



AFFECTED PERSON'S APPROVAL

FORM 8A



Resource Management Act 1991 Section 95

#

RESOURCE CONSENT APPLICANT'S NAME AND/OR RM #

IAN FERGUSON FARRANT AND THE ESTATE OF MC FARRANT



AFFECTED PERSON'S DETAILS

I/We

Carlisle Trading Trust.
Are the owners/occupiers of 91 Black Peak Road, Wanaka.



DETAILS OF PROPOSAL

I/We hereby give written approval for the proposal to:

Subdivide existing Lot 1 DP 27661 into four allotments; three for residential purposes and one for legal access into proposed Lots 1 and 2. The proposal also seeks to identify a building platform on each residential allotment; two new building platforms on proposed Lot 1 and 2, and one building platform around an existing residential unit on proposed Lot 3. To summarise:

- Proposed Lot 1 measures 9.07 hectares and contains a building platform of 1000m².
- Proposed Lot 2 measures 9.17 hectares and contains a building platform of 1000m².
- Proposed Lot 3 measures 17.40 hectares and contains a building platform of 902m² around the existing residential unit.
- Proposed Lot 4 measures 0.63 hectares and will be utilised as a legal right of way to proposed Lots 1 and 2.

And associated access, earthworks, infrastructure and landscape.

at the following subject site(s):

372 Wanaka-Luggate Highway, Wanaka
Lot 1 DP 27661 (RT OT18D/262)



PLEASE TICK

I/We understand that by signing this form Council, when considering this application, will not consider any effects of the proposal upon me/us.



PLEASE TICK

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the activity is a deemed permitted boundary activity under section 87BA of the Act, written approval cannot be withdrawn if this process is followed instead.



WHAT INFORMATION/PLANS HAVE YOU SIGHTED



PLEASE TICK

I/We have sighted and initialled ALL plans dated and approve them.

- Lots 1-4 being a Proposed Subdivision on Lot 2 DP 567770, prepared by Southern Land, dated 08/12/2021
- Terrace Design Earthworks Design Contours, prepared by Southern Land, dated 07/12/2021
- Terrace Design Earthworks Cut to Fill Depths, prepared by Southern Land, dated 07/12/2021
- Structural Landscape Plan, prepared by Vivian and Espie Ltd, dated 13/12/2021



APPROVAL OF AFFECTED PERSON(S)

The written consent of all owners / occupiers who are affected. If the site that is affected is jointly owned, the written consent of all co-owners (names detailed on the title for the site) are required.

A	Name (PRINT)	Glencairn Trustees Ltd Robert Lloyd Johnstone Director	
	Contact Phone / Email address	0274375481 rob-jean.johnstone@qldc.co.nz	
	Signature		Date 16/1/22
B	Name (PRINT)	Glencairn Trustees Ltd Jean Marie Johnstone Director	
	Contact Phone / Email address	0274375488 rob-jean.johnstone@qldc.co.nz	
	Signature		Date 16/1/22
C	Name (PRINT)	Carlisle Trustees Ltd Robert Lloyd Johnstone Director	
	Contact Phone / Email address	0274375481 rob-jean.johnstone@qldc.co.nz	
	Signature		Date 16/1/22
D	Name (PRINT)		
	Contact Phone / Email address		
	Signature		Date

Note to person signing written approval

Conditional written approvals cannot be accepted.

There is no obligation to sign this form, and no reasons need to be given.

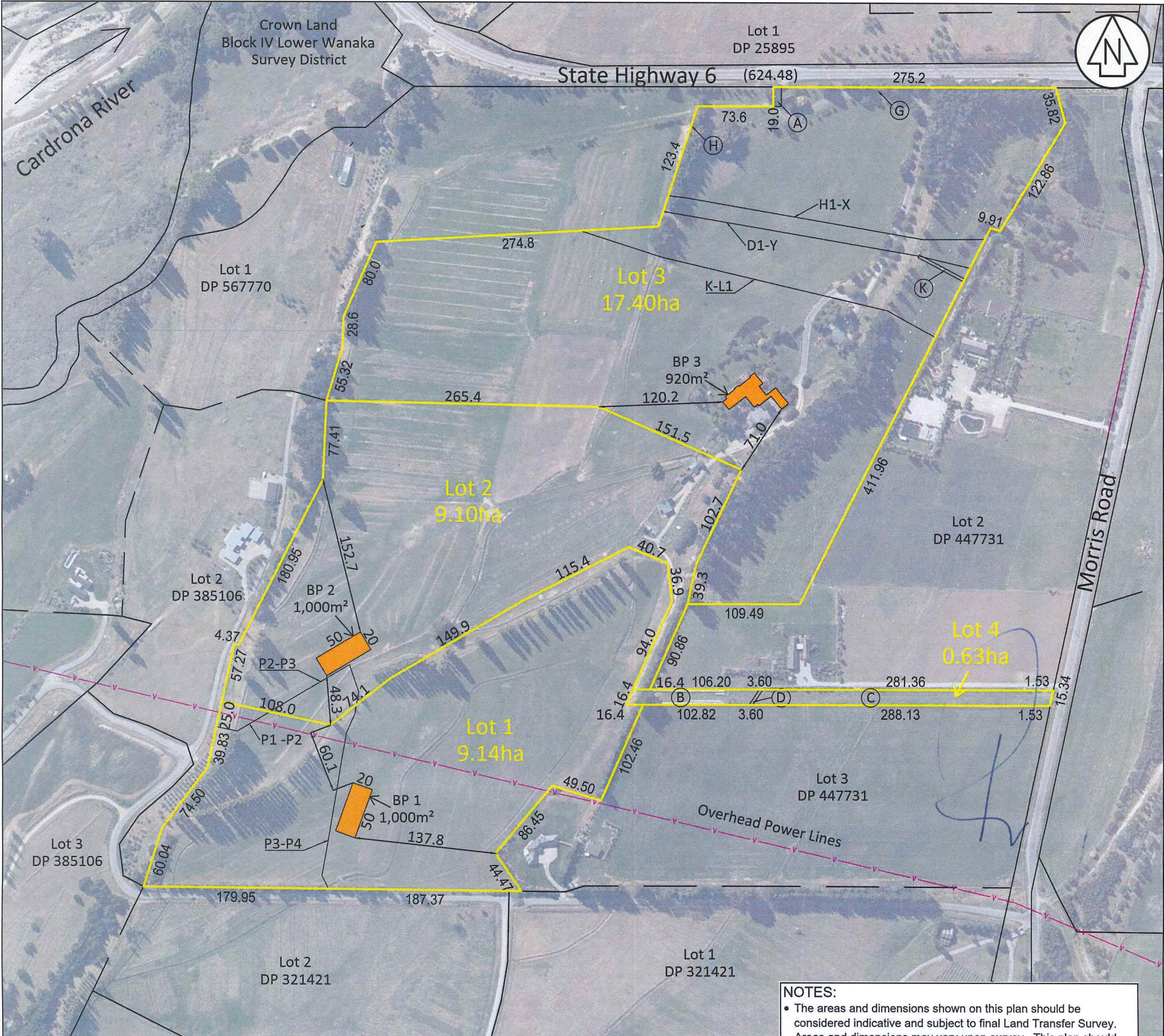
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If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.



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

P: 03 441 0499
E: resourceconsent@qldc.govt.nz
www.qldc.govt.nz



Schedule of Proposed Easements			
Purpose	Shown	Servient Tenement (Burdened Land)	Dominant Tenement (Benefited Land)
Right to Convey Electricity & Telecommunications	B, C & D	Lot 4 hereon	Lots 1 & 2 hereon

Schedule of Existing Easements in Gross			
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Right to establish and maintain an Electricity Transformer, Right to Convey Electricity	D	Lot 4 Hereon	Aurora Energy Limited
Right to Convey Telecommunications and Computer Media			Telecom NZ Ltd

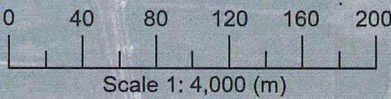
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Right to Convey Water (Centreline of 3.0m wide easement for buried water pipe)	H1-X	Lot 3 hereon	
	K-L1	Lot 3 hereon	
	P1-P2 & P3-P4	Lot 1 hereon	
	P2-P3	Lot 2 hereon	

NOTES:

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Notes:

1. Boundary data has been sourced from DP 358106
2. Adjoining boundary data sourced from LINZ XML
3. LINZ Aerial imagery is indicative only and has not been orthorectified
4. Amalgamation Condition that Lot 4 hereon (legal access) is to be held as to two undivided half shares by the owners of Lots 1 & 2 hereon and as tenants-in-common in the said shares and that individual Records of Title be issued in accordance therewith.



Plan Revisions		
REV.	DESCRIPTION	DATE
A	ORIGINAL ISSUE	08/12/21

SCALE		
1:4,000 @ A3		
DATUM & LEVEL		
Lindis Peak 2000		
REVISION	DRAWING REFERENCE	SHEET
A	Y4039_S2	1 OF 1
SURVEYED	DATE	CHECKED
SA	08/12/21	08/12/21
DRAWN	DATE	APPROVED
SP	08/12/21	VW 08/12/21



THE CONSULTING SURVEYORS OF NEW ZEALAND

A DIVISION OF THE NEW ZEALAND INSTITUTE OF SURVEYORS

SOUTHERN LAND

DEVELOPMENT CONSULTANTS

Level 2 Brownston House, 21 Brownston St., Wanaka PH: (03) 443 5577

Email: contact@southernland.co.nz

CAD and Production by

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Warning

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- using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions or with Southern Land directly;
- ensuring the information is the most recent issue.

Prepared for

Resource Consent

Drawing Title

Lots 1 to 4 Being a Proposed Subdivision of Lot 2 DP 567770

372 Wanaka-Luggate Highway, Wanaka

APPLICANT

Ian Ferguson Farrant and the Estate of MC Farrant

COMPRISED IN

RT 1018645

TERRITORIAL AUTHORITY

Queenstown Lakes District Council

LAND DISTRICT

Otago

TOTAL AREA

36.27 ha

DATE

24/08/21



Resource Consent



REVISION	DESCRIPTION	DATE
A	Resource Consent	07/12/2021

Level 2 Brownston House, 21 Brownston St., Wanaka, Ph: (03) 443 5577, Email: contact@southernland.co.nz, www.southernland.co.nz
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Engineering Drawings
Terrace Design Earthworks
Design Contours

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PREPARED FOR
Ian Ferguson Farrant
372 Wanaka-Luggate Highway
Wanaka

SCALE	1:1500 @ A3
DATUM & LEVEL	Lindis Peak 2000
LEVEL IN TERMS OF	Dunedin Vertical Datum 1958
ORIGIN & DPOCK	RL=1000.00m
DRAWING REFERENCE	Y4039
REVISION	A

SHEET	E201
DATE	07/12/2021
DESIGNED	RC
DRAWN	RC
CHECKED	VW
APPROVED	VW

Y4039 Point Clouds Tue Dec 7 08:01:26 2021

LEGEND

- Building Platform
- Curtilage Area
- Outline of Proposed Mounding Areas
- Existing Vegetation to be Retained
- Proposed Amenity Trees
- Proposed High Native Planting (refer to plant schedule)
- Proposed Low Native Planting (refer to plant schedule)

Existing vegetation to be retained:

- 1 - Poplar.
- 2 - Area of orchard trees. Large pine may be removed.
- 3 - Dense belt of eucalyptus and leyland cypress.

Proposed amenity trees:

To be a mix of Alder, Oak, Ash etc. to be 10L pot size minimum.



PLANT SCHEDULE

High species mix

Common Name	Botanical Name	Min Size	Spacings
South Island Kowhai	Sophora microphylla	1.5L	1.5m
Fragrant tree daisy	Olearia fragrantissima	1.5L	1.5m
Mingimingi	Coprosoma propinqua	1.5L	1.5m
Korokio	Corokia cotoneaster	1.5L	1.5m
Kohuhu / Black Matipo	Pittosporum tenuifolium	1.5L	1.5m
Tarata / Lemonwood	Pittosporum eugenioides	1.5L	1.5m

Low species mix

Common Name	Botanical Name	Min size	Spacings
Dwarf Toe Toe	Chionochloa flavicans	1.0L	1.5m
Mountain Flax	Phormium cookianum	1.0L	1.5m
Small-leaved Pohuehue	Muehlenbeckia complexa	1.0L	1.5m
Boxwood Hebe	Hebe odora	1.0L	1.5m
Koromiko / Hebe	Hebe salicifolia	1.0L	1.5m
Needle-leaved Mountain Coprosma	Coprosma rugosa	1.0L	1.5m
Red tussock	Chionochloa rubra	1.0L	1.5m

General Notes:

If any plant dies or becomes diseased, it shall be replaced with a specimen of a similar species within the next planting season. Appropriate pest protection shall be applied to areas of new planting such as a plastic guard or sheath.

At the time of planting, all grass cover within 0.5m of a new plant location shall be sprayed with a suitable weed spray to remove grass competition. Appropriate mulching shall be placed around all new plants. Twice yearly, all invasive weed species shall be removed from within 0.5 metres of all new plants. All new plants will be automatically irrigated with sprinklers or drippers for the first three years following planting.



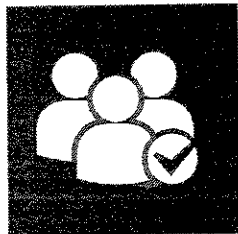
REF: 1556.01 SLP
DATE: 13.12.21
SCALE: 1:2000 @ A3

Structural Landscape Plan

IAN FERGUSON FARRANT AND THE ESTATE OF MC FARRANT

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



AFFECTED PERSON'S APPROVAL



FORM 8A

Resource Management Act 1991 Section 95



RESOURCE CONSENT APPLICANT'S NAME AND/OR RM

IAN FERGUSON FARRANT AND THE ESTATE OF MC FARRANT



AFFECTED PERSON'S DETAILS

I/We James Fulton Brenda Horne

Are the owners/occupiers of 31 Black Peak Rd
Wanaka



DETAILS OF PROPOSAL

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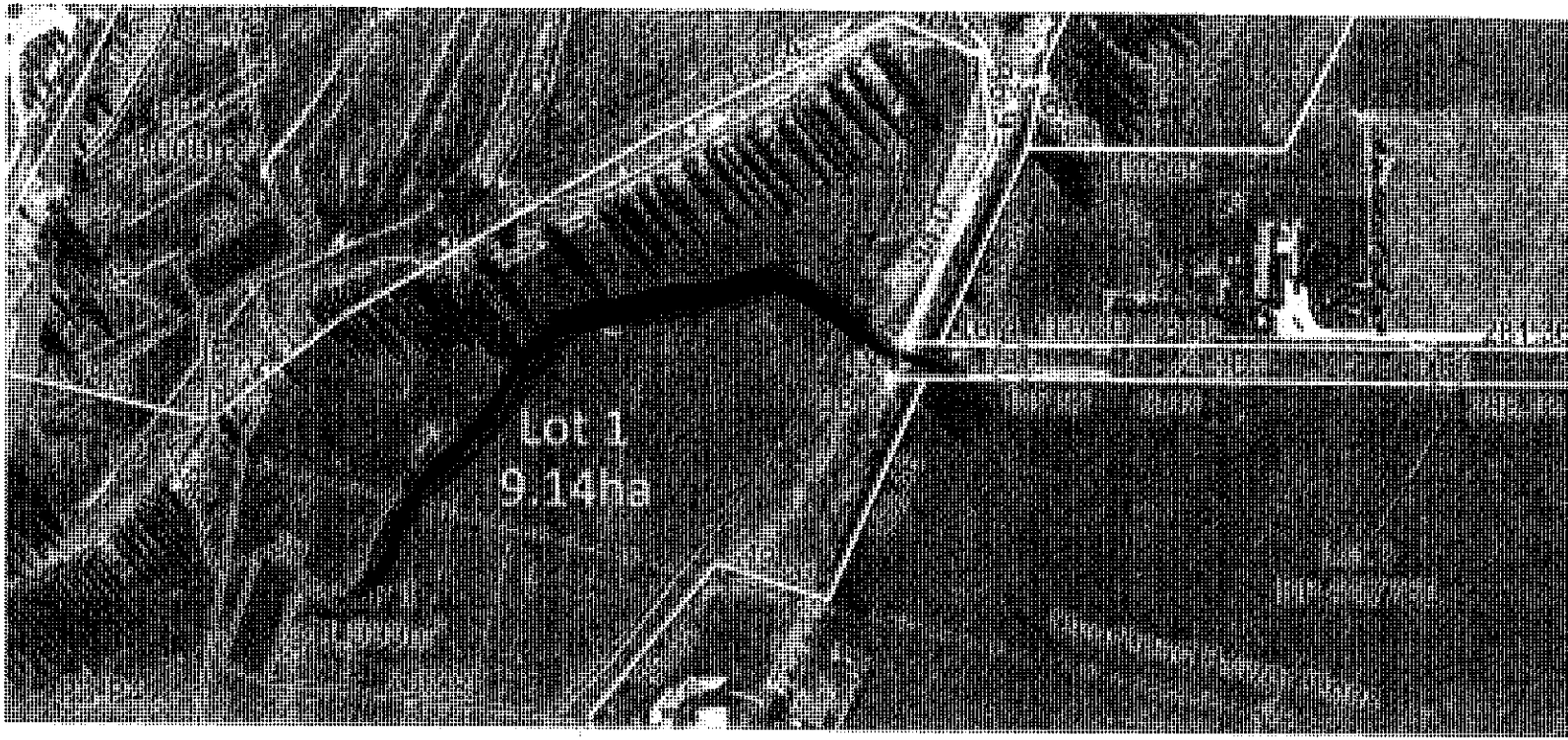
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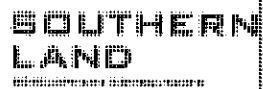
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BFH *W*

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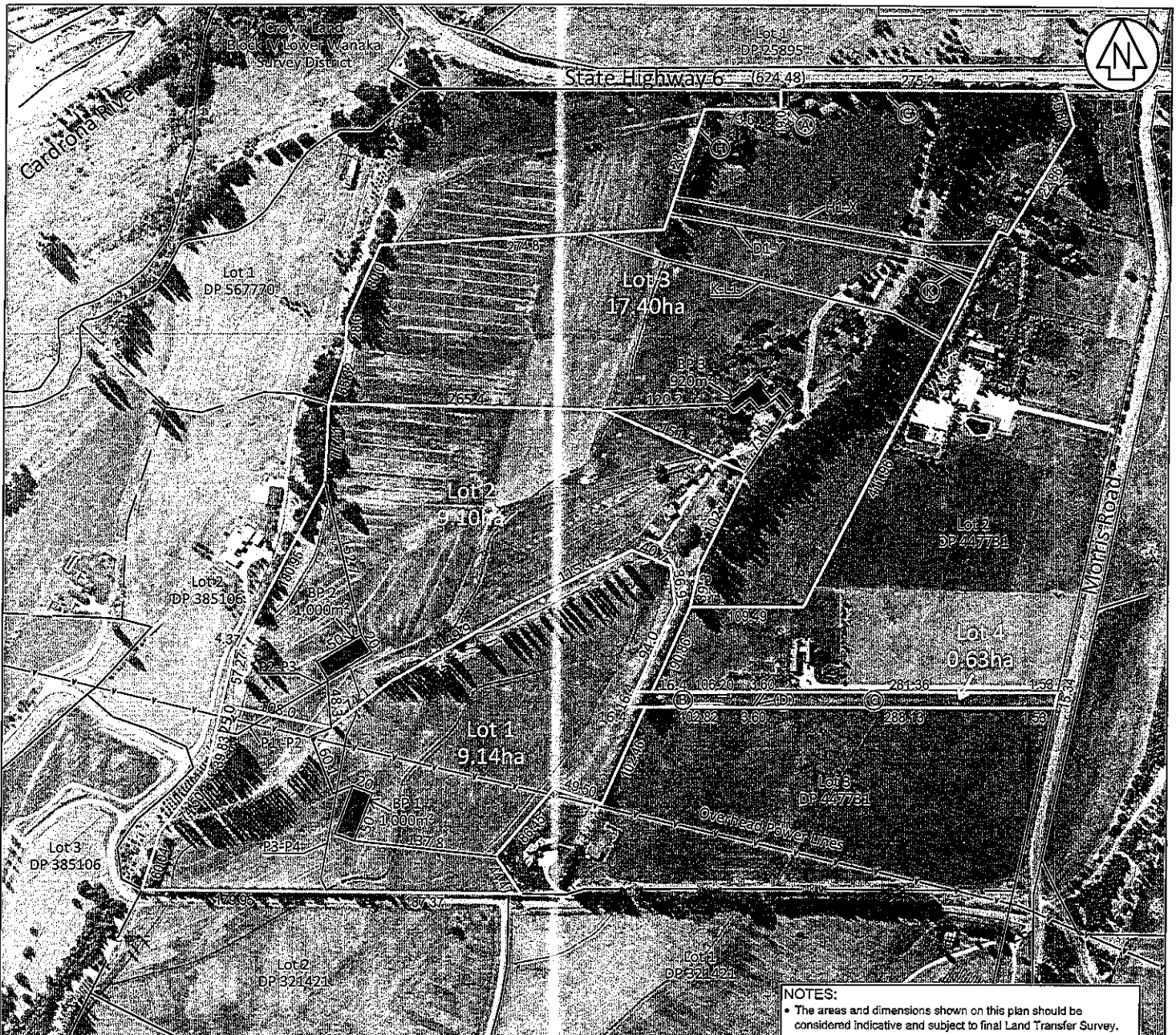


Proposed Driveway.
Any changes please notify *[signature]* *[signature]*

[illegible][illegible]

Ian Ferguson, Partner
 3750 Wilshire-Loyola Highway
 Wilshire

1. 凡在本行开立存款账户的客户，均可向本行申请开立支票。
 2. 支票的有效期为自签发之日起 10 个工作日内。
 3. 支票的金额不得超过账户余额。
 4. 支票的签发人必须是账户持有人或其授权代理人。
 5. 支票的收款人必须是本行客户。
 6. 支票的用途必须合法。
 7. 支票的签发必须符合相关法律法规的要求。
 8. 支票的签发必须符合本行内部风险控制的要求。
 9. 支票的签发必须符合本行对客户的要求。
 10. 支票的签发必须符合本行对支票的要求。



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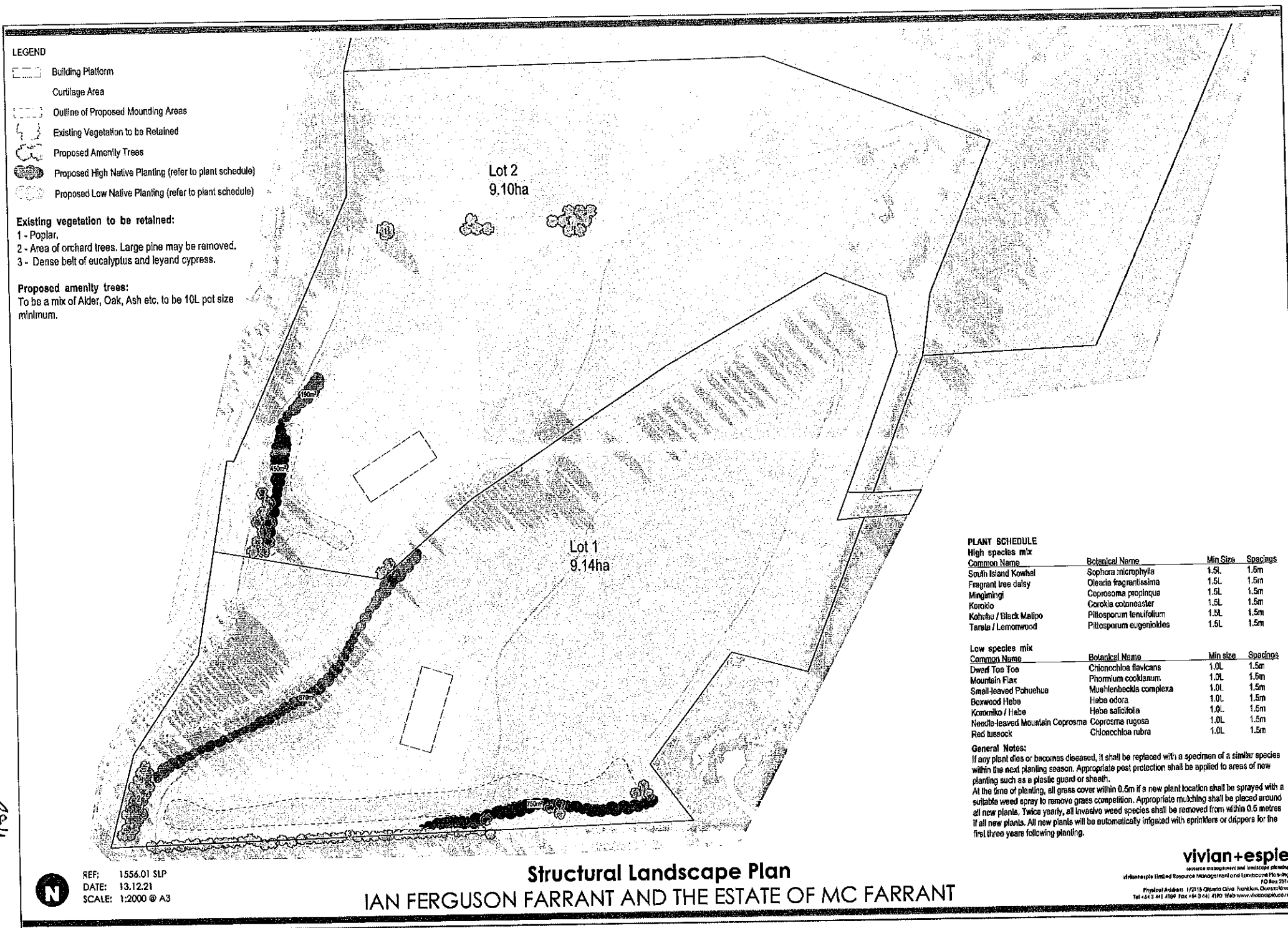
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IAN FERGUSON FARRANT AND THE ESTATE OF MC FARRANT



