

APPLICATION AS NOTIFIED

**Bridesdale Farm Developments
Limited
(RM230439)**

FORM 12

File Number RM230439

QUEENSTOWN LAKES DISTRICT COUNCIL

PUBLIC NOTIFICATION

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

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

Bridesdale Farm Developments Limited

What is proposed:

Two lot subdivision and de-amalgamation of Lot 1 DP 21087 and Lot 3 DP 447906 from Lots 404 – 406 DP 505513. These four lots are currently held together in Record of Title 763196. A residential building platform is to be identified on Lot 1. Consent Notice 10684127.10 is proposed to be cancelled.

This will create:

Lot 404 - Lot 406	19.0460 Ha approx	
Lot 1 & Lot 3	5.4568 Ha approx	Residential building platform

Access to the building platform is from Alec Robins Road. Access to Lots 404 and 405 is over the Council Reserve. A separate right of way application has been lodged for this.

Landscaping is proposed in the vicinity of the residential building platform.

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

Alec Robins Road, Lake Hayes

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

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

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

<https://www.qldc.govt.nz/services/resource-consents/notified-resource-consents#public-rc> or via our edocs website using RM230439 as the reference <https://edocs.qldc.govt.nz/Account/Login>

The Council planner processing this application on behalf of the Council is Wendy Baker, who may be contacted by phone at 021-184 33 09 or email at wendy.baker@qldc.govt.nz

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

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

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

5th October 2023

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

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

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

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

You must serve a copy of your submission to the applicant (Bridesdale Farm Developments Limited including email address) as soon as reasonably practicable after serving your submission to Council:

Patterson Pitts Group – Kim Banks
kim.banks@ppgroup.co.nz
Level 1, Aurum House
Terrace Junction
Queenstown

QUEENSTOWN LAKES DISTRICT COUNCIL



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

Date of Notification: 7th September 2023

Address for Service for Consent Authority:

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

**Phone
Email
Website**

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

TechnologyOne ECM Document Summary

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Class	Description	Doc Set Id / Note Id	Version	Date
PUB_ACC	Form 9	7657594	1	19-Jun-2023
PUB_ACC	AEE	7657593	1	19-Jun-2023
PUB_ACC	Appendix A - CONO 10684127.10	7659022	1	20-Jun-2023
PUB_ACC	Appendix A - EI 10684127.13	7659023	1	20-Jun-2023
PUB_ACC	Appendix A - EI 10684127.17	7659020	1	20-Jun-2023
PUB_ACC	Appendix A - EI 10684127.6	7659021	1	20-Jun-2023
PUB_ACC	Appendix A - EI 955942.7	7659019	1	20-Jun-2023
PUB_ACC	Appendix A - Record of Title	7659018	1	20-Jun-2023
PUB_ACC	Appendix B - Subdivision Plan	7657601	1	19-Jun-2023
PUB_ACC	Appendix C - Infrastructure Report	7657600	1	19-Jun-2023
PUB_ACC	Appendix D - Landscape Assessment & Plan	7657599	1	19-Jun-2023
PUB_ACC	Appendix E - Minutes of Council Meeting	7657598	1	19-Jun-2023
PUB_ACC	Appendix F - Correspondence with Council	7657597	1	19-Jun-2023
PUB_ACC	Appendix G - Transpower Comment	7657596	1	19-Jun-2023



APPLICATION FOR RESOURCE CONSENT OR
FAST TRACK RESOURCE CONSENT

FORM 9: GENERAL APPLICATION



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

PLEASE COMPLETE ALL MANDATORY FIELDS* OF THIS FORM.

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



APPLICANT //

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

*Applicant's Full Name / Company / Trust:

(Name Decision is to be issued in)

All trustee names (if applicable):

*Contact name for company or trust:

*Postal Address:

*Post code:

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

*Email Address:

*Phone Numbers: Day

Mobile:

*The Applicant is:

Owner

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

Occupier

Lessee

Other - Please Specify:



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

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



CORRESPONDENCE DETAILS //

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

*Name & Company:

*Phone Numbers: Day

Mobile:

*Email Address:

*Postal Address:

*Postcode:



INVOICING DETAILS //

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

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

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

Applicant:

Agent:

Other - Please specify:

Email:

Post:

*Attention:

*Postal Address:

*Post code:

*Please provide an email AND full postal address.

*Email:



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

Owner Name:

Owner Address:

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

Date:

Names:



DEVELOPMENT CONTRIBUTIONS INVOICING DETAILS //

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

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

Details are the same as for invoicing

Applicant:

Landowner:

Other, please specify:

*Attention:

*Email:

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



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

*Address / Location to which this application relates:

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

District Plan Zone(s):



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

Is there a gate or security system restricting access by council? YES NO

Is there a dog on the property? YES NO

Are there any other hazards or entry restrictions that council staff need to be aware of?
If 'yes' please provide information below

YES

NO



PRE-APPLICATION MEETING OR URBAN DESIGN PANEL

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

Yes

No

Copy of minutes attached

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



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

Land use consent

Subdivision consent

Change/cancellation of consent or consent notice conditions

Certificate of compliance

Extension of lapse period of consent (time extension) s125

Existing use certificate

Land use consent includes Earthworks



QUALIFIED FAST-TRACK APPLICATION UNDER SECTION 87AAC

Controlled Activity

Deemed Permitted Boundary Activity

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



BRIEF DESCRIPTION OF THE PROPOSAL //

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

*Consent is sought to:



APPLICATION NOTIFICATION

Are you requesting public notification for the application?

Yes

No

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



OTHER CONSENTS

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

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

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

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

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

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

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

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



OTHER CONSENTS // CONTINUED

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

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

Any other National Environmental Standard

Yes

N/A

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

Yes

N/A

If Yes have you applied for it?

Yes

No

If Yes supply ORC Consent Reference(s)

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

Yes

No



INFORMATION REQUIRED TO BE SUBMITTED //

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

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

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

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

A site plan at a convenient scale.

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

An Assessment of Effects (AEE).

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



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



PRIVACY INFORMATION

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



FEES INFORMATION

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

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



FEES INFORMATION // CONTINUED

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

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

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

MONITORING FEES – Please also note that if this application is approved you will be required to meet the costs of monitoring any conditions applying to the consent, pursuant to Section 35 of the Resource Management Act 1991.

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

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

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

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



PAYMENT // An initial fee must be paid prior to or at the time of the application and proof of payment submitted.

Please reference your payments as follows:

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

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

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

I confirm payment by:

Bank transfer to account 02 0948 0002000 00 (If paying from overseas swiftcode is – BKNZ222)

Invoice for initial fee requested and payment to follow

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

*Reference

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

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

*Date of Payment

Invoices are available on request

APPLICATION & DECLARATION

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

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

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

OR:

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

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

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

PLEASE TICK

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

Full name of person lodging this form

Firm/Company

Dated

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



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

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

1 INFORMATION MUST BE SPECIFIED IN SUFFICIENT DETAIL

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

2 INFORMATION REQUIRED IN ALL APPLICATIONS

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

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

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

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

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

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

Information provided within the Form above

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

ADDITIONAL INFORMATION REQUIRED IN SOME APPLICATIONS

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



ASSESSMENT OF ENVIRONMENTAL EFFECTS

Clause 6: Information required in assessment of environmental effects

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

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

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



UNDER THE FOURTH SCHEDULE TO THE ACT:

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

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

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

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

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



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

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

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

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

Application Form 9

Assessment of Environmental Effects (AEE)

Computer Register (CFR)

Covenants & Consent Notice

Affected Party Approval/s

Landscape Report

Ecological Report

Engineering Report

Geotechnical Report

Wastewater Assessment

Traffic Report

Waste Event Form

Urban Design Report



Our Ref: Q7116

14 June 2023

**Application for Subdivision Consent,
Land Use Consent to Identify a Building
Platform, Cancellation of Consent Notice
and Cancellation of Amalgamation
Condition**

Bridesdale Farm Developments Limited

**Lot 1 DP 21087, Lot 3 DP 447906,
Lot 404 DP 505513, Lot 405 DP 505513
and Lot 406 DP 505513**

Alec Robins Road, Lake Hayes

DUNEDIN:

P.O. Box 5933,
Dunedin 9058.

T 03 477 3245

CHRISTCHURCH:

P.O. Box 160094,
Christchurch 8441.

T 03 928 1533

ALEXANDRA:

P.O. Box 103,
Alexandra 9340.

T 03 448 8775

CROMWELL:

P.O. Box 84,
Cromwell 9342.

T 03 445 1826

QUEENSTOWN:

P.O. Box 2645,
Queenstown 9349.

T 03 441 4715

WANAKA:

P.O. Box 283,
Wanaka 9305.

T 03 443 0110

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1.0 APPLICATION DETAILS

Applicant:	Bridesdale Farm Developments Limited
Site Location:	off Alec Robins Road, Lake Hayes
Legal Description:	Lot 1 DP 21087 Lot 3 DP 447906 Lot 404, 405 & 406 DP 505513
Title Reference:	763196
Area:	1.96 hectares 3.5 hectares 16.8 hectares, 1 hectare, 1.1 hectares
Zoning:	Rural General (ODP), Rural and Wakatipu Basin Lifestyle Precinct (PDP)
Application type/s:	Subdivision Consent Land Use Consent Cancellation of Amalgamation Condition under section 241(3) of the RMA 1991 Cancellation of Consent Notice under section 221(3) of the RMA 1991
Activity Status:	Discretionary Activity

2.0 SUMMARY

The current application seeks subdivision consent to enable the de-amalgamation of Lot 1 DP 21087 and Lot 3 DP 447906 from Lots 404 - 406 DP 505513 and to create a new 'Proposed Lot 1'. Land use consent is also sought to identify a building platform on 'Proposed Lot 1'; and consent under s221 of the RMA 1991 is sought for the cancellation of consent notice 10684127.10.

It is highlighted that to achieve the de-amalgamation of Lots 1 and 3 from Lots 404-406, the current application seeks subdivision consent. However, the need for subdivision consent is uncertain and, alternatively, the Council could grant approval to cancel an amalgamation condition under s241(3) of the RMA 1991. Due to the uncertainty around this process, the current application seeks consent under both s11 and s241(3) of the RMA 1991.

The applicant requests public notification of this application under s95A(3)(a) of the RMA 1991.

3.0 SITE DESCRIPTION

3.1 THE SITE

The subject site comprises Lot 1 DP 21087 and Lot 3 DP 447906 located at Alec Robins Road, Queenstown, on the eastern side of Hayes Creek. These lots are amalgamated with Lots 404 - 406 DP 505513 and are all held in the same record of title (763196). Record of Title information for the site is included in **Appendix A**, and the figure below (and the plans in **Appendix B**) illustrates the location of Lot 1 and Lot 3.



Figure 1: Site location Lot 1 DP 21087 and Lot 3 DP 447906, accessed from Grip on 8/6/2022

Lot 1 and Lot 3 are accessed from Alec Robins Road to the north, with legal access to Lot 1 being provided through Lot 3. The remaining lots held on this record of title are to the south of Hayes Creek, being Lots 404, 405 and 406 DP 505513. The location of these lots can be seen on the scheme plan in **Appendix B**.

Lot 406 DP 505513 is irregular in shape. Hayes Creek Road is located directly adjacent to the northwest, and Council Recreation Reserve land surrounds the remaining boundaries to the northeast and south. Lot 405 DP 505513 is located to the south of Lot 406, separated by the Council reserve land, and is irregular in shape. Lot 404 DP 505513 is located to the south of Lot 405 and adjoins the esplanade strip that borders the Kawarau River to the south and east.

The subject site on which the building platform is sought is legally described as Lot 1 DP 21087, and is 1.96ha and irregular in shape, being roughly C shaped following the course of Hayes Creek down the escarpment. The site location and proposed building platform is indicated on figure 2 overleaf.

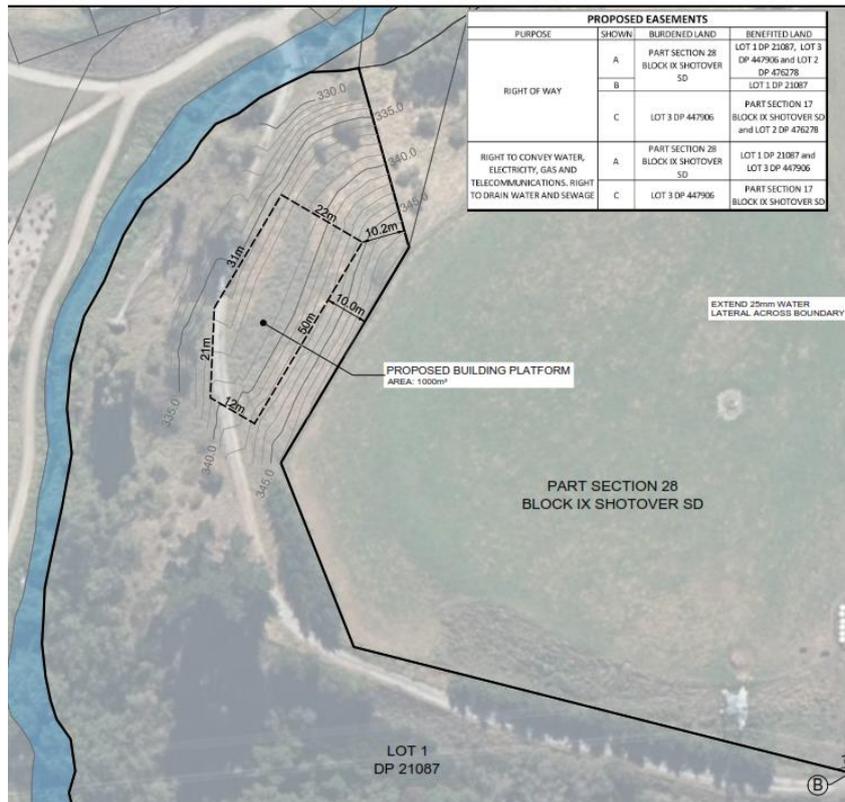


Figure 2: Site location 'Proposed Lot 1' and proposed building platform

Lot 1 DP 21087 is currently vacant land, with some mature vegetation on the southern escarpment face, and lines of mature trees along the boundary with 64 Alec Robins Road to the north. There is an existing gravel farm track which traverses the lot and links up with the Council walking / cycling track across Hayes Creek to the northwest, and with Alex Robins Road to the northeast. The site is located on a terrace riser, sloping up approximately 22m from the lower creek margins on the western boundary to the upper terrace at the eastern boundary.

Lot 3 DP 447906 is located directly to the east of Lot 1 (refer to plans in **Appendix B**) and is accessed off Alec Robins Road. Similar to Lot 1, it has steep escarpment along the edge of the creek where it rises to a flat terrace area north of the creek.

The subject site is for the most part zoned Rural with a very small triangle shaped portion (approx. 120m²) along the boundary with 64 Alec Robins Road being zoned Wakatipu Basin Lifestyle Precinct under the PDP. Figure 3 overleaf illustrates the PDP zoning of the site and surrounding area.



Figure 3: Zone map, QLDC Proposed District Plan. Approximate site of proposed building platform indicated by the red star. Location of small 120m² area zoned Wakatipu Basin Lifestyle Precinct identified by red arrow.

The site is located west of the Urban Growth Boundary, on the fringes of the Bridesdale development. The land bordering Hayes Creek on its western side is zoned Informal Recreation Zone. Further west of this is the Bridesdale residential development which is zoned Medium Density Residential. This residential area is fully established, and the character is consistent with a medium density residential area.

The land to the north-east is zoned predominantly Wakatipu Basin Lifestyle Precinct and Rural Lifestyle, and has a mix of uses including low level grazing and residential, the latter being large dwellings on rural lifestyle sized allotments. The land to the south is a mix of Rural and Informal Recreation Zones, both these areas having a low level of development and few buildings or structures. There is an existing public access track which leads from the Bridesdale suburb west of Hayes Creek along the western bank of the creek to link with the Twin Rivers Trail at the Kawarau River to the south.

The southern portion of the subject site (Lot 1) is within the Kawarau River Outstanding Natural Feature ('ONF') area and has a portion of the Transpower Transmission Lines traversing overhead. Lot 3 DP 447906 is located within both the Morven Hill ONF and the Kawarau River ONF. The proposed building platform is located outside of the ONF.

The site is partly identified as being within a Seismic Liquefaction Area B Domain on the QLDC Natural Hazards Maps.

3.2 INTERESTS

The Record of Title (RT) for the application site and relevant interests are contained in **Appendix A**. The RT identifies the site as being subject to Consent Notice 10684127.10 (provided in **Appendix A**), which applies to lots 404-406 DP 505513 only. The following is a summary of the applicable consent notice conditions:

- Condition 1.5. Applies to Lot 405 only. Landscaping as approved under the original consent (SH 150001) to be maintained. Dead or diseased plants to be replaced.
- Condition 1.6. Applies to Lot 406 only. Revegetation planting as approved under the original consent (SH 150001) to be maintained. Dead or diseased plants to be replaced.

As discussed further in Section 5 of this report, consent is sought as part of this application to vary or partially cancel this consent notice and re-create conditions 1.5 and 1.6 on a new consent notice applicable to Lots 405 and 406 only.

4.0 RELEVANT CONSENT HISTORY

SH150001 – in 2016 the land to the west of the subject site was subdivided under the Housing Accords and Special Housing Areas Act (HAASHA) and 149 allotments were created, with associated consent to build on 148 of these. As part of this decision an amalgamation condition was imposed requiring that Lot 1 DP 21087, Lot 3 DP 447906 and Lots 404 - 406 DP 505513 be held in the same record of title.

RM180478 – in 2018 the applicant applied for resource consent to identify a building platform and construct a dwelling on Lot 3 DP 447906. This application was placed on hold in 2018 and has exceeded the permissible suspension period of s91D of the RMA 1991. This proposal is no longer being pursued.

5.0 DESCRIPTION OF PROPOSAL

The proposed application seeks Subdivision Consent to de-amalgamate Lot 1 DP 21087 and Lot 3 DP 447906 from Lots 404 - 406 DP 505513 and create a new 'Proposed Lot 1'; and Land Use consent to identify a building platform of 1,000m² on Lot 1 DP 21087.

Associated with the subdivision, approval is also sought for the cancellation of an existing amalgamation condition under s241(3) of the RMA 1991, and for the cancellation of Consent Notice 10684127.10 under s221 of the RMA 1991 and its replacement with an amended consent notice.

Each aspect of the proposal is outlined separately below.

5.1 PART A: SUBDIVISION CONSENT

5.1.1 Subdivision and Cancellation of Amalgamation Condition

The subject allotments (Lot 1 DP 21087, Lot 3 DP 447906, Lot 404 DP 505513, Lot 405 DP505513, Lot 406 DP 505513) are currently held together in the same Record of Title (763196). These lots were amalgamated following a condition imposed under the previous consent for the Bridesdale Special Housing Area under SH150001.

Subdivision consent is now sought to de-amalgamate Lot 1 DP 21087 (Lot 1) and Lot 3 DP 447906 (Lot 3), from Lots 404 - 406 DP 505513, and create a new proposed 'Lot 1'. The resultant lots will then be re-amalgamated to be held in two separate records of title. Accordingly, the proposed subdivision will result in the cancellation of the previous amalgamation condition, and the creation of two new amalgamation conditions, with the first requiring Proposed Lot 1 (Lot 1) and Lot 3 DP 447906 (Lot 3) are to be held in the same record of title; and the second requiring that Lots 404 - 406 DP 505513 are to be held in the same record of title.

It is highlighted that to achieve the de-amalgamation of Lot 1 and 3, the current application seeks Subdivision Consent. However, the need for Subdivision Consent is uncertain and, alternatively, the Council could grant approval to cancel the existing amalgamation condition under s241(3) of the RMA 1991 and replace it with two separate amalgamation conditions as described below. Due to the uncertainty around this process, the current application seeks consent under both s11 and s241(3) of the RMA 1991.

5.1.2 Access

Legal access to proposed Lot 1 and Lot 3 DP 447906 is proposed via Alec Robins Road as shown on the Subdivision Plan attached at **Appendix B**. Physical access to Lot 1 DP 21087 is currently achieved via a gravelled farm track through Lot 3 DP 447906, which leads down to the proposed building platform (refer below). This access will remain to provide access to the building platform.

The existing formed access off Alec Robins Road has been constructed outside of the legal road corridor and partly extends through Part Section 28 Block IX Shotover SD. As such, Right of Way Easements are proposed to provide access to proposed Lot 1 over Part Section 28 Block IX Shotover SD, as shown on the Subdivision Plan (**Appendix B**).

Physical access for Lot 406 is provided via Hayes Creek Road. Legal access to Lots 404 and 405 DP 505513 is to be provided via a right of way easement over the Council Reserve - Lot 205 DP 505513. The provision of legal access to Lots 404 and 405 over the Council reserve (Lot 205) was considered at a council hearing in May 2022, and support for a right of way easement was confirmed at a Council meeting on 2 June 2022. A copy of the minutes from the June Council meeting are included **Appendix E**. Council confirmed support for a right of way easement, subject to conditions, including that the use to be restricted to light vehicle and pedestrian access for the current farming use and to enable access to the Bridesdale garden allotments. Accordingly, a right of way application has been lodged with council under s348 of the Local Government Act 1974, and these easements are shown on the proposed Subdivision Plan in **Appendix B**.

As such, legal access will exist to all relevant lots once de-amalgamated.

5.1.3 Servicing

An Infrastructure Assessment Report has been prepared for this application, and is attached at **Appendix C**. The findings are summarised here.

Power and Telecommunications

Confirmation of the availability of reticulated power services to the proposed building platform is provided in the Infrastructure Report in **Appendix C**.

While it is feasible to service the proposed building platform for telecommunications and data via the existing Chorus network within Alec Robins Road, due to cost, complexity, and potentially limited data speeds, it is proposed to service the future dwelling via the cell phone and mobile data network only. The subject site has good cell coverage and therefore this is deemed appropriate where the owner or future owner is well aware of their obligation in this regard. This approach is consistent with rules 27.7.33.5 and 27.7.33.6 of the PDP and no specific resource consent is required for this.

It is noted that the Transpower National Grid transmission lines cross the southern part of the site. The proposed building platform has been located north of the transmission lines and is not located within the National Grid Subdivision Corridor or the National Grid Yard (as defined under the PDP). As such the proposal is not anticipated to affect the operation, maintenance, upgrade or development of the National Grid. A letter from Transpower confirming no concerns with the proposal is included in **Appendix G**.

Wastewater

The site is not currently located within Council's wastewater network scheme boundary and does not have access to a Council reticulated network. Existing dwellings on Alec Robins Road generally dispose of wastewater via treated effluent disposal to ground. It is noted however that a consent application (RM220821) has recently been lodged with QLDC for the potential subdivision of the neighbouring land to the north (at 64 Alec Robins Road – referred to as the 'Hays Creek Development'), and this subdivision proposes an extension to the Council reticulated wastewater network. As such, there are two options for wastewater disposal from the site, being either (a) on-site disposal, or (b) a possible connection to the Council network potentially installed as part of the Hays Creek Development (RM220821). These options are both discussed in the Infrastructure Report in **Appendix C**.

The possible future connection to the reticulated network has not been fully explored and is dependent upon a number of factors.

If on-site disposal is required, an effluent disposal system will be designed in accordance with AS/NZS 1547:2012 as part of the future building consent. It is proposed that consent notice conditions be imposed on the title requiring the design of the on-site wastewater system at the time of construction of a residential dwelling within the platform. It is noted that Rule 12.A.1.4 of the Otago Regional Plan (Water) requires the dispersal field of an on-site wastewater disposal system to be 50m from a surface water body and 50m from any existing bore. As discussed in the Infrastructure Report (**Appendix C**), there is an area approximately 20m to the south of the proposed building platform that is able to meet these requirements.

Water Supply

Water supply is proposed to be extended from the existing mains in Alec Robins Road. Council confirmed this was possible as part of a previous application RM180478 for a building platform on Lot 3 DP 447906. Correspondence with Councils' Infrastructure Development Engineer provided as part of that application is attached at **Appendix F**). The proposal is to then extend this connection approximately 120m further south to meet with the subject site (Lot 1 DP 21087) and connect to the dwelling when the land is constructed upon in future. The infrastructure assessment report identifies a potential low-pressure issue as a result of this distance, and has recommended the future dwelling is serviced via a low-pressure feed to a storage tank with a pressure pump to ensure consistent and suitable pressure.

Firefighting Supply

The subject site is not within the vicinity of council reticulated fire hydrants. Due to the low pressure anticipated, there will not be sufficient water pressure to provide for firefighting supply. It is proposed to therefore install 45,000L of tank storage on the site when the site is constructed upon, and that this be required by a consent notice condition imposed on the title.

Stormwater

Reticulated stormwater networks are not available and therefore on-site disposal is proposed. The suitability of the site for on-site stormwater disposal is confirmed by a geotechnical report contained in **Appendix C**. A suitable on-site stormwater disposal system will likewise be installed at time of construction of the future building.

5.2 PART B: LAND USE CONSENT

Resource consent is sought to identify a building platform on proposed Lot 1. Proposed Lot 1 will be amalgamated with Lot 3 DP 447906 as per the subdivision proposal outlined above.

5.2.1 Building Platform and Design Controls

It is proposed to establish a building platform of 1,000m² on proposed Lot 1. The location of the proposed building platform is shown in Figure 2 above, and the subdivision plan showing the building platform is contained in **Appendix B**.

The building platform is generally rectangular in shape, being approximately 50m long facing Hayes Creek, and varying between 12m – 22m in width. The platform is located 10m from the eastern site boundary at its closest point, and 21.6m from the Hayes Creek boundary at its closest point. This location has been chosen in order to avoid the Kawarau River ONF and overhead transmission lines on the subject site, as well as considering the site's topographical constraints. The building platform is situated on a north-western facing terrace slope which rises from 336 masl at the western boundary to 344 masl at the eastern boundary.

A landscape assessment has been undertaken for the proposed building platform and is contained in **Appendix D**. The assessment considers the proposal to be appropriate, subject to the imposition of appropriate design controls to mitigate effects. The proposed design controls are outlined in detail within Appendix A of the Landscape Assessment (**Appendix D**).

Within the building platform it is proposed to restrict built form to a maximum coverage of 500m², and with a rolling height limit that is sensitive to the topography being 8m from existing ground level or 5.5m from a reduced level (RL) of 340.0. This will ensure a future building remains below the highest point of the ridgeline (being 347masl), and allows increased building height on the lower (western) slope, with a reduced height at the rear (eastern) boundary. Figure 4 below illustrates the proposed building platform and rolling height controls.

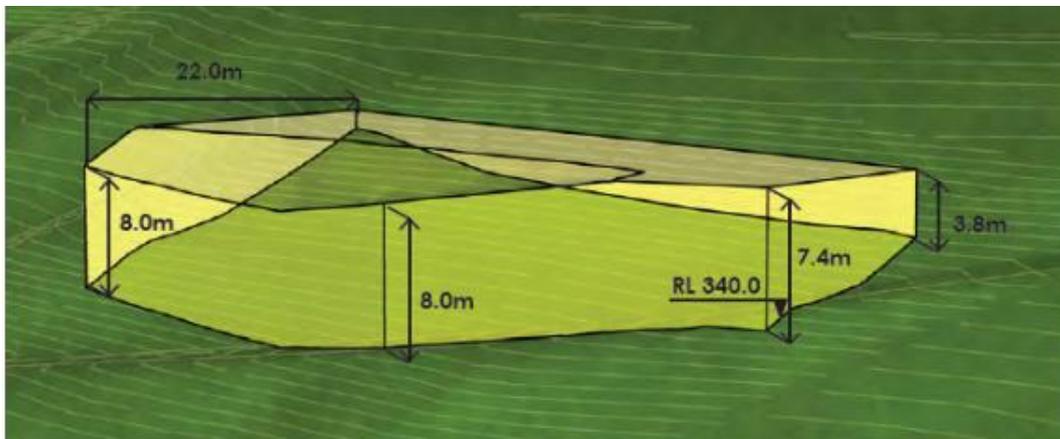


Figure 4 – Proposed Building Platform

5.2.2 Landscape mitigation

A landscape plan has been developed and is included in **Appendix D**. It is proposed to landscape the area directly west of the building platform with native trees and shrubs, with further riparian vegetation planting extending west of this to the western lot boundary and along the creek margins. Proposed landscape planting will mature to a height of 10m or more to provide considerable screening to the building platform.

