:
 - a. Not erect, construct, or allow to be erected or constructed on the Lot any building other than a new Building not being a pre-used or second hand building or relocatable building.
 - b. Not erect or allow to be erected on the Lot:
 - i. Any boundary or perimeter fencing except of standard tanalised post and wire fencing.
 - ii. Any wall or fence on or around the Lot higher than 1.2 metres above ground level.
 - iii. Any aboveground electrical, telephone or other wires.
 - c. Maintain all exterior painting and other exterior surface materials to a reasonable standard appropriate to a high quality rural residential development.
 - d. Not erect or allow to be erected on the Lot more than one Dwelling.
 - e. During the construction of a Building on a Lot ensure that the Lot is generally kept tidy and that no rubbish is allowed to escape or be deposited onto any adjoining Lot or the Balance Land and that no damage is done to any part of the roads.
 - f. Not allow any broom, gorse, thistles, other noxious weeds, undergrowth, dried or rank grass to grow on their Lot. If any registered proprietor is in default of this subclause under then the Lot Owners Association may give 14 days notice to that registered proprietor for such vegetation to be removed or eradicated, failing which the Lot Owners Association shall be free to enter upon the Lot to



remove that vegetation and shall be entitled to recover the cost of such removal from that registered proprietor as a liquidated debt.

Costs

7. All costs incurred by the Lot Owners Association in respect of the following matters shall be communal costs to be apportioned amongst and paid by the registered proprietors of the Lots:
 - a. Cost incurred by the Lot Owners Association in complying with the obligations detailed in clause 4.
 - b. Costs incurred by the Lot Owners Association in taking any action under clause 5.a to the extent that such costs are not able to be recovered by the Lot Owners Association from the person(s) or body against whom that action is taken.
8. Costs incurred by the Lot Owners Association under clause 14 may include:
 - a. Costs incurred in employing or engaging any person or body to provide any service or carry out any function.
 - b. Reasonable administration costs.
 - c. Professional costs such as legal services, accountancy services, etc.
 - d. Any other costs reasonably incurred by the Lot Owners Association in carrying out its responsibilities under this Deed and taking any action authorised to be taken by the Lot Owners Association under this Deed.
9.
 - a. Prior to each AGM the Lot Owners Association shall prepare a budget detailing the expenditure which the Lot Owners Association anticipates will be incurred by the Lot Owners Association during the year following the AGM. The Lot Owners Association will forward a copy of that budget to the registered proprietor of each Lot along with the notice advising the time, date and place of the AGM so that the budget can be considered prior to the AGM and confirmed at the AGM.
 - b. Once confirmed at the AGM, and subject to subclause (c) below, the budget shall apply for the year following the AGM. The Lot Owners Association shall then levy each registered proprietor their appropriate share of that expenditure pursuant to clause 12. The proprietor shall pay the annual levy, in advance, either by a lump sum paid to the Lot Owners Association within one month after receipt of the notice advising the levy or alternatively by quarterly payments by bank automatic payment authority to the Lot Owners Association's bank account or otherwise as directed by the Lot Owners Association.

- c. The Lot Owners Association may, during the course of any year, issue a special levy to cover any unexpected expenditure incurred by the Lot Owners Association, in which case such levy shall be paid as directed by the Lot Owners Association.
- d. Expenditure incurred and to be incurred by the Lot Owners Association (except expenditure relating to roading services) shall be apportioned equally between the registered proprietors of the Lots shown on the Subdivision Plan on the basis that each Lot shall pay a proportion of costs equal to any other Lot. Expenditure incurred and to be incurred relating to roading services shall be apportioned between the registered proprietors of the Lots based on each Lot's proportionate share of the roading services in terms of the relative length of road required for access to each Lot, as determined by the Lot Owners Association.

Liability while Registered Proprietor – Ongoing Liability

10.
 - a. Subject to subclauses (b) and (c) below, no person or body shall be liable for any costs and/or levies other than costs incurred and/or levies made in respect of the period during which that person or body is a registered proprietor of a Lot.
 - b. The registered proprietor of a Lot shall be liable for any outstanding costs or levies payable in respect of any period prior to the date that person or body becomes a registered proprietor of that Lot. This subclause shall not apply where that registered proprietor has obtained written advice from the Lot Owners Association prior to becoming a registered proprietor of that Lot that no outstanding cost or levy is payable in respect of that Lot. This subclause shall also not apply to a registered proprietor purchasing from Intra-Q Limited.
 - c. The registration of a transfer of a registered proprietor's interest in any Lot shall not relieve the transferor from any liability arising pursuant to this Deed prior to the date of registration of such transfer.

Recovery of Costs – Indemnity - Enforcement

11. The Lot Owners Association may recover from the registered proprietor of any Lot, as a liquidated debt, any sum payable to the Lot Owners Association by way of levy, reimbursement for costs incurred, or otherwise payable pursuant to the provisions of this Deed.
12. The registered proprietor of each Lot will indemnify and hold indemnified the Lot Owners Association against all or any liability and against all or any actions, suits, proceedings, claims, demands, costs and expenses whatsoever which may arise through the Lot Owners Association enforcing or requiring compliance with any of the provisions of this Deed.

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13.

- a. If all or part of any sum payable to the Lot Owners Association is not paid within 30 days after the date that payment is due to be made, the Lot Owners Association may charge interest on that outstanding balance from the date payment was due until the date payment is made at such interest rate, no greater than 18% per annum, which the Lot Owners Association considers is an appropriate penalty interest rate.
- b. If all or part of any sum payable to the Lot Owners Association is not paid within 30 days after the date that payment is due to be made, the Lot Owners Association may disconnect the Lot in respect of which that outstanding payment is due from the reticulated water supply, and may refuse to allow that Lot to be reconnected to that system or systems until such time as the outstanding sum (including interest) is paid in full. The registered proprietor of that Lot shall pay to the Lot Owners Association any costs incurred by the Lot Owners Association in respect of such disconnection and/or re-connection.

The Liability of Lot Owners Association

14. The Lot Owners Association shall not be liable in any way for any action taken in good faith or for any failure to take any action or for any other matter, consequence, damage, or liability whatsoever arising in any way in respect of or related to Lake Hawea Alpine.

Notices

15. The address for services of the Lot Owners Association for the purposes of any notice or documents to be served or delivered pursuant to the provisions of this Deed, including any plans requiring design control approval under clause 6, shall be:
 - a. The address for service advised by the Lot Owners Association by notice in writing to all registered proprietors.
 - b. If no such address for service has been advised the address for service shall be:
 - i. The postal or residential address of the Chairman for the time being of the Lot Owners Association Committee if a Chairman has been appointed;
 - ii. If no such Chairman has been appointed, the postal or residential address of any member of the Lot Owners Association Committee;
 - iii. If no Committee has been appointed, each and every address for service of the registered proprietors of all Lots under clause 26 (i.e: the document must be served on every such address).
16. The address for service of any registered proprietor for any notice or document under the provisions of this Deed shall be:



- a. While there is no dwelling on the Lot, the rating address for that Lot as recorded in the rating records of the Queenstown Lakes District Council;
- b. Once a dwelling has been erected on a Lot, either the rating address referred to in subclause (a) above or the dwelling situated on that Lot if somebody is residing in that dwelling.

A handwritten signature in black ink, located in the bottom right corner of the page. The signature is stylized and appears to be a name, possibly "John Smith" or similar, written in a cursive or semi-cursive style.

DESIGN CONTROLS

These design controls have been established to enhance the character of the Lake Hawea Alpine and to develop and maintain a high quality rural residential environment.

General Design Controls

1. In considering whether to approve any building design plans, the Lot Owners Association shall consider:
 - a. Whether the proposed building(s) are of a high quality design and/or compatible with other buildings (either existing or already approved but not yet built) in the vicinity and/or the local environment;
 - b. The extent to which the proposed buildings are in harmony with the surrounding area and any existing or approved buildings;
 - c. The influence or effect the proposed buildings may have upon the view or outlook of adjacent and/or neighbouring dwellings;
 - d. Cluster arrangements of building forms are encouraged to reduce perceived mass and to avoid single large scale structures.
 - e. The effect of any proposed landscaping within the approved building platform;
 - f. Individual elements of the design as well as the overall design;
 - g. Any other factor which the Lot Owners Association considers relevant.
2. These general design controls above are intended to be broad, to allow flexibility, to allow adaptability as architectural styles change and develop, to allow the possibility of Lake Hawea Alpine developing a design theme and/or seeking to achieve diversity in design.
3. Any proposed designs for buildings or alterations or extensions to existing buildings must be submitted to the Lot Owners Association for approval in accordance with clause 6 of the Deed of Covenants.

Specific Design Controls

4. All building must be sited within the building platforms identified on the Subdivision Plan.
5. No structure on any Lot shall exceed the following heights above ground level to the ridge level provided that chimneys and other ancillary structures or items such as aerials and/or architectural features may exceed this height level provided they have the approval of the Lot Owners Association:

Lot 1: 7 metres



Lots 2, 4 and 5: 5.5 metres
Lot 3: 6 metres

6. No building shall protrude above the skyline (that is, be silhouetted against sky) when viewed from State Highway 6. The use of earth mounding and planting are acceptable methods for achieving this criteria.
7.
 - a. Preferred roof materials are slate, tile, cedar shingles, corrugated or euro tray metal. Any steel roofing shall be painted or otherwise colour-treated, and shall exclude zincalume, galfan and other matt- finish, untreated corrugated iron products. Roof colours shall comprise dark, recessive hues and shall be of low reflectivity. Acceptable Coloursteel hues include, but shall not be limited to, Karaka, Charcoal, Ironsand, Lignite or Greyfriars.
 - b. Roof pitch shall be between 22.5 to 45°. Flat roofs are only permitted as a connection between structures and are not to exceed 20% of the total roof area. Curved roofs are permitted.
8. Mass and Proportion: building forms shall be clustered or otherwise arranged to reduce perceived mass and to avoid single larger-scale structures. No separate component shall have a floor area greater than 100 square metres and a length greater than 15 metres. Joinery shall comprise timber, steel or aluminium. Joinery colours (excepting timber) shall match roofing, gutter and spouting colours. Roof pitch to be within the range 22.5 to 45 degrees. Flat roofs are permitted as connections between structures and shall not exceed 20% of the total roof area.
9. A-frame design or construction techniques are not permitted:
10. Wall materials shall comprise timber, smooth plaster, or stone (local schist). Walls shall be continuous in one cladding from ground to roof, for any building component consistent with 8 above. Wall colours to be natural (in materials as stated above) or in the range of browns, tussock, greys or natural greens.
11. The following materials may not be incorporated in the exterior of any building:
 - a. Any fibre cement weatherboards, sidings and roofing.
 - b. Any uncoated fibre material.
 - c. Any PVC sidings or plattings.
 - d. Any unpainted iron or steel.
 - e. Any unpainted concrete masonry.
 - f. Any imitation timber, brick or masonry.
 - g. Any metal weatherboards.

- h. Any compressed fibre mineral weatherboards.
 - i. Any metal or asphalt based, aggregate covered, tiles or shingles.
12. The Lot Owners Association may waive compliance with any of these specific design controls if the Lot Owners Association considers that the granting of such waiver, under the particular circumstances, will not be contrary to the spirit and intent of these design controls.

Landscape Design Controls

These design controls have been established to retain and accentuate the natural contours and character of the Lake Hawea Alpine landscape. They are to be taken into account for all major tree planting on the Lots.

13. Tree planting should run with the contour of the land and not against it.
14. Tree planting should be used to accentuate and enhance the land form.
15. The areas of pine forest and the revegetation areas marked ND, NE, FA, FC and FD on Deposited Plan 300393 (being areas marked on Lots 1, 4 and 5) shall be retained in perpetuity as areas of existing forest and/or regenerating indigenous vegetation, wetland areas or streams and their riparian margins. Any felling, topping or trimming of trees is restricted to the minimum number of trees necessary to ensure access of sunlight and desirable views or where a tree is or is likely to be come dangerous by toppling due to natural causes, or in accordance with the approved forestry management plan
16. Any felling, topping or trimming of trees shall be carried out in a way that preserves adequate screening of structures on the Lot as viewed from the Lake Hawea foreshore area, State Highway 6 and the Hawea township. No tree shall be removed for commercial timber purposes.

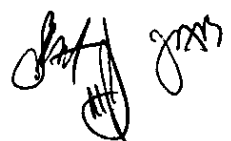


PROCEDURAL RULES

1. For the purposes of these Procedural Rules:
 - b. The term "*Lots*" means those Lots in existence and in respect of which a separate Certificate of Title has issued as at the date of the relevant meeting.
 - c. The term "*Registered Proprietor*" is limited to the registered proprietor(s) of a Lot as recorded on the Certificate of Title to that Lot.

General Meetings of the Lot Owners Association

2. A general meeting of the Lot Owners Association, to be called the annual general meeting, shall, in addition to any other meeting, be held at least once in every calendar year and not more than 15 months after the holding of the last preceding annual general meeting. The first annual general meeting shall be held as specified in clause 3 of the Deed of Covenants.
3. All general meetings other than annual general meetings shall be called extraordinary general meetings.
4. At least fourteen days' notice of every general meeting specifying the place, the date, and the hour of the meeting, and the proposed agenda shall be given to all registered proprietors entitled to exercise a vote in accordance with clause 11 of these rules PROVIDED THAT accidental omission to give such notice to any registered proprietor so entitled shall not invalidate any proceedings at any such meeting.
5. Any notice required to be given under these rules shall be sufficiently given if delivered personally to the registered proprietor concerned or if left or sent by register letter posted to the registered proprietor concerned at the last address of that registered proprietor notified to the Lot Owners Association or if no such address has been so notified at that registered proprietor address for service pursuant to clause 17 of the Deed of Covenants.
6. At a general meeting the registered proprietors entitled to exercise the voting power in respect or not less than one half of the Lots shall constitute a quorum.
7. Save as otherwise provided in these rules, no business shall be transacted at any general meeting unless a quorum is present at that time.
8. If within half an hour from the time appointed for a general meeting a quorum is not present, the meeting shall stand adjourned to the same day in the next week at the same place and time, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting the number of persons present and entitled to vote at the expiration of that half hour shall constitute a quorum.
9. At a general meeting the chairman shall normally be the chairman elected at the last Annual General Meeting. If there is no such chairman, or if the chairman is not

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- present or is unwilling to act, a chairman shall be elected at the commencement of the meeting.
10. All matters at a general meeting shall be determined by a simple majority of votes. In the case of equality of votes the chairman for the time being of the meeting shall have a casting vote as well as a deliberative vote.
 11. At any general meeting:
 - a. 1 vote only shall be exercised in respect of each Lot.
 - b. If there is more than one registered proprietor of any one Lot present, and there is disagreement between those registered proprietors as to who should cast the vote for that Lot or how the vote for that Lot should be cast, the registered proprietor entitled to cast that vote shall be the registered proprietor whose name appears first on the Certificate of Title to that Lot.
 12. At any general meeting of the Lot Owners Association any person present and entitled to vote on the matter that is under consideration may demand a poll thereon, which shall be taken in such manner as the chairman thinks fit.
 13. The result of the poll shall be deemed to be the resolution of the matter for which it was demanded. Where a poll is not demanded, a declaration by the chairman that a resolution has been carried shall be conclusive evidence of that fact without proof of the number or proportion of votes recorded for or against the resolution.
 14. Any vote to be cast at a general meeting may be exercised personally or by proxy. Where 2 or more persons are jointly entitled to exercise 1 vote and wish to do so by proxy, that proxy shall be jointly appointed by them and may be one of them. A proxy shall be appointed in writing. If only one of those persons is present at a meeting and they have not appointed a proxy as aforesaid, that person may exercise the vote.
 15. A power of voting in respect of a Lot shall not be exercised unless all amounts accrued due and payable to the Lot Owners Association in respect of that Lot have been duly paid PROVIDED THAT no power of voting may be suspended pursuant to this clause unless the registered proprietor who holds that power has been given seven days' notice in writing of the amount of arrears due and of the fact that default in payment will result in suspension of voting rights.

Secretary

16. A secretary (who may or may not be a registered proprietor) shall be appointed by the Lot Owners Association at its first annual general meeting for such term, at such remuneration, and upon such conditions as it may approve; and any secretary so appointed may be removed by the Lot Owners Association, either at a subsequent annual general meeting or at an extraordinary general meeting called for that purpose. At any such meeting the secretary shall have the right to attend and be heard.

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- 17. The function of the secretary shall be to keep proper books of account in which shall be kept full, true, and complete accounts for the affairs and transactions of the Lot Owners Association and to carry out such other functions as may from time to time be delegated to the secretary by the Lot Owners Association.
- 18. The secretary shall in each year prepare a balance sheet showing the Lot Owners Association financial dealings during that year, and shall, within 2 months after each annual general meeting, send a copy of the latest balance sheet to every proprietor.
- 19. Notwithstanding anything to the contrary contained in these rules, anything that may be done by the Lot Owners Association by resolution passed at a meeting of the Lot Owners Association may be done by the Lot Owners Association in the same manner or by resolution passed without a meeting or any previous notice being required by means of an entry in its Minute Book signed by each registered proprietor. It shall not be necessary for the Lot Owners Association to hold an annual general meeting if everything required to be done at that meeting by resolution within the time prescribed for the holding of a meeting is done by means of an entry in its Minute Book in accordance with this provision. Any such entry may be signed on behalf of the registered proprietor by his agent duly authorised in writing. For the purposes of this rule, a memorandum pasted or otherwise permanently fixed in the Minute Book and purporting to have been signed for the purposes of becoming an entry therein shall be deemed to be an entry accordingly and any such entry may consist of several documents in like form, each signed by or on behalf of one or more registered proprietors.

The covenants, rights and obligations contained in this Deed shall enure in perpetuity for the benefit and burden of the Covenantor's Land and the Covenantee's Land as set out in this Deed.

EXECUTION:

SIGNED by)
GLEN ROBERT HART)
 and)
MICHELLE RAE JUDSON)
 in the presence of:

Witness

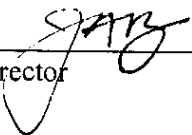
Signature: _____

Occupation: FARM WORKER

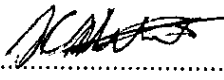
Address: UPPERMILL RD.
RD 8 WAIMATE.

[Handwritten initials]

SIGNED by **INTRA-O LIMITED**
in the presence of:

)
) _____
Director 

Witness

Signature: 
Occupation: DIRECTOR
Address: 29 O'MANA AVE
AU.W.LAND


Mortgagee's Consent

The National Bank of New Zealand Limited, the mortgagee of the Covenantee's Land pursuant to Mortgage 969431.4, hereby consents to the registration of the within covenants, and the Covenantor's land pursuant to a mortgage dated 11 June 2001,

Dated this day of - 9 JUL 2001 2001.

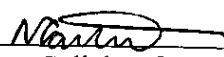
SIGNED by the)
National Bank of New Zealand Limited)
By its attorney in the presence of:)

Witness

Signature: 
Occupation: WILLIAM JOHN CASTLE
Address: BANK OFFICER
AUCKLAND


CHERYL KATHERINE SEGEDIN

Correct for the purposes of the Land Transfer Act 1952


Solicitor for the Covenantor



I, **CHERYL KATHERINE SEGEDIN** Manager Lending Services of Auckland in New Zealand **HEREBY CERTIFY:**

1. **THAT** by Deed dated 28 June 1996 deposited in the Land Registry Offices situated at:

Auckland	as No	D.016180	Hokitika	as No	105147
Blenheim	as No	186002	Invercargill	as No	242542.1
Christchurch	as No	A.256503.1	Napier	as No	644654.1
Dunedin	as No	911369	Nelson	as No	359781
Gisborne	as No	G.210991	New Plymouth	as No	433509
Hamilton	as No	B.355185	Wellington	as No	B.530013

The National Bank of New Zealand Limited (the "Bank") appointed me its Attorney with the powers and authorities specified in that Deed.

2. **THAT** at the date of this Certificate, I am the Manager Lending Services, Auckland Regional Support Centre of the Bank.
3. **THAT** at the date of this certificate, I have not received any notice or information of the revocation of that appointment by the winding-up or dissolution of the Bank or otherwise.

DATED at Auckland this _____ day of _____ 20

09 JUL 2001

**NOTICE BY TRANSIT NEW ZEALAND AUTHORIZING A
CROSSING PLACE TO AND FROM A LIMITED ACCESS ROAD
UNDER SECTIONS 90 AND 91 TRANSIT NEW ZEALAND ACT 1989**

State Highway No: 6

Declared section of Limited Access Road: Hawea to Mt Iron declared a limited access road in NZ Gazette dated 30/03/2000 at page 729

Description of the parcel(s) of land to which this Notice refers (described in this Notice as "the Property"): Lot 2 DP 300393 CT 2432

C91 5148000.1 NOTICE UNDER SECT 1
CPY-01/01.PGS-002.01/02/02.15:16




Doc ID: 110286231

SPECIFICATION OF LOCATION OF CROSSING PLACE(S)

- 1 Pursuant to sections 90 and 91 of the Transit New Zealand Act 1989, this Notice records that at the crossing place(s) numbered **80A** on Plan Number LA/13/006/881/A, vehicles may proceed to and from the Limited Access Road and from and to the property. A copy of the plan is available for inspection at the Transit New Zealand (Transit) Regional Office at Dunedin.
- 2 The crossing place(s) shall be located on the road frontage 2 metres from the western boundary of Lot 1 DP 300393 CT 2431.

Dated this 22 nd day of January 2002

SIGNED for and on behalf of
TRANSIT NEW ZEALAND


.....
M D O'CAIN
Regional Manager - Dunedin
(acting pursuant to delegated authority)

ADVICE NOTES

- (a) At the time of issue of this notice, the crossing place(s) is used as private.
- (b) If the crossing place(s) was in existence at the time of the declaration of the State highway as a Limited Access Road, this notice does not confirm the acceptability of its safety or standard of design and construction for its current use. If the owner has any concerns in this regard, he/she should contact Transit.
- (c) Transit has standards for the design and construction of crossing places to State highways, and requires the owner to adopt those standards when making any changes to the use, location or design of the crossing place(s).
- (d) A separate written permission from the Regional Manager in accordance with section 51 of the Transit New Zealand Act 1989, is required before any work may be done on the State highway, other than routine maintenance which is to be done by the owner of the Property. This notice does not constitute that written permission.
- (e) Transit wishes to emphasise that section 91 of the Transit New Zealand Act 1989 gives Transit the power to cancel the right to use a crossing place(s). This will only be exercised after the owner has been given the opportunity to discuss the matter with Transit. In summary, Transit's cancellation powers will apply in the following situations:
 - (i) when there is a change to the legal description of the Property; or
 - (ii) when there is a change in the location of the crossing place(s); or
 - (iii) when another crossing place(s) is authorised; or
 - (iv) where access to the Property is available from another road.

**PARTICULARS ENTERED IN REGISTER
LAND REGISTRY OTAGO**

FOR REGISTRAR-GENERAL OF LAND

1-2-2002 at 12.30





GLEN ROBERT HART and MICHELLE RAE JUDSON

"First Covenantor"

and

JAMES PATRICK COTTER, REBECCA AMY COTTER and IAIN GRANT FYFE

("Second Covenantor")

and

JEREMY RICHARD STOCK

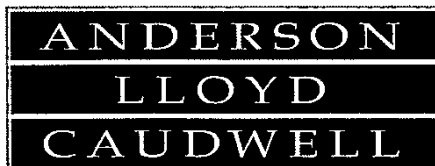
("Third Covenantor")

and

INTRA-Q LIMITED

"Covenantee"

DEED OF VARIATION OF COVENANT



BARRISTERS, SOLICITORS & NOTARIES SINCE 1862

QUEENSTOWN, DUNEDIN & CHRISTCHURCH
NEW ZEALAND

Tel: 64 3 442 7570

Fax: 64 3 442 8848

E-mail: lawyers@andersonlloydcaudwell.com

PO Box 201

Queenstown

LAWLINK

A NETWORK OF INDEPENDENT
LEGAL PRACTICES NATIONWIDE

DEED OF VARIATION OF COVENANT dated _____ 2001

PARTIES:

- A. **GLEN ROBERT HART and MICHELLE RAE JUDSON** ("First Covenantor")
- B. **JAMES PATRICK COTTER, REBECCA MARY COTTER and IAIN GRANT FYFE** ("Second Covenantor")
- C. **JEREMY RICHARD STOCK** ("Third Covenantor")
- D. **INTRA-Q LIMITED** ("The Covenantee")

THIS DEED RECORDS:

- 1. The land described in the Schedule is subject to a Deed of Covenant dated 9 July 2001 which was registered against the land described in the Schedule on 27 July 2001 registered number 5064066.5.
- 2. The First Covenantor is the Registered Proprietor of the land contained in Certificate of Title 2435.

The Second Covenantor is the Registered Proprietor of the land contained in Certificate of Title 2434.

The Third Covenantor is the Registered Proprietor of the land contained in Certificates of Title 2431 and 2432.

The Covanantee is the Registered Proprietor of the land contained in Certificate of Title and 2433.

- 3. That Deed recorded, at paragraph 8 of the design controls section, that:

"No separate component shall have a floor area greater than 100 square metres and a length greater that 15 metres."
- 4. The parties hereby vary that Deed by removing the above sentence and substituting it with:

"No separate component shall have a floor area greater than 150 square metres and a length greater than 20 metres."
- 5. The parties confirm all other provisions of that Deed.

SCHEDULE

- 1. Lot 1 Deposited Plan 300393 contained in Certificate of Title 2431
- 2. Lot 2 Deposited Plan 300393 contained in Certificate of Title 2432
- 3. Lot 3 Deposited Plan 300393 contained in Certificate of Title 2433
- 4. Lot 4 Deposited Plan 300393 contained in Certificate of Title 2434
- 5. Lot 5 Deposited Plan 300393 contained in Certificate of Title 2435

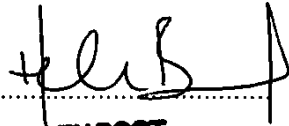
EXECUTION:

SIGNED by
GLEN ROBERT HART and
MICHELLE RAE JUDSON
in the presence of:

) 
) 

Witness

Signature:



Occupation:

**HELEN BOOT
SOLICITOR
QUEENSTOWN**

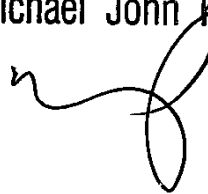
Address:

Mortgagee's Consent

The National Bank of New Zealand Limited, the mortgagee of the First Covenantor's Land pursuant to Mortgage 5064066.4, hereby consents to the registration of this variation of covenant.

Dated this day of **12 DEC 2001** 2001

SIGNED by the
National Bank of New Zealand Limited
in the presence of:

) **Michael John Kemp**
) 

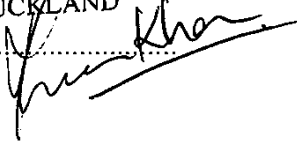
Witness

Signature:



**ZUREEN KHAN
BANK OFFICER
AUCKLAND**

Occupation:

Address:

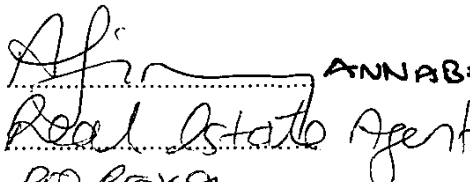


SIGNED by
JAMES PATRICK COTTER,
REBECCA MARY COTTER and
IAIN GRANT FYFE
in the presence of:

) 
) 

Witness

Signature:



ANNABELLE AROHA FINDLAY

Occupation:

Real Estate Agent

Address:

**PO BOX 9
Wanaka**





The National Bank
of New Zealand Limited

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

I, Michael John Kemp, Manager Lending Services of Auckland in New Zealand **HEREBY CERTIFY:**

1. **THAT** by Deed dated 28 June 1996 deposited in the Land Registry Offices situated at:

Auckland	as No	D.016180	Hokitika	as No	105147
Blenheim	as No	186002	Invercargill	as No	242542.1
Christchurch	as No	A.256503.1	Napier	as No	644654.1
Dunedin	as No	911369	Nelson	as No	359781
Gisborne	as No	G.210991	New Plymouth	as No	433509
Hamilton	as No	B.355185	Wellington	as No	B.530013

The National Bank of New Zealand Limited (the "Bank") appointed me its Attorney with the powers and authorities specified in that Deed.

2. **THAT** at the date of this Certificate, I am the Manager Lending Administration, Auckland Lending Services Centre of the Bank.

3. **THAT** at the date of this certificate, I have not received any notice or information of the revocation of that appointment by the winding-up or dissolution of the Bank or otherwise.

12 DEC 2001

DATED at Auckland this day of 20

ANZ BANKING GROUP (NEW ZEALAND) LIMITED

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

I, Lynette Helen Smith of Auckland in New Zealand, Acting Manager Securities of ANZ Banking Group (New Zealand) Limited, hereby certify that:

1. By deed dated 23 December 1994 I was, by virtue of my holding a specified office, appointed Attorney of ANZ Banking Group (New Zealand) Limited, a Company incorporated in New Zealand and having its head office at Wellington, on the terms and subject to the conditions set out in that deed.

Copies of that deed are deposited in the Land Transfer Offices listed below under the number shown alongside each of those offices;

North Auckland	C701593.IF	Nelson	345112.1
South Auckland	B250811.	Marlborough	177772.
Gisborne	G201332.1	Canterbury	A156447/1
Hawkes Bay	618733.1	Westland	100272.
Taranaki	417741.	Otago	873424.
Wellington	B413857.1	Southland	227623.1

2. At the date hereof I have not received any notice of the revocation of that appointment by the winding up or dissolution of ANZ Banking Group (New Zealand) Limited or otherwise.

SIGNED by the abovementioned)
Attorney at Auckland)
this 31st)
day of December 2001)



Mortgagee's Consent

ANZ Banking Group, the mortgagee of the Second Covenantor's Land pursuant to Mortgage 5064066.8, hereby consents to the registration of this variation of covenant.

Dated this 31st day of December 2001

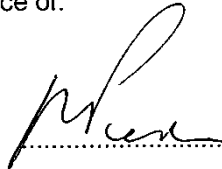
SIGNED by the ANZ BANKING GROUP
National Bank of New Zealand Limited
in the presence of:

ANZ Banking Group
(New Zealand) Limited
by its Attorney

LYNETTE HELEN SMITH
ACTING MANAGER
SECURITIES



Witness

Signature: 

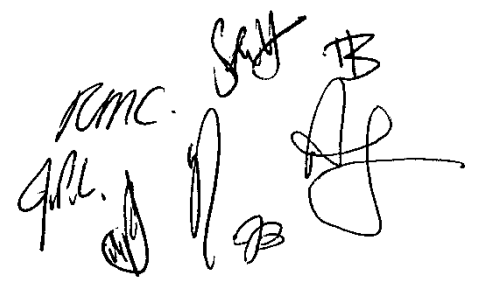
Occupation: Margaret Marianne Preston
Bank Officer PO Box 9886
Auckland
Address: NEWMARKET

TO: The District Land Registrar
Otago Land Registry

Please note the variation of Covenant contained within this Deed against the Certificates of Title described in the Schedule pursuant to Section 126A of the Property Law Act.

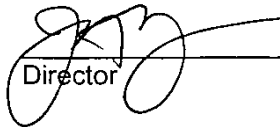

Solicitor for the Covenantant

D0111734.HB:hb.v1
461549-11



SIGNED by **INTRA-Q LIMITED**
in the presence of:

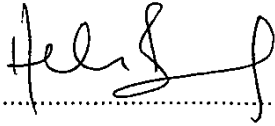
)



Director

Witness

Signature:



Occupation:

**HELEN BOOT
SOLICITOR
QUEENSTOWN**

Address:

Mortgagee's Consent

The National Bank of New Zealand Limited, the mortgagee of the Covenantee's Land pursuant to Mortgage 969431.4, hereby consents to the registration of this variation of covenant.

Dated this

day of

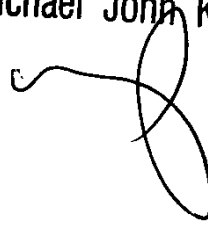
12 DEC 2001

2001

SIGNED by the
National Bank of New Zealand Limited
in the presence of:

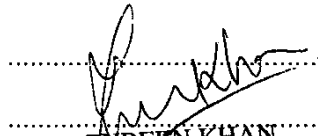
)
)
)

Michael John Kemp



Witness

Signature:




Occupation:

**ZUREEN KHAN
BANK OFFICER
AUCKLAND**

Address:

Correct for the purposes of the Land Transfer Act 1952



Solicitor for the Covenantor





The National Bank
of New Zealand Limited

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

I, Michael John Kemp, Manager Lending Services of Auckland in New Zealand **HEREBY CERTIFY:**

1. **THAT** by Deed dated 28 June 1996 deposited in the Land Registry Offices situated at:

Auckland	as No	D.016180	Hokitika	as No	105147
Blenheim	as No	186002	Invercargill	as No	242542.1
Christchurch	as No	A.256503.1	Napier	as No	644654.1
Dunedin	as No	911369	Nelson	as No	359781
Gisborne	as No	G.210991	New Plymouth	as No	433509
Hamilton	as No	B.355185	Wellington	as No	B.530013

The National Bank of New Zealand Limited (the "Bank") appointed me its Attorney with the powers and authorities specified in that Deed.

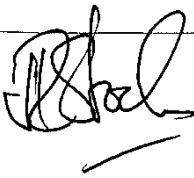
2. **THAT** at the date of this Certificate, I am the Manager Lending Administration, Auckland Lending Services Centre of the Bank.

3. **THAT** at the date of this certificate, I have not received any notice or information of the revocation of that appointment by the winding-up or dissolution of the Bank or otherwise.

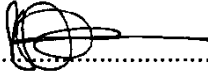
12 DEC 2001

DATED at Auckland this day of 20

SIGNED by
JEREMY RICHARD STOCK
in the presence of:

) 
)
)

Witness

Signature: 

Occupation: **Raymond Murray Blake**

Address: **Solicitor**

Wanaka



VARIATION OF CONSENT NOTICE 5038871.4

Pursuant to Section 221
Resource Management Act 1991

TO: The District Land Registrar
Otago Land Registration District

1. Consent Notice 5038871.4 contains a condition limiting maximum building height on Lot 2 DP 300393 to 4.5 metres.
2. Jeremy Richard STOCK, the owner of Lot 2 DP 300393, has reached agreement with the Queenstown Lakes District Council pursuant to Section 221(3) of the Act to vary the maximum specified height limit detailed above to 6.0 metres.
3. You are hereby requested to record the above variation against Certificate of Title 2432 to Lot 2 Deposited Plan 300393.

DATED at Queenstown this 23 day of December 2002

SIGNED by **DUNCAN FIELD**
the Chief Executive
Officer of the Queenstown Lakes District
Council in the presence of:)
)
)

Witness

Signature:

Name (in full): Victoria Jane Melchner

Occupation: Principal Resource Manager

Address: c/- Civicorp

Correct for the purposes of the Land Transfer Act 1952

Solicitor for the Covenantor



VARIATION OF CONSENT NOTICE 5038871.4

Pursuant to Section 221
Resource Management Act 1991

TO: The District Land Registrar
Otago Land Registration District

1. Consent Notice 5038871.4 contains a condition limiting the maximum building height on Lot 3 DP 300393 to 5.0 metres
2. ~~Richard Andrew PROUT~~, **SIMON JAMES REDAI, JA CAHELINE FRANCES AMY REDAI and NORMAN *** the owner of Lot 3 DP 300393, has reached agreement with the Queenstown Lakes District Council pursuant to Section 221(3) of the Act to vary the maximum specified height limit detailed above to 6.0 metres.
3. You are hereby requested to record the above variation against Certificate of Title 2433 to Lot 3 Deposited Plan 300393.

DATED at Queenstown this 23 day of December 2001

SIGNED by DUNCAN FIELD
the Chief Executive
Officer of the Queenstown Lakes District
Council in the presence of:

* KAYE SMITH

Witness

Signature:

Name (in full): Victoria Janet Kheer

Occupation: Principal Resource Management

Address: cf cmz corp

Concurre for the purposes of the Land
Transfer Act 1952

Solicitor for the Government



View Instrument Details

Instrument No 8326481.1
Status Registered
Date & Time Lodged 27 October 2009 15:14
Lodged By Doody, Peter John
Instrument Type Variation of Consent Notice Condition under s221(5) Resource Management Act 1991



Affected Computer Registers	Land District
2432	Otago

Annexure Schedule: Contains 2 Pages.

Signature

Signed by Peter John Doody as Territorial Authority Representative on 27/10/2009 03:13 PM

*** End of Report ***

IN THE MATTER of Section 221(3) of
the Resource Management Act 1991

AND

IN THE MATTER of Consent Notice
5038871.4 registered on Certificate of
Title 2432

**VARIATION OF CONSENT
NOTICE PURSUANT TO
SECTION 221 OF THE RESOURCE
MANAGEMENT ACT 1991**

IN THE MATTER of Section 221(3) of
the Resource Management Act 1991

AND

IN THE MATTER of Consent Notice
5038871.4 registered on Certificate
of Title 2432

BACKGROUND

- a) Consent Notice 5038871.4 is registered on Certificate of Title 2432.
- b) The Consent Notice was imposed as a condition of consent of RM990140 granted by the Queenstown Lakes District Council.
- c) Decision RM090002 varied the conditions of consent notice 5038871.4 as they relate to Lot 2 DP 300393 contained in Certificate of Title 2432.

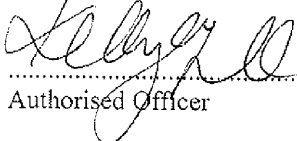
OPERATIVE PART

- a) The Queenstown Lakes District Council hereby varies condition C.11(g) specified in Consent Notice 5038871.4 registered on Certificate of Title 2432.

Condition C.11(g) should now read:

“g) Mass and proportion: building forms shall be clustered or otherwise arranged on each lot to reduce perceived mass and to avoid single large-scale structures. No separate component shall have a floor area greater than 150 square metres and the length greater than 20 metres with the exception of the dwelling approved by resource consent RM090002.”

Dated this 17th day of April 2009


.....
Authorised Officer



View Instrument Details

Instrument No 9652912.1
Status Registered
Date & Time Lodged 02 April 2014 15:38
Lodged By Doody, Peter John
Instrument Type Variation of Consent Notice Condition under s221(5) Resource Management Act 1991



Affected Computer Registers	Land District
2432	Otago

Affected Instrument	Consent Notice under s221(4)(a) Resource Management Act 1991 5038871.4
----------------------------	--

Annexure Schedule: Contains 2 Pages.

Signature

Signed by Peter John Doody as Territorial Authority Representative on 02/04/2014 03:37 PM

*** End of Report ***

IN THE MATTER of Section 221(3) of
the Resource Management Act 1991

AND

IN THE MATTER of RM130267 issued
by the Queenstown Lakes District Council

AND

IN THE MATTER of an application for
Variation of Consent Notice 5038871.4 by
C BRICK

VARIATION OF CONSENT NOTICE

BACKGROUND

- A. C BRICK has applied to the Queenstown Lakes District Council pursuant to provisions of the Resource Management Act 1991 for a variation of Consent Notice 5358166.3 registered against Lot 2 Deposited Plan 300393 contained in Certificate of Title 2432 (Otago Registry).
- B. Consent Notice 5038871.4 is registered on Certificate of Title 2432, Lot 2 Deposited Plan 300393. The Consent Notice was imposed as a condition of consent of RM990140 granted by the Queenstown Lakes District Council.
- C. Decision RM130267 varied the conditions of consent notice 5038871.4 as they relate to Lot 2 Deposited Plan 300393 contained in Certificate of Title 2432.

VARIATION TO OPERATIVE PART

The following variations to Consent Notice 5038871.4 are to be registered against Lot 2 Deposited Plan 300393 registered on Certificate of Title 2432.

The conditions C(b), C(e), C(f), and C(i) are amended to read as follows (added text underlined):

- b) Except for the shed as approved under RM130267, Roof pitch is to be 22.5 to 45^o. Flat roofs are only permitted as connections between structures and shall not exceed 20% of the total roof area.
- e) Except for the shed as approved under RM130267, wall materials shall comprise timber, smooth plaster, or stone (local schist). Walls shall be continuous in one cladding from ground to roof, for any building component consistent with condition 11 (g).
- f) Wall colours to be natural (in materials as stated above) or in the range of browns, tussock, greys or natural greens except for the shed as approved under RM130267.
- i) All structures shall be located within the building platforms as shown on the Concept Development Plan date-stamped by the committee as 'Approved' on 26 May 1999 except for the shed as approved under RM130267.

Advice Note

All other conditions of Consent Notice 5038871.4 shall continue to apply.

Dated this 15 day of JANUARY 2014

SIGNED for and on behalf
of the QUEENSTOWN LAKES
DISTRICT COUNCIL under
delegated authority by its
Manager, Resource Consents



Blair Jeffrey Devlin



View Instrument Details

Instrument No 12635550.2
Status Registered
Date & Time Lodged 14 December 2022 14:17
Lodged By Lay, Vicki Marie
Instrument Type Variation of Consent Notice Condition under s221(5) Resource Management Act 1991



Affected Records of Title	Land District
2432	Otago

Affected Instrument	Consent Notice under s221(4)(a) Resource Management Act 1991 5038871.4
----------------------------	--

Annexure Schedule Contains 3 Pages.

Signature

Signed by Margaret Christina Lister as Territorial Authority Representative on 14/12/2022 01:05 PM

*** End of Report ***

IN THE MATTER of Section 221(3) of the
Resource Management Act 1991

AND

IN THE MATTER of a Variation of Consent
Notice 5038871.4

**VARIATION OF CONSENT
NOTICE PURSUANT TO
SECTION 221 OF THE RESOURCE
MANAGEMENT ACT 1991**

**PATERSON PITTS LIMITED PARTNERSHIP
SURVEYING PLANNING ENGINEERING
WANAKA**

219290.0929 12710665.1

BACKGROUND

- a) Consent Notice 5038871.4 is registered against various land including land contained in Lot 2 DP 300393 comprising record of title 2432.
- b) The Consent Notice was imposed as a condition of consent of RM990140 granted by the Queenstown Lakes District Council.
- c) Resource consents (RM190947 and RM191209) have been granted to vary conditions of Consent Notice 5038871.4 as it relates to record of title 2432.

OPERATIVE PART

Consent Notice 5038871.4 as it relates to the land contained in Lot 2 DP 300393 comprising record of title 2432 only is varied as follows:

- 1) Conditions C11(b), C11(e), C11(g) and C11(i) and Operative Part, Clause 2 of Consent Notice 5038871.4 are to be amended to read as follows (deleted text ~~struck through~~, added text in **bold and underlined**):
 - C11(b) Except for the sheds as approved under RM130267 **and RM190947**, Roof pitch is to be 22.5 to 45°. Flat roofs are only permitted as connections between structures and shall not exceed 20% of the total roof area.
 - C11(e) Except for the sheds as approved under RM130267 **and RM190947**, wall materials shall comprise timber, smooth plaster, or stone (local schist). Walls shall be continuous in one cladding from ground to roof, for any building component consistent with condition 11(g).
 - C11(g) Mass and proportion: building forms shall be clustered or otherwise arranged on each lot to reduce perceived mass and to avoid single large-scale structures. No separate components shall have a floor area greater than 150 square meters and the length greater than 20 metres with the exception of the dwelling approved by Resource consent RM090002 **and RM191209**.
 - C11(i) All structures shall be located within the building platforms as shown on the Concept Development Plan date-stamped by the committee as 'Approved' on 26 May 1999 except for the sheds as approved under RM130267 **and RM190947 and the dwelling as approved under RM191209**.

Operative Part, Clause 2

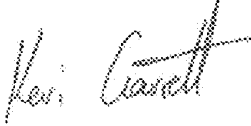
The owner, its successors in title and assigns and the successive owners of the lots shall not allow any dwelling to be established on the land to which this Consent Notice applies except to the extent that such dwelling complies with the terms of condition 11 as described in paragraph C in the recital to this Consent Notice, **with the exception of the dwelling approved by resource consent RM191209**.

219290.0929 12710665.1

2) All other conditions of consent notice 5038871.4 shall continue to apply.

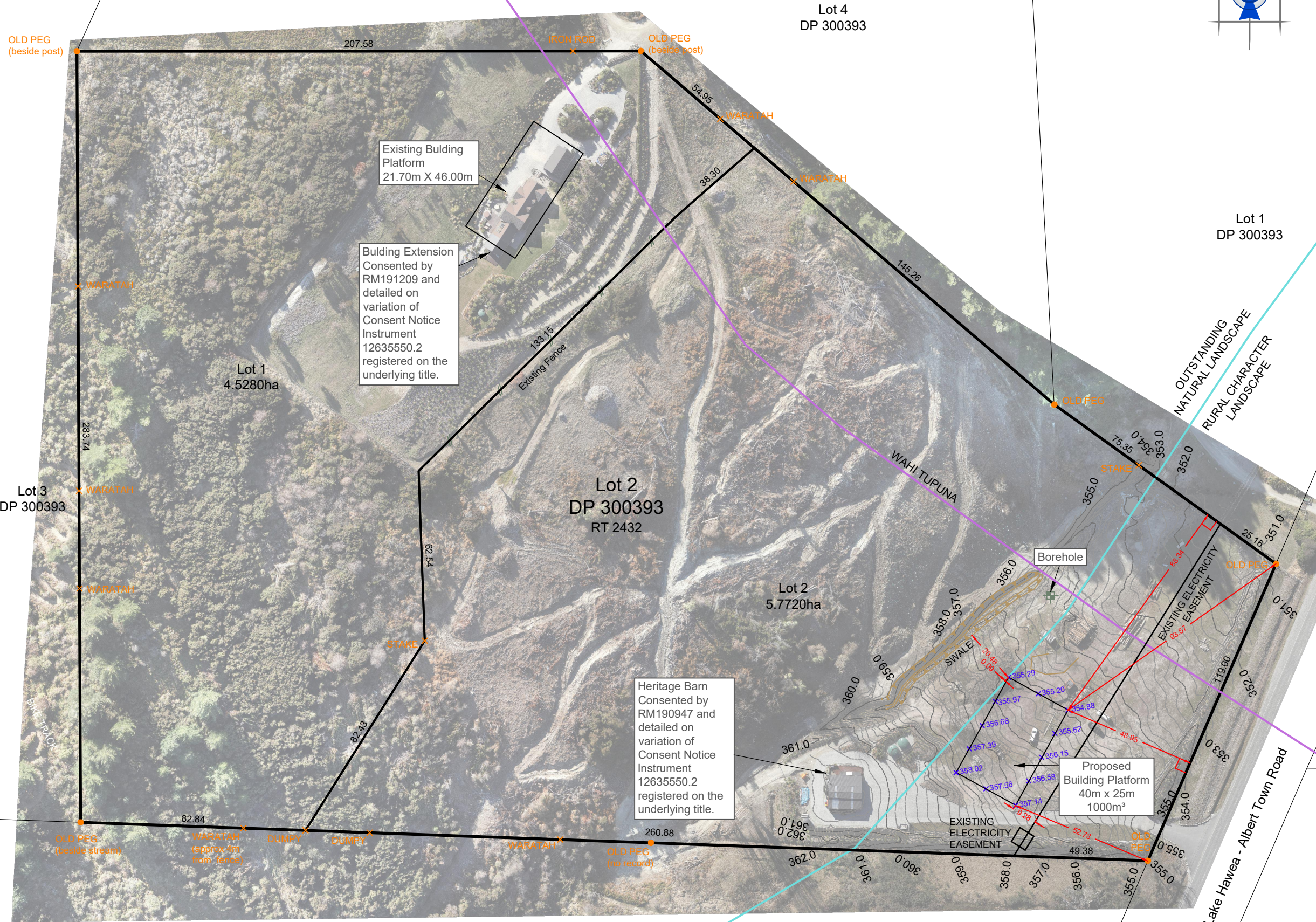
Dated this 23 day of November 2022

SIGNED for and on behalf
Of the **QUEENSTOWN LAKES**
DISTRICT COUNCIL under delegated
Authority by its Acting Team Leader,
Subdivision, Development Contributions, & Property



Keri Anne Garrett

219290.0929 12710665.1



Existing Building Platform
21.70m X 46.00m

Building Extension
Consented by RM191209 and
detailed on variation of
Consent Notice Instrument
12635550.2
registered on the
underlying title.

Heritage Barn
Consented by RM190947 and
detailed on variation of
Consent Notice Instrument
12635550.2
registered on the
underlying title.