AFFECTED PERSON'S DETAILS

I/We John & Katherine Timu Family Trust

Are the owners/occupiers of

89 Black Peak Rd

Lot 2 DP385106

RD2

Wanaka 9382



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A	Name (PRINT)	
	John Kahukura Raymond Timu	
	Contact Phone / Email address	
	021 438 584	jtandkas@xtra.co.nz
	Signature	Date
		20/1/2022

B	Name (PRINT)	
	Katherine Mary Timu	
	Contact Phone / Email address	
	021 171 8962	jtandkas@xtra.co.nz
	Signature	Date
		20/1/2022

C	Name (PRINT)	
	Hugh Dackymple Summers	
	Contact Phone / Email address	
	0272277325	hdandsr@gmail.com
	Signature	Date
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D	Name (PRINT)	
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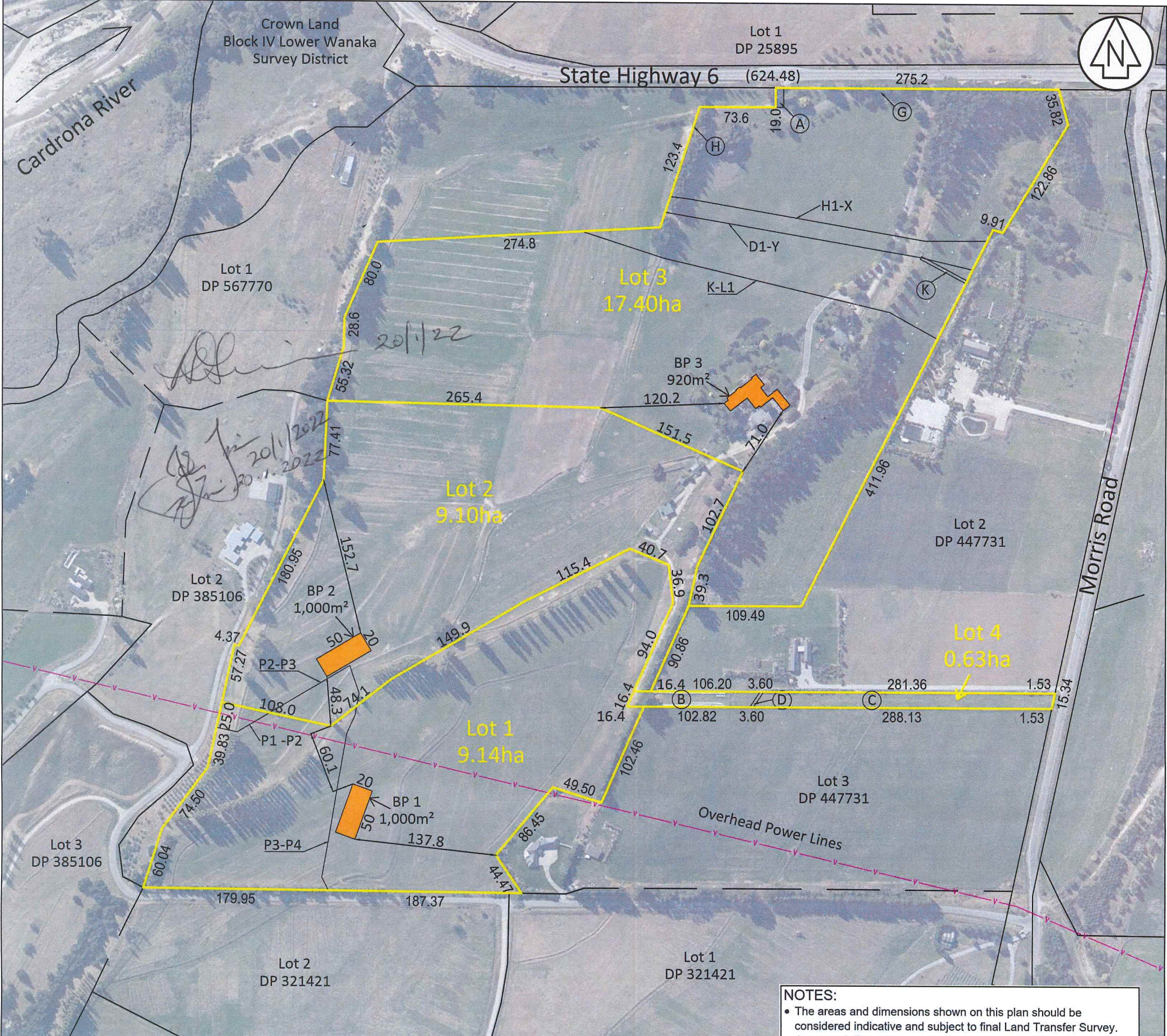
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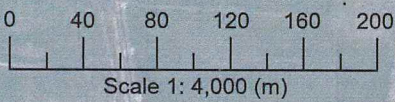
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DEVELOPMENT CONSULTANTS

Level 2 Brownston House, 21 Brownston St., Wanaka Ph: (03) 443 5577

Email: contact@southernland.co.nz

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DATUM & LEVEL Lindis Peak 2000		
REVISION A	DRAWING REFERENCE Y4039_S2	Sheet 1 OF 1
SURVEYED SP	DATE 08/12/21	CHECKED SA
DATE 08/12/21	APPROVED VW	DATE 08/12/21

Document Set ID: 7158431
Version: 1, Version Date: 24/02/2022



Handwritten signatures and dates:
20/1/22
20/1/2022
20.1.2022




SOUTHERN LAND
DEVELOPMENT CONSULTANTS

REVISION	DESCRIPTION	DATE
A	Resource Consent	07/12/2021

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PREPARED FOR		SCALE	
Ian Ferguson Farrant		1:1500 @ A3	
372 Wanaka-Luggate Highway		DATUM & LEVEL	
Wanaka		Lindis Peak 2000	
		LEVEL IN TERMS OF DATED VERTICAL DATUM 1958	
		ORIGINE: #_DPXXX RL=XXX.XXXm	
		DRAWING REFERENCE	
		Y4039	
		SHEET	
		E201	
		REVISION	
		A	

SURVEYED	DESIGNED	DRAWN	CHECKED	APPROVED	DATE
-	RC	RC	VW	VW	07/12/2021

Y4039 Point Clouds Tue Dec 7 08:01:26 2021



Key

CUT

<-3.0 to -3.0 m	
-3.0 to -2.5 m	
-2.5 to -2.0 m	
-2.0 to -1.5 m	
-1.5 to -1.0 m	
-1.0 to -0.5 m	
-0.5 to -0.2 m	
-0.2 to -0.0 m	
0.0 to 0.2 m	
0.2 to 0.5 m	
0.5 to 1.0 m	
1.0 to 1.5 m	
1.5 to 2.0 m	
2.0 to 2.5 m	
2.5 to 3.0 m	
3.0 to >3.0 m	

FILL

VOLUMES

Total cut	-21,000 m³
Total fill	16,800 m³
Total balance	-4,200 m³
Assumed topsoil strip depth = 0.3m	
Topsoil Strip Area = 49,700m²	
Topsoil Strip Volume = 14,900m³	
Total Volume including stripped Topsoil = 52,700m³	

REVISION	DESCRIPTION	DATE
A	Resource Consent	07/12/2021



Level 2 Brownston House, 21 Brownston St., Wanaka, Ph: (03) 443 5577, Email: contact@southernland.co.nz, www.southernland.co.nz
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Engineering Drawings Terrace Design Earthworks Cut to Fill Depths

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






PREPARED FOR
 Ian Ferguson Farrant
 372 Wanaka-Luggate Highway
 Wanaka

SCALE	1:1500 @ A3
DATUM & LEVEL	Lindis Peak 2000
LEVEL IN TERMS OF DUNEIN Vertical Datum 1958	CRIGGLE # DPXXXX RL-XXXX.XXXm
DRAWING REFERENCE	Y4039
REVISION	A
SHEET	E202

SURVEYED	DESIGNED	DRAWN	CHECKED	APPROVED	DATE
-	RC	RC	VW	VW	07/12/2021

Y4039 Point Clouds Tue Dec 7 08:31:16 2021

LEGEND

-  Building Platform
-  Curtilage Area
-  Outline of Proposed Mounding Areas
-  Existing Vegetation to be Retained
-  Proposed Amenity Trees
-  Proposed High Native Planting (refer to plant schedule)
-  Proposed Low Native Planting (refer to plant schedule)

Existing vegetation to be retained:

- 1 - Poplar.
- 2 - Area of orchard trees. Large pine may be removed.
- 3 - Dense belt of eucalyptus and leyland cypress.

Proposed amenity trees:

To be a mix of Alder, Oak, Ash etc. to be 10L pot size minimum.

Handwritten notes:
 20/1/2022
 20.1.2022
 20/1/22



PLANT SCHEDULE

High species mix

Common Name	Botanical Name	Min Size	Spacings
South Island Kowhai	Sophora microphylla	1.5L	1.5m
Fragrant tree daisy	Olearia fragrantissima	1.5L	1.5m
Mingimingi	Coprosoma propinqua	1.5L	1.5m
Korokio	Corokia cotoneaster	1.5L	1.5m
Kohuhu / Black Matipo	Pittosporum tenuifolium	1.5L	1.5m
Tarata / Lemonwood	Pittosporum eugenioides	1.5L	1.5m

Low species mix

Common Name	Botanical Name	Min size	Spacings
Dwarf Toe Toe	Chionochloa flavicans	1.0L	1.5m
Mountain Flax	Phormium cookianum	1.0L	1.5m
Small-leaved Pohuehue	Muehlenbeckia complexa	1.0L	1.5m
Boxwood Hebe	Hebe odora	1.0L	1.5m
Koromiko / Hebe	Hebe salicifolia	1.0L	1.5m
Needle-leaved Mountain Coprosma	Coprosma rugosa	1.0L	1.5m
Red tussock	Chionochloa rubra	1.0L	1.5m

General Notes:

If any plant dies or becomes diseased, it shall be replaced with a specimen of a similar species within the next planting season. Appropriate pest protection shall be applied to areas of new planting such as a plastic guard or sheath.

At the time of planting, all grass cover within 0.5m if a new plant location shall be sprayed with a suitable weed spray to remove grass competition. Appropriate mulching shall be placed around all new plants. Twice yearly, all invasive weed species shall be removed from within 0.5 metres if all new plants. All new plants will be automatically irrigated with sprinklers or drippers for the first three years following planting.



REF: 1556.01 SLP
 DATE: 13.12.21
 SCALE: 1:2000 @ A3

Structural Landscape Plan IAN FERGUSON FARRANT AND THE ESTATE OF MC FARRANT

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



AFFECTED PERSON'S APPROVAL

FORM 8A



Resource Management Act 1991 Section 95

#

RESOURCE CONSENT APPLICANT'S NAME AND/OR RM #

IAN FERGUSON FARRANT AND THE ESTATE OF MC FARRANT



AFFECTED PERSON'S DETAILS

I/We Richard Stephen and Linda Margeet Wallace

Are the owners/occupiers of

24 Black Peak Road,
No 2 R.D
Wanaka



DETAILS OF PROPOSAL

I/We hereby give written approval for the proposal to:

Subdivide existing Lot 1 DP 27661 into four allotments; three for residential purposes and one for legal access into proposed Lots 1 and 2. The proposal also seeks to identify a building platform on each residential allotment; two new building platforms on proposed Lot 1 and 2, and one building platform around an existing residential unit on proposed Lot 3. To summarise:

- Proposed Lot 1 measures 9.07 hectares and contains a building platform of 1000m².
- Proposed Lot 2 measures 9.17 hectares and contains a building platform of 1000m².
- Proposed Lot 3 measures 17.40 hectares and contains a building platform of 902m² around the existing residential unit.
- Proposed Lot 4 measures 0.63 hectares and will be utilised as a legal right of way to proposed Lots 1 and 2.

And associated access, earthworks, infrastructure and landscape.

at the following subject site(s):

372 Wanaka-Luggate Highway, Wanaka
Lot 1 DP 27661 (RT OT18D/262)



PLEASE TICK

I/We understand that by signing this form Council, when considering this application, will not consider any effects of the proposal upon me/us.



PLEASE TICK

I/We understand that if the consent authority determines 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.



WHAT INFORMATION/PLANS HAVE YOU SIGHTED



PLEASE TICK

I/We have sighted and initialled ALL plans dated and approve them.

- Lots 1-4 being a Proposed Subdivision on Lot 2 DP 567770, prepared by Southern Land, dated 08/12/2021
- Terrace Design Earthworks Design Contours, prepared by Southern Land, dated 07/12/2021
- Terrace Design Earthworks Cut to Fill Depths, prepared by Southern Land, dated 07/12/2021
- Structural Landscape Plan, prepared by Vivian and Espie Ltd, dated 13/12/2021



APPROVAL OF AFFECTED PERSON(S)

The written consent of all owners / occupiers who are affected. If the site that is affected is jointly owned, the written consent of all co-owners (names detailed on the title for the site) are required.

A	Name (PRINT) Richard Stephen Wallace	
	Contact Phone / Email address 0272010460	
	Signature R.S. Wallace	Date 28-1-22

B	Name (PRINT) Linda Margeset Wallace	
	Contact Phone / Email address 0272462891	
	Signature L. Wallace	Date 28-1-22

C	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

D	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

Note to person signing written approval

Conditional written approvals cannot be accepted.

There is no obligation to sign this form, and no reasons need to be given.

If this form is not signed, the application may be notified with an opportunity for submissions.

If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.





APPROVAL OF AFFECTED PERSON(S)

The written consent of all owners / occupiers who are affected. If the site that is affected is jointly owned, the written consent of all co-owners (names detailed on the title for the site) are required.

A	Name (PRINT) Richard Stephen Wallace	
	Contact Phone / Email address 0272010460	
	Signature <i>R.S. Wallace</i>	Date 28-1-22

B	Name (PRINT) Linda Margaret Wallace	
	Contact Phone / Email address 0272462891	
	Signature <i>L. Wallace</i>	Date 28-1-22

C	Name (PRINT) Sm Trustees (2014) Limited	
	Contact Phone / Email address (03) 4180066 lawyer@sumptermore.co.nz	
	Signature <i>[Signature]</i> (Director)	Date 28/1/22

D	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

Note to person signing written approval

Conditional written approvals cannot be accepted.

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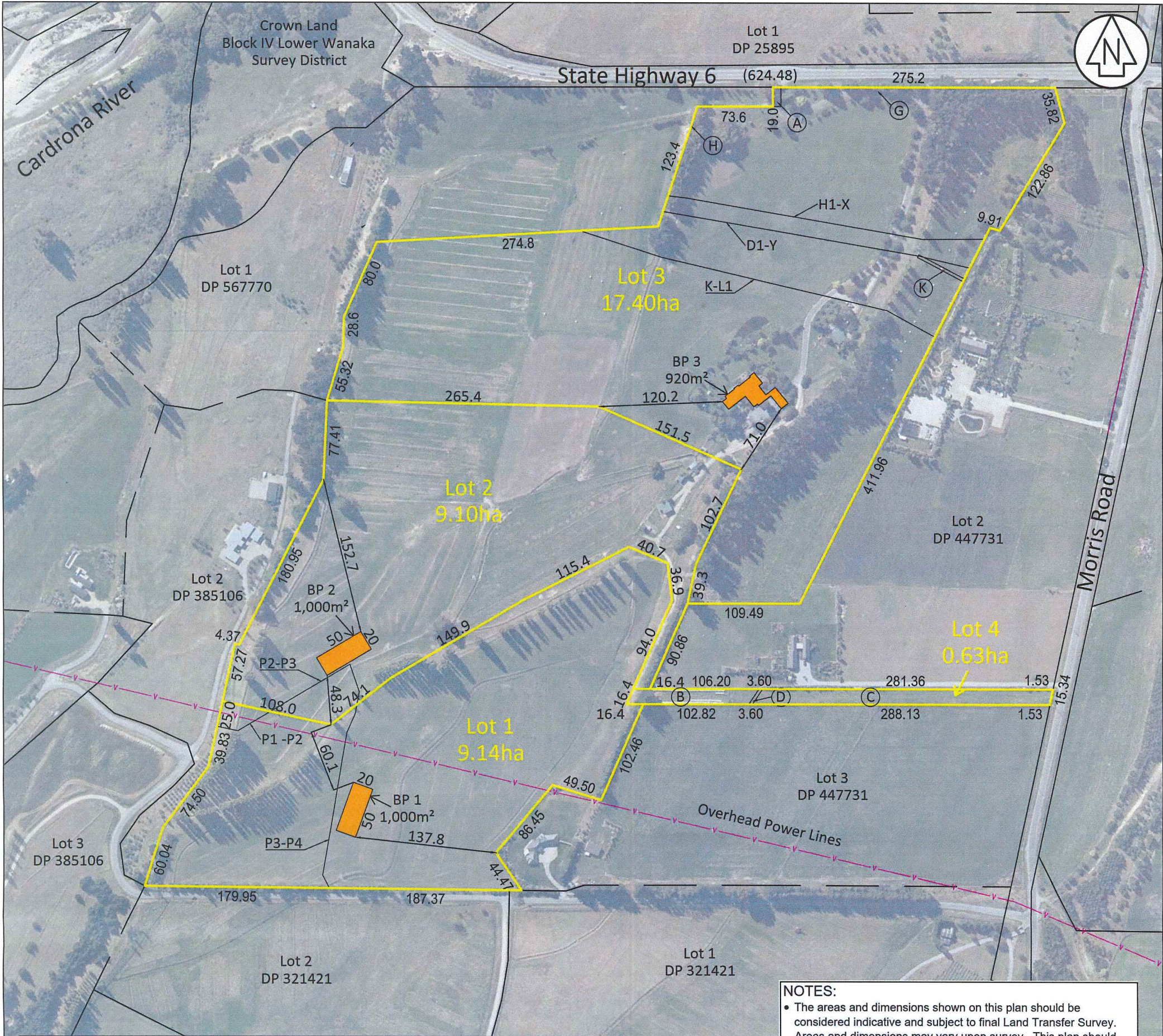
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Queenstown Lakes District Council
Private Bag 50072, Queenstown 9348
Gorge Road, Queenstown 9300

P. 03 441 0499
E: resourceconsent@qldc.govt.nz
www.qldc.govt.nz



Schedule of Proposed Easements			
Purpose	Shown	Servient Tenement (Burdened Land)	Dominant Tenement (Benefited Land)
Right to Convey Electricity & Telecommunications	B, C & D	Lot 4 hereon	Lots 1 & 2 hereon

Schedule of Existing Easements in Gross			
Purpose	Shown	Servient Tenement (Burdened Land)	GRANTEE
Right to Convey Electricity	K	Lot 3 Hereon	Aurora Energy Limited
Right to establish and maintain an Electricity Transformer, Right to Convey Electricity	D	Lot 4 Hereon	Aurora Energy Limited
Right to Convey Telecommunications and Computer Media			Telecom NZ Ltd

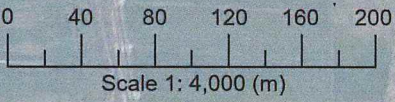
Schedule of Existing Easements			
Purpose	Shown	Servient Tenement (Burdened Land)	Document
Right of Way	A	Lot 3 hereon	(Stage 1)
Right to Convey Water	D	Lot 4 hereon	EC 872236.1
Right to Convey Electricity (Centreline of 2.0m wide easement)	D1-Y	Lot 3 hereon	EC 872236/1
Right to Convey Water (Centreline of 3.0m wide easement for buried water pipe)	H1-X	Lot 3 hereon	
	K-L1	Lot 3 hereon	
	P1-P2 & P3-P4	Lot 1 hereon	
	P2-P3	Lot 2 hereon	

NOTES:

- The areas and dimensions shown on this plan should be considered indicative and subject to final Land Transfer Survey. Areas and dimensions may vary upon survey. This plan should not be attached to sale & purchase agreements without an appropriate condition to cover such variations. Solicitor to refer to surveyor for appropriate wording for sale & purchase agreement
- Additional easements may be required at the time of final Land Transfer Survey

Notes:

1. Boundary data has been sourced from DP 358106
2. Adjoining boundary data sourced from LINZ XML
3. LINZ Aerial imagery is indicative only and has not been orthorectified
4. Amalgamation Condition that Lot 4 hereon (legal access) is to be held as to two undivided half shares by the owners of Lots 1 & 2 hereon and as tenants-in-common in the said shares and that individual Records of Title be issued in accordance therewith.



Plan Revisions		
REV.	DESCRIPTION	DATE
A	ORIGINAL ISSUE	08/12/21



THE CONSULTING
SURVEYORS
OF NEW ZEALAND

MEMBER OF THE NEW ZEALAND INSTITUTE OF SURVEYORS

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CAD and Production by



**SOUTHERN
LAND**

DEVELOPMENT CONSULTANTS

Level 2 Brownston House, 21 Brownston St., Wanaka Ph: (03) 443 5577
Email: contact@southernland.co.nz www.southernland.co.nz

Notes

Warning

This Plan has been prepared for the purpose of a resource consent application only. It is not a precise survey plan. As areas and dimensions are likely to vary upon survey it should not be attached to sale & purchase agreements without an appropriate condition to cover such variations.

Any person using Southern Land drawings and other data accepts the risk of:

- using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions or with Southern Land directly;
- ensuring the information is the most recent issue.

Prepared for

Resource Consent

Drawing Title

Lots 1 to 4 Being a Proposed Subdivision of Lot 2 DP 567770

372 Wanaka-Luggate Highway, Wanaka

APPLICANT

Ian Ferguson Farrant and the Estate of MC Farrant

COMPISED IN

RT 1018645

TERRITORIAL AUTHORITY

Queenstown Lakes District Council

LAND DISTRICT

Otago

TOTAL AREA

36.27 ha

DATE

24/08/21

SCALE		
1:4,000 @ A3		
DATUM & LEVEL		
Lindis Peak 2000		
REVISION	DRAWING REFERENCE	SHEET
A	Y4039_S2	1 OF 1
SURVEYED	DATE	CHECKED
SA	08/12/21	08/12/21
DRAWN	DATE	APPROVED
SP	08/12/21	VW 08/12/21



REVISION	DESCRIPTION	DATE
A	Resource Consent	07/12/2021

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Engineering Drawings Terrace Design Earthworks Design Contours

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PREPARED FOR
 Ian Ferguson Farrant
 372 Wanaka-Luggate Highway
 Wanaka

SCALE	1:1500 @ A3
DATUM & LEVEL	Lindis Peak 2000
LEVEL IN TERMS OF DUNEIN Vertical Datum 1958	ORIGIN: #_DPXXX RL=XXX.Xmm
DRAWING REFERENCE	Y4039
SHEET	E201
REVISION	A

SURVEYED	DESIGNED	DRAWN	CHECKED	APPROVED	DATE
-	RC	RC	VW	VW	07/12/2021

Y4039 Point Clouds Tue Dec 7 08:01:26 2021

Handwritten signature/initials



Key

CUT	
<-3.0 to	-3.0 m
-3.0 to	-2.5 m
-2.5 to	-2.0 m
-2.0 to	-1.5 m
-1.5 to	-1.0 m
-1.0 to	-0.5 m
-0.5 to	-0.2 m
-0.2 to	-0.0 m
0.0 to	0.2 m
0.2 to	0.5 m
0.5 to	1.0 m
1.0 to	1.5 m
1.5 to	2.0 m
2.0 to	2.5 m
2.5 to	3.0 m
3.0 to	>3.0 m
FILL	

VOLUMES

Total cut	-21,000 m³
Total fill	16,800 m³
Total balance	-4,200 m³

Assumed topsoil strip depth = 0.3m
 Topsoil Strip Area = 49,700m²
 Topsoil Strip Volume = 14,900m³

Total Volume including stripped Topsoil = 52,700m³

REVISION	DESCRIPTION	DATE
A	Resource Consent	07/12/2021

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SOUTHERN LAND
DEVELOPMENT CONSULTANTS

CSNZ THE CONSULTING SURVEYORS OF NEW ZEALAND

Engineering Drawings
Terrace Design Earthworks
Cut to Fill Depths

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PREPARED FOR						SCALE
Ian Ferguson Farrant						1:1500 @ A3
372 Wanaka-Luggate Highway						DATUM & LEVEL
Wanaka						Lindis Peak 2000
LEVEL IN TERMS OF Dune's Vertical Datum 1958						ORIGIN: # DPXXX RL-XXXX.XXXm
DRAWING REFERENCE						REVISION
Y4039						A
SURVEYED	DESIGNED	DRAWN	CHECKED	APPROVED	DATE	SHEET
-	RC	RC	VW	VW	07/12/2021	E202

LEGEND

- Building Platform
Curtilage Area
Outline of Proposed Mounding Areas
Existing Vegetation to be Retained
Proposed Amenity Trees
Proposed High Native Planting (refer to plant schedule)
Proposed Low Native Planting (refer to plant schedule)

Existing vegetation to be retained:

- 1 - Poplar.
2 - Area of orchard trees. Large pine may be removed.
3 - Dense belt of eucalyptus and leyland cypress.