With the establishment of this landscaping, the landscape assessment (**Appendix D**) considers that the building platform will not be visually prominent as it will be set within a frame of the indigenous vegetation which will provide a high degree of screening and containment. A condition of consent is proposed to require landscape planting to be planted prior to the registration of the building platform.

The landscape plan also proposes to retain existing mature poplars on the site between the proposed building platform and Hayes Creek, to provide visual screening for a period of 5 years while the proposed native and riparian planting establishes and increases in height.

A wider curtilage area around the platform is also proposed to be established and would require all domestic amenity planting and structures to be located within this area.

A number of existing exotic conifers (radiata pine) are proposed to be removed from south of the building platform.

5.2.3 Earthworks

The site is sloping, with the building platform located on the flatter area of the site, east of the farm track. Given the topography, it is considered that earthworks will be necessary for the future building on the site. This, however, is more efficiently considered at the time of building in order to allow the future landowner flexibility in design to best suit the site.

5.2.4 Natural Hazards

Council's GIS system records the site as partly within an area of Seismic Liquefaction Area B Domain on the Natural Hazards Maps. The geotechnical report within **Appendix C** has determined that the proposed building platform and assumed future residential use of the site will not pose an unacceptable risk from natural hazards.

5.3 PART C: CONSENT NOTICE CANCELLATION

Approval is sought under section 221(3) of the Act to cancel the existing Consent Notice 10684127.10 and replace it with an amended consent notice.

The conditions of the consent notice requirements do not relate to Lot 1 DP 21087, Lot 3 DP 447906 or Lot 404 DP 505513 and are registered on the current record of title as they relate to Lots 405 and 406 DP 505513. With the proposal to separate Lots 1 and 3 from Lots 404, 405 and 406 DP 505513, the consent notice will not need to be registered on the new title for Lots 1 and 3. Additionally, the consent notice also only has two conditions relevant to Lots 405 and 406 and as such it is proposed to cancel consent notice 10684127.10 entirely, and to re-create conditions 1.5 and 1.6 on a new consent notice to be registered on the titles of Lot 404, 405 and 406.

6.0 APPLICATION AND WEIGHTING OF THE OPERATIVE AND PROPOSED DISTRICT PLANS

The QLDC District Plan is currently subject to review which is being undertaken in several stages. As such, assessment against both the ODP and the PDP is required in accordance with Section 104 and Schedule 4 of the RMA.

Decisions on Stages 1, 2, and 3 of the PDP now have legal effect in accordance with Section 86B, and rules that are not subject to appeal must be treated as operative in accordance with Section 86F of the Resource Management Act. The site is zoned Rural General under the ODP, and Rural and part Wakatipu Basin Lifestyle Precinct under the PDP. It is understood that the rezoning of the subject site has not been appealed.

While the appeals on Chapters 21 and 24 are not fully resolved, those rules related to this proposal are largely resolved, noting that there are many appeals still unresolved for Chapter 24, but noting equally that the area of the site to which this zone applies is marginal and therefore of limited consequence. As such, the ODP objectives and policies will be assessed in this application, but almost complete weight should be given to the PDP Rural Zone provisions.

7.0 RESOURCE CONSENTS REQUIRED

7.1 QLDC PROPOSED DISTRICT PLAN

7.1.1 Part A – Subdivision Consent

The site is zoned Rural under the PDP. The following resource consents are required for the proposal:

- As a **Discretionary Activity** under Rule 27.5.6 for subdivision within the Rural Zone.

7.1.2 Part B – Land use Consent

The site is zoned Rural under the PDP. The following resource consents are required for the proposal:

- As a **Discretionary Activity** under Rule 21.4.10 for the identification of a building platform on proposed Lot 1 not less than 70m² and not more than 1,000m².
- As a **Restricted Discretionary Activity** under Rule 21.5.1 for future buildings within the platform to breach the setback from internal boundaries, as the building platform is located 10m from the eastern boundary, rather than the minimum 15m required.

7.2 RMA 1991

The following additional consents are required for the proposal:

- As a **Discretionary Activity** under section 221(3) of the RMA 1991 for the cancellation of Consent Notice 10684127.10.
- As a **Discretionary Activity** under section 241(3) of the RMA 1991 for the cancellation of an amalgamation condition.

This application seeks any other consents that are required.

8.0 ASSESSMENT OF THE PROPOSED DISTRICT PLAN

8.1 OVERVIEW

The site is zoned Rural under the PDP, with a very small portion of Wakatipu Basin Lifestyle Precinct. It is understood that the zoning of the subject site has not been appealed. It is noted that while the site is zoned in part Wakatipu Basin Lifestyle Precinct (WBLP) zoning, these provisions are not assessed in this report due to the building platform and all proposed development being located entirely within the Rural zoned area of the site, and the fact that the area of the site which is WBLP is a very small area of the site (approx. 120m²) within which no works are proposed.

The location of the proposed building platform is within the Rural Character Landscape (RCL). The southern part of the site is within an ONL and ONF, and no works are proposed in this area.

8.2 RULES, ASSESSMENT MATTERS, OBJECTIVES AND POLICIES

The following chapters are relevant to the proposal:

- Chapter 3 (Strategic Development)
- Chapter 6 (Landscapes – Rural Character)
- Chapter 21 (Rural)
- Chapter 27 (Subdivision)
- Chapter 28 (Natural Hazards)
- Chapter 29 (Transport)

The assessment below addresses the provisions within these above-mentioned chapters that are relevant to the proposal.

8.2.1 Chapter 3 Strategic Direction

Objective 3.2.1 - The development of a prosperous, resilient and equitable economy in the District

Policy 3.2.1.8 - Diversification of land use in rural areas beyond traditional activities, including farming, provided that:

- a. the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes are protected;*
- b. the landscape character of Rural Character Landscapes is maintained and their visual amenity values are maintained or enhanced; and*
- c. Significant nature conservation values and Ngāi Tahu values, interests and customary resources, are maintained.*

Objective 3.2.6 - The District's residents and communities are able to provide for their social, cultural and economic wellbeing and their health and safety.

Comment: The proposed subdivision and de-amalgamation allows for the applicant to better utilise the land for their social, cultural and economic well-being, as well as providing for housing diversity in the District. The proposed building platform is located in an area that is outside of risks from natural hazards and outside of ONFs; and the landscape assessment (**Appendix D**) identifies that, with the proposed design controls and landscape plan, the site can absorb the proposed development with no more than low (less than minor) adverse effects on landscape character and visual amenity values. The proposal is therefore consistent with the above strategic objective and policy direction.

Objective 3.2.4 - The distinctive natural environments and ecosystems of the District are protected.

Policy 3.2.4.1 - Development and land uses that sustain or enhance the life-supporting capacity of air, water, soil and ecosystems, and maintain indigenous biodiversity.

Policy 3.2.4.3 - The natural character of the beds and margins of the District's lakes, rivers and wetlands is preserved, or enhanced where possible, and protected from inappropriate subdivision, use and development.

Policy 3.2.4.4 - The water quality and functions of the District's lakes, rivers and wetlands are maintained or enhanced.

Policy 3.2.4.5 - Public access to the natural environment is maintained or enhanced.

Strategic Policy 3.3.20 - Manage subdivision and / or development that may have adverse effects on the natural character and nature conservation values of the District's lakes, rivers, wetlands and their beds and margins so that their life-supporting capacity is safeguarded; and natural character is maintained or enhanced as far as practicable.

Comment: The proposed building platform is located in an area that is outside of ONFs in the area, on a site which does not support rural productive value. The river margins in this location do not appear as significantly 'natural' and instead are representative of a modified landscape sandwiched between urban and rural living activities. The proposed building platform is located a sufficient distance from Hayes Creek and within private land. A future building in this location will be consistent with existing development within the Rural Lifestyle Zone on the western side of Hayes Creek, and with future anticipated development in the Wakatipu Basin Lifestyle Precinct.

Riparian landscape planting is proposed which will enhance the margins of this waterbody and provide screening to future built form within the platform to reduce visual prominence.

Public access to the natural environment is unaffected by the proposal, as access to Hayes Creek is available on the western side of Hayes Creek and via the existing trail. Additionally, a right of way (pedestrian) easement in favour of Queenstown Lakes District Council exists over the adjacent lot Part Section 28 Block IX Shotover SD.

Any wastewater disposal will need to comply with the NZ standards and the Otago Regional Plan and so will not adversely affect the quality and function of the creek.

It is considered that the proposal will slightly enhance and not adversely affect the natural character of the river margins and is consistent with the above objective and policies.

Objective 3.2.5 The retention of the District's distinctive landscapes.

Policy 3.2.5.6 - In Rural Character Landscapes, new subdivision, use and development in proximity to any Outstanding Natural Feature or Outstanding Natural Landscape does not compromise the landscape values of that Feature or Landscape.

Strategic Policy 3.3.23 - Ensure that the effect of cumulative subdivision and development for the purposes of Rural Living does not compromise: a. the protection of the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes; and b. the maintenance of the landscape character and maintenance or enhancement of the visual amenity values of Rural Character Landscapes.

Strategic Policy 3.3.25 - That subdivision and / or development be designed in accordance with best practice land use management so as to avoid or minimise adverse effects on the water quality of lakes, rivers and wetlands in the District.

Strategic Policy 3.3.30 - Protect the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes.

Strategic Policy 3.3.31 - Avoid adverse effects on the landscape values of the District's Outstanding Natural Features and Outstanding Natural Landscapes from residential subdivision, use and development where there is little capacity to absorb change.

S.P 3.3.33 – For Rural Character Landscapes, identify landscape character to be maintained, and visual amenity values to be maintained or enhanced and related landscape capacity: a. for Priority Areas of the Upper Clutha Basin, in Schedule 21.23, in accordance with the values identification framework in SP 3.3.39 - 3.3.41 and otherwise through the landscape assessment methodology in SP 3.3.45 and through best practice landscape assessment methodology; and b. outside of identified Priority Areas, in accordance with the landscape assessment methodology in SP 3.3.45, and through best practice landscape assessment methodology; and c. through associated District Plan rules setting measurable spatial or other limits, and related assessment matters, as to cumulative subdivision and development including as to location, quantity, density and design.

S.P 3.3.35 – In any Rural Character Landscape that is not a Priority Area, or is a Priority Area that has not achieved the requirements of SP 3.3.33, do not allow new subdivision or development for the purposes of Rural Living except where: a. according to the methodology in SP 3.3.45 and having regard to the wider landscape context: i. a landscape character area for assessment purposes is identified at an appropriate landscape scale including by mapping; ii. the landscape character and visual amenity values of that landscape character area are identified; and iii. the landscape capacity of that landscape character area is assessed so as to soundly inform a determination that the requirements of SP 3.3.23 are met; and b. the approval of new subdivision or development for the purposes of Rural Living maintains the landscape character and maintains or enhances the visual amenity values identified in relation to that landscape character area and the wider landscape context.

Strategic Policy 3.3.44 - Where any or any part of an Outstanding Natural Feature, Outstanding Natural Landscape or a Rural Character Landscape is not identified as a Priority Area in Schedule 21.22 or 21.23, this does not imply that the relevant area: a. is more or less important than the identified Priority Areas in terms of: i. the landscape attributes and values, in the case of an Outstanding Natural Feature or Outstanding Natural Landscape; ii. landscape character and visual amenity values, in the case of a Rural Character Landscape; or b. is more or less vulnerable to subdivision, use and development.

Strategic Policy 3.3.45 - Landscape assessments shall:

a...

b. for Rural Character Landscapes:

i. define a relevant landscape character area and its wider landscape context;

ii. identify the landscape character and visual amenity values of that landscape character area and within its wider landscape context; and

iii. assess effects on that character and those values and on related landscape capacity;

c. in each case apply a consistent rating scale for attributes, values and effects.

Comment: The proposal seeks to subdivide and de-amalgamate Lots 1 and 3 from Lots 404, 405 and 406, with no new lots created, only separate titles. In consequence, there will be no effects on the landscape character or visual amenity values from the subdivision component of the application.

As a result of the proposed building platform, in future it will be possible to construct a dwelling on proposed Lot 1. The site is not within a scheduled Priority Area, and a landscape assessment has been undertaken in accordance with the methodology set out in SP3.3.45. The landscape report in **Appendix D** has assessed this proposal and found that the location is appropriate to absorb the proposed development, and, when considered in the context of existing development at Alec Robins Road and future development which can be undertaken within the adjacent Wakatipu Basin Lifestyle Precinct, development within the platform will appear coherent with other residential activities.

The proposal locates the building platform outside of the ONF, and in a discreet location on a terrace riser that does not form part of the ONF and with limited visibility from public locations and roads, other than those immediately near to the site. Thus, the platform has been located in a way that will be most sympathetic to the values of the landscape, with the proposed height limit to be retained below the maximum height of the terrace. With the recommended landscape planting and design controls (both of which are proposed as conditions of consent to this application) the visual effects will be less than minor on the wider environment, and therefore the proposal will maintain the landscape values of the area and of the nearby ONF's. Furthermore, the proposal to remove existing mature exotic conifers and to carry out riparian planting will provide benefits to the environment as a result of this proposal. The proposal is therefore consistent with the above policy direction.

8.2.2 Chapter 6 Landscapes and Rural Character

6.3.2 - Objective - Managing Activities in the Rural Zone, the Gibbston Character Zone, the Rural Residential Zone and the Rural Lifestyle Zone

Policy 6.3.2.1 - Avoid urban development and subdivision to urban densities in the rural zones.

Policy 6.3.2.2 - Ensure that the location and direction of lights does not cause excessive glare and avoids unnecessary degradation of views of the night sky and of landscape character, including of the sense of remoteness where it is an important part of that character

Policy 6.3.2.6 - Encourage subdivision and development proposals to promote indigenous biodiversity protection and regeneration where the landscape values and nature conservation values would be maintained or enhanced, particularly where the subdivision or development constitutes a change in the intensity in the land use or the retirement of productive farm land.

Policy 6.3.2.7 - Ensure that subdivision and development in the Outstanding Natural Landscapes and Rural Character Landscapes in proximity to an Outstanding Natural Feature or Outstanding Natural Landscape does not compromise the landscape values of that Outstanding Natural Feature or Outstanding Natural Landscape.

Policy 6.3.2.7 - Encourage any landscaping to be ecologically viable and consistent with the established character of the area.

6.3.4 – Objective - Managing Activities in Rural Character Landscapes

Policy 6.3.4.1 - Recognise that subdivision and development is unsuitable in many locations in Rural Character Landscapes and successful applications will need to be, on balance, consistent with the objectives and policies of the Plan.

Policy 6.3.4.3 - Require that proposals for subdivision or development for rural living in the Rural Zone: a. take into account all subdivision and development that is in existence or is consented for all land within the relevant landscape character area as at 14 May 2021; and b. assess the potential for adverse cumulative effects on the landscape character of that area and its wider landscape context.

Policy 6.3.4.4 - Have particular regard to the potential adverse effects on landscape character and visual amenity values where further subdivision and development would constitute sprawl along roads.

Policy 6.3.4.5 - Ensure incremental changes from subdivision and development do not degrade landscape character, or important views as a result of activities associated with mitigation of the visual effects of proposed development such as screen planting, mounding and earthworks.

Policy 6.3.4.8 - Avoid adverse effects on visual amenity from subdivision, use and development that: a. is highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); or b. forms the foreground for an Outstanding Natural Feature or Outstanding Natural Landscape when viewed from public roads.

Policy 6.3.4.9 - In the Wakatipu Basin, avoid planting and screening, particularly along roads and boundaries that would degrade openness where such openness is an important part of its landscape character.

Policy 6.3.4.11 - Encourage development to utilise shared accesses and infrastructure, and to locate within the parts of the site where it will minimise disruption to natural landforms and to rural character.

Comment: The subdivision proposes one additional building platform, on an allotment of 1.96ha which is held in the same record of title as the adjacent (3.5ha), thus one dwelling for a site of 5.45ha. It does not therefore result in an 'urban' density. Any lighting associated with this development will be internally directed and further design controls are also proposed to restrict the type of lighting that can be used (refer **Appendix D**).

The landscape report (**Appendix D**) has assessed the effects of the proposed location on landscape and visual amenity values of the RCL, the Kawarau River and Morven Hill ONF's, and on public and private views. The proposed building platform's location is within a discreet location which, due to topography and orientation, has limited visibility from external public and private locations, other than those in the immediately adjacent area. The ONF boundary is drawn down a distinct spur which falls between the wider Morven Hill to meet Hayes Creek to the south of the proposed BP. This spur provides visual separation of the proposed BP and the wider ONF. As such, in regard to Policy 6.3.2.7, the proposal is not visible from the ONF's and does not compromise the landscape values of the ONF or ONL.

With regard to public places, the landscape assessment notes that the building platform and a future dwelling will be visible from adjacent dwellings within Bridesdale, as well as from a short part of the Hayes Creek walking track. The building platform will also be visible from the Red Cottage Historic Heritage Feature and the adjacent playground. The site is not located within the setting or extent of place of the Red Cottage. Again, the landscape assessment considers that, in the context of the much larger visual landscape, the location and proposed landscaping will ensure the dwelling is not visually prominent and will have less than minor adverse effects. Nonetheless, due to the potential **temporary** effects of the proposal on adjacent persons and users of the walking track in the interim until landscaping establishes, the applicant is requesting public notification of this application under s95A(3)(a) of the RMA 1991.

With regard to Policy 6.3.4.8 it is noted that the Hayes Creek Track is not a “trail” as per the definition contained in the PDP and, therefore, the policy applies and directs that adverse effects on visual amenity from public places should be avoided. From the Hayes Creek track, views will be restricted to the northern reaches of the track for a distance of approximately 300m. Additionally, public use of the Hayes Creek track is limited as the track provides only access from Bridesdale to trails to the south and does not connect further north or to any other public trail. Furthermore, it is considered that the users of the track and playground do so in a transient fashion, as such, any residual adverse effects of the proposal will only be experienced for a short period of time by the members of the public. Overall, effects on these public places will be mitigated by proposed landscaping, and are not considered to be adverse or contrary to Policy 6.3.4.8.

From some specific viewpoints, the site appears in the foreground of views towards the Remarkables ONF/ONL on the southern side of the Kawarau River, and a dwelling in the proposed building platform may slightly break the skyline formed by the terrace edge east of the building platform (Refer Images 3 & Images 5-9 within **Appendix D**). Existing dwellings within Bridesdale similarly break ridgeline and potentially skyline, and are also located in this foreground. These effects are limited to a discreet and defined location in close proximity to the site only.

While a future dwelling and associated activities will be visible from these public and private locations, when considered in the context of the much wider visual landscape, and future development of the nearby Wakatipu Basin Lifestyle Precinct, the proposal will appear as coherent. The landscape report in **Appendix D** has recommended landscape planting to provide screening of the proposed building platform from views across Hayes Creek and has also recommended riparian and native planting, which represents an enhancement of the landscape (as per Policy 6.3.2.6) and will mitigate visual effects. The landscape planting proposed will be below the highest point of the terrace and is not located along roads, and when mature, will not degrade the openness of the landscape.

Overall, the proposal is therefore consistent with the relevant objectives and policies of this chapter.

8.2.3 Chapter 21 Rural Zone – Objectives and Policies

22.2.1 Objective – A range of land uses, including farming are enabled while:

- a. Protecting the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes;***
- b. Maintaining the landscape character of Rural Character Landscapes and maintaining or enhancing their visual amenity values;***
- c. Maintaining or enhancing amenity values within the rural environment; and***
- d. Maintaining or enhancing nature conservation values.***

Policy 21.2.1.1 - Enable farming activities while protecting, maintaining or enhancing the values of indigenous biodiversity, ecosystem services, recreational values, and the natural character and nature conservation values of the District’s lakes and rivers and their margins.

Policy 21.2.1.3 – Require buildings to be set back a minimum distance from internal boundaries and road boundaries in order to mitigate potential adverse effects on landscape character, visual amenity, outlook from neighbouring properties and to avoid adverse effects on established and anticipated activities.

Policy 21.2.1.5 – *Have regard to the location and direction of lights so they do not cause glare to other properties, waterbodies, roads, public places or views of the night sky.*

Policy 21.2.1.9 – *Provide adequate firefighting water and fire service vehicle access to ensure an efficient and effective emergency response.*

Comment: The objective seeks to enable a range of land uses where they protect, maintain or enhance landscape, amenity and nature conservation values. Policy 21.2.1.3 reflects that one way of achieving the objective is for buildings to be setback from property and road boundaries to mitigate potential adverse effects on outlook from neighbouring properties, and avoid reverse sensitivity effects. The proposed building platform is sufficiently setback from adjacent boundaries. Any future lighting within the platform will be restricted by the proposed design controls.

It is not considered that there are any significant natural conservation values on the site to maintain, as none are identified under the District Plan on this site. However, the landscape plan (**Appendix D**) recommends riparian planting along the creek edge, which will enhance the natural character and nature conservation values of the site and the margins of Hayes Creek (Policy 21.2.1.1).

Firefighting supply will be provided upon construction of a future dwelling in the allotment, and the location of the new vacant building platform means that there is minimal vegetation which could pose a firefighting risk. Furthermore, as the future dwelling on the building platform would be required to be consistent with the design controls recommended by the landscape assessment, it is considered that visually any future dwelling will be sensitive to the landscape setting as well as being located behind existing mature vegetation and proposed landscape plantings to provide visual screening, and will therefore be maintaining the landscape and rural amenity values. Therefore, the proposal is consistent with the above objective and policies.

21.2.12 Objective - *The natural character of lakes and rivers and their margins is protected, or enhanced, while also providing for appropriate activities, including recreation, commercial recreation and public transport.*

21.2.12.2 Enable people to have access to a wide range of recreational experiences on the lakes and rivers, and their margins, while having regard to environmental and safety constraints of the various parts of each lake and river.

21.2.12.6 Recognise and provide for the maintenance and enhancement of public access to and enjoyment of the margins of the lakes and rivers.

Comment: The proposal will not affect existing public access to and along the river which is available on the western side of Hayes Creek. The river margins in this location are set within an urban context, rather than having highly 'natural' character and the proposal will be only visible for a short distance along the margins of the river due to the topography. The proposed riparian planting along the creek edge will enhance the natural character and nature conservation values of the site and the margins of Hayes Creek.

21.2.2 Objective – *The life supporting capacity of soils is maintained.*

Comment: The subject site is currently utilised for rural purposes with some grazing, as the soil quality and sloping site does not lend itself to more highly productive rural activities. As such there is no significant loss to productive soil resources and the proposal is consistent with the objective.

8.2.4 Chapter 21 Rural Zone – Rules and Standards

The proposal has been reviewed against the provisions of the Rural Zone Chapter. The proposal requires land use consent under the following rules.

Table 2 – standards applying generally in the Zone.

Ref	Standard	Comments
21.5.1	Setbacks from internal boundaries <i>The setback of any building from internal boundaries shall be 15m.</i>	Does not comply - the building platform on Lot 1 is located 10m from the eastern boundary at its closest point.
21.5.2	Setbacks from roads 20m	Complies.
21.5.3	Setback from Neighbours of Buildings Housing Animals 30m	N/A
21.5.4	Setback of buildings from Water bodies 20m	Complies – the proposed building platform is located 21.6m from the boundary with the creek to the west at its closest point.
21.5.5	Airport Noise - Wanaka	N/A
21.5.6	Airport Noise – Alteration or Addition to Existing Buildings within the Queenstown Airport Noise Boundaries	N/A
21.5.7	Lighting and Glare	Will comply

Table 4 – Standards for buildings and structures

Ref	Standard	Comments
21.7.1	Structures <i>Any structure which is greater than 5 metres in length, and between 1 metre and 2 metres in height must be located a minimum distance of 10 metres from a road boundary</i>	N/A
21.7.2	Buildings <i>Any building, including any structure larger than 5m², that is new, relocated, altered, reclad or repainted, including containers intended to, or that remain on site for more than six months, and the alteration to any lawfully established building, are subject to the following:</i> <i>All exterior surfaces* must be coloured in the range of browns, greens or greys, including;</i>	Will comply – no buildings are currently proposed, however, a future dwelling will be required to comply with these standards. Additionally, the proffered condition of consent will ensure the design controls recommended by the landscape report are adhered to.