Proposed Building Platform
40m x 25m
1000m²

NOTES:
Coordinates are in terms of Lindis Peak 2000
Origin of coordinates: D 216 (MOW) [BAUA]
810613.818mN
381238.26mE

Elevation in Terms of: Dundein Datum 1958
Origin of Levels: D 216 (MOW) [BAUA]
RL= 400.071

Areas and dimensions are subject to resource
consent and legal survey.

Further easements may be required for
services.

Lot 2 DP 300393 benefits from existing right of
way easements over neighbouring parcels Lots
1 and 4 DP 300393 and Lot 2 DP 22638.

Lot 2 DP 300393 benefits from existing services
easements over neighbouring parcels Lots 4
and 5 DP 300393.

The Record of Title 2432 for Lot 2 DP 300393 is
subject to a number of consent notices,
associated variations and land covenants that
should be carefully checked prior to preparing
and submitting a subdivision consent.

PATERSONPITTSGROUP
Your Land Professionals
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0800 PPGROUP

WANAKA
19 Reece Crescent
or P.O. Box 283
Wanaka 9343
T 03 443 0110
E wanaka@ppgroup.co.nz

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Client & Location:
D. Kenton
**1147B Lake Hawea-Albert
Town Road**

Purpose & Drawing Title:
Scheme Plan
Lot 2 DP 300393

Surveyed by:	CB/ARB	Original Size:	Scale:
Designed by:	-	A3	1:1500 @ A3
Drawn by:	CB/ARB		
Checked by:	HBM	DO NOT SCALE	
Approved by:	HBM	Job No:	Revision No:
		W5982	0
		Drawing No:	Date Created:
		001	08/02/24
		Sheet No:	
		105C	

Our reference: A1609012

22 February 2022

Diane Lesley Kenton & Lee-Ann Robyn Tombling
1147B Lake Hawea-Albert Town Road
Albert Town
Wanaka 9382

di.kenton@xtra.co.nz

Dear Sir/Madam

Decision on Resource Consent Application No. RM22.047 - To construct a bore for the purpose of accessing groundwater

I advise that a decision has been given on your application for resource consent. A copy of the staff recommending report is enclosed along with the consent.

The decision is:

That Council grants to **Diane Lesley Kenton & Lee-Ann Robyn Tombling**

Land Use Permit - Bore RM22.047.01

To construct a bore for the purpose of accessing groundwater

Reasons for decision

These are set out at the end of the enclosed recommending report under the heading "Recommendation".

Objection Rights

Section 357 of the Resource Management Act 1991 provides you with the right to lodge an objection with the Council in respect of this decision and/or any associated conditions. Any such objection must be made in writing setting out the reasons for the objection and must be received by the Council within 15 working days of receiving this letter.

Alternatively, in accordance with s.120 of the Act, this decision is subject to a statutory right of appeal directly to the Environment Court, P O Box 2069, Christchurch, which must be lodged with the Environment Court and served on the Council within 15 working days of receiving this letter.

This resource consent has been granted on a non-notified application, therefore the consent commences on the date you receive this letter unless a condition in the consent states otherwise, or an appeal is lodged.

For our future

If an appeal is lodged the consent cannot be exercised until the Court has determined the appeal, or the appeal is withdrawn, or a determination of the Court states otherwise.

Conditions of Consent

It is important that you check the conditions of your consent carefully as some of them may require you to surrender your current consent or provide information and/or plans to the Council before you may commence your activity. In addition, in some cases you may also require other permits or consents for your proposed activity and these must be obtained before you can commence your activity.

Bore Tag Numbers for Bores

The enclosed tag must be attached to your bore with the cable tie within two weeks of completion of the bore construction. If it is stolen, damaged or lost, the Council can provide a new tag, but a replacement fee will apply.

Lapse of Consent

Please note that under s.125 of the Act these consents shall lapse in two years unless you have given effect to them before then.

Consent Charges

You have paid a fixed fee for the processing of your application and will not be invoiced for any additional consent processing costs.

Compliance Fees and Charges

Council's Environmental Services Unit will monitor your consent to ensure you have complied with the conditions of your consent.

A fees and charges brochure which explains what charges are applicable to your consent can be found at:

<https://www.orc.govt.nz/consents-and-compliance/ready-to-apply-for-a-consent/fees-and-charges>

If you have any query about these charges, please contact the Environmental Data Team at Council.

Please contact **Rachel Christmas-Oliver** on 0800 474 082 should you require clarification of any matter relating to this decision letter.

Yours sincerely



Joanna Gilroy
Manager Consents
Encl

cc Graeme Stewart

Our Reference: A1605004

Consent No. RM22.047.01

LAND USE CONSENT

Pursuant to Section 104A of the Resource Management Act 1991, the Otago Regional Council grants consent to:

Name: Diane Lesley Kenton & Lee-Ann Robyn Tombling

Address: 1147B Lake Hawea-Albert Town Road, Hāwea

To construct a bore for the purpose of accessing groundwater
For an unlimited term

Location of consent activity: Hāwea, approximately 512 metres south south-west of the intersection of State Highway 6 and Capell Avenue

Legal description of consent location: Lot 2 DP 300393

GPS location: Within a 20 metre radius of (NZTM2000) E 1302102 N 5052968
Bore Tag: CA13/0131

Conditions

Specific

1. The activity must be carried out in accordance with the plans and the application dated 1 February 2022. All references to the bore must use the ORC-issued bore consent and/or assigned bore number. The bore must be located and constructed as detailed below:
 - a) NZTM 2000 Easting (mN) (+/- 20m): E 1302102 N 5052968
 - b) Depth: 43 metres
 - c) Bore diameter: 150 millimetres
 - d) 1147B Lake Hawea-Albert Town Road, Hāwea. Lot 2 DP 300393
 - e) Intended water use: Domestic supply and curtilage irrigation
2. Any bore tag provided to the Consent Holder by the Consent Authority must be attached to the bore in a visible location and be identifiable at all times. Consent holders must notify ORC at compliance@orc.govt.nz if assigned bore tag numbers are not being used (e.g. if the bore was dry or not drilled).
3. The construction of the bore must be completed within 30 working days of commencement of the construction.

Performance Monitoring

4.
 - (a) The bore must be constructed, maintained, tested, and records kept (drilling log), in accordance with NZS 4411:2001 (or later version and/or any other approved and relevant standard).
 - (b) All works and structures relating to this resource consent must be designed and constructed to conform to best engineering practices and at all times maintained to a safe and serviceable standard.

(c) The Consent Holder must undertake all operations in accordance with any drawings, specifications, statements of intent and other information supplied as part of the application for this resource consent. In the event of a conflict between the information supplied with the application and any consent condition(s), the condition(s) must prevail.

5. To minimise the risk of contaminants entering groundwater, the consent holder must:
 - a) Ensure that bore headworks are constructed and maintained to prevent any leakage and/or movement of water or contaminants between the ground surface and groundwater, and must ensure that there are no openings through which contaminants might enter the bore. This must include (but not be limited to) ensuring that there are no gaps around any pipework and/or cables at the bore head.
 - b) The top of the bore/well casing must extend at least 300 millimeters above ground level. The top of the casing must be elevated above any potential flood and/or ponding level.
 - c) A concrete seal (apron) is to be placed at ground level around the outside of the casing. The seal must be sufficient to prevent foreign material, surface water, spillage or other leakage entering the space between the casing and the wall of the bore. The seal must have a minimum radius of 500mm around the bore head and a minimum thickness of 100mm. The concrete apron needs to slope away from the bore in order to divert surface water away from the bore head.
 - d) All bores used for groundwater abstraction must have backflow prevention measures. Where there is reticulation back pressure at the bore head, a one-way valve must be fitted for maximum efficiency and in that case, the water sampling point must be on the bore pump side of the one-way valve.
 - e) A filter pack comprising of clean, washed sand (typically 2-4mm) must be placed around the screened interval. The filter pack must extend at least 200mm above the screened interval while allowing the condition below (i.e. bentonite seal).
 - f) A bentonite seal (typically bentonite pellets) must be placed above the filter to prevent ingress of water via the bore annulus. The bentonite seal must typically extend >2m above the filter pack and extend up to ground level. The concrete apron is to be located at ground level above the bentonite.
 - g) Where more than one aquifer is encountered during drilling, the bore/well must be constructed so that groundwater is drawn from only one aquifer. Leakage between zones of differing pressure or water quality must be prevented.
 - h) Flowing artesian bores/wells must be fitted with headworks to control artesian pressures and avoid the uncontrolled discharge of water.

6. The following information must be supplied to the Consent Authority within 10 working days of the completion of drilling of the bore:
 - a) Bore number (must be using the ORC-issued bore number).
 - b) Owner's and/or occupier's name.
 - c) Driller's name
 - d) Date and method of drilling
 - e) A photograph of the bore with a measuring device to show the bore diameter and/or installer certificate confirming bore diameter
 - f) Clear photographs showing compliance with Condition 4
 - g) An annotated map, or aerial photograph, that accurately and clearly shows site access, the physical location and a photograph of a GPS confirming the bore location and the bore tag
 - h) Fully completed bore log forms providing description of strata encountered and depth at which encountered below ground level or other suitable datum level

- i) Level of the static water level (that is, stationary water level after the bore is fully developed and when no water has been taken or has flowed from the bore for three (3) hours or more), together with the date and time of measurement and level datum used
- j) Total Depth of bore
- k) Length, diameter, thickness, and material of casing
- l) Type, length, diameter, and mesh/slot size of screen
- m) Results of a rudimentary pump test including drawdown, rate of pumping, and duration of pumping. Duration of pumping must not be less than one (1) hour
- n) Copies of the results of groundwater water quality analyses in accordance with condition 4
- o) Any other relevant information or data as the Council may from time to time require to be kept

Unsuccessful drilling must still be notified to the Consent Authority and bore log still provided. The bore must be decommissioned according to Condition 7. The Consent Authority should be notified that the bore tag number is not used by email to compliance@orc.govt.nz

- 7. a) The bore's integrity must be maintained for the lifetime of the bore until the bore is decommissioned and compliant with the decommission conditions 7b. If a bore is abandoned or no longer required, the bore must be decommissioned immediately without letting it get in disrepair, cut off, sealed or over, built over or forgotten about.
- b) The bore is to be decommissioned being appropriately sealed/grouted and backfilled, to prevent contaminants from entering the bore or drill hole at any level. Within 10 working days of completing this work, the Consent Holder must provide the Consent Authority the bore tag number and photographs showing that the bore has been sealed/grouted and backfilled. The evidence is to be supplied via email to compliance@orc.govt.nz. The email notification should state the consent and bore tag number.

General

- 8. The Consent Holder must prevent the discharge of contaminants (including sediment) to land, groundwater, or any surface waterbody arising from the exercise of this consent.

Notes to Consent Holder

- 1. *It is the responsibility of the consent holder to ensure that the water abstracted under this resource consent is of suitable quality for its intended use. Where water is to be used for human consumption, the consent holder should have the water tested prior to use and should discuss the water testing and treatment requirements with a representative of the Ministry of Health and should consider the following Drinking Water Standards:*
<https://www.health.govt.nz/system/files/documents/publications/dwsnz-2005-revised-mar2019.docx>
- 2. *It is strongly recommended to undertake the following (and other additional relevant) precautions to reduce contamination risk:*
 - fence a radius of at least 5m around the bore to prevent animals approaching the bore head.
 - Avoid storing any chemicals/hazardous materials within at least 10 m radius of the bore head.

3. *Any water supply bore should be constructed to ensure that the security of supply is maximised by: a) ensuring that drawdown within the bore is minimised when it is being pumped (e.g. by ensuring appropriate screen design, and well diameter), and b) placing any pump as far below water level as is practicable.*
4. *This is not a water take consent. It is a land use consent to drill a bore only. Please contact the consents team to discuss further as a water take consent will need to be obtained for any activity that is not considered permitted.*
5. *This consent is attached the land and cannot be transferred to another site.*
6. *For the purposes of this consent, an acceptable “suitably qualified and experienced person” is a professional well driller or well engineer (or equivalent), with demonstrable experience in the field of bore head security, design, construction and maintenance.*
7. *In accordance with Section 3A of the Resource Management Act 1991, any person carrying out activities allowed by this consent, either with the explicit or implied permission of the consent holder, must do so as if the resource consent had been granted to that person as well as the holder of the consent. The consent holder is advised to inform those persons of the consent conditions, as any action by or cost to this Council resulting from non-compliance with the consent conditions will be directed to the consent holder.*
 - The permit holder must advise the Stormwater Manager/ relevant 3 Waters Infrastructure department of the relevant Territorial Local Authority if the discharge of water or drilling fluids created in the course of exercising this consent, will be made into or onto a road corridor or in circumstances where the discharge may enter a reticulated stormwater system.*
 - A spill management plan and appropriate spill response equipment should be held on the drilling site while drilling occurs to ensure that any spills can be quickly contained and prevented from entering any surface water or groundwater. For any significant spill event, contact the Council’s Pollution Hotline on 0800 800 033.*
 - Fittings required on well headworks such as water meters and backflow preventers require straight lengths of pipe either side in order to function properly and for the accuracy of the water meter to be tested. Please refer to manufacturer’s specifications for the specific dimensions necessary for each device before any modifications are made to well headworks.*
8. *a) If there is a discharge of contaminants, including human sewage, onto land within 50 metres of a bore used to supply water for domestic purposes or drinking water for livestock, a resource consent may be required for the discharge under the Regional Plan: Water for Otago.*
b) If there is a discharge of contaminants, including contaminants from offal pits, farm landfills, silage production and greenwaste landfills, onto land within 100 metres of a bore used to supply water for domestic purposes or drinking water for livestock, a resource consent may be required for the discharge under the Regional Plan: Waste.
9. *In accordance with Section 125(1)(a) of the Resource Management Act, this consent will lapse after a period of two years after the date of commencement unless it is given effect to or an application is made to extend the lapse period before the consent lapses.*
10. *The granting of this bore permit does not infer or guarantee that water will be available for abstraction once the bore is constructed.*

11. *This permit does not authorise access to the land where the bore is to be created. Access to the land where the bore is to be created must be arranged with the landowner/s.*

12. *Where information is required to be provided to the Consent Authority in conditions 2, 4, 6 and 7 this is provided in writing to compliance@orc.govt.nz, and the email heading is to reference RM22.047.01 and the conditions the information relates to.*

Issued at Dunedin this 22nd day of February 2022



Peter Christophers
Principal Consents Planner

ORC NOTIFICATION RECOMMENDATION REPORT

Document ID: A1603800
 Objective File No: RM22.047
 Consent No: RM22.047.01
 Prepared for: Staff Consents Panel
 Prepared by: Rachel Christmas-Oliver, Consents Planner
 Date: 16 February 2022
**Subject: Land Use Consent Application RM22.047 by Diane Lesley
 Kenton & Lee-Ann Robyn Tombling to construct one bore,
 Hāwea**

1. Purpose

To report and make recommendations under sections 95A-G and sections 104 and 104A of the Resource Management Act 1991 (the Act) on notification and the substantive decision of the above application.

2. Application Details

Applicant/s full names	Diane Lesley Kenton & Lee-Ann Robyn Tombling
Location of bore	Hāwea, approximately 512 metres south south-west of the intersection of State Highway 6 and Capell Avenue
No of proposed bores	One
Map reference of location/s (NZTM 2000)	E 1302102 N 5052968
Proposed depth of bore	43 metres
Proposed rate of take and daily volume	Maximum daily volume of 25 cubic metres at a maximum rate of 1.38 litres per second
Intended use of water	Domestic use and curtilage irrigation
Location of bore is greater than 100 metres from an inland natural wetland (NES-FW 2020 regulation 54).	Yes
Proposal meets permitted activity rule: 12.2.2.1 of RPW for the proposed rate and volume of take	Yes
Name of aquifer	Unknown
Status of the application	Controlled activity (Rule 14.1.1.1 of the Regional Plan: Water for Otago (RPW))

3. Notification and Written Approvals

The applicant did not request the application be publicly notified and public notification is not required by Section 95C of the Act. Public notification is precluded as the activity is a controlled activity, and no special circumstances exist.

There are no protected customary right groups or customary marine title groups associated with the site and no statutory acknowledgements apply. Limited notification is not precluded.

There were not considered to be any affected parties to the application. The bore is to be constructed on the applicant's land therefore there will be no access issues.

Special circumstances do not exist in relation to the application that warrant notification of the application to any other persons not already determined to be eligible for limited notification.

Council was not required to publicly notify or limited notify the application and the application was processed on a non-notified basis.

4. Assessment of Effects on the Environment

Effects due to construction of the bore	The construction of the bore will have a no more than minor effect on the environment due to the technique of drilling.
Could this bore have a significant adverse effect on any existing water takes from a bore within 100 metres of the proposed bore?	No. There are no other bores or consented water takes within 100 metres of the proposed site.
What is the name of and how far is the nearest surface water body from the bore?	Lake Hāwea is 553 metres north of the proposed bore, Hāwea River is 390 metres east and there is an unnamed creek 221 metres south of the proposed bore.
Will the proposed abstraction have any significant adverse effect on the surface water body?	No
Are there any known septic tank/on-site wastewater discharges within 50 m of the site of the proposed bore?	No, there are no known septic tanks or on-site wastewater discharges within 50 metres of the proposed bore site.
Are there any consented wastewater discharges within 500 m of the site of the proposed bore?	No
Are there any known potentially contaminated sites within a 1 kilometre radius of the proposed bore site?	Yes. HAIL.00067.01 - verified HAIL category 1 – service station & category 2 – motor workshop is 300 metres northeast of the proposed site. HAIL.00440.01 – verified HAIL category 1 – wood treatment, is 570 metres east of the proposed site. HAIL.00439.01 – verified HAIL category 1 – landfill site is 700 metres east of the proposed site. Hāwea Closed Landfill HAIL.00755.01 – verified HAIL category 1 – landfill site is 890 metres southeast from the proposed bore site.
Are there any registered drinking water supplies within a 1 kilometre radius of the proposed bore site?	No

NOTIFICATION RECOMMENDATION:

In accordance with the notification steps set out above, it is recommended that the application proceed on a non-notified basis.

RChristmasOliver

Rachel Christmas-Oliver
Consent Planner
16 February 2022

Decision on notification

Sections 95A to 95G of the Resource Management Act 1991

Date: 18 February 2022

Application No: RM22.047

Subject: *Decision on notification of resource consent application under delegated authority*

Summary of Decision

The Otago Regional Council decides that the application is to be processed on a **non-notified**¹ basis in accordance with sections 95A to 95G of the Resource Management Act 1991.

The above decision adopts the recommendations and reasons outlined in the Notification Report prepared by Rachel Christmas-Oliver, Consent Planner on 16 February 2022 in relation to this application.



Peter Christophers
Principal Consents Planner

OTAGO REGIONAL COUNCIL SECTION 42A REPORT

5. Section 104 Evaluation

Section 104 of the Act sets out the matters to be considered when assessing an application for a resource consent. These matters are subject to Part 2, the purpose and principles, which are set out in Sections 5 to 8 of the Act.

In considering this application, as it is a controlled activity, under section 104A of the Act, the Council may only consider those matters over which it has control in its plan, under Rule 14.1.1.1. The Council must grant the consent. However, the Council may only impose conditions under section 108 for those matters over which it has control in its plan.

5.1 Relevant Statutory Considerations

¹ Once all identified affected parties have provided their unconditional written approval to the application. If these approvals are not provided then the application will proceed by limited notification.

Is granting the consent consistent with Sections 5, 6, 7 and 8 of the Act?	Yes, due to the minor nature of the activity.
Is granting the application consistent with the NPS-FM 202 and NES-FW?	Yes, due to the minor nature of the activity.
Is granting the consent consistent with the relevant policies of the proposed Otago Regional Policy Statement (p-ORPS) and the partially operative Regional Policy Statement (Policies 1.1.1, 1.1.2, 3.1.1)?	Yes, the application is consistent with these policies, specifically the use of the groundwater resource for the enhancement of the needs of Otago's communities.
Is granting the consent consistent with Policies 6.4.10AC, 6.4.10C and 9.4.14 of the Regional Plan: Water for Otago (RPW)?	Yes, the application is consistent with these policies, specifically avoiding aquifer contamination as the bore will be sealed.
S104G Consideration of activities affecting drinking water supply source water	Actual and potential effects of the proposed activity on the source of a registered drinking water supply have been considered and there are not any sites that will be affected by this activity. Regard has been had to any risks that the proposed activity may pose to the source of a drinking water supply that are identified in a source water risk management plan prepared with the requirements of the Water Services Act 2021.

There are no other relevant matters in respect to this application.

6. Section 108 of the Act

Recommended conditions of consent will ensure that any adverse effects are avoided, remedied or mitigated. The following conditions are recommended in accordance with Section 108 of the Act, in addition to those adopted by the applicant:

- Construction is in accordance with the New Zealand Standard “Environmental Standard for Drilling of Soil and Rock” NZS 4411:2001.
- Sealing and backfilling of the bore when it is no longer being used.
- Facility for groundwater quality testing.

7. Recommendation

That the Otago Regional Council grants to Diane Lesley Kenton & Lee-Ann Robyn Tombling, Land Use Consent RM22.047.01, subject to the terms and conditions set out in the consent because:

- (a) The effects of the activity are expected to be less than minor;
- (b) The activity is consistent with the relevant statutory requirements; and
- (c) The activity is consistent with Part 2 of the Act.

8. Term

Once the bore is constructed, the term of the land use consent is unlimited. The bore must be constructed within a period of two years of the commencement of this consent or the land use consent will lapse.

RChristmasOliver

Rachel Christmas-Oliver
Consent Planner
16 February 2022

Decision on Resource Consent Application

Section 113 of the Resource Management Act 1991

Date: 18 February 2022

Application No: RM22.047

Subject: *Decision on non-notified resource consent application under delegated authority*

Decision on non-notified resource consent application decided under delegated authority

Decision and Reasons for Decision

Pursuant to section 104A of the Resource Management Act 1991 ("the RMA"), the Otago Regional Council ("the Council") hereby **grants** resource consent subject to the conditions appended RM22.047.01 to Diane Lesley Kenton & Lee-Ann Robyn Tombling.

I have considered the information provided, reasons and recommendation in the above report. I agree with those reasons and adopt them.

Conditions (section 108)

Pursuant to sections 108 and 108AA of the RMA, this consent is issued subject to the attached conditions.

Decision under delegated authority

Under delegated authority, this resource consent application is granted by the Otago Regional Council by:

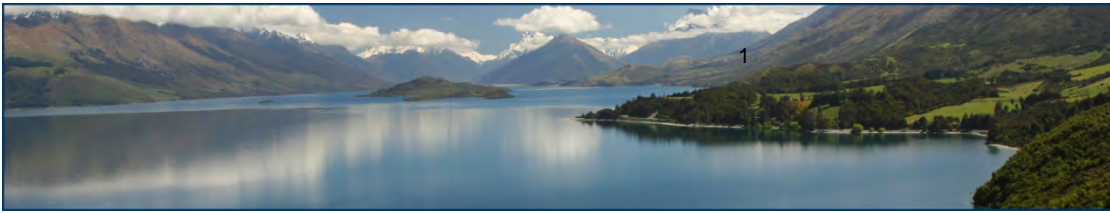


Peter Christophers
Principal Consents Planner

Botanical Name	Common Name	SW Side of Hill (1,2,3 & 4)				Lower Escarpment middle of hill (5,6 & 7)			Upper Escarpment Middle of Hill	NW side of Hill - No Planting (10 & 11)		West of Pond	Northern Fenceline	Both sides of Swale	Southern Fenceline	Lower south side of hill - switchback on B.Lane	1/2 oval close to gate	1/2 oval close to barn	Garden w Water Tanks	Planting north of barn	Northern end of Swale	Woodshed	Bund around woodshed	Both sides main gate	NZTA Bund	Southern Bund to the barn	Eastern Bund	Northern Fenceline	Pond	New Bund by orchard	Totals	
		1	2	3	4	5	6	7	12	10	11	8	9																			
<i>Anemathes Lessonia</i>	Wind Grass Tussock																												10		10	
<i>Aristotelia Serrata</i>	Wineberry	13	3		7		70	14	1		7			10			2												5	3	135	
<i>Austroderia Richardii</i>	Toi Toi	413	74	181	84	132	83	40	11		9	63		40	48			7	5	10				8	56	17	51	13	3	1348		
<i>Canterbury Grisilena</i>	Twilight																													34		34
<i>Carex Secta</i>					3	8			7					241	1			44									9	21		334		
<i>Carex Testacea</i>																			17											17		
<i>Chionochloa Rubra</i>	Red Tussock		4		11	1			10														36	50	225	139		414	39	929		
<i>Citranthus Maximus</i>	Kakabeak																									15				15		
<i>Continus Grace</i>	Smoke Tree																3	3	3											9		
<i>Coprosma</i>																							4		9					13		
<i>Coprosma Rogusa</i>	Lobster	15	38									23																	6	82		
<i>Cordylina Australis</i>	Cabbage Tree	23	52	64	32	29		15	18		14	22		8				7		10	10	50		24	12	11	3	5	409			
<i>Corokia Frosted Chocolate</i>																3	13										1			17		
<i>Dodonaea Viscosa</i>	Purple Ake Ake								9			20																	3	32		
<i>Festuca Actae</i>	Blue Tussock																						15							15		
<i>Hebe</i>	Variety of types	4	8		17	9		4			17													1	3	13		1	80			
<i>Hydrangea Bodensee</i>	Blue																2													2		
<i>Juniper Trees</i>																						6								6		
<i>Kunzea Ericoides</i>	Kanuka																							3						3		
<i>Lavendar Grosso</i>																			2					18			1			61		
<i>Louis van Houtte</i>	Golden Elm																2	2									1			5		
<i>Myrsine Australis</i>	Red Matipo											26																		29		
<i>Nyssa Silyatica</i>																												4		4		
<i>Olearia Dardoni</i>	Twiggy Tree Daisy	20	35	24	30	26						43	15							10									203			
<i>Olearia Odorata</i>	Scented Tree Daisy	19	40	54	30	26	29					45	18							10					10	10			291			
<i>Pachystegia Insignis</i>	Rock Daisy															7														7		
<i>Phormium Cookianum</i>	Mountain Flax	1			16				17		15	28	62	10			1	27	20		8		2	38	185	58	23		511			
<i>Phormium Cream Delights</i>					15						14		7				51	9					2	25		6	12		141			
<i>Phormium Dark Delight</i>									7				32				9	26	22		2		5		103	67	19	5	297			
<i>Phormium Rainbow Queen</i>						1			9		5		25				24	17	4		3		2		6	13	21		130			
<i>Phormium Surfer Bronze</i>											12																			12		
<i>Phormium Tenax</i>	Harakeke	22	35	22		26					48	32		5						10								5	205			
<i>Photinia Red Robin</i>																								20		40				60		
<i>Pittosporum Golfball</i>																							6							6		
<i>Pittosporum Kohuhu</i>	Black Matipo	16	17	39	52	24	56	21	13		7	9		6			4					59						3	326			
<i>Pittosporum Lemonwood</i>			20		15	26						10		10						10						13			104			
<i>Pittosporum Reverend Green</i>																													3	3		
<i>Pittosporum Screenmaster</i>																													3	3		
<i>Pittosporum Stephens Island</i>							10											15				4			40	27	21	4	121			
<i>Pittosporum Wrinkly Blue</i>																										65				65		
<i>Plagianthus Divaricatus</i>	Swamp Ribbonwood	12	35	23	15	26						48		5																164		
<i>Plagianthus Regius</i>	Ribbonwood			10	17			2			18	1						3		10		44	3	3	11	6	6		134			
<i>Poa Cita</i>	Silver Tussock						110																	2	2	2	32			148		
<i>Prunus Lusitanica</i>	Portugese Laurel																													8		
<i>Pseudopanax arboreus</i>	Five Finger				2		4				5						2										10	8	31			
<i>Querus Coccinea</i>	Scarlett Oak																1													1		
<i>Robinia pseudoacacia</i>	Lace Lady																	3												3		
<i>Salix Sepulorilis Chrysocoma</i>	Willow Tree										1																			1		
<i>Seedum</i>																														2		
<i>Sophora Dragon Gold</i>	Kowhai Tree																									15				15		
<i>Sophora Microphyllia</i>	Kowhai Tree							4			6							2							13	8	3		36			
<i>Viburnum Tinus</i>	Emerald Beauty																												1	1		
		558	361	417	346	334	362	100	102	0	0	178	370	367	127	49	119	58	165	68	70	33	157	97	231	670	528	34	617	100	6618	

Non - Natives = Yellow highlights
98

**D KENTON - LANDSCAPE AND VISUAL EFFECTS ASSESSMENT - APPENDIX 3B:
VEGETATION PLAN - SCHEDULE OF EXISTING VEGETATION WITHIN PROPOSED LOT 2.**



DECISIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL

NOTIFICATION UNDER s95A AND s95B AND DETERMINATION UNDER s104

CHANGE/CANCELLATION OF CONSENT NOTICE CONDITIONS – SECTION 221

OF THE RESOURCE MANAGEMENT ACT 1991

Applicant:	DL Kenton Family Trust
RM reference:	RM190947
Application:	Application under Section 88 of the Resource Management Act 1991 (RMA) to locate a shed outside a building platform and to undertake associated earthworks. Application under section 221 of the RMA to cancel Consent Notice 962642.9 and to change conditions 11(b), 11(e) and 11(i) of Consent Notice 5038871.4.
Location:	1147B Lake Hawea-Albert Town Road, Hawea
Legal Description:	Lot 2 Deposited Plan 300393 held in Record of Title 2432
Operative District Plan Zoning:	Rural General
Proposed District Plan Zoning:	Rural
Activity Status:	Discretionary
Date	17 December 2019

SUMMARY OF DECISIONS

1. Pursuant to sections 95A-95F of the Resource Management Act 1991 (**RMA**) the application will be processed on a **non-notified** basis given the findings of Sections 3 and 4 of this report. This decision is made by Sarah Gathercole, Senior Planner, on 16 December 2019 under delegated authority pursuant to Section 34A of the RMA.
2. Pursuant to Section 104 of the RMA, landuse consent is **GRANTED SUBJECT TO CONDITIONS** outlined in **Appendix 1** of this decision imposed pursuant to Section 108 of the RMA. This consent can only be implemented if the conditions in Appendix 1 are complied with by the consent holder.
3. Consent is **GRANTED** under section 221 of the RMA to cancel Consent Notice 962642.9 and to change conditions 11(b), 11(e) and 11(i) of Consent Notice 5038871.4.
4. The decision to grant consent was considered (including the full and complete records available in Council's electronic file and responses to any queries) by Sarah Gathercole, Senior Planner as delegate for the Council.

1. SUMMARY OF PROPOSAL AND SITE DESCRIPTION

Consent is sought to construct a 146m² shed outside of a building platform on a 10.3031ha rural site. The subject site currently contains a residential dwelling and accessory buildings within a building platform which are located on a separate terrace from the proposed shed. Consent is also sought to cancel Consent Notice 962942.9 to remove outdated conditions on the title. It is also proposed to change conditions 11(b), 11(e) and 11(i) of Consent Notice 5038871.4 in respect of roof pitch, building materials and to locate the building outside of a building platform.

The applicant has provided a detailed description of the proposal, the site and locality, and site history in Sections 2 and 3 of the report prepared by Duncan White of Paterson Pitts Group, and submitted as part of the application (hereon referred to as the applicant's AEE and attached as Appendix 2). This description is considered accurate and is adopted in part for the purposes of this report along with the following modifications:

The proposal requires the creation of a new vehicle access from State Highway 6, a matter that is subject to New Zealand Transport Agency (NZTA) approval. As a result of consultation with the NZTA the location of the proposed access has been amended such that access will now be provided from the southeast corner of the site. The relocation of the access will require slight modifications to the proposed earthworks, however the applicant has advised that the overall volume of earthworks will not change.

2. ACTIVITY STATUS

The proposal requires resource consent for the following reasons:

OPERATIVE DISTRICT PLAN (ODP)

The subject site is zoned Rural General in the ODP and the proposed activity requires resource consent for the following reasons:

- A **restricted discretionary** activity under Rule 22.3.2.3(a) for earthworks not complying with Site Standard 22.3.3(i) as the total volume of earthworks exceed the permitted volume of 1,000m³ (approximately 2,100m³ of earthworks are proposed). Council's discretion is restricted to:
 - (i) The nature and scale of the earthworks
 - (ii) Environmental protection measures
 - (iii) Remedial works and revegetation
 - (iv) The effects on landscape and visual amenity values
 - (v) The effects on land stability and flooding
 - (vi) The effects on water bodies
 - (vii) The effects on cultural and archaeological sites
 - (viii) Noise.
- A **restricted discretionary** resource consent pursuant to pursuant to Rule 22.3.2.3(a) for a breach of Site Standard 22.3.3(v) as the total proposed earthworks within 7m of a water body will exceed 20m³. Approximately 400m³ of earthworks are proposed within 7m of a swale. Council's discretion is restricted to:
 - (i) The nature and scale of the earthworks
 - (ii) Environmental protection measures
 - (iii) Remedial works and revegetation
 - (iv) The effects on landscape and visual amenity values
 - (v) The effects on land stability and flooding
 - (vi) The effects on water bodies
 - (vii) The effects on cultural and archaeological sites
 - (viii) Noise.

The following rules are relevant to the application but are treated as inoperative under s 86F of the RMA:

- A **discretionary** activity resource consent pursuant to Rule 5.3.3.3(i)(a) for the construction of a building outside a residential building platform.

PROPOSED DISTRICT PLAN (PDP)

Council notified its decisions on Stage 1 of the Proposed District Plan (Stage 1 Decisions Version 2018) on 5 May 2018 and notified its decisions on Stage 2 of the Proposed District Plan on 21 March 2019 (Stage 1 Decisions Version 2019). Council notified Stage 3 of the Proposed District Plan (Stage 3 Notified Version 2019) on 19 September 2019. The subject site is zoned Rural by the Stage 1 Decisions Version 2018 and the proposed activity requires resource consent for the following reasons:

Rules that are treated as operative under s86F:

- A **discretionary** activity resource consent pursuant to Rule 21.4.11 to locate a building outside a residential building platform.

Rules that have legal effect but are not yet treated as operative under s86F due to appeals are:

- A **restricted-discretionary** activity pursuant to Rule 25.4.2 for a breach of site standard 25.5.6 as the total proposed earthworks within a 12 month period will exceed the permitted volume of 1000m³. Approximately 2,100m³ of earthworks are proposed. Discretion is restricted to:
 - a) Soil erosion, generation and run-off of sediment.
 - b) Landscape and visual amenity.
 - c) Effects on infrastructure, adjacent sites and public roads.
 - d) Land stability.
 - e) Effects on water bodies, ecosystem services and indigenous biodiversity.
 - f) Cultural and archaeological sites.
 - g) Nuisance effects.
 - h) Natural Hazards.
 - i) Functional aspects and positive effects
- A **restricted-discretionary** resource consent pursuant to Rule 25.5.18 for earthworks which do not meet the required setbacks from the site boundary. Council's discretion is restricted to:
 - a) Soil erosion, generation and run-off of sediment.
 - b) Landscape and visual amenity.
 - c) Effects on infrastructure, adjacent sites and public roads.
 - d) Land stability.
 - e) Effects on water bodies, ecosystem services and indigenous biodiversity.
 - f) Cultural and archaeological sites.
 - g) Nuisance effects.
 - h) Natural Hazards.
 - i) Functional aspects and positive effects
- A **restricted-discretionary** resource consent pursuant to Rule 25.5.19 for earthworks that will modify a Wahi Tupuna greater than 5m³ within 10m of a waterbody. Approximately 400m³ of earthworks are proposed within 10m of a swale. Council's discretion is restricted to:
 - a) Soil erosion, generation and run-off of sediment.
 - b) Landscape and visual amenity.
 - c) Effects on infrastructure, adjacent sites and public roads.
 - d) Land stability.
 - e) Effects on water bodies, ecosystem services and indigenous biodiversity.
 - f) Cultural and archaeological sites.
 - g) Nuisance effects.
 - h) Natural Hazards.
 - i) Functional aspects and positive effects

- A **restricted discretionary** activity pursuant to Rule 25.4.5.1 for earthworks that modify a wāhi tūpuna. The proposed earthworks will be undertaken within a wāhi tūpuna area. Discretion is restricted to:
 - a) Effects on cultural values of Manawhenua.
- A **restricted discretionary** activity pursuant to Rule 39.5.2 for a building within a wāhi tūpuna area (identified in Schedule 39.6). The proposed barn will be located within a wāhi tūpuna area, being the Paetarariki & Timaru wāhi tūpuna area (number 2 in the schedule within Chapter 39). Discretion is restricted to:
 - a) Effects on cultural values of Manawhenua.

2.1 RESOURCE MANAGEMENT ACT 1991

The proposed activity requires resource consent for the following reason:

- A **discretionary** activity consent pursuant to 87B in accordance with Section 221 of the RMA which specifies a change to/cancellation of a consent notice shall be processed in accordance with Sections 88 to 121 and 127(4) to 132. It is proposed cancel Consent Notice 962642.9 and to change conditions 11(b), 11(e) and 11(i) of Consent Notice 5038871.4.

2.2 NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH

Based on the applicant's review of Council records, the piece of land to which this application relates is not a HAIL site, and therefore the NES does not apply.

Overall, the application is considered to be a **discretionary** activity under the ODP, a **discretionary** activity under the PDP and a **discretionary** activity under the RMA.

It is noted that Stage 3 of the PDP was notified on 19 September 2019, following the lodgement of the application on the 2 September 2019. Stage 3 of the PDP introduced the provisions relating to wāhi tūpuna in accordance with s88A(1A) 'The application continues to be processed, considered, and decided as an application for the type of activity that it was for, or was treated as being for, at the time the application was first lodged'. As the activity status is 'frozen' under s88A(1A) the application has been considered as a **discretionary** activity.

3. SECTION 95A – PUBLIC NOTIFICATION

Section 95A of the RMA requires a decision on whether or not to publicly notify an application. The following steps set out in this section, in the order given, are used to determine whether to publicly notify an application for a resource consent.

3.1 Step 1 – Mandatory public notification

The applicant has not requested public notification of the application (s95A(3)(a)).

Public Notification is not required in terms of refusal to provide further information or refusal of the commissioning of a report under section 92(2)(b) of the Act (s95A(3)(b)).

The applicant does not include exchange to recreation reserve land under section 15AA of the Reserves Act 1977 (s95A(3)(c)).

3.2 Step 2 – Public notification precluded

Public notification is not precluded by any rule or national environmental standard (s95A(5)(a)).

The proposal is not a controlled activity, a restricted discretionary or discretionary subdivision or a residential activity, or a restricted discretionary, discretionary or non-complying boundary activity as defined by section 87AAB and public notification is not precluded.

3.3 Step 3 – If not precluded by Step 2, public notification is required in certain circumstances

Public notification is not specifically required under a rule or national environmental standard (s95A(8)(a)). A consent authority must publicly notify an application if it decides under s95D(8)(b) that the activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(2)(a)). An assessment in this respect is therefore made in section 3.3.3 below:

3.3.1 Mandatory Exclusions From Assessment (s95D)

- A: *Effects on the owners or occupiers of land on which the activity will occur and on adjacent land (s95D(a)).*
- C: *Trade competition and the effects of trade competition (s95D(d)).*
- D: *The following persons have provided their **written approval** and as such adverse effects on these parties have been disregarded (s95D(e)).*

Person (owner/occupier)	Address (location in respect of subject site)
Richard Shaw on behalf of the New Zealand Transport Agency (NZTA)	State Highway 6



Figure 1: the subject site (outlined in blue) and adjacent lots

3.3.2 Permitted Baseline (s95D(b))

The consent authority **may** disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect. In this case there is no relevant permitted baseline as all buildings (new, alterations or additions) within the Rural General and Rural zone outside of a building platform require resource consent under both the ODP and PDP.

3.3.3 Assessment: Effects On The Environment

Taking into account sections 3.3.1 and 3.3.2 above, the following assessment determines whether the activity will have, or is likely to have, adverse effects on the environment that are more than minor.

Relevant Assessment Matters

The relevant assessment matters in Section 5 of the Operative District Plan are considered in the assessment below.

Assessment matter 5.4.2.3(iv) (Buildings) requires Council to consider;

- a) *The extent to which the location of buildings, earthworks, access and landscaping breaks the line and form of the landscape with special regard to skylines, ridges hills and prominent slopes.*
- b) *Whether the external appearance of buildings is appropriate within the rural context.*
- c) *Provision of water supply, sewage treatment and disposal, electricity and telecommunication services.*

5.4.2.2(2) Outstanding Natural landscapes (District Wide)

- *Potential of Landscape to Absorb Development*
- *Effects on Openness of Landscape*
- *Cumulative Effects on Landscape Values*
- *Positive Effects*

The relevant assessment matters contained in Chapter 21 of the Proposed District Plan are as follows;

21.21.2 Outstanding Natural Landscape

- Existing vegetation
- Effects on Landscape Quality and Character
- Effects on Visual Amenity
- Design and Density of Development
- Cumulative Effects of Subdivision and development the relevant assessment matters contained in Chapter 21 of the Proposed District Plan are as follows;

In respect of these assessment matters the following guidance is provided;

In applying the assessment matters, the Council will work from the presumption that in or on Outstanding Natural Features and Landscapes, the applicable activities are inappropriate in almost all locations and that successful applications will be exceptional cases where the landscape or feature can absorb the change and where the buildings and structures and associated roading and boundary changes are reasonably difficult to see from beyond the boundary of the site the subject of application.

Effects on the environment

The assessment of effects contained in Part 7.0 of the Applicants AEE is considered partially accurate and is accepted along with the following comments;

Services

While existing services are available to the site it is not proposed to use any of these services in conjunction with the proposed barn, other than water for firefighting. Static firefighting water will be provided by a new tank or tanks to be located adjacent to the vehicle access to the barn. Council's Senior Land Development Engineer, Ms Lynette Overton, has assessed the application in respect of services. Ms Overton's comment is considered accurate and has been accepted for the purposes of this report (attached as Appendix 3). In summary Ms Overton is satisfied that the proposed services are appropriate and feasible. Ms Overton has recommended conditions of consent (accepted by the applicant) for all works to be undertaken in accordance with relevant standards, including the provision of firefighting. With the inclusion of the recommended conditions it is considered that any adverse effects on the environment resulting from servicing will be less than minor.

Access

The barn will be located within a flat area of the site and there will be ample space available to create a safe access and parking area. A new vehicle crossing will be created from State Highway 6 for access to the lower area of the site where the proposed building will be located. The New Zealand Transport Agency have approved the access subject to conditions that have been included with this consent relating to the location, design, materials and traffic management. These conditions have been accepted by the applicant. Ms Overton has assessed the access and is satisfied that it meets Council standards and considers the conditions recommended by the NZTA to be appropriate. Any adverse effects resulting from the provision of access for the proposed barn will be less than minor.

Earthworks

A total of 2100m³ earthworks are proposed for the creation of earth bunds for landscaping, for improvements to a swale and for the building footprint access and parking areas. The maximum proposed height of the bund will be approximately 1.5m. Ms Overton has assessed the proposed earthworks and is satisfied that the proposed works are feasible and any adverse effects can be appropriately mitigated through conditions of consent. Ms Overton has recommended conditions of consent (accepted by the applicant) in respect of batter slopes, the mitigation of adverse effects on the road and for the earthworks to be undertaken in accordance with the Geosolve geotechnical report provided by the applicant. In addition to Ms Overton's recommendations Environmental Management conditions have been included with the site being assessed as Medium Risk. Adverse effects arising from the proposed earthworks are considered to be less than minor.

Natural Hazards

Ms Overton has assessed the proposal in respect of natural hazards and supports the findings of the Geosolve report which determine that the subject site is subject to landside, alluvial fan and moderate liquefaction risk. Geosolve recommended conditions to address the hazard risks on the site, including the proposed modifications to the swale and the bund on the south boundary. These recommendations are accepted by Ms Overton and accordingly conditions of consent have been included to mitigate hazard risks (accepted by the applicant). With the inclusion of the recommended conditions it is considered that any adverse effects on the environment resulting from natural hazards will be less than minor.

Landscape effects

The applicant has not provided a landscape assessment, however has included some comment on the landscape effects arising from the proposal within the AEE. Council's consultant landscape architect, Ms Renee Davies, has reviewed this assessment and has provided additional comments (attached as Appendix 4).

Landscape Classification

The site of the proposed barn is shown as being within an ONL (Outstanding Natural Landscape) on Councils PDP maps, comprising Mt Maude and areas beyond. Ms Davies has also assessed the proposal as being an ONL under the ODP. This assessment of the landscape classification is accepted. As the proposed barn is to be constructed outside of the building platform it is necessary for the application to be assessed using the Outstanding Natural Landscape Assessment matters listed above.

Potential of the landscape to absorb development

Ms Davies agrees with the assessment in the applicant's AEE and considers that the proposed barn will be difficult to see when viewed from the Lake Hawea- Albert Town Road but will be potentially more visible from elevated view-points including areas of Hawea Township. According to Ms Davies the location of the barn is well chosen as it will sit at the base of a hill and can be effectively mitigated by landscaping. The appearance of the barn will be mitigated by the separation distance from the road, proposed and existing landscaping and the use non-reflective colours for the wall and roof cladding (Ironsand LRV=8%). The proposed building will be of a modest scale, with a low roof profile and will be clad in a recessive dark grey colour. In summary Ms Davies considers the level adverse visual effects to be low, becoming very low as the proposed landscaping matures. It is therefore considered that any adverse effects of the proposal in terms of the potential for the site to absorb development will be less than minor.

Effects on Openness of Landscape

Ms Davies does not consider that the proposed location of the barn currently has an open ONL character as it will be located at the base of a vegetated hill. While the area in the fore ground comprises an open paddock, this area is largely located in the VAL under the ODP (Visual Amenity Landscape) and an RCL (Rural Character Landscape) under the PDP. In this regard Ms Davies states '*I don't believe the proposed barn will adversely affect open space values of the site or surrounding landscape.*' It is therefore considered that the adverse effects on the openness of the landscape will be less than minor.

Cumulative Effects of Development on the Landscape

Ms Davies considers that the proposed barn and new access have a distinct rural character and while the intended use of the barn is not directly associated with productive farming the equipment stored within it will be used at least in part for functions associated with the management of the land. Ms Davies considers the adverse effects resulting from the change in character to be low. Overall, it is considered that the potential adverse cumulative effects of the proposed development on the landscape will be less than minor.

Effects on Visual Amenity

As previously outlined, the barn will have limited visibility from any public areas due to the separation distance, topography and the background and screening provided by existing vegetation to the extent that Ms Davies considers that it will be reasonably difficult to see. Ms Davies also considers the proposed landscaping will be in keeping with other road frontages in the vicinity and associated controls recommended by Ms Davies will provide further mitigation of visual effects. Overall any adverse visual effects resulting from the proposed barn will be no more than minor.

Effects on Quality and Character

Ms Davies considers that the proposed barn will maintain the quality and character of the Mt Maude landscape and the quality and character will be enhanced by the proposed landscaping. It is therefore considered that any adverse effects in regard to the quality and character of the landscape will be less than minor.

Nature Conservation Values, Biodiversity and Vegetation

The available information on Councils GIS database suggests that the subject site does not contain any protected ecological elements. The site contains concentrations of both native and exotic trees with the remaining areas vegetated in grass, it does not contain elements of indigenous flora and fauna that specifically require protection. It is therefore considered that any adverse effects of the proposal in respect of nature conservation values, biodiversity and vegetation will be less than minor.

Consent Notice Variations

The proposed consent notice variations will enable built development outside of the building platform as well as minor differences in the design of the building from what is currently provided for. Ms Overton has undertaken an assessment of the proposed changes and is satisfied that the removal of Consent Notice 962942.9 will remove obsolete provisions and will not affect the serving of the site. Given the assessment above it is considered that potential adverse effects of the built form that will not meet the roof pitch and cladding requirements of Consent Notice 5038871.4 will be less than minor. Any adverse effects resulting from the consent notice variations will be less than minor.

3.3.5 Decision: Effects On The Environment (S95A(2))

Having had regard to both the ODP and PDP, overall the proposed activity is not likely to have adverse effects on the environment that are more than minor. Therefore, public notification is not required under Step 3.

3.4 Step 4 – Public Notification in Special Circumstances

4. LIMITED NOTIFICATION (s95B)

Section 95B(1) requires a decision whether there are any affected persons (under s95E). The following steps set out in this section, in the order given, are used to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified under section 95A.

4.1 Step 1: certain affected groups and affected persons must be notified

Limited notification is not required under Step 1 as the proposal does not affect customary rights groups, customary marine title groups nor is it on, adjacent to or may affect land subject to a statutory acknowledgement.