Proposed amenity trees:

To be a mix of Alder, Oak, Ash etc. to be 10L pot size minimum.



PLANT SCHEDULE

High species mix

Common Name	Botanical Name	Min Size	Spacings
South Island Kowhai	Sophora microphylla	1.5L	1.5m
Fragrant tree daisy	Olearia fragrantissima	1.5L	1.5m
Mingimingi	Coprosoma propinqua	1.5L	1.5m
Korokio	Corokia cotoneaster	1.5L	1.5m
Kohuhu / Black Matipo	Pittosporum tenuifolium	1.5L	1.5m
Tarata / Lemonwood	Pittosporum eugenioides	1.5L	1.5m

Low species mix

Common Name	Botanical Name	Min size	Spacings
Dwarf Toe Toe	Chionochloa flavicans	1.0L	1.5m
Mountain Flax	Phormium cookianum	1.0L	1.5m
Small-leaved Pohuehue	Muehlenbeckia complexa	1.0L	1.5m
Boxwood Hebe	Hebe odora	1.0L	1.5m
Koromiko / Hebe	Hebe salicifolia	1.0L	1.5m
Needle-leaved Mountain Coprosma	Coprosma rugosa	1.0L	1.5m
Red tussock	Chionochloa rubra	1.0L	1.5m

General Notes:

If any plant dies or becomes diseased, it shall be replaced with a specimen of a similar species within the next planting season. Appropriate pest protection shall be applied to areas of new planting such as a plastic guard or sheath.

At the time of planting, all grass cover within 0.5m if a new plant location shall be sprayed with a suitable weed spray to remove grass competition. Appropriate mulching shall be placed around all new plants. Twice yearly, all invasive weed species shall be removed from within 0.5 metres if all new plants. All new plants will be automatically irrigated with sprinklers or drippers for the first three years following planting.



REF: 1556.01 SLP
DATE: 13.12.21
SCALE: 1:2000 @ A3

Structural Landscape Plan
IAN FERGUSON FARRANT AND THE ESTATE OF MC FARRANT

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



AFFECTED PERSON'S APPROVAL

FORM 8A



Resource Management Act 1991 Section 95

#

RESOURCE CONSENT APPLICANT'S NAME AND/OR RM #

IAN FERGUSON FARRANT AND THE ESTATE OF MC FARRANT



AFFECTED PERSON'S DETAILS

I/We JAN AND CORRY ZEESTRATEN ZEESTRATEN TRUST

Are the owners/occupiers of

LOT 2 DP 447731
60 MORRIS RD.



DETAILS OF PROPOSAL

I/We hereby give written approval for the proposal to:

Subdivide existing Lot 1 DP 27661 into four allotments; three for residential purposes and one for legal access into proposed Lots 1 and 2. The proposal also seeks to identify a building platform on each residential allotment; two new building platforms on proposed Lot 1 and 2, and one building platform around an existing residential unit on proposed Lot 3. To summarise:

- Proposed Lot 1 measures 9.07 hectares and contains a building platform of 1000m².
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- Proposed Lot 3 measures 17.40 hectares and contains a building platform of 902m² around the existing residential unit.
- Proposed Lot 4 measures 0.63 hectares and will be utilised as a legal right of way to proposed Lots 1 and 2.

And associated access, earthworks, infrastructure and landscape.

at the following subject site(s):

372 Wanaka-Luggate Highway, Wanaka
Lot 1 DP 27661 (RT OT18D/262)



I/We understand that by signing this form Council, when considering this application, will not consider any effects of the proposal upon me/us.



I/We understand that if the consent authority determines 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.



WHAT INFORMATION/PLANS HAVE YOU SIGHTED




I/We have sighted and initialled ALL plans dated and approve them.

- Lots 1-4 being a Proposed Subdivision on Lot 2 DP 567770, prepared by Southern Land, dated 08/12/2021
- Terrace Design Earthworks Design Contours, prepared by Southern Land, dated 07/12/2021
- Terrace Design Earthworks Cut to Fill Depths, prepared by Southern Land, dated 07/12/2021
- Structural Landscape Plan, prepared by Vivian and Espie Ltd, dated 13/12/2021



APPROVAL OF AFFECTED PERSON(S)

The written consent of all owners / occupiers who are affected. If the site that is affected is jointly owned, the written consent of all co-owners (names detailed on the title for the site) are required.

A	Name (PRINT) CORNELIA GEERTRUIDA MARIA VAN GALEN ZEESTRATEN	
	Contact Phone / Email address czeestraten@gmail.com	
	Signature 	Date 21-1-22

B	Name (PRINT) JOANNES FRANCISCUS MARIA D ZEESTRATEN	
	Contact Phone / Email address 022 658 9316	
	Signature 	Date 21-1-22

C	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

D	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

Note to person signing written approval

Conditional written approvals cannot be accepted.

There is no obligation to sign this form, and no reasons need to be given.

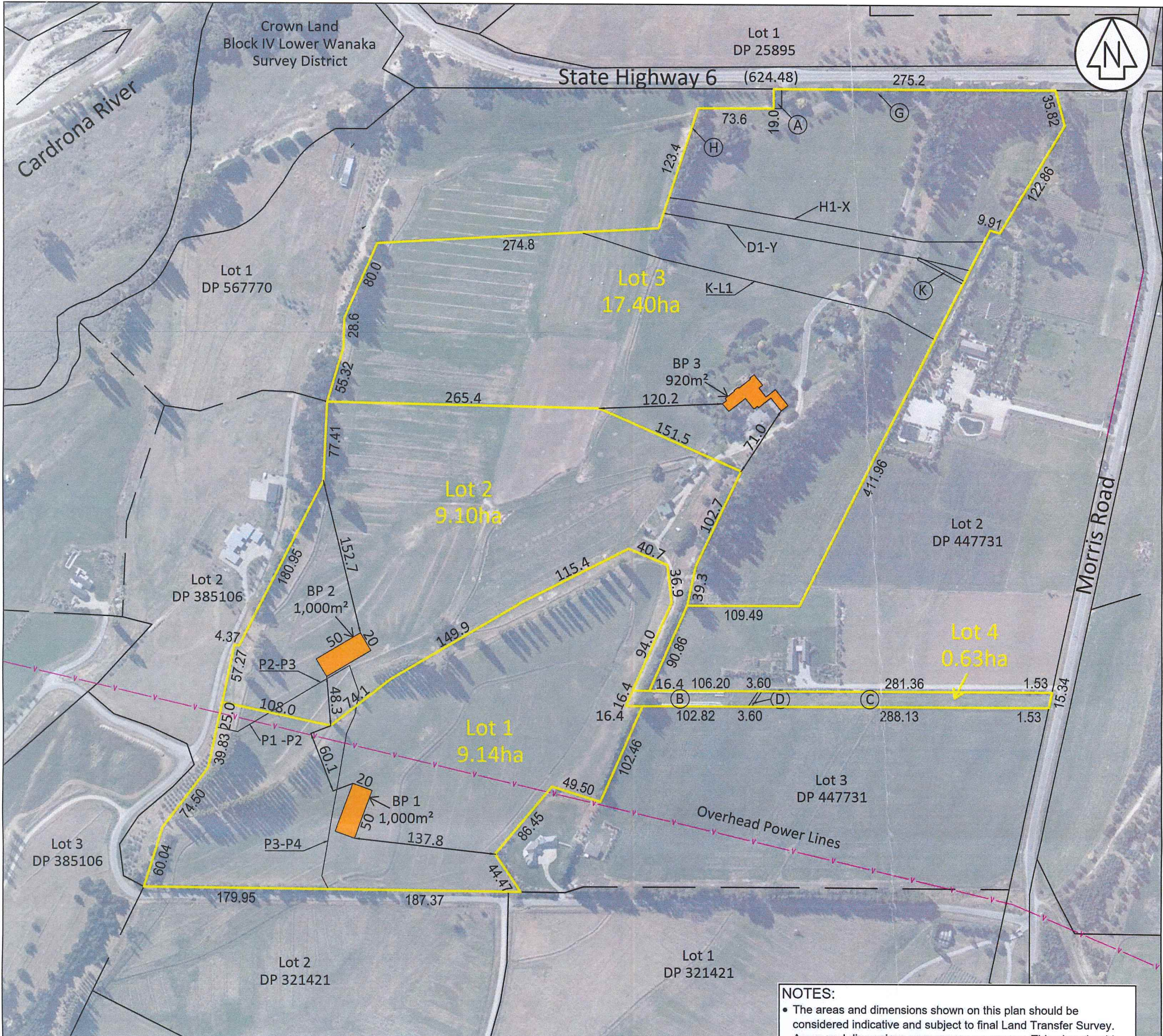
If this form is not signed, the application may be notified with an opportunity for submissions.

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

P: 03 441 0499
E: resourceconsent@qldc.govt.nz
www.qldc.govt.nz



Schedule of Proposed Easements			
Purpose	Shown	Servient Tenement (Burdened Land)	Dominant Tenement (Benefited Land)
Right to Convey Electricity & Telecommunications	B, C & D	Lot 4 hereon	Lots 1 & 2 hereon

Schedule of Existing Easements in Gross			
Purpose	Shown	Servient Tenement (Burdened Land)	GRANTEE
Right to Convey Electricity	K	Lot 3 Hereon	Aurora Energy Limited
Right to establish and maintain an Electricity Transformer, Right to Convey Electricity	D	Lot 4 Hereon	Aurora Energy Limited
Right to Convey Telecommunications and Computer Media			Telecom NZ Ltd

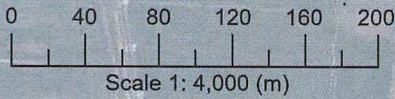
Schedule of Existing Easements			
Purpose	Shown	Servient Tenement (Burdened Land)	Document
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Right to Convey Water	D	Lot 4 hereon	EC 872236.1
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Right to Convey Water (Centreline of 3.0m wide easement for buried water pipe)	H1-X	Lot 3 hereon	
	K-L1	Lot 3 hereon	
	P1-P2 & P3-P4	Lot 1 hereon	
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NOTES:

- The areas and dimensions shown on this plan should be considered indicative and subject to final Land Transfer Survey. Areas and dimensions may vary upon survey. This plan should not be attached to sale & purchase agreements without an appropriate condition to cover such variations. Solicitor to refer to surveyor for appropriate wording for sale & purchase agreement
- Additional easements may be required at the time of final Land Transfer Survey

Notes:

1. Boundary data has been sourced from DP 358106
2. Adjoining boundary data sourced from LINZ XML
3. LINZ Aerial imagery is indicative only and has not been orthorectified
4. Amalgamation Condition that Lot 4 hereon (legal access) is to be held as to two undivided half shares by the owners of Lots 1 & 2 hereon and as tenants-in-common in the said shares and that individual Records of Title be issued in accordance therewith.



Plan Revisions		
REV.	DESCRIPTION	DATE
A	ORIGINAL ISSUE	08/12/21

SCALE		1:4,000 @ A3
DATUM & LEVEL		Lindis Peak 2000
REVISION	DRAWING REFERENCE	Sheet
A	Y4039_S2	1 OF 1
SURVEYED	DATE	CHECKED
SA	08/12/21	DATE
DRAWN	DATE	APPROVED
SP	08/12/21	VW



THE CONSULTING SURVEYORS OF NEW ZEALAND

A DIVISION OF THE NEW ZEALAND INSTITUTE OF SURVEYORS

SOUTHERN LAND

DEVELOPMENT CONSULTANTS

Level 2 Brownston House, 21 Brownston St., Wanaka Ph: (03) 443 5577

Email: contact@southernland.co.nz

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CAD and Production by

Notes

Warning

This Plan has been prepared for the purpose of a resource consent application only. It is not a precise survey plan. As areas and dimensions are likely to vary upon survey it should not be attached to sale & purchase agreements without an appropriate condition to cover such variations.

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- using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions or with Southern Land directly;
- ensuring the information is the most recent issue.

Prepared for

Resource Consent

Drawing Title

Lots 1 to 4 Being a Proposed Subdivision of Lot 2 DP 567770

372 Wanaka-Luggate Highway, Wanaka

APPLICANT

Ian Ferguson Farrant and the Estate of MC Farrant

COMPRISED IN

RT 1018645

TERRITORIAL AUTHORITY

Queenstown Lakes District Council

LAND DISTRICT

Otago

TOTAL AREA

36.27 ha

DATE

24/08/21



Resource Consent



Level 2 Brownston House, 21 Brownston St., Wanaka, Ph: (03) 443 5577, Email: contact@southernland.co.nz, www.southernland.co.nz

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Engineering Drawings
Terrace Design Earthworks
Design Contours

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PREPARED FOR
Ian Ferguson Farrant
372 Wanaka-Luggate Highway
Wanaka

SCALE
1:1500 @ A3
DATUM & LEVEL
Lindis Peak 2000
LEVEL IN TERMS OF Dunein Vertical Datum 1958
ORIGIN: 8 DPXXX RL=XXXXm
DRAWING REFERENCE
Y4039

SURVEYED	DESIGNED	DRAWN	CHECKED	APPROVED	DATE	SHEET	REVISION
-	RC	RC	VW	VW	07/12/2021	E201	A

Y4039 Point Clouds Tue Dec 7 08:01:26 2021



Key

CUT

<-3.0 to -3.0 m	
-3.0 to -2.5 m	
-2.5 to -2.0 m	
-2.0 to -1.5 m	
-1.5 to -1.0 m	
-1.0 to -0.5 m	
-0.5 to -0.2 m	
-0.2 to -0.0 m	
0.0 to 0.2 m	
0.2 to 0.5 m	
0.5 to 1.0 m	
1.0 to 1.5 m	
1.5 to 2.0 m	
2.0 to 2.5 m	
2.5 to 3.0 m	
3.0 to >3.0 m	

FILL

VOLUMES

Total cut	-21,000 m³
Total fill	16,800 m³
Total balance	-4,200 m³
Assumed topsoil strip depth = 0.3m	
Topsoil Strip Area = 49,700m²	
Topsoil Strip Volume = 14,900m³	
Total Volume including stripped Topsoil = 52,700m³	

Resource Consent



REVISION	DESCRIPTION	DATE
A	Resource Consent	07/12/2021

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Engineering Drawings Terrace Design Earthworks Cut to Fill Depths

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PREPARED FOR
 Ian Ferguson Farrant
 372 Wanaka-Luggate Highway
 Wanaka

SCALE
 1:1500 @ A3
 DATUM & LEVEL
 Linds Peak 2000
 LEVEL IN TERMS OF Duneless Vertical Datum 1958
 ORIGIN: 8 DPXXX RL=XXX.XXXm

SURVEYED	DESIGNED	DRAWN	CHECKED	APPROVED	DATE
-	RC	RC	VW	VW	07/12/2021

DRAWING REFERENCE	REVISION
Y4039	A
SHEET	E202

Y4039 Point Clouds Tue Dec 7 08:31:16 2021

Handwritten signature and initials.

LEGEND

- Building Platform
Curtilage Area
Outline of Proposed Mounding Areas
Existing Vegetation to be Retained
Proposed Amenity Trees
Proposed High Native Planting (refer to plant schedule)
Proposed Low Native Planting (refer to plant schedule)

Existing vegetation to be retained:

- 1 - Poplar.
2 - Area of orchard trees. Large pine may be removed.
3 - Dense belt of eucalyptus and leyland cypress.

Proposed amenity trees:

To be a mix of Alder, Oak, Ash etc. to be 10L pot size minimum.



PLANT SCHEDULE

High species mix

Common Name	Botanical Name	Min Size	Spacings
South Island Kowhai	Sophora microphylla	1.5L	1.5m
Fragrant tree daisy	Olearia fragrantissima	1.5L	1.5m
Mingimingi	Coprosoma propinqua	1.5L	1.5m
Korokio	Corokia cotoneaster	1.5L	1.5m
Kohuhu / Black Matipo	Pittosporum tenuifolium	1.5L	1.5m
Tarata / Lemonwood	Pittosporum eugenioides	1.5L	1.5m

Low species mix

Common Name	Botanical Name	Min size	Spacings
Dwarf Toe Toe	Chionochloa flavicans	1.0L	1.5m
Mountain Flax	Phormium cookianum	1.0L	1.5m
Small-leaved Pohuehue	Muehlenbeckia complexa	1.0L	1.5m
Boxwood Hebe	Hebe odora	1.0L	1.5m
Koromiko / Hebe	Hebe salicifolia	1.0L	1.5m
Needle-leaved Mountain Coprosma	Coprosma rugosa	1.0L	1.5m
Red tussock	Chionochloa rubra	1.0L	1.5m

General Notes:

If any plant dies or becomes diseased, it shall be replaced with a specimen of a similar species within the next planting season. Appropriate pest protection shall be applied to areas of new planting such as a plastic guard or sheath.

At the time of planting, all grass cover within 0.5m if a new plant location shall be sprayed with a suitable weed spray to remove grass competition. Appropriate mulching shall be placed around all new plants. Twice yearly, all invasive weed species shall be removed from within 0.5 metres if all new plants. All new plants will be automatically irrigated with sprinklers or drippers for the first three years following planting.



REF: 1556.01 SLP
DATE: 13.12.21
SCALE: 1:2000 @ A3

Structural Landscape Plan
IAN FERGUSON FARRANT AND THE ESTATE OF MC FARRANT

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

Handwritten notes and signatures in the bottom right corner.

From: "Blair Devlin" <blair@vivianespie.co.nz>
Sent: Wed, 18 May 2022 14:46:10 +1200
To: "Sarah Gathercole" <Sarah.Gathercole@qldc.govt.nz>
Cc: "Gabriela Glory" <Gabriela@vivianespie.co.nz>
Subject: Response to request for further information - RM220111
Attachments: RM220111 - Response to further information request.pdf, [B2] - Land Covenant 5734753.9.pdf, [B3] - Land Covenant 7526149.6 .pdf, [C] Plans - updated 17.05.2022.pdf, [I] Volunteered Consent Conditions updated 02.05.2022.docx, [I] Volunteered Consent Conditions updated 02.05.2022.pdf, [J] ORC Water Allocation Confirmation.pdf

Hi Sarah,

Please find attached the RFI response and associated attachments.

Can we please proceed with getting the application notified as soon as possible?

Kind regards,
Blair

Blair Devlin MRRP, MNZPI | Director / Senior Planner | Vivian + Espie Ltd



p: +64 3 441 4189 m: 021 222 6393 | 1/211B Glenda Drive, Frankton, Queenstown 9300 | PO Box 2514, Wakatipu, Queenstown 9349 | f: +64 3 441 4190 | www.vivianespie.co.nz

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17 May 2022

Queenstown Lakes District Council
Private Bag 50072
QUEENSTOWN 9348

Attention: Ms. Sarah Gathercole

Dear Sarah,

RM220030 –RESPONSE TO FURTHER INFORMATION REQUEST RECEIVED 23 FEBRUARY 2022

Please find below our response to the additional information that was requested.

1. Please confirm whether the Council is a party to any of the land covenants listed on the Record of Title?

Please find attached for inclusion with the application Attachments:

- Attachment [B2] - Land Covenant in Easement Instrument 5734753.9 - 19.9.2003 at 9:00 am
- Attachment [B3] - Land Covenant in Easement Instrument 7526149.6 - 3.9.2007 at 9:00 am

Both documents are private non-objection covenants. The QLDC is not party to either land covenant.

2. The application is being applied for by Ian Ferguson Farrant and the Estate of MC Farrant, whereas the Record of Title for the subject site lists Ian Ferguson Farrant, Rachel Helen Farrant and Louise Elizabeth Farrant. Please confirm that the Estate of MC Farrant includes Rachel and Louise Farrant.

I can confirm that the Estate of MC Farrant includes Rachel and Louise Farrant. Rachel Helen Farrant and Louise Elizabeth Farrant are executors of the Estate of MC Farrant.

3. (a) – Please confirm the sizes (m²) of the curtilage areas.

(b) – Please confirm that no curtilage is proposed for Lot 3?

(c) – Are any consent notice conditions proposed regarding activities within the curtilage areas vs elsewhere on the Lots?

(d) – Are all future water tanks proposed to be located on the building platforms?

Re (a), the curtilage area of Lot 1 is 10,575m², and the curtilage area of Lot 2 is 11,430m², as marked on the image below.

Re (b), no curtilage area is proposed for Lot 3, the residential unit and associated domesticated areas on Lot 3 are existing. Aside from the subdivision from the remainder of the site, no physical changes are proposed to Lot 3.

Re (c), we propose a consent notice condition to ensure that activities are located within curtilage areas. The proposed consent conditions are as follows:

(x) all domestic landscaping and structures including, but not limited to, clotheslines, outdoor seating areas, pergolas, external lighting, amenity gardens, spa pools, children's play equipment, barbecues, tents and temporary shelters, containers, water tanks, parked and stored vehicles including caravans,

trailers, boats and mown lawns shall be confined to the domestic curtilage area only as shown on the Structural Landscape Plan.

(x) All new fencing, including fencing around curtilage areas shall be standard post and wire (including rabbit proof fencing) consistent with traditional farm fencing.

Volunteered consent notice conditions **Attachment [I]** has been updated to include the above.

Re (d), the location of potable water and firefighting water supply tanks is not known at this time as house designs have not been advanced. The firefighting water tanks need to meet separation distances from the future building. If the tanks are located within the building platforms, no further resource consent would be required provided the tanks meet the standards for 'buildings' in terms of colours and materials. If the tanks are located underground, no further resource consent would be required. If the tanks are located above ground, and not within the platform, the applicant understands that a further resource consent approval may be required if they fall within the PDP definition of a building.



- 4. It appears from the earthworks plan that the irrigation pond is to be filled in? Are any water races to be filled in and/or will these become redundant?**

Yes – irrigation pond and races are to be filled in and will be redundant. As noted in the application the subject site is the 'end of the line' with regard to the irrigation races and no downstream persons will be affected by this.

- 5. Has the applicant considered a condition limiting future subdivision of the land, given previous subdivision?**

A boundary adjustment subdivision has been completed with the neighbour, otherwise no subdivision has been undertaken on the property since the title was created in December 1999. We have considered a condition to limit

future subdivision and conclude the applicant does not want a condition which limits future subdivision, in the event that a future rezoning occurs in the area.

6. Please demonstrate how firefighting requirements are being/will be met for the habitable buildings within the site.

A consent notice condition (8) has been volunteered in **Attachment [I]** with regard to firefighting water supply to ensure that a firefighting water reserve of 45,000 litres minimum or sprinkler system of 7000 litres, will be provided at the time new dwellings are established. This is standard practice for rural subdivisions involving building platforms, when the house design is not known (i.e. whether it will have a sprinkler system, or above or underground tanks). Compliance with the consent notice will ensure the firefighting requirements are met for habitable buildings within the site.

With regard to the existing residence on proposed Lot 3, this property has two existing 25,000 litre tanks, with a dedicated line to a fire hydrant at the house. This arrangement is compliant with the QLDC standards to provide a 45,000 litre static supply.

7. Please provide the survey ties to each building platform on the scheme plan (the plan currently just shows a distance but no bearing).

Survey ties have been added to the scheme plan, please see **Attachment [C]**.

8. Earthworks will be required to form the accesses to the building platforms to proposed lots 1 and 2, please provide details of these accesses and the volume of earthworks required.