Ref	Standard	Comments
	<p>21.7.2.1 Pre-painted steel and all roofs must have a light reflectance value not greater than 20%; and</p> <p>21.7.2.2 All other surface ** finishes except for schist, must have a light reflectance value of not greater than 30%.</p> <p>21.7.2.3 In the case of alterations to an existing building not located within a building platform, it does not increase the ground floor area by more than 30% in any tenyear period.)</p>	
21.7.3	<p>Building Size</p> <p>The ground floor area of any building must not exceed 500m²</p>	<p>Will comply – no buildings are currently proposed; however, a future dwelling will be required to comply with this standard. Additionally, the landscape assessment also recommends conditions limiting building coverage in the platform to a maximum of 500m².</p>
21.7.4	<p>Building height</p> <p>8m</p>	<p>Will comply – no buildings are currently proposed; however, a future dwelling will be required to comply with this standard. Additionally, the landscape assessment also recommends a bespoke building height within the platform with a maximum height of 8m, reducing to 5.5m.</p>
21.7.5	<p>Firefighting water and access</p>	<p>Will comply – at time of future construction it is proposed to install onsite firefighting water storage.</p>

8.2.5 Assessment Matters – Rural Zone Chapter 21

21.21.2 Rural Character Landscape (RCL).

Ref	Assessment Matter	Comments
21.21.2.1	<p>Existing Vegetation that:</p> <p>a. was either planted after, or, self seeded and less than 1 metre in height at 28 September 2002; and,</p> <p>b. obstructs or substantially interferes with views of the proposed development from roads or other public places, shall not be considered:</p> <p>i. as beneficial under any of the following assessment matters unless the Council considers the vegetation (or some of it) is appropriate for the location in the context of the proposed development; and</p>	<p>The existing vegetation along the escarpment between the subject site and Hayes Creek appears to have been partially on site prior to 2002 due to its extensive height. It can therefore be considered as beneficial under the following assessment matters and as part of the permitted baseline.</p>

Ref	Assessment Matter	Comments
	<i>ii. as part of the permitted baseline</i>	
21.21.2.2	<p><i>Effects on landscape quality and character:</i></p> <p><i>The following shall be taken into account:</i></p> <p><i>a. where the site is adjacent to an Outstanding Natural Feature or Landscape, whether and the extent to which the proposed development will adversely affect the quality and character of the adjacent Outstanding Natural Feature or Landscape;</i></p> <p><i>b. whether and the extent to which the scale and nature of the proposed development will degrade the quality and character of the surrounding Rural Character Landscape;</i></p> <p><i>c. whether the design and any landscaping would be compatible with or would enhance the quality and character of the Rural Character Landscape.</i></p>	<p>The subject site is partially affected by an ONL and ONF. The proposed building platform is located entirely outside of the ONL and ONF.</p> <p>The proposed building platform is located below the terrace to the east which is in front of the Morven Hill ONF. There will be therefore no breaches to the skyline before the Morven Hill ONF. Additionally, a ridgeline running along the southern boundary of the site limits views of the site from the south within the Kawarau River ONF.</p> <p>The site of the proposed platform is discreet and tucked into the side of a terrace riser which has limited visibility from wider external locations, and as such will not affect the Rural Character Landscape. Visibility of the platform is limited to a defined area in close proximity to the site and views from the west within Bridesdale and from the Hayes Creek Track. From these limited viewpoints a future dwelling may also slightly break the skyline and is also located in the foreground of the more distant Remarkables ONF/ONL. Effects from these limited viewpoints are mitigated by the landscape plan and riparian planting, which will provide some softening and screening, and also enhancement of the quality and character of the landscape. Additionally, further volunteered conditions of consent will control the height and colouring / finishes of any dwelling built on the subject site.</p> <p>The proposed landscaping will enhance the ecological value and visual amenity of the site, and the species selected are compatible with a riparian environment and will enhance the quality and character of the landscape.</p>
21.21.2.3	<p><i>Effects on visual amenity:</i></p> <p><i>Whether the development will result in a loss of the visual amenity of the Rural Character Landscape, having regard to whether and the extent to which:</i></p> <p><i>a. the visual prominence of the proposed development from any public places will reduce the visual amenity of the Rural Character Landscape. In the case of proposed development which is visible from unformed legal roads, regard shall be had to the</i></p>	<p>As discussed above, the proposed building platform will have limited visibility from public and private locations more distant to the site. The site is enclosed by confining elements of topography and/or vegetation which reduce visibility from public and private locations, and the proposed building height will ensure a future dwelling remains below the maximum height of the terrace.</p> <p>However, within a defined area of approximately 300m along the western side of Hayes Creek, the</p>

Ref	Assessment Matter	Comments
	<p><i>frequency and intensity of the present use and, the practicalities and likelihood of potential use of these unformed legal roads as access;</i></p> <p><i>b. the proposed development is likely to be visually prominent such that it detracts from private views;</i></p> <p><i>c. any screening or other mitigation by any proposed method such as earthworks and/or new planting will detract from or obstruct views of the Rural Character Landscape from both public and private locations;</i></p> <p><i>d. the proposed development is enclosed by any confining elements of topography and/or vegetation and the ability of these elements to reduce visibility from public and private locations;</i></p> <p><i>e. any proposed roads, boundaries and associated planting, lighting, earthworks and landscaping will reduce visual amenity, with particular regard to elements which are inconsistent with the existing natural topography and patterns;</i></p> <p><i>f. boundaries follow, wherever reasonably possible and practicable, the natural lines of the landscape or landscape units.</i></p>	<p>building platform will be visible from a number of private properties within Bridesdale, the Red Cottage site, the public playground, and the Hayes Creek track. The landscape assessment considers that the proposed landscape planting and design controls will reduce visual prominence such that effects will be ‘low’, or less than minor. However, temporary effects may arise in the interim until landscaping matures and as such the applicant requests public notification of the application.</p> <p>Effects on users of the trail will be temporary and fleeting, and public use of this part of the trail is considered to be low as it does not have any wider connectivity function to the north.</p> <p>As noted in the landscape assessment, effects on visual amenity should be considered in the context of the future development density enabled within the Wakatipu Basin Lifestyle Precinct. It is noted that a consent application (RM220821) has recently been lodged with QLDC for the subdivision of the neighbouring land to the north (at 64 Alec Robins Road – referred to as the ‘Hays Creek Development’) and this proposes 20 residential allotments within the Wakatipu Basin Lifestyle Precinct.</p> <p>The subject site and proposed development is considered to be coherent with the remainder of the landscape character unit (LCU14) which has been rezoned to Wakatipu Basin Lifestyle Precinct and will integrate with future residential dwellings within this adjacent area.</p>
21.21.2.4	<p><i>Design and density of development:</i></p> <p><i>In considering the appropriateness of the design and density of the proposed development, whether and to what extent:</i></p> <p><i>a. opportunity has been taken to aggregate built development to utilise common access ways including roads, pedestrian linkages, services and open space (i.e. open space held in one title whether jointly or otherwise);</i></p> <p><i>b. there is merit in clustering the proposed building(s) or building platform(s) having regard to the overall density and intensity of the proposed development and whether this</i></p>	<p>The proposal will utilise existing access roads, with a new easement securing this from Alec Robins Road. Due to the subject site’s location and this proposal for one new building platform it is considered that clustering of development is not applicable here. However, the building platform has been located in a discreet part of the site outside of the ONF and with limited visibility. The location is also able to utilise existing vehicle access through the site.</p>

Ref	Assessment Matter	Comments
	<p>would exceed the ability of the landscape to absorb change;</p> <p>c. development, including access, is located within the parts of the site where they will be least visible from public and private locations;</p> <p>d. development, including access, is located in the parts of the site where they will have the least impact on landscape character.</p>	
21.21.2.5	<p><i>Tangata Whenua, biodiversity and geological values:</i></p> <p>a. whether and to what extent the proposed development will degrade Tangata Whenua values including Tōpuni or nohoanga, indigenous biodiversity, geological or geomorphological values or features and, the positive effects any proposed or existing protection or regeneration of these values or features will have.</p>	<p>There are no identified tangata whenua, biodiversity or geological values identified on site. Hayes Creek is not identified as Wāhi Tūpuna. The proposed native and riparian planting will enhance biodiversity values of the site.</p>
21.21.2.6	<p><i>Cumulative effects of development on the landscape:</i></p> <p>Taking into account whether and to what extent any existing, consented or permitted development (including unimplemented but existing resource consent or zoning) has degraded landscape quality, character, and visual amenity values. The Council shall be satisfied;</p> <p>a. the proposed development will not further degrade landscape quality, character and visual amenity values, with particular regard to situations that would result in a loss of valued quality, character and openness due to the prevalence of residential or non-farming activity within the Rural Landscape.</p> <p>b. where in the case resource consent may be granted to the proposed development but it represents a threshold to which the landscape could absorb any further development, whether any further cumulative adverse effects would be avoided by way of imposing a covenant, consent notice or other legal instrument that maintains open space.</p>	<p>The area is not identified as having particular character value above that of the rural environment in general and is located in an area which is predominantly rural living. Therefore, the subject site is in an area that is already partly developed, and the particular location is not representative of an 'open' landscape. Future development of the Wakatipu Basin Lifestyle Precinct will increase the visibility of rural living development and the proposal will be coherent with this and not further degrade landscape values or give rise to cumulative effects.</p>

21.21.3 Other factors and positive effects, applicable in all the landscape categories (ONF, ONL and RCL)

Ref	Assessment Matter	Comments
21.21.3.1	<i>In the case of a proposed residential activity or specific development, whether a specific building design, rather than nominating a building platform, helps demonstrate whether the proposed development is appropriate.</i>	No building design is proposed. However, it is considered that the design standards in Table 4 and the requirement in 21.3.3.3 and the proposed design controls recommended by Patch Landscape (Appendix D) will ensure that any future dwelling on the proposed building platform will be sensitively designed to ensure cohesion with the wider environment.
21.21.3.2	<i>Other than where the proposed development is a subdivision and/or residential activity, whether the proposed development, including any buildings and the activity itself, are consistent with rural activities or the rural resource and would maintain or enhance the quality and character of the landscape.</i>	N/A, the proposed development is a subdivision with proposal for residential building platform.
21.21.3.3	<p><i>In considering whether there are any positive effects in relation to the proposed development, or remedying or mitigating the continuing adverse effects of past subdivision or development, the Council shall take the following matters into account:</i></p> <p><i>a. whether the proposed subdivision or development provides an opportunity to protect the landscape from further development and may include open space covenants or esplanade reserves;</i></p> <p><i>b. whether the proposed subdivision or development would enhance the character of the landscape, or protects and enhances indigenous biodiversity values, in particular the habitat of any threatened species, or land environment identified as chronically or acutely threatened on the Land Environments New Zealand (LENZ) threatened environment status</i></p> <p><i>c. any positive effects including environmental compensation, easements for public access such as walking, cycling or bridleways or access to lakes, rivers or conservation areas;</i></p> <p><i>d. any opportunities to retire marginal farming land and revert it to indigenous vegetation;</i></p> <p><i>e. where adverse effects cannot be avoided, mitigated or remedied, the merits of any compensation;</i></p>	<p>The proposal is for subdivision to create proposed Lot 1 and de-amalgamate Lots 1 and 3 from Lots 404, 405 and 406. There are no new allotments created, only separate titles. The final titles will be as follows:</p> <ul style="list-style-type: none"> • Proposed Lot 1 and Lot 3 (5.45ha) • Lots 404, 405 and 406 (19.01 ha) <p>It is proposed, through the landscape plan attached at Appendix D, to carry out riparian planting and landscape planting as part of this proposal, as well as removing some mature wilding conifers from the site. This will represent an enhancement of the existing environment and positive effects from the proposal.</p>

Ref	Assessment Matter	Comments
	<p><i>f. whether the proposed development assists in retaining the land use in low intensity farming where that activity maintains the valued landscape character.</i></p>	

8.2.6 Chapter 27 Subdivision – Objectives and Policies

27.2.1 Objective – Subdivision that will enable quality environments to ensure the District is a desirable place to live, visit, work and play.

Policy 27.2.1.3 - Require that allotments are a suitable size and shape, and are able to be serviced and developed for the anticipated land use under the applicable zone provisions.

27.2.2 Objective – Subdivision design achieves benefits for the subdivider, future residents and the community.

Policy 27.2.2.6: Encourage innovative subdivision design that responds to the local context, climate, landforms and opportunities for views or shelter.

Comment: The proposal will enable the applicant to meet their social, cultural and economic well-beings, while providing housing options in the market close to existing urban areas which will in turn enable others to meet their wellbeing needs. The proposed building platform location and design with regard to height controls is considered to be sensitive to the local context. The location of the building platform on Lot 1 will enable wastewater and stormwater disposal on site with connections available to reticulated water supply. The application is therefore consistent with the above objectives and policies.

27.2.5 Objective - Infrastructure and services are provided to new subdivisions and developments.

Policy 27.2.5.10 - Ensure appropriate water supply, design and installation by having regard to: a. the availability, quantity, quality and security of the supply of water to the lots being created; b. water supplies for fire fighting purposes; c. the standard of water supply systems installed in subdivisions, and the adequacy of existing supply systems outside the subdivision; d. any initiatives proposed to reduce water demand and water use.

Policy 27.2.5.11 - Ensure appropriate stormwater design and management by having regard to: a. any viable alternative designs for stormwater management that minimise run-off and recognises stormwater as a resource through re-use in open space and landscape areas; b. the capacity of existing and proposed stormwater systems; c. the method, design and construction of the stormwater collection, reticulation and disposal systems, including connections to public reticulated stormwater systems; d. the location, scale and construction of stormwater infrastructure; e. the effectiveness of any methods proposed for the collection, reticulation and disposal of stormwater run-off, including opportunities to maintain and enhance water quality through the control of water-borne contaminants, litter and sediments, and the control of peak flow.

Policy 27.2.5.14 - Ensure appropriate sewage treatment and disposal by having regard to: a. the method of sewage treatment and disposal; b. the capacity of, and impacts on, the existing reticulated sewage treatment and disposal system; c. the location, capacity, construction and environmental effects of the proposed sewage treatment and disposal system.

Policy 27.2.5.17 - Ensure that services, shared access and public access is identified and managed by the appropriate easement provisions.

Policy 27.2.5.18 - Ensure that easements are of an appropriate size, location and length for the intended use of both the land and easement.

Comment: Servicing for the proposed allotments is outlined in Section 5. Proposed Lot 1 is able to be serviced adequately in accordance with QLDC’s Land Development and Subdivision Code of Practice. The specifics of the easements utilised to achieve appropriate servicing are shown on the Scheme Plan attached at **Appendix B**. It is noted that the subject site is bounded by Hayes Creek and that, while the site is large, this proximity to the creek does limit the options for locations of onsite wastewater disposal systems further than 50m from the creek (see Infrastructure Report **Appendix C**). Given that it is more efficient to design a septic system to fit the dwelling design, it is proposed to volunteer a condition in the form of a consent notice to be registered on the title which will require any future septic system to either be located further than 50m from the creek bed, or to obtain appropriate consent from ORC. This application is therefore consistent with this policy direction.

27.2.6 Objective - Esplanades created where opportunities arise.

Policy 27.2.6.1 - Create esplanade reserves or strips where they would provide nature conservation, natural character, natural hazard mitigation, infrastructural or recreational benefits. In particular, Council will encourage esplanades where they:

- a. are important for public access or recreation, would link with existing or planned trails, walkways or cycleways, or would create an opportunity for public access;*
- b. have high actual or potential value with regard to the maintenance of indigenous biodiversity;*
- c. comprise significant indigenous vegetation or significant habitats of indigenous fauna;*
- d. are considered to comprise an integral part of an outstanding natural feature or outstanding natural landscape;*
- e. would benefit from protection, in order to safeguard the life supporting capacity of the adjacent lake and river;*
- f. would not put an inappropriate burden on Council, in terms of future maintenance costs or issues relating to natural hazards affecting the land.*

Policy 27.2.6.2 - Use opportunities through the subdivision process to improve the level of protection for the natural character and nature conservation values of lakes and rivers, as provided for in Section 230 of the Act.

Comment: Esplanades are not required under s230 of the RMA as Lots 1 and 3 combined are more than 4ha. None of the above policy considerations apply in this case.

8.2.7 Chapter 27 Subdivision – Rules and Standards

Table 2 – 27.6 Standards for Minimum Lot Areas

Ref	Standard	Comment
27.6.1	Standards for Minimum Lot Areas <i>N/A for Rural Zone</i>	N/A

Other relevant standards

Ref	Standard	Comment
27.5.10	<i>Subdivision of land in any zone within the National Grid Subdivision Corridor except where any allotment identifies a building platform to be located within the National Grid Yard.</i>	The proposed building platform has been located north of the transmission lines and is not located within the National Grid Subdivision Corridor or the National Grid Yard. Consent is not required under this rule.
27.7.28	<i>In the following zones, every allotment created for the purposes of containing residential activity shall identify one building platform of not less than 70m² in area and not greater than 1000m² in area.</i> <i>a. Rural Zone;</i> <i>b. Gibbston Character Zone;</i> <i>c. Rural Lifestyle Zone;</i>	Complies. No new “allotments” are created through this subdivision but rather a de-amalgamation of allotments and separation onto two separate titles. A building platform is identified on proposed Lot 1 and 3 (amalgamated together such that they are together an “allotment”). The remaining allotments (Lot 404 to 406) are intended for continued rural use, and are not “...for the purposes of containing residential activity...” and as such there is no need for identification of a building platform on these lots under this rule.
27.7.33.1	Water <i>Subject to 27.7.33.3, all lots, other than for access, roads, utilities and reserves except where irrigation is required, shall be provided with a connection to a reticulated water supply laid to the boundary of the net area of the lot, as follows:</i> <i>To a Council or community owned and operated reticulated water supply:</i> <i>a. All residential, business, town centre, local shopping centre zones and airport zone – queenstown</i> <i>b. Rural residential zones at Wanaka, Lake Hawea, Albert Town, Luggate, and Lake Hayes</i> <i>c. Millbrook Resort Zone and Waterfall Part Zone</i> <i>d. Settlement Zone at Luggate, Glenorchy, Cardrona and Kingston.</i>	Complies – while the subject site is outside of the listed zones which require reticulated connections, this subject site is able to connect to Council’s reticulated water supply (as per correspondence in Appendix F).
27.7.33.3	Water <i>Where no communal owned and operated water supply exists, all lots other than lots for</i>	Complies – as above.

Ref	Standard	Comment
	<i>access, roads, utilities and reserves, shall be provided with a potable water supply of at least 1000 litres per day per lot</i>	
27.7.33.4	<i>Electricity reticulation must be provided to all allotments in new subdivisions (other than lots for access, roads, utilities and reserves).</i>	Will comply – confirmation of availability of supply is provided in the Infrastructure Report in Appendix C .
27.7.33.5	<i>Telecommunication services must be available to all allotments in new subdivisions in the Rural Zone, Gibbston Character Zone and Rural Lifestyle Zone (other than lots for access, roads, utilities and reserves).</i>	Will comply. It is proposed to service the building platform with wifi telecommunications.
27.7.33.6	<i>Telecommunication reticulation must be provided to all allotments in new subdivisions in zones other than the Rural Zone, Gibbston Character Zone and Rural Lifestyle Zone (other than lots for access, roads, utilities and reserves).</i>	Complies. The site is within a Rural Zone and telecommunication reticulation is therefore not required by this standard.

8.2.8 Chapter 28 – Natural Hazards

The subject site is located within the A and B liquefaction domains on Council’s hazards maps. The geotechnical report attached in **Appendix C** discusses this and the findings for the site. It is concluded that it is low risk in terms of liquefaction and that the risk from rupture of the Alpine Fault can be taken into account through the building design and mitigated. Adverse effects from natural hazards are therefore less than minor and further assessment against the provisions of this chapter is therefore not necessary.

8.2.9 Chapter 29 – Transport

The proposal has been reviewed against the provisions of PDP Chapter 29. The subject site is able to accommodate sufficient on-site parking and manoeuvring space and therefore complies with the standards for parking and loading.

The subject site already has legal and physical access in accordance with Council’s standards. Due to the current locations of the boundaries and the formed sections of the access from Alec Robins Road to the subject site, easements are proposed over Part Section 28 Block IX Shotover SD to ensure access, as shown in the Scheme Plan (**Appendix B**).

Legal access to Lots 404 and 405 DP 505513 is to be provided via an easement over the Council Reserve Lot 205 DP 505513, which was confirmed at a Council meeting on 2 June 2022 (Refer copy of minutes in **Appendix E**). Accordingly, legal access will exist to all relevant lots once de-amalgamated.

No further assessment against the provisions of Chapter 29 is considered necessary.

8.3 CONCLUSION

The above section has assessed the proposal against the relevant rules, standards, assessment matters, objectives and policies of the applicable PDP chapters. Overall, it is considered that the proposed subdivision and building platform identification is consistent with the objectives and policies.

9.0 ASSESSMENT OF THE OPERATIVE DISTRICT PLAN

The objectives and policies of the Operative District Plan remain operative and are required to be considered under s104 of the RMA 1991. For the current proposal the relevant operative objectives and policies are contained within Section 5 (Rural Areas) and Section 15 (Subdivision).

9.1 SECTION 5 - RURAL GENERAL ZONE

9.1.1 5.2 Objectives and Policies

Objective 1 – Character and Landscape Value

To protect the character and landscape value of the rural area by promoting sustainable management of natural and physical resources and the control of adverse effects caused through inappropriate activities.

Policies: 1.1, 1.3, 1.4, 1.6, 1.7, 1.8

Comment: As discussed in the landscape assessment (**Appendix D**) the proposed building platform location has been selected as it is a discreet location tucked into the side of a terrace riser which has limited visibility from more distant views external to the site and will appear coherent with the future development of the Wakatipu Basin Rural Lifestyle Precinct and existing urban development within the Bridesdale residential area.

Additionally, the site has been selected to avoid being located within the ONF and ONL. The proposed design controls and landscape plan will ensure that the character and amenity of the LCU and wider landscape is maintained, and that the proposal overall will have no more than low adverse effects on landscape character and visual amenity values. The topography of the site restricts the use of the site for rural productive activities, and the introduction of a rural living activity does not therefore compromise these activities. Therefore, the proposal is consistent with this objective and these policies.

Objective 3 – Rural Amenity

Avoiding, remedying or mitigating adverse effects of activities on rural amenity.

Policies: 3.1, 3.2, 3.3, 3.5

Comment: The proposed development will not compromise or restrict the wider range of land use that occurs within the surrounding rural landscape. The proposed development will not limit the type and scale of activities adjoining landowners can undertake. The proposed house will be sufficiently set back from the property boundaries to mitigate the adverse effects of domestication on neighbouring activities, particularly given the topography of the site and the steepness towards the eastern boundary. Appropriate design measures have been offered to appropriately avoid or mitigate any adverse effects, including a bespoke height limit that reduces to 5.5m from RL 340 at the more elevated parts of the building platform. This proposal is consistent with the above provisions.

9.2 SECTION 15 - SUBDIVISION

Objective 1 – Servicing

The provision of necessary services to subdivided lots and development in anticipation of the likely effects of land use activities on those lots and within the developments.

Policies: 1.2, 1.5, 1.9, 1.11

Comment: The proposed development will be adequately serviced and is consistent with the above direction.

Objective 4 – Outstanding Natural Features, Landscape and Nature Conservation Values

The recognition and protection of outstanding natural features, landscapes and nature conservation values.

Policies: 4.2 and 4.3

Comment: Works associated with the subdivision will occur within the existing formed width of the farm track access and thus will not impinge on the values of the landscape. In consequence, there will be no effects on the landscape character or visual amenity values from the subdivision component of the application.

9.3 OVERALL

Overall, this proposal is consistent with the direction of the relevant ODP objective and policy direction.

10.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

Section 104(1) of the RMA requires that, when considering an application for resource consent, the consent authority must have regard to a number of factors, including Section 104(a) which requires having regard to any actual or potential effects on the environment. The below tables include an assessment under Section 104(a) of the Act.

Land, Flora and Fauna

Land, Flora and Fauna Effect	Effects on the Environment	Other Comments
Indigenous vegetation and habitats	Positive	No removal of indigenous vegetation is proposed as part of this application. It is proposed to establish riparian planting and native trees and shrubs along the boundary with Hayes Creek and to remove a number of exotic species. Therefore, the proposal will result in positive effects to indigenous vegetation and habitats.
Landform	Nil	The subdivision proposal will create separate titles only and does not alter existing lot boundaries. In consequence, there will be no effects on the landform or waterbodies from the subdivision component of the application.
Waterbodies	Nil	
Groundwater	Nil	
Contamination	Nil	
Significant Soils	Nil	No earthworks are proposed as part of this application, other than the trenching for services required to give effect to this subdivision application. The proposed building platform is

Land, Flora and Fauna Effect	Effects on the Environment	Other Comments
		<p>sufficiently setback from Hayes Creek to reduce the potential for effects. There is no risk of contamination from this subdivision activity and there are no significant soils on the subject site. Any future building on the building platform will be required to design the onsite wastewater disposal system to meet NZ standards and be 50m from the waterway or consent sought from ORC. A condition is volunteered to place this requirement as a consent notice on the title.</p> <p>Future earthworks for the construction of a dwelling will be required to be considered against the provisions of the PDP and will require preparation of an Environmental Management Plan in accordance with the QLDC Guidelines.</p>

Infrastructure

Infrastructure Effect	Effects on the Environment	Other Comments
Water Supply	Less than minor.	Water supply is to be extended from the existing reticulated system at 111 Alec Robins Road as per the previous correspondence with Council which indicates that this is possible (attached at Appendix F).
Effluent Disposal	Less than minor.	Wastewater is proposed to be disposed of to ground. The geotechnical report (Appendix C) has found that the site is suitable for on-site disposal. As this application is for subdivision consent and identification of a building platform, the details of the specific wastewater system are more efficiently done at time of building consent, and thus a consent notice condition is expected around ensuring that a suitably designed system is required at time of construction on the building platform.
Stormwater	Less than minor.	Stormwater is proposed to be disposed of to ground, which is supported by the geotechnical report (Appendix C).
Energy Supply	Less than minor.	<p>Electricity connections are available in the area and confirmations of service is attached in the Infrastructure Report at Appendix C.</p> <p>The site is traversed by Transpower electricity transmission lines. The building platform is located more than 50m from the lines and is not located within the National Grid Yard or the National Grid Subdivision Corridor (as defined by the</p>

Infrastructure Effect	Effects on the Environment	Other Comments
		PDP). The existing access crosses underneath the lines close to the boundaries between proposed Lot 1 and Lot 3. There is an existing easement which secures rights to convey electricity over the subject site. Due to these above factors, it is considered that the proposed subdivision and the establishment of a new building platform will have nil effects on the transmission lines. As no changes proposed to the existing access, the ongoing access to the lines by Transpower for maintenance, operation and upgrading purposes will be maintained.
Telecommunication	Less than minor.	While it is feasible to service the proposed building platform for telecommunications and data via the existing Chorus network within Alec Robin Road, due to cost, complexity, and potentially limited data speeds, it is proposed to service the future dwelling via the cell phone and mobile data network only. This approach is consistent with rules 27.7.33.5 and 27.7.33.6 of the PDP which simply require that telecommunications services are available. As telecommunication services remain available to the site, no adverse effects will arise.

Landscape, Amenity and Built Form

People and Built Form Effect	Effects on the Environment	Other Comments
Landscape Character & Rural amenity	Less than minor	<p>The subdivision proposal does not create any new lots, only separate titles. In consequence, there will be no effects on the landscape character or visual amenity values from the subdivision component of the application.</p> <p>As discussed throughout this report, the proposal is also to identify one new building platform within Lot 1 which will have the ability to contain a future dwelling. As the site is within the Rural Character Landscape and adjacent to an ONF and ONL, a landscape assessment has been undertaken (refer Appendix D) to review the effects of the proposal on landscape character and visual amenity. The assessment discusses that the building platform has been located in a discreet location tucked into the side of a terrace riser which has limited visibility within the broader landscape. The ONF/ONL boundary at the southern portion of the site is identified on a spur which falls between the</p>

People and Built Form Effect	Effects on the Environment	Other Comments
		<p>wider Morven Hill to meet Hayes Creek. This spur and existing mature vegetation within the site restricts the visibility of the platform from the south within the Kawarau ONF. As the platform has been retained below the maximum height of the terrace, it will also not affect the landscape values of the Morven Hill ONF.</p> <p>A bespoke building platform has also been proposed, limiting height to 5.5m at the rear (eastern boundary) and subject to a range of design controls. The site is also sandwiched between the Bridesdale urban area, the Rural Lifestyle Zone (north of the site) and future development enabled within the Wakatipu Basin Lifestyle Precinct, and when considered in the context of the future landscape the proposal will appear coherent with the existing and future pattern of development.</p> <p>The proposal is therefore considered to have less than minor effects on landscape values and rural amenity.</p>
Visibility	Minor	The proposed location of the building platform will be moderately visible within a specific area in proximity to the site.
Views and Outlook	Minor	The landscape assessment notes that once the proposed planting is established the proposed building platform will not be prominent, as it will be set within a frame of the indigenous vegetation which will provide a high degree of screening and containment.
On-site amenity	Positive	A bespoke building platform has also been proposed, limiting height to 5.5m above RL 340 at the rear (eastern boundary) and subject to a range of design controls.
Cumulative Effects	Nil	The site is also sandwiched between the Bridesdale urban area, the Rural Lifestyle Zone (north of the site) and future development enabled within the Wakatipu Basin Lifestyle Precinct, and when considered in the context of the future landscape the proposal will appear coherent with the existing and future pattern of development.
Precedent Effect	Nil	
Reverse Sensitivity	Nil	<p>However, in the short term, until planting is established and future development occurs, it is considered that a future building enabled within the proposed building platform will result in minor temporary effects on views and visual amenity from adjacent private properties at Red Cottage Drive, Lorne Street and Longlands Street; as well as public spaces including the QLDC recreation reserve and playground and the Hayes Creek Trail.</p>

People and Built Form Effect	Effects on the Environment	Other Comments
		<p>These minor effects are temporary only and are considered to reduce to less than minor following the maturing of the proposed native trees and shrubs proposed by the landscape plan along the western boundary of the site. A condition of consent is proposed to require landscape planting to be planted prior to the registration of the building platform.</p> <p>Other private properties in close proximity to the site are afforded screening by topography, aspect, existing amenity planting within their properties, and existing vegetation within the site. As such visual effects on these other properties are considered less than minor.</p> <p>Permanent effects on the adjacent public spaces are also considered to be less than minor. This is because the topography of the area, the existing vegetation on the subject site and around the public track, and the use of the reserve and playground as a transient space means that the dwelling will be partially obscured from view and will be viewed by people for a short period of time. These public spaces are set within urban surroundings being part of the Bridesdale urban area, and the character experienced and expected by those users is therefore of an urban nature. Additionally, Hayes Creek track is a local trail only and does not have any connection to the wider trails network and as such the frequency of public use of this trail is considered to be limited to local users. Furthermore, once landscape planting is established a future dwelling will be partially screened from view.</p>

Traffic Generation and Vehicle Movements

Traffic Generation and Vehicle Movements Effects	Effects on the environment	Other Comments
On-Site Parking	Nil	The site is of a sufficient size and shape to accommodate on-site parking and manoeuvring. No physical changes are proposed to the existing access off Alec Robins Road. Safety from other road users as a result of this application is therefore nil.
On-Street Parking	Nil	
Vehicle Safety	Nil	

Traffic Generation and Vehicle Movements Effects	Effects on the environment	Other Comments
Pedestrian Safety	Nil	
Cyclist Safety	Nil	
Traffic Generation	Less than minor	A residential building platform is proposed to be established on Lot 1, resulting in additional traffic movements from the site. However, it is considered that the additional movements from one additional dwelling will be within the capacity of the roading network and will not give rise to any adverse effects.
Roading Capacity	Less than minor	

Amenity/Nuisance

Amenity / Nuisance Effect	Effects on the Environment	Other Comments
Noise	Nil	Potential amenity and nuisance effects during construction can be managed in accordance with appropriate site and environmental management techniques to minimise effects on neighbouring properties, at the time of construction of a dwelling.
Hours of Operation	Nil	
Dust	Nil	
Vibration	Nil	
Lighting	Nil	

Cultural

Cultural Site	Effects on the Environment	Other Comments
Sites of Heritage Significance	Nil	The land is not identified as having heritage significance. A historic heritage site (the Red Cottage) is located west of the site within Bridesdale, however the proposed building platform is not within its setting or extent of place. The proposal will modify views as seen from the heritage site, as opposed to affecting the views or amenity of the historic heritage site itself. The visibility of the building platform from the red cottage will not be dissimilar to the existing visibility of dwellings adjacent to the site within Bridesdale. As such effects are considered less than minor.