4.2 Step 2: if not required by step 1, limited notification precluded in certain circumstances

Limited notification is not precluded under Step 2 as the proposal is not subject to a rule in the District Plan or is not subject to a NES that precludes notification.

Limited notification is not precluded under Step 2 as the proposal is not a controlled activity or is not a prescribed activity.

4.3 Step 3: if not precluded by step 2, certain other affected persons must be notified

The proposal is not a boundary activity where the owner of an infringed boundary has provided their approval, and it is not a prescribed activity.

The proposal therefore falls into the 'any other activity' category and the effects of the proposal on any persons are assessed in accordance with section 95E in section 4.3.2 below to determine if limited notification is required.

4.3.1 Permitted Baseline (s95E(2)(a))

The consent authority **may** disregard an adverse effect of the activity on a person if a rule or national environmental standard permits an activity with that effect. In this case as stated in section 3.3.2 above, there is no relevant permitted baseline.

4.3.2 Assessment: Effects on Persons

Taking into account the exclusions in section 95E(2) and (3) of the RMA and 4.3.1 (Permitted Baseline) above, the following outlines an assessment as to whether the activity will have or is likely to have adverse effects on persons that are minor or more than minor:

The assessment of the proposal on persons provided at Part 9.2 of the Applicant's AEE is considered accurate and is accepted for the purposes of this report along with the following additional comments.

The properties adjoining the subject site are, 1147A and C Lake Hawea- Albert Town Road, to the north, and 1147D to the north and west. The land to the south is Lot 6 DP 300393. 1172 Lake Hawea Albert Town Road is located across the Road to the east as is Lot 6 DP 26200 which contains the Hawea Golf Club. Given that the proposed barn will be of a modest scale, set back from the road and contained within a secluded area of the site, it will be difficult to perceive from any of these neighbouring sites and Ms Davies has assessed effects on private views as being very low. The proposed access has been assessed by the NZTA and Ms Overton as being appropriate. The vehicle crossing will be setback from neighbouring accesses and will not incur any inconvenience or undue traffic safety risks on neighbours. Ms Davies also noted that the barn would be visible at a distance from a number of dwellings within the Hawea Township, in particular a number of houses up hill on Noemea Crescent. However, Ms Davies considers that with the inclusion of the proposed landscaping views of the barn from these dwellings will be screened to an extent that effects on those parties will be 'very low'.

It is therefore considered that any adverse effects on the owners and occupiers of adjacent land to the north south and west will be less than minor.

No other persons are considered to be adversely affected by this proposal.

4.3.3 Decision: Effects on Persons (s95B(1))

In terms of section 95E of the RMA, no person is considered to be adversely affected.

4.4 Step 4 – Further Limited Notification in Special Circumstances (s95B(10))

Special circumstances do not apply that require limited notification.

5. OVERALL NOTIFICATION DETERMINATION

In reliance on the assessment undertaken in sections 3 and 4 above, the application is to be processed on a non-notified basis.

6. S104 ASSESSMENT

6.1 EFFECTS ON THE ENVIRONMENT (s104(1)(a))

Actual and potential effects on the environment have been outlined in sections 3 and 4 of this report. Conditions of consent can be imposed under s108 of the RMA as required to avoid, remedy or mitigate adverse effects.

6.2 RELEVANT DISTRICT PLAN PROVISIONS (s104(1)(b)(vi))

Operative District Plan (ODP)

The relevant objectives and policies are contained within Parts 4 (District Wide Issues) and 5 (Rural Areas) of the Operative District Plan.

The relevant objectives and associated policies in Part 4 include Objective 4.2.5(2), which seeks to maintain the openness of landscapes and protect naturalness. The relevant objectives in Part 5 are Objectives 1 and 3.

Objective 1 – Character and Landscape Values

‘To protect the character and landscape value of the rural area by promoting sustainable management of natural and physical resources and the control of adverse effects caused through inappropriate activities.’

Objective 3 –

‘Avoiding, remedying or mitigating adverse effects of activities on rural amenity’

The associated policies aim to provide for a range of rural activities while also protecting landscape character, rural character and the visual coherence of the rural landscape.

The applicant’s assessment of the relevant objectives and policies of the Operative District Plan in Part 4.4 of the Applicant’s AEE is considered accurate and is accepted, along with the following additional comments.

The proposed development will not be prominent when viewed from public places and will not result in inappropriate loss of natural character. Adverse effects arising from the proposed development have been appropriately avoided, remedied or mitigated. The proposed barn will not be within an approved building platform but will be located in a secluded area of the site where adverse effects on views, visual amenity and landscape character can be effectively mitigated through landscaping. It will be barely visible from public areas and will be setback and screened from the occupiers of neighbouring sites, as discussed by Ms Davies, Adverse effects on rural amenity will be adequately mitigated. Therefore, the proposal is consistent with the relevant objectives and policies of Parts 4 and 5.

The relevant objectives and policies of Part 22 (Earthworks) relate to enabling earthworks that avoid, remedy and mitigate adverse effects on communities, rural areas and the natural environment. Ensuring the stability of land flood prevention and the protection of waterways are also considerations. In respect of the proposed earthworks, Ms Overton is satisfied that any adverse effects can be appropriately avoided, remedied and mitigated through the conditions that have been included with this consent. The proposal is therefore considered to be consistent with, and therefore not contrary to, the objectives and policies of Part 22.

Overall it is considered that the proposal is consistent with the relevant policies and objectives of the Operative District Plan.

Proposed District Plan (PDP)

In this case, the objectives and policies contained in Chapter 21 (Rural Zone) and Chapter 6 (Landscapes) are relevant. The applicant has provided a detailed assessment of the relevant objectives and policies in Part 5.0 of the applicant’s AEE. This assessment is accepted along with the following additional comments.

The relevant objectives relate to enabling rural activities while maintaining and enhancing landscapes, ecology and rural amenity values. The relevant objectives and policies of Chapter 6 seek to avoid the cumulative effects of development, maintain rural character, and promote the protection of landscape character. In respect of the ONL, policy 6.3.12 requires development within Outstanding Natural landscapes to be limited to exceptional cases where the landscape has the ability to absorb change. In this instance Ms Davies considers that the chosen location of the barn is appropriate and that the landscape has the ability to absorb this change.

The key objectives and policies of Part 21 (Rural) align closely with those in the ODP that have been assessed above. It is therefore considered the proposal is in accordance with these objectives and policies.

The relevant objectives and policies relating to earthworks are found in Chapter 25 (earthworks) and provide for earthworks that minimise erosion, instability and sediment. Policy 25.2.1.2 provides for the protection of ONL’s and the avoidance of inappropriate adverse effects, including effects on waterways and wāhi tūpuna.

Overall the earthworks proposed are of a moderate scale, mostly comprising fill to create earth bunds with minimal excavation of the ground. Ms Overton is satisfied that the proposed earthworks can be appropriately managed and adverse effects mitigated. Conditions of consent are included to this end, including conditions relating to environmental management. Ms Davies is satisfied the effects on the Outstanding Natural Landscape will, with the inclusion of the proposed landscaping and design controls be of an acceptable degree and will be appropriately avoided remedied and mitigated. Based on available information, the proposed earthworks are not anticipated to adversely affect aquifers or wāhi tūpuna. Overall it is considered that the earthworks will be consistent with the objectives and policies of Chapter 25.

Council Notified Stage 3 of the PDP on 19 September 2019. The relevant objectives and policies are included in Chapter 39 (Wāhi tūpuna) as a portion of the subject site (including the area where the earthworks and barn are proposed) is identified within the Paetarariki & Timaru Wahi Tupuna area (number 2 in the schedule within Chapter 39). The relevant policies are as follows;

39.2.1.2 Recognise that the following activities may be incompatible with values held by Manawhenua when the activity includes activities or effects that are a recognised threat and could result in the modification, damage or destruction of values held for an identified wāhi tūpuna area, as set out in Schedule 39.6:

- a. Activities affecting water quality, including buildings or structures in close proximity to waterbodies;*
- b. Earthworks which exceed 10m³;*
- c. Buildings and structures;*
- d. Forestry, except for Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 prevails;*
- e. New roads, additions/alterations to existing roads, vehicle tracks and driveways;*
- f. Activities that affect a ridgeline including buildings and structures, and activities on the upper slopes;*
- g. Commercial and commercial recreational activities;*
- h. Activities within Significant Natural Areas;*
- i. Subdivision and development; or*
- j. Utilities and energy activities.*

39.2.1.3 Avoid significant adverse effects on values within wāhi tūpuna areas and where significant adverse effects cannot be practicably avoided, require them to be remedied or mitigated.

39.2.1.4 Recognise that certain activities, when undertaken in wāhi tūpuna areas, can have such significant adverse effects on Manawhenua values that they are culturally inappropriate and should be avoided.

39.2.1.5 Encourage consultation with mana whenua as the most appropriate way for obtaining understanding of the impact of any activity on a wāhi tūpuna area.

39.2.1.6 Recognise that an application that does not include detail of consultation undertaken with mana whenua may require a cultural impact assessment as part of an Assessment of Environment Effects so that any adverse effects that an activity may have on a wāhi tūpuna can be understood.

39.2.1.7 When deciding whether mana whenua are an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will consider Policies 39.2.1.1 and 39.2.1.2.

Whilst the subject site lies within an area identified as wāhi tūpuna, the relevant rules of Stage 3 were notified following the lodgement of the application. Submissions have now closed, but no decisions have yet been made on the provisions. The proposed barn is small in scale and will be constructed within a flat area of the site. The proposed earthworks and associated modification and disturbance to the ground will be minimal. Earthworked areas are proposed to be replanted in indigenous vegetation. There are no known cultural heritage or archaeological items on the subject site and an advice note is proposed regarding the accidental discovery protocol under the Heritage New Zealand Pouhere Taonga Act 2014.

While consultation has not been undertaken with Tangata Whenua, it is considered that it is not necessary in this instance.

Given that no consultation has been undertaken with Tangata Whenua in relation to the Wahi Tupuna, the proposal is not consistent with the Objectives and Policies of Chapter 39.

Weighting between Operative District Plan and Proposed District Plan

The conclusions reached under the ODP differ slightly from those of the PDP given that the proposal is not consistent with the objectives and policies of Chapter 39. However, as no decisions have yet been made on Chapter 39 (Stage 3 of the PDP) it is considered that these particular objectives and policies can be afforded limited weight. The proposed development is otherwise considered to be in accordance with both the ODP and PDP provisions.

Given the application of s88A(1A), weight is given to the ODP under which the application is considered to be appropriate as the application is consistent with those relevant Objectives and Policies.

6.3 PART 2 OF THE RMA

Part 2 of the RMA details the purpose of the RMA in promoting the sustainable management of natural and physical resources.

The development would enable the applicant to provide for their economic wellbeing but otherwise would not contribute to the social, economic or cultural wellbeing of other people or the community. The life supporting capacity of air, water, soil and ecosystems of the surrounding area is not adversely affected by the proposed activity. The proposal will not discernibly result in loss of agricultural land but it will contribute to an increase in the use of the land for purposes other than rural production. The proposed landscaping and mitigation measures will ensure that the development will not result in an unacceptable loss of amenity values or finite natural resources.

It is considered that the proposal will sustain the potential of natural and physical resources to meet the reasonably foreseeable need of future generations, and appropriately avoids and mitigates adverse effects of the proposed activity on the environment as directed by Section 5. The proposal also represents efficient use of resources in a manner that maintains amenity values and the quality of the environment as directed by Section 7. The proposal also accords with Section 8 in respect of the regard given to the wahi tupuna values. Whilst no consultation has been undertaken with Tangata Whenua, the objectives and policies of Chapter 39 have limited weight and no consents are required under these provisions. The proposal is considered to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). Overall, the proposal promotes sustainable management.

6.4 DECISION A ON RESOURCE CONSENT PURSUANT TO SECTION 104 OF THE RMA

Landuse consent is **granted** for the proposed barn and associated earthworks subject to the conditions outlined in *Appendix 1* of this decision report imposed pursuant to Section 108 of the RMA.

6.5 DECISION B ON APPLICATION PURSUANT TO SECTION 221 OF THE RMA

Consent is **granted** for the application by Kenton Family Trust to cancel Consent Notice 962642.9 and to change conditions 11(b), 11(e) and 11(i) of Consent Notice 5038871.4 such that:

1. Consent Notice 962642.9 is cancelled.
2. Condition 11(b) of Consent Notice 55038871.4 is amended to read as follows (deleted text struck-through, added text underlined):
 - b) Except for the sheds as approved under RM130267 and RM190947, Roof pitch is to be 22.5 to 45°. Flat roofs are only permitted as connections between structures and shall not exceed 20% of the total roof area.

3. Condition 11(e) of Consent Notice 5038871.4 is amended to read as follows (deleted text struck-through, added text underlined):
 - e) Except for the sheds as approved under RM130267 and RM190947, wall materials shall comprise timber, smooth plaster, or stone (local schist). Walls shall be continuous in one cladding from ground to roof, for any building component consistent with condition 11(g).
4. Condition 11(i) of Consent Notice 5038871.4 is amended to read as follows (deleted text struck-through, added text underlined):
 - i) All structures shall be located within the building platforms as shown on the Concept Development Plan date stamped by the Committee as 'Approved' on 26 May 1999 except for the sheds as approved under RM130267 and RM190947.
5. At the time consent is given effect to, the consent holder and Council shall vary the consent notices and shall execute all documentation and attend to the registration of a new or varied consent notices. All costs shall be borne by the consent holder.

Advice note:

- All other conditions of Consent Notice 5038871.4 shall continue to apply.

7.0 DEVELOPMENT CONTRIBUTIONS AND ADMINISTRATIVE MATTERS

Local Government Act 2002: Development Contributions

In granting this resource consent, pursuant to the Local Government Act 2002 and the Council's Policy on Development Contributions the Council has identified that a Development Contribution is required.

Please contact the Council if you require a Development Contribution Estimate.

Administrative Matters

The costs of processing the application are currently being assessed and you will be advised under separate cover whether further costs have been incurred.

The Council will contact you in due course to arrange the required monitoring. It is suggested that you contact the Council if you intend to delay implementation of this consent or if all conditions have been met.

This resource consent is not a building consent granted under the Building Act 2004. A building consent must be obtained before construction can begin.

This resource consent must be exercised within five years from the date of this decision subject to the provisions of section 125 of the RMA.

If you have any enquiries please contact Tim Anderson on phone (03) 441 0499 or email tim.anderson@qldc.govt.nz

Report prepared by



Tim Anderson
PLANNER

Decision made by



Sarah Gathercole
SENIOR PLANNER

APPENDIX 1 – Consent Conditions
APPENDIX 2 – Applicant's AEE
APPENDIX 3 – Engineering Comment
APPENDIX 4 – Landscape Review

APPENDIX 1 – CONSENT CONDITIONS

General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
 - Plan Layout: Sheet 1, prepared by LHT Design dated 24/11/17
 - Elevations, Sheet 2, prepared by LHT Design dated 24/11/17
 - Sections, Sheet 3, prepared by LHT Design dated 24/11/17
 - Mound Plan, L1.0, prepared by Rough and Milne Landscape Architects, dated 30/9/19, annotated 12/12/19
 - Location Plan, sheet 100, Revision 1, prepared by Paterson Pitts Group, dated 09/12/19
 - Earthworks Topsoil, sheet 200, Revision 1, prepared by Paterson Pitts Group, dated 09/12/19
 - Earthworks Contours, sheet 201, Revision 1, prepared by Paterson Pitts Group, dated 09/12/19
 - Earthworks Cut and Fill, sheet 202, Revision 1, prepared by Paterson Pitts Group, dated 09/12/19
 - Earthworks Cross Sections, sheet 203, Revision 1, prepared by Paterson Pitts Group, dated 09/12/19
 - Annotated Fire Fighting Tank Plan, dated 08/11/19

stamped as approved on 16 December 2019

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

2. This consent shall not be exercised and no work or activity associated with it may be commenced or continued until the following charges have been paid in full: all charges fixed in accordance with section 36(1) of the Resource Management Act 1991 and any finalised, additional charges under section 36(3) of the Act.
3. The consent holder is liable for costs associated with the monitoring of this resource consent under Section 35 of the Resource Management Act 1991.

Colours and Materials

4. The barn shall be constructed using the following colours and materials:

Feature	Material	Colour
Roof Cladding	Steel	Iron Sand
Wall Cladding	Steel	Iron Sand

Any amendment to this schedule of colours and materials shall be of a dark recessive tones of grey, green, or brown with an LRV of between 5% and 20%.

Engineering

- All engineering works, shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd May 2018 and subsequent amendments to that document up to the date of issue of any resource consent.

Note: The current standards are available on Council's website via the following link: <https://www.qldc.govt.nz/planning/resource-consents/land-developments-and-subdivisions/>

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

- The consent holder shall obtain and implement a traffic management plan approved by the New Zealand Transport Agency or its network management consultant, Aspiring Highways prior to undertaking any works within or adjacent to the State Highway that affects the normal operating conditions of the road reserve through disruption, inconvenience or delay. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor (STMS). All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS to manage the site in accordance with the requirements of the NZTA's "*Traffic Control Devices Manual Part 8: Code of practice for temporary traffic management*". The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.
- Prior to commencing any work on the site the consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
- At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified geo-professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who is familiar with the GeoSolve Ltd report (dated July 2019, GeoSolve Ref: 190350) and who shall supervise the excavation/earthworks/fill procedures and flood mitigation to ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.

To be monitored throughout earthworks

- No permanent batter slope within the site shall be formed at a gradient that exceeds 1(V):2(H).
- The earthworks, batter slopes, foundation design, flood and rock roll hazard mitigation shall be undertaken in accordance with the recommendations of the report by GeoSolve Ltd (dated July 2019, GeoSolve Ref: 190350).
- The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.

12. No earthworks, temporary or permanent, are to breach the boundaries of the site, except for the works required for the vehicle access.

On completion of earthworks

13. On completion of earthworks within the building footprint and prior to the construction of the barn, the consent holder shall ensure that either:
- a) Certification from a suitably qualified geo-professional experienced in soils investigations is provided to the Manager of Resource Management Engineering at Council, in accordance with NZS 4431:1989, for all areas of fill within the site on which buildings are to be founded (if any). Note this will require supervision of the fill compaction by a suitably qualified geo-professional;
Or
 - b) The foundations of the barn shall be designed by a suitably qualified engineer taking into consideration any areas of uncertified fill on-site.

To be completed when works finish and before occupation of building

14. Prior to the occupation of the building, the consent holder shall complete the following:
- a) The provision of a sealed vehicle crossing that shall be constructed to the site in accordance with NZ Transport Agency Diagram C with a 15m radius. This shall include:
 - i. The access is located as close as practicable to the southern boundary of the site;
 - ii. Construction is to be by an approved NZ Transport contractor using NZ Transport Agency specification materials;
 - iii. The gate is to be recessed to accommodate the largest vehicle visiting the site;
 - iv. The road side vegetation and Willow tree are trimmed/removed to ensure that a minimum sight distance of 282m is available in both directions along the State Highway.
 - b) The construction of all vehicle manoeuvring and car parking areas to Council's standards. Provision shall be made for stormwater disposal from all impermeable surfaces.
 - c) Any power supply connection to the building shall be underground from existing reticulation and in accordance with any requirements and standards of the network providers.
 - d) Prior to the occupation of the shed, firefighting storage is to be provided. A minimum of 45,000 litres shall be maintained at all times as a static firefighting reserve within a 55,000 litre combination of tanks (or equivalent). Alternatively, a 7,000 litre firefighting reserve is to be provided for each building in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family residential units. In the event that the proposed residential units provide for more than single family occupation then the consent holder should consult with the Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

The FENZ connection point/coupling must be located so that it is not compromised in the event of a fire.

The connection point/coupling shall have a hardstand area adjacent to it (within 5m) that is suitable for parking a fire service appliance. The hardstand area shall be located in the centre of a clear working space with a minimum width of 4.5 metres. Pavements or roadways providing access to the hardstand area must have a minimum formed width as required by Council's standards for rural roads (as per Council's Land Development and Subdivision Code of Practice). The roadway shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Access shall be maintained at all times to the hardstand area.

Underground tanks or tanks that are partially buried (provided the top of the tank is no more than 1 metre above ground) may be accessed by an opening in the top of the tank whereby couplings are not required. A hardstand area adjacent to the tank is required in order to allow a fire service appliance to park on it and access to the hardstand area must be provided as above.

The FENZ connection point/coupling/fire hydrant/tank must be located so that it is clearly visible and/or provided with appropriate signage to enable connection of a fire appliance.

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Note: Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new residential unit. Given that the proposed residential unit is approximately 2km from the nearest FENZ Fire Station the response times of the New Zealand Volunteer Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in the new building.

- e) All earthworked areas shall be top-soiled and revegetated or otherwise permanently stabilised.
- f) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

Environmental Management

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

15. At least 15 working days prior to any works commencing on site the Consent Holder shall submit an Environmental Management Plan (EMP) to Council's Monitoring and Enforcement Team for review and acceptance **HOLD POINT 1**. This document must be prepared by a Suitably Qualified and Experienced Person. The EMP shall be in accordance with the principles and requirements of the *Queenstown Lakes District Council's Guidelines for Environmental Management Plans* and specifically shall address the following environmental elements as specified in the guidelines:
 - a) Administrative Requirements
 - (i) Weekly site inspections
 - (ii) Notification and management of environmental incidents
 - (iii) Records and registers
 - (iv) Environmental roles and responsibilities of personnel (including nomination of Principal Contractor)
 - (v) Site induction

b) Operational Requirements

- (i) Erosion and sedimentation (including Erosion and Sediment Control Plan) (to be prepared by a Suitably Qualified and Experienced Person)
- (ii) Water quality
- (iii) Dust
- (iv) Cultural heritage
- (v) Chemical and fuel management
- (vi) Waste management

The EMP (and any sub-plans e.g. ESCP described below) shall also be consistent with any recommendations outlined in the Geosolve geotechnical report.

16. Prior to ground-disturbing activities on the initial stage of works or any subsequent new stage of works, the Consent Holder shall engage an Appropriately Qualified Person to prepare and submit an Erosion and Sediment Control Plan (ESCP) to Council's Monitoring and Enforcement Team for review and acceptance. This plan shall be a sub-plan of the overarching EMP and must be prepared in accordance with the requirements outlined on pages 13 – 18 in *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*. These plans must be updated when:
- a) The construction program moves from one Stage to another; or
 - b) Any significant changes have been made to the construction methodology since the original plan was accepted for that Stage; or
 - c) There has been an Environmental Incident and investigations have found that the management measures are inadequate.
17. Prior to commencing ground-disturbing activities, the Consent Holder shall nominate an Environmental Representative for the works program in accordance with the requirements detailed on pages 9 and 10 of the *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*.
18. Prior to commencing ground disturbing activities, the Consent Holder shall ensure that all staff (including all sub-contractors) involved in, or supervising, works onsite have attended an Environmental Site Induction in accordance with the requirements detailed on page 8 of the *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*.

During construction:

- 19. All works shall be undertaken in accordance with the most current version of the EMP as accepted as suitable by Council.
- 20. The EMP shall be accessible on site at all times during work under this consent.
- 21. The Consent Holder shall establish and implement document version control. Council shall be provided with an electronic copy of the most current and complete version of the EMP at all times.
- 22. The Consent Holder shall develop and document a process of periodically reviewing the EMP as outlined on page 6 of the *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*. No ground disturbing activities shall commence in any subsequent stage of development until an EMP has been submitted and deemed suitable by Council's Monitoring and Enforcement Team.

23. The Consent Holder shall undertake and document weekly and Pre and Post-Rain Event site inspections as detailed on pages 10 and 11 of the *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*.
24. In accordance with page 9 of the Queenstown Lakes District Council's Guidelines for Environmental Management Plans, where any Environmental Incident where the EMP has failed leading to any adverse environmental effects offsite occurs the Consent Holder shall:
- Report to QLDC details of any Environmental Incident within 12 hours of becoming aware of the incident.
 - Provide an Environmental Incident Report to QLDC within 10 working days of the incident occurring as per the requirements outlined on page 9 of *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*.
25. Environmental records are to be collated onsite and shall be made available to QLDC upon request; immediately if the request is made by a QLDC official onsite and within 24 hours if requested by a QLDC officer offsite. Records and registers to be managed onsite shall be in accordance with the requirements outlined on page 9 of the Queenstown Lakes District Council's Guidelines for Environmental Management Plans.

Landscape

26. All worked areas of creek channel shown on engineering drawings (drawing reference W5982 no. 003 Cut and Fill Areas dated 09/09/2019) are to be planted within the first planting season on completion of the earthworks and shall be planted with the following selection of species (guided by the Growing Native Plants in the Wakatipu from the Wakatipu Reforestation Trust) for each area and minimum size and spacings indicated, and shall thereafter be maintained in accordance with the plan. Any plant that dies or becomes diseased shall be replaced in the next available planting season.

Species	Common Name	Spacing (Centres)
<i>Creek channel</i>		
<i>Juncus gregiflorus</i>	Rush	.6m
<i>Carex secta</i>	Pukio	.6m
<i>Carex germinata</i>	Sedge	.6m
<i>Hebe salicifolia</i>	Korimiko	1.5m
<i>Cordateria richardii</i>	Toi Toi	1.5m
<i>Phormium tenax</i>	Harakeke	1.5m
<i>Cordyline australis</i>	Ti Kouka	2m

27. Planting on the earth bund shall be undertaken in accordance with the plant schedule and approved Mound Plan (dated 30/09/19 and annotated on 12/12/19) and shall thereafter be maintained in accordance with the plan. Any plant that dies or becomes diseased shall be replaced in the next available planting season.
28. The proposed barn shall be built in accordance with the following specific built form controls being:
- There shall be no external lighting.
 - Any fencing shall use traditional post-and-wire fencing only.
 - The access drive beyond the sealed area to the gate shall be gravel of a local grey coloured stone chip and shall exclude the use of concrete kerb and channels.

- d) All areas of disturbed ground either side of the access drive beyond the domestic curtilage area shall be planted with indigenous vegetation of the species identified on the certified landscape plan.

Advice Notes

1. The consent holder is advised that as State Highway 6 is a limited Access Road in this vicinity, authorisation under Section 91 of the Government Roading powers Act 1989 (GRPA) will be required for the new Crossing Place onto the State Highway. The consent holder should seek this authorisation from the Transport Agency, enclosing a copy of the following:
 - a) The resource consent
 - b) The underlying Record of Title
2. This site may contain archaeological material. Under the Heritage New Zealand Pouhere Taonga Act 2014, the permission of the Heritage New Zealand Pouhere Taonga must be sought prior to the modification, damage or destruction of any archaeological site, whether the site is unrecorded or has been previously recorded. An archaeological site is described in the Act as a place associated with pre-1900 human activity, which may provide evidence relating to the history of New Zealand. These provisions apply regardless of whether a resource consent or building consent has been granted by Council. Should archaeological material be discovered during site works, any work affecting the material must cease and the Heritage New Zealand Pouhere Taonga must be contacted (Dunedin office phone 03 477 9871).
3. Attention is drawn to the need to obtain relevant consents from the Otago Regional Council relating to matters such as water use, discharge of contaminants to water, use of the beds of rivers and lakes, damming or diverting lakes and rivers, earthworks and vegetation clearance.

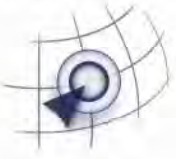
For Your Information

If your decision requires monitoring, we will be sending an invoice in due course for the deposit referred to in your consent condition. To assist with compliance of your resource consent and to avoid your monitoring deposit being used before your development starts, please complete the "[Notice of Works Starting Form](#)" and email to the Monitoring Planner at RCMonitoring@qldc.govt.nz prior to works commencing.

You may also have conditions that require you to apply for Engineering Acceptance. To apply for Engineering Acceptance, please complete the [Engineering Acceptance Application form](#) and submit this completed form and an electronic set of documents to engineeringacceptance@qldc.govt.nz with our monitoring planner added to the email at RCMonitoring@qldc.govt.nz.

If your decision requires a development contribution (DC) charge, we will be sending a notice in due course. To answer questions such as what is a DC charge, when a DC charge is triggered and timing of payments, please refer to this link. <http://www.qldc.govt.nz/planning/development-contributions/> If you wish to make a DC estimate calculation yourself, please use this link: <http://www.qldc.govt.nz/planning/development-contributions/development-contributions-estimate-calculator/> And for full details on current and past policies, please use this link: <http://www.qldc.govt.nz/council-online/council-documents/policies/policy-on-development-contributions-and-financial-contributions/>

APPENDIX 2 – APPLICANT’S AEE



Our Ref: W5982
30 August 2019

D L Kenton Family Trust

**Resource Consent Application
to Establish a Barn,
Entrance and Earthworks**

**Cancel Consent Notice 962942.9
and Vary Consent Notice 5038871.4**

Lot 2 DP 300393

**1147B Lake Hawea-Albert Town
Road, Hawea**

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1.0 APPLICATION DETAILS

Applicants:	Diane Kenton and Martin Horan
Site Location:	1147B Lake Hawea-Albert Town Road, Hawea
Legal Description:	Lot 2 DP 300393
Record of Title:	2432
Area:	10.3031 hectares
Zoning:	Rural General (Operative District Plan) Rural (Proposed District Plan)

2.0 THE SITE

2.1 SITE AND SURROUNDINGS

The site is a 10.3031ha irregularly shaped rural parcel located to the west of the Lake Hawea-Albert Town Road and is legally described as Lot 2 DP 300393. The Record of Title for this site is contained in **Appendix A**.

The site is located over two landform features. A flat grassed area of approximately 1.5 hectares is located to the west of Lake Hawea - Albert Town Road. The majority of the site (approximately 8.8 hectares) is on the lower eastern slopes of Mt Maude. This area rises from the grassed paddock to a steep pine covered hillslope to a plateau containing the house and outbuildings, to the west of the house the land rises again. The pine trees on the hill slope are in the process of being removed to control wilding potential and fire risk.

A blackberry covered bund is located on the highway between the site and the carriageway.

The site is zoned Rural General under the Operative District Plan (ODP) and Rural under the Proposed District Plan (PDP). The site is located on the lower slopes of Mount Maude with the majority of the site classified as an Outstanding Natural Landscape (ONL) under the Proposed District Plan (PDP). The southern-eastern corner of the site is classified as a Rural Character Landscape (RCL) under the PDP.

A mature pine forest is located on the lower third of the site, remaining vegetation on the site consists of grass, bracken and areas of blackberry are also present within the site.

Access to the site is via an existing shared access off Lake Hawea-Albert Town Road that was approved through the underlying subdivision (RM990140) which created the application site. A formed accessway runs through neighbouring Lots 1 and 4 DP 300393 to serve the site, this access is covered by a right of way (RoW) easement. There is no connection between the right of way and the flat lower portion of the site.

2.2 TITLE INTERESTS

The record of Title (RT) for the site is included in Appendix A and identifies the site as subject to the following interests:

- 5016824.1 Gazette Notice declaring the adjoining road (SH6) to be a limited access road;
- 962942.9 Consent Notice;
- 5038871.4 Consent Notice;
- 5148000.1 Notice pursuant to Section 91 Transit New Zealand Act 1989;
- 5477407.1 Variation to Consent Notice 5038871.4;
- 5477421.1 Variation to Consent Notice 5038871.4;
- 8326481.1 Variation to Consent Notice 5038871.4; and
- 9652912.1 Variation to Consent Notice 5038871.4;

Consent Notice 962942.9 requires:

That any structures on Lots 1 to 5 shall be within the building areas shown on Deposited Plan 26200.

Consent Notice 5038871.4 includes the following conditions that are relevant to the subject site (only relevant interests listed):

- 11 (a) *Maximum building height Lot 2 - 4.5m.*
- (b) *Roof pitch 22.5 to 45°. Flat roofs are only permitted as connections between structures and shall not exceed 20% of the total roof area.*
- (c) *Roof materials shall comprise cedar shingles, slate, steel or other such materials which are consistent with condition 11(d) of this consent.*
- (d) *Roof colours shall comprise dark, recessive hues and shall be of low reflectivity.*
- All steel roofing shall be painted or otherwise colour-treated, and shall exclude zincalume, galfan and other similar similar matte-finish untreated corrugated iron products. Acceptable Colorsteel hues include, but shall not be limited to Karaka, Charcoal, Ironsand, Lignite or Grayfriars.*
- (e) *Wall materials shall comprise timber, smooth plaster, or stone (local schist). Walls shall be continuous in one cladding from ground to roof, for any building component consistent with condition 11(g).*
- (f) *Wall colours to be natural (in materials as stated above) or in the range of browns, tussock, greys or natural greens.*
- (g) *Mass and proportion: building forms shall be clustered or otherwise arranged on each Lot to reduce perceived mass and to avoid single large-scale structures. No separate component shall have a floor area greater than 150 square metres and a length greater than 20 metres.*

- (h) *Joinery shall comprise timber, steel or aluminium. Joinery colours shall match roofing, gutter and spouting colours.*
- (i) *All structures shall be located within the building platforms as shown on the Concept Development Plan date-stamped by the Committee as 'Approved' on 26 May 1999.*
- (j) *Fencing: boundary fencing shall comprise standard post and wire only.*

Consent Notice Variation 5477407.1 amends the maximum building height to 6.0 metres.

Consent Notice Variation 5477407.1 amends the maximum building height of Lot 3 DP 300393 to 6.0 metres, but is not relevant to the subject site.

Consent Notice Variation 8326481.1 amends condition 11(g) of Consent Notice 5038871.4 to read:

- 11 (g) *Mass and proportion: building forms shall be clustered or otherwise arranged on each Lot to reduce perceived mass and to avoid single large-scale structures. No separate component shall have a floor area greater than 150 square metres and a length greater than 20 metres with the exception of the dwelling approved by resource consent RM090002.*

Consent Notice Variation 9652912.1 amends condition 11(b), (e), (f) and (i) of Consent Notice 5038871.4 to read:

- 11 (b) *Except for the shed as approved under RM130267, Roof pitch 22.5 to 45°. Flat roofs are only permitted as connections between structures and shall not exceed 20% of the total roof area.*
- (e) *Except for the shed as approved under RM130267, wall materials shall comprise timber, smooth plaster, or stone (local schist). Walls shall be continuous in one cladding from ground to roof, for any building component consistent with condition 11(g).*
- (f) *Wall colours to be natural (in materials as stated above) or in the range of browns, tussock, greys or natural greens except for the shed as approved under RM130267.*
- (i) *All structures shall be located within the building platforms as shown on the Concept Development Plan date-stamped by the Committee as 'Approved' on 26 May 1999 except for the shed as approved under RM130267.*

2.3 CONSENT HISTORY

RM990140 – Consent was granted in January 2000 to undertake a five lot subdivision which included a number of design and landscape controls.

RM020792 – Consent was granted in October 2002 to construct an accessory building to be utilised as a garage and a workshop.

RM090002 – Consent was granted in March 2009 to construct a dwelling and undertake associated earthworks.

RM130267 – Consent was granted in May 2013 to vary condition 1 of resource consent RM090002 to alter the design of an approved garage and boiler shed. Consent was also granted to erect a small shed outside of the approved building platform.

3.0 DESCRIPTION OF PROPOSAL

3.1 LAND USE COMPONENT

Resource consent is sought to construct a barn outside the approved building platform on Lot 2 DP 300393 as shown on the site plan contained in **Appendix B**, construct an access from the highway to the barn and undertake earthworks.

3.1.1 Barn

The proposed barn will be located against the base of the hill on a flat section of land near the southern boundary of the site and will be setback approximately 110m from the adjoining Lake Hawea-Albert Town Road and 15 metres from the southern boundary of the site with Lot 6 DP 300393. The barn will be 146m² in area with a maximum height of 4.6m above floor level. The design of the shed is shown in **Appendix C**.

The shed will be clad in Colorsteel corrugated iron coloured Ironsand on both the walls and roof. The three roller doors and the pedestrian door will be similarly coloured. This complies with the Colorsteel range of browns, greens or greys with a light reflectance value of less than 20%. The barn will be used for storage and machinery storage and so only served with power and water.

3.1.2 Access

The site currently has legal access off Lake Hawea-Albert Town Road over the gravel driveway shown on the aerial photo base to site plan contained in **Appendix B**. The access is shared with neighbouring Lots 1, 3, 4 and 5 DP 300393 and was approved through the underlying five lot subdivision (RM990140). An existing gravel driveway runs through Lots 1 and 4 DP 300393 to provide access to the residential dwelling on the application site.

This existing right of way does not connect with the lower part of the site and only provides access to the upper part of the site. Consequently, the current physical access between the right of way and the lower portion of the site is with the approval of the owner of Lot 1 DP 300393, is temporary only and not protected by right of way. In addition the existing access requires a 90° turn onto the existing gravel driveway with sightlines that are constrained by existing mature vegetation.

To provide access to the lower part of the site (including the barn) it is proposed to construct a new entrance way to provide access to the lower part of the site directly from Lake Hawea – Albert Town Road. The formation of the entrance has been designed in accordance with PDP Transport Chapter Diagram 10 and NZTA Diagram E type. The entrance requires earthworks to cut through the existing blackberry covered bunding within the road corridor. From the entrance it is proposed to extend the gravel driveway to the south as shown on the site plan (**Appendix B**) to provide access to the barn without requiring significant earthworks. NZTA have provided in principle agreement to the access location.

3.1.3 Servicing

The site has an existing connection to Aurora’s reticulated power network. A power connection will be extended to the proposed barn at the time of construction. Fire fighting requirements will be met with the installation of water tanks in conjunction with the construction of the barn. Stormwater from the proposed building will be managed on-site and discharged to ground in accordance with Council standards. Specific design of the stormwater disposal system will be undertaken as part of a subsequent building consent application. Telecommunications or wastewater services are not required.

3.1.4 Earthworks

The earthworks associated with this application are shown on the plans in **Appendix B**. There are five components to these earthworks:

1. Earthworks for the formation of the access to the barn including the entrance, the access and turning areas.
2. Earthworks for the pad on which the barn is to be constructed. This is a combination of excavation and filling in accordance with the geotechnical recommendations contained in **Appendix D**.
3. The formation of a bund 0.75 metres high and heel trench (at least 0.3 metres deep) along the southern boundary of the site to protect the shed against possible alluvial fan flooding.
4. Works to better channelise and enhance the amenity of the swale at the base of the hill that contains the seepage flows.
5. Importation of fill to create a low bund (up to a maximum 1.5 metres in height) with a natural undulating vertical and horizontal shape. This bunding is to generally follow the road boundary and curve west for the first 40 metres of the northern boundary. This bunding is to sit inside the property boundary and supplement the existing bunding on the road. The proposed bunding will be planted in native vegetation.

These works require approximately 550m³ of topsoil stripping, approximately 550m³ of cut for the barn pad and the heel trench and approximately 1,000m³ for the bunding (of this approximately 550m³ will be from onsite, with the balance being imported fill). The swale works will shape and position the channel into a more regular natural water course.

3.1.5 Landscape

The site has been identified as a Visual Amenity Landscape (VAL) and an Outstanding Natural Landscape (ONL) under the ODP landscape categorisation and as a Rural Character Landscape (RCL) and an ONL by the landscape categorisation of the PDP. As previously mentioned, the proposed shed will be located on the lower tier of the site, set back against the base of the hill and within the ONL area. The location of the ONL line is shown on the plans in **Appendix B**.

3.1.6 Natural Hazards

The Council’s Hazard Register Maps identifies the north-eastern and south-western sections of the site as being subject to a potential Landslide Risk: Debris Flow Hazards, as well as being located on an alluvial fan. As part of the application a geotechnical assessment was undertaken by Geosolve and is contained in **Appendix D**.

This report concludes that liquefaction potential within the soils can be addressed by the use of the recommended deep pile foundations.

The report also considers alluvial fan and debris landslide risks. This report (para 6.9.1) considers the “schist landslides are well beyond the proposed development area, but will almost inevitably contribute more material for future debris flow events on to the alluvial fan.” The same paragraph of the report considers there is a risk of debris flow into the development area and that this “would likely comprise alluvial silts, sands and gravels accompanied by sheet flooding rather than destructive coarse-grained or boulder debris flows.” Para 6.9.3 considers that the alluvial fan hazard can be mitigated with a diversion bund and heel trench combination parallel with the southern property boundary.

3.2 CONSENT NOTICE COMPONENT

The site is subject to the two consent notices and four variations to consent notice conditions as described in section 2.2 (above):

Consent Notice/Variation	Condition Reference	Condition Wording	Comments
CN 962942.9	-	<i>That any structures on Lots 1 to 5 shall be within the building areas shown on Deposited Plan 26200.</i>	Cancel consent notice in its entirety – as the building areas B and partially C have been completely superseded by the building platforms created by the subsequent subdivision (RM990140) and shown on DP300393.
CN 5038871.4 Variation 5477407.1	11 (a)	<i>Maximum building height 6 metres</i>	Barn complies as it has a height of 4.6 metres so condition can remain unchanged.
CN 5038871.4 Variation 9652912.1	11 (b)	<i>Except for the shed as approved under RM130267, Roof pitch 22.5 to 45°. Flat roofs are only permitted as connections between structures and shall not exceed 20% of the total roof area.</i>	The barn has a roof pitch of 10° and therefore infringes the roof pitch range of 22.5 to 45°. Amend text to read “ <i>Except for the sheds as approved under RM130267 and RM19XXXX, Roof pitch 22.5 to 45°...</i> ”
CN 5038871.4	11(c)	<i>Roof materials shall comprise cedar shingles, slate, steel or other such materials which are consistent with condition 11(d) of this consent.</i>	The barn complies as the roof will be steel so condition can remain unchanged.
CN 5038871.4	11(d)	<i>Roof colours shall comprise</i>	The barn complies as the roof

		<p><i>dark, recessive hues and shall be of low reflectivity.</i></p> <p><i>All steel roofing shall be painted or otherwise colour-treated, and shall exclude zincalume, galfan and other similar similar matte-finish untreated corrugated iron products. Acceptable Colorsteel hues include, but shall not be limited to Karaka, Charcoal, Ironsand, Lignite or Grayfriars.</i></p>	<p>will be Colorsteel in Ironsand which is a dark recessive colour of low reflectivity steel so condition can remain unchanged.</p>
CN 5038871.4 Variation 9652912.1	11 (e)	<p><i>Wall materials shall comprise timber, smooth plaster, or stone (local schist). Walls shall be continuous in one cladding from ground to roof, for any building component consistent with condition 11(g).</i></p>	<p>The barn has walls of Colorsteel which is not a listed material. Amend text to read <u>“Wall materials shall comprise timber, smooth plaster, or stone (local schist), or steel in the colour range provided for in condition 11(d)...”</u></p>
CN 5038871.4 Variation 9652912.1	11 (f)	<p><i>Wall colours to be natural (in materials as stated above) or in the range of browns, tussock, greys or natural greens except for the shed as approved under RM130267.</i></p>	<p>The barn complies as the roof will be Colorsteel in a dark recessive colour of low reflectivity steel so condition can remain unchanged.</p>
CN 5038871.4 Variation 8326481.1	11 (g)	<p><i>Mass and proportion: building forms shall be clustered or otherwise arranged on each Lot to reduce perceived mass and to avoid single large-scale structures. No separate component shall have a floor area greater than 150 square metres and a length greater than 20 metres with the exception of the dwelling approved by resource consent RM090002.</i></p>	<p>The barn complies as the floor area will be 146m² so condition can remain unchanged.</p>
CN 5038871.4	11(h)	<p><i>Joinery shall comprise timber, steel or aluminium. Joinery colours shall match roofing, gutter and spouting colours.</i></p>	<p>The barn complies as the joinery will be in steel or aluminium and will match the roof, gutter and spouting colours so condition can remain unchanged.</p>
CN 5038871.4 Variation 9652912.1	11(i)	<p><i>All structures shall be located within the building platforms as shown on the Concept</i></p>	<p>The barn is outside the building platform. It is proposed to amend text to read <u>“except for</u></p>

		<i>Development Plan date-stamped by the Committee as 'Approved' on 26 May 1999 except for the shed as approved under RM130267.</i>	<i>the sheds as approved under RM130267 and RM19XXXX".</i>
	11(j)	<i>Fencing: boundary fencing shall comprise standard post and wire only.</i>	Complies so no change required.

4.0 OPERATIVE DISTRICT PLAN

4.1 RESOURCE CONSENTS REQUIRED

The subject site is zoned Rural General under the Queenstown Lakes Operative District Plan 2009.

Part A – Land Use Consent

- As a **Discretionary Activity** under Rule 5.3.3.3(i) for the construction of a building outside of an approved building platform within the Rural General Zone.
- As a **Restricted Discretionary Activity** under Rule 22.3.2.3(a) for earthworks that to infringe Rule 22.3.3 (i) as the total volume of earthworks exceed the permitted volume of 1,000m³ (approximately 2,100m³ of earthworks are proposed).
- As a **Restricted Discretionary Activity** under Rule 22.3.2.3(a) for earthworks that to infringe Rule 22.3.3 (v) as the total volume of earthworks within 7 metres of the swale exceeds the permitted volume of 20m³ as approximately 400m³ of earthworks are proposed in this area.

Part B – Cancellation and Variation of Consent Notices

- As a **Discretionary Activity** under Section 221(3) of the Resource Management Act 1991 to cancel Consent Notice 962942.9 in relation to Lot 2 DP 300393.
- As a **Discretionary Activity** under Section 221(3) of the Resource Management Act 1991 to vary Consent Notice 5038871.4 conditions (b), (e) and (i) as varied by Variations 8326481.1 and 9652912.1 as detailed above.

4.2 RULES AND STANDARDS

4.2.1 Rural General Site and Zone Standards

The application for the construction of a barn has been assessed against the relevant site and zone standards for the Rural General Zone as demonstrated in the following sections:

Rule 5.3.5.1 - Site Standards

Ref	Standard	Comment
<i>i</i>	<i>Setback from Neighbours of Buildings Housing Animals</i>	N/A

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	<i>30m from internal boundary</i>	
ii	<i>Access Each residential unit shall have legal access to a formed road</i>	Complies, existing legal access to the site is available via an existing access off Lake Hawea-Albert Town Road to the east.
iii	<i>Scale and Nature of Activities Applies to all activities except farming, forestry and residential: a) Max GFA of all buildings on site 100m² b) No goods, materials or equipment stored outside c) All manufacturing etc shall be carried out within a building.</i>	N/A, the application proposes to construct a 146m ² barn to enable storage and machinery to be kept inside.
iv	<i>Retail Sales Buildings >25m² GFA to be used for retail sales shall be setback from road boundaries by 30m.</i>	N/A
v	<i>Significant Indigenous Vegetation In the areas identified on the District Plan Maps as being of significant indigenous vegetation, and included in Appendix 5 (other than within Ski Area Sub-Zones): (a) no earthworks shall: (i) exceed 1000m³ (volume) and/or 50m² (area) in any one hectare in any continuous period of 5 years; or (ii) be located on slopes with an angle of greater than 20° (measured as an average slope angle over any 100m length of the slope on which the earthworks are to be carried out). (b) no clearance of indigenous vegetation shall exceed 100m² in area in any one hectare in any continuous period of 5 years. (c) there shall be no exotic tree or shrub planting. (d) no buildings shall be erected.</i>	N/A, the site does not contain any significant indigenous vegetation.
vi	<i>Minimum setback from internal boundaries 15m (except Closeburn Station).</i>	Complies, the proposed barn will be located outside the approved building platform and will be setback a minimum of 15m from the southern boundary.
vii	<i>Forestry and Shelterbelt Planting a) No forestry activity shall be undertaken within 20m of the boundary. b) No forestry or shelterbelt planting greater than 1070m ASL.</i>	N/A, no forestry activities are proposed as part of this application and the site is below 1,070m ASL.
viii	<i>Deleted</i>	N/A
ix	<i>Commercial Recreation No commercial recreation shall be undertaken except where the recreation is outdoors, the scale recreation is limited to five people in any one group.</i>	N/A
x	<i>Indigenous Vegetation There shall be no clearance of indigenous vegetation except for: (a) The clearance of indigenous vegetation that is: (i) Totally surrounded by pasture and other exotic species; and less than 0.5 hectares in area; and more than 200 metres from any other indigenous vegetation which is greater than 0.5 hectares in area; and (ii) less than 1070 metres above sea level; and (iii) more than 20 metres from a water body; and (iv) not listed as a threatened species in Appendix 9.</i>	N/A, no indigenous vegetation is proposed to be removed as part of this application.
xi	<i>Farm Buildings a) No farm buildings shall be replaced, extended or constructed: i) on any holding <100ha in area; or</i>	N/A, the proposed barn will be utilised for storage (including machinery), but is

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	<p>ii) at a density of more than one farm buildings per 50 ha; or</p> <p>iii) On any land above 600m ASL; or</p> <p>iv) Within the ONL – WB or an ONF within the WB; or</p> <p>v) On an ONF outside WB if:</p> <ul style="list-style-type: none"> • there is already a farm building within that holding or if there is land within that holding that is not on an ONF; or • the site containing all or part of the ONF was not contained in a separate CT prior to 10 June 2005. <p>b) The existence of a farm building approved under Rule 5.3.3.2(i)(d) shall not be considered the permitted baseline for development within the Rural General zone.</p>	not a farm building.
xii	<p>Alpine Environments</p> <p>Only any land >1070m ASL, there shall be no exotic tree or shrub planting and no clearance of indigenous vegetation.</p>	N/A
xiii	<p>Planting of Species with Wilding Potential</p> <p>No planting of listed species.</p>	N/A, no planting of species with wilding potential is proposed as part of this application.