Please see **Attachment [C]** for earthworks plan for access. To summarise:

Total Cut for access: 320m²

Total Fill for access: 160m³

9. Please confirm the maximum heights of cut and fill for earthworks.

Maximum depth of cut = 3m

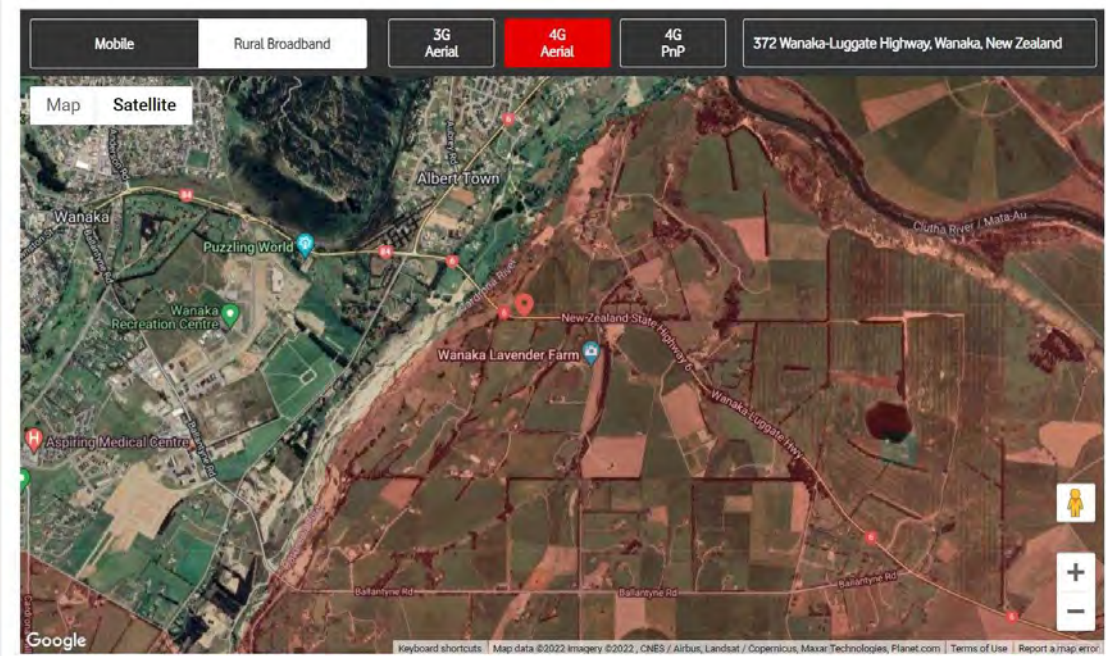
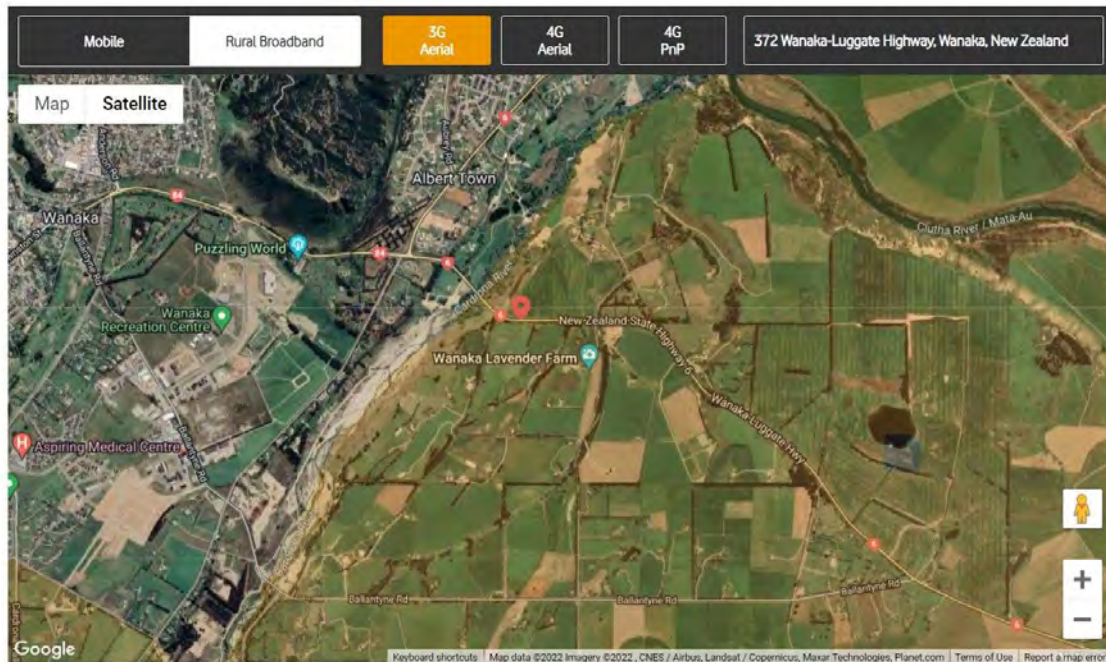
Maximum height of fill = 3m

10. Please provide correspondence from ORC to confirm that two water bores for potable supply can be granted as there are restrictions for the number of bores within this catchment.

Confirmation has been sought from ORC with regard to this matter. Correspondence appended as **Attachment [J]** confirms that the Cardrona River has capacity for water allocation, and that there are no limits to the number of bores that can be drilled on a property subject to resource consent permit approval from ORC.

11. The email from Chorus New Zealand Ltd states that they can offer a fixed line connection to this development that is under a broadband connection speed of 5Mbps, therefore this will only likely provide a telephony voice solution. Please advise if any other telecommunication services are proposed i.e., wireless solutions?

The coverage maps below indicate that both 3G and 4G can be provided on site.



Please feel free to contact me if you have any questions.

Yours faithfully,

Blair Devlin
SENIOR PLANNER

Approved by Registrar-General of Land under No. 2002/6055

Easement instrument to grant easement or profit à prendre, or create land covenant
Sections 90A and 90F, Land Transfer Act 1952

EI 5734753.9 Easement

Land registration district

OTAGO



Cpy - 01/01, Pgs - 006, 18/11/03, 14:54



DocID: 610062906

Grantor

Surname(s) must be underlined or in CAPITALS.

SALMO INVESTMENTS LIMITED

Grantee

Surname(s) must be underlined or in CAPITALS.



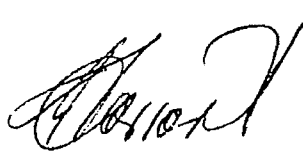
IAN FERGUSON FARRANT and MARLEN CONWAY FARRANT

Grant* of easement or profit à prendre or creation or covenant

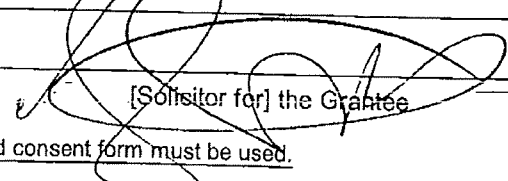
The Grantor, being the registered proprietor of the servient tenement(s) set out in Schedule A, grants to the Grantee (and, if so stated, in gross) the easement(s) or profit(s) à prendre set out in Schedule A, or creates the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s).

Dated this 26 day of September 2003

Attestation

 	Signed in my presence by the Grantor
	Salmo Investments Limited by its Director S <u>Kevin Anderson</u> Signature of witness <u>Sumner Anderson</u> Witness to complete in BLOCK letters (unless legibly printed) Witness name Occupation Address
Signature [common seal] of Grantor	
	Signed in my presence by the Grantee
	Ian Ferguson Farrant Signature of witness <u>Eliana Ford</u> Witness to complete in BLOCK letters (unless legibly printed) Witness name <u>Eliana Ford</u> Occupation <u>Legal Administrator</u> Address <u>Waimata</u>
Signature [common seal] of Grantee	

Certified correct for the purposes of the Land Transfer Act 1952.


[Solicitor for] the Grantee

*If the consent of any person is required for the grant, the specified consent form must be used.

REF: 7003 - AUCKLAND DISTRICT LAW SOCIETY

Annexure Schedule



Insert type of instrument
"Mortgage", "Transfer", "Lease" etc

Easement Instrument

Dated

26.9.2003

Page

1

of

1

pages

(Continue in additional Annexure Schedule, if required.)

Attestation :

Signed in my presence by the Grantee
Signature of Witness

Marlen Conway Farrant

[Signature]

Marlen Conway Farrant

Witness name : *Elanor Herd*
Occupation: *Legal Administrator*
Address : *WAIKANA*

Bank of New Zealand as Mortgagee under Mortgage Numer 5375121.2 hereby consents to the registration of the within easements.

Dated this 21st day of October 2003

SIGNED for and on behalf of BANK OF NEW ZEALAND by its Attorneys: Leigh Carin Bernard Margaret Jane Aston In the presence of: Alan Thomas Simpson Witness: Occupation: <i>Bank Officer</i> Address: <i>Auckland</i>	BANK OF NEW ZEALAND by its Attorneys: <i>[Signature]</i> <i>[Signature]</i> <i>[Signature]</i>
---	---

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

[Signatures]



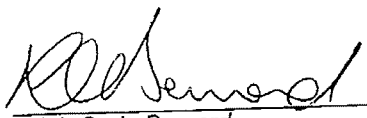
**CERTIFICATE OF NON-REVOCATION
OF POWER OF ATTORNEY**

We, Leigh Carin Bernard and Margaret Jane Aston both of Auckland, Bank Officers, severally certify that:

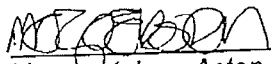
1. By deed dated 26 October 2001 (the "Deed"), we were, by virtue of being respectively a Second Authorised Officer, and a Second Authorised Officer, appointed jointly as attorneys of Bank of New Zealand (the "Bank") on the terms and subject to the conditions set out in the Deed.
2. Copies of the Deed are deposited in the following registration districts of Land Information New Zealand as follows:

Canterbury	as No.	5110221
North Auckland	as No.	D657518.1
Otago	as No.	5110774
South Auckland	as No.	5110008
Taranaki	as No.	483763.1
Wellington	as No.	5110812
3. We have executed the instrument(s) to which this certificate relates under the powers conferred by the Deed.
4. At the date of this certificate we have not received any notice or information of the revocation of that appointment by the dissolution of the Bank or otherwise.

SIGNED at Auckland this 21st of October 2003


Leigh Carin Bernard

SIGNED at Auckland this 21st of October 2003


Margaret Jane Aston

Approved by Registrar-General of Land under No. 2002/5032
Annexure Schedule



Insert type of instrument
"Mortgage", "Transfer", "Lease" etc

Easement

Dated

26.9.2003

Page 1 of 1 pages

(Continue in additional Annexure Schedule, if required.)

ANNEXURE SCHEDULE 2

INTERPRETATION

In this instrument the following terms have the following meanings :

Grantee

means and includes all persons executing this Instrument as Grantee and jointly and severally if more than one and their executors, administrators, assigns and successors in title the successive owners of the Grantee's Land and other tenants, licenses and invitees.

Grantor

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

Lodge any Submission

means and includes personally or through any agent or servant directly or indirectly lodge or support in any way any objections or submission to any planning proposal and includes taking any part in any planning hearing, appeal, or reference arising in respect of a planning proposal whether as a party or otherwise.

Planning Proposal

means and includes any application for a resource consent and/or a plan change and/or a variation of any nature to the relevant Queenstown Lakes Council District Plan or Proposed District Plan

BACKGROUND

- A. The Grantor is the registered proprietor of the Servient Tenement (the Grantor's Land).
- B. The Grantee is the registered proprietor of the Dominant Tenement (the Grantee's Land).
- C. The Grantor and Grantee have agreed to covenant with each other as follows with the intent that the restrictions and obligations set out in this Instrument shall apply to Grantor's Land for the benefit and/or burden of the Grantee's Land and to the Grantee's Land for the benefit and/or burden of the Grantor's Land and shall be enforceable in perpetuity.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

[Signature] *[Signature]*

EH

MBT

[Signature]

Annexure Schedule



Insert type of instrument
"Mortgage", "Transfer", "Lease" etc

Easement

Dated

26.9.2003

Page 1 of 2 Pages

(Continue in additional Annexure Schedule, if required.)

1. The Grantor hereby covenants with the Grantee to henceforth and for all time comply with the obligations of the Grantor set out in this Instrument and hereby grants to the Grantee the right to require the Grantor to do anything necessary to carry out the Grantor's obligations as set out in this Instrument.
2. The Grantee hereby covenants with the Grantor to henceforth and for all time comply with the obligations of the Grantee set out in this Instrument and hereby grants to the Grantor the right to require the Grantee to do anything necessary to carry out the Grantee's obligations as set out in this Instrument.
3. (a) The Grantor shall not at any time lodge any submission against any Planning Proposal to subdivide the Grantee's Land into lots equal to or greater than 2 hectares in size and/or to erect a house on any part of the Grantee's Land provided the house is to be erected on a lot equal to or greater than 2 hectares in size.

(b) The Grantee shall not at any time lodge any submission against any Planning Proposal to subdivide the Grantor's Land into lots equal to or greater than 2 hectares in size and/or to erect a house on any part of the Grantor's Land provided the house is to be erected on a lot equal to or greater than 2 hectares in size.
4. (a) The Grantor will give the Grantee access to the water races on the Grantor's Land for routine maintenance at any time in an emergency without notice, or in a non-emergency after twenty-four (24) hours notice.

(b) The Grantee shall not be responsible for the cost of fencing any water race alignment.

(c) The Grantee shall be permitted to spray within the water races to control vegetation growth.
5. The Grantor will plant, maintain and replace in the event of any plant becoming diseased or dying, native vegetation that will grow an average height of 2 metres in Areas H, I, J, K, L, M & N on DP 321421 to maintain a visual screening for the Grantee's Land from the vehicle activity on the right of way and proposed building platforms on the Grantor's Land.
6. The covenants, rights and obligations contained in this Instrument shall enure in perpetuity for the benefit and burden of the Grantor's Land and the Grantee's Land as set out in this Instrument.

If this Annexure Schedule is used as an expansion of an Instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

Approved by Registrar-General of Land under No. 2002/6055
Annexure Schedule 1



Easement instrument

Dated

26.9.2003

Page

1

of

2

pages

Schedule A

(Continue in additional Annexure Schedule if required.)

Purpose (nature and extent) of easement, profit, or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Plantation	DP 321421 Area H Area I, J, K, L, M & N	85473 85474	18D/262

Easements or profits à prendre rights and powers (including terms, covenants, and conditions)

Delete phrases in [] and insert memorandum number as required.
Continue in additional Annexure Schedule if required.

Unless otherwise provided below, the rights and powers implied in specific classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or the Ninth Schedule of the Property Law Act 1952.

The implied rights and powers are ~~[varied]~~ ~~[negated]~~ ~~[added to]~~ or ~~[substituted]~~ by:

~~[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952].~~

~~[the provisions set out in Annexure Schedule 2].~~

Covenant provisions

Delete phrases in [] and insert memorandum number as required.
Continue in additional Annexure Schedule if required.

The provisions applying to the specified covenants are those set out in:

~~[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952].~~

~~[Annexure Schedule 2].~~

All signing parties and either their witnesses or solicitors must sign or initial in this box

Approved by Registrar –General of Land under no. 2002/6055
Easement instrument to grant easement or profit à prendre, or create land covenant
Sections 90A and 90F, Land Transfer Act 1952

EI 7526149.6 Easemen

Cpy – 01/01, Pgs – 006, 10/09/07, 14:52



DocID: 212060442

Land Registration District

OTAGO

Grantor

Surname must be underlined

CARDRONA RIVERSIDE LIMITED

Grantee

Surname must be underlined

Ian Ferguson FARRANT as to a one half share, Rachel Helen FARRANT, Louise Elizabeth FARRANT and Catherine Anne WALKER

Grant* of easement or profit à prendre or Creation of covenant

The Grantor, being the registered proprietor of the servient tenements(s) set out in Schedule A, **grants to the Grantee** (and, if so stated, in gross) the easement(s) or profits à prendre set out in Schedule A, **or creates the covenant(s) set out** in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s).

Dated this

3rd

day of

June

2007

Cardrona Riverside Limited

Signed in my presence by the Grantor

Signature of witness

Witness to complete in BLOCK letters (unless legibly printed)

Witness Name Lynley Stenhouse

Occupation Clinical Psychologist

Address Auckland, New Zealand

Signature [common seal] of Grantor

Ian Ferguson Farrant

Signed in my presence by the Grantee

Signature of witness

Witness to complete in BLOCK letters (unless legibly printed)

Witness Name

Paul D. Kerridge

Occupation

Solicitor

Address

Wanaka

Signature [common seal] of Grantee

Certified correct for the purposes of the Land Transfer Act 1952

[Solicitor for] the Grantee

*If the consent of any person is required for the grant, the specified consent form must be used

Annexure Schedule 1

Easement Instrument

Dated

30 June 2007

Page

2

of

4

pages

Schedule A

(Continue in additional Annexure Schedule if required)

Purpose (nature and extent) of easement, profit, or covenant	Shown (plan reference)	Servient Tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Covenant not to object to subdivision		16 B/182 and. 15B/546	18D/262

Easements or profits à prendre rights and powers (including terms, covenants, and conditions)

Delete phrases in [] and insert memorandum number as required.
Continue in additional Annexure Schedule if required.

Unless otherwise provided below, the rights and powers implied in specific classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or the Ninth Schedule of the Property Law Act 1952.

The implied rights and powers are ~~[varied]~~ ~~[negated]~~ ~~[added to]~~ or ~~[substituted]~~ by:

[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952],

[the provisions set out in Annexure Schedule 2].

Covenant provisions

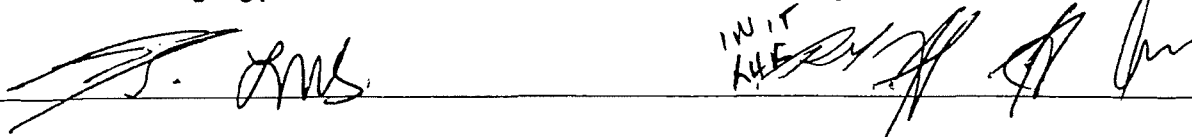
Delete phrases in [] and insert memorandum number as required.
Continue in additional Annexure Schedule as required.

The provisions applying to the specified covenants are those set out in:

[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952]

[Annexure Schedule 2].

All signing parties and either their witnesses or solicitors must sign or initial in this box



Annexure Schedule



Insert type of instrument
"Mortgage", "Transfer", "Lease" etc

Covenant

Dated

30 Jun 2007

Page

3

of

4

Pages

(Continue in additional Annexure Schedule, if required.)

1 Covenant not to object to subdivision

1.1 The Grantor covenants with the Grantee that the Grantor will not:

1.1.1 Lodge any submission against any application by the Grantee to subdivide the dominant land into lots equal to or greater than 4 hectares in size;

1.1.2 Lodge any submission against any application by the Grantee to build a residential dwelling on any part of the Dominant Land provided that

(i) such dwelling is erected on a building platform approved by the Queenstown Lakes District Council at the time of subdivision consent and

(ii) such building complies with the site and zone standards specified in the Queenstown Lakes District Council Plan insofar as they relate to the building height and setbacks from internal boundaries.

1.2 For the purpose of clause 1.1, "Lodge any submission" means and includes personally or through any agent or servant directly or indirectly lodge or support in any way any objections or submission to any subdivision application pursuant to clause 1.1.1 or any application to build a residential dwelling pursuant to clause 1.1.2 ("the planning proposal") and includes taking part in any planning hearing or appeal arising in respect of the planning proposal whether as a party or otherwise.

1.3 This Covenant shall be binding on the grantor and subsequent owners and occupiers of the servient land in perpetuity and likewise shall be for the benefit of the dominant land in perpetuity.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

INITIALS
[Handwritten initials and signatures]

REF: 7025 - AUCKLAND DISTRICT LAW SOCIETY

Annexure Schedule 1


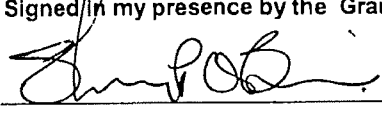
2003/5038EF
Approved
Registrar-General of Land

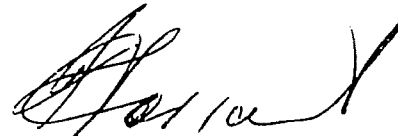
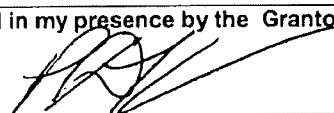
Dated 30 Jun 2007


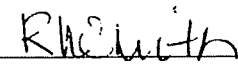
Page 4 of 4 pages

Easement instrument

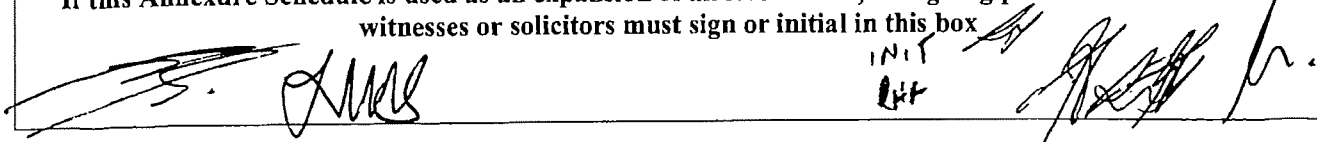
Continuation of Attestation

 Rachel Helen Farrant	Signed in my presence by the Grantor
	
	Signature of witness
	Witness to complete in BLOCK letters (unless legibly printed)
	Witness Name SHAWN O'BRIEN
	Occupation PLUMBER
	Address WELLINGTON

 Louise Elizabeth Farrant by her attorney Ian Ferguson Farrant	Signed in my presence by the Grantor
	
	Signature of witness
	Witness to complete in BLOCK letters (unless legibly printed)
	Witness Name Paul D. Kerridge
	Occupation Solicitor
	Address Wanaka

 Catherine Anne Walker	Signed in my presence by the Grantor
	
	Signature of witness
	Witness to complete in BLOCK letters (unless legibly printed)
	Witness Name Rebecca Kathryn Smith
	Occupation Legal Executive
	Queenstown

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box



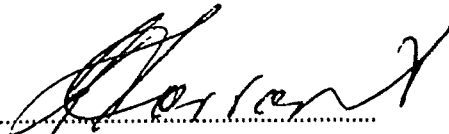
CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

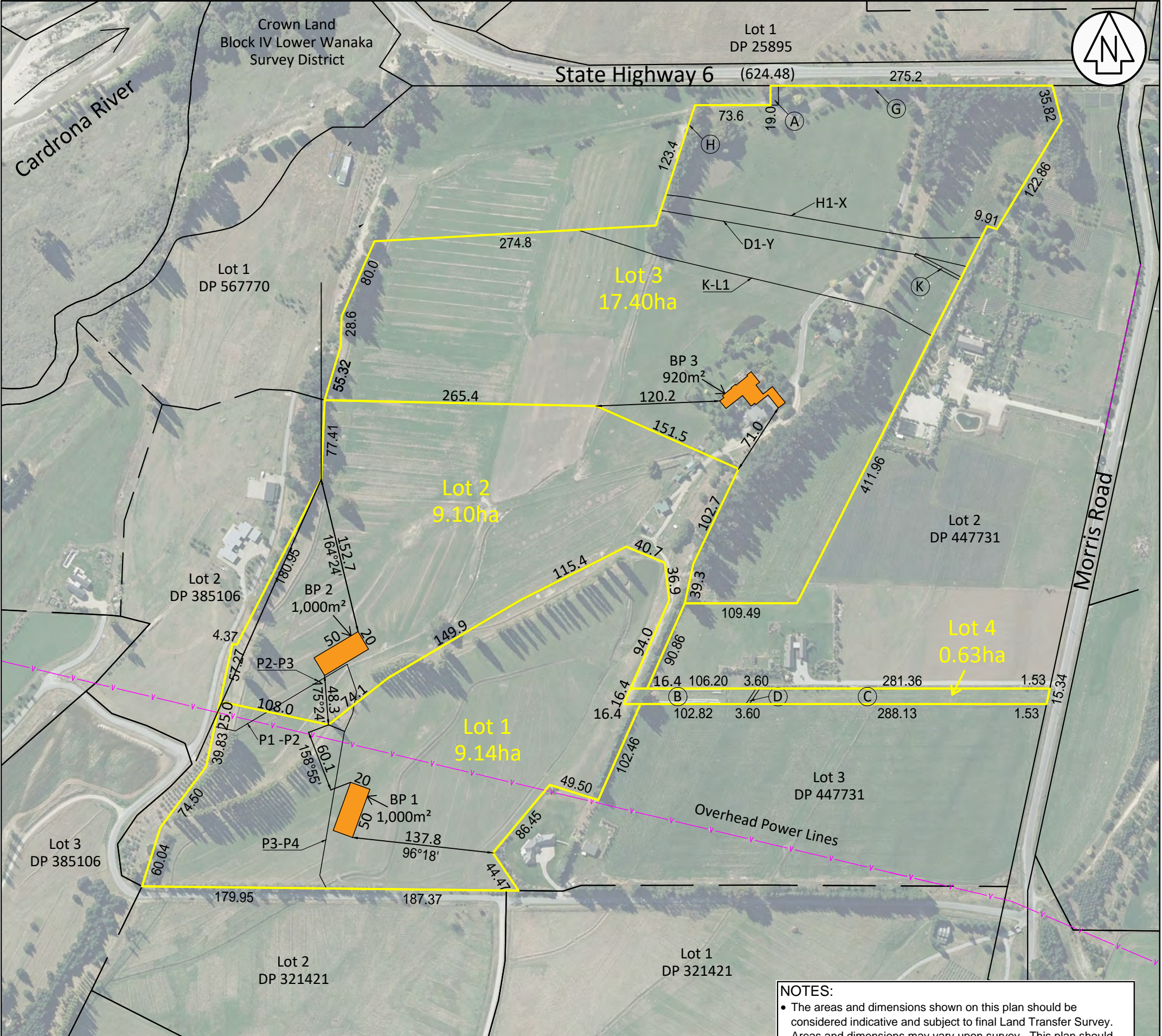
I, **IAN FERGUSON FARRANT** of Wanaka, Farmer

HEREBY CERTIFY:

1. THAT by Deed dated the 5 July 2005, **LOUISE ELIZABETH FARRANT** of Wanaka, Solicitor appointed me her Attorney on the terms and subject to the conditions set out in the said Deed.
2. THAT at the date hereof I have not received any notice or information of the revocation of that appointment by the death or otherwise of the said **LOUISE ELIZABETH FARRANT**.