Cultural Site	Effects on the Environment	Other Comments
Sites of Cultural Significance	Nil	The land is not identified as having cultural significance.
Archaeological sites	Nil	The site is not known to contain any significant archaeological sites.

Natural Hazards

Natural Hazard	Susceptibility	Other Comments
Flooding	Less than minor	While the site is identified as being subject to low level liquefaction natural hazards, the information in the geotechnical report attached at Appendix C concludes that the risk from this is low to nil. Furthermore, from this report it can be concluded that natural hazards risk for the subject site is not major and that the future dwelling can be appropriately designed to avoid significant adverse effects from fault rupture along the Alpine Fault.
Landslide	Less than minor	
Liquefaction	Less than minor	
Seismic Hazards	Less than minor	

Conclusion

Overall, on the basis of the above assessment, the proposal is considered to result in **minor temporary effects** on views and visual amenity from adjacent properties and public places at Red Cottage Drive, Lorne Street and Longlands Street; as well as public spaces including the QLDC recreation reserve and playground and the Hayes Creek Trail. These effects reduce to less than minor following the maturing of proposed landscape planting. The assessment of other and permanent effects on the environment are considered less than minor.

Scale of Environmental Effects

Nil Effects	No effects at all.
Less than Minor Adverse Effects	Adverse effects that are discernible day-to-day effects, but too small to adversely affect other persons.
Minor Adverse Effects	Adverse effects that are noticeable but that will not cause any significant adverse impacts.
More than Minor Adverse Effects	Adverse effects that are noticeable that may cause an adverse impact but could be potentially mitigated or remedied.
Significant Adverse Effects that Could Be Remedied or Mitigated.	An effect that is noticeable and will have a serious adverse impact on the environment but could potentially be mitigated or remedied.
Unacceptable Adverse Effects	Extensive adverse effects that cannot be avoided, remedied or mitigated.

11.0 SECTION 221 ASSESSMENT – CANCELLATION OF CONSENT NOTICE 10684127.10

Consent is sought to cancel Consent Notice 10684127.10 from Lot 1 DP 21087 and Lot 3 DP 447906; and from 404, 405 or 406 DP 505513, as per section 221(3) of the RMA, with relevant conditions re-imposed as a new consent notice on Lots 404, 405 and 406 DP 505513. A copy of the existing consent notice is included in **Appendix A**.

The consent notice that this application seeks to cancel from these allotments relate to design controls and landscape maintenance on the lots that came out of the Bridesdale Farm Special Housing Area consent. None of the 11 conditions have any relevance to Lot 1 DP 21087 or Lot 3 DP 447906, and given this application is to subdivide the lots to de-amalgamate Lots 1 and 3 from Lots 404, 405 and 406 DP 505513, this consent notice will have no bearing on the new title for Lots 1 and 3.

Conditions 1.1 through to 1.4, and 1.7 through to 1.11 do not relate to Lots 404, 405 or 406 DP 505513. It is therefore proposed to cancel the consent notice also for these lots, and re-impose Conditions 1.5 – 1.6 on a new consent notice. The deleted conditions have no relevance to these allotments, their cancellation from the title will have nil adverse environmental effects, with no adversely affected parties. Conditions 1.5 and 1.6 relate to revegetation planting on Lots 405 and 406 DP 505513 are still relevant, and are proposed to be re-imposed on a new consent notice.

As such, the cancellation of consent notice 10684127.10 is considered to have less than minor effects.

12.0 SECTION 241(3) ASSESSMENT – CANCELLATION OF AMALGAMATION CONDITION

Consent is sought to de-amalgamate Lot 1 DP 21087 and Lot 3 DP 447906 from 404, 405 and 406 DP 505513 as per section 241(3) of the Act.

Lots 1 and 3 are physically separated from Lots 404 – 406 by Hayes Creek and other land owned by Council, and there is no practical access between these parcels. It is therefore considered illogical and there is no practical reason for these parcels to be held together. Lots 404-406 are not proposed to contain any residential activity and therefore do not require a building platform.

It is considered there to be no adverse effects from the proposal to de-amalgamate these lot parcels.

13.0 RMA SECTION 104 MATTERS

The application has been assessed against the relevant provisions of the Queenstown Lakes Operative and Proposed District Plan as detailed in previous sections. The application is further assessed against the relevant provisions of the documents referred to in RMA section 104 as detailed below.

13.1 NATIONAL ENVIRONMENTAL STANDARDS

The following National Environmental Standards are currently in force and are not considered relevant to this application:

- Air Quality 2004
- Sources of Human Drinking Water 2007
- Electricity Transmission 2009
- Telecommunications Facilities 2016
- Plantation Forestry 2017
- Freshwater 2020
- Marine Aquaculture 2020

- Storing Tyres Outdoors 2021

It is noted that the NES Freshwater 2020 has been reviewed and is determined to not be of relevance as the proposal does not include any structures or works within the scope of the NES.

13.1.1 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011

The application is for a subdivision and so falls within the scope of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011 (the NES). A search of the most up to date information from the Otago Regional Council and the Queenstown Lakes District Council indicated no record of any HAIL activities on the subject site.

13.2 OTHER REGULATIONS

No other regulations are relevant to this application.

13.3 NATIONAL POLICY STATEMENTS

The following National Policy Statements are currently in force and are deemed not relevant to the application:

- Electricity Transmission 2008
- New Zealand Coastal Policy Statement 2010
- Renewable Electricity Generation 2011

13.3.1 Freshwater Management 2020

The objective of the Freshwater NPS 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)

(c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

The NPS Freshwater is to be given effect to by the Regional Council and necessary mapping incorporated into the Regional Policy Statement. The proposal has been reviewed against the Freshwater NPS. The proposal will require some earthworks associated with implementation of the proposed landscaping plan, and for the future construction of a residential unit within the building platform. Earthworks associated with landscaping alongside the western boundary are determined to be within permitted limits such that resource consent is not required under the PDP or the Freshwater NES, and will be undertaken in a manner consistent with the provisions of the NPS Freshwater.

Earthworks associated with the construction of a building within the platform are not part of this application and would be considered at the time development is proposed.

As such the proposal is considered to be consistent with the Freshwater NPS.

13.3.2 Urban Development 2020

It is considered that the National Policy Statement on Urban Development is of limited relevance to the proposal as the site is within the Rural Zone. Despite this, the site is located in relative proximity to the medium density residential area in Bridesdale and provides for one additional housing unit. This will assist Queenstown Lakes District Council in meeting its requirements under the National Policy Statement on Urban Development.

13.3.3 Highly Productive Land 2022 (NPS-HPL)

The NPS for Highly Productive Land 2022 (NPS-HPL) has the purpose to ensure highly productive land is protected for use in land-based primary production.

Areas of 'Highly Productive Land' are required to be identified and mapped in a Regional Policy Statement within 3 years of the operative date, and within a District Plan 6 months after this. Until this time, highly productive land is defined under clause s3.5(7) of the NPS to be land that:

(a) is

(i) zoned general rural or rural production; and

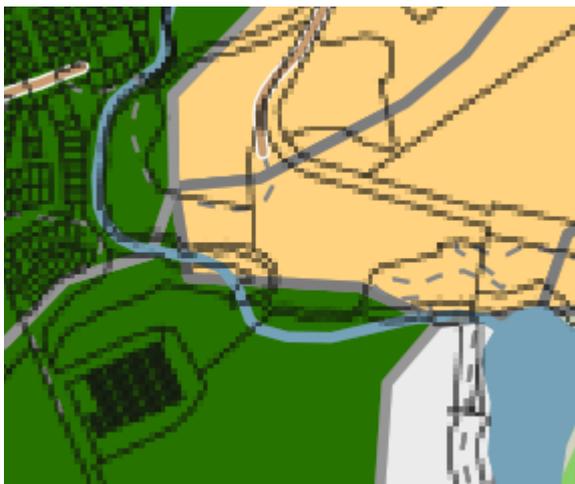
(ii) LUC 1, 2, or 3 land; but

(b) is not:

(i) identified for future urban development; or

(ii) subject to a Council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.

The identification of Land Use Capability 1,2 and 3 mapping is held by Landcare Research. According to the Land Use Capability mapping, the subject site is identified as *LUC 2 - Arable. Good land; slight limitations* and the land is zoned as Rural. An extract of the LUC mapping for the site is below:



The NPS-HPL further defines "LUC 1, 2, or 3 land as:

"LUC 1, 2, or 3 land means land identified as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory or by any more detailed mapping that uses the Land Use Capability classification".

Accordingly, a 'Soil and Land Use Capability classification assessment' has been undertaken for Lot 1 and Lot 3 and is included in **Appendix H**. The purpose of this report is to undertake a more detailed mapping analysis, in accordance with the definition of "LUC 1, 2, or 3 land" above, to confirm whether there is any presence of HPL on the site. The results of this assessment conclude that the site does not contain any HPL, as defined by the NPS-HPL.

Therefore, it is determined that the NPS-HPL does not apply.

13.4 OTAGO REGIONAL POLICY STATEMENT AND PLANS

The following documents prepared by the Otago Regional Council (ORC) are required to be considered as part of the assessment of this application:

- Partially Operative Otago Regional Policy Statement (ORPS)
- Proposed Otago Regional Policy Statement (PORPS)

13.4.1 Partially Operative Otago Regional Policy Statement 2019 (POORPS)

The Partially Operative Otago Regional Policy Statement (POORPS) was notified on 23 May 2015, and the Decision version was released on 1 October 2016, with it being declared partially operative on 15 March 2021. The Partially Operative Otago Regional Policy Statement 2019 is a high-level policy framework for the integrated management of resources within the region, identifying regionally significant issues, and objectives and policies that direct how natural and physical resources are to be managed. Other resource management plans (the various regional plans and the District Plan) reflect the provisions of the Otago Regional Policy Statement and cannot be inconsistent with it.

The relevant objectives and policies of the ORPS are contained in Chapter 1 – Resource Management, Chapter 3 - Ecosystems and Natural Resources and Chapter 5 – Built Environment. Relevant objectives and policies are discussed below.

As discussed previously the application represents an integrated management of the site's natural and physical resources and its human values. The character of the site and its rural living surrounds will be retained as a result of the application. The building platform has been located to appropriately mitigate visibility effects and maintain water quality, with nil adverse effects on indigenous vegetation. The application also provides for the economic well-being of the community. The application provides for the integrated management of the site's natural and physical resources and its human values and so is consistent with the objectives and policies of Chapter 1 of the POORPS.

Overall, the proposal is considered to be consistent with the provisions of the POORPS.

13.4.2 Proposed Otago Regional Policy Statement 2021 (PORPS)

The Regional Policy Statement is currently under review. The review aims to give effect to the National Planning Standards framework, and to give effect to a new suite of National Policy Statements and Environmental Standards. The Proposed Otago Regional Policy Statement (PORPS) was notified on 26 June 2021, and hearings are scheduled to occur until mid-2023. Decisions have not yet been issued.

The PORPS covers many of the same matters as the ORPS and includes overarching objectives and policies relating to ki uta ki tai, mana whenua values and climate change considerations, as well as specific direction for land and freshwater in the Clutha Mata-au Rohe. There is also direction around urban form and development, which again focuses on ki uta ki tai and the integrated environment, nonetheless which sets out criteria for positive urban development that meets the needs of the communities. The Urban form and development section sets out appropriate urban intensification and expansion, as well as appropriate development and protection of rural areas.

Specifically, the application is consistent with the objectives and policies of this section of the PORPS, in particular *UFD-P7 Rural activities*, in that it is enabling the continued use of the land for rural production purposes (being the sites Lot 3, 404, 405 and 406) while maintaining the rural amenity and character. Accordingly, the application is consistent with the objectives and policies of the PORPS.

13.5 REGIONAL PLAN: WATER

The proposed subdivision and land use has been reviewed against the *Regional Plan: Water*. It is noted that the site is not within the Lake Hayes Catchment.

Rule 12.A.1.4 relates to on-site wastewater systems and has been reviewed for the proposal. As discussed in the Infrastructure Report (**Appendix C**) a location is identified that is able to be setback the appropriate distance from Hayes Creek and as such no resource consent is anticipated to be required. A consent notice is proposed to be registered on the title alerting to the future design considerations for the on-site wastewater system. As such, resource consent is not required under the Regional Plan: Water.

Rule 14.5.1 and Rule 14.5.2 states that a Restricted Discretionary Resource Consent is required for earthworks associated with residential development that exceed 2500m² in exposed earth in a 12-month period, or for earthworks within 10m of a water body, a drain, a water race, or the coastal marine area (excluding earthworks for riparian planting). The proposed subdivision does not require earthworks more than 2500m² in land area and as such resource consent is not required for the proposal under the Regional Plan: Water.

14.0 PART II MATTERS - RESOURCE MANAGEMENT ACT 1991

14.1 SECTION 5 – PURPOSE AND PRINCIPLES

The purpose of the Resource Management Act 1991 is to promote the sustainable management of natural and physical resources. The application seeks a de-amalgamation of sites in the rural area and the identification of a building platform on one site. It is considered that the proposal contributes to the social and economic wellbeing of the applicant as landowners and any adverse environmental effects are mitigated through the selected location and topography, and proposed landscaping and design controls.

14.2 SECTION 6 – MATTERS OF NATIONAL IMPORTANCE

Section 6 of the Act requires matters of national importance to be recognized and provided for. The application does not affect areas of significant indigenous vegetation or habitats.

Whilst the subject site borders Hayes Creek, the proposed development capacity increase is so slight as to render any adverse effects on this waterbody and its margins less than minor. The river margins in this location are set within an urban context, rather than highly 'natural', and the proposal will be only visible for a short distance along the margins of the river due to the topography. The proposed riparian planting will also enhance the natural character of the river margins.

The proposal will not affect existing public access to and along the river which is available on the western side of Hayes Creek.

Part of the application site is within an identified ONL and ONF in the PDP, however, the building platform has been located entirely outside of this area. The effects of the proposed subdivision and building platform on this ONL/ONF, in addition to nearby ONLs and ONFs are considered less than

minor as discussed throughout this report and in particular in the landscape assessment at **Appendix D** considers the development to be appropriate and with no more than low adverse effects.

There are no identified historic heritage sites or buildings located on site. The Red Cottage historic heritage feature is located west of the site however the proposal is not within its setting or extent of place. The subject sites are not located within an identified Wāhi Tūpuna area; and the risk of natural hazards at this location are considered less than minor.

Therefore, the proposal is not contrary to relevant matters of Section 6 of the Act.

14.3 SECTION 7 – OTHER MATTERS

Section 7 of the Act requires all persons exercising functions and powers in relation to managing the use, development, and protection of natural and physical resources, to have particular regard to a number of factors. The Section 7 matters of particular relevance to this application are (b) the efficient use and development of natural and physical resources, (c) the maintenance and enhancement of amenity values, and (f) maintenance and enhancement of the quality of the environment.

A landscape assessment has been undertaken (refer **Appendix D**) and has reviewed the proposal and potential effects on landscape and visual amenity values. Given the physical setting, topography, and context of future development enabled within the wider landscape character unit (LCU14), the landscape assessment considers the proposal will have limited visibility within the broader landscape and will have no more than low effects. From the immediate vicinity of the site a future dwelling will have some visibility however this is mitigated by the proposed landscaping which will provide a degree of screening and containment.

The application is considered to provide the level of rural amenity and the quality of the rural environment expected within the Rural Zones and will not adversely affect the ONL or ONF. It is therefore considered that the proposed subdivision provides for the relevant matters of Section 7 of the Act.

14.4 SECTION 8 – PRINCIPLES OF THE TREATY OF WAITANGI

Section 8 requires all persons exercising functions and powers under the Act to take into account the principles of the Treaty of Waitangi when managing the use, development and protection of natural and physical resources. The application site is not within a Wāhi Tūpuna area or a Statutory Acknowledgement Area. The application does not contravene any principles of the Treaty of Waitangi under Section 8. As such, this section of the Act is not relevant to this application.

14.5 OVERALL

The proposal is considered to be a sustainable use of the available resources of the land. Overall, the application is considered to represent a sustainable management of natural and physical resources having had regard to the Part II matters.

15.0 NOTIFICATION AND AFFECTED PARTIES ASSESSMENT

The applicant requests public notification of this application under s95A(3)(a) of the RMA 1991.

16.0 CONCLUSION

The current application seeks subdivision consent to create proposed Lot 1 and de-amalgamate Lot 1 and Lot 3 DP 447906 from Lots 404, 405 and 406 DP 505513, and land use consent to identify a building platform on Lot 1.

It is also proposed to cancel consent notice 10684127.10 under s221 of the Act, and then re-impose Conditions 1.5 – 1.6 on a new consent notice for Lots 404-406 only.

Resource consent is also sought under section 241(3) of the RMA 1991 for the cancellation of an amalgamation condition and imposition of two replacement amalgamation conditions.

The proposal requires resource consent as a **Discretionary Activity**. Public notification of this application is requested under s95A(3)(a) of the RMA 1991.

Kim Banks
Planner
Paterson Pitts Group

View Instrument Details



Instrument No 10684127.10
Status Registered
Date & Time Lodged 12 April 2017 13:29
Lodged By Chang, Hyung-Hwa
Instrument Type Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Computer Registers Land District

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Affected Computer Registers	Land District
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Affected Computer Registers	Land District
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763183	Otago

Affected Computer Registers	Land District
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763184	Otago
763185	Otago
763186	Otago
763187	Otago
763196	Otago

Annexure Schedule: Contains 10 Pages.

Signature

Signed by Samuel William Nelson as Territorial Authority Representative on 27/04/2017 06:00 PM

***** End of Report *****

IN THE MATTER of the Housing Accords
and Special Housing Areas Act 2013

AND

IN THE MATTER of the Housing Accords
and Special Housing Areas
(Queenstown) Order 2015

AND

IN THE MATTER of Resource Consent
RM SH150001 Queenstown Lakes
District Council (as amended by SH
160148)

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

BACKGROUND

- A. Bridesdale Farm Developments Limited has applied to the Queenstown Lakes District Council (**Council**) pursuant to provisions of the Resource Management Act 1991 for its consent to subdivide land described as Lot 1 DP 26719, Lot 3 DP 337268, Lot 3 DP 392823 and Lots 3 and 4 DP 447906 held together with Lot 1 DP 21087 and comprised in Computer Freehold Registers OT18D/353, 152862, 373464 and 566248 (Otago Registry) (the **Land**).
- B. The Council has granted consent to the proposed subdivision by resolution passed on 21 March 2016 with reference SH150001 as amended by SH160148 (**Resource Consent**). The subdivision will create 136 residential lots numbered Lots 1, 3 - 25 (inclusive), 27 - 46 (inclusive), 48 - 138 (inclusive) and Lot 150 DP 505513 and one commercial lot numbered Lot 47 DP505513.

QLD001346 551 5533.2

- C. The Resource Consent has been granted subject to certain conditions which must be complied with on a continuing basis by the owner of the relevant lot specified (**Lot Owner**) being those conditions specified herein.

OPERATIVE PART

The following conditions pertaining to this Consent Notice are to be registered against the titles of the allotments as specified below. For the avoidance of doubt, the lot numbers that relate to the specific Consent Notice are detailed below in the respective condition.

Conditions

- 1.1 In reference to Subdivision Condition 27c.

The following condition shall apply to Lot numbers 1, 3 – 25 (inclusive), 27 – 46 (inclusive), 48 – 138 (inclusive) and 150 DP 505513 contained in part of Computer Freehold Registers 763052-763095 and 763097-763187 and Lot 47 DP 505513 contained in part of Computer Freehold Register 763096:

- (a) The Lot Owner shall not:
- (i) Erect, construct or install any solid fuel burning fireplace or appliance in any dwelling on the Lot; nor
 - (ii) Burn any garden waste, rubbish, or materials of any kind whatsoever other than solid fuel (such as wood or coal) burned within a Barbeque when cooking.
- (b) For the purpose of this condition 1.1, 'Barbeque' means any portable or permanent device constructed or placed for the purposes of outdoor cooking.

- 1.2 In reference to Subdivision Condition 27d.

The conditions in 1.2(a) – (d) below shall apply to Lots 117 – 119 (inclusive) and Lots 123 - 128 (inclusive) DP 505513 contained in part of Computer Freehold Registers 763166 – 763168 and 763172 - 763177 only and specifically apply to areas marked TA, TB, TC, TD, TE and TF on DP 505513. Where the provisions of this condition conflict with, or do not match, the provisions of this Consent Notice or any other consent notice registered on the Computer Freehold Register to these Lots (registered on or about the date of registration of this Consent Notice) then the provisions of this Consent Notice shall prevail.

- (a) No habitable buildings/structures shall be located within 12 metres of the centreline of a National Grid Transmission Line.
- (b) All land use activities to be undertaken on the relevant Lot, including the construction of new buildings/structures, earthworks, fences, any operation of mobile plant and/or persons working near exposed line parts shall comply

QLD001348 5815533.2

with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) or any subsequent revision of the code.

- (c) Any trees or vegetation planted shall comply with the Electricity (Hazards from Trees) Regulations 2003 or any subsequent revision of the regulations.
- (d) Transpower NZ Ltd has a right to access its existing assets pursuant to section 23 of the Electricity Act 1992. Any development of the relevant Lots must not preclude or obstruct this right of access. It is an offence pursuant to section 163(f) of the Electricity Act to intentionally obstruct any person in the performance of any work that the person has the lawful authority to do under s23 of the Electricity Act.

1.3 In reference to Subdivision Condition 27f.

The following conditions shall apply to Lots 129 – 138 (inclusive) DP 505513 contained in part of Computer Freehold Registers 763178 - 763187 only:

- (a) The native revegetation planting implemented prior to issue of title to Lots 129 – 138 (inclusive) shall be maintained by the relevant Lot Owner as illustrated on the approved Plan being:
 - (i) Proposed Planting on ONL Terrace Face and Wetlands: Ref: 2459-WD320, Rev 4, dated 21 November 2016 by Baxter Design Group (as annexed to the Resource Consent) (**Terrace Plan**).
- (b) Notwithstanding condition 1.3(a) above, the vegetation can be topped if it obscures views from the building platform level within the relevant Lot.
- (c) Any plant which dies shall be replaced by the relevant Lot Owner within the next available planting season, so that the objective of a continuous vegetated area shall be maintained in perpetuity as shown on the approved Plan being the Terrace Plan.

1.4 In reference to Subdivision Condition 27g.

The following condition shall apply to Lots 94 - 102 (inclusive) DP 505513 contained in part of Computer Freehold Registers 763143 - 763151 only:

- (a) The native revegetation planting along the bank above the esplanade reserve that was implemented prior to issue of title to Lots 94 – 102 (inclusive) DP 505513 shall be maintained by the relevant Lot Owner as illustrated on the approved Plans being:
 - (i) Planting Plan – Reserve Area East of Cafe; Ref: 2459-WD301, Rev 5, dated 3 March 2016 by Baxter Design Group (as annexed to the Resource Consent) (**East Café Plan**); and

QLD001348 5615533.2

(ii) Planting Plan – Reserve Area East of Lots 98-102; Ref: 2459-WD309, Rev 4, dated 3 March 2016 by Baxter Design Group (as annexed to the Resource Consent) (**East 98 Plan**).

(b) Notwithstanding condition 1.4(a) above, the vegetation can be topped if it obscures views from the building platform level within the relevant Lot.

(c) Any plant which dies shall be replaced within the next available planting season, so that the objective of a continuous vegetated area shall be maintained in perpetuity as shown on East Café Plan and East 98 Plan.

1.5 In reference to Subdivision Condition 27h.

The following conditions shall apply to Lot 405 contained in part of Computer Freehold Register 763196 only:

(a) The native revegetation planting around the garden allotments shall be maintained by the relevant Lot Owner as illustrated on the approved Plan being:

(i) Street Tree Planting Plan (South) Ref: 2459-WD103, Rev 5, dated 3 March 2016 by Baxter Design Group (as annexed to the Resource Consent) (**Street Plan**),

(b) Any plant which dies shall be replaced within the next available planting season, so that the objective of a continuous vegetated area shall be maintained in perpetuity as shown on the Street Plan.

1.6 In reference to Subdivision Condition 27i.

The following conditions shall apply to Lot 406 contained in part of Computer Freehold Register 763196 only:

(a) The native revegetation planting shall be maintained by the relevant Lot Owner as illustrated on the approved Plan being the Terrace Plan.

(b) Any plant which dies shall be replaced within the next available planting season, so that the objective of a continuous vegetated area shall be maintained in perpetuity as shown on the Terrace Plan.

1.7 In reference to Subdivision Condition 27j.

The following condition shall apply to Lots 94 - 102 (inclusive) and 133 – 138 (inclusive) DP 505513 contained in part of Computer Freehold Registers 763143 – 763151 and 763182 – 763187 only:

No habitable buildings/structures shall be located within the no build zones that are illustrated as hatched areas on the Bridesdale Farm Master Plan; Ref: 2459-SK274 dated 4 March 2016 by Baxter Design Group (as annexed to the Resource Consent).

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Annexure Schedule: Page:4 of 10

1.8 In reference to Subdivision Condition 27k.

The following condition shall apply to Lots 500 – 550, 562 – 606, 608 – 629 and 631 – 646 (all inclusive) DP 505513 contained in part of Computer Freehold Registers 763052, 763054 – 763095 and 763097 - 763187 (**Garden Allotments**) only:

- (a) The relevant Lot Owners must ensure that the Garden Allotments are:
 - (i) kept free of weeds and any other vegetation other than grass species and vegetation planted for productive or horticultural purposes (vegetables, flowers, etc.), in accordance with good horticultural practices;
 - (ii) kept reasonably clean and tidy at all times, and clear of all waste, refuse and rubbish and that all equipment and other materials shall be stored within sheds located on the relevant Garden Allotment unless being used for productive or horticultural purposes; and
 - (iii) used in a manner so as not to cause a nuisance, and any cut or otherwise harvested vegetation shall be stored neatly in piles or composted or otherwise disposed of lawfully.
- (b) Any shed or building on the relevant Garden Allotment shall not be converted or used as a residential unit, residential dwelling, residential flat, granny flat, sleepout or be used for any home occupation purposes. Such shed or building shall be used for storage purposes only.