Rule 5.3.5.2 - Zone Standards

Ref	Standard	Comments
i	<p>Building Height</p> <p>a) No part of any building, other than non-residential building ancillary to viticultural or farming activities shall exceed 8m AGL.</p> <p>b) No part of any non-residential building ancillary to viticultural or farming activities shall exceed 10m AGL.</p>	Complies, the barn will have a maximum height of 4.6m as shown on the plans contained in Appendix C.
ii	<p>Setback from Roads</p> <p>Minimum set back from roads – 20m</p>	Complies, the barn will be located approximately 110m from the adjoining road (Lake Hawea-Albert Town Road) to the east.
iii	<p>Retail Sales</p> <p>No retail sales from sites by way of access to any State Highway</p>	N/A
iv	<p>Surface of Lakes and Rivers</p> <p>Surface of lakes and rivers only</p>	N/A
v	<p>Noise</p> <p>Non-residential activities shall be conducted such that the following noise levels are not exceeded, neither at, nor within, the notional boundary of any residential unit, other than residential units on the same site as the activity</p>	N/A
vi	<p>Lighting</p> <p>All fixed exterior lighting shall be directed away from adjacent sites and roads</p>	N/A, no exterior lighting is proposed as part of this application.
vii	<p>Airport Noise</p> <p>Queenstown airport only</p>	N/A
viii	<p>Screening</p> <p>Storage areas for waste materials, outdoor display areas and parking associated with commercial activities, wineries and other productive activities shall be generally be positioned and managed to minimize any adverse visual effect.</p>	N/A
ix	<p>Airport Noise – Wanaka Airport</p> <p>Alterations or additions to existing buildings, or construction of a building on a building platform approved before 20 October 2010 within the Outer Control Boundary, shall be designed to achieve an</p>	N/A

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	<i>internal design sound level of 40 dB Ldn, based on the 2036 noise contours, at the same time as meeting the ventilation requirements in Table 3 of Appendix 13. Compliance can either be demonstrated by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the internal design sound level, or by installation of mechanical ventilation to achieve the requirements in Table 3 of Appendix 13.</i>	
x	<i>Residential Density Closeburn Station only</i>	N/A
xi	<i>Building Coverage Tucker Beach Road only</i>	N/A
xii	<i>Building Line Restriction</i>	N/A

4.2.2 Earthworks Site Standards

Rule 22.3.3 – Site Standards

Ref	Standard	Comments
i	<i>Volume of Earthworks (1,000m³)</i>	Infringes approximately 2,100m ³ of earthworks are proposed (including works in the swale).
ii	<i>Height of cut and fill and slope (i) Driveway/accessways max height of cut 1m (ii) Cut and batter angle 65 degrees (iii) Max height of fill 2m</i>	Will comply.
iii	<i>Fill (in accordance with NZS 4404:2010 and NZS 4431:1989)</i>	Will comply.
iv	<i>Environmental Protection Measures (a) Implement sediment and erosion control measures (b) Implement dust control measures (c) Re-vegetated as soon as practicable</i>	Will comply.
v	<i>Water bodies (a) Within 7m of water body shall not exceed 20m³ (b) Material not positioned within 7m of the bed of any water body. (c) Earthworks shall not: (i) Expose any groundwater aquifer; (ii) Cause artificial drainage of groundwater aquifer; (iii) Cause temporary ponding of any surface water.</i>	Infringes as approximately 400m ³ of earthworks are proposed in the area of the existing swale.
vi	<i>Cultural heritage and archaeological sites (a) Not modify, damage or destroy any waahi tapu, waahi taonga or archaeological sites. (b) Not affect Ngai Tahu Statutory Acknowledgement Areas.</i>	N/A, the site does not contain known areas of cultural or archaeological significance.

4.3 ASSESSMENT MATTERS

The application has been assessed against the Assessment Matters contained in Rule 5.4. The site falls within two landscape classifications. The elevated section of the site is categorised as an Outstanding Natural Landscape with the lower tier at the foot of the slope of Mt Maude being deemed a Visual Amenity Landscape. The barn is within the ONL and the earthworks are location over both the ONL and the VAL.

Rule 5.4.2.1 – Landscape Assessment Matters

(2) Assessment Matters – Outstanding Natural Landscapes (District Wide)

(a) Potential of the landscape to absorb development	
<p><i>In considering the potential of the landscape to absorb development both visually and ecologically, the following matters shall be taken into account consistent with retaining openness and natural character:</i></p> <p><i>(i) whether, and to what extent, the proposed development is visible from public places;</i></p>	<p>The position of the barn means that it will be intermittently visible from the Lake Hawea-Albert Town Road to the east. Visibility is influenced by distance, viewing angle, existing topography and intervening vegetation. The location of the building setback 110 metres and at an angle to the viewer from the road, of low height, clad in a recessive colour (Ironsand), against a backdrop of the hillslope when combined with the existing roadside and proposed bunding means that views will only be intermittent and not highly visible. Some low bunding and planting is proposed to provide some filtering of views from public places.</p>
<p><i>(ii) whether the proposed development is likely to be visually prominent to the extent that it dominates or detracts from views otherwise characterised by natural landscapes;</i></p>	<p>The location of the building setback 110 metres and at an angle to the viewer from the road, the building's low height, its recessive coloured cladding (Ironsand), the backdrop of the hillslope and when combined with the existing roadside and proposed bunding means that the barn will not be visually prominent to the extent that it dominates or detracts from views of natural landscapes.</p>
<p><i>(iii) whether any mitigation or earthworks and/or planting associated with the proposed development will detract from existing natural patterns and processes within the site and surrounding landscape or otherwise adversely effect the natural landscape character;</i></p>	<p>The bunding to the south of the building has been designed to protect the barn from the possible effects of flooding. This bunding is low and screened from the road by existing vegetation and landform, consequently it will not detract from natural patterns and processes when viewed from the road. The works in the swale at the base of the hill will also be small, low and natural looking and so will have no effect when viewed from the road. The mounding along the road in within the VAL area and has been designed as natural in form with curves and undulations in the surface. This for the most part will be concealed by the existing bunding along the roadside and is proposed to supplement the screening effect of the existing road bunding should this ever be removed by NZTA. As a result of these factors it is considered that the earthworks will not detract from natural patterns and processes or affect the landscape character.</p>
<p><i>(iv) whether, with respect to subdivision, any new boundaries are likely to give rise to planting, fencing or other land use patterns which appear unrelated to the natural line and form of the landscape; wherever possible with allowance for practical considerations, boundaries should reflect underlying natural patterns such as topographical boundaries;</i></p>	<p>N/A as no subdivision boundaries proposed.</p>
<p><i>(v) whether the site includes any indigenous ecosystems, wildlife habitats, wetlands, significant geological or geomorphologic features or is otherwise an integral part of the same;</i></p>	<p>The site does not include any significant indigenous ecosystems.</p>

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<i>(vi) whether and to what extent the proposed activity will have an adverse effect on any of the ecosystems or features identified in (v);</i>	N/A
<i>(vii) whether the proposed activity introduces exotic species with the potential to spread and naturalise.</i>	The barn and earthworks will not introduce exotic wilding species.

(b) Effects on openness of landscape.	
<i>In considering the adverse effects of the proposed development on the openness of the landscape, the following matters shall be taken into account:</i>	<p>The topography of the site and particularly the backdrop of Mt Maude enclose the landscape to the extent that the barn location is in not a broad open landscape, but a confined component on the edge of the ONL, when viewed from the road.</p> <p>Due to the shape of the slope behind the barn and the significant road setback the application will not adversely affect open space values of the site or the surrounding landscape.</p>
<i>(i) whether and the extent to which the proposed development will be within a broadly visible expanse of open landscape when viewed from any public road or public place and in the case of proposed development in the vicinity of unformed legal roads, the Council shall also consider present use and the practicalities and likelihood of potential use of unformed legal roads for vehicular and/or pedestrian, equestrian and other means of access; and</i>	
<i>(ii) whether, and the extent to which, the proposed development is likely to adversely affect open space values with respect to the site and surrounding landscape;</i>	
<i>(iii) whether the proposed development is defined by natural elements such as topography and/or vegetation which may contain any adverse effects associated with the development.</i>	

(c) Cumulative Effects on Landscape Values	
<i>In considering whether there are likely to be any adverse cumulative effects as a result of the proposed development, the following matters shall be taken into account:</i>	<p>The barn will introduce a building into the landscape, however this is an expected element in the rural area and is consistent with the character of surrounding sites and landscape and do not adversely compromise the character nor does the application exacerbate existing adverse effects.</p>
<i>(i) whether, and to what extent, the proposed development will result in the introduction of elements which are inconsistent with the natural character of the site and surrounding landscape;</i>	
<i>(ii) whether the elements identified in (i) above will further compromise the existing natural character of the landscape either visually or ecologically by exacerbating existing and potential adverse effects;</i>	
<i>(iii) whether existing development and/or land use represents a threshold with respect to the site's ability to absorb further change;</i>	There is no existing development on the site and the barn and earthworks do not represent a threshold for future change, noting that if any development were proposed this would need to be considered through the resource consent process.
<i>(iv) where development has occurred or there is potential for development to occur (ie. existing</i>	N/A

<i>resource consent or zoning), whether further development is likely to lead to further degradation of natural values or inappropriate domestication of the landscape or feature.</i>	
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(d) Positive Effects	
<i>In considering whether there are any positive effects associated with the proposed development the following matters shall be taken into account: (i) whether the proposed activity will protect, maintain or enhance any of the ecosystems or features identified in (a)(v) above; (ii) whether the proposed activity provides for the retention and/or re-establishment of native vegetation and their appropriate management; (iii) whether the proposed development provides an opportunity to protect open space from further development which is inconsistent with preserving a natural open landscape; (iv) whether the proposed development provides an opportunity to remedy or mitigate existing and potential (ie. structures or development anticipated by existing resource consents) adverse effects by modifying, including mitigation, or removing existing structures or developments; and/or surrendering any existing resource consents;</i>	The application does not compromise ecosystem values, nor does it provide an opportunity to protect the same or remedy existing adverse effects.

(3) Assessment Matters – Visual Amenity Landscapes

(a) Effects on natural and pastoral character	
<i>(ii) Whether and the extent to which the scale and nature of the development will compromise the natural or arcadian pastoral character of the surrounding Visual Amenity Landscape;</i>	Earthworks and access are proposed within the VAL area. The surrounding environment comprises of a combination of rural and rural-residential sites and as such some signs of domestication such as access and landscaping are anticipated within the area. The bunding will for the most part be hidden behind the existing bunding within the road reserve, or low and concealed by topography and existing vegetation. The vehicle crossing from the highway is necessary to provide access to the site. Therefore it is not considered that the proposal will detract from the natural character of the surrounding landscape.
<i>(iii) Whether the development will degrade any natural or arcadian pastoral character of the landscape by causing over-domestication of the landscape;</i>	The earthworks are low and mostly concealed from views from the highway by existing mounding in the highway and therefore will not lead to the over-domestication of the site.

(b) Visibility of Development	
<i>(i) The proposed development is highly visible when viewed from any public places, or is visible from any public road and in the case of proposed development</i>	The earthworks are low and mostly concealed from the views or are low or natural looking landforms, that when revegetated will not be highly visible, or prominent to the extent that they will detract from public or private views.

<i>in the vicinity of unformed legal road, the Council shall also consider present use and the practicalities and likelihood of potential use of unformed legal roads for vehicular and/or pedestrian, equestrian and other means of access; and</i>	The mounding will block some of the foreground views of the site from the road but will not obstruct views toward Mt Maude. The backdrop of the hillslopes to the west of the road act as containing topographic elements.
<i>(ii) The proposed development is likely to be visually prominent such that it detracts from public or private views otherwise characterized by natural or arcadian pastoral landscapes;</i>	
<i>(iii) There is opportunity for screening or other mitigation by any proposed method such as earthworks and/or new planting which does not detract from or obstruct views of the existing natural topography or cultural plantings such as hedge rows and avenues;</i>	
<i>(iv) The subject site and the wider Visual Amenity Landscape of which it forms part is enclosed by any confining elements of topography and/or vegetation;</i>	

(c) Form and Density of Development	
<i>(iii) Development is concentrated in areas with higher potential to absorb development while retaining areas which are more sensitive in their natural or arcadian pastoral state;</i>	The subject site along with several neighbouring sites has been previously modified to allow for rural-living. Therefore, the area is considered to be able to absorb the earthworks and access while retaining the site and surrounding area’s rural character. It is also noted that the proposal will not alter the density of the site.
<i>(iv) The proposed development, if it is visible, does not introduce densities which reflect those characteristics of urban areas.</i>	

(d) Cumulative effects of development on the landscape	
<i>(ii) The nature and extent of the existing development within the vicinity or locality;</i>	The proposal is considered to be consistent with the current land use pattern of the surrounding area. As previously discussed, the access and earthworks will not lead to the over-domestication of the site as these are low planted or grassed landscape elements that will not visually compromise the natural or pastoral character of the lower part of the site. as it will be perceived as a farm building. The earthworks will not require any connections to Council’s infrastructure, nor will it increase the site’s density.
<i>(iii) Whether the proposed development is likely to lead to further degradation or domestication of the landscape such that the existing development and/or land use represents a threshold with respect to the vicinity’s ability to absorb further change;</i>	
<i>(iv) Whether further development as proposed will visually compromise the existing natural and arcadian pastoral character of the landscape by exacerbating existing and potential adverse effects;</i>	
<i>(vi) Whether the proposed development will likely result in the need for infrastructure consistent with urban landscapes in order</i>	

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<i>to accommodate increased population and traffic volumes;</i>	
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(e) Rural Amenities	
<i>(i) The proposed development maintains adequate and appropriate visual access to open space and views across arcadian pastoral landscapes from public roads and other public places; and from adjacent land where views are sought to be maintained;</i>	As discussed in previous sections, the access and earthworks will be visible from the adjoining road (Lake Hawea-Albert Town Road) although these views will be constrained by the presence of the existing, taller mounding within and parallel to the road. This mounding will block some of the views into the lower part of the site, but will still leave the slopes of Mt Maude visible.
<i>(ii) The proposed development compromises the ability to undertake agricultural activities on surrounding land;</i>	Due to the location of the barn and the nature of vegetation along the roadside boundaries, the applicant has proposed to use materials which are able to be absorbed by the surrounding environment. The site is not of a size to be suitable for productive agricultural use. The earthworks and access on this site will not compromise the ability to undertake agricultural activities on surrounding land. No connections to infrastructure or street lighting or curb and channel will be required as part of the proposal.
<i>(iii) The proposed development is likely to require infrastructure consistent with urban landscapes such as street lighting and curb and channeling, particularly in relation to public road frontages;</i>	
<i>(iv) Landscaping, including fencing and entrance ways, are consistent with traditional rural elements, particularly where they front public roads.</i>	The entranceway design is consistent with the requirements for an entrance from the highway.

Rule 5.4.2.3 Assessment Matters – (i) General – Nature Conservation Values

Ref	Assessment Matters	Comments
(a)	<i>The extent to which activities will result in opportunities for the protection and enhancement of indigenous bio-diversity or indigenous ecosystems.</i>	The proposed development does not provide any opportunities for the protection or enhancement of indigenous biodiversity, nor does it impose any threat to the same.
(b)	<i>Any adverse effects of the activity on indigenous ecosystems from animal pests and domestic animals.</i>	There will be no effect on indigenous ecosystems from animal pests and domestic animals as a result of the development.
(c)	<i>Any need to avoid, contain, manage and/or monitor the adverse effects of introduced plant species/forms, which have potential to spread and naturalise.</i>	N/A
(d)	<i>The extent to which the activity provides opportunities for making available information regarding indigenous ecosystems.</i>	N/A
(e)	<i>The extent to which activities will protect and enhance the survival and well being of indigenous plants and/or animals that are rare, vulnerable or endangered, or significant within the District, Region or nationally.</i>	N/A
(f)	<i>In the case of activities proposed in the vicinity of rock outcrops, the extent to which the activity will adversely affect, or provide opportunities to enhance, the</i>	N/A

	<i>protection of lizard populations and their habitat.</i>	
(g)	<i>The extent to which the inherent values of the site, and its ecological context, have been recognised and provided for.</i>	N/A

Rule 5.4.2.3 Assessment Matters General – (ii) Natural Hazards

Ref	Assessment Matters	Comments
(a)	<i>Whether the activity will exacerbate any natural hazard, including erosion, sedimentation, subsidence and landslips.</i>	Natural hazards are able to be mitigated by the bund and heel trench and foundation design.

Rule 5.4.2.3 Assessment Matters General – (iv) Controlled and Discretionary Activity – All Buildings

Ref	Assessment Matters	Comments
(a)	<i>The extent to which the location of buildings and associated earthworks, access and landscaping breaks the line and form of the landscape with special regard to skylines, ridges, hills and prominent slopes.</i>	The proposed barn will be located towards the southern boundary of the site and at the base of the slope of Mt Maude to ensure the building does not break the skyline as it will be set back against the pine forest and existing vegetation along the ridge to reduce the visual impact of the built form. The proposed barn is rural in character and will be located in lower section of the site that is of limited visibility to surrounding sites and so is considered to be appropriate in the rural area.
(b)	<i>Whether the external appearance of buildings is appropriate within the rural context.</i>	

Rule 5.4.2.3 Assessment Matters General – (xi) Structures – Restricted Discretionary Activity

Ref	Assessment Matters	Comments
(a)	<i>The materials used, including their colour and permeability;</i>	The exterior of the barn will consist of a combination of Colorsteel corrugated iron cladding and roofing coloured Ironsand and so will be recessive and natural.
(b)	<i>Whether the structure will be consistent with traditional rural elements</i>	It is not anticipated that the external appearance of the building will adversely affect the character or amenity of the surrounding environment. Although the proposed building will be utilised for domestic storage, barns are typically associated with farming activities and are anticipated features within the rural zone. Therefore it is not anticipated that the proposed development will adversely affect the rural character of the surrounding environment.

Rule 5.4.2.3 Assessment Matters General – (xxiii) Nature and Scale of Activities

Ref	Assessment Matters	Comments
(a)	<i>The extent to which:</i> <i>(i) the scale of the activity and the proposed use of the buildings are compatible with the scale of other buildings and activities in the surrounding area.</i> <i>(ii) the character of the site will remain dominant.</i> <i>(iii) materials and equipment associated with the activity need to be stored outside of a building.</i>	As previously mentioned, the application proposes to construct a 146m ² barn which will be utilised for storage by the applicant. As the site is rural the proposed barn is considered appropriate and will not generate additional traffic movements. It is also noted that as the surrounding environment consist of a combination of rural and rural-residential sites, the barn will be able to be absorbed by the receiving environment as it will be perceived as a farm building when viewed from outside the site and therefore the

<p>(iv) all manufacturing, altering, repairing, dismantling or processing of any goods or articles associated with the activity need to be carried outside of a building.</p> <p>(v) noise and visual impact.</p> <p>(vi) adverse effects of likely traffic generation and the ability to mitigate such effects.</p>	<p>desired rural character of the site will be retained. The barn will be used for storage by the applicants who live on-site, as such the proposed development will not result in additional traffic movements.</p>
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4.4 OBJECTIVES AND POLICIES

As a Discretionary Activity the application has been assessed against the relevant District Plan objectives and policies as outlined below.

The following is an assessment of the application against the objectives and policies of Part 4 (District Wide) and Part 5 (Rural General) of the Operative District Plan. Objectives, policies and assessment matters not mentioned below have been considered, but are not considered to be pertinent to the application and so have not been included in this report for the sake of conciseness.

The site has been assessed as being within both Visual Amenity and Outstanding Natural Landscapes.

Part 4 – District Wide Issues

The District Wide objectives and policies under Part 4.2 of the District Plan provide specific guidance for managing the effects of development on the landscape and visual amenity values.

Rule 4.2.5 – Landscape and Visual Amenity Objective and Policies

Objective: *Subdivision, use and development being undertaken in the District in a manner which avoids, remedies, or mitigates adverse effects on landscape and visual amenity values.*

Policy: *1(a), (b), (c) – Future Development, 2 – Outstanding Natural Landscapes*

Comment: As discussed throughout this application, the proposed barn has been located in the most appropriate area of the site while taking into account the site’s limitations due to the potential risk of natural hazards as discussed in the geotech report contained in Appendix D. It is also considered that the proposed location of the barn is an area where the building can be absorbed without detracting from the character or amenity of the surrounding landscape and that the location maintains an appropriate level of openness and the location has capacity to absorb change.

Policy: *4(a), (b), (c) – Visual Amenity Landscapes*

Comment: The earthworks will be visible from the road, but have been designed to be low and natural looking and do not adversely affect natural character.

Policy: *8(a), (b) – Avoid Cumulative Degradation*

Comment: The application is for a barn, access and earthworks that does not over domesticate the landscape and represents a comprehensive and sympathetic development of the site.

Policy: 9(a), (b) – Structures

Comment: The site is both categorised as being an Outstanding Natural Landscape (ONL) and a Visual Amenity Landscape (VAL) with the proposed barn being located on the lower section of the site but within the ONL area. The barn will be set back against the existing pine forest and as such will not have any effect on the skyline, ridges or prominent slopes of the site. The barn will be located approximately 110m from the adjoining road and will be Ironsand and so recessive in colour to ensure the built form will be able to be absorbed by the receiving environment without adversely affecting the character or amenity of the surrounding landscape. The development is therefore considered to be consistent with this policy.

Part 5 – Rural Areas

The following objectives and policies from Part 5 – Rural Areas are relevant and have been considered for this proposal.

Objective 1 – Character and Landscape Value

To protect the character and landscape value of the rural area by promoting sustainable management of natural and physical resources and the control of adverse effects caused through inappropriate activities.

Policies: 1.1, 1.3, 1.4, 1.6, 1.7, 1.8

Comment: As previously discussed throughout this application, the proposal is considered to be consistent with the existing amenity and character of the directly adjoining area. The site is not of sufficient size to have the potential to be utilised for productive rural activities nor will the proposal affect the existing rural and agricultural activities occurring in the surrounding area. The barn will appear rural in character and is therefore considered to be consistent with other similar developments within the rural environment. The site has been assessed as having the ability to absorb the proposed change and not result in structures on the skyline, ridges, hills or prominent slopes. Overall the development is considered to be appropriate in this location and therefore in accordance with this objective and these policies.

Objective 3 – Rural Amenity

Avoiding, remedying or mitigating adverse effects of activities on rural amenity.

Policies: 3.2, 3.3

Comment: The proposed development will not compromise or restrict the wider range of land use that occurs within the surrounding landscape. The site will continue to be utilised for rural-residential purposes and the proposed development will not limit the type and scale of activities adjoining landowners can undertake.

The proposed barn will be sufficiently set back from the property boundaries to mitigate the adverse effects of the built form on neighbouring activities. Any potential adverse effects resulting from the proposal have been recognised and appropriate measures have been adopted to appropriately avoid or mitigate such effects. It is therefore considered that the proposed activity is consistent with the above policy.

Summary of Objectives and Policies

The above assessment of the proposal against the objectives and policies demonstrates this development is consistent with the objectives and policies within the Rural General Zone and within the VAL and ONL landscapes.

As the proposed development will be small in scale and of a nature which can be anticipated within the Rural General Zone, the subject site can absorb the level of change proposed while providing for the ongoing rural-residential use of the site without adversely affecting the surrounding environment.

In conclusion, overall the proposal will achieve the environmental results for VAL and ONL landscapes and the Rural General zoning and is consistent with the relevant objectives and policies.

5.0 PROPOSED DISTRICT PLAN

5.1 OVERVIEW

Assessment against the Proposed District Plan (PDP) is required in accordance with Schedule 4 of the RMA.

The PDP review is being undertaken in a number of stages. Stage 1 of the Proposed Queenstown Lakes District Plan 2015 was notified on 24 August 2015 with decision on submissions being notified on 7 May 2018 and decisions on Stage 2 of the PDP were notified on 21 March 2019. The rules of Stage 1 and Stage 2 of the PDP that are not subject to appeal now have legal effect in accordance with Section 86B of the RMA. The assessment below therefore addresses the provisions of the PDP that are relevant to the current proposal.

Rules with immediate legal effect have been addressed where relevant.

Provisions of Stage 1 of the PDP that are subject to appeal are highlighted in **red** in the sections below. These provisions should be afforded limited weight.

5.2 STAGE 1 PDP APPEALS VERSION – RESOURCE CONSENTS REQUIRED

The site is zoned Rural under the Proposed District Plan (PDP). The following resource consents are required for the proposal:

- As a **Discretionary Activity** under Rule 21.4.11 for the construction of the barn.
- As a **Restricted Discretionary Activity** under Rule 25.4.2 for earthworks that to infringe Rule 25.5.6 as the total volume of earthworks exceed the permitted volume of 1,000m³ (approximately 2,100m³ of earthworks are proposed).
- As a **Restricted Discretionary Activity** under Rule 25.4.2 for earthworks that to infringe Rule 25.5.19 as the total volume of earthworks within 10 metres of the swale exceeds the permitted volume of 5m³ as approximately 400m³ of earthworks are proposed in this area.

5.3 STAGE 1 PDP APPEALS VERSION – RULES, ASSESSMENT MATTERS, OBJECTIVES AND POLICIES

The relevant objectives and policies of the PDP are found in the following chapters: Chapter 3 (Strategic Direction), Chapter 6 (Landscapes and Rural Character), Chapter 21 (Rural) and Chapter 28 (Natural Hazards). Other objectives and policies not mentioned below have been considered but are not considered pertinent to the application and so have not been included in this report for the sake of conciseness. There are no rules within Chapters 3 and 6.

Chapter 21 – Rural

Rules – Standards

21.5 Rules – General Standards

Ref	Standard	Comments
21.5.1	Setback from Internal Boundaries <i>The setback of any building from internal boundaries shall be 15m.</i>	Complies, the barn will be located 15m from the nearest internal boundary shared with Lot 6 DP 300393 to the south to ensure internal boundary setbacks are complied with.
21.5.2	Setback from Roads <i>The setback of any building from a road boundary shall be 20m, except, the minimum setback of any building from State Highway 6 between Lake Hayes and the Shotover River shall be 50m. The minimum setback of any building for other sections of State Highway 6 where the speed limit is 70 km/hr or greater shall be 40m.</i>	Complies, the barn will be located approximately 110m from the adjoining road (Lake Hawea-Albert Town Road) to the east.
21.5.3	Setback from Neighbours of Buildings Housing Animals <i>The setback from internal boundaries for any building housing animals shall be 30m.</i>	N/A
21.5.4	Setback of buildings from Water bodies <i>The minimum setback of any building from the bed of a wetland, river or lake shall be 20m.</i>	Infringes, as a there is a small channel that contains seepages from the base of the hill that is located less than 20 metres from the barn location.
21.5.5	Airport Noise – Wanaka Airport <i>Alterations or additions to existing buildings, or construction of a building on a building platform approved before 20 October 2010, that contain an Activity Sensitive to Aircraft Noise and are within the Outer Control Boundary, must be designed to achieve an internal design sound level of 40 dB Ldn, based on the 2036 noise contours, at the same time as meeting the ventilation requirements in Rule 36.6.2, Chapter 36. Compliance can either be demonstrated by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the internal design sound level, or by installation of mechanical</i>	N/A

	ventilation to achieve the requirements in Rule 36.6.2, Chapter 36.	
21.5.6	Airport Noise – Alteration or Addition to Existing Buildings (excluding any alterations of additions to any non-critical listening environment) within the Queenstown Airport Noise Boundaries	N/A
21.5.7	<p>Lighting and Glare</p> <p>21.5.7.1 All fixed exterior lighting must be directed away from adjoining sites and roads; and</p> <p>21.5.7.2 No activity on any site will result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site, provided that this rule shall not apply where it can be demonstrated that the design of adjacent buildings adequately mitigates such effects.</p> <p>21.5.7.3 There must be no upward light spill.</p>	N/A, no exterior lighting is proposed as part of this application.

21.7 Rule – Standards for Buildings

Ref	Standard	Comments
21.7.1	<p>Structures</p> <p>Any structures which is greater than 5 metres in length, and between 1 metre and 2 metres in height must be located a minimum distance of 10 metres from a road boundary.</p> <p>21.7.1.1 Post and rail, post and wire and post and mesh fences, including deer fences;</p> <p>21.7.1.2 Any structure associated with farming activities as defined in this plan.</p>	N/A
21.7.2	<p>Buildings</p> <p>Any buildings, including any structure larger than 5m², that is new, relocated, altered, reclad or repainted, including containers intended to, or that remain on-site for more than six months, and the alteration to any lawfully established building, are subject to the following:</p> <p>All exterior surfaces * must be coloured in the range of browns, greens or greys, including:</p> <p>21.7.2.1 Pre-painted steel and all roofs must have a light reflectance value not greater than 20%; and</p> <p>21.7.2.2 All other surface ** finishes except for schist, must have a light reflectance value of not greater than 30%.</p> <p>21.7.2.3 In the case of alterations to an existing building not located within a building platform, it does not increase the ground floor area by more than 30% in any ten year period.</p>	Complies, the barn will be clad in a visually recessive colour (Ironsand) to comply with the relevant standards.

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	<p>* Excludes soffits, windows and skylights (but not glass balustrades).</p> <p>** Includes cladding and built landscaping that cannot be measured by way of light reflectance value but is deemed by the Council to be suitably recessive and have the same effect as achieving a light reflectance value of 30%.</p>	
21.7.3	<p>Building size</p> <p>The ground floor area of any building must not exceed 500m².</p>	Complies, the barn will be 146m ² in area.
21.7.4	<p>Building Height</p> <p>The maximum height shall be 8m.</p>	Complies, the barn will have a maximum height of 4.6m plus footings and so will be considerably less than the maximum height of 8 metres.
21.7.5	<p>Fire Fighting water and access</p> <p>All new buildings, where there is no reticulated water supply or any reticulated water supply is not sufficient for fire-fighting water supply, must make the following provisions for fire-fighting:</p> <p>21.7.5.1 A water supply of 45,000 litres and any necessary couplings.</p> <p>21.7.5.2 A hardstand area adjacent to the firefighting water supply capable of supporting fire service vehicles.</p> <p>21.7.5.3 Firefighting water connection point within 6m of the hardstand, and 90m of the dwelling.</p> <p>21.7.5.4 Access from the property boundary to the firefighting water connection capable of accommodating and supporting fire service vehicles.</p>	Will comply, fire fighting requirements will be met with the installation of water tanks at the time the barn is built.

5.3.1 Assessment Matters

Rule 21.21.1 Outstanding Natural Features and Outstanding Natural Landscapes (ONF and ONL)

The assessment matters set out below are derived from Policies 3.3.30, 6.3.10 and 6.3.12 to 6.3.18 inclusive. Applications shall be considered with regard to the following assessment matters:

Ref	Assessment Matters	Comments
21.21.1.1	<p>In applying the assessment matters, the Council will work from the presumption that in or on Outstanding Natural Features and Landscapes, the applicable activities are inappropriate in almost all locations and that successful applications will be exceptional cases where the landscape or feature can absorb the change and where the buildings and structures and associated roading and boundary changes are reasonably difficult to see from beyond</p>	The barn location is on the edge of the ONL area, close to the base of the hill, well setback from the road and so is in a location that the landscape can absorb the change and will be reasonably difficult to see.

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	<p><i>the boundary of the site the subject of application.</i></p>	
<p>21.21.1.2</p>	<p><i>Existing vegetation that:</i></p> <p><i>a. was either planted after, or, self-seeded and less than 1 metre in height at 28 September 2002; and,</i></p> <p><i>b. obstructs or substantially interferes with views of the proposed development from roads or other public places, shall not be considered:</i></p> <p><i>i. as beneficial under any of the following assessment matters unless the Council considers the vegetation (or some of it) is appropriate for the location in the context of the proposed development; and</i></p> <p><i>ii. as part of the permitted baseline.</i></p>	<p>N/A as the application does not rely on existing vegetation.</p>
<p>21.21.1.3</p>	<p><i>Effects on landscape quality and character</i></p> <p><i>In considering whether the proposed development will maintain or enhance the quality and character of Outstanding Natural Features and Landscapes, the Council shall be satisfied of the extent to which the proposed development will affect landscape quality and character, taking into account the following elements:</i></p> <p><i>a. Physical attributes:</i></p> <p><i>i. geological, topographical, geographic elements in the context of whether these formative processes have a profound influence on landscape character;</i></p> <p><i>ii. vegetation (exotic and indigenous);</i></p> <p><i>iii. the presence of waterbodies including lakes, rivers, streams, wetlands.</i></p> <p><i>b. Visual attributes:</i></p> <p><i>i. legibility or expressiveness – how obviously the feature or landscape demonstrates its formative processes;</i></p> <p><i>ii. aesthetic values including memorability and naturalness;</i></p> <p><i>iii. transient values including values at certain times of the day or year;</i></p> <p><i>iv. human influence and management – settlements, land management patterns, buildings,</i></p> <p><i>c. Appreciation and cultural attributes:</i></p> <p><i>i. Whether the elements identified in (a) and (b) are shared and recognised;</i></p>	<p>The site is located within a Rural Zone where farm buildings are an anticipated feature. The barn is rural in character, well mitigated and therefore in accordance with the landscape character and will be able to be absorbed by the receiving environment without adversely affecting landscape quality and character.</p>

	<p><i>ii. Cultural and spiritual values for tangata whenua;</i></p> <p><i>iii. Historical and heritage associations.</i></p> <p><i>The Council acknowledges that Tangata Whenua beliefs and values for a specific location may not be known without input from iwi.</i></p> <p><i>d. In the context of (a) to (c) above, the degree to which the proposed development will affect the existing landscape quality and character, including whether the proposed development accords with or degrades landscape quality and character, and to what degree.</i></p> <p><i>e. any proposed new boundaries will not give rise to artificial or unnatural lines (such as planting and fence lines) or otherwise degrade the landscape character.</i></p>	
<p>21.21.1.4</p>	<p><i>Effects on visual amenity</i></p> <p><i>In considering whether the potential visibility of the proposed development will maintain and enhance visual amenity, values the Council shall be satisfied that:</i></p> <p><i>a. the extent to which the proposed development will not be visible or will be reasonably difficult to see when viewed from public roads and other public places. In the case of proposed development in the vicinity of unformed legal roads, the Council shall also consider present use and the practicalities and likelihood of potential use of unformed legal roads for vehicular and/or pedestrian, cycling, equestrian and other means of access;</i></p> <p><i>b. the proposed development will not be visually prominent such that it detracts from public or private views of and within Outstanding Natural Features and Landscapes;</i></p> <p><i>c. the proposal will be appropriately screened or hidden from view by elements that are in keeping with the character of the landscape;</i></p> <p><i>d. the proposed development will not reduce the visual amenity values of the wider landscape (not just the immediate landscape);</i></p> <p><i>e. structures will not be located where they will break the line and form of any ridges, hills and slopes;</i></p> <p><i>f. any roads, access, lighting, earthworks and landscaping will not reduce the visual amenity of the</i></p>	<p>The barn location is on the edge of the ONL area, close to the base of the hill, well setback from the road and so is in a location that the landscape can absorb the change and will be intermittently and reasonably difficult to see from public places. The barn will be a low, recessively coloured rural building against the backdrop of the hill and well setback from the road and so will be not prominent, reasonably difficult to see, well screened, not reduce visual amenity values or break the skyline. Associated works will also be well screened and will not reduce visual amenity.</p>

	<i>landscape.</i>	
21.21.1.5	<p><i>Design and density of Development</i></p> <p><i>In considering the appropriateness of the design and density of the proposed development, whether and to what extent:</i></p> <p><i>a. opportunity has been taken to aggregate built development to utilise common access ways including roads, pedestrian linkages, services and open space (i.e. open space held in one title whether jointly or otherwise);</i></p> <p><i>b. there is merit in clustering the proposed building(s) or building platform(s) within areas that are least sensitive to change;</i></p> <p><i>c. development, including access, is located within the parts of the site where it would be least visible from public and private locations;</i></p> <p><i>d. development, including access, is located in the parts of the site where it has the least impact on landscape character.</i></p>	<p>A common accessway was considered, but eliminated due to practical considerations, including the retention of existing vegetation and sightlines. The location chosen has in principle been approved by NZTA and in a location that has little impact on landscape character.</p>
21.21.1.6	<p><i>Cumulative effects of development on the landscape:</i></p> <p><i>Taking into account whether and to what extent existing, consented or permitted development (including unimplemented but existing resource consent or zoning) may already have degraded:</i></p> <p><i>a. the landscape quality or character; or,</i></p> <p><i>b. the visual amenity values of the landscape.</i></p> <p><i>The Council shall be satisfied the proposed development, in combination with these factors will not further adversely affect the landscape quality, character, or visual amenity values.</i></p>	<p>As discussed previously, the proposed development is in context with the surrounding rural landscape. The development is not anticipated to visually compromise the existing character of the surrounding environment nor would it result in the over-domestication of the site or cumulative effects.</p>

Rule 21.21.2 Rural Character Landscape (RCL)

The assessment matters below have been derived from Policies 3.3.32, 6.3.10 and 6.3.19 to 6.3.29 inclusive. Applications should be considered with regard to the following assessment matters because in the Rural Character Landscapes the applicable activities are unsuitable in many locations.

Ref	Assessment Matters	Comments
21.21.2.1	<p><i>Existing vegetation that:</i></p> <p><i>a. Was either planted after, or, self seeded and less than 1 metre in height at 28 September 2002; and</i></p> <p><i>b. Obstructs or substantially interferes with views</i></p>	<p>The proposed location of the barn has been cleared of blackberry and as such the proposal will not require the removal of any notable vegetation.</p>

	<p><i>of the proposed development from roads or other public places, shall not be considered:</i></p> <p><i>i. As beneficial under any of the following assessment matters unless the Council considers the vegetation (or some of it) is appropriate for the location in context of the proposed development; and</i></p> <p><i>ii. As any part of the permitted baseline.</i></p>	
<p>21.21.2.2</p>	<p><i>Effects on landscape quality and character:</i></p> <p><i>The following shall be taken into account:</i></p> <p><i>a. Where the site is adjacent to an Outstanding Natural Feature or Landscape, whether and the extent to which the proposed development will adversely affect the quality and character of the adjacent Outstanding Natural Feature or Landscape;</i></p> <p><i>b. Whether and the extent to which the scale and nature of the proposed development will degrade the quality and character of the surrounding Rural Character Landscape;</i></p> <p><i>c. Whether the design and any landscaping would be compatible with or would enhance the quality and character of the Rural Character Landscape.</i></p>	<p>As previously mentioned, the site is split between two landscape classifications, ONL and Rural Character Landscape (RCL). The proposed barn will be located within the ONL section of the site.</p> <p>The proposed development is small in scale and the nature of the development is consistent with development in the area, located a distance from the road against the base of the hill and so will not adversely affect the quality or character of the ONL, or the RCL.</p> <p>The design and landscaping will enhance the character of the landscape, ensure that the barn will not be visually prominent and is able to be absorbed by the surrounding environment, but not block views from the road west to Mt Maude.</p>
<p>21.21.2.3</p>	<p><i>Effects on visual amenity:</i></p> <p><i>Whether the development will result in a loss of visual amenity of the Rural Character Landscape, having regard to whether and the extent to which:</i></p> <p><i>a. The visual prominence of the proposed development from any public places will reduce the visual amenity of the Rural Character Landscape. In the case of proposed development which is visible from unformed legal roads, regard shall be had to the frequency and intensity of the present use and, the practicalities and likelihood of potential use of these unformed legal road access;</i></p> <p><i>b. The proposed development is likely to be visually prominent such that it detracts from private views;</i></p> <p><i>c. Any screening or other mitigation by any proposed method such as earthworks and/or new planting will detract from or obstruct views of the Rural Character Landscape from both public and private locations;</i></p> <p><i>d. The proposed development is enclosed by any</i></p>	<p>The site is located within a Rural Zone where farm buildings are an anticipated feature. Although the barn will be used for storage, it will be rural in character and therefore will be able to be absorbed by the receiving environment.</p> <p>The barn will be of a scale similar to other buildings in the area (include those closer to and more prominent from the road. The barn will not be visually prominent to the extent that it dominates or detracts from public or private views beyond a level which is acceptable. The proposed landscaping will provide sufficient mitigation over time to adequately screen the barn from views from the adjoining road. The development reflects the patterns, rural character and form of the surrounding landscape. Therefore, although the proposal will result in the landscape and visual character of the site being changed, the overall nature and pastoral character of the surrounding land will</p>

	<p><i>confining elements of topography and/or vegetation and the ability of these elements to reduce visibility from public and private locations;</i></p> <p><i>e. Any proposed roads, boundaries and associated planting, lighting, earthworks and landscaping will reduce visual amenity, with particular regard to elements which are inconsistent with the existing natural topography and patterns;</i></p> <p><i>f. Boundaries follow, whenever reasonably possible and practicable, the natural lines of the landscape or landscape units.</i></p>	<p>remain largely unaffected.</p> <p>As previously discussed, the proposed mitigation measures will ensure that the development will not be visually dominant and of a nature that it can be absorbed by the surrounding environment.</p>
<p>21.21.2.4</p>	<p>Design and density of development:</p> <p><i>In considering the appropriateness of the design and density of the proposed development, whether and to what extent:</i></p> <p><i>a. Opportunity has been taken to aggregate built development to utilise common access ways including roads, pedestrian linkages, services and open space (i.e. open space held in one title whether jointly or otherwise);</i></p> <p><i>b. There is merit in clustering the proposed building(s) or building platform(s) having regard to the overall density and intensity of the proposed development and whether this would exceed the ability of the landscape to absorb change.</i></p> <p><i>c. Development, including access, is located within the parts of the site where they will be least visible from public and private locations;</i></p> <p><i>d. Development, including access, is located in the parts of the site where they will have the least impact on the landscape.</i></p>	<p>The site has existing access off the Lake Hawea-Albert Town Road to the east which was formed as part of the underlying subdivision (RM990140). It is proposed for the gravel driveway to be extended at the time the barn is constructed to connect the barn and the existing access way.</p> <p>The location of the barn was specifically chosen as it is considered to be sufficiently set back from the road and will be positioned with the existing lower slopes of Mt Maude as a backdrop to reduce the visual impact and maximise the open space between the barn and the road.</p>
<p>21.21.2.5</p>	<p>Tangata Whenua, biodiversity and geological values:</p> <p><i>a. whether and to what extent the proposed development will degrade Tangata Whenua values including Tōpuni or nohoanga, indigenous biodiversity, geological or geomorphological values or features and, the positive effects any proposed or existing protection or regeneration of these values or features will have.</i></p>	<p>The proposal will not have any adverse effect on Tangata Whenua, indigenous biodiversity, or geological or geomorphological values or features.</p>
<p>21.21.2.6</p>	<p>Cumulative effects of development on the landscape:</p> <p><i>Taking into account whether and to what extent any existing, consented or permitted development (including unimplemented but existing resource consent or zoning) has degraded landscape quality, character, and visual amenity values. The Council</i></p>	<p>As discussed previously, the proposed development is in context with the surrounding rural landscape. The development is not anticipated to visually compromise the existing character of the surrounding environment nor would it result in the</p>

	<p><i>shall be satisfied;</i></p> <p><i>a. The proposed development will not further degrade landscape quality, character and visual amenity values, with particular regard to situations that would result in a loss of valued quality, character and openness due to the prevalence of residential or non-farming activity within the Rural Landscape.</i></p> <p><i>b. Where in the case resource consent may be granted to the proposed development but it represents a threshold to which the landscape could absorb any further development, whether any further cumulative adverse effects would be avoided by way of imposing a covenant, consent notice or other legal instrument that maintains open space.</i></p>	<p>over-domestication of the site.</p>
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5.3.2 Objectives and Policies

The relevant objectives and policies of the Proposed District Plan are found in the following chapters: Strategic Direction (Chapter 3), Landscape (Chapter 6) and Rural (Chapter 21). Other objectives and policies not mentioned below have been considered, but are not considered pertinent to the application and so have not been included in this report for the sake of conciseness.

Chapter 3 – Strategic Direction

Significant Objective 3.2.5 – The retention of the District’s distinctive landscapes. (addresses Issues 2 and 4)

Objective 3.2.5.2 – The rural character and visual amenity values identified Rural Character Landscapes are maintained or enhanced by directing new subdivision, use or development to occur in those areas that have the potential to absorb change without materially detracting from those values.

Comment: As discussed throughout this application, no development will occur within the ONL classification of the site. The proposed barn will be located in an area of the site which has the capacity to absorb the development without adversely affecting the landscape or amenity values of the surrounding area.

Strategic Policies – Rural Activities

Policy 3.3.32 – Only allow further land use change in areas of the Rural Character Landscapes able to absorb that change and limit the extent of any change so that landscape character and visual amenity values are not materially degraded. (relevant to S.O. 3.2.19 and 3.2.5.2)

Comment: The earthworks are in the RCL area and will not materially degrade landscape character or visual amenity values.

Chapter 6 – Landscapes and Rural Character

Managing Activities in the Rural Zone, the Gibbston Character Zone, the Rural Residential Zone and Rural Lifestyle Zone

Policy 6.3.5 – Ensure that the location and direction of lights does not cause excessive glare and avoids unnecessary degradation of views of the night sky and of landscape character, including of the sense of remoteness where it is an important part of that character. (3.2.5.1, 3.2.5.2, 3.3.19, 3.3.20, 3.3.30, 3.3.32).

Comment: All exterior lighting will be directed downward and away from the adjoining road, neighbouring properties and the night sky.

Managing Activities in Outstanding Natural Landscapes and on Outstanding Natural Features

Policy 6.3.12 - Recognise that subdivision and development is inappropriate in almost all locations in Outstanding Natural Landscapes and on Outstanding Natural Features, meaning successful applications will be exceptional cases where the landscape or feature can absorb the change and where the buildings and structures and associated roading and boundary changes will be reasonably difficult to see from beyond the boundary of the site the subject of application. (3.2.1.1, 3.2.5.1, 3.3.21, 3.3.30).

Policy 6.3.13 - Ensure that the protection of Outstanding Natural Features and Outstanding Natural Landscapes includes recognition of any values relating to cultural and historic elements, geological features and matters of cultural and spiritual value to tangata whenua, including tōpuni and wahi tūpuna. (3.2.3.1, 3.2.5.1, 3.2.7.1, 3.3.16, 3.3.30, 3.3.33 - 35, Chapter 5).

Comment: The barn location is on the edge of the ONL area, close to the base of the hill, well setback from the road and so is in a location that the landscape can absorb the change and will be reasonably difficult to see.

Managing Activities in Rural Character Landscapes

Policy 6.3.19 – Recognise that subdivision and development is unsuitable in many locations in Rural Character Landscapes and successful applications will need to be, on balance, consistent with the objectives and policies of the Plan. (3.2.1.1, 3.2.1.7, 3.2.5.2, 3.3.20- 24, 3.3.32).

Policy 6.3.22 – Have particular regard to the potential adverse effects on landscape character and visual amenity values where further subdivision and development would constitute sprawl along roads. (3.2.1.1, 3.2.1.7, 3.2.5.2, 3.3.21, 3.3.24-25, 3.3.32).

Policy 6.3.23 – Ensure incremental changes from subdivision and development do not degrade landscape quality or character, or important views as a result of activities associated with mitigation of the visual effects of proposed development such as screen planting, mounting and earthworks. (3.2.1.1, 3.2.1.8, 3.2.5.2, 3.3.21, 3.3.24, 3.3.32).

Policy 6.3.26 – Avoid adverse effects on visual amenity from subdivision, use and development that:
a. is highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); or
b. forms the foreground for an Outstanding Natural Landscape or Outstanding Natural Feature when viewed from public roads. (3.2.1.1, 3.2.1.8, 3.2.5.1, 3.2.5.2, 3.3.20-21, 3.3.24-25, 3.3.30, 3.3.32).