SIGNED at Wanaka this 30 day of JUNE 2007


.....
Attorney



NOTES:

- The areas and dimensions shown on this plan should be considered indicative and subject to final Land Transfer Survey. Areas and dimensions may vary upon survey. This plan should not be attached to sale & purchase agreements without an appropriate condition to cover such variations. Solicitor to refer to surveyor for appropriate wording for sale & purchase agreement
- Additional easements may be required at the time of final Land Transfer Survey

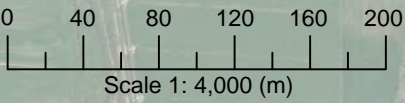
Schedule of Proposed Easements			
Purpose	Shown	Servient Tenement (Burdened Land)	Dominant Tenement (Benefited Land)
Right to Convey Electricity & Telecommunications	B, C & D	Lot 4 hereon	Lots 1 & 2 hereon

Schedule of Existing Easements in Gross			
Purpose	Shown	Servient Tenement (Burdened Land)	GRANTEE
Right to Convey Electricity	K	Lot 3 hereon	Aurora Energy Limited
Right to establish and maintain an Electricity Transformer, Right to Convey Electricity	D	Lot 4 Hereon	Aurora Energy Limited
Right to Convey Telecommunications and Computer Media			Telecom NZ Ltd

Schedule of Existing Easements			
Purpose	Shown	Servient Tenement (Burdened Land)	Document
Right of Way	A	Lot 3 hereon	(Stage 1)
Right to Convey Water	D	Lot 4 hereon	EC 872236.1
Right to Convey Electricity (Centreline of 2.0m wide easement)	D1-Y	Lot 3 hereon	EC 872236/1
Right to Convey Water (Centreline of 3.0m wide easement for buried water pipe)	H1-X	Lot 3 hereon	
	K-L1	Lot 1 hereon	
	P1-P2 & P3-P4	Lot 1 hereon	
	P2-P3	Lot 2 hereon	

Notes:

1. Boundary data has been sourced from DP 358106
2. Adjoining boundary data sourced from LINZ XML
3. LINZ Aerial imagery is indicative only and has not been orthorectified
4. Amalgamation Condition that Lot 4 hereon (legal access) is to be held as to two undivided half shares by the owners of Lots 1 & 2 hereon and as tenants-in-common in the said shares and that individual Records of Title be issued in accordance therewith.



COPYRIGHT©

S:\Library\Aurora\Aurora\LINZ_Logos\SL-CHYK-Logo-Medium.jpg

CAD and Production by

S:\Admin\Website_Logo\2018_brand\SL-CHYK-Logo-Medium.jpg

Level 2 Brownston House, 21 Brownston St., Wanaka Ph: (03) 443 5577 Email: contact@southernland.co.nz www.southernland.co.nz

Notes

Warning

This Plan has been prepared for the purpose of a resource consent application only. It is not a precise survey plan. As areas and dimensions are likely to vary upon survey it should not be attached to sale & purchase agreements without an appropriate condition to cover such variations.

Any person using Southern Land drawings and other data accepts the risk of:

- using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions or with Southern Land directly;
- ensuring the information is the most recent issue.

Prepared for

Resource Consent

Drawing Title

Lots 1 to 4 Being a Proposed Subdivision of Lot 2 DP 567770

372 Wanaka-Luggate Highway, Wanaka

APPLICANT

Ian Ferguson Farrant and the Estate of MC Farrant

COMPRISED IN

RT 1018645

TERRITORIAL AUTHORITY

Queenstown Lakes District Council

LAND DISTRICT

Otago

TOTAL AREA

36.27 ha

DATE

24/08/21

Plan Revisions

REV	DESCRIPTION	DATE
A	ORIGINAL ISSUE	08/12/21
B	BEARINGS ADDED	12/04/22

SCALE

1:4,000 @ A3

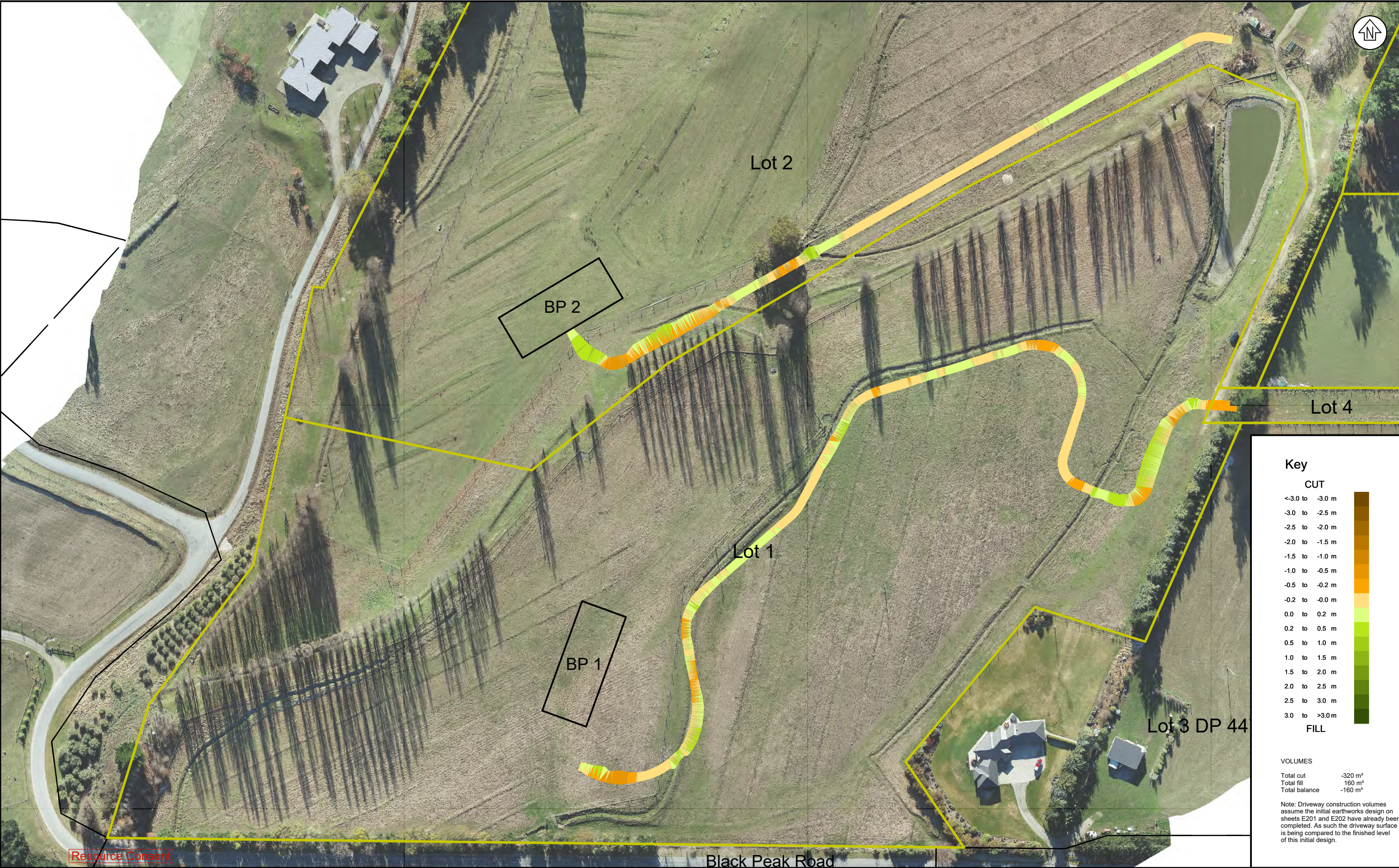
DATUM & LEVEL

Lindis Peak 2000

REVISION	DRAWING REFERENCE	Sheet
B	Y4039_S2	1 OF 1

SURVEYED	DATE	CHECKED	DATE
		SA	12/04/22

DRAWN	DATE	APPROVED	DATE
SP	12/04/22	VW	12/04/22





REVISION	DESCRIPTION	DATE
A	Resource Consent	05/05/2022

Level 2 Brownston House, 21 Brownston St., Wanaka, Ph: (03) 443 5577, Email: contact@southernland.co.nz, www.southernland.co.nz
Any person using Southern Land drawings and other data accepts the risk of: using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions or with Southern Land directly and ensuring the information is the most recent issue. If this plan is being used for resource consent purposes then areas and dimensions should be considered indicative and subject to final Land Transfer Survey. As areas and dimensions may vary upon survey it should not be attached to sale & purchase agreements without an appropriate condition to cover such variations.



Engineering Drawings
Driveway Design
Cut To Fill Depths

COPYRIGHT: THE COPYRIGHT AND INTELLECTUAL PROPERTY RIGHTS FOR THE INFORMATION SHOWN ON THIS PLAN REMAIN THE PROPERTY OF SOUTHERN LAND LTD. IT MAY NOT BE REPRODUCED WITHOUT THE PRIOR CONSENT OF SOUTHERN LAND LTD.

PREPARED FOR						SCALE	
Ian Ferguson Farrant						1:1500 @ A3	
372 Wanaka-Luggate Highway						DATUM & LEVEL	
Wanaka						Lindis Peak 2000	
LEVEL IN TERMS OF Dunedin Vertical Datum 1958						ORIGIN: #_DPXXX RL=XXX.Xxm	
DRAWING REFERENCE						REVISION	
Y4039						A	
SHEET						E203	
SURVEYED	DESIGNED	DRAWN	CHECKED	APPROVED	DATE		
-	MS	MS	VW	VW	05/05/2021		

Key

CUT

- <-3.0 to -3.0 m
- 3.0 to -2.5 m
- 2.5 to -2.0 m
- 2.0 to -1.5 m
- 1.5 to -1.0 m
- 1.0 to -0.5 m
- 0.5 to -0.2 m
- 0.2 to -0.0 m
- 0.0 to 0.2 m
- 0.2 to 0.5 m
- 0.5 to 1.0 m
- 1.0 to 1.5 m
- 1.5 to 2.0 m
- 2.0 to 2.5 m
- 2.5 to 3.0 m
- 3.0 to >3.0m

FILL

VOLUMES

Total cut -320 m³
Total fill 160 m³
Total balance -160 m³

Note: Driveway construction volumes assume the initial earthworks design on sheets E201 and E202 have already been completed. As such the driveway surface is being compared to the finished level of this initial design.

Volunteered Consent Conditions

Consent notice conditions

Design Controls

1. The maximum height for the residential building platform on Lot 3 containing the existing residential unit shall be 7.5m.
2. The maximum height for the residential building platform on Lot 2 shall be 5.5m.
3. The maximum height for the residential building platform on Lot 1 shall be 5.5m above the pre-subdivision ground level (RL 316.25) shown on the Southern Land plan 'Engineering Drawings, Terrace Design Earthworks, Design Contours' dated 07-12-21 approved under **RM22XXXX**.
4. All existing vegetation outside of the building platforms (excluding large pine that may be removed) as shown on the Vivian+Espie Structural Landscape Plan, Ref: 1556.01 SLP), shall be maintained in perpetuity by the landowner. If any plant becomes diseased or dies it shall be replaced by the landholder.
5. The location of water supply bores shall be appropriately coordinated with proposed on-site wastewater disposal to ensure that a minimum clearance of 50m is achieved.
6. At the time that a dwelling is proposed on Lots 1 and 2, a suitably qualified engineer shall design an effluent disposal system in terms of AS/NZS 1547:2000 that will provide sufficient treatment/renovation to effluent from on-site disposal, prior to discharge to land. To maintain high effluent quality such a system would require the following:
 - a. Specific design by a suitably qualified professional engineer
 - b. A requirement that each lot must include systems that achieve the levels of treatment determined by the specific design
 - c. Regular maintenance in accordance with the recommendations of the system designer and a commitment by the owner of each system to undertake this maintenance
 - d. Intermittent effluent quality checks to ensure compliance with the system designer's specifications.

Disposal areas shall be located such that maximum separation (in all instances greater than 50 metres) is obtained from any watercourse or water supply bore.

Attachment [I]

7. The site-specific detailed design, the design of the on-site wastewater disposal system, and the location of the EDA shall be submitted to Council prior to the construction of a building on any lot and to be approved by the Council's Building Department.
8. At the time a dwelling is erected on Lots 1 and 2, 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. 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.

Attachment [I]

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 11km 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 residential unit.

9. Engineered fill must be placed in accordance with NZS4431 to achieve a 300kPA geotechnical Ultimate Bearing Capacity. The design and engineered details of the fill shall be prepared by a suitably qualified professional and approved by the Council.
10. The vehicle crossing of Lot 4 shall be formed and constructed in accordance with QLDC standards.
11. All domestic landscaping and structures including, but not limited to, clotheslines, outdoor seating areas, pergolas, external lighting, amenity gardens, spa pools, children's play equipment, barbecues, tents and temporary shelters, containers, water tanks, parked and stored vehicles including caravans, trailers, boats and mown lawns shall be confined to the domestic curtilage area only as shown on the Structural Landscape Plan.
12. (All new fencing, including fencing around curtilage areas shall be standard post and wire (including rabbit proof fencing) consistent with traditional farm fencing.

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Louis Ferreira

From: Isabella Smith <Isabella.Smith@orc.govt.nz>
Sent: Wednesday, 13 April 2022 12:39 pm
To: Louis Ferreira
Subject: RE: [# Y4039] 372 Wanaka Luggate Highway Subdivision - New water bores

Hi Louis,

Thanks for sending that through.

The Cardrona River does have an available allocation of 129.65:

Water Allocation Catchments - Allocation Status: Cardrona River

CalculatedAllocation_Is	490.00
RECMModelledAllocation_Is	162.25
Studied	Yes
CatchmentName	Cardrona River
Area_ha	33,254.19
Schedule2aAllocation_Is	0.00
SUM_SWAllocationRate_Is	360.35
NumberOfConsents	13
AvailableAllocation_Is	129.65
OverAllocated	0
NoOfConsents_Current	13
NoOfConsents_NotYetCmncd	0
NoOfConsents_RcvdRcmdGrant	0
SUM_SWRate_Current	360.35
SUM_SWRate_NotYetCmncd	0.00
SUM_SWRate_RcvdRcmdGrant	0.00

As mentioned on the phone there is no limit to the number of bores that can be drilled on a property. The relevant consent forms you will require are:

Form 1 - Application for resource consent: <https://www.orc.govt.nz/media/11739/form-1-application-for-resource-consent.pdf>

Form 9A - Land Use Consent: <https://www.orc.govt.nz/media/11631/form-9a-land-use-consent-to-construct-a-bore-or-drill-over-an-aquifer.pdf>

You will only be required to fill out Form 1 once.

Please note that the deposit for multiple bore applications is \$1,500, this should be paid when you submit your application.

If there's anything further I can help with, feel free to get in touch.

Ngā mihi
Issy



Isabella Smith
CONSENTS OFFICER – PUBLIC ENQUIRES

P 0800 474 082 | M 027 288 2284
isabella.smith@orc.govt.nz
www.orc.govt.nz

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From: Louis Ferreira <louis@southernland.co.nz>
Sent: Tuesday, 12 April 2022 12:12 p.m.
To: Isabella Smith <Isabella.Smith@orc.govt.nz>
Cc: Vergne Wilson <vergne@southernland.co.nz>; Matt Schuck <matt@southernland.co.nz>
Subject: [# Y4039] 372 Wanaka Luggate Highway Subdivision - New water bores

Hi Isabella,

As discussed, our client is looking to subdivide a rural property, located at 372 Wanaka-Luggate Highway (Lot 1 DP 277661) on the outskirts of Wanaka, into three new lots. Refer to the attached scheme plan. The property is currently serviced by an existing water bore located approximately 120m northeast of the existing dwelling. Refer to the attached ORC water features map.

As part of the subdivision, it is proposed to install two new bores to service proposed Lots 1 and 2. The existing bore would remain in place and continue to service proposed Lot 1.

Can you please confirm that two new water bores for potable supply can be granted for the proposed subdivision based on the water allocation available for the catchment?

Thanks
Louis

Louis Ferreira
Senior Civil Engineer
BE(Hons)

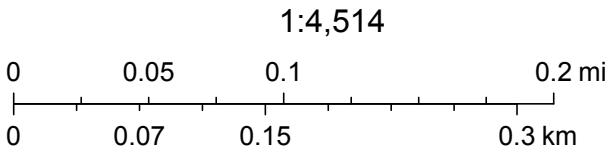
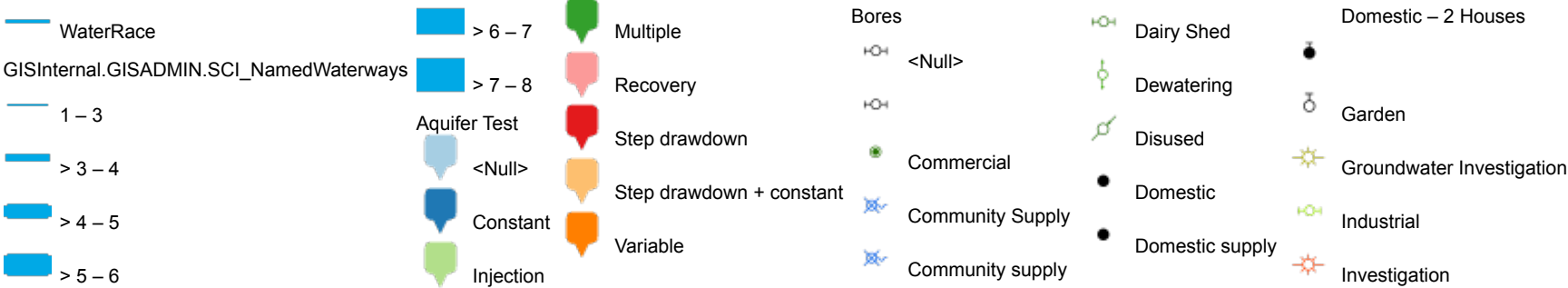


E louis@southernland.co.nz
P 03 441 4723 M 027 403 2047
southernland.co.nz

ORC Water Features Map



October 14, 2021



LINZ, DCC, WDC, CDC, QLDC, CODC and ORC, Sourced from the LINZ Data Service and licensed for re-use under the Creative Commons Attribution 4.0 New Zealand licence , ORC

From: "Blair Devlin" <blair@vivianespie.co.nz>
Sent: Tue, 24 May 2022 12:21:57 +1200
To: "Sarah Gathercole" <Sarah.Gathercole@qldc.govt.nz>
Cc: "Gabriela Glory" <Gabriela@vivianespie.co.nz>
Subject: RE: Response to request for further information - RM220111
Attachments: RM220111 - Plan Showing Location of Firefighting Water Supply Tanks Fire Hydrant and Hardstand Area 24-05-22.pdf

Hi Sarah,

Please find attached plan showing the firefighting setup for the existing house / barn on proposed Lot 3 of RM220111. Basically there are two 25,000 litre tanks on the hill, and they have a direct line to a hydrant located between the two buildings on the site. There is a hard stand area right beside the hydrant, and the hydrant is placed to be within the required distance of the house and barn.

As discussed it does not matter if this plan is not included with the notification package.

How are you placed with getting the application notified? Will it be in the Wanaka Sun this week or next?

Kind regards
Blair

From: Sarah Gathercole <Sarah.Gathercole@qldc.govt.nz>
Sent: Friday, 20 May 2022 3:12 PM
To: Blair Devlin <blair@vivianespie.co.nz>
Subject: RE: Response to request for further information - RM220111

Hi Blair,

Thanks for that. Yes I agree and it won't hold up notification.

Thanks

Kind regards,

Sarah Gathercole | Senior Planner | Planning & Development
Queenstown Lakes District Council
P: +64 3 441 0465
E: sarah.gathercole@qldc.govt.nz



From: Blair Devlin <blair@vivianespie.co.nz>
Sent: Friday, 20 May 2022 3:00 PM
To: Sarah Gathercole <Sarah.Gathercole@qldc.govt.nz>
Subject: RE: Response to request for further information - RM220111

All good, I can get a plan showing tank location and distance to the existing house / barn.

But it can be notified while we prepare this little plan, won't take long. i.e not a matter critical to notification.

Kind regards,
Blair

From: Sarah Gathercole <Sarah.Gathercole@qldc.govt.nz>
Sent: Friday, 20 May 2022 2:55 PM
To: Blair Devlin <blair@vivianespie.co.nz>
Subject: RE: Response to request for further information - RM220111

Hi Blair,

Sorry, just one point that's come back from the Council's Engineer in relation to question 6 (*Please demonstrate how firefighting requirements are being/will be met for the habitable buildings within the site*), they're not satisfied with the response given there is more than one habitable building within the site. We would need to see that the two 25,000 litres tanks are within 90m but no closer than 6m of them all and that there is a hardstand area located within 5m of the tanks.

Happy to discuss further

Thanks

Kind regards,

Sarah Gathercole | Senior Planner | Planning & Development
Queenstown Lakes District Council
P: +64 3 441 0465
E: sarah.gathercole@qldc.govt.nz



From: Blair Devlin <blair@vivianespie.co.nz>
Sent: Wednesday, 18 May 2022 2:46 PM
To: Sarah Gathercole <Sarah.Gathercole@qldc.govt.nz>
Cc: Gabriela Glory <Gabriela@vivianespie.co.nz>
Subject: Response to request for further information - RM220111

Hi Sarah,

Please find attached the RFI response and associated attachments.

Can we please proceed with getting the application notified as soon as possible?

Kind regards,
Blair

Blair Devlin MRRP, MNZPI | Director / Senior Planner | Vivian + Espie Ltd



p: +64 3 441 4189 m: 021 222 6393 | 1/211B Glenda Drive, Frankton, Queenstown 9300 | PO Box 2514, Wakatipu, Queenstown 9349 | f: +64 3 441 4190 | www.vivianespie.co.nz

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RM220111 – Plan Showing Location of FireFighting Water Supply Tanks, Fire Hydrant and Hardstand Area 24-05-22

From: "Blair Devlin" <blair@vivianespie.co.nz>
Sent: Wed, 25 May 2022 14:54:47 +1200
To: "Sarah Gathercole" <Sarah.Gathercole@qldc.govt.nz>
Subject: RM220111 - Farrant family.
Attachments: L Decision on Resource consent application RM22.077 25 May 22.pdf, Consent RM22.077.01.pdf, Consent RM22.077.02.pdf, Recommending Report RM22.077.pdf

Hi Sarah,

Just to let you know we have obtained the ORC residential earthworks consent, for the same earthworks as proposed in the Farrant family application RM220111.

Kind regards,
Blair

Blair Devlin MRRP, MNZPI | Director / Senior Planner | Vivian + Espie Ltd



p: +64 3 441 4189 m: 021 222 6393 | 1/211B Glenda Drive, Frankton, Queenstown 9300 | PO Box 2514, Wakatipu, Queenstown 9349 | f: +64 3 441 4190 | www.vivianespie.co.nz

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From: Tamsin Grigg <Tamsin.Grigg@orc.govt.nz>
Sent: Wednesday, 25 May 2022 2:12 PM
To: Rachel Farrant <Rachel.Farrant@bdo.co.nz>
Cc: Gabriela Glory <Gabriela@vivianespie.co.nz>
Subject: Decision of resource consent application RM22.077

Good afternoon,

Please find attached the decision regarding resource consent application RM22.077

As advised in the acknowledgement email, Otago Regional Council has adopted a paperless consenting process – therefore all decision documents including the consent are sent via email, unless you request a paper copy which can be provided to you at your cost.

Please contact job manager **Daniel Druce** on 03 – 474 0827 (or from outside the Dunedin urban area on 0800 474 082) or by emailing Daniel.Druce@orc.govt.nz should you require clarification of any matter relating to this decision.

In due course you will receive an invoice for the processing costs of your application from our Finance Team. This invoice will account for the actual and reasonable processing costs for your application. [The charges shown on your invoice when you receive it will, in general relate to:](#)

- Entering your application into our database.
- Our time reading and auditing the application to see if it is complete or not.
- If needed, an audit of the technical information in your application and your assessment of effects. You will have been contacted about this audit.
- Deciding if we need further information about your application or not. If this is the case, you will have been charged for the time taken to write this letter and to audit any information provided to us.
- Writing reports on your application about if it needs to be notified and if it can be approved.
- Correspondence and any meetings.
- Writing consent conditions relating to your activity.
- Making and reviewing a notification and final decision on your application. This decision is made by a qualified decision maker.
- Issuing the consent to you and then finalising it in our database.

The above may alter depending on the process your application followed, for example if your application was publicly or limited notified. Information on fees and charge out rates, including some commonly asked questions is available at:

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

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

If you have any questions about the invoice and the costs for processing your application once you receive the invoice, then you must send these questions **through within 15 working days** of the date you get the invoice for them to be responded to. These questions must be sent to the email address that sends you the invoice. We are happy to respond to questions, but if you consider any additional charge exceeding the initial deposit is unreasonable, you need to make contact in this **15 working day** period provided for by the RMA.

Information for consent holders can be found at:

<https://www.orc.govt.nz/consents-and-compliance/after-a-consent-is-granted>

Kind Regards

Tamsin Grigg



Tamsin Grigg
CONSENTS SUPPORT COORDINATOR

P 0800 474 082 | M 027 315 7933

tamsin.grigg@orc.govt.nz

www.orc.govt.nz

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Our reference:A1644231

25 May 2022

Ian Ferguson Farrant and Rachel Farrant and Louise Farrant being executors
of the Estate of M C Farrant
60 Messines Road
Wellington 6012

rachel.farrant@bdo.co.nz

Dear Sir/Madam

**Decision on Resource Consent Application No. RM22.077 To undertake
earthworks for the purpose of a residential development**

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

The decision is:

That Council grants to **Ian Ferguson Farrant and Rachel Farrant and
Louise Farrant being executors of the Estate of M C Farrant**

Land Use Permit - Earthworks - RM22.077.01

To undertake earthworks for the purpose of a residential development

Discharge Permit - Land - RM22.077.02

To discharge contaminants to land in a manner that they may enter water for
the purpose of undertaking earthworks for residential development

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.