1.9 In reference to Subdivision Condition 27l.

The following condition shall apply to Lots 24, 25 and 27 DP 505513 contained in part of Computer Freehold Registers 763074, 763075 and 763076 only:

All works carried out on these Lots shall comply with the following conditions to ensure that any such works undertaken do not affect the long term health and viability of the Macrocarpa hedge located on Lot 2 DP 457573 (and comprised in Computer Freehold Register 593551):

- (a) Fill to occur within the 3 metre setback from the fence adjacent to Lots 25 and 27, is to be at a depth no greater than 0.25 metres and where practical, as close to the existing grade as possible;
- (b) The fill used is to be onsite topsoil and not machine compacted;
- (c) Fill works within the 3 metre setback to be overseen by a consulting arborist;
- (d) The 3 metre setback area is to be fenced off for the duration of the construction period;

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- (e) During the development and construction stages this zone is not to be used for building material storage to avoid further soil compaction;
- (f) Access along the no excavation zone would be for foot traffic not machinery;
- (g) Erection of scaffolding should occur on broad timber footings to disperse load bearing potential in any one area; and
- (h) Final ground treatments and landscaping should be undertaken with consideration given the presence of tree roots.

1.10 The condition contained in this 1.10 below shall apply to Lots 42, 51, 91, 110, 111, 119 and 123 (inclusive) DP 505513 contained in part of Computer Freehold Registers 763091, 763100, 763140, 763159, 763160, 763168 and 763172 only and specifically apply to areas marked AA, AB, AC, AD, AE AF and AG on DP 505513 (each a **Sight Line Protection Area**):

The relevant Lot Owner must maintain the Sight Line Protection Area on the relevant Lot free from any vegetation, building, fencing, vehicles or other objects (either planted or erected) exceeding 1 metre in height to ensure intersection sight distances are not compromised.

1.11 The condition contained in this 1.11 below shall apply to Lots specified in Schedule 1:

The relevant Lot Owner must:

- (a) comply with the proposed mitigation measures in respect of the relevant Lot as set out in Schedule 1; and
- (b) obtain a report from a suitably qualified professional (which shall outline any mitigation measures and/or remedial works required to be carried out on the relevant Lot at the time of construction) to accompany any building consent application for building construction on the relevant Lot.

DATED this 30 day of MARCH 2017.

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



David James Wallace

QLD001348 5815533.2

SCHEDULE 1 – PART A

Lots	Recommended Foundation
27 – 38	As per GeoSolve report 150122.01 dated October 2015 foundation recommendations – see Schedule 1 – Part B. This may have been further modified to gain the benefits from the retaining wall constructed since this report was written.
88 –91	Standard NZS3604:2011 foundation
92 – 93	Standard Ribraft foundation
94 – 102 except 97	Standard NZS3604:2011 foundation. (Note Geosolve addendum letter dated 24 November 2015 recommended Ribraft foundation which I reviewed and revised).
97 – this lot showed a weak bearing layer at 1.4m depth	Standard Ribraft foundation
110 – 111	Standard NZS3604:2011 foundation
112 – 117	Good ground varied from 850 – 1700 deep – Use standard ribraft floor or engineered foundations to good ground level.
118	Standard NZS3604:2011 foundation
119-121	Good ground varied from 1000-1400 deep - Use standard ribraft floor or engineered foundations to good ground level.
122 – 128 except 124 and 227	Standard NZS3604:2011 foundation
125 and 127	Good ground at 500mm deep – Use standard ribraft floor or engineered foundations to good ground level.

QLD001348 5815533.2

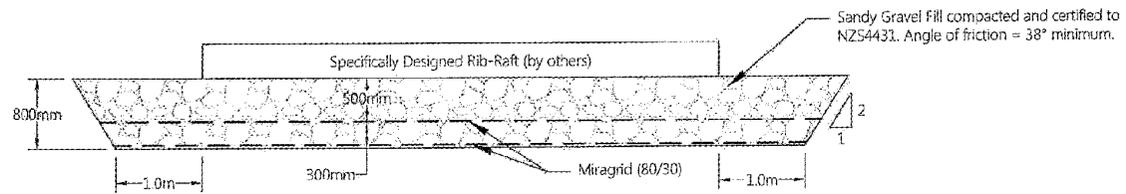
20/06/2023 10:00:00 AM

SCHEDULE 1 - PART B

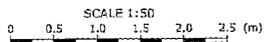
Lot	Recommended ground improvement	Recommended foundation following ground improvements	Additional Comments
27, 32, 33, 34, 35, 36, 37, 38	<p>A minimum 0.8m thick gravel raft should be constructed below the base of the proposed foundation slab. A layer of Miragrid GX80/30 geogrid (or equivalent) should be incorporated at both the base of the gravel raft and +300mm from the base of the gravel raft. Note the geogrid should be orientated so that the "strong" direction is perpendicular to the crest of the slope.</p> <p>Figure 1d, Appendix A shows a typical section of the proposed ground improvement.</p> <p>Onsite won borrow comprising well graded sandy gravel, compacted and certified to 92% of vibrating hammer compaction may be used as a fill material. Imported sandy gravel (e.g. Shotover Ap65) may be used as an alternative. The fill source should meet a minimum compacted peak angle of friction of 38deg.</p> <p>The gravel raft should extend at least 1m from the outside edge of the foundation slab.</p>	A Rib-Raft foundation should be designed to tolerate 100mm of vertical displacement across the raft, to cantilever over a 2m edge, and to span across a 4m gap. Additionally the raft should be designed to tolerate 75mm of lateral stretch across the building platform. A "TC2" Rib-Raft is likely to meet the above requirements.	Lot 34 will require a 6m long palisade wall comprising 250mm dia H5 SED high density timber piles at 1.2m centres. 5 piles of 5.4m length should be embedded into 600mm dia holes and encased with 20mPa concrete. This design will need to be confirmed separately and construction drawings/specifications provided.
30	Retaining wall design needs to be complete to determine required ground improvements.	As above but subject to confirmation following design of proposed boundary retaining wall.	
31	No ground improvement is required. However, where fill is to be placed over sloping ground the underlying loess (silt) should be undercut and the fill should be benched into the existing slope. All fill should comprise well graded sandy gravel compacted to the requirements mentioned above.	Standard Rib-Raft foundation subject to confirmation following design of proposed boundary retaining wall.	
28, 29	No ground improvement is required.	Standard Rib-Raft foundation.	

QLD001348 SR15533.2

Figure 1d Appendix A



Note:
1. Geogrid 'strong' direction to be perpendicular to crest of slope.



GEO SOLVE

Level 1, 76 MacAndrew Road, South Dargotn
www.geosolve.co.nz

DESIGN	WEG	04/15
DRAWING CHECKED	SPM	04/15
APPROVED	MSK	04/15
CADWALK	15032101_259 North Dig	
SCALES ON A3 900		
AS SHOWN		
PROJECT No.	150122	

Bridesdale Farm Developments Ltd
Slope Stability Analysis for Design
Lot 27-38, Bridesdale Subdivision
Typical Gravel Raft Section

REV
1
Figure 1d

View Instrument Details



Instrument No 10684127.13
Status Registered
Date & Time Lodged 12 April 2017 13:29
Lodged By Chang, Hyung-Hwa
Instrument Type Easement Instrument



Affected Computer Registers Land District

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Affected Computer Registers Land District

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Affected Computer Registers	Land District
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763125	Otago
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763131	Otago

Annexure Schedule: Contains 13 Pages.

Grantor Certifications

- I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period
- I certify that the Mortgagee under Mortgage 9982566.3 has consented to this transaction and I hold that consent
- I certify that the Mortgagee under Mortgage 10068424.3 has consented to this transaction and I hold that consent

Signature

Signed by Hyung-Hwa Chang as Grantor Representative on 06/04/2017 12:26 PM

Grantee Certifications

- I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period

Signature

Signed by Hyung-Hwa Chang as Grantee Representative on 06/04/2017 12:27 PM

***** End of Report *****

Easement instrument to grant easement or *profit à prendre*, or create land covenant

(Sections 90A and 90F Land Transfer Act 1952)

Grantor

Bridesdale Farm Developments Limited

Grantee

Bridesdale Farm Developments Limited

Grant of Easement or *Profit à prendre* or Creation of 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)

Schedule A

Continue in additional Annexure Schedule, if required

Purpose (Nature and extent) of easement; <i>profit</i> or covenant	Shown (plan reference)	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Land Covenant		Lots 1, 3 – 25, 27-46, 48 – 138, 150, 500 – 550, 562 – 606, 608 – 629 and 631 - 646 DP 505513 (part CFRs 763052 – 763095, 763097 – 763188 (all inclusive) (Otago Registry))	Lots 1, 3 – 25, 27-46, 48 – 138, 150, 500 – 550, 562 – 606, 608 – 629 and 631 - 646 DP 505513 (part CFRs 763052 – 763095, 763097 – 763188 (all inclusive) (Otago Registry)) Lots 47, 404 – 405 DP 505513, and Lot 3 DP 447906 and Lot 1 DP 21087 (CFRs 763096, 763196 (Otago Registry))

Bridesdale Farm Land Covenant

Form B - continued

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 specified classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or Schedule Five of the Property Law Act 2007

The implied rights and powers are hereby ~~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 _____]

Covenant provisions

Delete phrases in [] and insert Memorandum number as require; 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 1 _____]

Bridesdale Farm Land Covenant

Form L**Annexure Schedule 1**

Page of Pages

Insert instrument type

Easement Instrument (Land Covenant)

1. Introduction

- A. The Initial Grantee is subdividing the Servient Land to create the Bridesdale Farm Development.
- B. The Initial Grantee intends that the Bridesdale Farm Development be subject to a general scheme applicable to and for the benefit of the Dominant Land to ensure that the Bridesdale Farm Development is and remains a modern high quality and well-designed residential subdivision (**Scheme**).
- C. Bridesdale Farm may elect to administer the Scheme for the benefit of the Dominant Land and the burden of the Servient Land.
- D. The Initial Grantee intends that this land covenant (**Instrument** and as further defined in clause 2 below) shall be and shall remain registered against the titles to the Servient Land and the Dominant Land to give effect to the Scheme so that:
 - (a) owners or occupiers for the time being of the Servient Land shall be bound by the provisions of this Instrument;
 - (b) owners and occupiers for the time being of the Dominant Land can enforce the observance of the provisions of this Instrument by the owners or occupiers of the Servient Land in equity or otherwise; and
 - (c) the obligations and covenants of the Grantor under this Instrument enure for the benefit of Bridesdale Farm (as Initial Grantee) (in accordance with the Contracts (Privity) Act 1982).
- E. The Grantee wishes to utilise the provisions of section 278 of the Property Law Act 2007 to create the Scheme as it relates to the Servient Land.

It is agreed**2. Defined terms****2.1 Definitions**

In this document:

Adjoining Land means all and any part of the land comprised currently in Lots 47, 404, 405 and 406 DP 505513 and Lot 1 on Deposited Plan 21087 and Lot 3 on Deposited Plan 447906.

Approved Building Plans means the approved building plans issued for houses to be constructed on the Bridesdale Farm Home Lots in accordance with the applicable Design Guidelines and Land Use Consent from time to time.

Bridesdale Farm means Bridesdale Farm Developments Limited and, where the context requires, means any other entity nominated by Bridesdale Farm Developments Limited to succeed its rights and obligations under this Instrument.

Bridesdale Farm Land Covenant

Bridesdale Farm Development means the integrated residential development undertaken by the Initial Grantee on the land comprising the Servient Land (and which may include all or any part or parts of the Adjoining Land) including but not limited to Dwellings, Improvements and all other associated infrastructure.

Bridesdale Farm Home Lots means each and all of the residential lots being Lots 4-23, 28-29, 39-46, 48-81, 83-90, 92-102, 104-117, 119-128 and 130-137 on Deposited Plan 505513 and any residential lot created from those lots (and Bridesdale Farm Home Lot shall have a corresponding meaning).

Building means any structure (excluding fences and landscaping) on the Servient Land.

Building Code means the Building Code as prescribed by Schedule 1 of the Building Regulations 1992 or any subsequent legislated replacement or varied building code.

Council means Queenstown Lakes District Council or its successor.

Covenants means the covenants set out in this Instrument.

Design Guidelines means the design control guidelines issued by Bridesdale Farm from time to time applicable to either the Design Your Own Home Lots or the Bridesdale Farm Home Lots as well as the associated Garden Allotments (as the case may be).

Design Your Own Home Lots means each and all of the residential lots being Lots 1, 3, 24, 25, 27, 30-38, 82, 91, 103, 118, 129, 138 and 150 on Deposited Plan 505513 and any residential lot created from those lots (and Design Your Own Home Lot shall have a corresponding meaning).

District Plan means the current Queenstown Lakes District Council District Plan or its replacement District Plan.

Dominant Land means the land described and shown on the front page of this Instrument as the Dominant Tenement.

Dwelling means a single self-contained household unit, and includes accessory buildings [that are contained within and are not physically separate from that unit]. Where more than one kitchen and / or laundry is provided on any Residential Lot, there shall be deemed to be more than one Dwelling.

Existing House Lots means Lots 3 and 150 DP 505513 (such lots being also, for the purpose of this Instrument, Design Your Own Home Lots).

Garden Allotments means each and all of the Garden Allotments being Lots 500 - 550, 562 - 606 and 608 – 629 and 631 - 646 on Deposited Plan 505513 (being part of the Servient Land) (and Garden Allotment shall have a corresponding meaning).

Garden Allotment Shed means a single garden shed constructed on a Garden Allotment in accordance with the Design Guidelines.

Grantee means the owner of all or any part or parts of the Dominant Land and their executors, administrators, assignees and successors in title from time to time.

Grantor means the owner of all or any part or parts of the Servient Land and their occupiers, invitees, executors, administrators, assignees and successors in title from time to time.

Bridesdale Farm Land Covenant

Ground Level means the natural ground level of the relevant land as at the date of registration of the Instrument.

Instrument means this easement instrument creating a land covenant to be registered on the Servient Land's certificate of title and all its Schedules and amendments.

Initial Grantee means Bridesdale Farm Developments Limited.

Improvements means existing improvements constructed by the Initial Grantee within the Bridesdale Farm Development adjoining road or reserves, including (but not limited to) roading, footpaths, kerbs, gutters, swale crossings, landscaping, planting, open spaces and walkways.

Land Use Consents means those land use consents issued by the Council in respect of each of the Residential Lots with reference numbers SH160001, SH160003 to SH160025 (inclusive), SH160027 to SH160046 (inclusive) and SH160048 to SH160138 (inclusive).

Lodge any Submission means (without limitation) personally or through any agent or servant, directly or indirectly, lodge or support in any way any objection or submission to any Planning Proposal and includes (without limitation) taking part in any planning hearing or, appeal or reference arising in respect of a Planning Proposal whether as a party or otherwise.

Lots mean each and all of the lots (including each Residential Lot and Garden Allotment) that make up the Servient Land (and Lot shall have a corresponding meaning).

Planning Proposal includes (without limitation) any district plan review process, resource consent application and / or plan change and / or variation of any nature under the relevant District Plan or proposed District Plan.

Residential Lots means the Design Your Own Home Lots and the Bridesdale Farm Home Lots (and Residential Lot shall have a corresponding meaning).

Scheme has the meaning given to it in Introduction Clause B above.

Servient Land means the land described and shown on the front page of this Instrument as the Servient Tenement.

Subdivide and **Subdivision** has the meaning ascribed to subdivision of land in Section 218(1) of the Resource Management Act 1991.

3. General Covenants

3.1 The Grantor covenants and agrees:

- (a) to observe and perform all Covenants at all times;
- (b) to ensure that all occupiers, employees, contractors, invitees and anyone or thing that is present on the Servient Land under the control of, or at the direction or invitation of the Grantor, observes and performs all relevant and applicable Covenants at all times; and

Bridesdale Farm Land Covenant

- (c) that the Covenants shall run with and bind the Servient Land for the benefit of the Dominant Land.

4. Scheme Covenants

4.1 The Grantor covenants with the Grantee:

- (a) to construct a Dwelling, fences and landscaping on the Residential Lot strictly in accordance with the relevant Land Use Consent applicable to that Residential Lot for as long as such Land Use Consent is valid and the Grantor covenants not to surrender, withdraw such Land Use Consent and shall seek and obtain approval to any proposed variation to such Land Use Consent from the Council;
- (b) to comply with the relevant Design Guidelines applicable to the relevant Lots;
- (c) that any exterior wall and roofing claddings, window and door joinery and other external architectural features for any Dwelling and Building constructed on the Lots shall be in dark recessive colours in the range of brown, grey, black and white only and shall have a maximum reflectivity of 36% (except for sheet metal roofing and chimneys which shall have a maximum reflectivity of 25%);
- (d) not to occupy any Building without a current code compliance certificate issued under the Building Act 2004 (or any subsequent replacement legislation);
- (e) to pay a \$5,000 (inclusive of GST) bond (**Bond**) to Bridesdale Farm to provide for remedial or reinstatement works that may be needed as a result of the Grantor's construction activities on their Residential Lot (including the builder and any subcontractor working on the Residential Lot or any adjacent area). The Bond will be held by Bridesdale Farm and will become payable when:
 - (i) The building work is fully complete as approved by Bridesdale Farm; and/or
 - (ii) any damage to surrounding areas (public or private) that has occurred through building activities has been fully repaired or reinstated to the satisfaction of Bridesdale Farm.

In the event that the Grantor has not complied with the Design Guidelines and/or there has been damaged caused to surrounding areas, Bridesdale Farm may utilise the Bond in remedying such non-compliance or damage and any additional costs may also be received from the Grantor;

- (f) not to install fencing on any Garden Allotment boundary aside from traditional 7 wire farm fencing only, with tanalised posts, with wires maintained strained and taut to a tidy manner. Rabbit proof mesh is permitted (provided it is coloured green or dark grey). No other fencing on the Garden Allotments is permitted;
- (g) not to construct any Building on a Garden Allotment except a Garden Allotment Shed;
- (h) not to plant any tree that exceeds or will exceed 7.5 metres in height above Ground Level at maturity on any Garden Allotment; and
- (i) that no tree, hedge or boundary planting within 2.0 metres of any Residential Lot boundary shall exceed 1.8 metres in height above Ground Level.

Bridesdale Farm Land Covenant

the following provisions apply to Design Your Own Home Lots only:

- (j) not to commence construction of any Building on the Design Your Own Home Lots without having first obtained the written approval of Bridesdale Farm to the plans and specifications, exterior design, fencing, landscape and appearance of the proposed Building at the Grantor's cost;
- (k) not to make any changes to the plans and specifications of the exterior design, fencing, landscape or appearance of any Building on the Design Your Own Home Lots once approval has been obtained from Bridesdale Farm;
- (l) not to construct any Building (or complete any fencing or landscaping works) on the Design Your Own Home Lot except in strict accordance with the plans and specifications, exterior design, fencing, landscape and appearance that have been approved by Bridesdale Farm;
- (m) once constructed, not to make any external additions or alterations to any Building, fencing or landscaping on the Design Your Own Home Lots without the prior written consent of Bridesdale Farm;

For the avoidance of doubt, where the Design Your Own Home Lot is also an Existing House Lot, the covenants set out above in 4.1(j), (k) and (l) shall only apply where the Grantor wishes to:

- (i) construct a new or replacement Building on the Existing House Lot (from the Dwelling that exists on that lot as at the date of registration of this Instrument); and/or
 - (ii) renovate, replace add to and/or alter the exterior design and/or appearance of the Dwelling that exists on the Existing House Lot as at the date of registration of this Instrument; and/or
 - (iii) install, add to, replace and/or alter fencing and/or landscaping (if any) that exists on the Existing House Lot as at the date of registration of this Instrument.
- (n) notwithstanding any other fencing covenant, not to install fencing on any street frontages, frontages adjoining reserves, open spaces, walkways or any other spaces that are not residential except:
 - (i) as required under the Building Code or for safety reasons; or
 - (ii) lightweight permeable fencing to a maximum height of one (1) metre above Ground Level as prescribed in Design Guidelines;
 - (o) that any fencing erected on side and rear boundaries (which are not subject to the fencing restriction in clause 4.1(m)) within Design Your Own Home Lots for the purposes of containment, shall be either paling or battens and shall not exceed 1.8 metres in height above Ground Level;
 - (p) not to plant any tree, plant or vegetation that will exceed 1.8 metres in height above Ground Level other than native beech, oak, elm, maple, plane, English beech, walnut, ash and alder tree species which must not exceed 7.5 metres in height above Ground Level;
 - (q) not to construct or erect on the Design Your Own Home Lot any accessory Building and/or garden shed that exceeds 3.5 metres in height above Ground

Level or is situated between the Dwelling on such Design Your Own Home Lot and any street or reserve boundary of such Design Your Own Home Lot. Such accessory Building and/or garden shed must also comply with the Design Guidelines; and

- (r) to provide parking on each Design Your Own Home Lot for at least two cars (at least one of which is to be provided for by either a garage or carport).

the following provisions apply to Bridesdale Farm Home Lots only:

- (s) for 15 years from the date that this Instrument is registered, to only construct a Dwelling, fences and landscaping on the Bridesdale Farm Home Lot that is constructed in accordance with Approved Building Plans applicable to the relevant Bridesdale Farm Home Lot;
- (t) not to place or build any accessory building or shed on the Bridesdale Farm Home Lot;
- (u) not to plant any tree, plant or vegetation that will exceed 1.8 metres in height above Ground Level;
- (v) not to vary the position of the windows, external doors, garage / carport of the Dwelling or change the external materials or change the external appearance of the Dwelling (selected in accordance with the Design Guidelines) in any way; and
- (w) that landscaping will be completed and maintained according to the Design Guidelines and the Approved Building Plans, and shall not be removed, supplemented or amended in any way.

4.2 Once a code compliance certificate has been obtained by the Grantor for a Residential Lot:

- (a) the Grantor shall provide reasonable access to Bridesdale Farm, its designated employees and contractors to inspect the Dwelling, fences and landscaping on the Residential Lot to check compliance with the applicable Design Guidelines and Covenants;
- (b) should Bridesdale Farm (acting reasonably) determine that there has been any non-compliance with the applicable Design Guidelines or Covenants it will advise the Grantor in writing and the Grantor must, as soon as practicable and in any event within 60 days, remedy the specified non-compliance at the Grantor's cost; and
- (c) where the non-compliance matters are not rectified by the Grantor within 60 days of the receipt of notice from Bridesdale Farm, then the Grantor acknowledges that Bridesdale Farm shall have the right to enter the Servient Land to remedy such non-compliance in accordance with its rights under clause 8.3 of this Instrument.

4.3 If Bridesdale Farm Developments Limited ceases to exist, and where that company has not nominated a current and legal person, association or entity to carry out its rights of approval and consent under this clause 4, then the Grantor shall not be required to obtain any approval or consent required pursuant to this clause 4.

Bridesdale Farm Land Covenant

5. Use Covenants

- 5.1 The Grantor covenants in respect of the Servient Land:
- (a) not to use any Residential Lot or permit the same to be used for any use other than residential purposes and not to use any Residential Lot or permit the same to be used for any trading, industrial or commercial purposes, provided however that it is acknowledged that the use of a residential dwelling for a home enterprise use as permitted by the District Plan, or the use as a bed and breakfast will not be in breach of the provisions of this Instrument;
 - (b) not to use any Garden Allotment or permit the same to be used as a residential dwelling, granny flat, boarding house or other accommodation (temporary or otherwise) or permit the same to be used for commercial or trade purposes;
 - (c) that once construction of a Dwelling on a Residential Lot has commenced, it shall:
 - (i) complete construction of the Dwelling (including all exterior cladding and painting) to a standard commensurate with the standard of a new single residential dwelling within 12 months of the commencement of construction; and
 - (ii) complete the landscaping (in accordance with and as required by the Design Guidelines or approval under the Design Guidelines) of the Residential Lot within two (2) months after the date of completion of construction of the Dwelling;
 - (d) that once construction of a Garden Allotment Shed on a Garden Allotment has commenced, it shall complete construction of the Garden Allotment Shed (including all exterior cladding and painting) to a standard commensurate with the standard of a new shed within six (6) months of the commencement of construction;
 - (e) that all Buildings, fences and landscaped areas on the Servient Land must be constructed and finished in a good and workmanlike fashion;
 - (f) not to erect more than one Dwelling on any Residential Lot;
 - (g) not to erect or place, or permit to be erected or placed any caravan, mobile home, hut, boat, vehicle or any structure capable of providing temporary accommodation or other vehicles on the Residential Lot or Garden Allotment, provided that the storage of mobile homes, caravans, cars, tractors, boats, vehicles and other such items is permitted on a Residential Lot within the Dwelling or inside Garden Allotment Sheds once that Dwelling or Garden Allotment Shed has been constructed and completed on that Residential Lot;
 - (h) not to keep or allow to be kept any substances that are hazardous, noxious or likely to cause nuisance on any of the Lots which are inconsistent with normal household use and are stored in normal household quantities;
 - (i) not to erect any satellite dish on any Building that is visible from the road and/or access lot frontage of a Residential Lot;
 - (j) to ensure that all services and utilities are located below ground for both Residential Lots and Garden Allotments;

Bridesdale Farm Land Covenant

- (k) to keep the Residential Lots and Garden Allotments neat and tidy and free of significant noxious weeds and overgrowth, including (but not limited to) keeping all grass and like vegetation below 30cm in length;
- (l) that no items shall be stored on the Garden Allotments outside the Garden Allotment Shed;
- (m) to cause as little interference as reasonably possible with any Improvements and to promptly make good any damage caused by the Grantor to the Improvements at the sole cost of the Grantor;
- (n) not to permit any rubbish or waste material to be or remain on any Residential Lot or Garden Allotment other than within suitable enclosed structures or otherwise appropriately screened from view;
- (o) not to permit odours to emit from the Residential Lot or Garden Allotment so as to render any Residential Lot or Garden Allotment or any portion of a Residential Lot or Garden Allotment to be deemed unsanitary, offensive or detrimental to the occupiers of any other Residential Lot and Garden Allotment;
- (p) not to permit any Residential Lot or Garden Allotment to be used (without limitation) for purposes involving a cattery, piggery or boarding kennels for dogs or other animals. The keeping of ordinary household pets (such as dogs, cats and birds) shall be permitted provided that no breeding, raising or boarding of such pets shall be for a commercial purpose;
- (q) not to permit the parking of trucks or any large commercial vehicles on or adjoining any Residential Lot and / or on any Garden Allotment or on any thoroughfare or road, other than for temporary delivery purposes;
- (r) not to permit the parking of any vehicles which do not have a current warrant of fitness and / or registration, in view of any Dwelling or Garden Allotment Shed on any neighbouring Residential Lot or Garden Allotment, or on, or in view of, any thoroughfare or road or reserve within or adjacent to the Bridesdale Farm Development;
- (s) not to construct or place on any Residential Lot or Garden Allotment any pre-used or second-hand Building or a Building that is capable of relocation; and
- (t) to ensure all gas cylinders and washing lines are suitably screened from the road, reserve and/or access lot frontage of any Residential Lot or Garden Allotment.

6. No-Objection Covenants

6.1 The Grantor further covenants that:

- (a) it will not, and will not encourage or support any other person to:
 - i object to or Lodge any Submission against any Planning Proposal;
 - ii obtain an order, injunction or any other remedy;
 - iii make any complaint against any contractor or any consultant;

Bridesdale Farm Land Covenant

which relates to the Adjoining Land and/or any land owned by Bridesdale Farm.