Policy 6.3.28 – *In the upper Clutha Basin, have regard to the adverse effects from subdivision and development on the open landscape character where it is open at present. (3.2.1.1, 3.2.1.8, 3.2.5.2, 3.3.20-21, 3.3.24-26, 3.3.32).*

Policy 6.3.29 – *Encourage development to utilise shared accesses and infrastructure, and to locate within the parts of the site where it will minimise disruption to natural landforms and to rural character. (3.2.1.1, 3.2.1.8, 3.3.21, 3.3.24, 3.3.32)*

Comment: The proposed development is considered to be consistent with the objectives and policies of the PDP. The proposal will not degrade the landscape character and any potential adverse effects resulting from the proposal will be mitigated by the size, location and colour of the building, with effects further reduced by bunding and planting. The building will be setback against the existing shelterbelt plantings and located away from the adjoining road. This will reduce the visual impact of the built form on the open landscape character of the site.

Chapter 21 – Rural

21.2.1 Objective – *A range of land uses, including farming and established activities, are enabled while protecting, maintaining and enhancing landscape, ecosystem services, nature conservation and rural amenity values.*

Policy 21.2.1.3 – *Require buildings to be set back a minimum distance from internal boundaries and road boundaries in order to mitigate potential adverse effects on landscape character, visual amenity, outlook from neighbouring properties and to avoid adverse effects on established and anticipated activities.*

Comment: The barn will be located toward the south-eastern corner of the site and will allow the applicant to utilise the space for domestic and machinery storage. All setback requirements are able to be met and any potential effects on the landscape character, visual amenity and outlook from neighbouring properties will be sufficiently mitigated.

Policy 21.2.1.5 – *Have regard to the location and direction of lights so they do not cause glare to other properties, roads, public places or views of the night sky.*

Comment: As previously discussed, all exterior lights will be directed downward and away from the adjoining road, neighbouring properties and the night sky.

Policy 21.2.1.8 – *Have regard to fire risk from vegetation and the potential risk to people and buildings, when assessing subdivision and development in the Rural Zone.*

Policy 21.2.1.9 – *Provide adequate firefighting water and fire service vehicle access to ensure an effective emergency response.*

Comment: Fire fighting water supply and access will be provided in accordance with these standards.

21.2.2 Objective – The life supporting capacity of soils is sustained.

Policy 21.2.2.2 – *Maintain the productive potential and soil resource of Rural Zoned land and encourage land management practices and activities that benefit soil and vegetation cover.*

Policy 21.2.2.3 – *Protect the soil resource by controlling activities including earthworks, indigenous vegetation clearance and prohibit the planting and establishment of identified wilding exotic trees with the potential to spread and naturalise.*

Comment: The proposal will not alter the productive capacity of the site as the site is not currently suitable for productive rural activities. The proposal will not result in the clearance of indigenous vegetation nor will any wilding exotic tree species be planted.

6.0 RMA SECTION 104 MATTERS

The application has been assessed against the relevant provisions of the documents referred to in RMA section 104(1)(b) as detailed below. The application has also been assessed against the relevant provisions of the Queenstown Lakes Operative and Proposed District Plans as detailed in previous sections.

(i) National Environmental Standards

The following National Environmental Standards are not relevant to the current application:

- Air Quality 2004
- Sources of Human Drinking Water 2008
- Telecommunications Facilities 2008
- Electricity Transmission 2010

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011 is relevant to this application. A search of the most up to date information from the Otago Regional Council and the Queenstown Lakes District Council indicated no record of any HAIL activities in the application area. The balance of the site will remain as production land.

(ii) Other Regulations

No other regulations are relevant to this application.

(iii) National Policy Statements

The following National Policy Statements are not relevant to the current application:

- Freshwater Management 2014
- Renewable Electricity Generation 2011
- Electricity Transmission 2008

(iv) New Zealand Coastal Policy Statement

The New Zealand Coastal Policy Statement 2010 is not relevant to this application as the site is not in a coastal area.

(v) Otago Regional Policy Statement

The Otago Regional Policy Statement and the Proposed Regional Policy Statement are overviews of the Otago region's resource management issues and the policies and methods to achieve the integrated management of its natural and physical resources. Other resource management plans (the various regional plans and the District Plan) reflect the provisions of the Otago Regional Policy Statement and cannot be inconsistent with it. These policies give effect to the Regional Policy Statement.

Of relevance to this application are the objectives and policies relating to land, water quality and natural hazards. These objectives seek to promote the sustainable management of Otago's land and water resources, to avoid, remedy or mitigate degradation of Otago's natural and physical resources and maintain and enhance Otago's land resource through avoiding, remedying or mitigating the adverse effects of activities which have the potential to create adverse effects.

The Regional Policy Statement is given effect to by the regional plans and the District Plan. The Objectives and Policies of the land and natural hazard section of the Regional Policy Statement are primarily given effect to by the District Plan and the Regional Plan: Water. An assessment of the application against the provisions of the District Plan is contained in previous sections, and the application does not require consent under the Regional Plan: Water.

As a result of the development of the Partially Operative Proposed Otago Regional Policy Statement 2019 (discussed below) many parts of the Otago Regional Policy Statement 1998 have been revoked and are no longer operative. Some parts of the Otago Regional Policy Statement 1998 however relate to the matters that are the subject of appeal and remain operative.

Overall, the proposal is considered to be consistent with those provisions of the Otago Regional Policy Statement 1998 that remain operative.

(vi) Proposed Otago Regional Policy Statement 2019 (PORPS)

The Regional Policy Statement is currently under review. The Proposed Otago Regional Policy Statement (PORPS) was notified on 23 May 2015, and the Decision version was released on 1 October 2016.

The decision version is subject to a number of outstanding appeals. However, those parts of the PORPS that are now beyond challenge were made operative on 14 January 2019 and are identified within the 'Partially Operative Otago Regional Policy Statement 2019'. Parts of the 'Regional Policy Statement for Otago 1998' that have been replaced have also been revoked and no longer have effect. The remainder of the PRPS that remains subject to appeal does not have legal effect until it is made operative, and no weight can be given to the objectives and policies until this time.

Overall, the proposal is not considered to be contrary to the provisions of the PORPS. The PORPS is given effect to by the Proposed District Plan, and the previous assessment has determined that the proposal is consistent with the PDP.

7.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

The environmental effects of the proposed building platform and shed has been assessed under the following headings:

Land, Fauna and Flora

Effect	Effects on the Environment	Other Comments
Vegetation	Positive	The proposal will provide for the planting of native vegetation on the proposed roadside bunding.
Wildlife	Nil	
Landform	Nil	
Waterbodies	Less than minor	Works are to better channelise and improve the amenity of this swale.
Groundwater	Nil	
Contamination	Nil	

Infrastructure

Effect	Effects on the Environment	Other Comments
Water Supply	Less than minor	Fire fighting requirements will be met with the installation of water tanks and access at the time the barn is built.
Effluent Disposal	Nil	
Stormwater Control	Less than minor	Stormwater will be managed on-site in accordance with Council standards and will be addressed as part of a subsequent building consent application.
Energy Supply	Less than minor	The site is able to be serviced with a connection to power. Connections to these services will be extended to the proposed barn at the time of construction.
Telecommunications	Nil	
Pollution	Nil	

People and Built Form

Effect	Effects on the Environment	Other Comments
Rural Character	Less than minor	The proposed development has been determined as consistent with the rural and rural-residential character already apparent in the vicinity.
Visibility	Less than minor	The site has been assessed as being able to accommodate this development without affecting the wider landscape due to the location of the barn, topographical features of the site, and the proposed design controls and landscaping to the extent that the development will not be visually

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		prominent such that it dominates or detracts from public or private views that are characterised by natural landscapes.
Building Density	Nil	The scale and density of the proposed development is considered to be consistent with the existing development and the rural character of the vicinity.
Rural Amenity	Nil	See above.
Views and Outlook	Nil	See above.
Cumulative Effects	Less than minor	There would not be an outcome of over-domestication and the proposed planting would have benefits for mitigation of effects, visual amenity and rural character of the site.
Precedent Effect	Nil	
Reverse Sensitivity	Nil	

Traffic Generation and Vehicle Movements

Effect	Effects on the Environment	Other Comments
On-Site Parking	Nil	
On-Street Parking	Nil	
Vehicle Safety	Less than minor	The site currently has joint legal access off Lake Hawea-Albert Town Road as indicated on the site plan contained in Appendix B. The access is shared with neighbouring Lots 1, 3, 4 and 5 DP 300393 and was approved through the underlying five lot subdivision (RM990140). The barn will use this access point.
Pedestrian Safety	Nil	
Cyclist Safety	Nil	
Traffic Generation	Nil	
Roading Capacity	Nil	
Noise	Nil	
Vehicle Movements	Nil	

Nuisance

Effect	Effects on the Environment	Other Comments
Odour	Nil	
Noise	Nil	
Hours of Operation	Nil	
Lighting	Nil	
Dust	Nil	
Air Discharges	Nil	
Vibration	Nil	

Cultural

Effect	Effects on the Environment	Other Comments
Sites of Heritage Significance	Nil	
Sites of Cultural Significance	Nil	

Scale of Environmental Effects

Nil Effects	No effects at all.
Less than Minor Adverse Effects	Adverse effects that are discernable day-to-day effects, but too small to adversely affect other persons.
Minor Adverse Effects	Adverse effects that are noticeable but that will not cause any significant adverse impacts.
More than Minor Adverse Effects	Adverse effects that are noticeable that may cause an adverse impact but could be potentially mitigated or remedied.
Significant Adverse Effects that Could Be Remedied or Mitigated.	An effect that is noticeable and will have a serious adverse impact on the environment but could potentially be mitigated or remedied.
Unacceptable Adverse Effects	Extensive adverse effects that cannot be avoided, remedied or mitigated.

8.0 PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

The Operative District Plan is considered a valid, complete and certain planning document. It has already given substance to the principles in Part 2 of the RMA and therefore no further assessment against Part 2 matters are required for this application (Environmental Defence Society Incorporated v New Zealand King Salmon [2014] NZSC 38, [2014] 1 NZLR 593).

Regardless, the proposed development is considered to recognise and provide for the relevant matters of Sections 6 and 7 to represent a sustainable management of the land resource and achieve the purpose of the Resource Management Act 1991.

9.0 AFFECTED PARTIES, CONSULTATION AND NOTIFICATION

The application has been assessed against section 95A of the Resource Management Act 1991 to determine whether the application should be publicly notified; and s95B to determine if it should be limited notified.

9.1 PUBLIC NOTIFICATION (S95A)

The applicants have not requested that the application be publicly notified under Step 1.

The application is for a land use activity in the Rural General Zone (ODP) and Rural Zone (PDP) and is determined to be a Discretionary Activity under both Plans. Accordingly, the proposal is **not precluded** from public notification under Step 2.

Nonetheless, an assessment of the environmental effects has been undertaken in Section 7 and has determined that the environmental effects will be less than minor. The proposal is also considered to be consistent with the provisions of the Operative and Proposed District Plans.

There are no special circumstances that warrant public notification under Step 4.

9.2 LIMITED NOTIFICATION (S95B) AND AFFECTED PARTIES

The application is for a Discretionary Activity and is **not precluded** from limited notification under Step 2. Therefore, limited notification may be required if an assessment under section 95E determines that the adverse effects on persons are minor, or more than minor.

No parties are considered to be adversely affected party. The proposal is compliant with the minimum boundary setbacks for the rural zoning of the site under the ODP and PDP and is consistent with the existing development of the site and surrounding area. The barn will be partially screened from the south and east through the proposed landscaping, gentle mounding and the existing roadside bunding.

No public or private views are considered to be significantly adversely affected by the development. The proposal is consistent with the nature and scale of development within the surrounding area, and the landscape is capable of absorbing further development without any adverse effects on the wider VAL (ODP) and RCL (PDP). The proposal does not result in the creation of any additional saleable lots, and proposed buildings will be of limited visibility within the surrounding landscape. Overall, this proposal is considered to maintain levels of amenity and landscape character consistent with a rural area.

Therefore, it is considered that the application can proceed on a non-notified basis.

10.0 CONCLUSION

Resource consent is sought for the construction of a barn, access and earthworks on Lot 2 DP 300393. The activity requires land use consent as a Discretionary Activity under both the Operative and Proposed District Plans.

The proposed barn will have a maximum height of 4.6m and will be 146m² in area and located towards the south-eastern corner of the site set back against the lower slopes of Mt Maude.

Resource consent is also sought for earthworks for access, the barn pad, flood, protection stream enhancement and landscape mounding. In total these works approximately 2,100m³ of earthworks.

Consent is also sought for the cancellation of an existing consent notice and the variation of others as a result of the location of the barn and consent notice design controls.

The application is considered to appropriately avoid, remedy or mitigate any adverse effects resulting from the proposal. Overall, the application is considered to represent a sustainable management of natural and physical resources having had regard to the Resource Management Act 1991 section 6 and 7 matters.

As the environmental effects of the proposal are considered to be less than minor and no parties, besides those who have provided their affected party approvals, will be adversely affected, it is considered that the application could be processed on a non-notified basis.

The application has been assessed against the objectives and policies of the Operative and Proposed District Plans. This assessment concludes that the application is not contrary to the objectives and policies of either plan and helps to achieve the environmental outcomes sought in the Rural General

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Zone (ODP) and Rural Zone (PDP). It is therefore considered that consent could be granted on a non-notified basis subject to appropriate conditions.

Duncan White
Planner
Paterson Pitts Limited Partnership

APPENDIX 3 – ENGINEERING COMMENT

From: Lyn Overton
Sent: Tuesday, 12 November 2019 5:44 PM
To: Tim Anderson
Subject: RM190947 Engineering comment - D L Kenton Family Trust, 1147B Lake Hawea-Albert Town Road, Lake Hawea

Hi Tim,

I have reviewed the application to construct a shed outside a building platform and construct a new access off State Highway 6 at 1147B Lake Hawea-Albert Town Road, Lake Hawea. The legal description for the site is Lot 2 DP 300393. Access to the site is currently via a right of way over Lots 1 and 4 DP 300393. The new access will be from the southeast corner of the site onto Lake Hawea-Albert Town Road (SH6). I am satisfied that a sight distance of 282m can be achieved from the proposed vehicle crossing. However, this may need to involve the removal of vegetation and trimming/removing the existing willow tree to the south of the crossing. I recommend an appropriate condition in this respect.

New Zealand Transport Agency (NZTA) has provided a conditional written approval for the proposed vehicle crossing. The following conditions have been recommended:

- *Access to Lot 1 is located close to the southern boundary of the site as practicable;*
- *That the proposed new access is constructed and maintained to the NZ Transport Agency Diagram C with a 15m radius to accommodate heavy vehicles;*
- *The access shall be constructed by an NZTA approved contractor using NZTA specification materials;*
- *The gate at the access shall be recessed to accommodate the largest vehicle visiting the site;*
- *Prior to any works that may affect the State Highway road reserve, an agreement to work on the State Highway and traffic management plan must be completed and submitted to the NZ Transport Agency's network outcomes consultant, Aspiring Highway at least three weeks before works commences.*

In respect to the location of the vehicle crossing I am satisfied that the proposed vehicle crossing is located as close as possible to the southern corner of the site as there is currently a stream located at the corner of the site. I recommend that the proposed conditions are applied to the decision.

I recommend that the access, vehicle parking and manoeuvring areas within the site are constructed in accordance with Council's standards.

The site is serviced with telecommunications, electricity and a water connection to a private water scheme. Stormwater and wastewater are disposed of via on-site disposal methods. I am satisfied that any proposed service connections to the proposed building will be assessed under the Building Consent process.

The condition registered on consent notice 962942.9 requires any structures to be within the building areas shown on DP 26200. The proposed building is located outside a building area. I am satisfied that the processing planner will address this condition in his report.

Condition D) and 3) registered on consent notice 5038871.4 requires the lot owners to install a 14,000 litre static water supply for firefighting purposes. The applicants have indicated that a water tank will be located beside the access to the shed. I am satisfied that this location is appropriate and I recommend an appropriate condition to ensure that a static water supply of 45,000 litres is provided as firefighting reserve to align with Proposed District Plan rule 21.7.5.

Condition E) and 4) registered on consent notice 5038871.4 requires the lot owners to install an on-site wastewater treatment and disposal system. The plans for the proposed shed do not include any toilet facilities. In the event that one is proposed I am satisfied that this will be addressed under the relevant Building Consent.

Condition a) registered on 5477407.1 variation of consent notice 5038871.4 applies to the maximum building height on Lot 2. The processing planner will address this condition in his report.

Conditions registered on 5477421.1 variation of consent notice 5038871.4 do not apply to this lot.

Condition a) registered on 8326481.1 variation of consent notice 5038871.4 is in respect to the Mass and proportion of buildings within Lot 2. The processing planner will address this condition in his report.

Condition a) registered on 9652912.1 variation of consent notice 5038871.4 varies conditions Cb), Ce), Cf) and Ci) in respect to a shed constructed under RM130267.

Earthworks are required to form the access and vehicle manoeuvring areas, to construct a level building pad, to form the 750mm bund and trench for flood protection and to upgrade the drainage channels within the site. Approximately 2,640m³ will be required and will include approximately 1,100m³ of cut and 1,540m³ of fill (including relaying the stripped topsoil), over an area of 5,300m². The maximum height of cut will be approximately 1.0m and the maximum height of fill will be approximately 2m. The earthworks plans indicate an area of fill within the building foot print. The applicants will need to ensure that either the fill is placed in accordance with NZS 4431:1989 or that the foundations of the building are designed appropriately according to soil conditions. An appropriate condition is recommended.

The earthworks also appear to breach Operative District Plan rule 22.3.3(ii)(b)(iii) and Proposed District Plan rule 25.5.18 in regards to the distance of the top to toe of the fill/cut in relation to the boundary, I am satisfied that there will be no adverse effects on the neighbouring property as a result.

Earthworks are required to extend the existing swale on the western side of the shed. I am satisfied that these works will not result in any adverse effects on neighbouring properties.

Geo-professional consultants GeoSolve Ltd has provided an assessment titled '*Geotechnical Report for Resource Consent – 1147B Lake Hawea-Albert Town Road, Hawea*' (dated July 2019, GeoSolve Ref: 190350). This assessment provides an assessment of the hazard risks from landslide (rock roll), liquefaction and the young active alluvial fan as well as recommendations in respect to site preparation, earthworks in general, ground water issues and foundation design.

The report concludes that there is a no to moderate liquefaction of soils and provides recommendations in respect to foundation design. To mitigate the risk from flooding from the alluvial fan the report recommends that "*a bund and heel trench is constructed adjacent to the southern boundary*" of the site and that, "*a perimeter swale is constructed to ensure that any sheet flows pass around the building.*"

In respect to the rock roll hazard the report recommends:

"As the trees are removed from the slope it is recommended that any boulders are also picked off the slope to ensure no boulders endanger the proposed development following a significant seismic event."

I accept the findings of the report and recommend appropriate conditions to ensure that the earthworks and hazard mitigation are undertaken in accordance with the report.

I understand the Council planner will directly assess any site management requirements against the provisions and requirements of the Council adopted Guidelines for Environmental Management Plans dated June 2019 (EMP), and provide any necessary comment and/or conditions.

I am otherwise satisfied that the earthworks are feasible from an engineering perspective and can be completed with no physical adverse effects on neighbouring sites as a result. Appropriate conditions are recommended to ensure the earthworks are undertaken in accordance with Council's standards and that the earthworks are stabilised at completion.

RECOMMENDED CONDITIONS

It is recommended that the following conditions are included in the consent decision:

General

1. All engineering works, shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd May 2018 and subsequent amendments to that document up to the date of issue of any resource consent.

Note: The current standards are available on Council's website via the following link:
<https://www.qldc.govt.nz/planning/resource-consents/land-developments-and-subdivisions/>

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

2. The consent holder shall obtain and implement a traffic management plan approved by the New Zealand Transport Agency or its network management consultant, Aspiring Highways prior to undertaking any works within or adjacent to the State Highway that affects the normal operating conditions of the road reserve through disruption, inconvenience or delay. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor (STMS). All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS to manage the site in accordance with the requirements of the NZTA's "*Traffic Control Devices Manual Part 8: Code of practice for temporary traffic management*". The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.
3. Prior to commencing any work on the site the consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and

Subdivision Code of Practice to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.

4. At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified geo-professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who is familiar with the GeoSolve Ltd report (dated July 2019, GeoSolve Ref: 190350) and who shall supervise the excavation/earthworks/fill procedures and flood mitigation to ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.

To be monitored throughout earthworks

5. No permanent batter slope within the site shall be formed at a gradient that exceeds 1(V):2(H).
6. The earthworks, batter slopes, foundation design, flood and rock roll hazard mitigation shall be undertaken in accordance with the recommendations of the report by GeoSolve Ltd (dated July 2019, GeoSolve Ref: 190350).
7. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.
8. No earthworks, temporary or permanent, are to breach the boundaries of the site, except for the works required for the vehicle.

On completion of earthworks

9. On completion of earthworks within the building footprint and prior to the construction of the residential unit, the consent holder shall ensure that either:
 - a) Certification from a suitably qualified geo-professional experienced in soils investigations is provided to the Manager of Resource Management Engineering at Council, in accordance with NZS 4431:1989, for all areas of fill within the site on which buildings are to be founded (if any). Note this will require supervision of the fill compaction by a suitably qualified geo-professional;
or
 - b) The foundations of the residential unit shall be designed by a suitably qualified engineer taking into consideration any areas of uncertified fill on-site.

To be completed when works finish and before occupation of building

10. Prior to the occupation of the building, the consent holder shall complete the following:
 - a) The provision of a sealed vehicle crossing that shall be constructed to the site in accordance with NZ Transport Agency Diagram C with a 15m radius. This shall include:
 - i. The access is located as close as practicable to the southern boundary of the site;
 - ii. Construction is to be by an approved NZ Transport contractor using NZ Transport Agency specification materials;
 - iii. The gate is to be recessed to accommodate the largest vehicle visiting the site;
 - iv. The road side vegetation and Willow tree are trimmed/removed to ensure that a minimum sight distance of 282m is available in both directions along the State Highway.
 - b) The construction of all vehicle manoeuvring and car parking areas to Council's standards. Provision shall be made for stormwater disposal from all impermeable surfaces.
 - c) Any power supply connection to the building shall be underground from existing reticulation and in accordance with any requirements and standards of the Network providers.
 - d) Prior to the occupation of the residential unit, domestic water and firefighting storage is to be provided. A minimum of 45,000 litres shall be maintained at all times as a static firefighting reserve within a 55,000 litre

combination of tanks (or equivalent). Alternatively, a 7,000 litre firefighting reserve is to be provided for each residential unit in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family residential units. In the event that the proposed residential units provide for more than single family occupation then the consent holder should consult with the Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

The FENZ connection point/coupling must be located so that it is not compromised in the event of a fire.

The connection point/coupling shall have a hardstand area adjacent to it (within 5m) that is suitable for parking a fire service appliance. The hardstand area shall be located in the centre of a clear working space with a minimum width of 4.5 metres. Pavements or roadways providing access to the hardstand area must have a minimum formed width as required by Council's standards for rural roads (as per Council's Land Development and Subdivision Code of Practice). The roadway shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Access shall be maintained at all times to the hardstand area.

Underground tanks or tanks that are partially buried (provided the top of the tank is no more than 1 metre above ground) may be accessed by an opening in the top of the tank whereby couplings are not required. A hardstand area adjacent to the tank is required in order to allow a fire service appliance to park on it and access to the hardstand area must be provided as above.

The FENZ connection point/coupling/fire hydrant/tank must be located so that it is clearly visible and/or provided with appropriate signage to enable connection of a fire appliance.

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Note: *Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new residential unit. Given that the proposed residential unit is approximately 2km from the nearest FENZ Fire Station the response times of the New Zealand **Volunteer Fire Brigade** in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in the new building.*

- e) All earthworked areas shall be top-soiled and revegetated or otherwise permanently stabilised.
- f) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

Advice Note

1. The consent holder is advised that as State Highway 6 is a limited Access Road in this vicinity, authorisation under Section 91 of the Government Rounding powers Act 1989 (GRPA) will be required for the new Crossing Place onto the State Highway. The consent holder should seek this authorisation from the Transport Agency, enclosing a copy of the following:
 - a. The resource consent
 - b. The underlying Record of Title

Kind Regards
Lyn

Lyn Overton (BSurv, ANZIS) | Senior Land Development Engineer

- Resource Management Engineering, Subdivision and
Development Contributions | Planning & Development |
Queenstown Lakes District Council

DD: +64 3 450 0336 | P: +64 3 441 0499 | M: +64 21 226 9900

E: lynette.overton@qldc.govt.nz



From: Tim Anderson

Sent: Monday, 30 September 2019 11:04 AM

To: QLDC RMEngineering <RMEngineering@qldc.govt.nz>

Subject: Internal Report Request ENGINEERING - RM190947 D L Kenton Family Trust

APPLICATION DETAILS	
REFERENCE	RM190947 -
APPLICANT	DL Kenton Family Trust
APPLICATION TYPE & DESCRIPTION	To construct a shed outside of a building platform with a new access off a state highway and to cancel associated consent notices
ADDRESS	1147B Lake Hawea-Albert Town Road, Hawea
ZONING	Rural(PDP) Rural General (ODP)
SITE AREA	10ha
ACTIVITY STATUS	Discretionary
VALUATION NUMBER	
REQUEST DETAILS	
FROM (PROCESSING PLANNER)	Tim Anderson
DATE OF REQUEST	30/9/19
WORKING DAYS AT TIME OF REQUEST	6 (on hold for sec 92(2))
FINAL DATE FOR FURTHER INFORMATION REQUESTS	14/10/19
DATE REPORT REQUIRED BY:	16/10/19
INDICATION OF NOTIFICATION	Non-notified
TYPE OF COMMENT REQUIRED	Email
REQUESTED AREAS OF COMMENT	Comment required on the proposed new access from SH6

APPENDIX 4 - LANDSCAPE PEER REVIEW

MEMO

File Ref: RM190947– 1147B Lake Hawea Road

To: Tim Anderson – Planner

From: Renée Davies – Principal Landscape Architect, 4Sight Consulting



Date: 14th October 2019 Amendment date 16th November 2019

Subject: Landscape Assessment Peer Review V3.0

1 INTRODUCTION

- 1.1 An application (RM190947) has been received for resource consent to construct a barn outside of a building platform and to cancel associated consent notices on a 10.3031 site (Lot 2 DP300393) on the southern side of Lake Hawea-Albert Town Road, Hawea.
- 1.2 The site of the proposed barn is situated on the lower slopes of Mount Maude on the southern side of Lake Hawea Road and on a flat grassed site that sits between the toe of the Mountain and the Road. The proposed barn location is just within an Outstanding Natural Landscape (ONL) within the Operative District Plan (ODP) and Proposed District Plan (PDP) with the remainder of the site being situation within a Visual Amenity Landscape within the ODP and has a Rural Character Landscape (RCL) within the PDP for the remainder of the site.
- 1.3 An AEE (dated 30 August 2019) has been undertaken for the proposed development and has been prepared by Paterson Pitts Group Ltd (PPG). There was no specific landscape and visual effects assessment submitted as part of the application and as such it is the AEE landscape and visual effects related components that are being reviewed on behalf of Queenstown Lakes District Council (QLDC).
- 1.4 The proposed barn has been sited tucked back into the base of the hill behind near the southern boundary of the site. The barn will be 146m² in footprint with a maximum height of 4.6m above finished floor level (FFL). The proposed cladding is coloursteel corrugated iron with the colour of ironsand. The proposed use is for storage of machinery and equipment (in particular a large digger) and is proposed in this location due to topographical constraints for access for digger on the steeper slopes of the property.
- 1.5 As part of the resource consent there are also proposed modifications to the existing earth bunds and extensions to the bund proposed. In addition a new proposed entranceway to access the site from Lake Hawea-Albert Town Road. This entrance will then link with a gravel driveway that runs adjacent to a waterway at the base of the hill to access the shed. Earthworks for the bund (maximum of 1.5m in height), entrance and barn site are included along with creation of a heel trench on the southern boundary to address flooding issues in relation to the barn. Subsequent to this initial report an amendment to the location of the proposed

entranceway has occurred as a requirement of NZTA. The entrance is now located to the south of the property. It is understood the proposed earth bunds would continue either side of the proposed entranceway and as such is not considered to alter the landscape and visual effects outcomes as assessed with the previous entranceway and in fact will potentially result in less visual effect with a reduction in the extent of internal gravel driveway previously proposed to run adjacent to the stream.

2 ASSESSMENT REVIEW

2.1 Site visit and Site Photographs

2.1.1 A site visit was undertaken on Wednesday 18thth September 2019 by Renée Davies. A range of viewpoints were visited and photographs taken. **Appendix A** includes the site photos.

2.1.2 There were height poles in place when the site visit was undertaken that identified the proposed footprint and height of the proposed barn and pegs identified the proposed entry location.

2.1.3 This report provides a review of the PPG AEE with specific reference to the Landscape and Visual Effects components. The review evaluates the adequacy of the submitted assessment and specifically addresses the following aspects:

- Whether the analysis and classification of the landscape context of the site is robust and corresponds to the landscape attributes and values;
- Whether any key issues or considerations have been missed in the assessment;
- Whether the assessment has correctly interpreted the nature and magnitude of visual and landscape effects; and
- Whether the conclusions of the assessment are credible and justifiable.

2.2 Assessment methodology

2.2.1 There was no assessment methodology provided for the proposal.

2.2.2 The assessment of effects ranking used for this review is based on a 7 point scale – being the New Zealand Institute of Landscape Architects “Landscape Assessment and Sustainable Management” practice note. **Appendix B** provides the table of effects summary and associated explanations used for that effects ranking.

3 ANALYSIS AND CLASSIFICATION OF THE LANDSCAPE CONTEXT OF THE SITE

3.1 The PPG report identifies the site as being a mix of ONL and VAL within the ODP and ONL and RCL within the PDP. I agree with this assessment. The AEE also recognises the proposed barn is within the ONL.

3.2 The ONL line within both the ODP and PDP appears to have been determined by the toe of what was existing vegetation (predominantly pines and willow species) which have now been removed. As such the ONL line cuts across a portion of the flat grass area of the site that has now been exposed with the removal of the pine trees on site. The ONL line shown on the Engineering drawings submitted as part of the application is correctly located.

3.3 The general description of the application site is consistent with what is present on site.

4 IDENTIFIED ADDITIONAL ISSUES AND CONSIDERATIONS

- 4.1 There was no landscape plan provided as part of the application, however conversations on site with the applicant indicated they were comfortable with a species list (excluding Beech trees) to be provided as part of the Conditions of Consent as a guide for species to be implemented as mitigation planting as opposed to submitting a detailed landscape plan.
- 4.2 As such recommendations are included for a species list for the site mitigation planting on all of the proposed and existing bund areas indicated on the Engineering drawings (drawing reference W5982 no. 003 Cut and Fill Areas dated 30/08/2019).

5 INTERPRETATION OF VISUAL AND LANDSCAPE EFFECTS

- 5.1 I agree with the PPG report in relation to the proposed barn location being the best location for any built form on the site (within this flatter and lower portion of the site). Although located with the ONL, the position of the proposed barn is such that it is tucked back into the corner of the west side of the site and has the backdrop of vegetated hillslope reducing the prominence of the built form. In my view if the proposed barn was located further to the east it would be more prominent and the site in that location is less able to absorb the development.
- 5.2 The proposed bunding extends on existing bunds that run along the Lake Hawea- Albert Town Road frontage to the site. Previously covered with weed species such as blackberry the existing bunds are in the process of being cleared of weeds. The intention of the applicant, as confirmed on site is to replant all the bund areas with appropriate native species. The current bund provides a foreground preventing a lot of views into the site from the public road and provision of planting of small and large shrubs and trees along the bund will (once established) effectively screen the proposed barn and flat portion of the site. The new bund along the southern boundary is also proposed to be planted and will add to the screening of the proposed barn from external views.
- 5.3 There is a large existing mature willow and a group of mature poplars on site and directly behind the proposed barn site that have been retained. These trees, despite not being a native tree species provides a good degree of backdrop mitigation to the height of the proposed barn (which will be important as the existing pines are likely to be removed over time as part of the general pine removal on site). As such it is considered appropriate to ensure retention of these trees as a component of the mitigation for the proposed barn. Recommendations have been included in relation to this.



Figure 1 - Photograph looking towards western boundary with height poles for proposed barn and poplars and willow located behind.

- 5.4 I agree with the PPG assessment that the surrounding landscape has capacity to absorb change, particularly given the existing provision of earth bunding. I also believe that there are positive benefits provided for the ONL in the removal of the pine trees, despite temporary loss of vegetation assuming more ecologically appropriate native planting results.
- 5.5 There will be no lighting at night that will be visible as the submitted plans for the proposed barn indicate that there are no windows and as such interior lighting will not be visible. It is considered important to ensure that there is not exterior lighting that would increase the perception of domestic activity in the location and as such there are recommendations included to restrict external lighting.
- 5.6 The PPG report provides comment of the landscape and visual effects but does not provide an assessment of the degree of effect. I consider the degree of effects in Section 6.0 Assessment matters.

6 ASSESSMENT MATTERS

- 6.1 The following provides an outline of those aspects of the assessment matters relevant to this application in consideration of assessment criteria from the ODP. Any additional comments and considerations are included under each assessment matter. Please note that as the predominant development (the proposed barn) is located within the ONL it is the ONL assessment criteria that have been the predominant assessment criteria reviewed for this application.
- 6.2 Assessment matter: 5.4.2.2(2) (a) Potential of the landscape to absorb development
- 6.2.1 The proposed barn will be reasonably difficult to see when viewed from the Lake Hawea-Albert Town Road. Although there are a few locations from the higher properties of Hawea township that look down over the site these
- 6.2.2 The proposed barn will be reasonably difficult to see when viewed from the Lake Hawea-Albert Town Road. Although there are a few locations from the higher properties of Hawea township that look

down over the site these views are predominantly obstructed by existing vegetation and once mitigation planting occurs on the earth bunds the degree of visibility will be reduced further.

- 6.2.3 The proposed barn is located at the very base of a prominent mountain landscape with a backdrop of vegetation and foreground disruption of views by earth bunding and proposed mitigation planting. As such the proposed barn will be a recessive element within the landscape and will recede into the backdrop of the vegetation mountain hill slope behind.
- 6.2.4 As existing earth bunds are provided for along the road frontage the extension of these and planting with natives will be consistent with the current landscape context on site and will screen the proposed barn from view once established. This screening will not detract from the existing natural patterns and will provide positive natural character outcomes with the provision of more ecologically appropriate native plant species.
- 6.2.5 There are no effects on amenity of nearby neighbours and distant views of the site from higher levels of Hawea township are fleeting and will only be glimpsed through existing foreground vegetation and much of the visibility will be screened by the proposed planting on the earth bunds.
- 6.2.6 The visual prominence of the proposed barn and driveway are restricted to fleeting and disrupted views for those moving at speed along Lake Hawea-Albert Town Road and static views from a select range of residential dwellings in the higher slopes of Hawea township. My assessment is that the visual prominence is **low** overall for public and private views as the proposed barn although being visible/noticeable and forming a new element, does not detract from the overall quality of the scene. Once mitigation planting has established the proposed barn will be substantially screened and as such the effects will reduce to **very low**.
- 6.3 Assessment matter: 5.4.2.2(2) (b) Effects on openness of landscape
- 6.3.1 The ONL in question does not have a current open character as it is a vegetated hill slope. The flat pasture area at the base of the site which sits within the VAL has a more open character. The site is partially visible from the Lake Hawea-Albert Town Road but existing earth bunding along the roadside mitigate some of the views into the site at present and once vegetated will further reduce visibility. As such I don't believe the proposed barn will adversely affect open space values of the site or surrounding landscape.
- 6.3.2 Although located at the base of Mount Maude, the proposal does not break the line or form of the mountain landscape or hill slope. The site retains the open pasture on the road side of the site, and as such the effects from public and private views will be **very low** once mitigation planting establishes. The effects are well mitigated by the provision of mitigation planting on the earth mounds and the barn style of the proposed shed fits as an expected element within a rural landscape and is therefore less likely to be perceived as an extension of domestic activity within the landscape.
- 6.3.3 Although it is not expected that the proposed planting will provide complete screening of the proposed barn it will contribute to providing significant degree of screening and breaking up the overall bulk of proposed barn and disrupting views of built form from public and private locations.
- 6.4 Assessment matter: (2) (c) Cumulative effects of development on the landscape
- 6.4.1 The proposed barn and entry are rural in character and nature and within this part of the landscape, with its open pastoral area adjacent to the road would not be an unexpected element. The effects of

the proposed barn on the natural character of Mount Maude will result in only a minor change in character and the degree of effect is assessed as **low**.

6.5 Assessment matter: (2) (d) Positive Effects

6.5.1 The proposed mitigation planting will allow for re-establishment of native vegetation and clearance of exotic pines (planted and wilding) It is considered that this will enhance the natural character of the ONL.

6.6 The following provides an outline of those aspects of the assessment matters of particular relevance to this application in consideration of assessment criteria from the PDP. Any additional comments and considerations are included under each assessment matter.

6.7 Assessment matter: 21.21.1.3 Effects on quality and character

6.7.1 The proposed barn and associated earthworks will maintain the quality and character of the Mount Maude landscape that is within the ONL on site and will have a low effect on the existing landscape quality and character once mitigation planting establishes.

6.8 Assessment matter: 21.21.1.3 Effects on visual amenity

6.8.1 The proposed barn once mitigation planting establishes will be reasonably difficult to see when viewed from Lake Hawea-Albert Town Road and adjacent residential areas of Hawea township. In addition the proposed barn is located at the base of the ONL feature and Mount Maude provides the dominant form within the landscape with the proposed barn being relatively recessive within that landscape context. The proposal will be screened by existing earth bunding and extensions to that bunding. As the earth bunds are already in place and are proposed to be vegetated (forming essentially an area of native revegetation, it is considered consistent with other vegetated frontages along this road and within the vicinity. There is no exterior lighting proposed and as such night time amenity will not be adversely affected.

7 CONCLUSION

7.1 An application has been received for resource consent to construct a barn outside of a building platform and to cancel associated consent notices. The proposed barn will have a maximum height of 4.6m and will be 146m² in area and is located towards the south-eastern corner of the site set back against the lower slopes of Mt Maude. There will also be a driveway access and earth bunding and stream channels formation associated with the proposed development.

7.2 I consider that the overall degree of effects for the landscape will be **very low** once mitigation planting has established. In my view the proposed earthworks of 2,100m³, access, barn site, flood protection, stream enhancement and landscape mounding will result in visual and landscape effects that can be absorbed within the receiving landscape and the proposed barn would be an expected type of built form within the landscape and can be adequately mitigated with proposed planting on the bunds and retention of some of the larger backdrop trees.

7.3 Other elements of the development proposal that assist in mitigating potential adverse landscape and visual effects are the proposed design controls including a recessive colours with low light reflectivity value (LRV).

The proposed design controls are considered appropriate to the site and will achieve the desired outcomes in terms of reducing visual and amenity effects from the proposed barn.

- 7.4 Additional design controls are proposed to include no exterior lighting to reduce any potential light spill and appearance of domesticity within the ONL.

8 RECOMMENDATIONS

8.1 Should consent being granted, I recommend the following:

- 1) All areas of earthworks that are not proposed to be planted with natives are to be re-sown in grass within three months of completion of the earthworks.
- 2) That the submitted engineering drawings be amended to include identification of existing vegetation of poplar and willow located behind the proposed barn site to be retained and protected in perpetuity. That if any require removal due to death or disease that a plan for appropriate replacement of similar species and eventual size be submitted to Council for approval.
- 3) The planting shall be maintained and irrigated. If any tree or plant shall die or become diseased it shall be replaced within 12 months as per the approved planting list and conditions of this consent.
- 4) The property shall be cleared and maintained clear of wilding species (Lodgepole Pine -*Pinus contorta*, Black Pine - *P. nigra*, Scots Pine - *P. sylvestris*, Maritime Pine - *P. pinaster*, Monterey Pine - *P. radiata*, European Larch - *Larix decidua*, Douglas Fir - *Pseudotsuga menziesii*, Sycamore - *Acer pseudoplatanus*, Common Hawthorn -*Crataegus monogyna*).
- 5) That all areas of earth bund and creek channel shown on engineering drawings (drawing reference W5982 no. 003 Cut and Fill Areas dated 30/08/2019) are to be planted within the first planting season on completion of the earthworks and shall be planted with the following selection of species (guided by the Growing Native Plants in the Wakatipu from the Wakatipu Reforestation Trust) for each area and minimum size and spacings indicated, and shall thereafter be maintained in accordance with the plan. Any plant that dies or becomes diseased shall be replaced in the next available planting season.

Species	Common Name	Spacing (Centres)
Earth Bunds		
<i>Chionochloa rubra</i>	Red tussock	1m
<i>Poa cita</i>	Silver tussock	1m
<i>Hebe odora</i>	Boxwood	1m
<i>Anamenthele lessoniana</i>	Wind grass	1.5m
<i>Coprosma rugos</i>	Needle-leaved coprosma	1.5m
<i>Phormium cookianum</i>	Mountain flax	1.5m
<i>Cortaderia richardii</i>	Toi toi	1.5m
<i>Phormium tenax</i>	Harakeke	2.0m

<i>Pittosporum tenuifolium</i>	Black matipo	2.0m
<i>Cordyline australis</i>	Ti kouka	2.0m
<i>Aristotelia serrata</i>	Wineberry	2.0m
<i>Pseudopanax colensoi</i>		2.0m
<i>Sophora microphylla</i>	Kowhai	3.0m
<i>Olearia avicenniaefolia</i>	Daisy bush	2.0m
<i>Olearia paniculate</i>	Golden ake ake	3.0m
<i>Dacrycarpus dacrydioides</i>	Kahikatea	3.0m
<i>Plagianthus regius</i>	Manatu	3.0m
<i>Hoheria sexstylosa</i>	Lacebark	3.0m
Creek channel		
<i>Juncus gregiflorus</i>	Rush	.6m
<i>Carex secta</i>	Pukio	.6m
<i>Carex germinata</i>	Sedge	.6m
<i>Hebe salicifolia</i>	Korimiko	1.5m
<i>Cordateria richardii</i>	Toi toi	1.5m
<i>Phormium tenax</i>	Harakeke	1.5m
<i>Cordyline australis</i>	Ti kouka	2m

- 6) The proposed barn shall be built in accordance with the following specific built form controls which seek to minimise and/or avoid adverse landscape and visual effects, being:
- A maximum 146m² barn.
 - The barn shall be a maximum of 4.6m above the finished ground level.
 - Roofing and cladding shall be visually recessive and in the natural range of browns, greens and greys, with a light reflectance value between 5 and 20%. As indicated on the submitted plans Coloursteel colour Ironsand.
 - There shall be no external lighting.
 - Any fencing shall use traditional post-and-wire fencing only.
 - The access drive shall be gravel of a local grey coloured stone chip and shall exclude the use of concrete kerb and channels. The carriageway shall be no wider than 4m in width. All areas of disturbed ground either side of the access drive beyond the domestic curtilage area shall be planted with indigenous vegetation of the species identified on the certified landscape plan.

A handwritten signature in black ink, appearing to read 'Renée Davies', written in a cursive style.

Renée Davies

Principal Landscape Architect

4Sight Consulting Ltd



Appendix A:

Site Photos



THE
SITE

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Document Set 457882001
Version: 1, Version Date: 09/04/2024

Scale 1:5,000 @ A3
0 100 200m

Appendix A – Viewpoint Location Map
1147B Lake Hawea Road

Date: 26th September 2019
Job No: AA6100
Dwg Ref: VP Location
Revision: V1.0
Drawn by: ML Checked by: RC



4SIGHT
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Photograph taken with iPad camera on 18/09/2019
 Approx. optimum viewing distance at A3: 550mm
 Photo location: 169.2557 -44.6127

Appendix A – Viewpoint 6
 View from residential
 1147B Lake Hawea Road

Date: 26th September 2019
 Job No: AA6100
 Dwg Ref: VP06
 Revision: V1.0
 Drawn by: SH Checked by: RD





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Photograph taken with iPad camera on 18/09/2019
 Approx. optimum viewing distance at A3: 550mm
 Photo location: 169.2482 -44.61282

Appendix A – Viewpoint 7
 Not visible from some parts of main road
 1147B Lake Hawea Road

Date: 26th September 2019
 Job No: AA6100
 Dwg Ref: VP07
 Revision: V1.0
 Drawn by: SH Checked by: RD





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Photograph taken with iPad camera on 18/09/2019
 Approx. optimum viewing distance at A3: 550mm
 Photo location: 169.2481 -44.61277

Appendix A – Viewpoint 8
 View from main road
 1147B Lake Hawea Road

Date: 26th September 2019
 Job No: AA6100
 Dwg Ref: VP08
 Revision: V1.0
 Drawn by: SH Checked by: RD



Appendix B:

Effects Ranking and Ranking Table

Table: 7-Scale Effects Assessment Reference

The Best Practise Guideline for Visual and Landscape Assessments from the New Zealand Institute of Landscape Architects (NZILA) indicate that a 7-scale effects ranking is usual for Visual and Landscape Assessments. The ranking table below and used in this Assessment report uses the 7-scale of effects outlined in the NZILA Best Practise Guide and then provides explanations for the rankings based on the review of a number of effects ranking tables with common and complementary explanations.