For our future

These resource consents have been granted on a non-notified application, therefore the consents commence on the date you receive this letter unless a condition in the consents states otherwise, or an appeal is lodged.

If an appeal is lodged the consents 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 consents 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.

Lapse of Consent

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

Consent Charges

At this stage the Council has not calculated the final costs of processing your application. Should the final costs exceed the deposit already paid, then as previously advised, you will be invoiced separately for these costs. Should the final costs be less than the deposit already paid then you will receive a refund.

Compliance Fees and Charges

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

A fees and charges brochure which explains what charges are applicable to your consents 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 **Daniel Druce** at this office should you require clarification of any matter relating to this decision letter.

Yours sincerely



Joanna Gilroy
Manager Consents
Encl

cc Gabriela Glory,

Our Reference: A16120713

Consent No. RM22.077.01

LAND USE CONSENT

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

Name: Ian Ferguson Farrant and Rachel Farrant and Louise Farrant being executors of the Estate of M C Farrant

Address: 60 Messines Road, Karori, Wellington

To undertake earthworks for the purpose of a residential development

For a term expiring 25 May 2027

Location of consent activity: Wanaka, approximately 652 metres west of the intersection of Morris and Black Peak Roads

Legal description of consent location: Lot 1 DP 27661

Map Reference: NZTM (2000) E1297265 N5042443

Conditions

Specific

1. The use of land for earthworks for residential development must be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the Consent Authority as consent number RM22.077
 - a) Form 1 – Application for resource consent
 - b) Form 28 Resource Consent Application– Use of land for earthworks for Residential Development;
 - c) 'Application for Residential Earthworks Land Use Consent,' Prepared by Vivian and Espie Resource Management and Landscape Planning. February 2022
 - d) Preliminary Environmental Site Investigation – 372 Wanaka-Luggate Highway, Wanaka,' JKCM Ltd, trading as Insight Engineering (IE), November 2021
 - e) Environmental Management Plan (Rev A) prepared by Enviroscope dated 20 December 2021
 - f) Response to Further Information Request,' prepared by Vivian and Espie Resource Management and Landscape Planning. 20 May

2022.

If there are any inconsistencies between the above information and the conditions of this consent, the conditions of this consent will prevail.

2. The works authorised by this consent must be exercised in conjunction with Discharge Permit RM22.077.02.
3. All earthworks for residential development must be carried out in accordance with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016 (Auckland Council Guideline Document GD2016/005).
4. Prior to the commencement of earthworks activity, all required erosion and sediment control measures on the subject site must be constructed in accordance with the information contained and approved in the application.
5. Prior to earthworks commencing on site the Consent Holder must ensure that all personnel working on the site are made aware of, and have access at all times to:
 - (a) The contents of this document; and
 - (b) The Environmental Management Plan (Rev A) dated 20 December 2021
6. During earthwork activities, the ingress and accumulation of surface run off water and/or perched groundwater must be minimised by:
 - (a) Diversion of surface water flow around the work areas; and
 - (b) Regular disposal of the water, if ponding occurs within the excavation.
7.
 - (a) This consent does not authorise work on a contaminated site(s).
 - (b) If unexpected contamination is discovered, the consent holder must cease all earthworks in the area of the contamination immediately and notify the consent authority.
 - (c) Works in the area affected by contamination can only recommence once any required consents are obtained.
8. In order to prevent site access points from becoming sediment sources that lead to sediment laden water entering waterways from the road, the consent holder must ensure that all ingress and egress points to the site are Stabilised Construction Entrances. All construction traffic must be limited to these entrances only.
9.
 - a) The area of earthworks must be progressively stabilised against erosion at all stages of the earthwork activity and must be sequenced to minimise the discharge of contaminants to groundwater or surface water in accordance with the Environmental Management Plan referred to in Condition 5.
 - b) Interim stabilisation measures may include but are not limited to:
 - i. top-soiling and grassing of otherwise bare areas of earth
 - ii. aggregate or vegetative cover that has obtained a density of more than 80% of a normal pasture sward.
10.
 - a) Within 10 working days following completion or abandonment of earthworks on the subject site all areas of exposed soil must be permanently stabilised

against erosion to the satisfaction of the Consent Authority.

- b) In accordance with condition 10a) measures to stabilise against erosion may include:
 - i) the use of mulching; or
 - ii) top-soiling and grassing of otherwise bare areas of earth; or
 - iii) aggregate or vegetative cover that has obtained a density of more than 80% of a normal pasture sward.
- c) The on-going monitoring of these measures identified in a) and b) above is the responsibility of the consent holder.

Performance Monitoring

- 11. Prior to commencing any work on site, the Consent Holder must ensure that all staff (including all sub-contractors) involved in, or supervising, works onsite have attended an Environmental Site Induction. A record of attendance must be maintained and made available upon request.
- 12. The Consent Holder must notify the Consent Authority in writing of the commencement date of the works no less than 10 working days prior to the commencement of works
- 13. The Consent Holder must notify the Consent Authority in writing no less than 10 working days following the completion of residential earthworks and must provide photographs of the area/s where work has been undertaken and the erosion and sediment control measures undertaken.

Photographs must be in JPEG form, and to the satisfaction of the Consent Authority.

- 14. Where any incident caused by the residential earthworks (including refuelling or sediment discharged to flowing water) has led to any adverse environmental effects occurring offsite that exceed what has been granted as part of this consent, the Consent Holder must:
 - a) Report to Consent Authority details of the incident within 12 hours of becoming aware of the incident.
 - b) Identify any corrective actions taken by the Consent Holder so far.

Provide a comprehensive Environmental Incident Report to the Consent Authority within 10 working days of the incident occurring.

- 15. The Consent Holder must maintain a record of any complaints received in relation to the exercise of this consent. The register must include, but not be limited to:
 - a) The date, time, location and nature of the complaint;
 - b) The name, phone number, and address of the complainant, unless the complainant elects not to supply this information; and
 - c) action taken by Consent Holder to remedy the situation and any policies or methods put in place to avoid or mitigate the problem occurring again.A record of the complaints must be provided in the monthly report required by condition 8 and made available for inspection at other times upon request.

General

16. All machinery associated with the earthworks activity must be operated in a way, which ensures that spillages of hazardous substances such as fuel, oil, grout, concrete products and any other contaminants are prevented.
17. The operational effectiveness and efficiency of all erosion and sediment control measures specifically required by the Environmental Management Plan referred to in Condition 5 must be maintained throughout each stage of earthworks activity, or until the site is permanently stabilised against erosion. A record of any maintenance work must be kept and be supplied to the Consent Authority on request.
18. All earthworks must be managed to ensure that they do not lead to any uncontrolled instability or collapse either affecting the site, or adversely affecting any neighbouring properties. In the event that such collapse or instability does occur, the Consent Authority must be notified and it must immediately be rectified
19. In the event that an unidentified archaeological site is located during works, the following will apply;
 - a) Work must cease immediately at that place and within 20 metres around the site.
 - b) All machinery must be shut down, the area must be secured, and the Heritage New Zealand Pouhere Taonga Regional Archaeologist and the Consent Authority must be notified.
 - c) If the site is of Maori origin, the Consent Holder must also notify Aukaha Limited of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (Heritage New Zealand Pouhere Taonga Act 2014, Protected Objects Act 1975).
 - d) If human remains (koiwi tangata) are uncovered the Consent Holder must advise the Heritage New Zealand Pouhere Taonga Regional Archaeologist, NZ Police, the Consent Authority and the appropriate iwi groups or kaitiaki representative and the above process under (c) will apply. Remains are not to be disturbed or moved until such time as iwi and Heritage New Zealand Pouhere Taonga have responded.
 - e) Works affecting the archaeological site and any human remains (koiwi tangata) must not resume until Heritage New Zealand Pouhere Taonga gives written approval for work to continue. Further assessment by an archaeologist may be required.

Where iwi so request, any information recorded as the result of the find such as a description of location and content, must be provided for their records.

Notes

1. *Additional consent(s) may be required if material other than cleanfill is proposed to be used on site.*
2. *Under the Heritage New Zealand Pouhere Taonga Act 2014 an archaeological site is defined as any place in New Zealand that was associated with human activity that occurred before 1900 and provides or may provide, through investigation by archaeological methods, evidence relating to the history of*

New Zealand (see Section 6). For pre-contact Maori sites this evidence may be in the form of Taonga (artefacts) such as tiki (adzes) or flake tools as well as bones, shells, charcoal, stones etc. In later sites of European/Chinese origin, artefacts such as bottle glass, crockery etc. may be found, or evidence of old foundations, wells, drains or similar structures. Pre-1900 buildings are also considered archaeological sites. Burials/koiwi tangata may be found from any historic period. Archaeological sites are legally protected under Sections 42(1) & (2) of the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence under Section 87 of the Heritage New Zealand Pouhere Taonga Act 2014 to modify or destroy an archaeological site without an Authority from Heritage New Zealand Pouhere Taonga irrespective of whether the works are permitted, or a consent has been issued under the Resource Management Act 1993 or Building Act 1991.

3. *The Consent Holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, the Biosecurity Act 1993, the Conservation Act 1987, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.*
4. *Where information is required to be provided to the Consent Authority in condition/s 11 to 14 this is provided in writing to compliance@orc.govt.nz*
5. *The Consent Holder will be required to pay the Consent Authority an annual administration and monitoring charge to recover the actual and reasonable costs incurred to ensure ongoing compliance with the conditions attached to this consent, collected in accordance with Section 36 of the Resource Management Act 1991.*

Issued at Dunedin this 25th day of May 2022



Peter Christophers
Principal Consents Planner

Our Reference: A1620729

Consent No. RM22.077.02

DISCHARGE PERMIT

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

Name: Ian Ferguson Farrant and Rachel Farrant and Louise Farrant being executors of the Estate of M C Farrant

Address: 60 Messines Road, Karori, Wellington

To discharge contaminants to land in a manner that they may enter water for the purpose of undertaking earthworks for residential development

For a term expiring 25 May 2027

Location of consent activity: Wanaka, approximately 652 metres west of the intersection of Morris and Black Peak Roads

Legal description of consent location: Lot 1 DP 27661

Map Reference: NZTM (2000) E1297265 N5042443

Conditions

Performance Monitoring

1. This consent authorises the discharge of silt and sediment resulting from earthworks onto land where it may enter water.
2. The discharge of silt and sediment to land activity must be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the Consent Authority as consent number RM21.077.
 - Form 1 – Application for resource consent
 - Form 28 Resource Consent Application– Use of land for earthworks for Residential Development;
 - ‘Application for Residential Earthworks Land Use Consent,’ Prepared by Vivian and Espie Resource Management and Landscape Planning. February 2022
 - Preliminary Environmental Site Investigation – 372 Wanaka-Luggate Highway, Wanaka,’ JKCM Ltd, trading as Insight Engineering (IE), November 2021
 - ‘Environmental Management Plan.’ Enviroscope, 20 December 2021

- 'Response to Further Information Request,' prepared by Vivian and Espie Resource Management and Landscape Planning. 20 May 2022.
3. This Consent must be exercised in conjunction with Land Use Consent RM22.077.01

Issued at Dunedin this 25th day of May 2022



Peter Christophers
Principal Consents Planner

OTAGO REGIONAL COUNCIL NOTIFICATION & SECTION 42A RECOMMENDATION REPORT

ID Ref: A1615239
Application No: RM22.077
Prepared for: Staff Consents Panel
Prepared by: Daniel Druce, Senior Consents Planner
Date: 24 May 2022
Subject: Notification and Section 42A recommendation for Resource Consent Application RM22.077 by Ian Ferguson Farrant and Rachel Farrant and Louise Farrant being executors of the Estate of M C Farrant to carry out earthworks for residential development

1. Purpose

To report and make recommendations under Sections 95A-G and 104 and 104 C of the Resource Management Act 1991 (“**RMA**” or “**the Act**”) on the notification and substantive decision of the above application.

Applicant: Ian Ferguson Farrant and Rachel Farrant and Louise Farrant being executors of the Estate of M C Farrant

Applicant’s Agent: Gabriela Glory, Vivian and Espie Ltd.

Site location: 372 Wanaka-Luggate Highway (SH 6), Wanaka

Legal description(s) of the site: Lot 1 DP 27661

Record of title number and owner: OT18D/263

Map reference(s) of centre point: (NZTM 2000) E1297317 N5042715

Consent(s) sought: Land Use Consent and Discharge Permit: To undertake earthworks and the associated discharge of sediment to land in a manner that may enter water.

Purpose: To undertake earthworks associated with the development of a 4 lot subdivision.

Section 124 timeframes: This is an application for a new activity, section 124 does not apply.

2. Description of the Activities

Resource consents are sought to undertake earthworks for the purpose of a rural-residential development between Black Peak Road and the Wanaka-Luggate Highway (SH6).

The subdivision will subdivide Lot 1 DP 27661 (RT OT18D/262) into four allotments.

The key risk with the application is the scale, bulk and volume of earthworks proposed to be conducted. Earthworks are required to create three building platforms and one access road and to mitigate visual amenity effects through mounding, formation of access and general site scrape. The project is anticipated to be completed within 3 months.

The earthworks are overall considered as a 'low risk' due to the proposed controls and the lack of natural water channels at or in the vicinity of the site.

All earthworks are to be consistent with the applicant's Environmental Management Plan. This comprehensive plan was prepared by Enviroscope Limited on behalf of the applicant and seeks to manage any environmental effects associated with the earthworks and any associated discharge of sediment.

The physical location of the site is shown in Figure 1 below while an aerial photograph outlined in Figure 2 shows the subdivision in detail along with the location of the three building platforms.

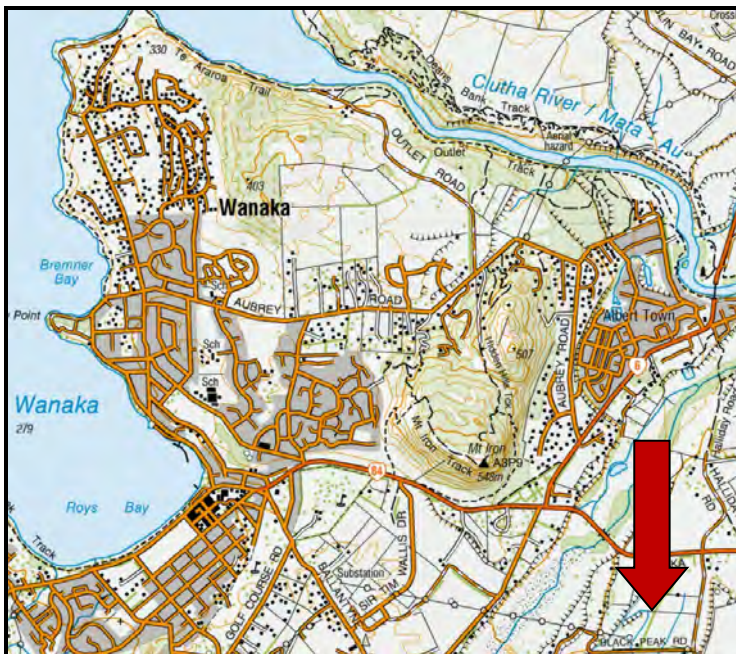


Figure 1: Location of Works near Wanaka (source ORC GIS)

Resource Consent Application RM220111 has been lodged with the Queenstown Lakes District Council (QLDC) for the subdivision and land use consent. A decision is currently pending on these applications.

Earthworks Metrics:

Metrics for the site are shown in Table 1, below:

Table 1: Earthworks Metrics for the Proposed works (source applicant).

Total volume	52,700m ³
Volume of cut	21,000m ³
Volume of fill	16,800m ³
Total volume of site scrape	14,900m ³
Total area	37,800m ²
Maximum depth of cut	3m
Maximum height of fill	3m

Sequencing of Works:

The staging and sequencing of works is a key mitigation component to ensure that that any sediment entrained in water cannot leave the site through natural overland flow channels.

The works will be undertaken in four stages with the addition of the decommissioning stage.

The project scope for construction works will involve:

- Preliminary works including installation of stabilisation of entranceway and farm tracks.
- Stage 1 – Earthworks
- Stage 2 – Bulk earthworks
- Decommission Erosion and Sediment Controls once 80% stabilization rate has been obtained.

The locations of Stages 1 and Stage 2 are shown on Drawings within Appendix 1. Appendix 1 contains four drawings:

- Erosion and Sediment Control Plan Drawing (Drawing ECSP-002)
- Erosion and Sediment Control Plan Drawing (Drawing ECSP-001)
- Engineering Drawings, Terrace Design Earthworks, Design Contours (Drawing Y4039)
- Structural Landscape Plan

Contamination on Site:

The applicant commissioned a 'Preliminary Environmental Site Investigation' to detect areas on the applicant's land that might be contaminated. This was prepared by JKCM Ltd, (trading as Insight Engineering). While required under the QLDC land use consent application, the report by JKCM usefully indicated that parts of the site are contaminated or potentially contaminated.

This study found that within the property:

- hazardous chemicals have been stored in a purpose-built shed with a built-in interceptor tank beneath the concrete floor.
- spilled or leaked fuel was present beneath an above ground fuel tank, south of the main dwelling;
- a pesticides storage shed with a floor drain displaying chemical stains was located south of the main dwelling; and
- small stockpiles of treated timber posts were located near to the north-eastern corner of the site.

The applicant has confirmed that the areas of potential contamination identified in the Preliminary Environmental Site Investigation will not be disturbed by the proposed works. Appendix 1 (Figure 2), shows the locations of the potentially contaminated sites identified by JKCM Ltd.

The nearest HAIL site (HAIL.01280.01) on the ORC HAIL data base is recorded approximately 430 m south-west of the site. That site is listed for the use of persistent pesticides and a livestock dip or spray race.

2.1 Application Documents

The applicant has provided the following documentation with the application:

- Form 1 – Application for resource consent
- Form 28 Resource Consent Application– Use of land for earthworks for Residential Development;
- 'Application for Residential Earthworks Land Use Consent,' Prepared by Vivian and Espie Resource Management and Landscape Planning. February 2022
- Preliminary Environmental Site Investigation – 372 Wanaka-Luggate Highway, Wanaka,' JKCM Ltd, trading as Insight Engineering (IE), November 2021
- 'Environmental Management Plan.' Enviroscope, 20 December 2021
- 'Response to Further Information Request,' prepared by Vivian and Espie Resource Management and Landscape Planning. 20 May 2022. A1642442 and A1642439.

3. Description of the Environment

3.1 Description of the Site and Surrounding Environment

A description of the site and surrounding environment is provided in the application and that is adopted for the purposes of this report. Key details are as follows:

- The site is a 40.46-hectare site located between the Wanaka Luggate Highway (SH6) to the north and Black Peak Road Wanaka to the south.
- A single residential unit (being the existing Farrant dwelling) and associated accessory and farm buildings are clustered on the north-east portion of the site.
- Two large and relatively flat terraces form the site, with the southern boundary approximately more elevated than the northern boundary).
- The site is part of existing farmland sitting on a raised terrace above the Cardrona River.
- The Cardrona River ranges from about 315 metres to 640 metres west of the applicant's site. There are no natural water courses on site.
- Water Permit 2005.222v1 provides for the taking of ground water in the north of the applicant's existing property for pasture irrigation and domestic supply. This bore is outside of the area of proposed earthworks.
- The site is flat in nature and the lower lying paddocks have raised border dykes/water races. The border dykes are controlled manually and will not be used during the period of works.
- The site is zoned as rural in the QLDC District Planning Maps.



Figure 2: Subject site with contours indicating the embankment and the two relatively flat terraces on the site (source Applicant).

Soils

Soils are described in the EMP as 'traditionally classic river alluvial deposits formed by the Cardrona River'. Manaaki Whenua NZ Soils reports that 'soils in this zone are considered a high to moderately permeable classification made up of a moderately silt based loam with a high to moderate stone content.'

From this it can be taken that the site soils have a highly permeable nature.

3.2 Site Visit

A site visit was not carried out due to the limited area of earthworks, available aerial imagery and the lack of sensitive receivers in close proximity to the site.

4. Status of the Application

4.1 Proposed Plan Change 8 to the Regional Plan: Water for Otago (PC8RPW)

Section 9 (Land Use) and Section 15 (Discharge Permit)

Under Rule 14.5.1 of Proposed Plan Change 8 to the Regional Plan: Water for Otago (PC8RPW) the use of land, and the associated discharge of sediment into water or onto or into land where it may enter water, for earthworks for residential

development is a permitted activity providing all of the following criteria under Rule 14.5.1.1 are met:

- (a) The area of exposed earth is no more than 2,500 m² in any 12-month period per landholding; and
- (b) Earthworks do not occur within 10 metres of a water body, a drain, a water race, or the coastal marine area; and
- (c) Exposed earth is stabilised upon completion of the earthworks to minimise erosion and avoid slope failure; and
- (d) Earthworks do not occur on contaminated or potentially contaminated land; and
- (e) Soil or debris from earthworks is not placed where it can enter a water body, a drain, a race or the coastal marine area; and
- (f) Earthworks do not result in flooding, erosion, land instability, subsidence or property damage at or beyond the boundary of the property where the earthworks occur; and
- (g) The discharge of sediment does not result in any of the following effects in receiving waters, after reasonable mixing:
 - a) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or
 - b) any conspicuous change in the colour or visual clarity; or
 - c) any emission of objectionable odour; or
 - d) the rendering of fresh water unsuitable for consumption by farm animals; or
 - e) any significant adverse effects on aquatic life.

In this instance, the proposal does not meet all of the permitted activity criteria and consent is required under Rule 14.5.2.1 for the following reasons:

- The area of exposed earth is more than 2,500 m² in any 12-month period per landholding.

The proposal requires consent as a **restricted discretionary** under Rule 14.5.2.

4.3 Overall Status

Where a proposal consists of more than one activity specified in the plan(s); and involves more than one type of resource consent or requires more than one resource consent; and the effects of the activities overlap the activities may be considered together.

Where different activities within a proposal have effects which do not overlap, the activities will be considered separately. In the instance, the effects of the proposed resource consents will overlap and thus they are considered together, and the most restrictive activity status applies overall.

In this case, both resource consents are for **restricted discretionary** activities.

All other associated activities will be operated in accordance with the permitted activity rules of the RPW and NESCS and do not require consent.

5. Statutory Considerations

5.1 Public Notification (Section 95A)

Section 95A(1) requires the consent authority to follow the various steps set out in section 95A in order to determine whether to publicly notify an application.

Step 1: Is public notification mandatory?

- a) Has the applicant requested that the application be publicly notified? **No**
- b) Is public notification required by Section 95C? **No**
- c) Has further information been requested and not provided within the deadline set by Council? **No**
- d) Has the applicant refused to provide further information? **No**
- e) Has the Council notified the applicant that it wants to commission a report but the applicant does not respond before the deadline to Council's request? **No**
- f) Has the applicant refused to agree to the Council commissioning a report? **No**
- g) Has the application been made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977? **No**

Step 2: Is public notification precluded?

If public notification is not required under step 1, the consent authority must proceed to step 2. Step 2 is articulated in section 95A(4)-(5) and provides that in certain circumstances, public notification will be precluded. Those circumstances are:

- (a) *the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes public notification:* **No**
- (b) *the application is for a resource consent for 1 or more of the following, but no other, activities:*
 - (i) *a controlled activity:* **No**
 - (iii) *only relevant to District Councils:* **No**

Conclusion Step 2:

Public notification is not precluded because the RPW does not preclude public notification for the activity and the activity is not for a controlled activity. Therefore step 3 must be considered.

Step 3: Is public notification required?

Step 3 sets out two circumstances where the Council must publicly notify an application in terms of section 95A(8):

- (a) *the application is for a resource consent for 1 or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification:*

No: There are no applicable rules or national environmental standard that requires public notification.

- (b) *the consent authority decides, in accordance with section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.*

Pursuant to s95D, a consent authority that is deciding, for the purpose of section 95A(8)(b), whether an activity will have or is likely to have adverse effects on the environment that are more than minor—

- (a) must disregard any effects on persons who own or occupy—

- (i) the land in, on, or over which the activity will occur; or
- (ii) any land adjacent to that land;

and

- (b) may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect;

and

- (c) in the case of a restricted discretionary activity, must disregard an adverse effect of the activity that does not relate to a matter for which a rule or national environmental standard restricts discretion;

and

- (d) must disregard trade competition and the effects of trade competition;

and

- (e) must disregard any effect on a person who has given written approval to the relevant application.