- (b) if requested by the Grantee, the Grantor shall promptly give its unqualified and irrevocable:
 - i written approval (including any affected party approval under section 95E of the Resource Management Act 1991) to any Planning Proposal relating to the Adjoining Land and/or any land owned by Bridesdale Farm; and / or
 - ii submission in support of any Planning Proposal, relating to the Adjoining Land and/or any land owned by Bridesdale Farm.
- (c) the Grantor shall sign all documents and do all things required by the Grantee to meet the Grantor's obligation under this clause 6.

7. Fencing

- 7.1 For as long as any Lot is owned by the Initial Grantee, the Initial Grantee shall not be liable to contribute towards the cost of, or assist in the erection or maintenance of, any boundary or dividing fence between that Lot owned by the Initial Grantee and any contiguous Lot.
- 7.2 The Initial Grantee shall not be liable to contribute towards the cost of, or assist in the erection or maintenance of, any boundary or dividing fence between any Lot and any Adjoining Land owned by the Initial Grantee.

8. Enforcement

- 8.1 The Grantor and Grantee acknowledge and agree that:
 - (a) This Instrument is subject to the Contracts (Privity) Act 1982 and that the covenants contained in this Instrument that are intended to create obligations on the Grantor, confer benefits on Bridesdale Farm and are enforceable at the suit of Bridesdale Farm as well as by the Grantee.
 - (b) Bridesdale Farm may facilitate the observance of this Instrument by the Grantor by taking all necessary steps to enforce its observance on behalf of any Grantee.
 - (c) The Grantee irrevocably appoints Bridesdale Farm to be its attorney and in its name and at its expense to do anything which Bridesdale Farm considers necessary to enforce or attempt to enforce the Grantee's rights or powers under this Instrument.
 - (d) Without limiting the appointment made in Clause 8.1(c) that appointment may specifically extend to Bridesdale Farm issuing proceedings in the name of any Grantee, provided that in doing so Bridesdale Farm indemnifies such Grantee(s) against all costs arising from or incidental to those proceedings.
- 8.2 The Grantor acknowledges that the Grantee and Bridesdale Farm shall not be liable to the Grantor for any loss, damage, claim or expenses (including where such loss, damage, claim and expense arises from the approval or non-approval of an application under the Design Guidelines, any failure to meet the timeframes stated in

Bridesdale Farm Land Covenant

the Design Guidelines or performing any function under or in relation to the Design Guidelines) or a failure to enforce the Covenants set out in this Instrument.

- 8.3 In the event that the Grantor fails to observe and perform the Covenants set out in this Instrument, a Grantee and/or Bridesdale Farm shall have a right (but not an obligation) to do whatever may be reasonably required to remedy such failure on the part of the Grantor, and the cost incurred by the Grantee or Bridesdale Farm in remedying the default shall be refunded by the Grantor to that Grantee or Bridesdale Farm (as the case may be) upon demand.
- 8.4 All notices relating to this Instrument are to be served in writing. The address for service of any notice to the Grantee is either:
- (a) the rating address that relates to the applicable Residential Lot (provided the Residential Lot's Dwelling has obtained a code compliance certificate from Council); otherwise
 - (b) the address of the solicitor who undertook the conveyance for that Grantor.

9. **Grantee and Encumbrancee/s Consent**

- 9.1 The Grantee acknowledges that the Grantor intends to undertake a further Subdivision as part of the Bridesdale Farm Development after the date of this Instrument and may (as part of such further Subdivision) vest or dedicate certain parts of the Servient Land for roads and reserves, such roads or reserves to be shown on one or more of the survey plans to be prepared by the Grantor's surveyor (Survey Plan) (**Roads**) or reserves (**Reserves**).
- 9.2 The Grantee (including its successors in title) consents to the deposit of any survey plan (**Survey Plan**) by Bridesdale Farm, the Grantor or any successors in title which has the effect of vesting or dedicating any of the Servient Land as Roads or Reserves.
- 9.3 The Grantee acknowledges and agrees that the Covenants shall cease to apply in respect of the land to be vested or dedicated for the Roads or Reserves with effect on and from the date of deposit of the relevant Survey Plan.
- 9.4 The Grantee covenants that this Clause 9 shall be deemed to be the written consent of the Grantee to the deposit of any Survey Plan for the purposes of section 224(b)(i) of the Resource Management Act 1991.
- 9.5 Any registered proprietor (**Encumbrancee/s**) of an encumbrance and/or interest registered against the Servient Land which is registered after the date of registration of this Instrument will take their interest/s in the Servient Land subject to the terms of this Instrument and, in particular (without limitation) will be deemed to have given its consent to the deposit or registration of any Survey Plan which has the effect of vesting or dedicating any of the Servient Land as Road and/or Reserves, and further agrees that the Covenants will cease to apply in respect of any of the Servient Land being vested or dedicated as Roads or Reserves.
- 9.6 If it is determined that further written consent is required from the Grantee or any or all of the Encumbrancee/s in respect of the matters provided for under Clauses 9.2 and 9.4 then the Grantee and/or the Encumbrancee/s will immediately, at the request of Bridesdale Farm or (if a different entity) the Grantor, give that written consent and do all things necessary to procure the provision of consent by any other affected or interested parties.

Bridesdale Farm Land Covenant

10. Liability

- 10.1 Without prejudice to the Grantor's and Grantee's other rights, this Instrument binds the Grantor's and Grantee's successors in title so that contemporaneously with the acquisition of any interest in the Servient Land all such successors in title become bound to comply with this Instrument. However, the liability of any Grantor under this Instrument is limited to obligations and liabilities that accrue during that Grantor's time as registered proprietor of the Servient Land and only in respect of that part of the Servient Land owned by that Grantor. A Grantor will not be liable for any breach of this Instrument which occurs during any period prior to or after its term as registered proprietor of the Servient Land (however, for the avoidance of doubt, any Grantor shall remain liable for any such antecedent breach following the transfer of its interest in the Servient Land).

11. Costs

- 11.1 The Grantor will pay all costs directly or indirectly attributable to the enforcement and discharge of this Instrument.

12. Implied terms

- 12.1 No covenants by the Grantor or by the Grantor's successors in title are implied in this Instrument other than the covenants for further assurance implied by section 154 of the Land Transfer Act 1952.

View Instrument Details



Instrument No 10684127.17
Status Registered
Date & Time Lodged 12 April 2017 13:29
Lodged By Chang, Hyung-Hwa
Instrument Type Easement Instrument



Affected Computer Registers Land District

763052	Otago
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763174	Otago
763175	Otago
763176	Otago
763177	Otago
763178	Otago
763179	Otago
763180	Otago
763181	Otago
763182	Otago
763183	Otago
763184	Otago

Affected Computer Registers Land District

763185	Otago
763186	Otago
763187	Otago

Annexure Schedule: Contains 5 Pages.

Grantor Certifications

I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period

I certify that the Mortgagee under Mortgage 9982566.3 has consented to this transaction and I hold that consent

I certify that the Mortgagee under Mortgage 10068424.3 has consented to this transaction and I hold that consent

Signature

Signed by Hyung-Hwa Chang as Grantor Representative on 06/04/2017 04:24 PM

Grantee Certifications

I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period

Signature

Signed by Hyung-Hwa Chang as Grantee Representative on 06/04/2017 04:24 PM

***** End of Report *****

Form B

Easement instrument to grant easement or *profit à prendre*, or create land covenant

(Sections 90A and 90F Land Transfer Act 1952)

Grantor

Bridesdale Farm Developments Limited

Grantee

Bridesdale Farm Developments Limited

Grant of Easement or *Profit à prendre* or Creation of 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)

Schedule A

Continue in additional Annexure Schedule, if required

Purpose (Nature and extent) of easement; <i>profit</i> or covenant	Shown (plan reference)	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Land Covenant	Lots 500 – 550, 562 – 606, 608 – 629 and 631 – 646 DP 505513	Lots 500 – 550, 562 – 606, 608 – 629 and 631 – 646 DP 505513 (part CFR 763052, 763054 – 763095 and 763097 – 763187)	Lots 500 – 550, 562 – 606, 608 – 629 and 631 – 646 DP 505513 (part CFR 763052, 763054 – 763095 and 763097 – 763187)

QLD001348 5560227.1

Form B**Easement instrument to grant easement or *profit à prendre*, or create land covenant****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 specified classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or Schedule Five of the Property Law Act 2007.~~

The implied rights and powers are hereby **[varied] [negatived] [added to] or [substituted]** by:

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

~~[the provisions set out in Annexure Schedule _____]~~

Covenant provisions

Delete phrases in [] and insert Memorandum number as require; 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

Form B**Easement instrument to grant easement or *profit à prendre*, or create land covenant****ANNEXURE SCHEDULE 2****Background**

- A. The Grantor is the registered proprietor of the relevant Servient Tenement.
- B. The Grantee is the registered proprietor of the relevant Dominant Tenement.
- C. The Grantor and Grantee have agreed that the Servient Tenement will be subject to the covenants set out in this instrument.

1. Interpretation

- 1.1 For the purposes of this Instrument:

"Covenants" means the covenants set out in this Instrument.

"Dominant Tenement" means the dominant tenements set out in Schedule A of this Instrument.

"Grantee" means the registered proprietor of the Dominant Tenement from time to time.

"Grantor" means the registered proprietor of the Servient Tenement from time to time together with any tenants, occupiers or invitees on the Servient Tenement.

"Instrument" means the front page of this Instrument together with all Schedules attached to it.

"Servient Tenement" means all or any part of the land contained or formerly contained in the servient tenements set out in Schedule A of this Instrument.

- 1.2 For the avoidance of doubt:

- a. words importing the singular number include the plural and vice versa.
- b. references to the parties are references to the Grantor and the Grantee.
- c. a covenant to do something is also a covenant to permit or cause that thing to be done and a covenant not to do something is also a covenant not to permit or cause that thing to be done.
- d. this Instrument binds and benefits the parties and their heirs, executors, successors and assigns in perpetuity and also any lessee or occupier of the Servient Tenement and the Dominant Tenement.
- e. a reference to a statute, regulation or by-law includes all statutes, regulations, or by-laws varying, consolidating or replacing them, and a reference to a statute includes all regulations or by-laws issued under that statute.

QLD001348 5560227.1

Form B**Easement instrument to grant easement or *profit à prendre*, or create land covenant****2. General Covenants**

2.3 The Grantor covenants and agrees:

- a. to observe and perform all the Covenants at all times;
- b. that the Covenants shall run with and bind the Servient Tenement for the benefit of the Dominant Tenement;
- c. to do all things reasonably necessary to ensure that any invitees of the Grantor on the Servient Tenement and any mortgagees, lessees or occupiers of the Servient Tenement comply with the provisions of this Instrument;
- d. to pay the Grantee's legal costs (as between solicitor and client) of and incidental to the enforcement or attempted enforcement of the Grantee's rights, remedies and powers under this Instrument; and
- e. to indemnify the Grantee against all claims and proceedings arising out of a breach by the Grantor of any of its obligations set out in this Instrument.

3. Covenants

3.4 The Grantor covenants in favour of the Grantee that the Grantor will ensure that the Servient Tenement is:

- a. kept free of weeds and any other vegetation other than grass species and vegetation planted for productive or horticultural purposes (vegetables, flowers, etc.), in accordance with good horticultural practices;
- b. kept reasonably clean and tidy at all times, and clear of all waste, refuse and rubbish and that all equipment and other materials shall be stored within sheds located on the relevant Servient Tenement unless being used for productive or horticultural purposes; and
- c. used in a manner so as not to cause a nuisance, and any cut or otherwise harvested vegetation shall be stored neatly in piles or composted or otherwise disposed of lawfully.

3.5 The Grantor and Grantee covenant with one another that for so long as the Grantor and Grantee are registered proprietors of the Servient Tenement and Dominant Tenement respectively, they shall each be members of the Bridesdale Farm Residents Association Incorporated.

3.6 The Grantor further covenants in favour of the Grantee that any shed or building on the relevant Servient Tenement shall not be converted or used as a residential unit, residential dwelling, residential flat, granny flat, sleepout or be used for any home occupation purposes. Such shed or building shall be used for storage purposes only.

4. Road and Reserve Vesting

4.7 The Grantee consents to the deposit or registration of any survey plan (Survey Plan) by the Grantor in respect of the Servient Tenement which has the effect of vesting or dedicating all or any part of the Servient Tenement as any road (Road)

QLD001348 5560227.1

Form B

Easement instrument to grant easement or *profit à prendre*, or create land covenant

or reserve including (without limitation) any esplanade reserve or strip (Reserve) in any local authority, territorial authority or the Crown and agrees that the terms of this instrument shall cease to apply in respect of the Servient Tenement within such Road or Reserve upon the survey approval of the Survey Plan by Land Information New Zealand and this clause will be deemed to be the consent of the Grantee to the deposit or registration of the Survey Plan.

QLD001348 5560227.1

View Instrument Details



Instrument No 10684127.6
Status Registered
Date & Time Lodged 12 April 2017 13:29
Lodged By Chang, Hyung-Hwa
Instrument Type Easement Instrument



Affected Computer Registers **Land District**

152862	Otago
373464	Otago
566248	Otago
638865	Otago
OT18D/353	Otago

Annexure Schedule: Contains 9 Pages.

Grantor Certifications

- I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period
- I certify that the Mortgagee under Mortgage 9682131.2 has consented to this transaction and I hold that consent
- I certify that the Mortgagee under Mortgage 9982566.3 has consented to this transaction and I hold that consent
- I certify that the Mortgagee under Mortgage 10068424.3 has consented to this transaction and I hold that consent

Signature

Signed by Kerry Amanda ODonnell as Grantor Representative on 05/05/2017 01:53 PM

Grantee Certifications

- I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period

Signature

Signed by Kerry Amanda ODonnell as Grantee Representative on 05/05/2017 01:58 PM

*** End of Report ***

Form B**Easement instrument to grant easement or *profit à prendre*, or create land covenant**

(Sections 90A and 90F Land Transfer Act 1952)

Grantor

Bridesdale Farm Developments Limited
Blair Edwards Christmas, Holly Ruth Christmas and Philip Edward Christmas

Grantee

Blair Edwards Christmas, Holly Ruth Christmas and Philip Edward Christmas
Bridesdale Farm Developments Limited

Grant of Easement or *Profit à prendre* or Creation of 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)

Schedule A*Continue in additional Annexure Schedule, if required*

Purpose (Nature and extent) of easement; <i>profit</i> or covenant	Shown (plan reference)	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Land Covenants Set out in Annexure Schedule 2	"A" and "B" on DP 499222	Lot 1 DP26719 (OT18D/353)	Lot 3 DP471202 (638865)
		Lot 3 DP471202 (638865)	Lot 1 DP26719 (OT18D/353)
Land Covenants Set out in Annexure Schedule 3	Lot 3 DP471202	Lot 3 DP471202 (638865)	Lot 3 DP337268 (152862) Lot 3 DP39823 (373464) Lots 3-4 DP447906 and Lot 1 DP21087 (566248) Lot 1 DP26719 (OT18D/353)

HEB-900034-6-428-V2

Form B

Easement instrument to grant easement or *profit à prendre*, or create land covenant

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 specified classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or Schedule Five of the Property Law Act 2007

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

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

~~[the provisions set out in Annexure Schedule _____]~~

Covenant provisions

Delete phrases in [] and insert Memorandum number as require; 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 and 3]~~

Form B**Easement instrument to grant easement or *profit à prendre*, or create land covenant****ANNEXURE SCHEDULE 2****CONTINUATION OF COVENANT PROVISIONS****Background**

- A. The Grantors are the registered proprietors of the Servient Tenement.
- B. The Grantees are the registered proprietors of the Dominant Tenement.
- C. The Grantors agree that the Servient Tenement shall be subject to the Covenants for the benefit of the Grantees.

Operative Part**1. Interpretation**

- 1.1 For the purposes of this Instrument:
 - a. "Agreed Fence" means a solid wooden fence at least 1.8m high painted in a recessive colour.
 - b. "Boundary" means the boundary between the properties (currently) legally described as Lot 1 DP 26719 and Lot 3 DP 471202.
 - c. "Bridesdale Land" means the land (currently) legally described as Lot 1 DP26719
 - d. "Covenants" means the covenants set out in the Instrument
 - e. "Covenanted Area" means the area marked "A" and "B" on DP 499222 located 3 metres either side of the Boundary (i.e.: that area being 6 metres in width and the length of the Boundary in length).
 - f. "Dominant Tenement" means the dominant tenement set out in Schedule A of this Instrument as being subject to the Land Covenants contained in this Annexure Schedule 2.
 - g. "Grantee" means the Grantees named on the front page of this Instrument and their successors in title to the Dominant Tenement.
 - h. "Grantor" means the Grantors named on the front page of this Instrument and their successors in title to the Servient Tenement.
 - i. "Ground Level" means the ground level of the Covenanted Area as at the date of this Instrument.

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Form B**Easement instrument to grant easement or *profit à prendre*, or create land covenant**

- j. "Hedge" means the hedge currently located on (or near) the Boundary within the Covenanted Area at the date of registration of this Instrument (comprising largely of hawthorn).
- k. "Servient Tenement" means the servient tenement set out in Schedule A of this Instrument as being subject to the Land Covenants contained in this Annexure Schedule 2.
- l. "This Instrument" means this instrument as it may be varied from time to time including the front page and all Annexure Schedules to this instrument.

2. Covenant**2.1** The Grantors covenant and agree that:

- a. neither party will remove any part of the Hedge or do anything to adversely affect the Hedge (subject to paragraphs b and c below);
- b. the Hedge and any other vegetation within the Covenanted Area will be maintained at a height no greater than 5 metres above Ground Level; and
- c. any party wishing to have the Hedge or any other vegetation within the Covenanted Area trimmed (in order to maintain a height no greater than 5 metres above Ground Level) may enter onto the other party's land for that purpose, at its cost, provided they first give the other party one month's notice of their intention to do so (and unless the other party has already trimmed the Hedge or other vegetation to the maximum height within that one month period).

2.2 The Grantor that is the registered proprietor of the Bridesdale Land further covenants that it will erect the Agreed Fence along the Boundary prior to the sale of any part of the Bridesdale Land which contains the Covenanted Area**2.3** Once erected, neither the Grantor nor the Grantee may alter or remove the Agreed Fence, except for the purposes of maintenance or replacement.**3. Surrender****3.1** The parties agree that, in the event the Bridesdale Land is further subdivided, the provisions set out in clause 2 will cease to apply to any resulting title from that subdivision that does not contain any part of the Covenanted Area and the surrender provisions set out in clause 3 in Annexure Schedule 3 will apply.**4. Vesting/Dedicating Of Roads And Reserves****4.1** The Grantee consents to the deposit or registration of any survey plan ("Survey Plan") by the Grantor in respect of the Servient Tenement which has the effect of vesting or dedicating all or any part of the Servient Tenement as any road ("Road") or reserve including (without limitation) any esplanade reserve or strip ("Reserve") in any local authority, territorial authority or the Crown and agrees that the covenants in this instrument shall cease to apply in respect of the Servient

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Form B**Easement instrument to grant easement or *profit à prendre*, or create land covenant**

Tenement within such Road or Reserve upon the survey approval of the Survey Plan by LINZ and this clause will be deemed to be the consent of the Grantee to the deposit or registration of the Survey Plan.

4.2 Any registered proprietor ("Encumbrancees") of an encumbrance or interest registered against the Dominant Tenement (now or in the future) acknowledges (by signing the consent that permits the registration of this Instrument or by taking their interest subsequent to this registered Instrument) that their interest/s in the Dominant Tenement are subject to the terms of this Instrument and, in particular (without limitation to this clause) will be deemed to have given its consent to the deposit or registration of the Survey Plan.

4.3 If the Grantor elects and/or the consent of all or any of the Encumbrancees are required to deposit or register the Survey Plan, then the Grantee will in a timely manner:

- a. execute any required consent or easement/covenant/encumbrance surrender documents; and/or
- b. use reasonable endeavours to provide all required consents from the Encumbrancees,

as are necessary to deposit or register the Survey Plan. The Grantor and Grantee will meet their own costs associated with the above.

4.4 The Grantee irrevocably appoints the Grantor to be its lawfully authorised attorney to:

- a. execute any required consent or easement surrender document;
- b. obtain all required Encumbrancees' consent registered over the Dominant Tenement;

as are necessary to deposit or register the Survey Plan if, in the sole opinion of the Grantor, the Grantee is not complying with this clause 4 in a timely manner. No person dealing with the Grantor as attorney in its capacity under this clause needs to enquire if the Grantor is validly exercising its power as attorney under this clause.

5. Liability

5.1 Without prejudice to the Grantors' and Grantees' other rights, this Instrument binds the Grantors' and Grantees' successors in title so that contemporaneously with the acquisition of any interest in the Servient Tenement all such successors in title to that land become bound to comply with this Instrument. However, the liability of any Grantor under this Instrument is limited to obligations and liabilities that accrue during that Grantor's time as registered proprietor of the Servient Tenement and only in respect of that part of the Servient Tenement owned by that Grantor. A Grantor will not be liable for any breach of this Instrument which occurs during any period prior to or after its term as registered proprietor of the Servient Tenement

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Form B

Easement instrument to grant easement or *profit à prendre*, or create land covenant

(however, for the avoidance of doubt, any Grantor shall remain liable for any such antecedent breach following the transfer of the Servient Tenement).

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Form B**Easement instrument to grant easement or *profit à prendre*, or create land covenant****ANNEXURE SCHEDULE 3****CONTINUATION OF COVENANT PROVISIONS****Background**

- A. The Grantor is the registered proprietor of the Servient Tenement.
- B. The Grantee is the registered proprietor of the Dominant Tenement.
- C. The Grantor agrees that the Servient Tenement shall be subject to the Covenants for the benefit of the Grantee.

Operative Part**1. Interpretation**

- 1.1 For the purposes of this Instrument:
 - a. "Bridesdale Development" means the development of the Dominant Tenement as a reasonably intensive medium density residential development to achieve approximately 150 residential lots.
 - b. "Covenants" means the covenants set out in the Instrument.
 - c. "Covenanted Area" has the meaning set out in Annexure Schedule 2.
 - d. "Dominant Tenement" means the dominant tenement set out in Schedule A of this Instrument as having the benefit of the Covenants contained in this Annexure Schedule 3.
 - e. "Grantee" means the Grantee named on the front page of this Instrument that is Bridesdale Farm Developments Limited, and its successors in title to the Dominant Tenement.
 - f. "Grantor" means the Grantor named on the front page of this Instrument that is Blair Edwards Christmas, Holly Ruth Christmas and Philip Edward Christmas, and its successors in title to the Servient Tenement.
 - g. "Lodge any Submission" means (without limitation) personally or through any agent or servant (including by being a member of any group or society, whether incorporated or not), directly or indirectly lodge or support in any way any objection or submission to any Planning Proposal and includes (without limitation) taking part in any planning hearing or appeal arising in respect of any Planning Proposal whether as a party or otherwise.
 - h. "Planning Proposal" means any application, designation application, resource consent application, or change or variation to the District Plan to enable all or any part of the Bridesdale Development.

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Form B**Easement instrument to grant easement or *profit à prendre*, or create land covenant**

- i. "Servient Tenement" means the servient tenement set out in Schedule A of this Instrument as being subject to the Covenants contained in this Annexure Schedule 3.
- j. "this Instrument" means this instrument as it may be varied from time to time including the front page and all Annexure Schedules to this instrument.

2. Non-Objection

- 2.1 The Grantor covenants in favour of the Grantee that it will not Lodge any Submission to any Planning Proposal lodged by, or with the written approval of, any Grantee in respect of any part of the Dominant Tenement and further, if called upon to do so by any Grantee, will provide affected person's approval under the Resource Management Act 1991 in respect of any such Planning Proposal ("**APA**").
- 2.2 The Grantor irrevocably nominates, constitutes and appoints the Grantee or any nominee of any Grantee to be the true and lawful attorney of the Grantor for the purposes of executing all documents and plans and perform all acts, matters and things as may be necessary (without limitation) to sign any APA if called upon to do so by the Grantee.
- 2.3 Production of this power of attorney to the relevant authority (or any other concerned party) from time to time shall without further requirement or reference to the Grantor comprise an irrevocable and unconditional authorisation and instruction to any Grantee or its nominee to sign any APA.
- 2.4 Each Grantor shall also, if called upon to do so, enter into and execute a deed of appointment of power of attorney in favour of any Grantee or any nominee of any Grantee on the terms and for the purposes set out in clause 2.2.

3. Surrender

- 3.1 The parties agree that, at the election of the Grantee, this Instrument may be surrendered (at any time and from time to time) against any land contained in any separate certificate of title resulting from further subdivision of the Dominant Tenement, provided that land does not include any part of the Covenanted Area. When requested to do so by the Grantee, the Grantor will in a timely manner:
 - a. execute any required easement surrender documents; and
 - b. use reasonable endeavours to provide all required consents from any mortgagee, encumbrance and/or any other security holder (any "Charge Holder") required to provide a consent;

to effect such a surrender or surrenders.

- 3.2 For the purposes of this clause, the Grantor irrevocably appoints the Grantee to be its lawfully authorised attorney to:

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Form B

Easement instrument to grant easement or *profit à prendre*, or create land covenant

- a. execute any required easement surrender (including any required authority and instruction form);
- b. use reasonable endeavours to obtain all required Charge Holders' consent/s,

as are necessary to surrender this Instrument from any part of the Dominant Tenement which does not include the Covenanted Area, if in the sole opinion of the Grantee, the Grantor is not compliant with clause 3.1 in a timely manner. No person dealing with the Grantee as the attorney in its capacity under this clause needs to enquire if the Grantee is validly exercising its power as attorney under this clause.

4. Liability

- 4.1 Without prejudice to the Grantor's and Grantee's other rights, this Instrument binds the Grantor's and Grantee's successors in title so that contemporaneously with the acquisition of any interest in the Servient Tenement all such successors in title become bound to comply with this Instrument. However, the liability of any Grantor under this Instrument is limited to obligations and liabilities that accrue during that Grantor's time as registered proprietor of the Servient Tenement and only in respect of that part of the Servient Tenement owned by that Grantor. A Grantor will not be liable for any breach of this Instrument which occurs during any period prior to or after its term as registered proprietor of the Servient Tenement (however, for the avoidance of doubt, any Grantor shall remain liable for any such antecedent breach following the transfer of the Servient Tenement).

955942-7

EASEMENT CERTIFICATE

Otago Land Registry Office

(IMPORTANT — Registration of this certificate does not of itself create any of the easements specified herein.)

I. We WILLIAM KING ALLEN and FRANCES LOUISE ALLEN and QUEENSTOWN LAKES DISTRICT COUNCIL

being the registered proprietor of the land described in Schedule 'A' hereto hereby certify that the easement specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at _____ on the _____ day of _____ 1998 under No. 26719 are the easements which it is intended shall be created by the operation of Section 90A of the Land Transfer Act 1952.

SCHEDULE 'A'

C.T. Ref.	Nature of Easement (e.g. Right of Way etc.)	SERVIENT TENEMENT		Dominant Tenement Lot No. or other Legal Description
		Lot No. or other Legal Description	Identification of Part Subject to Easement	
18D/354)	Right of Way and	Lot 2 DP 26719	(A)	Lot 1 DP 26719 and part
18D/353)	Right to transmit			Lot 2 DP 11444
18D/356)	telephone communications			
18D/356)	Right to convey water	Part Lot 2	e-c	Lots 1 and 2
18D/353)		DP-11444		DP-26719
18D/354)				
18D/356)	Right to convey	Part Lot 2	c=b	Lot 1 DP 26719
18D/353)	water	DP 11444		
18D/356)	Right to pump water	Lot 2	F	Lots 1 and 2
18D/353)		DP-11444		DP-26719
18D/354)				
18D/356)	Right to transmit	Part Lot 2	e-d-c	Lot 2 DP 26719
18D/354)	electricity	DP 11444	F and g-h	
18D/356)	Right to transmit	Lot 3 DP 26719	i-h	Lot 2 DP 26719 and part
18D/354)	electricity			Lot 2 DP 11444
18D/355)				
18D/353)	Right to transmit	Lot 3 DP 26719	i-j	Lots 1 and 2 DP 26719
18D/354)	electricity			and part Lot 2 DP 11444
18D/356)				
18D/355)	'continued over'			

- The rights and powers set out in the Seventh Schedule to the Land Transfer Act 1952 are herein implied except as they are added or substituted in Schedule 'B' hereto. and the Ninth Schedule in the Property Law Act 1952
- The terms, covenants, conditions, or restrictions set out in Schedule 'C' hereto shall attach to the easements specified therein.