Report descriptor NZILA ¹	Dictionary Definition (Oxford English)	Landscape Effects Explanation
Negligible	So small or unimportant as to be not worth considering; insignificant.	The proposed development is barely discernible or there are no changes to the existing character, features or landscape quality.
Very low		The proposed development is barely discernible with little change to the existing character, features or landscape quality. The proposal constitutes only an insignificant component of, or change to the wider view. Awareness of the proposal would have a very limited effect on the overall quality of the scene.
Low	Below average in amount, extent, or intensity. Lacking importance, prestige, or quality; inferior.	A slight loss to the existing character, features or landscape quality. The proposal constitutes only a minor component of or change to the wider view. Awareness of the proposal would not have a marked effect on the overall quality of the scene.
Moderate	Average in amount, intensity, or degree.	Partial change to the existing character or distinctive features of the landscape and a small reduction in the perceived amenity. The proposal may form a visible and recognisable change or new element within the overall scene which may be noticed by the viewer, but does not detract from the overall quality of the scene.
High	Extending above the normal level. Great in amount, value, size, or intensity. Great in rank, status or importance.	Noticeable change to the existing character or distinctive features of the landscape or reduction in the perceived amenity or the addition of new but uncharacteristic features and elements. The proposal may form a visible and recognisable change or new element within the overall scene and may be readily noticed by the viewer and which detracts from the overall quality of the scene
Very High		Major change to the existing character, distinctive features or quality of the landscape or a significant reduction in the perceived amenity of the outlook. The proposal forms a significant and immediately apparent part of, or change to, the scene that affects and changes its overall character
Extreme	Extensive or important enough to merit attention.	Total loss of the existing character, distinctive features or quality of the landscape resulting in a complete change to the landscape or outlook. The proposal becomes the dominant feature of the scene to which other elements become subordinate and it significantly affects and changes its character

¹ NZILA Best Practice Note Landscape Assessment and Sustainable Management 10.1 and "Auckland Council - Information requirements for the assessment of landscape and visual effects", September 2017, www.aucklanddesignmanual.co.nz/resources/tools#/resources/tools/landscapeandvisualeffectsassessment

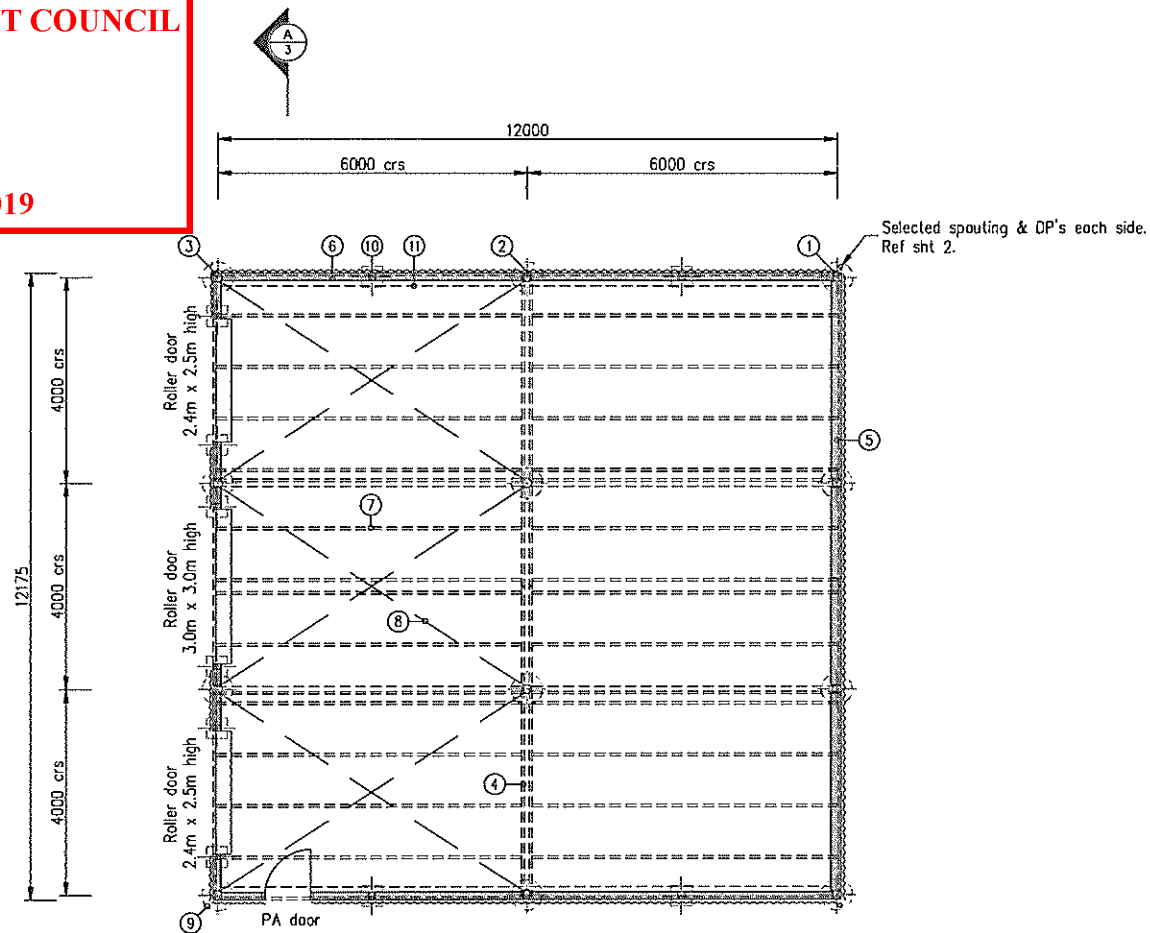


QUEENSTOWN LAKES DISTRICT COUNCIL

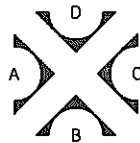
**APPROVED PLAN:
RM190947**

Monday, 16 December 2019

90



Plan View
Scale 1:100 at A3



No:	Item	Size	No:	Item	Size
1	Rear poles	ø175 SED	7	Purlins	300x50
2	Centre poles	ø175 SED	8	Roof plane bracing	Ref. note
3	Front poles	ø175 SED	9	Concrete footings	ø600
4	Rafters	2/300x50	10	Girtpost	ø150 SED
5	Front & Rear girts	200x50	11	Windbeam	300x50
6	Side girts	150x50	12	Upper Girts	200x50

Notes:

1. Purlins @ 1000 crs max. Girts @ 1100 crs max.
2. Single rafters to each end.
3. Roof plane bracing: Prydo 50mm Maxi Strap fixed to purlins and rafters with 12/30x3.15ø nails each end and two nails to each intermediate purlin.
4. All framing timber SGB unless otherwise specified.

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24 November 2017

9037 FILE

Plan Layout

PROJECT FILE

3BFRIESIANAMEC VH



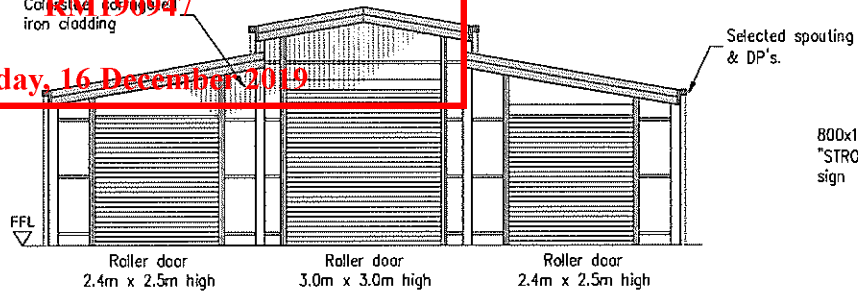
Sheet 1 of 9

QUEENSTOWN LAKES DISTRICT COUNCIL

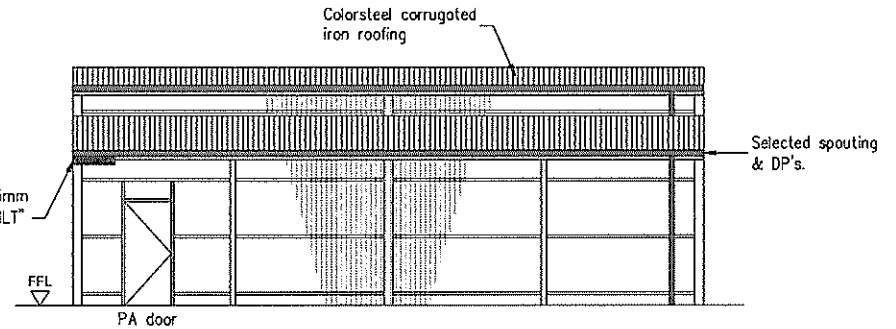
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RM190947
Colorsteel iron cladding

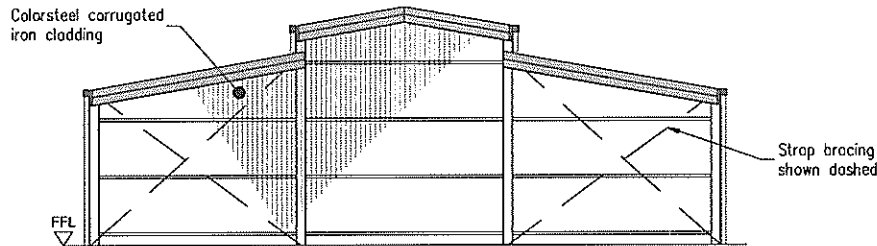
Monday, 16 December 2019



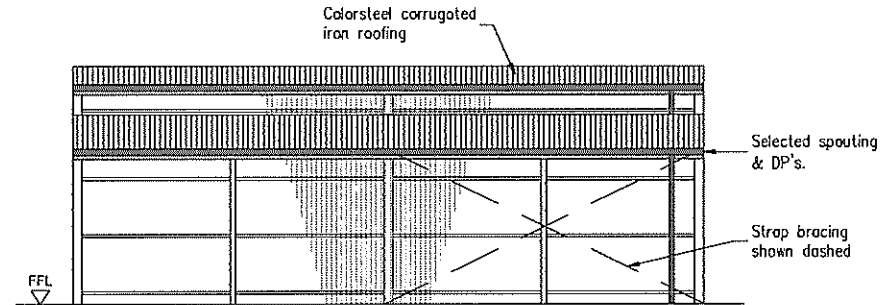
A Elevation
1 1:100 at A3



B Elevation
1 1:100 at A3



C Elevation
1 1:100 at A3



D Elevation
1 1:100 at A3

Spouting & DP's for roof plan area = 73m ² each side (based on rainfall intensity of 100mm/hr)	
No. downpipes each side	Cross sectional area of gutter required(min)
1 (min 80mmØ)	7615mm ²
2	4300mm ²

Notes:

1. Wall Bracing: Pryda 25mm Strap Brace fixed to girts with 12/30x3.15Ø nails each end and two nails to each intermediate girt.
2. Spouting & downpipes from table. Install according to manufacturers guidelines.
3. All cladding / roofing to be fixed in accordance with manufacturers specifications

24 November 2017

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SHEET FILE

PROJECT FILE

Elevations

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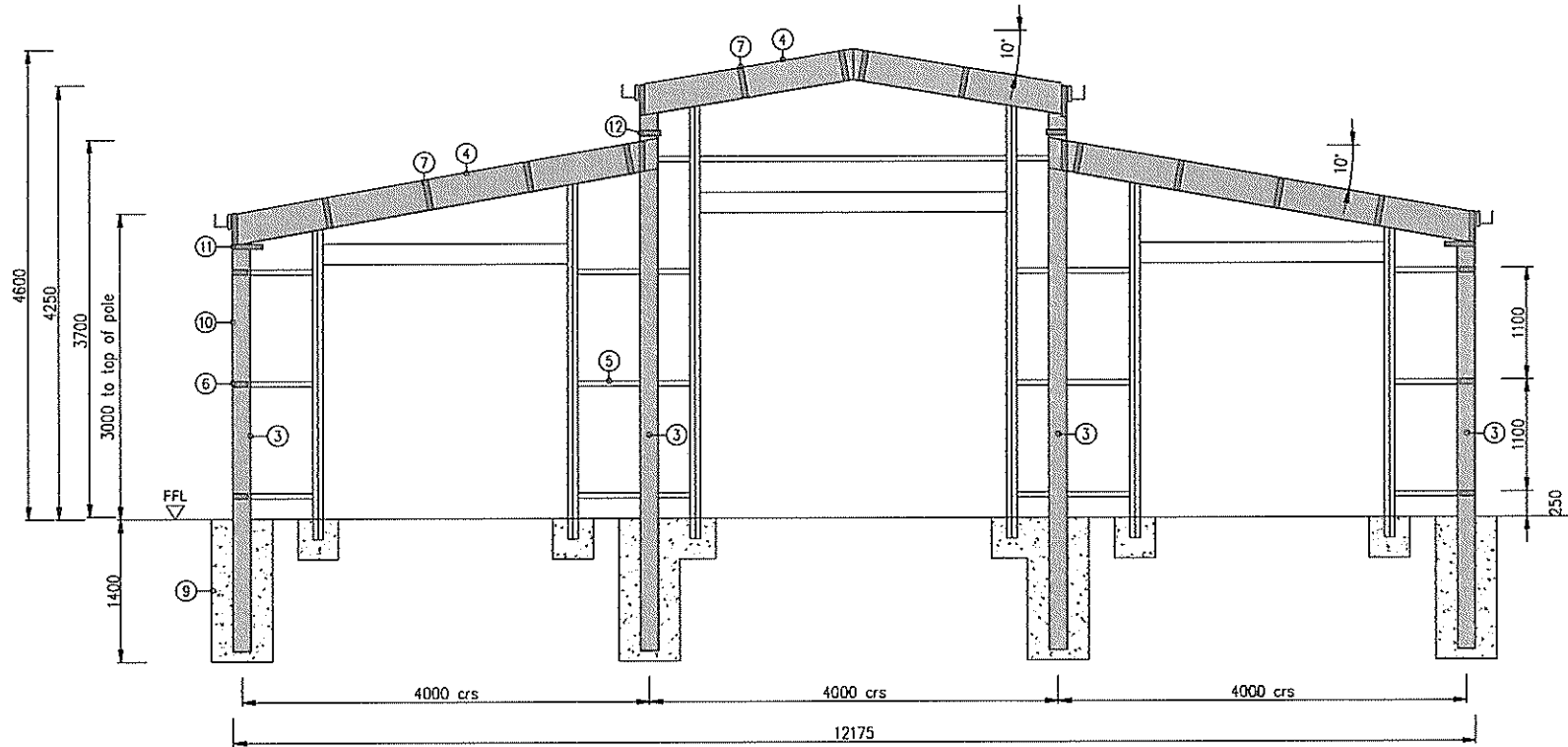


Sheet 2 of 9

QUEENSTOWN LAKES DISTRICT COUNCIL

**APPROVED PLAN:
RM190947**

Monday, 16 December 2019



A-A Section
1
1:50 at A3

24 November 2017

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SHEET TITLE

Section A-A

PROJECT TITLE

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Sheet 3 of 9



QUEENSTOWN LAKES DISTRICT COUNCIL

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Monday, 16 December 2019

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Lot 4
DP 300393

Lot 1
DP 300393

Lot 2
DP 300393

Lot 3
DP 300393

Lot 6
DP 300393

EXISTING DWELLING
No. 1147B

OUTSTANDING
NATURAL LANDSCAPE
RURAL CHARACTER
LANDSCAPE

OUTSTANDING
NATURAL LANDSCAPE
RURAL CHARACTER
LANDSCAPE

EXISTING ELECTRICITY
LINE EASEMENT

15.0m BOUNDARY SETBACK

EXISTING POWER
LINE
(approx 2.4m wide)

Lake Hawea - Albert Town Road

To Hawea

To Albert Town

LEGEND

- Lot Boundaries
- Landscape Classification Boundary



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Client & Location:
Di Kenton
1147B Lake Hawea- Albert Town Road

Purpose & Drawing Title:
Engineering Drawings
Location Plan

Surveyed by:	HBM	Original Size:	Scale:
Designed by:	HBM	A1	1:1000 @ A1
Drawn by:	HBM		1:2000 @ A3
Checked by:	MJB	DO NOT SCALE	
Approved by:	DLW		
Job No:	W5982	Drawing No:	003
Sheet No:	100	Revision No:	1
		Date Created:	09/12/2019

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APPROVED PLAN:
RM190947

Monday, 16 December 2019

Lot 2
DP 300393

Lot 1
DP 300393

Lot 6
DP 300393

NOTES

1. The contractor shall be responsible for locating all existing services prior to commencement of works. The contractor shall make good at their own expense any damage to existing services
2. Levels are in terms of Dunedin Vertical Datum 1958
3. All works are to be installed as per the QLDC Land Development and Subdivision Code of Practice. Standard drawings are available from the Engineer
4. Contours at 1.00m interval

LEGEND

- AA Section Views
- Lot Boundaries
- Landscape Classification Boundary
- Topsoil Strip Area = 1823m²
@300mm = 547m²
- Reshape Creek Channel

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Client & Location:
Di Kenton
1147B Lake Hawea- Albert Town Road

Purpose & Drawing Title:
Engineering Drawings
Earthworks
Topsoil Strip Area

Surveyed by:	HBM	Original Size:	Scale:
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Drawn by:	HBM		1:1000 @ A3
Checked by:	MJB	DO NOT SCALE	
Approved by:	DLW	Job No:	Revision No:
W5982	003	Sheet No: 200	1
		Drawing No:	Date Created:
		003	09/12/2019

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM190947

Monday, 16 December 2019

Lot 2
DP 300393

Lot 1
DP 300393

Lot 6
DP 300393

NOTES

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2. Levels are in terms of Dunedin Vertical Datum 1958
3. All works are to be installed as per the QLDC Land Development and Subdivision Code of Practice. Standard drawings are available from the Engineer
4. Contours at 1.00m interval

LEGEND

- AA Section Views
- Lot Boundaries
- Reshape Creek Channel

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Client & Location:

Di Kenton
1147B Lake Hawea- Albert
Town Road

Purpose & Drawing Title:

Engineering Drawings
Earthworks
Final Contours

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W5982	003	Sheet No: 201	1
		Drawing No:	Date Created:
		003	09/12/2019

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**APPROVED PLAN:
RM190947**

Monday, 16 December 2019

**Lot 2
DP 300393**

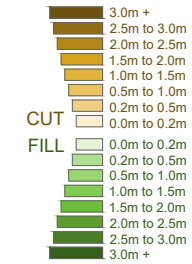
**Lot 1
DP 300393**

**Lot 6
DP 300393**

NOTES

1. The contractor shall be responsible for locating all existing services prior to commencement of works. The contractor shall make good at their own expense any damage to existing services
2. Levels are in terms of Dunedin Vertical Datum 1958
3. All works are to be installed as per the QLDC Land Development and Subdivision Code of Practice. Standard drawings are available from the Engineer
4. Contours at 1.00m interval

LEGEND



Depth Contours (at 0.5m intervals)

AA Section Views
Lot Boundaries

Earthwork Quantities

Topsoil Strip Volume: 547m³
Cut Volume: 553m³
Fill Volume: 993m³
Earthworks Area: 5300m²

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Client & Location:

**Di Kenton
1147B Lake Hawea- Albert
Town Road**

Purpose & Drawing Title:

**Engineering Drawings
Earthworks
Cut Fill Areas**

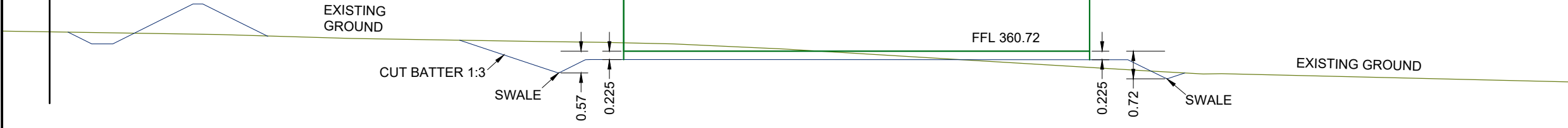
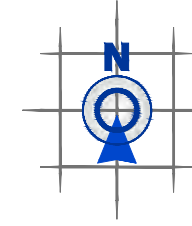
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			Date Created:
			09/12/2019

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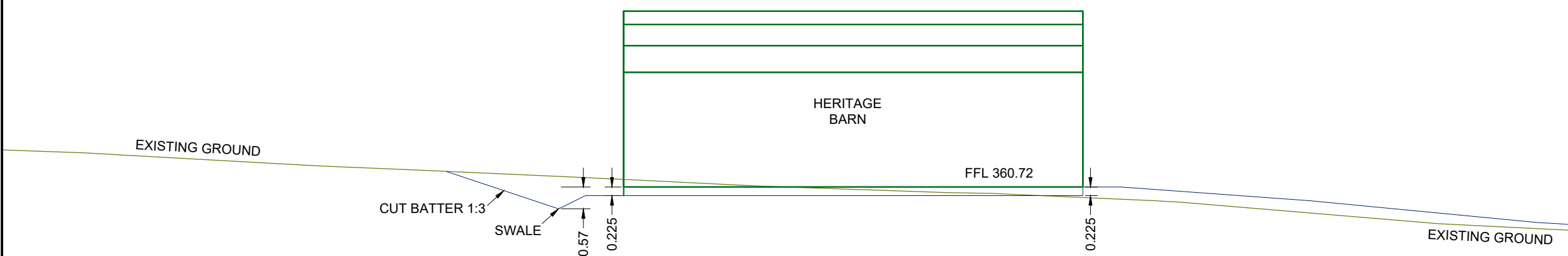
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RM190947**

HEEL TRENCH AND BUND
REFER APPENDIX A -
MONDAY 16 DECEMBER 2019
GEOSOLVE GEOTECHNICAL
REPORT

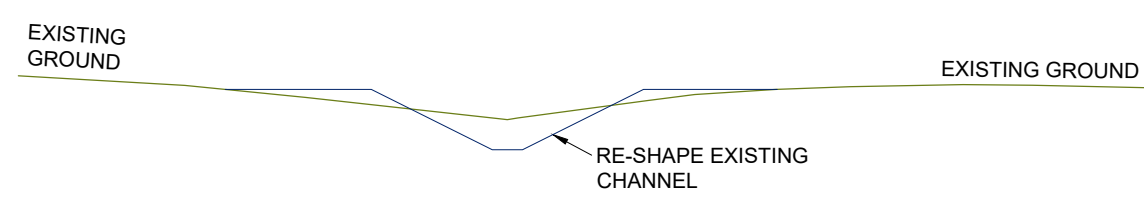
97



Cross Section AA Scale 1:125 @ A3



Cross Section BB Scale 1:125 @ A3



Typical Cross Section CC Scale 1:125 @ A3

- NOTES**
1. The contractor shall be responsible for locating all existing services prior to commencement of works. The contractor shall make good at their own expense any damage to existing services
 2. Levels are in terms of Dunedin Vertical Datum 1958
 3. All works are to be installed as per the QLDC Land Development and Subdivision Code of Practice. Standard drawings are available from the Engineer
 4. Contours at 1.00m interval

LEGEND

AA Section Views

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Client & Location:
Di Kenton
1147B Lake Hawea- Albert
Town Road

Purpose & Drawing Title:
Engineering Drawings
Earthworks
Cross Sections

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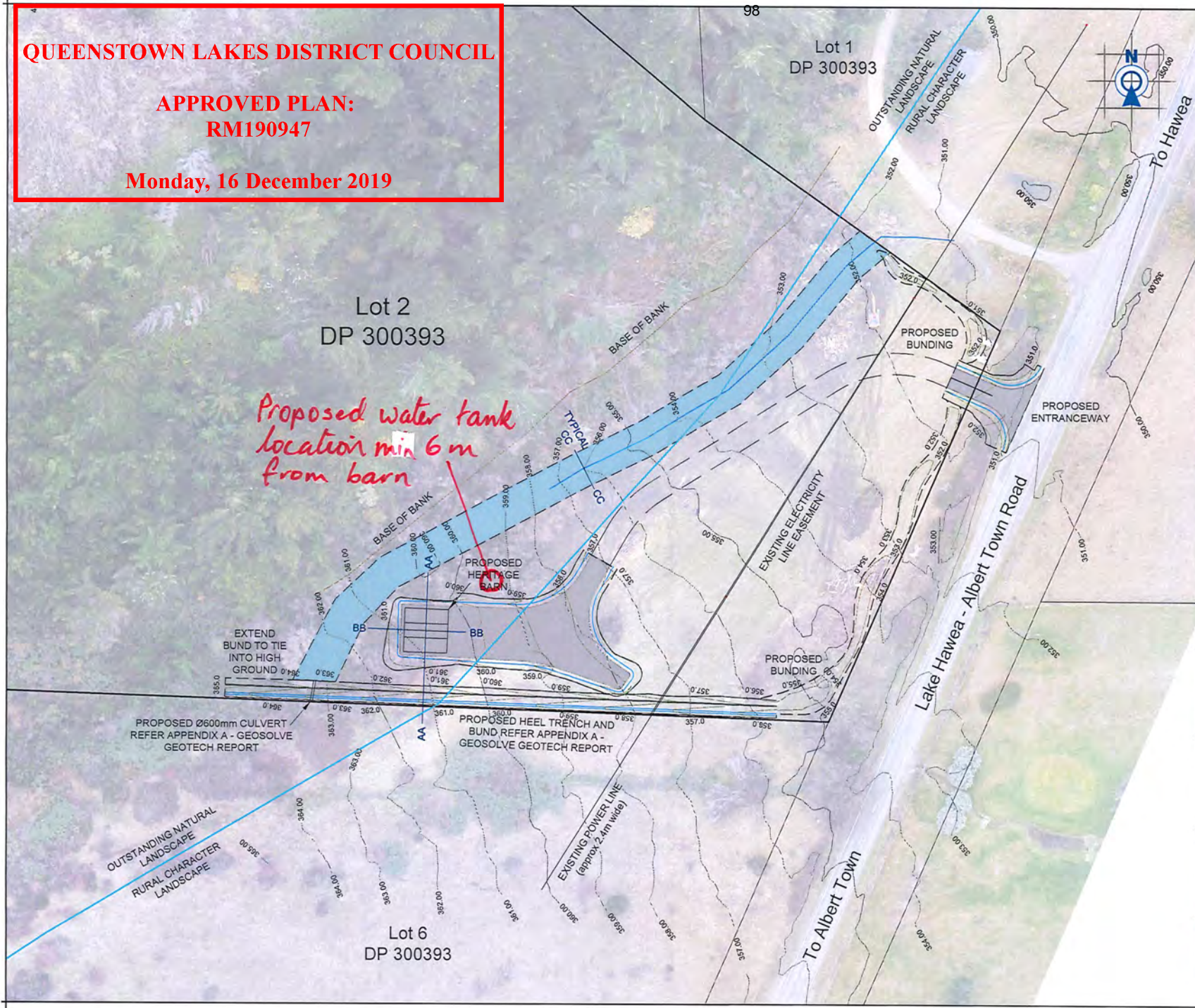
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**APPROVED PLAN:
RM190947**

Monday, 16 December 2019

Lot 2
DP 300393

*Proposed water tank
location min 6m
from barn*



- NOTES**
- 1 The contractor shall be responsible for locating all existing services prior to commencement of works. The contractor shall make good at their own expense any damage to existing services
 - 2 Levels are in terms of Dunedin Vertical Datum 1956
 - 3 All works are to be installed as per the CLDC Land Development and Subdivision Code of Practice. Standard drawings are available from the Engineer
 - 4 Contours at 100m interval

LEGEND

- AA Section Views
- Lot Boundaries
- Reshape Creek Channel

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Client & Location:
Di Kenton
 1147B Lake Hawea- Albert
 Town Road

Purpose & Drawing Title:
Engineering Drawings
Earthworks
Final Contours
Annotated with tank location

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Approved by:	DLW		
Job No:	W5982	Drawing No:	003
Sheet No:	201	Revision No:	0
Date Created:	20/08/2019		

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08/11/19

PLANT SCHEDULE

Botanical Name	Common Name	Spacing	Grade
Austroderia toetoe	NZ Toe Toe	1.8m centres	PB3
Chionochloa rubra	Red Tussock	800mm centres	PB3
Coprosma crassifolia	Thick-leaved Mikimiki	1.5m centres	PB3
Coprosma propinqua	Mingimingi	1.5m centres	PB3
Cordyline australis	Cabbage Tree	1m centres	PB5
Corokia 'Yellow Wonder'	Yellow Berry Corokia	1.5m centres	PB3
Griselinia 'Canterbury'	Canterbury Broadleaf	2m centres	PB3
Hebe cupressoides	Cypress Hebe	1.3m centres	PB3
Hebe odora	Boxwood Hebe	800mm centres	PB3
Olearia odorata	Scented Tree Daisy	2.5m centres	PB5
Phormium cookianum	Mountain Flax	1.2m centres	PB3
Pittosporum 'Stephens Island'	Stephens Island Pittosporum	2.5m centres	PB5
Plagianthus regius	Ribbonwood	1.8m centres	PB18
Sophora microphylla	Kowhai	2.5m centres	PB18

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PLANTING NOTES

1. Trees shall be planted at a minimum height of 1.2m.
2. Mixed shrub planting shall be planted at PB3 or similar grade with 1-2m spacings to achieve sufficient coverage.
3. All plants shall have a slow release fertiliser and bark mulch installed for each plant. All plants shall have pest protections sleeves installed to deter rabbit and hare browsing and/or planted areas are to be fenced with rabbit proof fencing.
4. A temporary irrigation system shall be installed and operational for the first three years from the date of planting to ensure a quick and healthy establishment of plants.
5. All planting shall have been established and be in a healthy condition for a period of no less than 3 months from the date of planting prior to Council certification inspection.

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LAKES
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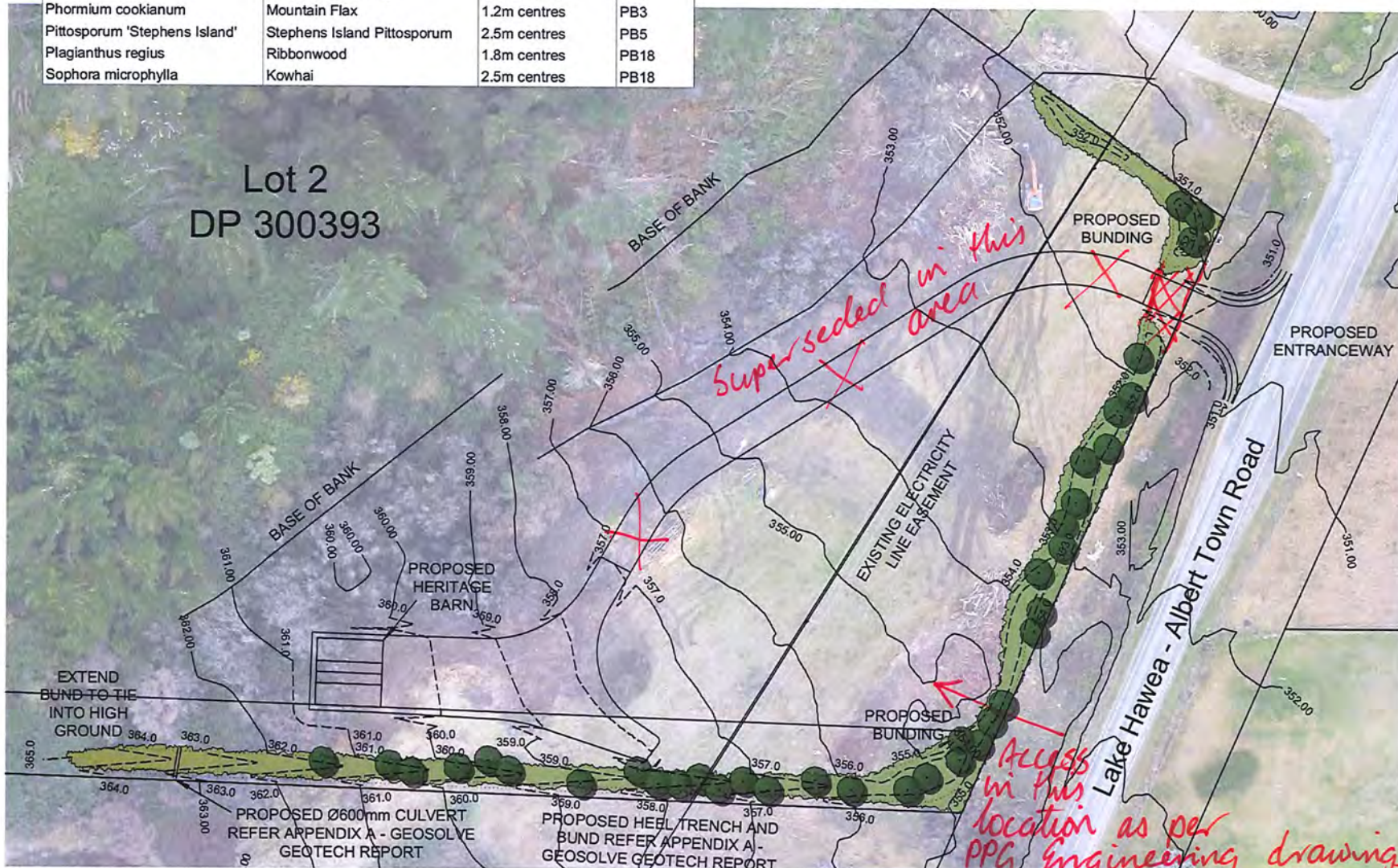
**APPROVED
PLAN:**

RM190947

**Native shrub planting:
Monday, 16
December 2019**

- Austroderia toetoe
- Chionochloa rubra
- Coprosma propinqua
- Corokia 'Yellow Wonder'
- Griselinia 'Canterbury'
- Hebe cupressoides
- Hebe odora
- Olearia odorata
- Phormium cookianum
- Pittosporum 'Stephens Island'

**Additional Native
Native tree planting:
Cordyline australis
Plagianthus regius
Sophora microphylla**
as above.



rough & mine landscape architects
CHRISTCHURCH +64 3 366 3268
WAIKATO +64 3 374 7940
AUCKLAND +64 27 642 3342
www.roughandmine.co.nz info@roughandmine.co.nz

Mound Planting Plan
D L KENTON FAMILY TRUST
1147B LAKE HAWEA ALBERT TOWN RD

JOB No.	19068
SCALE	1:750 @ A3
DATE	30/09/2019
DESIGNED	AN
DRAWN	AN
CHECKED	
STATUS	FOR RESOURCE CONSENT
DRAWING No.	REVISION
L 1.0	Annotated
SERIES	12/12/19
1 of 1	



PREPARED FOR D KENTON
28 MARCH 2024
J2251

LANDSCAPE AND VISUAL EFFECTS ASSESSMENT

PROPOSAL TO SUBDIVIDE AN EXISTING
ALLOTMENT AND IDENTIFY A BUILDING
PLATFORM AT 1147B LAKE HĀWEA-
ALBERT TOWN ROAD

vivian+espie
resource management and landscape planning

INTRODUCTION & DESCRIPTION OF THE PROPOSAL

1 This report identifies and evaluates the landscape and visual effects likely to arise from a proposal to subdivide Lot 2 DP 300393 of 10.3 hectares (**the site**) to create two lots:

- Proposed Lot 1 measures 4.5 hectares and includes an existing house within a building platform measuring 998m². This platform was approved as part of subdivision consent RM9910140.
- Proposed Lot 2 measures 5.8 hectares and includes a new building platform measuring 1000m². A height restriction of 5m above the existing ground level for the new building platform on Lot is proposed.

2 The proposal includes associated infrastructure and proposed conditions relating to landscaping. No earthworks are proposed. Access to both proposed lots is already formed and in use. The layout of the proposed subdivision is shown on the Patterson Pitts scheme plan included with the AEE.

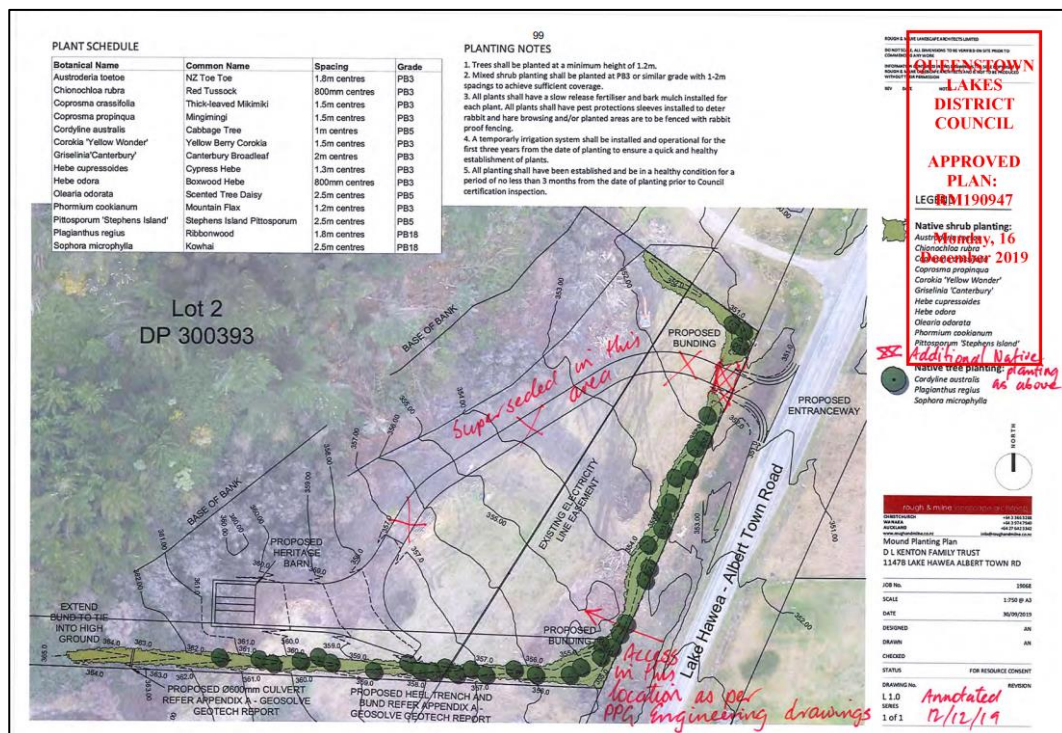


Figure 1: Approved Landscape Plan from RM190947

3 The proposed boundary between the two proposed lots follows an existing fence-line located topographically below the existing residence. The driveway that currently serves proposed Lot 1 is a private shared driveway running the west from Lake Hawea – Albert Town Road (State

Highway 6 – **SH6**). The driveway that currently serves proposed Lot 2 is also formed and serves the lower part of the site (proposed Lot 2) and the farm building approved under RM190947 (**the barn**). This consent included an approved landscape plan as shown in Figure 1 above.

- 4 The elevated and sloping part of proposed Lot 2 has been cleared of wilding trees and is largely covered in native vegetation planted by the applicant over recent years. This native vegetation is proposed to be permanently retained via a consent notice condition that is proposed as part of the current application (refer to AEE for details).
- 5 A mound planted in native vegetation is also apparent, located immediately to the east of the subject site on the SH6 road reserve.
- 6 All existing native vegetation within proposed Lot 2 is to be retained. This is shown on the proposed Vegetation Plan that forms **Appendix 3** to this report. As mentioned, consent notice conditions are proposed in relation to this. Extensive native planting has also been done in the vicinity of the existing dwelling on proposed Lot 1. This vegetation is envisaged as being retained and maintained into the future, however, since it does not directly mitigate any effects of the proposed activities, it is not proposed to be associated with the consent notice condition.
- 7 No specific design controls are proposed other than the 5m height limit. Future built form will therefore need to comply with the standards for the Rural Zone with regard to colours, reflectivity and other aspects of design. Specifically Rule 21.7.2.1 requires that all roofs must have a light reflectance value of not greater than 20% and Rule 21.7.2.2 requires that all other surface finishes (except for schist) must have a light reflectance value of not greater than 30%.

METHODOLOGY

- 8 The methodology for this assessment has been guided by:
 - The Te Tangi A Te Manu (**TTatM**), Aotearoa New Zealand Landscape Assessment Guidelines¹.
 - The landscape-related provisions of the Proposed District Plan (**PDP**).

¹ Te Tangi A Te Manu, Aotearoa New Zealand Landscape Assessment Guidelines, New Zealand Institute of Landscape Architecture, July 2022.

- 9 When describing effects, we use the hierarchy of adjectives given in the bottom row of the table below. The upper two rows show how the adjectives that I use can be related to specific wording within the RMA².

			SIGNIFICANT			
LESS THAN MINOR	MINOR		MORE THAN MINOR			
VERY LOW	LOW	LOW-MOD	MODERATE	MOD-HIGH	HIGH	VERY HIGH

EXISTING LANDSCAPE

- 10 With reference to the proposed Scheme Plan contained in the AEE, the upper part / more elevated part of the site is within an Outstanding Natural Landscape (**ONL**) as identified by the PDP. This part of the site is also part of the Hawea South and North Grandview Priority Area pursuant to the relevant variation to the PDP. The lower part of the site, adjacent to SH6, is outside of the ONL and is part of a Rural Character Landscape (**RCL**). This part of the site is also part of the West of Hawea River Priority Area pursuant to the variation.
- 11 The upper part of the site contains the established dwelling. Under the current proposal, this part of the site is to become Lot 1, being 4.528ha in area. Proposed Lot 2 (of 5.7720ha) will take in the lower, flatter part of the site and the hillslope that has been planted in natives over a number of years. Proposed Lot 2 also takes in the existing barn and access road, along with a broad garden-like area adjacent to SH6. It is in this area that the Lot 2 building platform is proposed, which would enable a new dwelling in the future. The part of the site that is within the ONL will effectively not change under the current proposal.
- 12 The lower RCL part of the site will have a new dwelling enabled on it by way of a building platform. The proposed variation to the PDP regarding Priority Areas (**PAs**) has been heard by the QLDC but no decision has yet been issued. The proposed new building platform location is at the very northern extreme of the West of the Hāwea River PA. The Landscape Schedule that relates to this PA (Schedule 21.23.3) is uncontentious. The version of this Schedule that was attached to the QLDC's right-of-reply at the variation hearing is the Council's most up-to-date version of the Schedule following the hearing of submissions. I attach that version of the Schedule to this report as **Appendix 2**.

² Ibid.

- 13 Drawing from the right-of-reply version of Schedule 21.23.3, the attributes and values of the West of Hawea River can be summarised as follows:

Physical Attributes and Values³

- 14 The subject site is at the very northern end of the West of Hawea River RCL. At a broad scale, this landscape is a flat glacial outwash plain that extends between Horseshoe Bend in the south, Hawea township in the north, the Hawea River to the east and the slopes of Mount Maude in the west. Rural land uses and lifestyle blocks cover much of the flats. Areas of remnant native vegetation cover parts of the lower Mount Maude slopes and areas of plantation forestry also punctuate the landscape.

Associative Attributes and Values⁴

- 15 The Hawea River Track is a widely-valued recreational resource. The West of Hawea River RCL also acts as a rural “*breathing space*” between Albert Town and Hawea township.
- 16 A small part of the site is within the Wāhi Tūpuna (35) for Hāwea (Lake Hāwea). PA Schedule 21.23.3 records that the Hāwea was part of a traditional Mahika kai network, and that mana whenua values associated with this area include, but may not be limited to, awa, nohoaka and area tawhito.

Perceptual Attributes and Values⁵

- 17 SH6 runs through the RCL and provides rural views on both sides. As set out in the right-of-reply version of Schedule 21.23.3, the landscape has “*moderate perceptual values relating to the expressiveness of the moraine, river terraces (including both their treads and risers), the coherent rural character, the scenic rural views across pasture to the surrounding mountain context, and the moderate level of naturalness, with built development remaining subservient to natural landscape elements and patterns*”.
- 18 Although the ONL part of the site will not change under the proposal, the mountain slopes that lead up to Mount Maude are an important part of the overall landscape context. They provide an expansive, highly natural and rugged backdrop to many views.

³ TTatM define physical attributes as “both the natural and human-derived features, and the interaction of natural and human processes over time”, in paragraph 4.23.

⁴ TTatM define associative attributes in paragraph 4.23 as “the intangible things that influence how places are perceived – such as history, identity, customs, laws, narratives, creation stories, and activities specifically associated with a landscape”.

⁵ TTatM define perceptual attributes in paragraph 24.3 as being “both sensory experience and interpretation. Sensory appreciation typically occurs simultaneously with interpretation, knowledge, and memory”.

RELEVANT STATUTORY CONTEXT

19 The most relevant provisions from Chapter 3 of the PDP are:

- 3.2.5.5 *Within Rural Character Landscapes, adverse effects on landscape character and visual amenity values from subdivision, use or development are anticipated and effectively managed, through policies and rules, so that:*
- a) *landscape character is maintained; and*
 - b) *visual amenity values are maintained or enhanced.*
- 3.2.5.6 *In Rural Character Landscapes, new subdivision, use and development in proximity to any Outstanding Natural Feature or Outstanding Natural Landscape does not compromise the landscape values of that Feature or Landscape.*
- 3.2.5.7 *In Rural Character Landscapes of the Upper Clutha Basin:*
- a) *Priority Areas of Rural Zoned Rural Character Landscapes are identified; and*
 - b) *associated landscape character and visual amenity values are identified.*
- 3.3.34 *For any Priority Area of any Rural Character Landscape where landscape character and visual amenity values and related landscape capacity are identified in Schedule 21.23, ensure that new subdivision and development for the purposes of Rural Living:*
- a) *maintains that landscape character;*
 - b) *enhances any visual amenity value that Schedule 21.23 specifies to be enhanced; and*
 - c) *otherwise maintains those identified visual amenity values.*

20 The most relevant provisions from Chapter 6 are:

- 6.3.4.1 *Recognise that subdivision and development is unsuitable in many locations in Rural Character Landscapes and successful applications will need to be, on balance, consistent with the objectives and policies of the Plan.*
- 6.3.4.3 *Require that proposals for subdivision or development for rural living in the Rural Zone:*
- a. *take into account all subdivision and development that is in existence or is consented for all land within the relevant landscape character area as at 14 May 2021; and*
 - b. *assess the potential for adverse cumulative effects on the landscape character of that area and its wider landscape context.*

6.3.4.4 *Have particular regard to the potential adverse effects on landscape character and visual amenity values where further subdivision and development would constitute sprawl along roads.*

6.3.4.8 *Avoid adverse effects on visual amenity from subdivision, use and development that:*

a. *is highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan);or*

b. *forms the foreground for an Outstanding Natural Feature or Outstanding Natural Landscape when viewed from public roads*

6.3.4.10 *In the Upper Clutha Basin, subdivision and development maintains open landscape character where that is the existing character of the Rural Character Landscape.*

21 In summary in relation to the PDP, the location of the proposed changes to the landscape is in the Rural Zone and is also part of an RCL. The relevant provisions direct that landscape character and visual amenity values are maintained/enhanced. These values are set out in the right-of-reply version of Schedule 21.23.3.

ASSESSMENT OF LANDSCAPE AND VISUAL EFFECTS

22 In assessing landscape and visual effects, we have considered all of the assessment matters set out in Chapter 21 Rural Zone (21.21.2) of the PDP. **Appendix 1** to this report gives commentary in relation to those assessment matters. In the paragraphs below, we give further comments regarding effects on views and visual amenity and on landscape character and values.

Visual catchment and viewing audiences

23 The changes to the landscape that the proposal will bring that are potentially recognised in a visual sense are a future dwelling and associated rural living activity enabled by the proposed Lot 2 building platform. These activities may be partially visible to:

- Users of SH6.
- Occupiers of elevated, south facing parts of western Hāwea township.
- Occupiers of nearby properties.

- 24 For the purposes of visual assessment, profile poles were erected on the corners of the proposed Lot 2 building platform depicting the maximum extent of the envelope within which built form would be enabled by the current proposal.
- 25 **Appendix 4** of this report consists of photographs that illustrate visibility of the subject site and the proposed activities.

Effects on views and visual amenity

- 26 Visual effects are:

“the consequences of change on landscape values as experienced in views. ... A proposal that is in keeping with the landscape values, for example, may have no adverse visual effects even if the proposal is a notable change to the view. Conversely, a proposal that is completely out of place with landscape values may have adverse effects even if only occupying a portion of the view.

They are a technique to help understand landscape effects. They are a subset of landscape effects⁶”.

Lake Hāwea - Albert Town Road (SH6)

- 27 For a southbound traveler on SH6, visibility of the site is gained as one passes the Allied service station, as is illustrated by Photograph C of Appendix 4. The existing farm shed on 1147A is visible, as are the power lines through the lower part of the site. The strong roadside native vegetation provides significant screening (Photograph D), but upper parts of building profile poles are visible. The roof of a dwelling on the proposed building platform may be seen, but is likely to be screened by the burgeoning vegetation in the medium term. A southbound viewer of this sort has recently passed the Hawea Control Structure and the area of the Allied service station. The minor visibility of parts of a dwelling through native vegetation will not amount to a detractor from the existing visual amenity that is experienced. The hillside slopes of the side are widely seen. Existing native revegetation appears juvenile, with its many plant guards. As this vegetation matures, the hillside will take on the image of a mosaic of vegetative patterns.
- 28 For a northbound traveler on SH6, visibility of the site again takes the form of the open hillside, which is revegetating. More mature native vegetation along the southern boundary of the lower part of the site generally screens the lower Lot 2 area (Photograph H). Again, upper parts of building profile poles are visible. The vegetation on the southern boundary is growing well and is

⁶ TTatM, paragraphs 6.7, 6.25 and 6.27.

likely to screen any built form in the medium term. Any detracting from visual amenity will be minimal.

- 29 Overall, we consider that any adverse effects on visual amenity as experienced from SH6 will be of a very low degree.

Hāwea township

- 30 Hāwea township sits on the terminal moraine landform between Cemetery Road and Lake Hāwea. Recent subdivision and PDP zoning allows for a southern expansion of the township on flatter topography. With reference to **Appendix 4**, the new elements that the proposal will enable sit in locally low topography with the large-scale, mountainous ONL to their immediate west. The proposed Lot 2 building platform gains a view to the north but not to the east. Consequently, future built form and associated activities will not be visible from the flatter parts of Hāwea township (the Timsfield area and south of Cemetery Road), nor from the north-facing parts of the township (the Capell Avenue area and northwards).
- 31 Within any part of Hāwea township, views to the south and west are often blocked by houses, trees or other aspects of suburbia. From some elevated or open viewpoints that look to the south, visibility towards the subject site is available. Such views are illustrated by Photograph G of **Appendix 4**. In these views, the profile poles on the subject site were not visible, primarily due to the dense, mature, intervening, evergreen trees that are adjacent to Domain Road. In the absence of these trees, vegetation within and adjacent to the site may screen visibility in any event. Viewing distances are between 1 and 1.5km. In these views, the flatter lower terrace part of the subject site and its neighbouring sites generally cannot be seen, although built form is visible on the more elevated, sloping land west of SH6, including in the vicinity of 1089 and 1091 Lake Hāwea- Albert Town Road.
- 32 From some individual private properties on the more elevated south facing sites in Hāwea, there may be some visibility to parts of a future dwelling in views such as the Photograph G view. Given the context that includes existing buildings and mature vegetation, the manner in which built form will actually be displayed will be minimal. We consider that the visual difference between the proposed situation and the existing situation will be particularly slight. In this context, any adverse effect on the amenity associated with these views will be of a very low degree.

33 Hawea Control Structure Road connects SH6 to Hawea township. It also accesses the Hawea War Memorial Peninsula. Both of these locations allow visibility towards the subject site as shown in Photographs E and F. In these views, the site makes up a small part of a broad view. Only the lower part of the site (the flats of Lot 2) can be seen. Visibility of these flats is over the top of the currently juvenile vegetation on the site's northern boundary. The Allied service station forms a relatively prominent foreground element. In these views, a future dwelling on the Lot 2 platform will add another built element to the view, but one that is significantly inconspicuous. We consider that any effect on visual amenity will be of a low degree and this will decrease as vegetation grows.