6. Assessment of Adverse Environmental Effects

Identification of Adjacent Land

The council is to disregard any effects on the persons who own or occupy the land in, on, or over which the activity will occur, and on persons who own or occupy any adjacent land (s95D(a)). The land adjacent to the subject site is listed in the following table:

*Table 2: Adjacent Properties. * = Persons who have also provided their written approval to the applicant.*

Person	Property
<i>Land Information NZ (Riverbed)</i>	<i>Cadrona River and Marginal Strip</i>
<i>Queenstown Lakes District Council</i>	<i>Road Reserve</i>
<i>James Fulton and Brenda Horne*</i>	<i>31 Black Peak Road, Wanaka</i>
<i>John and Katherine Timu Family Trust Hugh Dalrymple Simmers*</i>	<i>89 Black Peak Road (Lot 2 DP 385106), Wanaka</i>
<i>Richard S and Linda M Wallace*</i>	<i>24 Black Peak Road, Wanaka</i>
<i>Johannes FM and Cornelia G Zeestraten - Zeestraten Trust*</i>	<i>60 Morris Road (Lot 2 DP447731), Wanaka</i>

A map of these people and properties was supplied by the applicant. As follows:



Figure 2: Location of Adjacent Properties (source Applicant)

Permitted baseline

The Council may disregard an adverse effect if a rule or national environmental standard permits an activity with that effect.

The permitted baseline refers to the effects of permitted activities on the subject site and does not include activities authorised by a resource consent. An example of a permitted activity on site is the ability to undertake minor earthworks where they do not occur within 10 metres of a water body, a drain, a water race.

The permitted baseline may be taken into account, and the council has the discretion to disregard those effects where an activity is not fanciful.

In this instance, the permitted baseline is not considered to be applicable as the area of earthworks far exceeds the permitted amount and therefore, the permitted baseline is not helpful for the assessment of effects.

Receiving Environment:

When processing a resource consent regard must be had to what constitutes the “environment” to inform the assessment of the effects of a proposal. Section 95A(8) and section 104(1)(a) each require an assessment of the adverse effects or actual and potential effects on the environment respectively in order to make a decision on notification as well as make the substantial decision whether to grant or to refuse a consent.

The receiving environment beyond the subject site includes permitted activities 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.

In this instance, the receiving environment beyond the subject site consists of the following:

- *border dyke irrigation of pasture farming with poplar trees as shelter belts;*
- *farming and rural activities generally associated with low production grassland;*
- *rural – residential development.*
- *The site is surrounded by the Rural Upper Clutha Basin, being the Cardrona River/Mt Barker Road Rural Character Landscape (RCL) Priority Area. Due to the rural nature of the area, proposed dwellings are limited and are spread out over the subject site.*

Matters for Discretion

Under Section 104C of the Resource Management Act 1991 (RMA), the consent authority:

- must only consider those matters over which it has discretion, as restricted by the plan or proposed plan;

- may grant or refuse the application; and
- may impose conditions under Section 108 of the RMA only for those matters over which it has discretion, as restricted by the plan or proposed plan.

In this instance, Rule 14.5.2.1 restricts discretion to the following matters:

- a) Any erosion, land instability, sedimentation or property damage resulting from the activities;
- b) Effectiveness of the proposed erosion and sediment control measures in reducing discharges of sediment to water or to land where it may enter water;
- c) Compliance with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016;
- d) Any adverse effects on water quality, including cumulative effects, and consideration of trends in the quality of the receiving water body;
- e) Any adverse effect on any natural or human use value, and on use of the coastal marine area for contact recreation and seafood gathering; and
- f) Measures to avoid, remedy or mitigate adverse effects on Kai Tahu cultural and spiritual beliefs, values and uses.

Only these matters will be considered in the assessment of adverse effects below.

6.1 Effects in terms of erosion, land stability, sedimentation and property damage and Effectiveness of erosion and sediment control measures

The use of land for earthworks has the potential to result in erosion and sediment losses, that may then enter waterbodies. It also may cause issues in terms of land stability that may lead to discharges of soil and / or sediment into the environment, as well as cause property damage or nuisance effects.

Enviroscope provided an Environmental Management Plan dated December 2021. This Plan was prepared to detail the mitigation measures required to manage the environmental effects associated with the proposed earthworks.

The EMP also contains an Erosion and Sediment Control Plan (ESCP). The ESCP has been developed based on industry best practice, and with reference to GD2016/005. Based on the implementation of the EMP and ESCP the proposal is considered to appropriately minimise the potential for adverse effects associated with sediment from earthworks.

Enviroscope notes that due to the flat topography of the site and that the proposed earthworks are already within flat depressions the paddocks naturally provide for large retention zones, where overland flows can be contained and permeate through the subsoil.

The EMP notes that 'Due to the soil and sub surface characteristics of the site delta, high ground permeability will be utilised effectively for this project. As such,

traditional sediment controls prescribed by GD05 are not required, nor practical for this project'. The soakage zones are shown in Appendix 1 – ESCP 002.

The existing border-dyke irrigation naturally channels any overland water and allows retention zones where overland flows can be concentrated. These soakage zones are shown in Appendix 1 and are sized to easily contain the volumes generated during storm events.

Notwithstanding the above comments, the EMP notes that:

- Clean water diversion channels will be installed above exposed areas of earthworks. Where clean water generating catchments exist they will be diverted into the existing border dykes, which creates a natural clean water diversion between the areas of earthworks on the site.
- Dirty water diversion channels will naturally flow into soakage retention zones where it can be contained and permeate through the subsoil. The EMP confirms that the soil sub surface characteristics have high ground permeability and can be effectively utilised for soakage.
- Rock Check Dams will be deployed primarily to reduce velocity of water within diversion channels. These dams will act to capture some coarse sediment
- Standard silt fences will be utilised in situations where water from exposed small areas cannot be effectively captured and serviced by other controls. A standard silt fence will be utilised within close proximity of existing water races/border dykes and landscape mounding.

Erosion and sediment control devices are to remain in place until the site is stabilised (defined as 80% vegetative cover). Note that a standard condition requires this. This is appropriate as there are no nearby sensitive receivers where sediment could enter directly and that stabilising exposed soil through re-grassing or other forms of cover can greatly reduce the risk of erosion and resultant sediment run-off.

Overall, the proposed erosion and sediment control measures will be effective in reducing discharges of sediment to water and, as such, any effects in terms of erosion, land stability sedimentation and property damage will be less than minor.

6.2 Compliance with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016 (GD05)

Erosion and sediment control measures have been designed in accordance with current best practice, and the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016 (Auckland Council Guideline Document GD2016/005).

6.3 Effects on water quality, including cumulative effects, and consideration of trends in the quality of the receiving water body

The use of land for earthworks for residential development has the potential to result in adverse effects on water quality, through sediment loss, loss of contaminated soil, storage of fuel and the refuelling of vehicles and machinery.

It is considered unlikely that the applicant's sites will result in effects on water quality, ecosystems and instream values. The applicant states that no significant ecosystems, waterbodies or regionally significant wetlands are located within or in close proximity of the subject site.

The primary mitigation for effects on surface water quality is that the nearest water body to the applicant's land is the Cardrona River which is between 640 and 315 metres west of the applicant's site.

Groundwater or perched ground water is also unlikely to be intercepted. Although the depth to groundwater is not known, the applicant considers that groundwater will be too deep to be effected. The ability to soak water to ground is a major feature of sediment management on site and is only enhanced due to the highly permeable nature of the soils,

The site EMP requires that appropriate spill kits are in place and that (with the exception of diesel) minimum quantities of hazardous substances will be appropriately stored as necessary on site. In the case of diesel for vehicle filling this must occur within the refuelling bay (location TBC) constructed of concrete draining to a sump. There are no regionally significant wetlands within a 1000 m of the area of earthworks. Effects on water quality, including cumulative effects, are expected to be less than minor.

6.4 Effects on Natural or Human Use Values, and on use of the coastal marine area for contact recreation and seafood gathering.

There are no human use values that are known in the immediate area and the surrounding land use is predominately rural residential.

The application is a significant distance from the Coastal Marine Area.

Overall, the potential effects on natural or human use values will be no more than minor.

6.5 Effects on Kai Tahu cultural and spiritual beliefs, values and use

Schedule 1D identifies the spiritual or cultural beliefs, values or uses associated with water bodies of significance to Kai Tahu. The Cardrona River is approximately 300 metres away from the nearest point on the applicant's site and is listed in the schedule as having the following values:\

Mana Interests

- *Kaitiakitanga* – the exercise of guardianship by Kai Tahu in accordance with tikanga Maori;
- *Mauri* – life force of water bodies;
- *Waahi tapu and/or Waiwhakaheke* – sacred places, sites, areas and values associated with water bodies; and

- *Waahi taoka* – treasured resources.

Access/Customary Use Interests

- *Mahika kai* – places where food is procured or produced;
- *Kohanga* – important nursery/spawning areas for native fisheries and/or breeding grounds for birds;
- *Trails* – sites and water bodies that formed part of traditional routes; and
- *Cultural materials* – water bodies that are sources of traditional weaving materials and medicines.

Based on the treatment of sediment laden water detailed in the application, effects on the above values will be less than minor.

Overall, Kai Tahu beliefs, values and use will be protected and adverse effects in that regard will be less than minor.

Conclusion Step 3 - Adverse Effects on the Environment

Overall, the adverse effects of the proposed activity are expected to be no more than minor, provided the proposed mitigation measures are implemented and complied with.

Step 4: Special Circumstances

Step 4 requires the consent authority to consider if special circumstances exist. Section 95A(9) states an application for resource consent must be publicly notified if it is considered that special circumstances exist. In this case, it is not considered that the application will give rise to special circumstances.

Accordingly, it is considered that this application must not be publicly notified due to special circumstances.

6.6 Recommendation as to public notification

For the reasons outlined above, I recommend that the application is **not** publicly notified in accordance with section 95C of the RMA.

6.7 Limited Notification (Section 95B)

Having established that the application need not be publicly notified under section 95A, the consent authority must consider under section 95B, whether there are any affected persons to whom limited notification must be given. The consent authority must follow the steps in section 95B to determine whether to give limited notification of the application.

Step 1: Are there certain affected groups and affected persons?

Section 95B(2)

- a) Protected customary rights groups? **No**
- b) Customary marine title groups? **No**

Section 95B(3)(a)

Is the proposed activity on or adjacent to, or may it affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11? **No**

and

Section 95B(3)(b)

Is a person to whom a statutory acknowledgement is made an affected person under Section 95E? **No**

Conclusion Step 1:

The proposal is not on or adjacent to a waterbody that is the subject of a statutory acknowledgement.

As such, limited notification is not required under Step 1.

Step 2: Is Limited Notification Precluded? 95B(6)?

- a) Is the application for a resource consent for one or more activities, and each activity is subject to a rule or national environmental standard that precludes limited notification? **No**
- b) *Relevant to District Plans only*

If the answer to step 2 is yes, then step 3 does not apply, but step 4 must be considered.

Step 3: Are there adversely affected persons?

In assessing an activity's adverse effects on a person, Council:

- May consider the permitted activity baseline (NES or rule) and disregard effects permitted.
- Must consider the receiving environment
- Must (for controlled or restricted discretionary activities) consider adverse effects only relating to a matter that Council has restricted its control or discretion.
- Must have regard to every relevant statutory acknowledgement

Assessment

There are no persons that have been identified as affected persons due to the management of sediment on the site and mitigation measures set out in the EMP. This includes all neighbouring property owners, the Crown, Aukaha and Te Ao Marama.

Have all persons identified as affected under Step 3 provided their written approvals? The permitted baseline and receiving environment discussed above as part of the public notification assessment are relevant to the following assessment.

Conclusion Step 3:

Based on the above, limited notification under Step 3 is not required.

Step 4: *Further notification in special circumstances*

Do special circumstances 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 under this section (excluding persons assessed under Section 95E as not being affected persons)? **No**

Conclusion Step 4:

Based on the above, limited notification under Step 4 is not required.

6.8 Recommendation as to public notification

For the reasons outlined above, I recommend that the application is not limited notified in accordance with section 95 and 95B of the RMA.

7. Notification Recommendation

Based on the assessment above and pursuant to sections 95A-95E, I recommend this application be processed on a *non-notified basis* given adverse effects on the environment are less than minor.



Daniel Druce

24/05/2022

Decision on notification

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

Date: 24 May 2022

File Reference: A1615239

Application No: RM22.077

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

1. Summary of Decision

The Otago Regional Council decides that the application is to be processed on a **non-notified** 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 Daniel Druce, Senior Consents Officer on 24 May 2022 in relation to this application.

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

2. Decision under delegated authority

The Otago Regional Council decides that this resource consent application is to be processed on a **non-notified** basis in accordance with sections 95A to 95G of the Resource Management Act 1991. This decision is made under delegated authority by:



.....

Peter Christophers
Principal Consents Planner

24 May 2022

ORC SECTION 42A REPORT

1. Summary of Recommendation

I recommend that this application for the use of land, and the associated discharge of sediment into water or onto or into land where it may enter water, for earthworks for residential development be approved, subject to the conditions discussed at the end of this report.

Please note that this report contains the recommendations of the Senior Consent Planner and represents the opinion of the writer. It is not a decision on the application.

2. 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.

The remaining matters of Section 104 to be considered when assessing an application for a resource consent are:

- (a) *the actual and potential effects on the environment of allowing the activity;*
- (ab) *any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity;*
- (b) *any relevant provisions of a national environmental standard, other regulations, a national policy statement, a New Zealand coastal policy statement, a regional policy statement or proposed regional policy statement, a plan or proposed plan; and*
- (c) *any other matter the Council considers relevant and reasonably necessary to determine the application.*

2.1 S104(1)(a) – Actual and Potential Effects

Section 104(1)(a) requires the council to have regard to any actual and potential effects on the environment of allowing the activity (including both the positive and the adverse effects).

Positive effects

The applicant's proposal notes that there would be the following positive effects:

- Enable flat areas for future building platforms and dwellings, which provides for the social and economic wellbeing of future owners and occupiers; and
- Enable the applicant to undertake activities that provide employment to the local community; and
- Support the continued growth and development of the Otago Region

Adverse effects

In considering the adverse effects, the Consent Authority:

- may disregard those effects where the plan permits an activity with that effect; and
- must disregard those effects on a person who has provided written approval.

The assessment and conclusion of the “permitted baseline” for the s95A adverse effects assessment are considered applicable to s104(2), and so are not repeated here. Any adverse effects on persons who have provided written approvals are disregarded.

The assessment of adverse effects undertaken for notification identified and evaluated adverse effects, and these are adopted for the purposes of s104(1)(a).

Summary

Taking into consideration the positive effects above and the assessment of adverse effects done for notification purposes in section 5 of this report, actual and potential effects on the environment are acceptable.

2.2 S104(1)(ab) – Measures to Compensate or Offset

Section 104(1)(ab) requires the council to have regard to any measure proposed to or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity.

The applicant has not proposed or agreed to any offsetting or compensating measures. This is appropriate as it is concluded that the effects of the activity are less than minor.

2.3 S104(1)(b) Relevant Planning Documents

The relevant planning documents in respect of this application are:

- Resource Management (National Environmental Standards for Freshwater) Regulation 2020
- The National Policy Statement for Freshwater Management 2020
- The Partially Operative Regional Policy Statement and the Proposed Otago Regional Policy Statement
- The Regional Plan: Water for Otago
- Proposed Plan Change 8 (PC8RPW)

2.3.1 National Environmental Standards for Freshwater 2020

The NES-FW 2020 regulations came into force on 3 September 2020. They impose standards on a range of farming activities and other activities relating to freshwater. None of these activities relate to this consent application, therefore the NES-FW does not apply in this instance.

2.3.2 National Policy Statement for Freshwater Management

The NPS-FM came into force on 3 September 2020, replacing the previous 2014 NPS-FM. Although it retains some of the same principals as the NPS-FM 2014, including a strengthened focus on Te Mana o te Wai, the NPS-FM 2020, amongst other things sets out a framework of objectives and policies to manage activities affecting freshwater in a way that prioritises first, the health and well-being of water bodies and freshwater ecosystems, second, the health needs of people, and third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future. The objective and policies in the NPS-FM are relevant when considering an application for an activity which may adversely affect freshwater.

The objective of the NPS-FM 2020 is to ensure that natural and physical resources are managed in a way that prioritises:

- (a) first, the health and well-being of water bodies and freshwater ecosystems;
- (b) second, the health needs of people (such as drinking water); and
- (c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

This application involves an activity that supports the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future. To this extent, it sits third on the NPS-FW priority list. Nevertheless, since the proposal is not likely to result in any unacceptable effects on the health and well-being of the resource, nor on the health needs of people, it is considered consistent with this overall objective.

- Policy 1: Freshwater is managed in a way that gives effect to Te Mana o te Wai.*
- Policy 2: Tangata whenua are actively involved in freshwater management (including decision-making processes), and Māori freshwater values are identified and provided for.*
- Policy 3: Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.*
- Policy 5: Freshwater is managed through a National Objectives Framework to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, and the health and well-being of all other water bodies and freshwater ecosystems is maintained and (if communities choose) improved.*
- Policy 8: The significant values of outstanding water bodies are protected.*
- Policy 9: The habitats of indigenous freshwater species are protected.*
- Policy 10: The habitat of trout and salmon is protected, insofar as this is consistent with Policy 9.*
- Policy 15: Communities are enabled to provide for their social, economic, and cultural well-being in a way that is consistent with this National Policy Statement.*
- Include an assessment of the relevant objective and policies*

The proposed mitigation measures will ensure that sediment is contained on site and does not enter water. The effect on freshwater and its associated values is therefore less the minor. Overall, the proposed activity is generally consistent with the NPS-FM 2020.

2.3.3 Regional Policy Statement, Proposed Regional Policy Statement and Partially Operative Regional Policy Statement

The partially operative Regional Policy Statement (“pRPS”) was notified on 23 May 2015 and a decision was released 1 October 2016. The po-RPS was made partially operative on the 14th of January 2019 (“PO-RPS”) and through various court orders. Since then there have been number of appeals resolved through the Environment Court. On 15 March 2021, the Council approved and provided notice for these further provisions to be added to the PO-RPS. None of the remaining proposed provisions in the pRPS are applicable to the application, therefore full weight and consideration can be provided to the PO-RPS.

The relevant provisions of the PO-RPS include:

- *Provide for the economic wellbeing of Otago's people and communities by enabling the resilient and sustainable use and development of natural and physical resources (Policy 1.1.1)*
- *Provide for social and cultural wellbeing and health and safety by recognising and providing for Kāi Tahu values; taking into account the values of other cultures; taking into account the diverse needs of Otago's people and communities; avoiding significant adverse effects of activities on human health; promoting community resilience and the need to secure resources for the reasonable needs for human wellbeing; promoting good quality and accessible infrastructure and public services (Policy 1.1.2)*
- *Achieve integrated management of Otago's natural and physical resources (Policy 1.2.1)*
- *Taking the principles of Te Tiriti o Waitangi into account including by involving Kāi Tahu in resource management processes implementation, having particular regard to the exercise of kaitiakitaka and taking into account iwi management plans (Policy 2.1.2)*
- *Managing the natural environment to support Kāi Tahu wellbeing (Policy 2.2.1)*
- *Recognise and provide for the protection of sites of cultural significance to Kāi Tahu including the values that contribute to the site being significant (Policy 2.2.2)*
- *Enable Kāi Tahu relationships with wāhi tupuna by recognising that relationships between sites of cultural significance are an important element of wāhi tupuna and recognising and using traditional place names (Policy 2.2.3)*
- *Enable sustainable use of Māori land (Policy 2.2.4)*
- *Safeguard the life-supporting capacity of fresh water and manage fresh water to:*
 - *Maintain good quality water and enhance water quality where it is degraded, including for:*
 - *Important recreation values, including contact recreation; and,*
 - *Existing drinking and stock water supplies;*
 - *Maintain or enhance aquatic:*
 - *Ecosystem health;*
 - *Indigenous habitats; and,*
 - *Indigenous species and their migratory patterns.*
 - *Maintain or enhance, as far as practicable:*
 - *Natural functioning of rivers, lakes, and wetlands, their riparian margins, and aquifers;*
 - *Coastal values supported by fresh water;*

- *The habitat of trout and salmon unless detrimental to indigenous biological diversity; and*
- *Amenity and landscape values of rivers, lakes, and wetlands;*
- *Identify and protect outstanding freshwater bodies (Policy 3.2.13 & 3.2.14)*
- *Identify and protect the significant values of wetlands (Policy 3.2.15 & 3.2.16)*
- *Apply an adaptive management approach, to avoid, remedy or mitigate actual and potential adverse effects that might arise and that can be remedied before they become irreversible (Policy 5.4.2)*
- *Apply a precautionary approach to activities where adverse effects may be uncertain, not able to be determined, or poorly understood but are potentially significant (Policy 4.4.3)*

The proposed activity is expected to have less than minor effects on surface water resources as the proposed works are not close to any waterbodies that may be impacted by the earthworks. No discharge to any waterbody is proposed as part of this application.

By following the Environmental Management Plan and associated erosion and sediment control plans effects will be less than minor.

Overall, the proposed activity is consistent with those policies of the PO-RPS outlined above.

Proposed Otago Regional Policy Statement (P-ORPS 2021)

On 26 June 2021 Council notified the proposed Otago Regional Policy Statement. This RPS gives effect to the NPS-FW 2020 and includes freshwater visions, FMU's and rohe. As this RPS has been notified, it has been included and assessed below.

MW–O1 – Principles of Te Tiriti o Waitangi

MW–P2 – Treaty principles

MW–P3 – Supporting Kāi Tahu well-being

IM–O2 – Ki uta ki tai

IM–P2 – Decision priorities Unless expressly stated otherwise, all decision making under this RPS shall:

1. first, secure the long-term life-supporting capacity and mauri of the natural environment,
2. secondly, promote the health needs of people, and
3. thirdly, safeguard the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

IM-P6 – Acting on best available information. Avoid unreasonable delays in decision-making processes by using the best information available at the time, including but not limited to mātauraka Māori, local knowledge, and reliable partial data.

IM-P13 – Managing cumulative effects Otago's environmental integrity, form, function, and *resilience*, and opportunities for future generations, are protected by recognising and specifically managing the cumulative *effects* of activities on *natural and physical resources* in plans and explicitly accounting for these *effects* in other resource management decisions.

IM-P15 – Precautionary approach Adopt a precautionary approach towards proposed activities whose *effects* are uncertain, unknown or little understood, but could be significantly adverse, particularly where the areas and values within Otago have not been identified in plans as required by this RPS.

LF-WAI-O1 – Te Mana o te Wai The mauri of Otago's *water bodies* and their health and well-being is protected, and restored where it is *degraded*, and the management of *land* and *water* recognises and reflects that:

1. *water* is the foundation and source of all life – na te wai ko te hauora o ngā mea katoa,
2. there is an integral kinship relationship between water and Kāi Tahu whānui, and this relationship endures through time, connecting past, present and future,
3. each *water body* has a unique whakapapa and characteristics,
4. *water* and *land* have a connectedness that supports and perpetuates life, and
5. Kāi Tahu exercise rakatirataka, manaakitaka and their *kaitiakitaka* duty of care and attention over wai and all the life it supports.

LF-WAI-P3 – Integrated management/ki uta ki tai Manage the use of *freshwater* and *land* in accordance with tikanga and kawa, using an integrated approach that:

1. recognises and sustains the connections and interactions between *water bodies* (large and small, surface and ground, fresh and coastal, permanently flowing, intermittent and ephemeral),
2. sustains and, wherever possible, restores the connections and interactions between *land* and *water*, from the mountains to the sea,
3. sustains and, wherever possible, restores the habitats of mahika kai and indigenous species, including taoka species associated with the *water body*,
4. manages the *effects* of the use and development of *land* to maintain or enhance the health and well-being of *freshwater* and *coastal water*,
5. encourages the coordination and sequencing of regional or urban growth to ensure it is sustainable,
6. has regard to foreseeable *climate change* risks, and
7. has regard to cumulative *effects* and the need to apply a precautionary approach where there is limited available information or uncertainty about potential adverse *effects*.

LF-WAI-P4 – Giving effect to Te Mana o te Wai

All persons exercising functions and powers under this regional policy statement and all persons who use, develop or protect resources to which this regional policy statement applies must recognise that LF-WAI-O1, LF-WAI-P1, LF-WAI-P2 and LF-WAI-P3 are fundamental to upholding *Te Mana o te Wai*, and must be given effect to when making decisions affecting *freshwater*, including when interpreting and applying the provisions of the LF chapter.

LF-VM-O2 – Clutha Mata-au FMU vision

In the Clutha Mata-au *FMU*:

- (1) management of the *FMU* recognises that:
 - (a) the Clutha River / Mata-au is a single connected system ki uta ki tai, and
 - (b) the source of the wai is pure, coming directly from Tawhirimatea to the top of the mauka and into the awa,
- (2) *freshwater* is managed in accordance with the LF-WAI objectives and policies,
- (3) the ongoing relationship of Kāi Tahu with *wāhi tūpuna* is sustained,
- (4) *water bodies* support thriving mahika kai and Kāi Tahu whānui have access to mahika kai,
- (5) indigenous species migrate easily and as naturally as possible along and within the *river* system,
- (6) the national significance of the Clutha hydro-electricity generation scheme is recognised,
- (7) in addition to (1) to (6) above:
 - (a) in the Upper Lakes rohe, the high quality *waters* of the *lakes* and their tributaries are protected, recognising the significance of the purity of these *waters* to Kāi Tahu and to the wider community,
 - (b) in the Dunstan, Manuherekia and Roxburgh rohe:
 - (i) flows in *water bodies* sustain and, wherever possible, restore the natural form and function of main stems and tributaries to support Kāi Tahu values and practices, and
 - (ii) innovative and sustainable *land* and *water* management practices support food production in the area and reduce discharges of nutrients and other *contaminants* to *water bodies* so that they are safe for human contact, and
 - (iii) sustainable abstraction occurs from main stems or *groundwater* in preference to tributaries,
 - (c) in the Lower Clutha rohe:

- (i) there is no further modification of the shape and behaviour of the *water bodies* and opportunities to restore the natural form and function of *water bodies* are promoted wherever possible,
 - (ii) the ecosystem connections between *freshwater*, *wetlands* and the coastal environment are preserved and, wherever possible, restored,
 - (iii) *land* management practices reduce discharges of nutrients and other *contaminants* to *water bodies* so that they are safe for human contact, and
 - (iv) there are no direct *discharges* of *wastewater* to *water bodies*, and
- (8) the outcomes sought in (7) are to be achieved within the following timeframes:
- (a) by 2030 in the Upper Lakes rohe,
 - (b) by 2045 in the Dunstan, Roxburgh and Lower Clutha rohe, and
 - (c) by 2050 in the Manuherekia rohe.