Dated this 7th day of August 1998

Signed by the above-named WILLIAM KING ALLEN and FRANCES LOUISE ALLEN in the presence of

W K Allen
F Allen

Witness: STEPHEN BRUCE MCLEAN

Occupation: Quantity Surveyor

Address: 18 Williams St, Tanshore Bay
Queenstown.

Correct for the purposes of the Land Transfer Act

[Signature]
Solicitor for the Registered Proprietor

SCHEDULE 'B'

State whether any rights or powers set out here are in addition to or in substitution for those set out in the Seventh Schedule to the Land Transfer Act 1952.

1. Rights and Powers:

SCHEDULE 'A' continued

18D/353)
18D/355)

Right to transmit
electricity

Lot 3 DP 26719

k-i

Lot 1 DP 26719

THE COMMON SEAL of the QUEENSTOWN LAKES)
DISTRICT COUNCIL is hereunto affixed in)
the presence of:)

..... Mayor

..... Chief Executive Officer



SCHEDULE C

1. The following provisions shall apply to each Right to Transmit Electricity:
 - (a) The Grantee and other authorised persons have the right (in common with the Grantor and all others having the like right) to lead and convey electricity, electric impulses, and any other form of electrical energy without interruption or impediment (except during any periods of necessary renewal and/or repair) along the lines shown on Deposited Plan 26719 for that easement by means of conduits, cables or pipes laid or to be laid under the surface of and through the soil of the servient tenement or by means of overhead wires and poles above the surface of the servient land.
 - (b) The Grantee shall be responsible for arranging:
 - (i) the installation of the electricity supply lines; and
 - (ii) the repair and maintenance of the electricity supply so as to keep the same in good order, repair and condition and to prevent the same becoming a danger or a nuisance.
 - (c) Any Grantee carrying out repairs or maintenance work shall have the right to a reasonable contribution from the other users of that part of the electricity line towards the cost of the repairs or maintenance.

2. The following provisions shall apply to each Right to Transmit Telephone Communications:
 - (a) The Grantee and other authorised persons have the right (in common with the Grantor and all others having the like right) to convey telephone and similar services without interruption or impediment (except during any periods of necessary renewals and/or repair) along the line marked "A" on Deposited Plan 26719 on the servient tenement by means of conduits, cables or pipes laid or to be laid under the surface of and through the soil of the servient land or by means of overhead wires and poles above the surface of the servient land to the dominant land.

(1) *Ha*

WKA

Or

[Signature]

- (b) The Grantee shall be responsible for arranging:
 - (i) the installation of the telephone service; and
 - (ii) the repair and maintenance of the telephone service so as to keep the same in good order, repair and condition and to prevent the same from becoming a danger or a nuisance.
- (c) Any Grantee carrying out repairs or maintenance work shall have the right to a reasonable contribution from the other users of that part of the telephone line towards the cost of the repairs and maintenance.

3. The following provision shall apply to the Right to Pump Water:

- (a) The Grantee shall have the right (in common with the Grantor and all others having the like right) to use the water pump and bore situated at the point marked "F" on Deposited Plan 26,719 for the purposes of drawing water for household use and livestock supply from the bore.
- (b) The Grantee shall have the right (in common with the Grantor and all others having the like right) to enter upon the servient land with or without engineers, contractors and workers and with or without any necessary vehicles, implements, tools, pipes and materials of any kind for the purposes of maintaining, inspecting, cleaning and repairing and renewing the pump and bore and any pumphouse structure in which the pump and bore are situated.
- (c) The costs and expenses of operating, maintaining, cleaning, repairing and renewing the pump and bore and the pumphouse shall be borne equally by all parties having the right to use the pump and bore.
- (d) If the right to establish and use the bore is a right granted under any Resource Consent under the Resource Management Act 1991 or a right granted under any other statute, the Grantee and the Grantor shall each comply with the terms and conditions of such right and shall not do or allow to be done anything which may cause the right to be terminated.

(2)

YKA

WKA 

SCHEDULE 'C'

2. Terms, conditions, covenants, or restrictions in respect of any of the above easements:

NA
J

The within easements when created will be subject to
Section 243 Resource Management Act 1991

[Handwritten signature]

ALR

Particulars entered in the Register at the date and at the
time recorded below.

*District Land Registrar
Assistant of the District of*

EASEMENT CERTIFICATE

PARTICULARS ENTERED IN REGISTER
LAND REGISTRY OTAGO
ASST. LAND REGISTRAR

9.30 14.OCT98 955942.7

FILE COPY



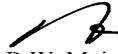
MACALISTER BROS
SOLICITORS
INVERCARGILL

THE CAXTON PRESS, CHRISTCHURCH



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R.W. Muir
Registrar-General
of Land

Identifier **763196**
Land Registration District **Otago**
Date Issued 12 April 2017

Prior References
566248

Estate Fee Simple
Area 24.4768 hectares more or less
Legal Description Lot 404-406 Deposited Plan 505513 and
Lot 1 Deposited Plan 21087 and Lot 3
Deposited Plan 447906

Registered Owners
Bridesdale Farm Developments Limited

Interests

Appurtenant to Lot 1 DP 21087, Lot 3 DP 447906, Lot 405-406 DP 505513 and part Lot 404 DP 505513 formerly part Lot 2 DP 11444 is a right of way created by Transfer 493331 - 16.3.1978 at 1:35 pm

Appurtenant to Lot 1 DP 21087, Lot 3 DP 447906, Lot 405-406 DP 505513 and part Lot 404 DP 505513 is a right of way created by Transfer 723997.5 - 10.3.1989 at 10:17 am

Appurtenant to Lot 3 DP 447906 and Lot 405-406 DP 505513 and part Lot 404 DP 505513 formerly part Lot 2 DP 11444 is a right to transmit electricity specified in Easement Certificate 955942.7 - 14.10.1998 at 9:30 am

The easements specified in Easement Certificate 955942.7 are subject to Section 243 (a) Resource Management Act 1991 6056111.7 Surrender of the rights of way marked B, I and I2 on DP 302859 specified in Transfer 493331- 25.6.2004 at 9:00 am

6056111.7 Surrender of the rights of way marked K on DP 302859 and A on Transfer 723997.5 as to CT 11008 and the right of way marked B as to CT 66349 created by Transfer 723997.5 - 25.6.2004 at 9:00 am

10585584.1 Surrender of the right of way created by Transfer 723997.5 over part lot 235 marked X DP 329276, part lot 227 marked Y DP 329276, part lot 58 marked U DP 336365 and part lot 60 marked F and T DP 336365 - 13.12.2016 at 8:52 am

Land Covenant in Easement Instrument 10684127.6 - 12.4.2017 at 1:29 pm

Subject to Section 241(2) Resource Management Act 1991 (affects DP 505513)

10684127.10 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 12.4.2017 at 1:29 pm (Affects Lot 405-406 DP 505513)

Subject to a right of way over part Lot 405 DP 505513 marked A, B, C and D on DP 505513 created by Easement Instrument 10684127.11 - 12.4.2017 at 1:29 pm

The easements created by Easement Instrument 10684127.11 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right of way (Pedestrian and Cycle) (in gross) over part Lot 404 DP 505513 marked F and over part Lot 406 DP 505513 marked G all on DP 505513 in favour of Queenstown Lakes District Council created by Easement Instrument 10684127.12 - 12.4.2017 at 1:29 pm

The easements created by Easement Instrument 10684127.12 are subject to Section 243 (a) Resource Management Act 1991

Land Covenant in Easement Instrument 10684127.13 - 12.4.2017 at 1:29 pm

Fencing Covenant subject to Section 6(2) Fencing Act 1978 in Easement Instrument 10684127.14 - 12.4.2017 at 1:29 pm (Affects Lot 404-406 DP 505513)

Subject to a right to convey water over part Lot 405 DP 505513 marked A, B, C and D and over part Lot 406 DP 505513 marked BA all on DP 505513 created by Easement Instrument 10684127.20 - 12.4.2017 at 1:29 pm



Approvals
Registered Owner: *A. K. Kitch*

The Queenstown-Lakes District Council certifies that:
(1) This plan of subdivision is approved pursuant to Section 305(1) of the Local Government Act 1974 under delegated authority pursuant to Section 715 of the Local Government Act 1974. Signed on the 14th day of July 1989, subject to such conditions as are set out in paragraph (3) hereof;
(2) This plan is in accordance with the requirements and provisions of the said Council's operative district planning scheme at that date and that
(3) The conditions referred to in paragraph (1) hereof are:
(a) That Lot 1 hereon and all the land comprised in C.T. 381/300 be held in one certificate of title (L.R. 760482).

714 500 N

IN WITNESS whereof the Common Seal of the said Council was hereunto affixed in the presence of

Mayor *[Signature]*
District Engineer *[Signature]*



In the matter of Section 279(1)(b) of the Local Government Act 1974

I do hereby certify that all conditions shown on or referred to on the approved scheme plan of subdivision hereon have been complied with to the satisfaction of the Queenstown-Lakes District Council
Dated this 14 day of July 1989
Principal Officer of the Queenstown-Lakes District

714 250 N

DATUM : Geodetic 1949
CIRCUIT : M.F. Nicholas
COORDINATES : In Terms Of False Origin
700,000 = N 300,000 = E

Total Area 1.96 ha

Comprised in C.T. 407/231 PART

I, JAMES MARTIN POTTER of CROMWELL Registered Surveyor and holder of an annual practicing certificate for who may act as a registered surveyor pursuant to section 26 of the Survey Act 1986) hereby certify that this plan has been made from surveys executed by me or under my directions, that both plan and survey are correct and have been made in accordance with the Survey Regulations 1972 or any regulations made in substitution thereof.
Dated at Cromwell this 27 day of June 1989 Signature *[Signature]*

714 000 N

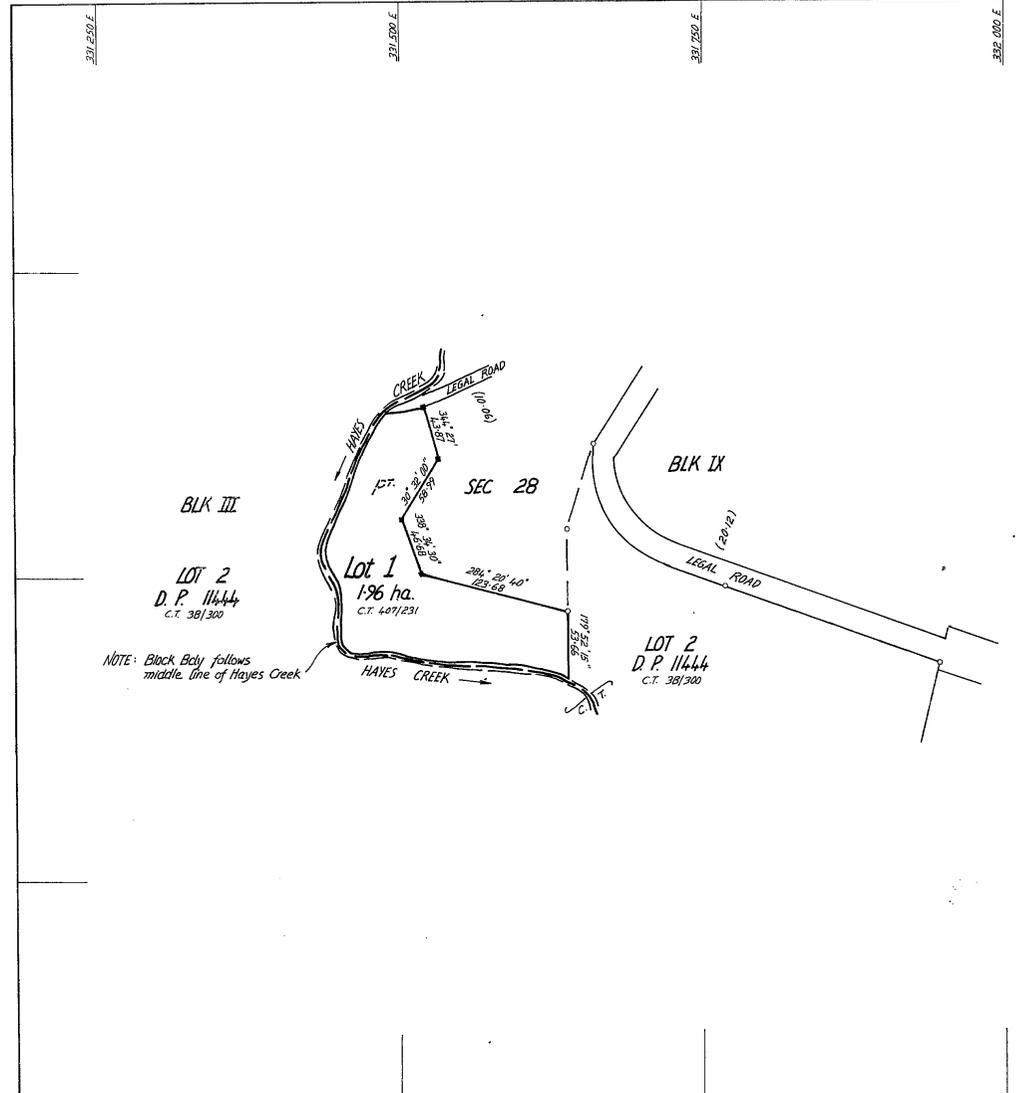
Field Book 2384 p. 16-19 Traverse Book 229 p. 72, 4, 73
Reference Plans D.P. 11444 S.O. 22333 S.O. 6800 S.O. 1505
Examined under TG 1978/2 Correct *[Signature]* C. Fisher

Approved as to Survey
71989 Chief Surveyor *[Signature]*

Deposited this 22 day of April 1989

File Received 25.7.89
Instructors *[Signature]*

D.P. 21087



LAND DISTRICT OTAGO
SURVEY BLK. & DIST. IX SHOTOVER S.D.
NZMS 261 SHT F.41 RECORD MAP No 886

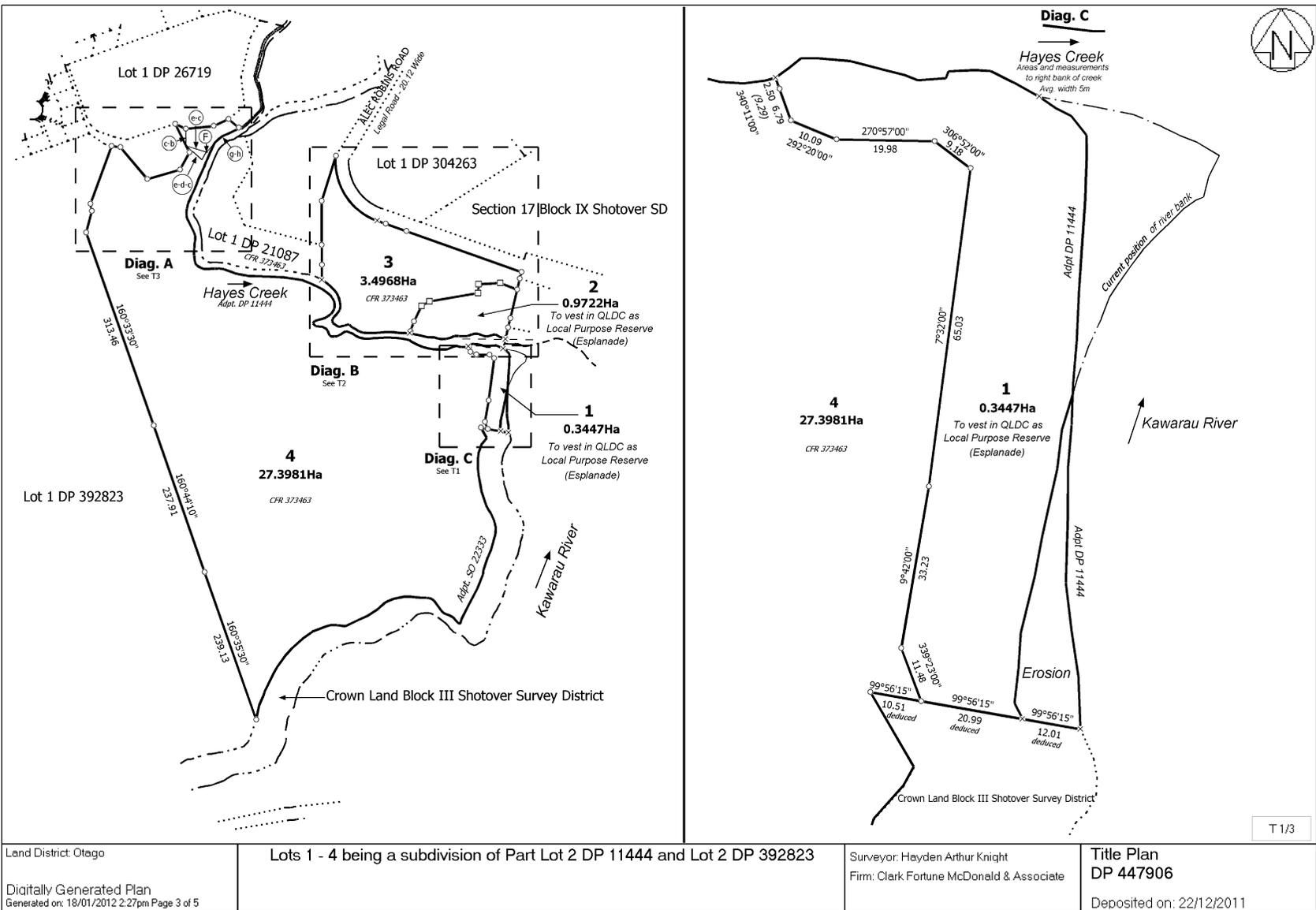
LOT 1 BEING SUBDN OF PT SEC 28

TERRITORIAL AUTHORITY QUEENSTOWN-LAKES DISTRICT
Surveyed by C. HUGHES & ASSOCIATES
Scale 1:2500 Date APRIL 1989

ID F41/2.3

NEW ZEALAND SURVEYOR GENERAL DEPARTMENT OF SURVEY AND LAND INFORMATION, NEW ZEALAND





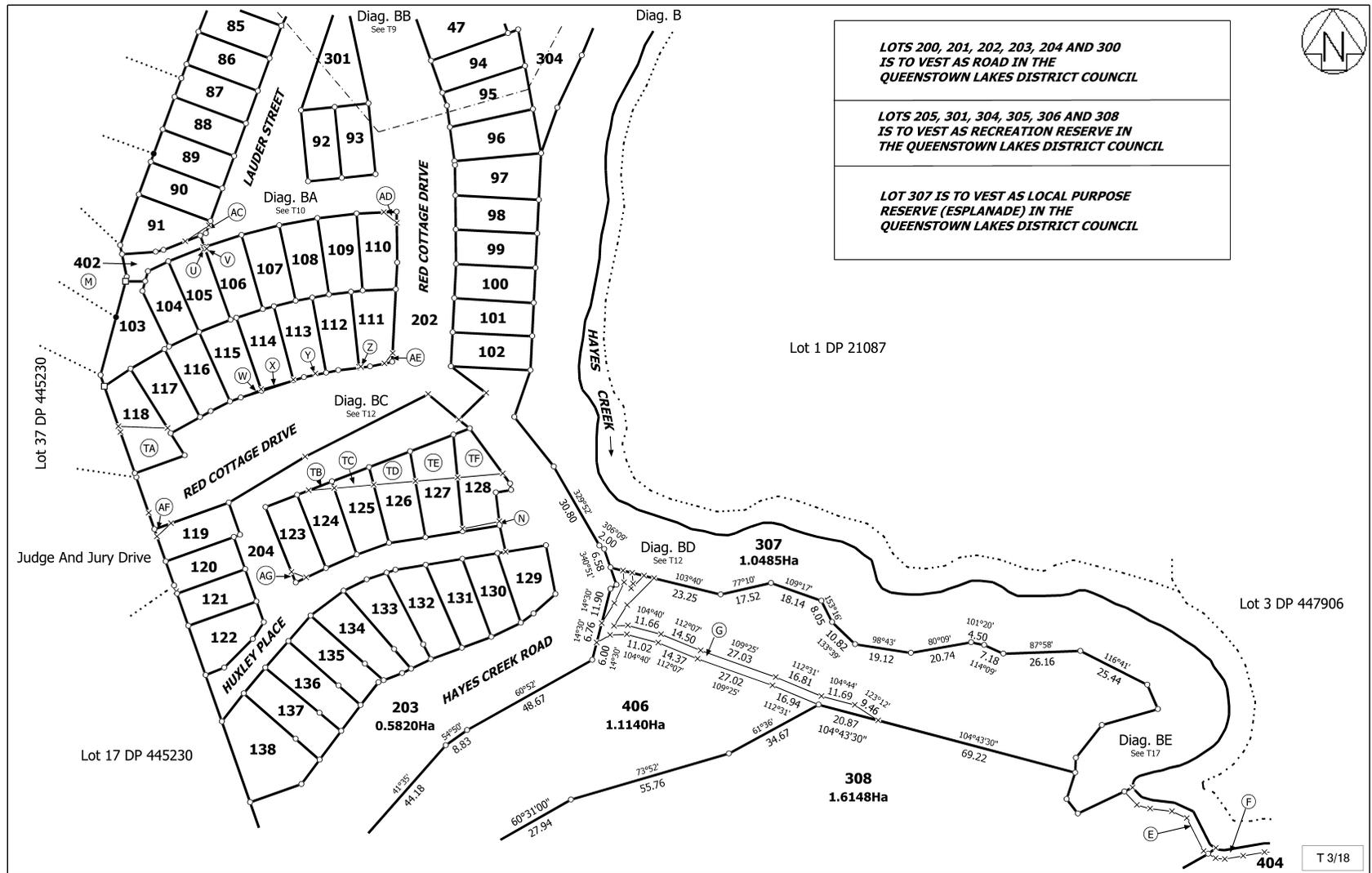
T 1/3



LOTS 200, 201, 202, 203, 204 AND 300 IS TO VEST AS ROAD IN THE QUEENSTOWN LAKES DISTRICT COUNCIL

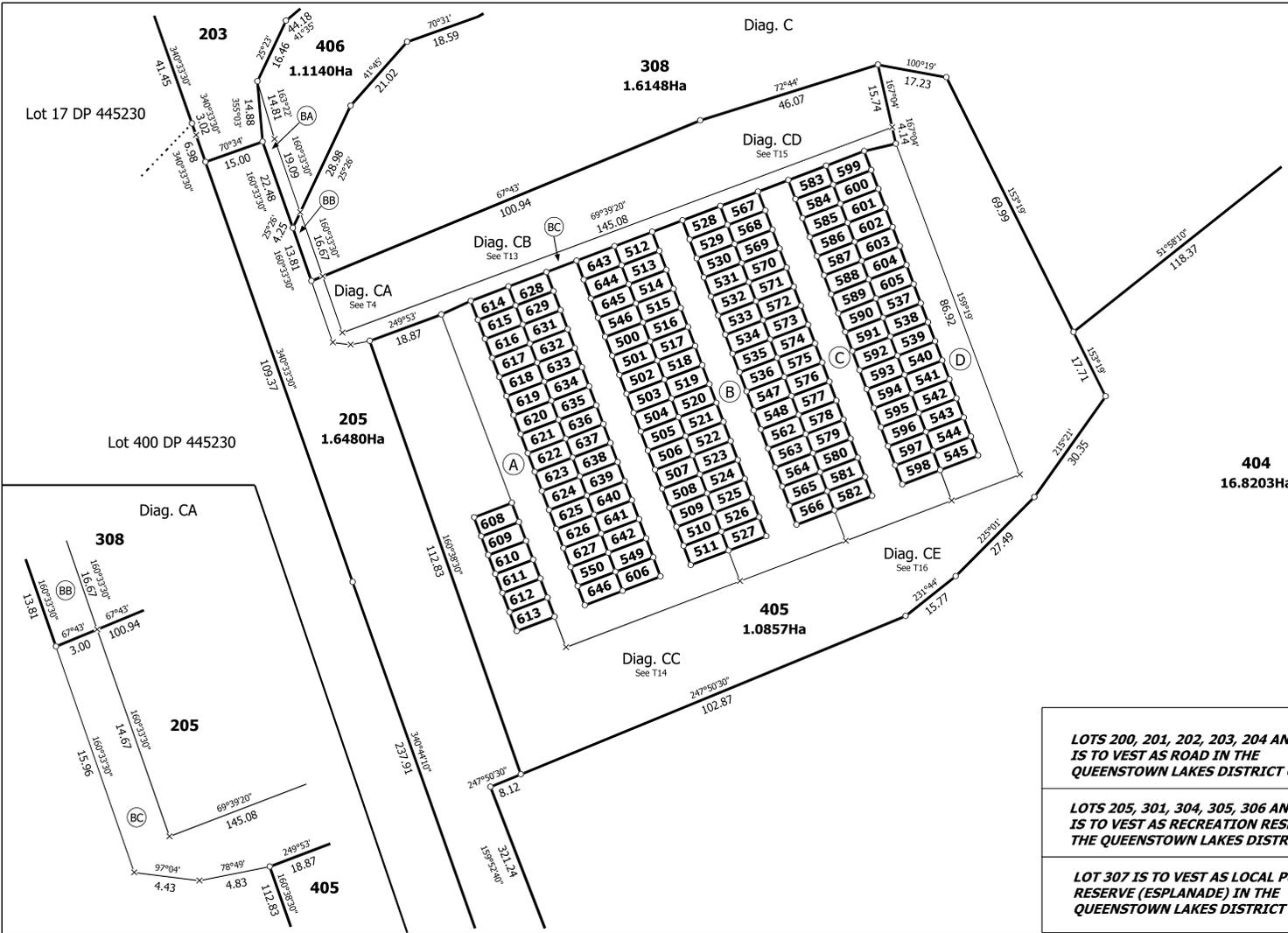
LOTS 205, 301, 304, 305, 306 AND 308 IS TO VEST AS RECREATION RESERVE IN THE QUEENSTOWN LAKES DISTRICT COUNCIL

LOT 307 IS TO VEST AS LOCAL PURPOSE RESERVE (ESPLANADE) IN THE QUEENSTOWN LAKES DISTRICT COUNCIL



Land District: Otago	Lots 1, 3-25, 27-138, 150, 200-205, 300, 301, 304-308, 400-402, 404-406, 500-550, 562-606, 608-629 and 631-646 being a subdivision of Lot 1 DP 26719, 1 of 3 DP 337268 1 of 3 DP 392823 and 1 of 4 DP 447906	Surveyor: Paul Timothy Cook Firm: Clark Fortune McDonald & Associate	Title Plan LT 505513 Approved on: 26/04/2017
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LOTS 200, 201, 202, 203, 204 AND 300 IS TO VEST AS ROAD IN THE QUEENSTOWN LAKES DISTRICT COUNCIL