Nearby properties

34 The location of the proposed building platform is already well screened by landscaping required under RM190947 (as part of the barn consent), and by other native planting undertaken by the applicant on the lower part of the site.

35 To the immediate north of the site is 1147A Lake Hawea-Albert Town Road. This site is part of a rural living subdivision comprising of five large lots in the order of 10ha each (including the application site). Each lot contains a building platform, four of which have been built on. The building platforms generally sit on small shelf-like areas of landform with broad views to the north, across Lake Hāwea. From the lower part of 1147A, which includes the shared access to the wider subdivision, the subject site is visible if looking to the south, although it is not visible from the building platforms of these properties. This lower part of 1147A also contains a farm shed building (consented by RM120287) that is visible from the adjacent stretch of SH6. In these views, a future dwelling on proposed Lot 2 will sit in a topographical low point but will be visible in views from the shared accessway when looking towards the south. For these viewers, the future dwelling will be seen in the context of the farm shed and the barn on the subject site (which is partly visible). Vegetation within the site, adjacent to the northern boundary, provides screening of the lower part of the subject site, and this will increase as this existing vegetation grows, but a dwelling within the proposed building platform will remain visible to some degree from this lower part of 1147A when looking south. We consider that, in this context and with the site's growing vegetation, a future dwelling will not be at odds with expectations within this RCL. We consider that effects on visual amenity as experienced from the 1147A property will be of a very low degree.

36 To the immediate south of the site is Lot 6 DP 300393. This site is vacant rural land. Existing established native landscaping along the southern boundary of the site provides a demarcation

and visual separation between this property and the subject site. Approximately the upper half of the subject site's existing barn can be seen from this property to the south. From the lower part of this property, which is close to the highway, there will be some visibility to the upper parts of a future dwelling within the proposed building platform. The boundary vegetation will provide considerable visual softening. In relation to some user of the rural land of Lot 6 DP 300393, we consider that any effect on their visual amenity will be of a very low degree.

- 37 Further south are the residential properties at 1087, 1089 and 1091 Lake Hawea-Albert Town Road. These properties are elevated, however do not have a line-of-sight to the proposed building platform.
- 38 To the east across SH6 from the site is 1172 Lake Hawea-Albert Town Road. This property contains one residential dwelling and several large established trees. Resource consent (RM230542) has been sought for four additional building platforms on this site, however this is yet to be determined. Due to the established native planting along the State Highway road boundary, both within the site and outside of it, it appears that there will be no visibility of the subject site's proposed platform from the dwelling at 1172 Lake Hawea-Albert Town Road.
- 39 Also to the east is the Lake Hawea golf course. As noted above, the established native planting along the State Highway road boundary, both within the site and outside of it, provide significant screening. The roof of a future dwelling within the platform is likely to be possible from discrete parts of the golf course and its driveway area (Photograph H). Any effect on the visual amenity experienced will be of a very low degree at most.
- 40 To the west is the elevated terrain of Mount Maude, being part of the ONL. From beyond the existing dwelling on proposed Lot 1, no built form will be apparent.

Effects on landscape

"A landscape effect is an outcome for a landscape value.

While effects are consequences of changes to the physical environment, they are the outcomes for a landscape's values that are derived from each of its physical, associative, and perceptual dimensions.

Change itself is not an effect: landscapes change constantly. It is the implications of change for a landscape's values that is the effect. To assess effects it is therefore necessary to first identify the landscape's values—and the physical characteristics that embody those values.

*A visual effect is a kind of landscape effect. It is a consequence for landscape values as experienced in views. Visual effects are a subset of landscape effects. A visual assessment is one method to help understand landscape effects.*⁷

- 41 The existing landscape and its values are discussed above in paragraphs 10 to 18 above. The site is part of an established rural living subdivision, occupying foothill terraces below Mount Maude. At a broader scale, the location of the proposed building platform on Lot 2 is part of an RCL, with the remaining more elevated parts of the site part of the Mt Maude ONL.
- 42 The assessment matters of Chapter 21 Rural Zone (21.21.2) of the PDP deal with both visual effects and effects on landscape character and values. **Appendix 1** to this report gives commentary in relation to those assessment matters. In the paragraphs below, we give further comments on effects on character and values.
- 43 The proposal will intensify the activity of rural living within the lower part of the site and its immediate context. The platform on proposed Lot 2 and its future dwelling will be particularly well contained. A future dwelling will sit within this flat area of topography within the extensive existing native vegetation. The dwelling will access off the existing vehicle crossing approved as part of the barn consent.
- 44 As is apparent from our discussion of visual effects above, we do not consider that the result of the proposed activity (i.e. the presence of an additional dwelling and associated activity) will create a situation that is at odds with existing landscape character or values. The domestic activity will sit within a flat topographic area adjacent to the established barn and will be particularly confined by existing and proposed vegetation to a part of the site that has a gardenesque character. The area of proposed Lot 2 will continue to be dominated by relatively dense native vegetation. While the proposal will cumulatively add to the intensity of domesticity in this vicinity, we consider that the overall pattern that results from the proposal will not be at odds with the existing attributes of the landscape nor with the reasons that the landscape is valued. The character and visual amenity values of the RCL will be maintained.

Capacity Rating for Rural living

- 45 Schedule 21.23.3 recognises there is very limited landscape capacity to absorb rural living without cumulative adverse effects on associative and perceptual values. The Schedule goes on to give guidance regarding how this (very limited capacity) might be realised:

⁷ TTatM, paragraphs 5.06 and 6.01 to 6.04.

- *set well back from roads and public tracks;*
- 46 The platform meets the required 40m setback from the state highway. Locating it further back would result in it moving up the hill onto the more elevated and visible parts of the site that have been planted with native vegetation.
- *co-located with existing development;*
- 47 The platform is located next to the existing barn and existing formed vehicle accessway, as well as being located within a larger rural living subdivision.
- *located to optimise the screening and/or filtering benefit of natural landscape elements;*
- 48 The platform is located so as to optimise the screening and filtering benefit of the existing native planting, and to locate it on the more modified flat part of the site near the base of the hill outside of the ONL.
- *designed to be of a modest scale;*
- 49 The platform will enable a single residential dwelling. The nature and design of a future dwelling is subject to the standards of the Rural Zone and will be scrutinised via a resource consent process of at least a controlled activity status.
- *have a 'low-key' rural character;*
- 50 The extensive native planting will screen the lower part of a future dwelling, which will be limited to a 5m maximum height. As above, the nature and design of a future dwelling will be subject to a resource consent process.
- *integrate landscape restoration and enhancement (where appropriate);*
- 51 Extensive landscape restoration and enhancement has been undertaken on the site by the applicant over recent years. This has involved the clearance of a large area of mature Douglas fir (a pest species, highly prone to wilding spread and prohibited pursuant to Chapter 34 of the PDP) and replanting with mixed indigenous species, suited to the site, in large numbers. This vegetation is set out on the plan that forms Appendix 3 to this report. The current consent application seeks to give ongoing protection to this native vegetation by way of conditions of consent that are proposed to form part of a consent notice to be associated with the title of Lot 2.

- *enhance public access (where appropriate); and*
- 52 There are no obvious opportunities for public access through the site to public land elsewhere.
- *should maintain the impression of expansive rural views from public vantage points.*
- 53 Public views have been considered earlier in the report. The platform location is already enclosed to a significant degree by the extensive native planting. This planting is in good health and is of a generally juvenile state. Growth over upcoming years will result to significantly more visual enclosure. Only glimpses of visibility are expected from SH6 and other public places. The impression of expansive rural views from public vantage points will not be unduly affected.

CONCLUSIONS

- 54 The proposal will create an additional title and building platform within an RCL accessed from an existing vehicle crossing / access. The area of proposed Lot 2 is already characterised by extensive native vegetation which considerably contains the proposed building platform.
- 55 The site is within the West of the Hāwea River Priority Area. Schedule 21.23.3 sets out the attributes and values of this landscape and summarises the values as moderate.
- 56 The capacity for rural living is identified in Schedule 21.23.3 as 'very limited'. The Schedule gives guidance regarding how this capacity might be realised and the proposal addresses those circumstances and accords with that guidance.
- 57 The new instance of domesticity that will result from the proposal will be inconspicuous from outside the site. Minor glimpses of small parts of built form will be available from limited stretches of the State Highway immediately north and south of the site. Any future dwelling will be regulated by the standards of the Rural Zone, including those relating to external colours and finishes.
- 58 The ultimate result of the proposal will be an additional dwelling in a vicinity characterised by rural living activity, significantly contained by native dominated vegetation. We consider that this outcome will maintain the landscape character and visual amenity values of this RCL landscape.

26 March 2024

Report prepared by Vivian and Espie for D Kenton			
Reviewed and Approved By	Ben Espie	Landscape Architect	26 March 2024

APPENDIX 1: EVALUATION AGAINST PROPOSED DISTRICT PLAN ASSESSMENT MATTERS RELATING TO ACTIVITIES IN A RURAL CHARACTER LANDSCAPE	
ASSESSMENT MATTERS	ASSESSED AFFECTS
21.21.2.1 Landscape character	
<p>For the implementation of relevant policies including SP 3.3.2, SP 3.3.21, SP 3.3.23, SP 3.3.33, SP 3.3.34, SP 3.3.35, SP 3.3.43, SP 3.3.45, SP 3.3.46, SP 3.3.49, SP 3.3.50, SP 3.3.51, 6.3.4.1, 6.3.4.3, 6.3.4.4, 6.3.4.5, 6.3.4.10, 21.2.1, 21.2.1.1, 21.2.1.2, 21.2.1.3, 21.2.1.7, 21.2.1.11, 21.2.1.16, 21.2.9, 21.2.9.1, 21.2.9.2 and 21.2.9.3, in considering a subdivision or development proposal, the Council will have regard to:</p>	<p>a. the landscape character and visual amenity values identified in Schedule 21.23, where relevant;</p> <p>With regard to Schedule 21.23, the site is located within two PAs:</p> <ul style="list-style-type: none"> • Hawea South and North Grandview Priority Area (ONL) • West of Hawea River Priority Area (RCL) <p>As no change is envisaged within the ONL part of the site. The focus of the assessment is on the West of Hawea River Priority Area (21.23.3 – RCL) where the building platform is proposed.</p> <p>The initial assessment of landscape values and capacity of this PA has been set out in schedule 21.23.3 (right of reply version, subject to a hearings decisions). The land use pattern of this PA is dominated by low-density rural living and hobby farming.</p> <p>Built development throughout the gentle slopes flanking Mount Maude is generally well integrated with the hummocky topography and/or existing vegetation; comprising a distinctly working rural character; and/or are not prominent in views from the road.</p> <p>Distinctive vegetation types include grazed and cropped pasture with conifer and poplar shelterbelts, forestry block on the tow of Mt Maude, wilding conifers, and Amenity plantings around rural and rural living dwellings and farm buildings.</p> <p>There is a moderate degree of naturalness due to the predominance of natural elements, despite modified agricultural land and rural living being evident.</p> <p>The capacity for additional rural living has been characterised as very limited with the PA being particularly vulnerable to further fragmentation and domestication. The schedule gives some suggestions regarding what sort of rural living development will be appropriate.</p>

	<p>b. the landscape character and visual amenity values identified in accordance with SP 3.3.45</p>	<p>SP 3.3.45 relates to landscape assessment methodology and requires landscape assessments in the RCL to define a relevant landscape character area and wider landscape context, identify the landscape and visual amenity values of the landscape and its wider landscape context and assess effects on character and values and landscape capacity.</p> <p>The relevant landscape character and visual amenity values are identified in the PA RCL West of Hawea River described in 21.23.3.</p>
	<p>c. whether, and to what extent, the proposed development will protect Tangata Whenua values, including Tōpuni or nohoanga.</p> <p>Note: The Council acknowledges that Tangata Whenua beliefs and values for a specific location may not be known without input from iwi.</p>	<p>We have no specific knowledge or expertise in relation to Tangata Whenua cultural and spiritual values.</p> <p>A small northern part of the site is within the wāhi tūpuna (35) for Hāwea (Lake Hāwea). Chapter 39 (Wāhi Tūpuna) of the PDP records the manawhenua values for this wāhi tupunas as being:</p> <ul style="list-style-type: none"> • Whakapapa • rakatirataka • kaitiakitaka • mana • mauri • Wāhi taoka • mahika kai • ara tawhito <p>The PA Schedule 21.23.3 records that the Hāwea was part of a traditional Mahika kai network, and that mana whenua values associated with this area include, but may not be limited to, awa, nohoaka and ara tawhito.</p>
<p>21.21.2.2 Visual amenity values</p>		
<p>For the implementation relevant policies including SP 3.3.2, SP 3.3.21, SP 3.3.23, SP 3.3.34, SP 3.3.35, SP 3.3.43, SP 3.3.45, SP 3.3.46, 6.3.2.8, 6.3.4.1, 6.3.4.3,</p>	<p>a. whether adverse visual effects are avoided if the proposal:</p> <p>i. is highly visible from public places and other places which are frequented by members of the</p>	<p>The proposal is not highly visible from any places which are frequented by members of the public. There is visibility from parts of the Lake Hawea-Albert Town Road (State Highway 6). However the 40m setback, established vegetation and topography ensure that the proposed development is considerably screened and not highly visible.</p>

<p>6.3.4.5, 6.3.4.8, 6.3.4.10, 21.2.1, 21.2.1.1, 21.2.1.3, 21.2.1.11, 21.2.9, 21.2.9.1 and 21.2.9.2, in considering a subdivision or development proposal, the Council will have regard to:</p>	<p>public generally (except any trail as defined in this Plan); or</p> <p>ii. forms the foreground for an Outstanding Natural Feature or Outstanding Natural Landscape when viewed from public roads;</p>	<p>The proposed development will be in the foreground of views of the Mt Maude ONL from discrete stretches of the Lake Hawea-Albert Town Road (State Highway 6). The slopes of the ONL that are within the site have been considerably enhanced in terms of ecology (Douglas for forest has been converted to a broad area of native restoration). The current proposal seeks to ensure this situation into the future by way of consent notice conditions. This represents an enhancement of the lower foreground slopes of the ONL.</p>
	<p>b. the extent to which unformed legal roads will or are likely to be used for vehicular and/or pedestrian, cycling, equestrian and other means of access;</p>	<p>No unformed legal roads are to be used for access.</p>
	<p>c. the extent to which the proposal will or is likely to detract from private views;</p>	<p>The proposed development is not likely to detract from any private views from residences. The future dwelling may be visible in some private views from the shared access driveway located to the north of the site, and from the vacant site to the south of the site if viewed from near locations, however, views will be substantially screened by existing native vegetation. Any detracton will be very slight.</p>
	<p>d. the extent to which mitigation by any proposed method such as earthworks, landscaping and/or new planting could detract from or obstruct views of a Rural Character Landscape from both public and private locations;</p>	<p>The existing native planting already provides substantial mitigation and is an existing element within this RCL. No additional planting is proposed. Again, this planting which serves to screen the lower Lot 2 area, along with the revegetation of the sloping land, is a positive aspect of the natural character of this RCL.</p>
	<p>e. the extent to which the proposed development is enclosed by any confining elements of topography and/or vegetation, and the ability of these elements to reduce visibility from public and private locations;</p>	<p>As discussed above, the existing vegetation and topography provides considerable screening from both public and private locations. The proposal will not reduce visibility beyond the existing situation.</p>
	<p>f. the extent to which any proposed roads, boundaries and associated planting, lighting, earthworks and landscaping will not maintain or</p>	<p>The proposed platform will be accessed via an existing accessway, a short extension to the driveway within Lot 2 will be located on relatively flat topography</p>

	<p>enhance visual amenity values, with particular regard to elements that are inconsistent with the existing natural topography, character and patterns of the surrounding landscape;</p>	<p>and will maintain visual amenity. The proposed boundary will align with an existing fence line. No earthworks are proposed.</p>
	<p>g. the extent to which any proposed new or modified boundaries follow, as far as is practicable, the natural lines of the landscape or landscape units, rather than resulting in artificial or unnatural lines in the landscape;</p>	<p>The boundary between the two lots has been informed by an existing fence line. This fence line roughly follows the contour of the hill and will not appear as an unnatural line in the landscape.</p>
	<p>h. if the proposal is proposed to be located within a landscape that exhibits open space or has an open character, the extent to which the proposal:</p> <p>i. will maintain open space or open character when viewed from public roads and other public places;</p> <p>ii. is situated on a site that is within a broadly visible expanse of open landscape when viewed from any public road or public place;</p> <p>iii. is likely to affect open space or open character values with respect to the site and the surrounding landscape;</p> <p>iv. is situated on a site that is defined by natural elements such as topography and/or existing vegetation which may contain and mitigate any adverse effects associated with the development;</p>	<p>The ONL mountain slopes that lead up to Mount Maude display variable openness, the large Douglas fir forest creating visual enclosure. The flats outside of the ONL often have an open pasture form of character but are interspersed with shelterbelts and other enclosing vegetation.</p> <p>The clearance of Douglas fir and replacement with native revegetation has improved the openness and legibility of these slopes within the site. These slopes are broadly visible.</p> <p>The lower parts of the site (where the building platform is proposed) is contained and defined by dense, juvenile native vegetation, and hence is not broadly visible.</p>
	<p>i. the extent to which the proposal will contribute to adverse cumulative effects on the visual amenity values identified in Schedule 21.23, or identified in accordance with SP 3.3.45.</p>	<p>Adverse cumulative effects need to be carefully considered for further rural living development within the West of Hawea River RCL PA given the existing level of rural living development within the PA. The proposed development is located within the less visible lower part of the site and surrounded by established native</p>

		<p>vegetation that largely contains it. As such, this area is able to absorb additional rural living development without compromising the visual amenity or landscape character of the PA or wider landscape.</p>
<p>21.21.2.3 Design and density of development</p>		
<p>For the implementation of relevant policies including SP 3.3.23, SP 3.3.34, SP 3.3.35, SP 3.3.43, SP 3.3.45, SP 3.3.46, 6.3.2.1, 6.3.2.8, 6.3.4.1, 6.3.4.3, 6.3.4.4, 6.3.4.5, 6.3.4.5 and 6.3.4.10, 6.3.4.11, 21.2.1, 21.2.1.1, 21.2.1.2, 21.2.1.3, 21.2.1.11, 21.2.9, 21.2.9.1 and 21.2.9.2, in considering a subdivision or development proposal, the Council will have regard to the extent to which:</p>	<p>k. the proposal, including access, is designed and located in response to the identified landscape character and visual amenity values;</p>	<p>The existing landscape character and visual amenity values of the site and surrounding landscape includes established rural living. The proposal is located within an existing rural living development where building platforms are located on more elevated locations. The proposed platform is located on relatively flat topography adjacent to the existing barn and garden area but is considerably screened by vegetation such that the development appears coherent with the existing amenity values of the PA where rural living development is integrated by vegetation.</p>
	<p>l. opportunities have been taken to aggregate built development in order to utilise common access ways, including roads, pedestrian linkages, services and open space (i.e. open space held in one title whether jointly or otherwise);</p>	<p>The proposed platform will utilise the existing access from the State Highway, and the platform has been deliberately placed in proximity to the existing barn / tanks. No additional shared roads, pedestrian linkages, services or open space are proposed.</p>
	<p>m. there is merit in clustering any proposed building(s), building platform(s) and associated physical activity including roading, access, lighting, landscaping and earthworks within areas that are least sensitive to change;</p>	<p>The proposed new development (i.e. the proposed building platform) is clustered with the existing barn / tanks on the site and in a part of the landscape that is considerably screened by vegetation beyond the immediate vicinity of the site.</p>
	<p>n. the design and density of the proposal contributes to adverse cumulative effects on landscape character and visual amenity values.</p>	<p>The proposal will add an additional instance of rural living to a part of the landscape in which low density rural living and hobby farming dominate land use patterns. The proposed platform is situated in a part of the landscape where existing vegetation will provide considerable screening. The bulk of the site will be retained as open land with extensive native replanting, such that the overall character of the site will continue to be that of a rural living (confined to a parts of Lot 1 and 2) with the majority of the site returning to native vegetation with an associated increase in natural character. The existing structural landscaping will</p>

		ensure that development is well screened from beyond the site and cumulative effects on visual amenity and landscape character will be low at most.
21.21.2.4 Tangata Whenua, biodiversity and geological values		
For the implementation of relevant policies including SP 3.3.43, SP 3.3.45, SP 3.3.46, SP 3.3.49, SP 3.3.50, SP 3.3.51, 6.3.2.5, 6.3.2.6, 6.3.4.1, 6.3.4.3, 21.2.1, 21.2.1.1, 21.2.1.7, 21.2.1.11, 21.2.9, 21.2.9.1 and 21.2.9.2, in considering a subdivision or development proposal, the Council will have regard to:	<p>o. whether and to what extent the proposal will adversely affect Tangata Whenua values including Tōpuni or nohoanga, indigenous biodiversity, geological or geomorphological values or features, and the positive effects any proposed or existing protection or regeneration of these values or features will have.</p> <p>Note: The Council acknowledges that Tangata Whenua beliefs and values for a specific location may not be known without input from iwi.</p>	<p>A small northern part of the site is within the wāhi tūpuna (35) for Hāwea (Lake Hāwea).</p> <p>The PA Schedule 21.23.3 records that the Hāwea was part of a traditional Mahika kai network, and that mana whenua values associated with this area include, but may not be limited to, awa, nohoaka and ara tawhito.</p> <p>The proposed platform is outside of the wāhi tūpuna area and no adverse effects or change to the landform within the wāhi tūpuna area are expected.</p>
21.21.2.5 Cumulative effects		
For the implementation of relevant policies including SP 3.3.23, SP 3.3.34, SP 3.3.35, SP 3.3.43, SP 3.3.45, SP 3.3.46, 6.3.4.1, 6.3.4.3, 6.3.4.4, 6.3.4.5, 6.3.4.10 21.2.1, 21.2.1.1, 21.2.1.11, 21.2.9, 21.2.9.1 and 21.2.9.2, in considering whether a subdivision or development proposal will result in adverse cumulative effects, the Council will have regard to:	<p>aa. the soundness of the methodology applied for the assessment of cumulative effects on landscape character and visual amenity values including as to:</p> <p>i. whether the assessment applies measurable spatial or other limits to inform its conclusions concerning those effects (including matters of location, quantity, density and design treatment);</p> <p>ii. how the assessment accounts for the contributions of existing, consented or permitted development within the relevant landscape character area;</p>	<p>Our consideration of cumulative effects has been informed by the NZILA Guidelines, particularly paragraphs 6.46 to 6.48. In this instance the proposed activity is another rural living development in the same location as existing such developments, so we consider that many of the landscape and visual effects of the proposal are cumulative effects. We have also taken guidance from Schedule 21.23.3 landscape capacity ratings, particularly in relation to rural living activities.</p> <p>We have fully considered the location, quantity, density and design of the existing rural living activity in the vicinity of the proposed activity. We are aware of consent RM230542 across the road from the site however this consent is yet to be determined and does not form part of the receiving environment.</p> <p>There is only a limited range of permitted activities in the Rural zone, and the permitted baseline in the Rural zone is set out in the AEE.</p>
	<p>p. the outcome of an assessment of landscape capacity undertaken in accordance with SP</p>	<p>The notified Schedule 21.23 has been prepared in accordance with SP3.3.33. The relevant capacity is then set out in notified Schedule 21.23.3. In relation to Rural</p>

	3.3.33 that is relevant to the proposal being considered;	Living, the Schedule describes capacity as 'very limited' but gives suggestions regarding what development might be appropriate. As discussed in the body of this report, we consider the site can appropriately absorb rural living development.
	q. the contributions existing, consented or permitted subdivision or development within the relevant landscape character area as at 14 May 2021 (including unimplemented but existing resource consents that are likely to be implemented) makes to landscape capacity;	The site is in the Rural Zone and a limited range of permitted activities are permitted. However, consented development including the consented barn, access and landscaping on the site, and the landscaping associated with the shed on the adjoining site to the north, that are relevant to the proposal. Capacity has been discussed previously.
	r. the effect the proposal would have on landscape capacity;	As discussed, the changes proposed will not breach a threshold such that they cannot be absorbed while maintaining the values of the site and the PA. Notwithstanding that, the proposal is likely to mean that the remaining capacity to absorb development in this part of the PA becomes reduced.
	s. the availability of legal instruments designed to maintain open space in order to avoid further cumulative effects, such as covenants or consent notices, in situations where a proposed development is considered to reach the threshold of the capacity of the landscape to absorb any further development.	As mentioned previously, consent notice conditions of consent are proposed in relation to the retention and maintenance of the native revegetation.

21.23.3 PA RCL West of Hāwea River: Schedule of Landscape Values

Key

~~Black strikethrough text~~: Text deletion recommended in 42A Report.

Black underlined text: Text addition recommended in 42A Report.

Black comment box text: Submission references for text changes recommended in 42A Report.

~~Red strike through text~~: Text deletion recommended in Council Rebuttal.

Red underlined text: Text addition recommended in Council Rebuttal.

Red comment box text: Provides a brief explanation of text changes requested in Submitter Evidence, with Council expert response (in some instances cross referencing to Rebuttal Evidence for a full explanation).

Green underlined and strikethrough text: corresponds to changes to the 'no landscape capacity' rating terminology agreed at expert conferencing on Monday 2nd and Tuesday 3rd October 2023.

Purple underlined and strikethrough text: corresponds to changes recommended in Council Reply Evidence, 15 December 2023.

BG: Bridget Gilbert.

JE: Jeremy Head.

RE: Ruth Evans.

General Description of the Area

The West of Hāwea River PA takes in the river terraces on the true right (i.e. west) of the Hāwea River, extending from approximately Horseshoe Bend in the south to Hāwea settlement in the north. SH6 Lake Hāwea Albert Town Road forms the western boundary except at the northern end, where the PA extends westwards from the road to encompass the low-lying land along the toe of the south-eastern flanks of Mount Maude.

Commented [BG1]: Notified text of Schedule 21.23.3 supported by OS 67.30 Julian Haworth.

Physical Attributes and Values

Geology and Geomorphology • Topography and Landforms • Climate and Soils • Hydrology • Vegetation • Ecology • Settlement • Development and Land Use • Archaeology and Heritage • Tāngata whenua

Important landforms and land types:

1. The flat glacial outwash plain of the historic Hāwea Glacier, modified by the fluvial erosion and sedimentation of the Hāwea River that characterises the general area.
2. Maungawera Hill, roughly in the centre of the PA, separates the area into a northern and southern terrace. The hill itself comprises a terminal moraine of the Hāwea Glacier and extends broadly south-westwards from the south end of Mount Maude.
3. The patterning of shallow scarps and paleochannels throughout the northern terrace.

Important hydrological features:

4. The ephemeral water courses from the mountains to the northwest, which flow only after prolonged or intense rainfall, that are artificially channelled in places and discharge to the Hāwea River.

Important ecological features and vegetation types:

5. Particularly noteworthy indigenous vegetation features include:
 - a. Swathes and patches of regenerating kanuka, manuka, grey shrubland and bracken fernland across the lower slopes of Mount Maude.

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This version of the Schedule is taken from the QLDC right-of-reply as presented to the Commissioner Hearing on the Priority Areas Variation to the PDP.

- b. Localised patches of kanuka and grey shrubland along with wilding conifers occupy the river terraces and escarpments bordering the Hāwea River.
 - c. Localised stands of kanuka and patches of short tussock grassland and matagouri shrubland occur on the expansive terraces between SH6 and the Hāwea River.
 - d. SNAs near edge of river terrace at end of Te Awa Road encompass small kanuka stands and patches of short tussock grassland and matagouri shrubland.
6. Other distinctive vegetation types include:
- a. Grazed and cropped pasture with conifer and poplar shelterbelts. The latter are predominantly aligned west to east, perpendicular to the prevailing winds, and can be very long.
 - b. Forestry blocks throughout the sloping land in the centre of the PA, on the lower-lying gravel soils on the southern terrace adjacent the river and at the toe of Mount Maude.
 - c. Amenity plantings around rural and rural living dwellings and farm buildings.
 - d. Wilding conifers in places, particularly throughout areas of regenerating scrub.

Important land use patterns and features:

- 7. Low-density rural living, and hobby farming dominate land use throughout the PA. Rural living/hobby farming lots are generally between 4 and 20ha in size, with a few larger lots greater than 50ha.
- 8. Throughout the northern terrace, dwellings are set back from SH6, exploiting the integrating benefits of the low terrace riser extending throughout the area or configured along the true right bank of the river. Many of the consented building platforms in this area are yet to be built on. There is a relatively consistent patterning of rural living lots adjacent the river; and throughout which there has been extensive use of shelterbelt and specimen tree plantings to achieve visual integration and privacy. While this area is not visible from the highway, it forms a contrasting and more finely grained character to the more open and pastoral land to the west.
- 9. Built development throughout the gentle slopes flanking Mount Maude and the central moraine area are generally well integrated by the hummocky topography and/or existing vegetation; comprise a distinctly working rural character; and/or are not prominent in views from the road. The area of elevated moraine on the eastern side of SH6 is predominantly in pastoral and forestry use.
- 10. Across the southern terrace, a more working rural landscape prevails, with pastoral, cropping, and forestry evident. Rural lifestyle lots are clustered towards the north-eastern edge of the terrace adjacent the river (accessed via Camp Hill Road) and throughout the south-western quadrant (accessed via Kennels Lane). Many of the consented building platforms in this area are yet to be built on.
- 11. The Maungawera Rural Visitor Zone throughout the elevated central area of moraine on the east side of SH6. This provides for carefully located and visually discreet pods of visitor focussed development including hot tubs, motorhome sites and cycle trails. Future plans include other developments such as hospitality venues.
- 12. The Hāwea Flat Whitewater Park (The Wave) is a popular surfing, kayaking, swimming, and picnicking spot adjacent the PA and accessed via the PA (Camp Hill Road).
- 13. The margins of the Hāwea River along the eastern edge of the PA which are identified as a Marginal Strip.
- 14. The Hāwea River track on the opposite (true left) side of the river.
- 15. The Hāwea River ONL notation that applies to the stretch of the river adjoining the southern part of the PA.

16. SH6 which passes through the western side of the PA.
17. Other neighbouring land uses which have an influence on the landscape character of the area due to their scale, character, and/or proximity include:
 - a. The generally open and flat expanse of the intensively farmed Hāwea Flats on the eastern side of the Hāwea River.
 - b. The reasonably close proximity of Hāwea settlement to the northern end of the PA.

Mana whenua features and their locations:

18. The entire area is ancestral land to Kāi Tahu whānui and, as such, all landscape is significant, given that whakapapa, whenua and wai are all intertwined in te ao Māori.
19. The RCL overlaps the mapped wāhi tūpuna Hāwea River (including Camp Hill). overlay which applies to the Hāwea River and its margins.

Associative Attributes and Values

Mana whenua creation and origin traditions • Mana whenua associations and experience • Mana whenua metaphysical aspects such as mauri and wairua • Historic values • Shared and recognised values • Recreation and scenic values •

Mana whenua associations and experiences:

20. Kāi Tahu whakapapa connections to whenua and wai generate a kaitiaki duty to uphold the mauri of all important landscape areas
21. The Hāwea was part of a traditional mahika kai network.
22. The mana whenua values associated with this area include, but may not be limited to, awa, nohoaka and ara tawhito.

Important historic attributes and values:

23. The historical and contextual association of the river as a landscape feature, which shaped the development of early local infrastructure and acted as a natural boundary.

Important shared and recognised attributes and values:

24. The identity of the area as 'breathing space' or a somewhat untamed 'green belt' between Albert Town and Hāwea settlement.
25. The popularity of the Hāwea River Track, The (Hāwea River) Wave, and SH6.

Important recreation attributes and values

25A Recreational angling on the Hāwea River.

Commented [BG2]: OS115 Otago Fish and Game Council.

Perceptual (Sensory) Attributes and Values

Legibility and Expressiveness • Views to the area • Views from the area • Naturalness • Memorability • Transient values • Remoteness / Wildness • Aesthetic qualities and values •

Legibility and expressiveness attributes and values:

26. The flat expanse of the outwash plain and river terraces, along with the hummocky moraine, are expressive of the interaction of the glacial and fluvial processes that have shaped the Upper Clutha valley.

Particularly important views to and from the area:

27. The sequence of attractive and varied 'rural' views from SH6 across the PA. In places (and particularly towards the southern end of the PA), the seemingly untamed or rough appearance of vegetation throughout the area contributes the impression of a spacious and relatively undeveloped rural landscape. Elsewhere (and towards the northern end of the PA), the more open pastoral character of the PA enables views westwards to the proximate lower flanks of Mount Maude and the peaks beyond (ONL), and eastwards across the open expanse of the PA and Hāwea Flats beyond, to the Grandview Range (ONL), including Breast Hill and Corner Peak. However, such views are intermittent due to the screening effect of the frequent shelterbelts across the terraces along the eastern side of the highway. The shelterbelts and pastoral land of the PA contributes a strong 'working farm' rural character, with most built development displaying a distinctly working rural character or obscured by vegetation in views from public places. The localised openness of the rural landscape to the east of the highway confers a memorable sense of a 'big sky' landscape.
28. Views to the PA from the Hāwea River track along its eastern edge (noting that the river corridor adjoining the southern end of the PA is ONL).

Naturalness attributes and values:

29. Perceptions of naturalness and of working rural character are largely maintained for people visiting the landscape, although this is undermined to some extent by the number of partially visible houses.
30. Overall, there is a moderate level of naturalness with a predominance of natural, rather than built, elements; but human intervention as managed farmland and rural living is evident.

Memorability attributes and values:

31. Memorable to residents and locals as a 'green belt' between Albert Town and Hāwea settlement.

Transient attributes and values:

32. Autumn leaf colour and seasonal loss of leaves associated with the exotic vegetation.
33. Seasonal pasture colours.
34. The changing shadow patterns from shelter belts and the presence of stock and wildlife such as hawks.

Remoteness/wildness attributes and values:

35. Impressions of rural tranquillity and quietness are localised to parts of Camp Hill Road and environs away from rural living uses.

35A A dark night sky impression contributes to feelings of wildness.

Commented [BG3]: Numbering correction.

Aesthetic qualities and values:

- 36. The attractive and distinctly rural views to the (ONL) mountain ranges surrounding the Upper Clutha Basin. The dominance of natural elements in the form of pasture and tree, and subservience of built elements, play an important role in shaping the quality of these views.
- 37. Visual connection with the Hāwea River corridor along the eastern side of the PA.
- 38. Juxtaposition between the tamed rural land, the rougher rural character in places and the urban grain of Hāwea settlement (and the golf course) and Albert Town further afield.

Summary of Landscape Values

Physical • Perceptual (Sensory) • Associative

Rating scale: seven-point scale ranging from **Very Low** to **Very High**.

very low	low	low-mod	moderate	mod-high	high	very high
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The combined physical, associative, and perceptual attributes and values described above for PA RCL West of Hāwea River can be summarised as follows:

- 39. **Moderate physical values** relating to the glacially formed outwash plain/alluvial fans of the valley floor, being continually reworked by the Hāwea River, the strong patterns of rural land use and the ~~mana whenua~~ mana whenua features of the area.
- 40. **Moderate associative values** relating the mana whenua associations of the area, and the shared and recognised values of the area for residents and locals as a spacious 'green belt' between Albert Town and Lake Hāwea settlement.
- 41. **Moderate perceptual values** relating to the expressiveness of the moraine, river terraces (including both their treads and risers), the coherent rural character, the scenic rural views across pasture to the surrounding mountain context, and the moderate level of naturalness, with built development remaining subservient to natural landscape elements and patterns.

Commented [BG4]: Typographical correction.

Landscape Capacity

The landscape capacity of the PA RCL West of Hāwea River for a range of activities is set out below.

- i. **Commercial recreational activities – very limited** capacity for small-scale and low-key activities that: integrate with and complement/enhance existing recreation features; are located to optimise the screening and/or filtering benefit of natural landscape elements; designed to be of a modest scale; have a 'low-key' rural character; integrate landscape restoration and enhancement (where appropriate); and enhance public access (where appropriate); and maintain or enhance the landscape values of the PA.
- ii. **Visitor accommodation and tourism related activities – limited** landscape capacity for activities that are located to optimise the screening and/or filtering benefit of natural landscape elements; designed to be of a modest scale; have a 'low-key' rural character; integrate landscape restoration and enhancement (where appropriate); and enhance public access (where appropriate); and maintain or enhance the landscape values of the PA. ~~Very limited to No Extremely limited~~ landscape capacity for tourism related activities unless such activities are located to optimise the screening and/or filtering benefit of natural landscape elements; designed to be of a modest scale, have a 'low-key' rural character; integrate

Commented [BG5]: Consequential amendment arising from OS 74.2.

Commented [BG6]: OS 74.2. John May and Longview Environmental Trust.

Commented [BG7]: Consequential amendment arising from OS 74.2.

Commented [BG8]: OS 74.2. John May and Longview Environmental Trust.

Commented [BG9]: Change made by BG, relying on OS 114.3 (Woodlot Properties Limited) and ors.

- landscape restoration and enhancement (where appropriate); and enhance public access (where appropriate).
- iii. **Urban expansions** – extremely limited or no landscape capacity.
 - iv. **Intensive agriculture** – some landscape capacity where soils and available water allocation support the activity, and where the quality of views and aesthetic attributes and values are maintained or enhanced.
 - v. **Earthworks** – limited landscape capacity to absorb earthworks associated with farming and rural living/visitor accommodation activities that maintain naturalness and expressiveness values and integrate with existing natural landform patterns. Limited capacity for tracks and trails for recreational use that are located to integrate with existing networks; designed to be of a sympathetic appearance and character; and integrate landscape restoration and enhancement.
 - vi. **Farm buildings** – some landscape capacity for modestly scaled buildings that reinforce the existing rural character.
 - vii. **Mineral extraction** – very limited landscape capacity for farm scale quarries that maintain or enhance the quality of views, naturalness values and aesthetic values.
 - viii. **Transport infrastructure** – very limited landscape capacity to absorb additional infrastructure that is of a modest scale and low-key rural character for modestly scaled and low-key 'rural' roading that is positioned to optimise the integrating benefits of landform and vegetation patterns. Limited capacity for trails that are located to integrate with existing networks; designed to be of a sympathetic appearance and character; and integrate landscape restoration and enhancement.
 - ix. **Utilities and regionally significant infrastructure** – limited landscape capacity for additional district-scale infrastructure that is buried or located such that they are screened from external view. In the case of utilities such as overhead lines or cell phone towers which cannot be screened, these should be designed and located so that they are not visually prominent. In the case of the National Grid, limited landscape capacity in circumstances where there is a functional or operational need for its location and structures are designed and located to limit their visual prominence, including associated earthworks. Very limited capacity for other larger-scale regionally significant infrastructure.
 - x. **Renewable energy generation** – some landscape capacity for small-scale wind or solar generation located where topography ensures it is not highly visible from public places. Very limited landscape capacity for larger-scale commercial renewable energy generation.
 - xi. **Production Forestry** – limited landscape capacity for scattered woodlots of up to 2 hectares in area.
 - xii. **Rural living** – very limited landscape capacity to absorb additional rural living without cumulative adverse effects on associative and perceptual values. The rural character of the PA is vulnerable to fragmentation and 'domestication' through rural living development. Any additional rural living should be set well back from roads and public tracks; co-located with existing development; located to optimise the screening and/or filtering benefit of natural landscape elements; designed to be of a modest scale; have a 'low-key' rural character; integrate landscape restoration and enhancement (where appropriate); enhance public access (where appropriate); and should maintain the impression of expansive rural views from public vantage points.

Plant and Animal Pests

- 42. Plant pest species include wilding conifers.

Commented [BG10]: OS 127.4 Tony Berben. OS 154.13 Camp Hill Road Limited.

Commented [BG11]: Text amendment agreed at expert conferencing on Monday 2nd and Tuesday 3rd October 2023.

Commented [BG12]: Change made by BG, relying on OS 42 Sunnyheights Limited.

Commented [BG13]: S 73.18 Bike Wanaka Inc. OS 99.10 John Wellington.

Commented [BG14]: Consequential change, Council Reply Evidence 15 December 2023.

Commented [BG15]: OS 77.19 Kai Tahu ki Otago.

Commented [BG16]: S 73.18 Bike Wanaka Inc. OS 99.10 John Wellington.

Commented [BG17]: Consequential change, Council Reply Evidence 15 December 2023.

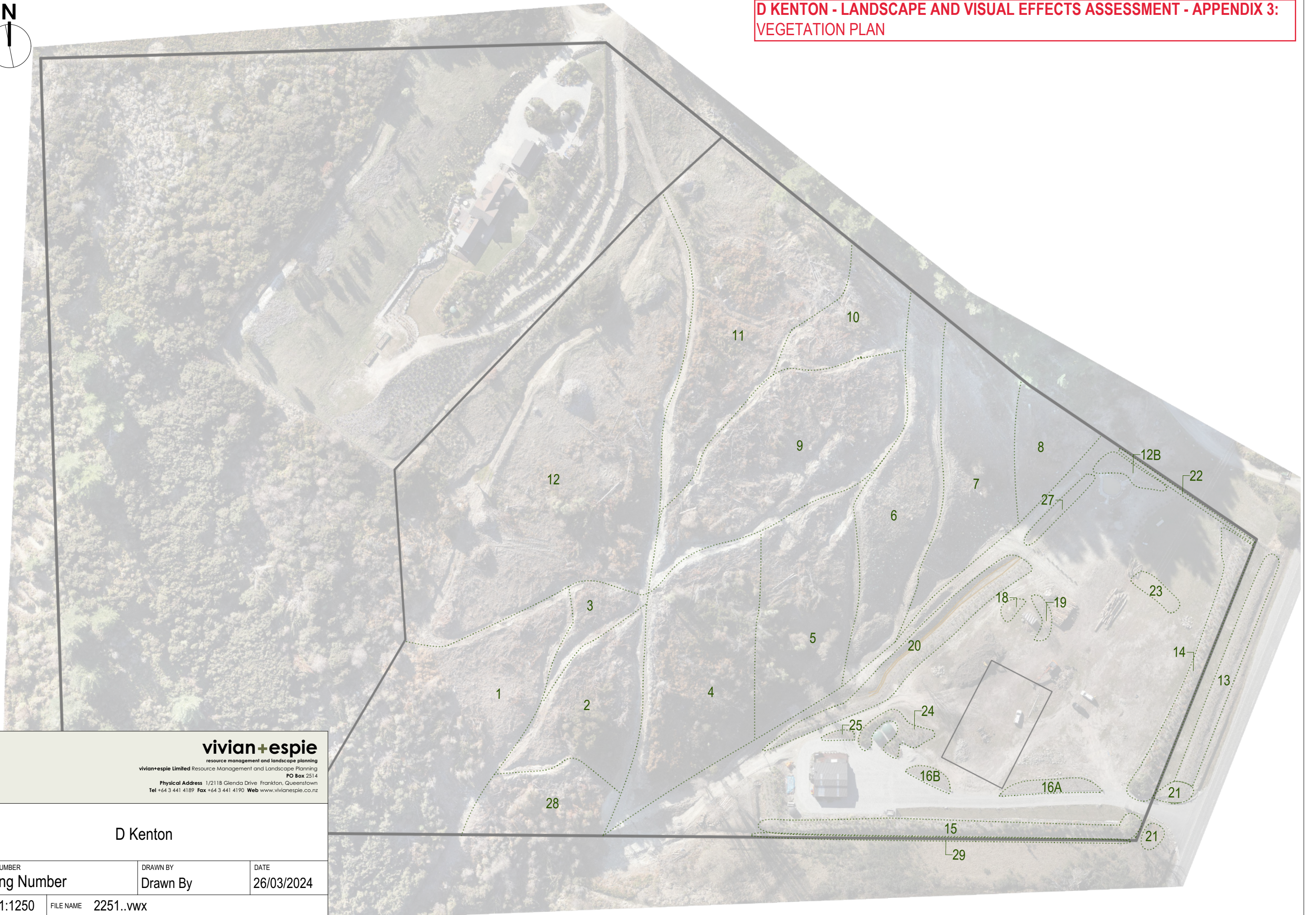
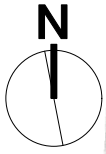
Commented [BG18]: OS 40.45 Transpower New Zealand Limited.

Commented [BG19]: Typographical correction.

Commented [BG20]: Typographical correction.

Commented [BG21]: Consequential change, Council Reply Evidence 15 December 2023.

**D KENTON - LANDSCAPE AND VISUAL EFFECTS ASSESSMENT - APPENDIX 3:
VEGETATION PLAN**



vivian+espie

resource management and landscape planning
 vivian+espie Limited Resource Management and Landscape Planning
 PO Box 2514
 Physical Address 1/2118 Glenda Drive Frankton, Queenstown
 Tel +64 3 441 4189 Fax +64 3 441 4190 Web www.vivianespie.co.nz

TITLE
D Kenton

DRAWING NUMBER Drawing Number	DRAWN BY Drawn By	DATE 26/03/2024
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SCALE 1:1250	FILE NAME 2251..VWX
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Botanical Name	Common Name	SW Side of Hill (1,2,3 & 4)				Lower Escarpment middle of hill (5,6 & 7)			Upper Escarpment Middle of Hill	NW side of Hill - No Planting (10 & 11)		West of Pond	Northern Fenceline	Both sides of Swale	Southern Fenceline	Lower south side of hill - switchback on B.Lane	1/2 oval close to gate	1/2 oval close to barn	Garden w Water Tanks	Planting north of barn	Northern end of Swale	Woodshed	Bund around woodshed	Both sides main gate	NZTA Bund	Southern Bund to the barn	Eastern Bund	Northern Fenceline	Pond	New Bund by orchard	Totals	
		1	2	3	4	5	6	7	12	10	11	8	9																			
<i>Anemathes Lessonia</i>	Wind Grass Tussock																												10		10	
<i>Aristotelia Serrata</i>	Wineberry	13	3		7		70	14	1		7			10			2												5	3	135	
<i>Austroderia Richardii</i>	Toi Toi	413	74	181	84	132	83	40	11		9	63		40	48			7	5	10				8	56	17	51	13	3	1348		
<i>Canterbury Grisilena</i>	Twilight																													34		34
<i>Carex Secta</i>					3	8			7					241	1			44									9	21		334		
<i>Carex Testacea</i>																			17											17		
<i>Chionochloa Rubra</i>	Red Tussock		4		11	1			10															36	50	225	139		414	39	929	
<i>Citranthus Maximus</i>	Kakabeak																									15				15		
<i>Continus Grace</i>	Smoke Tree																3	3	3												9	
<i>Coprosma</i>																							4		9						13	
<i>Coprosma Rogusa</i>	Lobster	15	38										23																6	82		
<i>Cordylina Australis</i>	Cabbage Tree	23	52	64	32	29		15	18		14	22		8				7		10		10	50		24	12	11	3	5	409		
<i>Corokia Frosted Chocolate</i>																3	13											1			17	
<i>Dodonaea Viscosa</i>	Purple Ake Ake								9				20																3	32		
<i>Festuca Actae</i>	Blue Tussock																							15							15	
<i>Hebe</i>	Variety of types	4	8		17	9		4			17														1	3	13		1	80		
<i>Hydrangea Bodensee</i>	Blue																2														2	
<i>Juniper Trees</i>																						6									6	
<i>Kunzea Ericoides</i>	Kanuka																								3						3	
<i>Lavendar Grosso</i>																			2												61	
<i>Louis van Houtte</i>	Golden Elm																										1				5	
<i>Myrsine Australis</i>	Red Matipo												26																		29	
<i>Nyssa Slyvatica</i>																												4			4	
<i>Olearia Dardoni</i>	Twiggy Tree Daisy	20	35	24	30	26						43		15							10									203		
<i>Olearia Odorata</i>	Scented Tree Daisy	19	40	54	30	26	29					45		18							10					10	10			291		
<i>Pachystegia Insignis</i>	Rock Daisy															7															7	
<i>Phormium Cookianum</i>	Mountain Flax	1			16				17		15	28	62	10			1	27	20			8		2	38	185	58	23		511		
<i>Phormium Cream Delights</i>					15						14		7				51	9					2	25			6	12		141		
<i>Phormium Dark Delight</i>									7				32				9	26	22			2		5		103	67	19	5	297		
<i>Phormium Rainbow Queen</i>						1			9		5		25				24	17	4			3		2		6	13	21		130		
<i>Phormium Surfer Bronze</i>											12																				12	
<i>Phormium Tenax</i>	Harakeke	22	35	22		26					48	32		5							10								5	205		
<i>Photinia Red Robin</i>																															60	
<i>Pittosporum Golfball</i>																								6							6	
<i>Pittosporum Kohuhu</i>	Black Matipo	16	17	39	52	24	56	21	13		7	9		6								59						3		326		
<i>Pittosporum Lemonwood</i>			20		15	26						10		10							10						13			104		
<i>Pittosporum Reverend Green</i>																													3		3	
<i>Pittosporum Screenmaster</i>																													3		3	
<i>Pittosporum Stephens Island</i>							10												15			4				40	27	21	4	121		
<i>Pittosporum Wrinkly Blue</i>																											65				65	
<i>Plagianthus Divaricatus</i>	Swamp Ribbonwood	12	35	23	15	26						48		5																	164	
<i>Plagianthus Regius</i>	Ribbonwood			10	17			2			18	1						3		10		44	3	3	11	6	6			134		
<i>Poa Cita</i>	Silver Tussock						110																		2	2	2	32			148	
<i>Prunus Lusitanica</i>	Portugese Laurel																														8	
<i>Pseudopanax arboreus</i>	Five Finger				2		4				5						2											10	8		31	
<i>Querus Coccinea</i>	Scarlett Oak																1														1	
<i>Robinia pseudoacacia</i>	Lace Lady																	3													3	
<i>Salix Sepulorilis Chrysocoma</i>	Willow Tree										1																				1	
<i>Seedum</i>																																2
<i>Sophora Dragon Gold</i>	Kowhai Tree																										15				15	
<i>Sophora Microphyllia</i>	Kowhai Tree							4			6							2								13	8	3			36	
<i>Viburnum Tinus</i>	Emerald Beauty																												1		1	
		558	361	417	346	334	362	100	102	0	0	178	370	367	127	49	119	58	165	68	70	33	157	97	231	670	528	34	617	100	6618	

Non - Natives = Yellow highlights
98

**D KENTON - LANDSCAPE AND VISUAL EFFECTS ASSESSMENT - APPENDIX 3B:
VEGETATION PLAN - SCHEDULE OF EXISTING VEGETATION WITHIN PROPOSED LOT 2.**



Photograph A: Within the subject site, immediately west of the proposed Lot 2 building platform. Profile poles can be seen marking the four corners of the platform.