LF-VM-O7 – Integrated management

Land and *water* management apply the ethic of *ki uta ki tai* and are managed as integrated natural resources, recognising the connections and interactions between *freshwater*, *land* and the coastal environment, and between surface water, *groundwater* and *coastal water*.

LF-FW-O8 – Freshwater In Otago's *water bodies* and their catchments:

- (1) the health of the *wai* supports the health of the people and thriving *mahika kai*,
- (2) *water* flow is continuous throughout the whole system,
- (3) the interconnection of *freshwater* (including *groundwater*) and *coastal waters* is recognised,
- (4) native fish can migrate easily and as naturally as possible and *taoka* species and their habitats are protected, and
- (5) the significant and outstanding values of Otago's *outstanding water bodies* are identified and protected.

LF-LS-O11 – Land and soil

The life-supporting capacity of Otago's soil resources is safeguarded and the availability and productive capacity of highly productive land for *primary production* is maintained now and for future generations.

LF-LS-O12 – Use of land

The use of *land* in Otago maintains soil quality and contributes to achieving *environmental outcomes* for *freshwater*.

LF-LS-P16 – Integrated management

Recognise that maintaining soil quality requires the integrated management of *land* and *freshwater* resources including the interconnections between soil health, vegetative cover and *water* quality and quantity.

LF–LS–P17 – Soil values

Maintain the mauri, health and productive potential of soils by managing the use and development of *and* in a way that is suited to the natural soil characteristics and that sustains healthy:

- (1) soil biological activity and biodiversity,
- (2) soil structure, and
- (3) soil fertility.

HAZ–NH–P11 – Kaitiaki decision making Recognise and provide for the role of Kāi Tahu as kaitiaki over *wāhi tūpuna*, Māori reserves and freehold land that is susceptible to natural hazards by involving *mana whenua* in decision making and management processes.

The applicant's project is generally consistent with the direction of the Proposed Otago Regional Policy Statement particularly with regard to iwi involvement, freshwater management and infrastructure development at a policy level.

The proposed activity will have less than minor effects on surface water resources provided that the activity is undertaken in accordance with the application,

Overall, subject to the recommended conditions of consent, it is considered that the application is consistent with the relevant objectives and policies of the PO-RPS and P-ORPS.

3.3.5 Regional Plans

3.3.5.1 Proposed Plan Change 8 (PC8RPW)

Policy 7.D.10 states:

The loss or discharge of sediment from earthworks is avoided or, where avoidance is not achievable, best practice guidelines for minimising sediment loss are implemented.

Eviroscope has prepared an Environmental Management Plan which has specific chapters on Erosion and Sediment Control Measures. This Plan is aimed to reduce the environmental effects of the Project's construction activities on the environment and sensitive receptors.

3.3.5.2 Regional Plan: Water

The following policies are relevant to this application:

- *Objective 7.A.3 To have individuals and communities manage their discharges to reduce adverse effects, including cumulative effects, on water quality.*
- *Policy 7.B.1 Manage the quality of water in Otago's fresh water*
- *Policy 7.B.2 Avoid objectionable discharges of water or contaminants to maintain the natural and human use values, including Kāi Tahu values, of Otago's fresh water.*
- *Policy 7.B.3 Allow discharges of water or contaminants to Otago lakes, rivers, wetlands and groundwater that have minor effects or that are short term discharges with short term adverse effects.*
- *Policy 7.B.4 To have regard to the ability of the land to assimilate the water or contaminants; any potential for soil contamination; any potential for land instability; any potential adverse effects on water quality.*
- *Policy 7.B.8 Encourage adaptive management and innovation that reduce the level of contaminants in discharges.*
- *Policy 7.C.2 Have regard to: the nature of the discharge and the sensitivity of the receiving environment to adverse effects; the financial implications, and the effects on the environment of the proposed method of discharge when compared with alternative means; and the current state of technical knowledge and the likelihood that the proposed method of discharge can be successfully applied.*
- *Policy 7.C.3 Have regard to any relevant standards and guidelines in imposing conditions on the discharge consent.*

The Wanaka area has seen a great deal of development over the last decade and the proposed subdivision is consistent with that.

An EMP has been developed for the proposal and is included in the application and has been discussed above. This includes controls to minimise the potential for sediment transfer and for regular monitoring of the effectiveness of on-site sediment control measures.

The proposal is considered to be consistent with the above objectives and policies. Land and water management practices have been designed and will be implemented during construction to manage any potential effects. The temporary effects of earthworks will therefore be managed appropriately and will not result in any exceedance to water numerical limits and targets for achieving good quality water

Weighting under proposed and operative plans

In this instance, there are no equivalent provisions under any operative Plan and therefore, the provisions introduced by PC8 are different to existing planning framework as it pertains to earthworks for residential development. However, the

other relevant provisions in the RWP still need to be considered and weight afforded to them.

3.3.6 Summary – Relevant Statutory Documents

In accordance with an assessment under s104(1)(b) of the RMA, the proposal is found to be consistent with the relevant statutory documents, listed above.

4 Section 104(1)(c) - Any other matters

Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008

The Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008 - The Cry of the People, Te Tangi a Tauira is considered to be a relevant other matter for the consideration of this application. This is because the RPW is yet to be amended to take into account this Plan and this Plan expresses the attitudes and values of the four Rūnanga Papatipu o Murihiku – Awarua, Hokonui, Ōraka/Aparima and Waihōpai.

The following objectives and policies are of most relevance to this application:

- Require that placement of culverts and other flood works activities in the beds or margins of waterways is such that the passage of native fish and other stream life is not impeded.
- Recommend that culvert pipes are buried in the streambed, so that gravel can lie in the bottom third of the pipe, thus providing natural habitat in the culvert so that fish can migrate through them.
- Require that the placement of culverts and other flood works activities in the beds or margins of waterways occurs in a manner that minimises disturbance to the streambed.
- Recommend that tracks leading to culverts are designed (e.g. contoured) so that stormwater run off and any effluent on the track is directed away from the stream. Such discharges should be to land and not directly to water.
- Require that that placement of culverts and other flood works activities in the beds or margins of waterways occur at times of low or no flow.
- Require that short term effects on water quality and appearance are mitigated during culvert or flood works construction, and for a settling period following. For example, straw bales may be used to minimise turbidity, and contain discolouration and sedimentation.
- Avoid the direct or indirect modification of any existing wetland area.
- Ensure that all native fish species have uninhibited passage from the river to the sea at all times, through ensuring continuity of flow.

Given the information above about the distance of the development site from any water ways or other sensitive receptors there are no other matters considered relevant or reasonably necessary to determine the application

The Kai Tahu ki Otago Natural Resource Management Plan 2005

The Kai Tahu ki Otago Natural Resource Management Plan 2005 (NRMP) is considered to be a relevant other matter for the consideration of this application. This is because the RPW is yet to be amended to take into account this Plan and this Plan expresses the attitudes and values of the four Papatipu Rūnaka: Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou and Hokonui Rūnanga.

The general Policies are not considered to be specifically geared toward to the discharge from residential earthworks but do require monitoring, management plans and re-vegetation of all disturbed areas.

Given the information above about the distance of the development site from any water ways or other sensitive receptors there are no other matters considered relevant or reasonably necessary to determine the application

5 Part 2 of the Act

Under Section 104(1) of the RMA, a consent authority must consider resource consent applications "subject to Part 2" of the RMA, specifically, sections 5, 6, 7 and 8.

The Court of Appeal has recently clarified how to approach the assessment of "subject to Part 2" in section 104(1). In *R J Davidson* the Court of Appeal found that (in summary):¹

- Decision makers must consider Part 2 when making decisions on resource consent applications, where it is appropriate to do so. The extent to which Part 2 of the RMA should be referred to depends on the nature and content of the planning documents being considered.
- Where the relevant planning documents have been prepared having regard to Part 2 of the RMA, and with a coherent set of policies designed to achieve clear environmental outcomes, consideration of Part 2 is not ultimately required. In this situation, the policies of these planning documents should be implemented by the consent authority. The consideration of Part 2 "would not add anything to the evaluative exercise" as "genuine consideration and application of relevant plan considerations may leave little room for Part 2 to influence the outcome". However, the consideration of Part 2 is not prevented, but Part 2 cannot be used to subvert a clearly relevant restriction or directive policy in a planning document.

¹ *R J Davidson Family Trust v Marlborough District Council* [2018] NZCA 316.

- Where it is unclear from the planning documents whether consent should be granted or refused, and the consent authority has to exercise a judgment, Part 2 should be considered.
- If it appears that the relevant planning documents have not been prepared in a manner that reflects the provisions of Part 2, the consent authority is required to consider Part 2.

The proposed use of land is consistent with the purpose and principles of the Act, as outlined in Sections 5-8. The proposed use of land will have a minor effect on the land resources ability to meet the reasonably foreseeable needs of future generations, or on the life-supporting capacity of the land and associated water resource and any ecosystems associated with it.

Regard has been given to the efficient use and development of natural and physical resources, in accordance with Section 7 of the Act. The proposed use of land is consistent with these matters, provided recommended consent conditions are adopted. The principles of the Treaty of Waitangi have been taken into account and the application has been processed according to Council's protocol for consultation with Iwi.

Overall, the application is consistent with Part 2 of the Act, given the nature of the activity and the proposed conditions of consent.

6 Sections 105 and 107

Matters relevant to discharge permits and coastal permits – s105

The proposal requires a consent to discharge contaminants under s15. Under section 105, the council must have regard to additional matters for any application for a discharge permit or a coastal permit that would contravene s15 or s15B of the RMA. The proposal is considered to satisfy the matters set out in s105 because:

- The nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
- Any possible alternative methods of discharge, including discharge into any other receiving environment.

The provisions of s105 have been met subject to appropriate conditions of consent being adhered to in order to ensure there is no significant adverse effect on the receiving environment. The applicant's reasons for the proposed choice are considered appropriate in the circumstances and there are no alternative methods of discharge applicable in this case.

Restrictions on discharge permits – s107

The adverse effects of the discharge of contaminants have been assessed above. The assessment found that the discharge is not likely to result in any of the effects identified in s107(c)-(g).

7 Recommendation

It is recommended that this consent application is approved. This is for the following reasons:

- The effects of the activity are expected to be less than minor.
- The activity is consistent with the relevant statutory requirements.
- The activity is consistent with Part 2 of the Act.

7.1 Section 108 and 108AA

Should the decision maker seek to grant the applications, the appended conditions on Land Use Consent RM22.077.01 and Discharge Permit RM22.077.02 are recommended in accordance with Sections 108 and 108AA of the Act.

Note that condition 7 on Land Use Permit RM22.077.01 is explicit that that consent does not authorise work on a contaminated site(s).

7.2 Review

The RMA provides for the council to review conditions at any time or times specified for that purpose in the consent where there are any adverse effects that may arise from the exercise of the consent, or in relation to a coastal, water or discharge permit where a regional plan or NES has changed. In addition, the council can review other conditions (such as those outlined in the advice note above) without having to set out in a condition the timeframes within which it will review them.

A review condition has not been recommended on this consent due to the short duration so any adverse effects not anticipated will be limited in duration.

7.3 Lapse Period (Section 125)

Under s125, if a resource consent is not given effect to within five years of the date of the commencement (or any other time as specified) it lapses automatically, unless the council has granted an extension. A lapse period of 2 years is recommended in this instance given the short term nature of the activity.

7.4 Terms of Consent (Section 123)

The application seeks a term of 5 years.

Case law has distilled the following factors that will be relevant to the Council's determination of the duration of a resource consent:

- The duration of a resource consent should be decided in a manner which meets the RMA's purpose of sustainable management;
- Whether adverse effects would be likely to increase or vary during the term of the consent;

- Whether there is an expectation that new information regarding mitigation would become available during the term of the consent;
- Whether the impact of the duration could hinder implementation of an integrated management plan (including a new plan);
- That conditions may be imposed requiring adoption of the best practicable option, requiring supply of information relating to the exercise of the consent, and requiring observance of minimum standards of quality in the receiving environment;
- Whether review conditions are able to control adverse effects;
- Whether the relevant plan addresses the question of the duration of a consent;
- The life expectancy of the asset for which consents are sought;
- Whether there was significant capital investment in the activity/asset; and
- Whether a particular period of duration would better achieve administrative efficiency.

A consent term of 5 years is recommended for the following reasons:

- Effects of the proposed activity are considered to be less than minor;
- The duration is sufficient to allow the works to be completed.

7.5 Cancellation of Consent (Section 126)

Pursuant to section 126(1) of the RMA, the Consent Authority may cancel this consent by written notice served on the Consent Holder if the consent has been exercised in the past but has not been exercised during the preceding five years, unless expressly provided otherwise by the resource consent.

An advice note is recommended to inform the applicant of the provisions under s126(2)(2)(b).



Daniel Druce
Senior Consents Planner
24 May 2022

DECISION ON RESOURCE CONSENT APPLICATION

Land Use Consent (Section 9) and Discharge Permit (Section 15)

Section 113 of the Resource Management Act 1991

Date: 24 May 2022

Application No: RM22.077

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

1. Notification

The application was approved under delegated authority to be processed non-notified on 24 May 2022.

2. Decision and Reasons for Decision

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

3. Conditions (section 108)

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

4. Decision under delegated authority

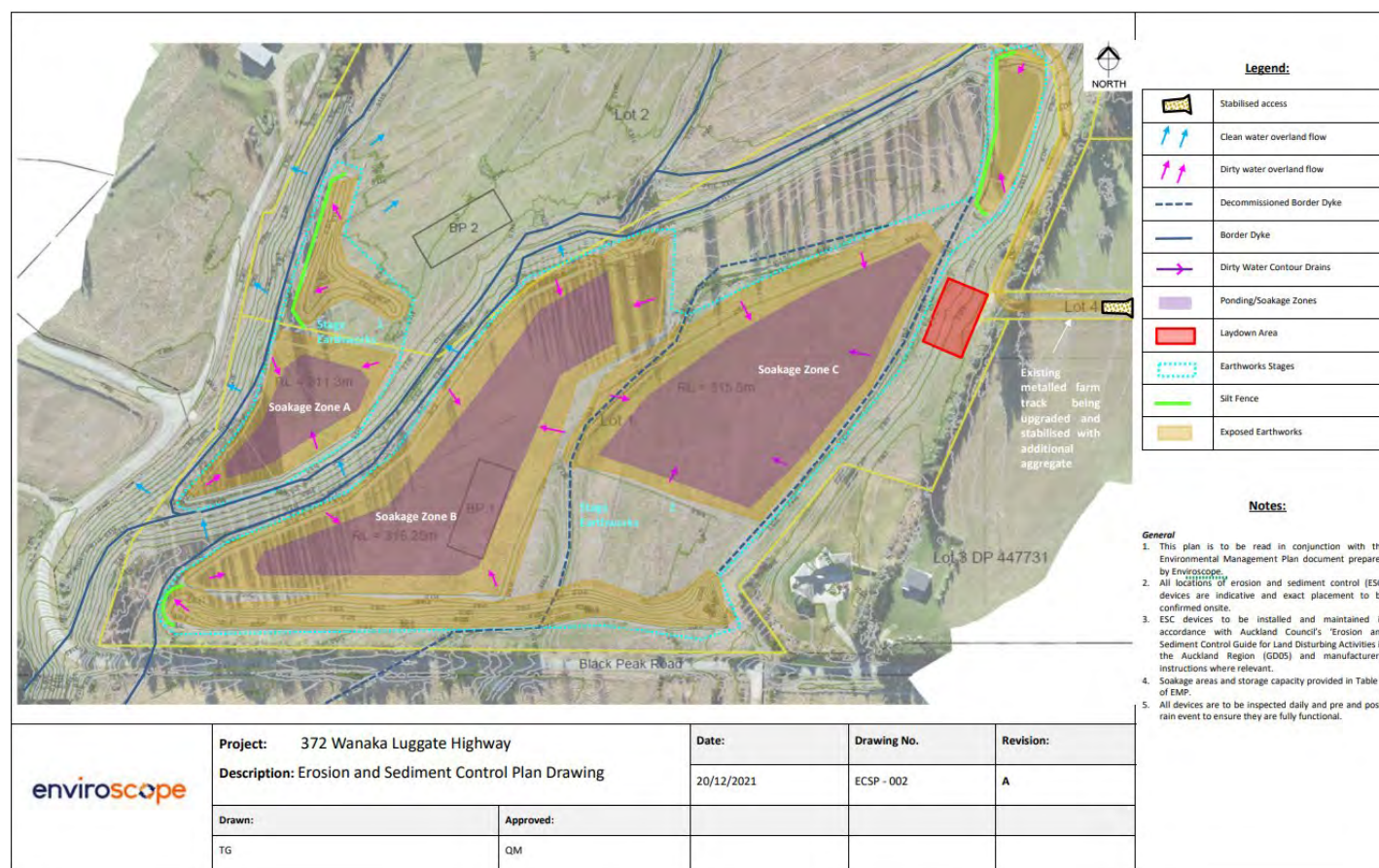
Under delegated authority, this resource consent application is granted by the Otago Regional Council by:



.....
Peter Christophers
Principal Consents Planner

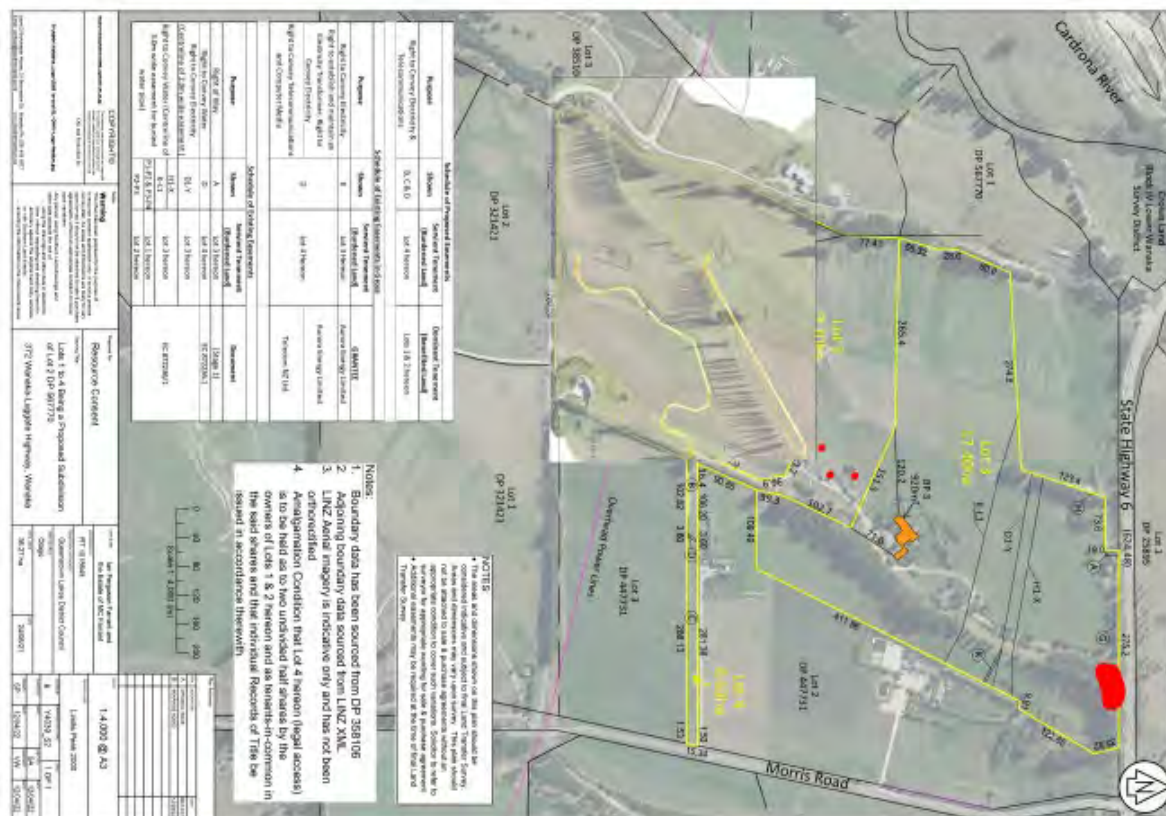
24 May 2022

Appendix 1 Drawings



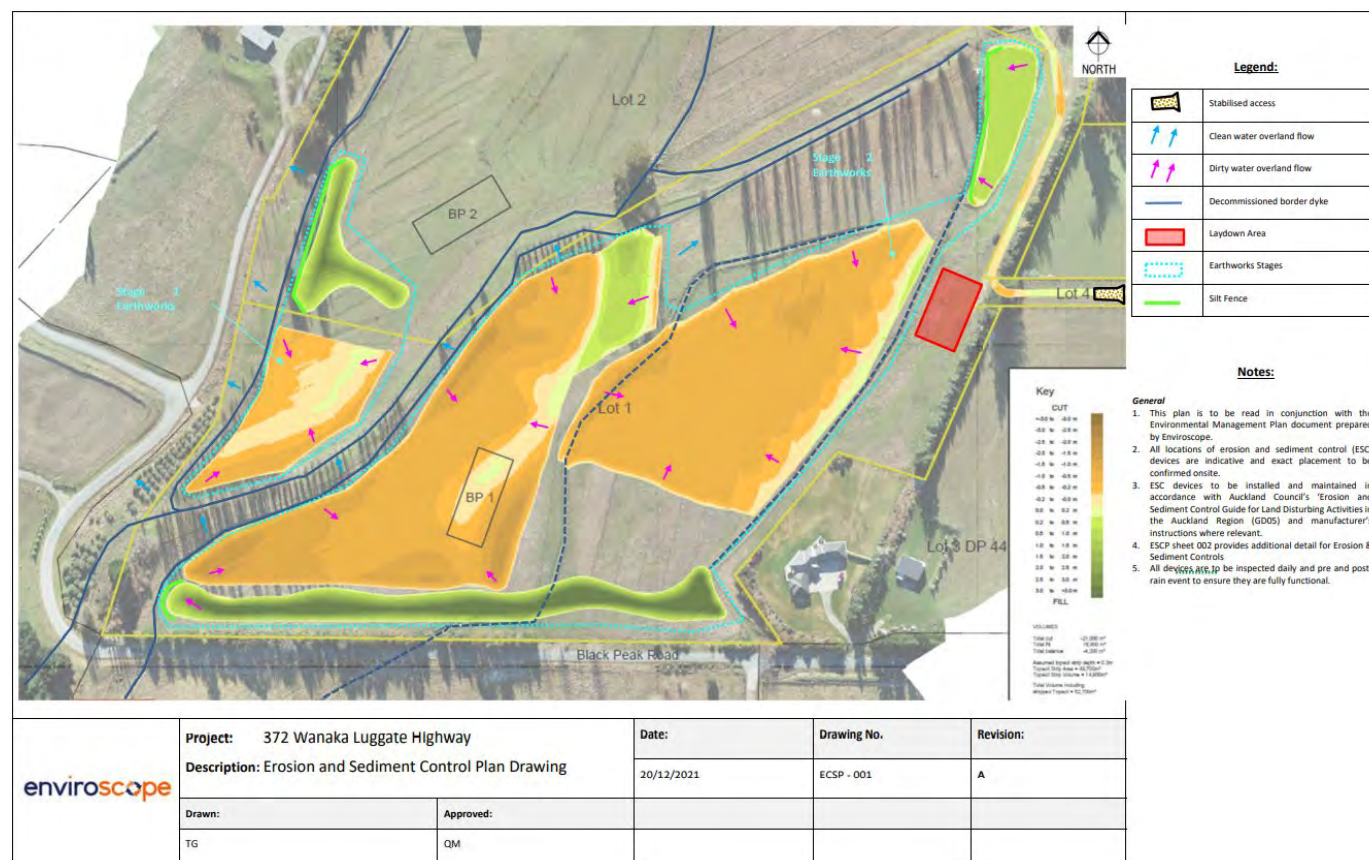
Drawing 1: Erosion and Sediment Control Plan Drawing. Note soakage zones, dirty water overland flow paths and laydown area.

Appendix 1: Drawings (cont)



Drawing 2: Identification of Potentially Contaminated Sites by Applicant. Refer to condition X on resource consent RM22.074.02.

Appendix 1: Drawings (cont)



Drawing 3: Erosion and Sediment Control Plan Drawing. Note cut to fill depths, staging of works and direction of dirty water overland flow (pink arrows)

Appendix 1 : Drawings (cont)



Drawing 4: Earthworks Design Contours