Photograph B: Within the subject site, approximately 50m west of the proposed Lot 2 building platform, part way up the hillslope. Profile poles can be seen marking the four corners of the platform.

D KENTON SUBDIVISION - LANDSCAPE ASSESSMENT REPORT - APPENDIX 4: PHOTOGRAPHS

All photographs taken on 28 February 2024 with a fixed focal length of 50mm.



Photograph C: Within the driveway area of the Hawea Allied service station, looking towards the site. One profile pole can be partially seen.



Photograph D: On State Highway 6, approximately 130m north of the site's northern boundary. Two profile poles can be partially seen.



Photograph E: On the Hawea War Memorial, 630m from the subject site. No profile poles could be seen.



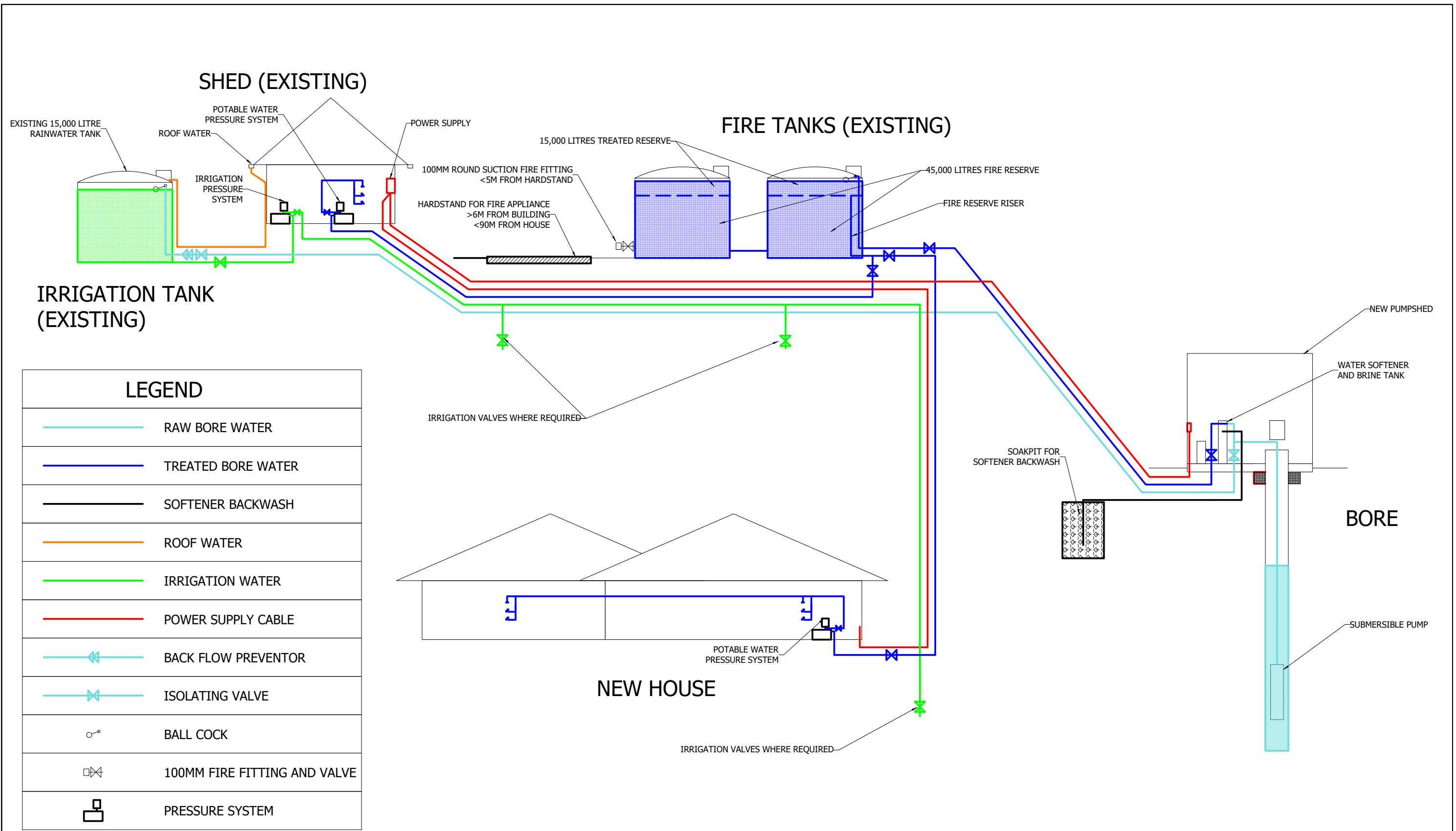
Photograph F: On Hawea Control Structure Road, 620m from the site. Two profile poles could be partially seen.



Photograph G: On Rosella Lane, 1km from the site. The relevant part of the subject site is hidden by existing evergreen vegetation.



Photograph H: On State Highway 6, approximately 140m south of the site. The tops of two profile poles could be seen.



20-7-22 REVISED RAINWATER TANK TO 15,000 LITRES

KEN HIGGIE LTD
CENTRALWATER
P.O. Box 52,
Alexandra
Phone/fax 03 4487673
Cell 0274 716411
Email ken@centralwater.co.nz

***SCHEMATIC OF PROPOSED WATER SUPPLY FOR
DI KENTON 1147B LAKE HAWEA-ALBERT TOWN ROAD***

DRAWN :- K. HIGGIE
DATE :- 20/7/2022
SCALE :- N.T.S
FILE :- P&H\

REF :-
DK2

Certificate of Analysis

Client:	WaterForce Limited	Lab No:	3507631	DWAPV1
Contact:	Sam Macaulay C/- WaterForce Limited 29 McNulty Road Cromwell 9310	Date Received:	21-Mar-2024	
		Date Reported:	28-Mar-2024	
		Quote No:		
		Order No:	PO/CRO/75633/SM	
		Client Reference:	Kenton	
		Submitted By:	Sam Macaulay	

Sample Type: Aqueous					
Sample Name:		Kenton 20-Mar-2024 9:05 am		Aesthetic Values	Maximum Acceptable Values (MAV)
Lab Number:		3507631.1			
Individual Tests					
True Hazen Colour	Hazen units	< 10	≤ 15	-	
Reactive Silica	g/m ³ as SiO ₂	22	-	-	
Absorbance at 254 nm (unfiltered sample)	AU cm ⁻¹	0.012	-	-	
Transmittance at 254 nm (unfiltered sample)*	%T, 1 cm cell	97.4	-	-	
Routine Water + E.coli profile Kit					
Escherichia coli	MPN / 100mL	< 1	-	< 1	
Routine Water Profile					
Turbidity	NTU	2.5	≤ 5	-	
pH	pH Units	7.9	7.0 - 8.5	-	
Total Alkalinity	g/m ³ as CaCO ₃	140	-	-	
Free Carbon Dioxide	g/m ³ at 25°C	3.3	-	-	
Total Hardness	g/m ³ as CaCO ₃	138	≤ 200	-	
Electrical Conductivity (EC)	mS/m	28.9	-	-	
Electrical Conductivity (EC)	µS/cm	289	-	-	
Approx Total Dissolved Salts	g/m ³	194	≤ 1000	-	
Total Arsenic	g/m ³	0.0018	-	0.01	
Total Boron	g/m ³	0.0174	-	2.4	
Total Calcium	g/m ³	51	-	-	
Total Copper	g/m ³	0.0027	≤ 1	2	
Total Iron	g/m ³	0.26	≤ 0.3	-	
Total Lead	g/m ³	0.00012	-	0.01	
Total Magnesium	g/m ³	2.8	-	-	
Total Manganese	g/m ³	0.116	≤ 0.04 (Staining) ≤ 0.10 (Taste)	0.4	
Total Potassium	g/m ³	0.63	-	-	
Total Sodium	g/m ³	6.1	≤ 200	-	
Total Zinc	g/m ³	0.0036	≤ 1.5	-	
Chloride	g/m ³	1.9	≤ 250	-	
Nitrate-N	g/m ³	< 0.05	-	11.3	
Sulphate	g/m ³	8.8	≤ 250	-	

Note: The Maximum Acceptable Values (MAV) are taken from the 'Water Services (Drinking Water Standards for New Zealand) Regulations 2022', published under the authority of the New Zealand Government-2022. Copies of this publication are available from: <https://www.legislation.govt.nz/regulation/public/2022/0168/latest/whole.html>

The standards set limits for the concentration of determinands in drinking water. The Maximum Acceptable Values (MAVs) for any determinand must not be exceeded at any time.

The Aesthetic Values are taken the publication, 'Aesthetic Values for Drinking Water Notice 2022' issued by the Water Services Regulator ("Taumata Arowai"). Aesthetic values specify or provide minimum or maximum values for substances and other characteristics that relate to the acceptability of drinking water to consumers (such as appearance, taste or odour).

Note that the units: g/m³ are the same as mg/L and ppm.

pH/Alkalinity and Corrosiveness Assessment

The pH of a water sample is a measure of its acidity or basicity. Waters with a low pH can be corrosive and those with a high pH can promote scale formation in pipes and hot water cylinders.

The guideline level for pH in drinking water is 7.0-8.5. Below this range the water will be corrosive and may cause problems with disinfection if such treatment is used.

The alkalinity of a water is a measure of its acid neutralising capacity and is usually related to the concentration of carbonate, bicarbonate and hydroxide. Low alkalinities (25 g/m³) promote corrosion and high alkalinities can cause problems with scale formation in metal pipes and tanks.

The pH of this water is within the NZ Drinking Water Guidelines, the ideal range being 7.0 to 8.0.

With the pH and alkalinity levels found, it is unlikely this water will be corrosive towards metal piping and fixtures.

The high alkalinity of this water may cause an increase in the pH in the root zones of plants which are irrigated using this water.

Hardness/Total Dissolved Salts Assessment

The water contains a low amount of dissolved solids and would be regarded as being hard.

There will be difficulty in forming a lather with soap, and a 'scum' will form in baths, showers, etc.

Nitrate Assessment

Nitrate-nitrogen at elevated levels is considered undesirable in natural waters as this element can cause a health disorder called methaemaglobinaemia. Very young infants (less than six months old) are especially vulnerable. The 'Water Services (Drinking Water Standards for New Zealand) Regulations 2022' sets a maximum permissible level of 11.3 g/m³ as Nitrate-nitrogen (50 g/m³ as Nitrate).

Nitrate-nitrogen was not found in this water.

Boron Assessment

Boron may be present in natural waters and if present at high concentrations can be toxic to plants.

Boron was found at a low level in this water but would not give any cause for concern.

Metals Assessment

Iron and manganese are two problem elements that commonly occur in natural waters. These elements may cause unsightly stains and produce a brown/black precipitate. Iron is not toxic but manganese, at concentrations above 0.5 g/m³, may adversely affect health. At concentrations below this it may cause stains on clothing and sanitary ware.

Iron was found in this water at a low level.

Manganese was found in this water at a significant level.

Treatment to remove iron and/or manganese may be required.

Bacteriological Tests

The Drinking Water Standards for NZ state that there should be no Escherichia coli (E coli) in water used for human consumption. The presence of these organisms would indicate that other pathogens of faecal origin may be present. Results obtained for Total Coliforms are only significant if the sample has not also been tested for E coli.

Escherichia coli was not detected in this sample.

Final Assessment

The parameter Total Manganese did NOT meet the guidelines laid down in the 'Water Services (Drinking Water Standards for New Zealand) Regulations 2022' and the 'Aesthetic Values for Drinking Water Notice 2022' issued by the Water Services Regulator ("Taumata Arowai") for water which is suitable for drinking purposes.

Summary of Methods

The following table(s) gives a brief description of the methods used to conduct the analyses for this job. The detection limits given below are those attainable in a relatively simple matrix. Detection limits may be higher for individual samples should insufficient sample be available, or if the matrix requires that dilutions be performed during analysis. A detection limit range indicates the lowest and highest detection limits in the associated suite of analytes. A full listing of compounds and detection limits are available from the laboratory upon request. Unless otherwise indicated, analyses were performed at Hill Labs, 28 Duke Street, Frankton, Hamilton 3204.

Sample Type: Aqueous			
Test	Method Description	Default Detection Limit	Sample No
Routine Water Profile		-	1
Filtration, Unpreserved	Sample filtration through 0.45 µm membrane filter. Analysed at Hill Laboratories - Chemistry; Unit 1, 17 Print Place, Middleton, Christchurch.	-	1
Total Digestion	Nitric acid digestion. APHA 3030 E (modified) : Online Edition.	-	1
True Hazen Colour	Filtered sample. Spectrophotometry. Analysed at Hill Laboratories - Chemistry; Unit 1, 17 Print Place, Middleton, Christchurch. APHA 2120 C (modified) : Online Edition.	10 Hazen units	1
Turbidity	Analysis by Turbidity meter. Analysed at Hill Laboratories - Chemistry; Unit 1, 17 Print Place, Middleton, Christchurch. APHA 2130 B (modified) : Online Edition.	0.05 NTU	1
pH	pH meter. Analysed at Hill Laboratories - Chemistry; Unit 1, 17 Print Place, Middleton, Christchurch. APHA 4500-H ⁺ B (modified) : Online Edition. Note: It is not possible to achieve the APHA Maximum Storage Recommendation for this test (15 min) when samples are analysed upon receipt at the laboratory, and not in the field. Samples and Standards are analysed at an equivalent laboratory temperature (typically 18 to 22 °C). Temperature compensation is used.	0.1 pH Units	1
Total Alkalinity	Titration to pH 4.5 (M-alkalinity), autotitrator. Analysed at Hill Laboratories - Chemistry; Unit 1, 17 Print Place, Middleton, Christchurch. APHA 2320 B (modified for Alkalinity <20) : Online Edition.	1.0 g/m ³ as CaCO ₃	1
Free Carbon Dioxide	Calculation: from alkalinity and pH, valid where TDS is not >500 mg/L and alkalinity is almost entirely due to hydroxides, carbonates or bicarbonates. APHA 4500-CO ₂ D : Online Edition.	1.0 g/m ³ at 25°C	1
Total Hardness	Calculation from Calcium and Magnesium. APHA 2340 B : Online Edition.	1.0 g/m ³ as CaCO ₃	1
Electrical Conductivity (EC)	Conductivity meter, 25°C. Analysed at Hill Laboratories - Chemistry; Unit 1, 17 Print Place, Middleton, Christchurch. APHA 2510 B : Online Edition.	0.1 mS/m	1
Electrical Conductivity (EC)	Conductivity meter, 25°C. APHA 2510 B : Online Edition.	1 µS/cm	1
Approx Total Dissolved Salts	Calculation: from Electrical Conductivity.	2 g/m ³	1
Total Arsenic	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition / US EPA 200.8.	0.0011 g/m ³	1
Total Boron	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.0053 g/m ³	1
Total Calcium	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.053 g/m ³	1
Total Copper	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition / US EPA 200.8.	0.00053 g/m ³	1
Total Iron	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.021 g/m ³	1
Total Lead	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition / US EPA 200.8.	0.00011 g/m ³	1
Total Magnesium	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.021 g/m ³	1
Total Manganese	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition / US EPA 200.8.	0.00053 g/m ³	1
Total Potassium	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.053 g/m ³	1
Total Sodium	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.021 g/m ³	1
Total Zinc	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition / US EPA 200.8.	0.0011 g/m ³	1
Chloride	Filtered sample from Christchurch. Ion Chromatography. APHA 4110 B (modified) : Online Edition.	0.5 g/m ³	1
Nitrate-N	Filtered (if required) sample from Christchurch. Ion Chromatography. APHA 4110 B (modified) : Online Edition.	0.05 g/m ³	1
Reactive Silica	Filtered sample. Heteropoly blue colorimetry. Flow Injection Analyser APHA 4500-SiO ₂ F (modified) : Online Edition.	0.10 g/m ³ as SiO ₂	1
Sulphate	Filtered sample from Christchurch. Ion Chromatography. APHA 4110 B (modified) : Online Edition.	0.5 g/m ³	1

Sample Type: Aqueous			
Test	Method Description	Default Detection Limit	Sample No
Absorbance at 254 nm (unfiltered sample)	Unfiltered sample. Spectrophotometry, 1cm cell. In-House.	0.002 AU cm ⁻¹	1
Transmittance at 254 nm (unfiltered sample)*	Calculation from Absorbance at the specified wavelength. In-House.	0.5 %T, 1 cm cell	1
Escherichia coli	MPN count using Colilert (Incubated at 35°C for 24 hours) and 97 wells. Analysed at Hill Laboratories - Microbiology; Unit 1, 17 Print Place, Middleton, Christchurch. APHA 9223 B : Online Edition.	1 MPN / 100mL	1

These samples were collected by yourselves (or your agent) and analysed as received at the laboratory.

Testing was completed between 21-Mar-2024 and 28-Mar-2024. For completion dates of individual analyses please contact the laboratory.

Samples are held at the laboratory after reporting for a length of time based on the stability of the samples and analytes being tested (considering any preservation used), and the storage space available. Once the storage period is completed, the samples are discarded unless otherwise agreed with the customer. Extended storage times may incur additional charges.

This certificate of analysis must not be reproduced, except in full, without the written consent of the signatory.

Ara Heron BSc (Tech)
Client Services Manager - Environmental



Certificate of Analysis

Client:	SouthDrill Limited	Lab No:	2992796	DWAPV1
Contact:	SouthDrill Limited C/- SouthRoads Limited PO Box 968 Invercargill 9840	Date Received:	20-May-2022	
		Date Reported:	26-May-2022	
		Quote No:	102422	
		Order No:	2280.015	
		Client Reference:	Bore water	
		Add. Client Ref:	Di Kenton	
		Submitted By:	SouthDrill Limited	

Sample Type: Aqueous

Sample Name:	Di Kenton 19-May-2022 1:00 pm	Guideline Value	Maximum Acceptable Values (MAV)
Lab Number:	2992796.1		
Individual Tests			
Total Cadmium	g/m ³ < 0.000053	-	0.004
Total Chromium	g/m ³ < 0.00053	-	0.05
Fluoride	g/m ³ 0.17	-	1.5
Routine Water + E.coli profile Kit			
Escherichia coli	MPN / 100mL < 1	-	< 1
Routine Water Profile			
Turbidity	NTU 2.5	< 2.5	-
pH	pH Units 8.0	7.0 - 8.5	-
Total Alkalinity	g/m ³ as CaCO ₃ 135	-	-
Free Carbon Dioxide	g/m ³ at 25°C 2.8	-	-
Total Hardness	g/m ³ as CaCO ₃ 132	< 200	-
Electrical Conductivity (EC)	mS/m 28.3	-	-
Electrical Conductivity (EC)	µS/cm 283	-	-
Approx Total Dissolved Salts	g/m ³ 190	< 1000	-
Total Arsenic	g/m ³ 0.0040	-	0.01
Total Boron	g/m ³ 0.0157	-	1.4
Total Calcium	g/m ³ 48	-	-
Total Copper	g/m ³ < 0.00053	< 1	2
Total Iron	g/m ³ 0.110	< 0.2	-
Total Lead	g/m ³ 0.00056	-	0.01
Total Magnesium	g/m ³ 2.8	-	-
Total Manganese	g/m ³ 0.083	< 0.04 (Staining) < 0.10 (Taste)	0.4
Total Potassium	g/m ³ 0.87	-	-
Total Sodium	g/m ³ 6.1	< 200	-
Total Zinc	g/m ³ 0.021	< 1.5	-
Chloride	g/m ³ 1.3	< 250	-
Nitrate-N	g/m ³ < 0.05	-	11.3
Sulphate	g/m ³ 6.9	< 250	-

Note: The Guideline Values and Maximum Acceptable Values (MAV) are taken from the publication 'Drinking-water Standards for New Zealand 2005 (Revised 2018)', Ministry of Health. Copies of this publication are available from <https://www.health.govt.nz/publication/drinking-water-standards-new-zealand-2005-revised-2018>

The Maximum Acceptable Values (MAVs) have been defined by the Ministry of Health for parameters of health significance and should not be exceeded. The Guideline Values are the limits for aesthetic determinands that, if exceeded, may render the water unattractive to consumers.

Note that the units g/m³ are the same as mg/L and ppm.



This Laboratory is accredited by International Accreditation New Zealand (IANZ), which represents New Zealand in the International Laboratory Accreditation Cooperation (ILAC). Through the ILAC Mutual Recognition Arrangement (ILAC-MRA) this accreditation is internationally recognised. The tests reported herein have been performed in accordance with the terms of accreditation, with the exception of tests marked * or any comments and interpretations, which are not accredited.

pH/Alkalinity and Corrosiveness Assessment

The pH of a water sample is a measure of its acidity or basicity. Waters with a low pH can be corrosive and those with a high pH can promote scale formation in pipes and hot water cylinders.

The guideline level for pH in drinking water is 7.0-8.5. Below this range the water will be corrosive and may cause problems with disinfection if such treatment is used.

The alkalinity of a water is a measure of its acid neutralising capacity and is usually related to the concentration of carbonate, bicarbonate and hydroxide. Low alkalinities (25 g/m³) promote corrosion and high alkalinities can cause problems with scale formation in metal pipes and tanks.

The pH of this water is within the NZ Drinking Water Guidelines, the ideal range being 7.0 to 8.0.

With the pH and alkalinity levels found, it is unlikely this water will be corrosive towards metal piping and fixtures.

The high alkalinity of this water may cause an increase in the pH in the root zones of plants which are irrigated using this water.

Hardness/Total Dissolved Salts Assessment

The water contains a low amount of dissolved solids and would be regarded as being hard.

There will be difficulty in forming a lather with soap, and a 'scum' will form in baths, showers, etc.

Nitrate Assessment

Nitrate-nitrogen at elevated levels is considered undesirable in natural waters as this element can cause a health disorder called methaemaglobinaemia. Very young infants (less than six months old) are especially vulnerable. The Drinking-water Standards for New Zealand 2005 (Revised 2018) suggests a maximum permissible level of 11.3 g/m³ as Nitrate-nitrogen (50 g/m³ as Nitrate).

Nitrate-nitrogen was not found in this water.

Boron Assessment

Boron may be present in natural waters and if present at high concentrations can be toxic to plants.

Boron was found at a low level in this water but would not give any cause for concern.

Metals Assessment

Iron and manganese are two problem elements that commonly occur in natural waters. These elements may cause unsightly stains and produce a brown/black precipitate. Iron is not toxic but manganese, at concentrations above 0.5 g/m³, may adversely affect health. At concentrations below this it may cause stains on clothing and sanitary ware.

Iron was found in this water at a low level.

Manganese was found in this water at a significant level.

Treatment to remove iron and/or manganese may be required.

Bacteriological Tests

The NZ Drinking Water Standards state that there should be no Escherichia coli (E coli) in water used for human consumption. The presence of these organisms would indicate that other pathogens of faecal origin may be present. Results obtained for Total Coliforms are only significant if the sample has not also been tested for E coli.

Escherichia coli was not detected in this sample.

Final Assessment

The parameter Total Manganese did NOT meet the guidelines laid down in the publication 'Drinking-water Standards for New Zealand 2005 (Revised 2018)' published by the Ministry of Health for water which is suitable for drinking purposes.

Summary of Methods

The following table(s) gives a brief description of the methods used to conduct the analyses for this job. The detection limits given below are those attainable in a relatively simple matrix. Detection limits may be higher for individual samples should insufficient sample be available, or if the matrix requires that dilutions be performed during analysis. A detection limit range indicates the lowest and highest detection limits in the associated suite of analytes. A full listing of compounds and detection limits are available from the laboratory upon request. Unless otherwise indicated, analyses were performed at Hill Laboratories, 28 Duke Street, Frankton, Hamilton 3204.

Sample Type: Aqueous			
Test	Method Description	Default Detection Limit	Sample No
Routine Water Profile		-	1
Filtration, Unpreserved	Sample filtration through 0.45µm membrane filter. Performed at Hill Laboratories - Chemistry; 101c Waterloo Road, Christchurch.	-	1
Total Digestion	Nitric acid digestion. APHA 3030 E (modified) 23 rd ed. 2017.	-	1
Turbidity	Analysis using a Hach 2100 Turbidity meter. Analysed at Hill Laboratories - Chemistry; 101c Waterloo Road, Christchurch. APHA 2130 B 23 rd ed. 2017 (modified).	0.05 NTU	1
pH	pH meter. Analysed at Hill Laboratories - Chemistry; 101c Waterloo Road, Christchurch. APHA 4500-H* B 23 rd ed. 2017. Note: It is not possible to achieve the APHA Maximum Storage Recommendation for this test (15 min) when samples are analysed upon receipt at the laboratory, and not in the field. Samples and Standards are analysed at an equivalent laboratory temperature (typically 18 to 22 °C). Temperature compensation is used.	0.1 pH Units	1
Total Alkalinity	Titration to pH 4.5 (M-alkalinity), autotitrator. Analysed at Hill Laboratories - Chemistry; 101c Waterloo Road, Christchurch. APHA 2320 B (modified for Alkalinity <20) 23 rd ed. 2017.	1.0 g/m ³ as CaCO ₃	1
Free Carbon Dioxide	Calculation: from alkalinity and pH, valid where TDS is not >500 mg/L and alkalinity is almost entirely due to hydroxides, carbonates or bicarbonates. APHA 4500-CO ₂ D 23 rd ed. 2017.	1.0 g/m ³ at 25°C	1
Total Hardness	Calculation from Calcium and Magnesium. APHA 2340 B 23 rd ed. 2017.	1.0 g/m ³ as CaCO ₃	1
Electrical Conductivity (EC)	Conductivity meter, 25°C. Analysed at Hill Laboratories - Chemistry; 101c Waterloo Road, Christchurch. APHA 2510 B 23 rd ed. 2017.	0.1 mS/m	1
Electrical Conductivity (EC)	Conductivity meter, 25°C. APHA 2510 B 23 rd ed. 2017.	1 µS/cm	1
Approx Total Dissolved Salts	Calculation: from Electrical Conductivity.	2 g/m ³	1
Total Arsenic	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B 23 rd ed. 2017 / US EPA 200.8.	0.0011 g/m ³	1
Total Boron	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B 23 rd ed. 2017.	0.0053 g/m ³	1
Total Cadmium	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B 23 rd ed. 2017 / US EPA 200.8.	0.000053 g/m ³	1
Total Calcium	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B 23 rd ed. 2017.	0.053 g/m ³	1
Total Chromium	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B 23 rd ed. 2017 / US EPA 200.8.	0.00053 g/m ³	1
Total Copper	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B 23 rd ed. 2017 / US EPA 200.8.	0.00053 g/m ³	1
Total Iron	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B 23 rd ed. 2017.	0.021 g/m ³	1
Total Lead	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B 23 rd ed. 2017 / US EPA 200.8.	0.00011 g/m ³	1
Total Magnesium	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B 23 rd ed. 2017.	0.021 g/m ³	1
Total Manganese	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B 23 rd ed. 2017 / US EPA 200.8.	0.00053 g/m ³	1
Total Potassium	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B 23 rd ed. 2017.	0.053 g/m ³	1
Total Sodium	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B 23 rd ed. 2017.	0.021 g/m ³	1
Total Zinc	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B 23 rd ed. 2017 / US EPA 200.8.	0.0011 g/m ³	1
Chloride	Filtered sample from Christchurch. Ion Chromatography. APHA 4110 B (modified) 23 rd ed. 2017.	0.5 g/m ³	1
Fluoride	Direct measurement, ion selective electrode. APHA 4500-F- C 23 rd ed. 2017.	0.05 g/m ³	1
Nitrate-N	Filtered sample from Christchurch. Ion Chromatography. APHA 4110 B (modified) 23 rd ed. 2017.	0.05 g/m ³	1
Sulphate	Filtered sample from Christchurch. Ion Chromatography. APHA 4110 B (modified) 23 rd ed. 2017.	0.5 g/m ³	1

Sample Type: Aqueous			
Test	Method Description	Default Detection Limit	Sample No
Escherichia coli	MPN count using Colilert (Incubated at 35°C for 24 hours) and 97 wells. Analysed at Hill Laboratories - Microbiology; 101c Waterloo Road, Hornby, Christchurch. APHA 9223 B 23 rd ed. 2017.	1 MPN / 100mL	1

These samples were collected by yourselves (or your agent) and analysed as received at the laboratory.

Testing was completed between 21-May-2022 and 26-May-2022. For completion dates of individual analyses please contact the laboratory.

Samples are held at the laboratory after reporting for a length of time based on the stability of the samples and analytes being tested (considering any preservation used), and the storage space available. Once the storage period is completed, the samples are discarded unless otherwise agreed with the customer. Extended storage times may incur additional charges.

This certificate of analysis must not be reproduced, except in full, without the written consent of the signatory.

Martin Cowell - BSc
Client Services Manager - Environmental

Volunteered consent notice conditions [J]

Volunteered Consent Notice Conditions 02-05-24

Retention of native planting / landscaping (Lots 1 and 2)

1. Existing native vegetation on Lots 1 and 2 is to be retained. For Lot 2, landscaping shown on the stamped as approved landscape plan from RM24#### (labelled 'D Kenton, Ref 2251.vwx dated 26/03/2024') shall be retained and maintained in perpetuity. If any plant dies or becomes diseased, it shall be replaced with the same or similar native species within the next available planting season.
2. Boundary fencing shall be of traditional post-and-wire only. Courtyard or garden fencing within the lot shall be of post-and-wire, post-and-rail or materials to match house cladding. No composite or corrugated iron fencing is permitted.

Lot 2 Building Platform Controls¹

3. Any residential unit shall be single storey and not exceed a height of 5m above original ground level.
4. All new buildings must be located within the building platform.

Geotechnical matters – Foundations, wastewater and stormwater

5. Future building foundations, and stormwater and wastewater disposal shall be designed by suitably qualified and experienced persons and give effect to the recommendations contained in the GeoSolve report dated April 2024 included with resource consent application RM####.

Accidental Discovery Protocol

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

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Site work shall only recommence following consultation with Council, Tangata whenua and the New Zealand Pouhere Taonga, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.

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

Site work shall only recommence following consultation with the Council.

¹ Noting that existing PDP rules control the colour and material of future built form.

Volunteered consent notice conditions [J]

Reverse Sensitivity Noise Effects

7. A consent notice pursuant to Section 221 of the Resource Management Act 1991 shall be registered against the title of proposed Lot 2 of the subdivision of land shown on 'Scheme Plan Lot 2 DP 300393', dated 08/02/24, that addresses potential reverse sensitivity effects resulting from the normal operation of State Highway 6. This consent notice shall read as follows:
 - a. Any dwelling or other building used for a noise sensitive activity on the site located in or partly within 100 metres of the sealed edge of the State Highway 6 carriageway must be designed, constructed and maintained to achieve an indoor design noise level of 40 dB $L_{Aeq(24hr)}$ inside all habitable spaces.

Volunteered Consent Conditions (prior to 224(c) certification)

1. Prior to the issuing of a certificate pursuant to Section 224(c) of the Resource Management Act 1991, the consent holder shall provide to Council confirmation that NZ Transport Agency has been advised of the new Records of Title or similar documentation (such as: draft LT (Land Transfer) plan, ML plan (for Māori Land), SO (Survey Office) plan or the approved survey plan), to facilitate the registration of any new Crossing Place (CP) Notices against those new titles, under Section 91 of the Government Roading Powers Act 1989.

The D L Kenton Family Trust
1147B Lake Hawea-Albert Town Road
RD2 Wanaka 9382

Geotechnical and Soakage Assessment 1147B Lake Hawea-Albert Town Road, Lake Hawea

Dear Di,

Introduction

As an extension to our existing agreement dated 14 June 2019 in accordance with the same terms and conditions, we have undertaken a geotechnical and soakage assessment at the above property for a proposed two lot subdivision. Geotechnical foundation considerations and soil permeability are provided to assist preliminary engineering design and support the resource consent application.

Our investigation has comprised a site inspection, a review of existing information and historic testing completed within the site and additional test pits/soakage pits to assess suitability of stormwater and wastewater soakage to ground.



Photo 1 – Site Photo looking southwest across proposed building platform.

Proposed Development

We understand that this report is proposed to support a consent application to subdivide the existing property into two lots. A scheme plan detailing the proposed subdivision including the proposed building platform location has been provided by Paterson Pitts Group (Job No: W5982) dated 8 February 2024. The scheme plan is attached within Appendix A, Figure 2.

Based on the scheme plan provided we understand the proposed lot will be approximately 5.77 Ha. We understand that future development will include a residential dwelling and that onsite stormwater and wastewater disposal is required.

Site Description and Topography

The subject property, legally described as Lot 2 DP 300393, is located approximately 900 m southwest of Hawea township as shown below in Figure 1.



Figure 1 – Site location plan in relation to Hawea. (source: <https://qldc.maps.arcgis.com/apps/webappviewer/index.html>)

The property is accessed from Lake Hawea-Albert Town Road. The proposed Lot 2 comprises an existing shed located to the southwest of the proposed building platform.

The site surface is gently sloping and typically covered with grass. To the west of the proposed development area the land slopes moderately upslope to the west.

The property is bounded to the north by 1147A and C Lake Hawea-Albert Town Road, with undeveloped farmland to the west and south, and Lake Hawea-Albert Town Road to the east.

Subsurface Investigations

The subsurface stratigraphy observed surrounding the proposed building platform comprises:

- 0.2-0.4 m of **topsoil**, overlying;
- 0.5-3.8+ m of **fan alluvium**, overlying;
- 0.5-1.5 m of **organic fan alluvium**, overlying;
- 0.2-0.4 m of **buried topsoil**, overlying;
- 0.5-3.2 m+ of **fan alluvium**.

Topsoil comprising dark brown/black organic SILT with roots and rootlets was observed at the surface of each test pit to depths of between 0.2-0.4 m.

Fan alluvium was observed to underlie the topsoil in all test pits. Fan alluvium was observed to comprise grey, brown, grey mottled orange and orange/light brown, loose to medium dense/firm to stiff silty SAND with some gravel, cobbles and boulders, silty gravelly SAND to silty sandy GRAVEL some cobbles and some to minor boulders, sandy GRAVEL, SILT with minor sand, silty GRAVEL with some to minor sand, sandy GRAVEL with some silt, sandy SILT, gravelly SAND. **Fan alluvium** was also observed to underlie the organic fan alluvium/buried topsoil in TPs 1-3, 5a and 6-8. Fan alluvium underlying organic fan alluvium/buried topsoil was observed to comprise grey, grey mottled orange, orange/light brown, firm to very stiff/loose to medium dense, SILT with some gravel, sandy GRAVEL with minor silt, cobbles and minor to trace boulders, SAND with minor gravel, gravelly SILT with some sand, minor cobbles and boulders and silty SAND to sandy SILT. Fan alluvium was observed at the termination depth of all test pits between 3 and 4.3 m bgl.

Organic fan alluvium was observed to underlie the upper fan alluvium in TPs 2, 3, 7 and 8 at 0.5 to 1.5 m bgl. Organic fan alluvium was observed to comprise grey/dark brown, firm/loose SILT with minor sticks, silty sandy GRAVEL with some organics, cobbles and boulders, silty SAND with some gravel and trace tree stumps, silty SAND with some gravel and minor tree stumps and organic silty SAND with minor gravel, cobbles, boulders and sticks.

In some cases the upper fan alluvium and organic fan alluvium were observed to be underlain by **buried topsoil**, in some cases the organic fan alluvium was mixed into the buried topsoil. Buried topsoil was observed in TPs 1, 2, 5a, 6 and 8. Large topsoil patches were observed within the organic fan alluvium in TP3. The buried topsoil unit was not observed in TPs 4, 5b, 9 or 10. Buried topsoil comprises soft, dark brown to brown/purplish brown sandy organic SILT with trace sticks and rootlets, and organic SILT with trace rootlets.

Groundwater seepage was observed in all TPs except 5-6 and 9-10, minor seepages were observed in TPs 1, 7 and 8 between 0.5 and 1.6 m bgl, where moderate to strong seepages were observed in TPs 1-3, 7 and 8 between 1.4 and 3.4 m bgl. It is noted that significant drainage works have been undertaken at the site as part of the shed construction including within the neighbouring property to the south, between the completion of the original test pits (TPs 1-8) and the recently completed test pits (TPs 9-10) which have the potential to reduce the groundwater seepages observed beneath the site.

A test location plan and detailed soil logs are attached in Appendix A and B respectively.

Natural Hazards

Alluvial Fan Hazard

GeoSolve previously completed a detailed alluvial fan assessment for the site and mitigation works have been completed within the site upslope (to the southwest) of the proposed Lot 2 building platform. A summary of the mitigation works and current overland flow paths/watercourses is attached within the site plan attached within Appendix A, Figure 1.

As per the recommendations of the previous geotechnical report for the site we recommend that any dwelling is elevated from the surrounding ground level. Alternatively, if the dwelling is proposed to be cut/filled into the gently sloping ground profile a bund could be constructed surrounding the top of the cut to divert any sheet flow around the building. The preference between the bund and floor level raise including the geometry of the mitigation works should be confirmed at detailed design following confirmation of the dwelling location and earthworks plans for the dwelling.

Liquefaction

DPH testing has previously been completed surrounding the proposed building platform to assess liquefaction at the site. These results have been reanalysed with the current seismic design loading guidance. The following earthquake cases have been assessed with regards to liquefaction.

SLS Earthquake – 0.1g M=6.1 – based on Earthquake Geotechnical Engineering Practice Module 1 – November 2021:

- No liquefaction is predicted at SLS.

ULS Earthquake – 0.4g M=6.1 – based on Earthquake Geotechnical Engineering Practice Module 1 – November 2021:

- No to moderate liquefaction is predicted for the ULS design earthquake;
- Liquefaction triggered at between 0.14g and 0.22g for DPHs 2 and 3 (no liquefaction is predicted for DPH1), AEP of between approximately 1/50 and 1/125.
- LSN values of between 0-26 indicating no to moderate effects, liquefaction occurs in layers of limited thickness and lateral extent, ground deformation results in up to relatively small differential settlements.

Table 1 – Summary of liquefaction results to assess the consequences of the predicted liquefaction.

Factor	Assessment		Implications
Crust thickness	Crust thickness varies between 2 and 2.5 m for DPHs 2 and 3. Crust thickness undefined in DPH1 (no liquefaction observed to 4.3 m depth where refusal was met). Data from the Canterbury earthquake sequence plus other historic earthquakes ¹ has been collated and observed surface damage compared with crust thickness. This data indicates that surface damage is likely for crusts of less than about 3.5 m thickness.		Crust not sufficiently thick to limit surface damage in a ULS event alone for DPH3. No to minor liquefaction predicted in DPHs 1 and 2, crust sufficiently thick in this case.
LSN	1/500 AEP (ULS)	LSN range = 0-26	Moderate surface expression of liquefaction likely in DPH3, no to minor expression of liquefaction predicted in DPHs 1 and 2.
Free field settlement	1/500 AEP (ULS)	0-80 mm	Some differential settlement likely across the tested area.
Lateral spread	Lateral spreading under seismic loading is not expected to occur as the site is gently sloping and lacks any nearby free faces.		

Liquefaction assessment results are attached in Appendix C.

Foundation recommendations are discussed in further detail below.

¹ Bowen, H.J. and Jacka, M.E. (2013). Liquefaction induced ground damage in the Canterbury Earthquake: Predictions versus reality. Proceedings of the 19th NZGS Geotechnical Symposium. Editor CY Chin. Queenstown, New Zealand.

Engineering Considerations

The recommendations and opinions contained in this report are based upon ground investigation data obtained at discrete locations and historical information held on the GeoSolve database. The nature and continuity of subsoil conditions away from the investigation locations is inferred and cannot be guaranteed.

During earthworks all topsoil and other unsuitable materials should be removed from the construction areas in accordance with the recommendations of NZS 4431:2022. The extent of earthworks will depend on the proposed foundation solution, the selection process for the most effective foundation solution is discussed further below.

We recommend topsoil stripping and subsequent earthworks be undertaken only when a suitable interval of fair weather is expected. The fine-grained fan alluvium soils (where present) will be susceptible to moisture and will weaken if subject to rainfall, frost or trafficking. Exposure to the elements should be limited for fine-grained soils and covering the soils with polythene sheeting, granular imported fill or site concrete will reduce degradation due to wind, rain and surface run-off.

Engineered fill that is utilised as bearing for foundations should be placed and compacted in accordance with the recommendations of NZS 4431:2022 and certification provided to that effect.

Foundation Recommendations

No specific building plans are currently available for the site. The soil conditions were observed to vary significantly between test locations in the south and north of the proposed building platform, therefore it is recommended that the most suitable foundation solution is confirmed at detailed design once a specific dwelling footprint is established for the site.

The site has been split into two scenarios depending on the soil conditions surrounding the specific dwelling. The soil conditions and most suitable foundation solution should be confirmed with a set of test pits surrounding the dwelling to assess whether the organic material observed within surrounding areas of the building platform is located below the proposed dwelling. The foundation solution should be agreed by the project's structural and geotechnical engineers at detailed design.

Organic Material below Proposed Dwelling

If the recommended test pits observe organic material below the building the following foundation options could be considered:

- Piled Foundations
 - Piled foundations extending below the observed organic layers bearing upon suitable fan alluvium. Piles could be either bored, driven or screw piles.
 - Due to the presence of groundwater seepages observed within test pits it is likely that casing would be required to prevent collapsing of the soil within a bored pile.
 - Driven piles could be considered however cobbles and boulders were observed within the fan alluvium. If driven piles are considered the proportion of cobbles and boulders in the soils surrounding the specific dwelling footprint should be considered.
 - Assuming piles extend below (and sufficiently embedded into the underlying fan alluvium) any organic or identified liquefiable layer then no additional

mitigation measures would be required for the foundations with respect to ongoing settlement or liquefaction.

Organic Material not observed below Proposed Dwelling

If the recommended test pits do not observe organic material below the building, then standard shallow foundations e.g. perimeter strip foundations or a waffle slab foundation could be considered for the site.

A moderate liquefaction risk was identified based on the testing at the DPH3 test location however no to minor risk was identified within DPHs 1 and 2. It is recommended that the previous DPH testing results are assessed following dwelling location confirmation at detailed design to confirm the implications to the dwelling. Either MBIE equivalent TC1 or TC2 conditions will prevail, both of which have available engineering solutions.

If a shallow foundation is proposed a specific bearing capacity assessment to allow foundation design should be completed based on observations and testing within the recommended test pits (and existing investigation data).

Foundation Subsoil Inspection

The specific inspection schedule will depend on the proposed foundation solution. It is recommended that the inspection schedule is confirmed at detailed design of the proposed dwelling.

Site Subsoil Category

For detailed design purposes it is recommended the magnitude of seismic acceleration be estimated in accordance with the recommendations provided in NZS 1170.5:2004.

Due to the inferred depth of soils underlying the site, the site is considered to be Class D (deep soil site) in accordance with NZS 1170.5:2004 seismic provisions.

Stormwater and Wastewater Soakage

Assessment

Soakage testing was completed to assess the suitability of the ground conditions for wastewater and stormwater disposal.

On-site soakage testing was undertaken within SPs 1 and 2 (adjacent to TPs 9 and 10) at the locations shown in Appendix A, Figure 1. The test procedure comprised filling an open pit with water to a set depth and recording the drop in level over time, i.e. a falling head test. The tests were undertaken within the fan alluvium at 0.8 m below current ground level. Tests were pre-soaked for a minimum of four hours prior to testing.

The static groundwater level was not encountered during test pitting however groundwater seepages were observed in investigations completed within the south of the site. The static groundwater level is expected to lie at moderate depth below the site. The groundwater level will not influence the long-term infiltration rate at this site.

Inground Stormwater Disposal

The test results are presented in Table 2 below and attached within Appendix D.

Table 2: Calculated infiltration rate from onsite testing

Test	Test Depth (m)	Soil type at testing level and test subsoil	Unfactored infiltration rate*
SP 1	0.8	Sandy GRAVEL with minor cobbles and boulders and minor to trace silt underlain by SILT with minor to trace sand at 1.5 m bgl	20 mm/hr
SP 2	0.8	Sandy GRAVEL with some silt and minor cobbles and boulders underlain by SILT with minor sand at 1.5 m bgl	5 mm/hr

*Does not include a reduction factor to account for loss of soakage performance over time.

Stormwater Disposal Recommendations

Due to the observed soakage rate, it is expected that storage rather than soakage will be the dominant mechanism of disposal. In all cases, we recommend provision for routine inspection and maintenance be included in the system design, and a safe overland flow path be identified for the system discharge in a super-design storm.

An applicable reduction factor should be confirmed by the designer based on the relevant QLDC LDSCoP and applied to the value provided within **Error! Reference source not found.** to account for loss of soakage performance over time.

It is recommended that the base of the stormwater soak pit is located within the predominate sandy GRAVEL unit observed to extend to 1.5 m bgl in TPs 9 and 10 and that the maximum thickness of sandy GRAVEL overlying the observed SILT layers (while having sufficient storage capacity) remains below the base of the soakage system. It is recommended that a specific soakage test is completed at detailed design once the soak pit location is confirmed.

The base of the soakage system should be inspected by a geotechnical practitioner during construction to confirm it meets the requirements of the design.

Inground Wastewater Disposal

TPs 9 and 10 were completed downslope of the proposed building platform to assess the suitability of wastewater disposal to ground.

Table 3 – Wastewater Disposal Soil Category

Location	Material Depth	Soil type at testing level and test subsoil	Soil Category Table 5.1 AS/NZS 1547
TP9/SP 1	0.4-1.5	Sandy GRAVEL with minor cobbles and boulders and minor to trace silt	4
TP10/SP2	0.2-1.5	Silty sandy GRAVEL to Sandy GRAVEL with some silt and minor cobbles and boulders	4

A soil category for the tests, in accordance with Table 5.1 of AS/NZS 1547:2012, is presented in Table above. The category is based on observed grain size, soil structure and permeability test results.

Disposal of wastewater to ground on the site is considered viable and there are a number of design options for wastewater disposal to ground within the observed soil types. It is recommended that the soil category in the proposed system location be reviewed by the wastewater system designer.

Applicability

This report has been prepared for the benefit of The D L Kenton Family Trust with respect to the particular brief given to us and it may not be relied upon in other contexts or for any other purpose without our prior review and agreement.

Report prepared by:

Reviewed for GeoSolve Ltd by:



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Mike Plunket

.....
Fraser Wilson

Geotechnical Engineer

Senior Engineering Geologist

Attached:

Appendix A – Site Investigation Plan and Scheme Plan

Appendix B – Investigation Data

Appendix C – Liquefaction Analysis

Appendix D – Soakage Results

Appendix A – Site Investigation Plan and Scheme Plan