LOTS 205, 301, 304, 305, 306 AND 308 IS TO VEST AS RECREATION RESERVE IN THE QUEENSTOWN LAKES DISTRICT COUNCIL

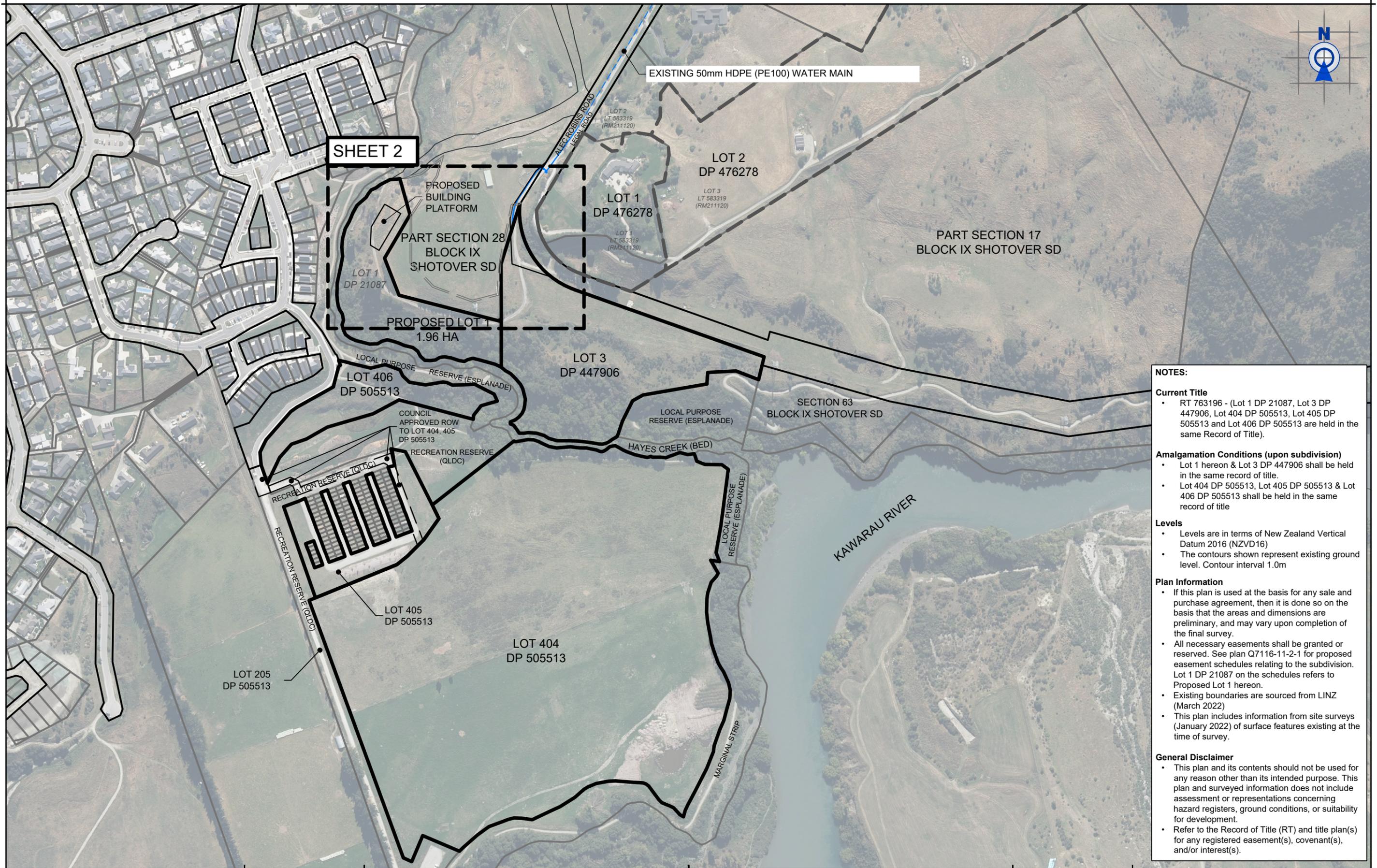
LOT 307 IS TO VEST AS LOCAL PURPOSE RESERVE (ESPLANADE) IN THE QUEENSTOWN LAKES DISTRICT COUNCIL

Land District: Otago	Lots 1, 3-25, 27-138, 150, 200-205, 300, 301, 304-308, 400-402, 404-406, 500-550, 562-606, 608-629 and 631-646 being a subdivision of Lot 1 DP 26719, 1 of 3 DP 337268 1 of 3 DP 392823 and 1 of 4 DP 447906	Surveyor: Paul Timothy Cook Firm: Clark Fortune McDonald & Associate	Title Plan LT 505513 Approved on: 26/04/2017
Digitally Generated Plan Generated on: 26/04/2017 3:05pm Page 27 of 41			



SHEET 2

EXISTING 50mm HDPE (PE100) WATER MAIN



NOTES:

Current Title

- RT 763196 - (Lot 1 DP 21087, Lot 3 DP 447906, Lot 404 DP 505513, Lot 405 DP 505513 and Lot 406 DP 505513 are held in the same Record of Title).

Amalgamation Conditions (upon subdivision)

- Lot 1 hereon & Lot 3 DP 447906 shall be held in the same record of title.
- Lot 404 DP 505513, Lot 405 DP 505513 & Lot 406 DP 505513 shall be held in the same record of title

Levels

- Levels are in terms of New Zealand Vertical Datum 2016 (NZVD16)
- The contours shown represent existing ground level. Contour interval 1.0m

Plan Information

- If this plan is used at the basis for any sale and purchase agreement, then it is done so on the basis that the areas and dimensions are preliminary, and may vary upon completion of the final survey.
- All necessary easements shall be granted or reserved. See plan Q7116-11-2-1 for proposed easement schedules relating to the subdivision. Lot 1 DP 21087 on the schedules refers to Proposed Lot 1 hereon.
- Existing boundaries are sourced from LINZ (March 2022)
- This plan includes information from site surveys (January 2022) of surface features existing at the time of survey.

General Disclaimer

- This plan and its contents should not be used for any reason other than its intended purpose. This plan and surveyed information does not include assessment or representations concerning hazard registers, ground conditions, or suitability for development.
- Refer to the Record of Title (RT) and title plan(s) for any registered easement(s), covenant(s), and/or interest(s).

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 T 03 441 4715
 E queenstown@ppgroup.co.nz

Client/Location:
BRIDESDALE FARM DEVELOPMENTS LTD
 ALEC ROBINS ROAD

Purpose/Drawing Title:
PROPOSED BUILDING PLATFORM AND LOT 1 BEING A PROPOSED SUBDIVISION OF LOT 1 DP 21087, BEING PART RT 763196

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Checked by: BC		
Approved by:	Sheet No: 1	Revision No: B
Job Ref: Q7116-12-1	Date Created: 25/05/2023	

SEE SHEET 1 FOR NOTES

LOCAL PURPOSE
(ESPLANADE)
RESERVE

HAYES CREEK (BED)

PROPOSED RIGHT OF WAY AND EASEMENT NOTES

- FOR PROPOSED EASEMENT AREAS 'A', 'B' AND 'C' HEREON, SEE PLAN Q7116-11-2-1 FOR THE SCHEDULE OF PROPOSED EASEMENTS AND SCHEDULE OF PROPOSED EASEMENTS (IN GROSS) RELATING TO THE SUBDIVISION.
- FOR THE PURPOSE OF SUBDIVISION, ASSIGN ALL REFERENCES TO 'LOT 1 DP 21087' IN THE SCHEDULES TO 'PROPOSED LOT 1' ON THIS SUBDIVISION PLAN.
- RMA 1991 S223(5) AND LGA 1974 S345(6) APPLY. (RIGHTS OF WAY APPROVED BY LGA S348 CAN BE AUTHORISED AND ACCEPTED UNDER S223 ON A SUBDIVISION PLAN)

INSTALL ACUFLOW GM900 TOBY AND BOX IN VERGE (AT ROAD BDY, CLEAR OF ROAD FORMATION)

INSTALL 50mm GATE VALVE INC CAST IRON BOX AND LID

EXTEND EXISTING 50mm PE100 WATER MAIN ALONG ALEC ROBINS ROAD (APPROX 60m)

EXTEND 25mm PE80 WATER LATERAL ACROSS BOUNDARY

PROPOSED BUILDING PLATFORM
AREA: 1000m²

PART SECTION 28
BLOCK IX SHOTOVER SD

LOT 1
DP 21087

PROPOSED LOT 1
1.96 HA

LOT 1
DP 476278

LOT 1
LT 583319
(RM211102)

LOT 2
DP 476278

LOT 3
DP 447906

ALEC ROBINS ROAD
LEGAL ROAD

EXISTING ROW (PEDESTRIAN) (IN GROSS) 8255284.3



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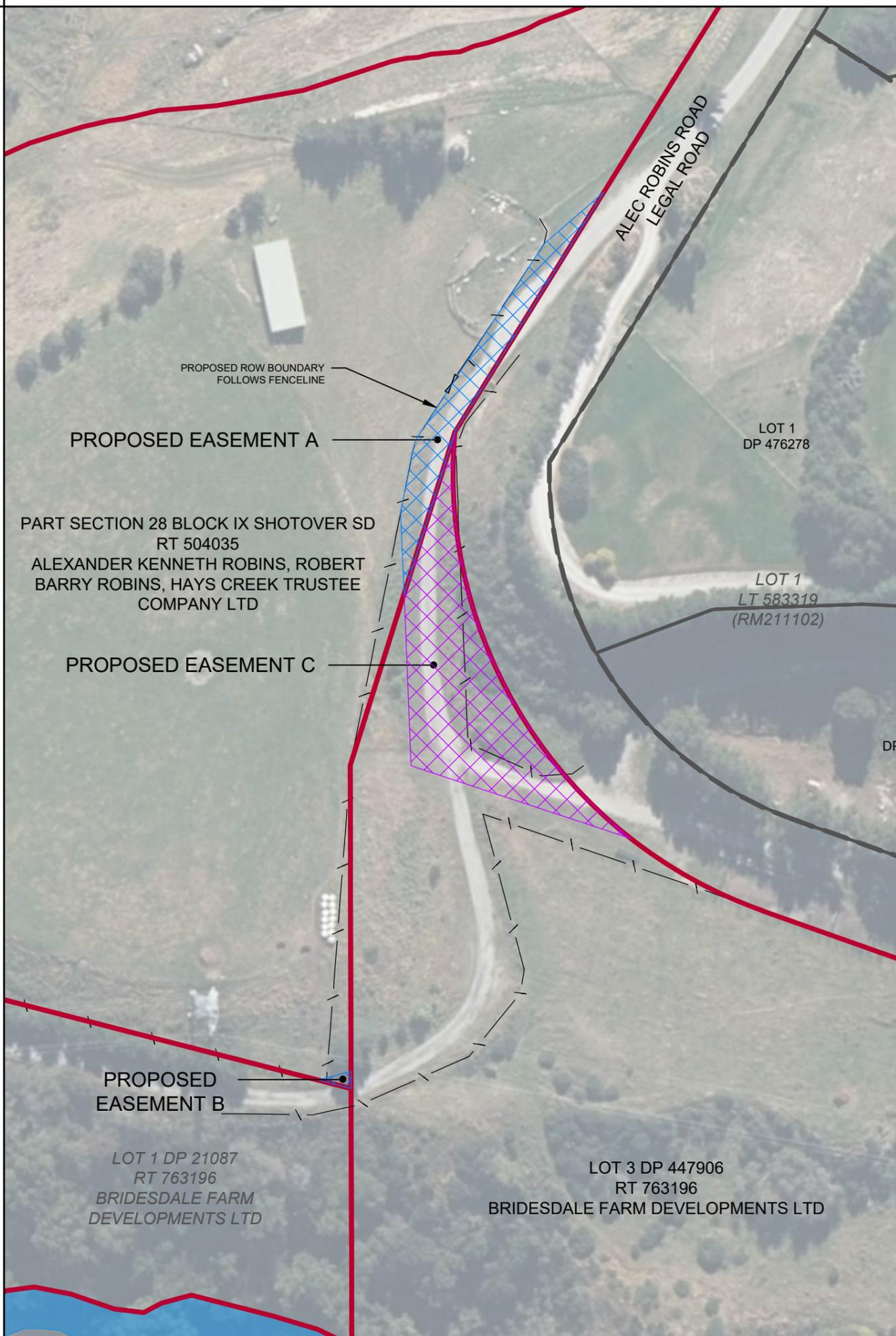
QUEENSTOWN:
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1092 Frankton Road.
PO Box 2645,
Queenstown 9349.
T 03 441 4715
E queenstown@ppgroup.co.nz

Client/Location:
**BRIDESDALE FARM
DEVELOPMENTS LTD
ALEC ROBINS ROAD**

Purpose/Drawing Title:
**PROPOSED BUILDING
PLATFORM AND LOT 1 BEING A PROPOSED
SUBDIVISION OF LOT 1 DP 21087,
BEING PART RT 763196**

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Approved by:	Sheet No: 2	Revision No: B
Job Ref: Q7116-12-1	Date Created: 25/05/2023	

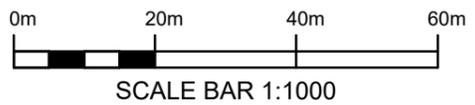


PROPOSED EASEMENTS			
PURPOSE	SHOWN	BURDENED LAND	BENEFITED LAND
RIGHT OF WAY	A	PART SECTION 28 BLOCK IX SHOTOVER SD	LOT 1 DP 21087, LOT 3 DP 447906, LOTS 1 & 3 LT 583319 (RM211120), PART SECTION 17 & SECTION 63 BLOCK IX SHOTOVER SD, LOT 1 DP 26926
	B		LOT 1 DP 21087, LOT 3 DP 447906
	C		LOTS 1 & 3 LT 583319 (RM211120), PART SECTION 17 & SECTION 63 BLOCK IX SHOTOVER SD, LOT 1 DP 26926
RIGHT TO CONVEY WATER, RIGHT TO DRAIN WATER AND SEWAGE	A	PART SECTION 28 BLOCK IX SHOTOVER SD	LOT 1 DP 21087, LOT 3 DP 447906, PART SECTION 17 & SECTION 63 BLOCK IX SHOTOVER SD, LOT 1 DP 26926
	B		LOT 1 DP 21087, LOT 3 DP 447906
	C		PART SECTION 17 & SECTION 63 BLOCK IX SHOTOVER SD, LOT 1 DP 26926

PROPOSED EASEMENTS (IN GROSS)			
PURPOSE	SHOWN	BURDENED LAND	GRANTEE
RIGHT TO CONVEY ELECTRICITY	A, B C	PART SECTION 28 BLOCK IX SHOTOVER SD LOT 3 DP 447906	AURORA ENERGY LIMITED / LAKELAND NETWORK LIMITED
RIGHT TO CONVEY TELECOMMUNICATIONS	A, B C	PART SECTION 28 BLOCK IX SHOTOVER SD LOT 3 DP 447906	CHORUS NEW ZEALAND LIMITED
GAS EASEMENT	A, B C	PART SECTION 28 BLOCK IX SHOTOVER SD LOT 3 DP 447906	ROCKGAS LIMITED



- NOTES:**
- Final location of right of way, water, drainage and sewage is subject to detailed design and QLDC approval.
 - Provision and location of electricity, telecommunications and gas as determined by respective Utility Providers.
 - Easements will follow as-built location of right of way and services.



KEY:

	PROPOSED LOT BOUNDARY
	EXISTING FENCELINE

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Client/Location:
**BRIDESDALE FARM
 DEVELOPMENTS LTD
 ALEC ROBINS ROAD**

Purpose/Drawing Title:
PROPOSED EASEMENTS

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Designed by:	A3	1:1000
Drawn by: SJP		
Checked by:	DO NOT SCALE	
Approved by:	Sheet No: 1	Revision No: E
Job Ref: Q7116-11-2	Date Created: 08/06/2023	



For RESOURCE CONSENT APPLICATION

Bridesdale Farm Developments Ltd

Alec Robins Road, Lake Hayes

SUBDIVISION & BUILDING PLATFORM

INFRASTRUCTURE ASSESSMENT REPORT

Our Ref: Q7116

April 2023

DUNEDIN:

P.O. Box 5933,
Dunedin 9058.
T 03 477 3245

CHRISTCHURCH:

P.O. Box 160094,
Christchurch 8441.
T 03 928 1533

ALEXANDRA:

P.O. Box 103,
Alexandra 9340.
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CROMWELL:

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Cromwell 9342.
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Queenstown 9349.
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Wanaka 9305.
T 03 443 0110

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ATTACHMENTS

Appendix [A] – PPG Scheme Plans

Appendix [B] – Geosolve Geotechnical Report (relevant sections)

Appendix [C] – Aurora Power Provisioning Letter

Contacts Details: Paterson Pitts Group, Queenstown office PO Box 2645, Queenstown 9349 Email: queenstown@ppgroup.co.nz Ph: +64 3 441 4715					
Document Control:					
Rev	Date	Description	Prepared	Reviewed	Approved
0	03/05/22	Consent Application	A.Hopkins	S.Popenhagen	S.Popenhagen
1	07/11/22	Consent Application - Revised	A.Hopkins	S.Popenhagen	S.Popenhagen
2	19/04/23	Consent Application - Revised	A.Hopkins	S.Popenhagen	S.Popenhagen

1. INTRODUCTION

1.1. SCOPE

This report has been prepared to support an application for subdivision (by way of de-amalgamation) of Lot 1 DP 21087, Lot 3 DP 447906, Lot 404 DP 505513, Lot 405 DP 505513 and Lot 406 DP 505513. In association, it is proposed to identify a new proposed Lot 1, with a building platform. Proposed Lot 1 is to be amalgamated with Lot 3 DP 447906; with Lot 404 DP 505513, Lot 405 DP 505513 and Lot 406 DP 505513 to be amalgamated and held in a separate Record of Title.

This report provides a description of and addresses the following for the subdivision and identification of the new building platform.

- Water Supply
- Fire Fighting
- Wastewater
- Stormwater
- Network Utility Services

1.2. PROPOSAL AND CONTEXT



Figure 1: Location Plan

The subject allotments (Lot 1 DP 21087, Lot 3 DP 447906, Lot 404 DP 505513, Lot 405 DP505513, Lot 406 DP 505513) are currently held in the same Record of Title. The proposed consent application seeks subdivision consent to de-amalgamate the four lots. The resultant lots will then be re-amalgamated

to be held in two separate records of title. The proposed scheme plan is as contained within Appendix A.

Proposed Lot 1 and Lot 3 DP 447906 are proposed to be held in the same title. Proposed Lot 1 will include a new building platform and will be legally serviced and accessed.

Lot 404 DP 505513, Lot 405 DP505513 and Lot 406 DP 505513 are proposed to be held in the same title. Although Lot 406 DP 505513 has legal access and services to its northern boundary, it is not proposed to provide service laterals to any of these allotments. This is deemed appropriate as these lots are located within the rural (ONL) zone and therefore have no inherent development rights that would require service laterals.

As indicated, proposed Lot 1 will include a new building platform. The proposed platform is located in the north-west corner of the lot, on a terrace batter slope. The location and layout is detailed within Appendix A and as shown below-

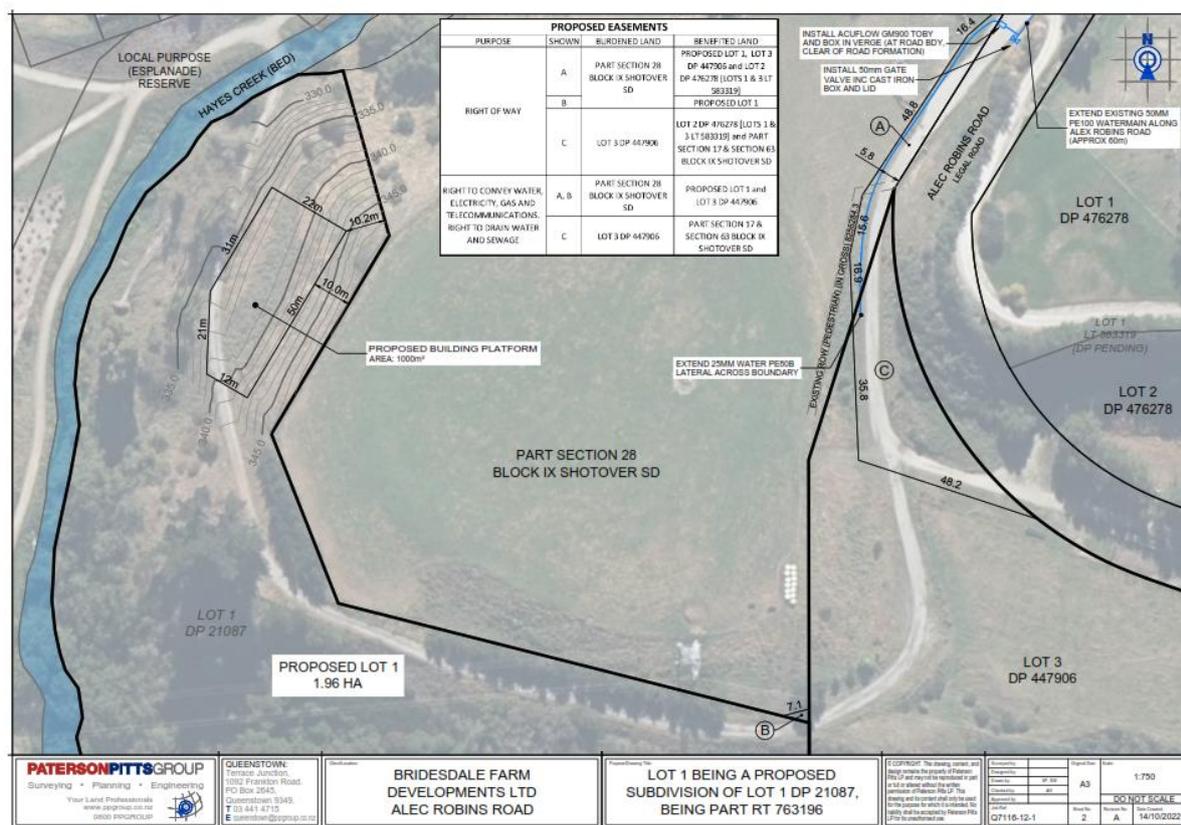


Figure 2: Scheme Plan (building platform)

then ensure a consistent mains pressure feed to the dwelling. This requirement should be secured through a consent notice on the future title.

Overall, the provision of a water supply lateral connection to the Lot 3 DP 447906 property boundary and a future low-pressure feed to the residential dwelling within proposed Lot 1 is considered feasible. Detailed design for the lateral connection, water toby and meter, and 25mm lateral extension to the property boundary will be provided prior to the commencement of works.

3. FIREFIGHTING SUPPLY

The proposed building platform within proposed Lot 1 is not located within Council's water supply scheme boundary and does not have access to Council reticulated fire hydrants. It is therefore intended to install a minimum 45,000 litres of static firefighting storage in accordance with PAS SNZ4509:2008 when the proposed building platform is constructed upon. This requirement will be secured via a consent notice registered on the title of each future allotment. This storage will be combined with the future potable water buffering storage requirement and held in a minimum 55,000 litre tank or combination of tanks.

4. WASTEWATER

The proposed building platform within proposed Lot 1 is not currently located within Council's wastewater network scheme boundary and does not have access to a Council reticulated network. The current dwellings on Alec Robins Road generally dispose of wastewater via treated effluent disposal to ground. It is noted however that a consent application (RM220821) has recently been lodged with QLDC for the potential subdivision of the neighbouring land to the north (64 Alec Robins Road – Part Section 28 Block IX Shotover SD), and this includes an extension to the Council reticulated network via a pressure sewer system. To service the proposed building platform for wastewater there are two potential options-

Option 1

Option 1 involves the connection of the platform to the extended Council network potentially installed under RM220821 via a pressure lateral with boundary kit. A consent notice would then be placed on the title for the install of a future private package pump when the platform is developed in future. This option will be reliant upon consent RM220821 being implemented prior to the proposed platform being registered on the title, the securing of any associated required easements and network access agreements from the neighbours (Hayes Creek Development Limited), and Council consenting to the connection. This option has yet to be fully explored and developed, however it would be prudent to keep this option open through appropriate consent conditions and with any further design and agreements confirmed through detailed design.

Option 2

Option 2 is currently the likely option for the site and involves the future installation of a secondary on-site wastewater treatment system and treated effluent disposal to ground at time of future construction.

To support this approach a site soils assessment has been undertaken by Geosolve within their geotechnical report titled ‘*Geotechnical Report - Lot 1 Bridesdale Farm Lake Hayes, Queenstown*’ ref no. 210988 dated March 2022 (relevant sections attached as Appendix B). This report confirms that the areas surrounding the proposed building platform within proposed Lot 1 are suitable for future treated effluent disposal to ground.

The Geosolve report does not discuss the proximity of the potential treated effluent disposal to Hayes Creek. Hayes Creek in this location drains Lake Hayes to the Kawarau River and is identified by the Otago Regional Council as an important area of fish hatchery¹. The Regional Plan requires specific consent be obtained for any wastewater/treated effluent disposal within 50m of any watercourse. Further consideration has identified that while the majority of Lot 1 DP21087 is located within 50m of Hayes Creek, an approximate 500-600m² area of land is available 20m to the south of the building platform and outside of the 50m Hayes Creek setback. This area is as shown hatched red on the below image-

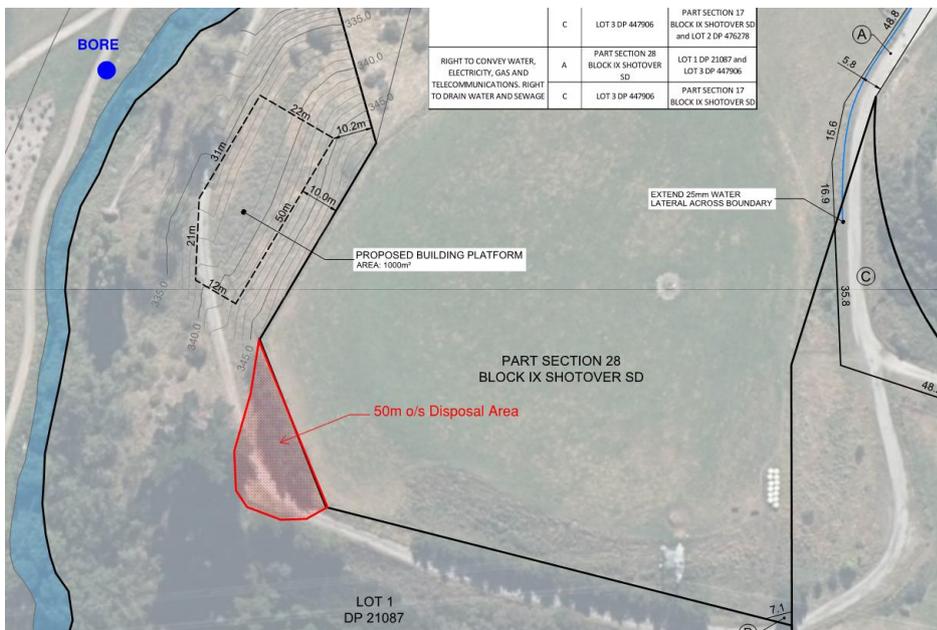


Figure 4: Recommended Wastewater Disposal Area (50m off-set hatched)

¹ Regional Plan Water for Otago – Schedule 7: Water Bodies Sensitive to Suction Dredge Mining – Lakes Subregion

In addition to the Hayes Creek set-back, it has also been identified that a bore (ORC id F41/0121) is located within the esplanade strip on the banks of Hayes Creek and approximately 30m to the west of the building platform. This bore is identified on the above image. The Regional Plan requires specific consent be obtained for any wastewater/treated effluent disposal within 50m of any bore. It is noted that the disposal area identified above is also located more than 50m from the F41/0121 bore and therefore complies in this regard.

Whilst it is possible for a future owner to apply to the Regional Council for consent to discharge within 50m of Hayes Creek or 50m of the F41/0121 bore, this approach would likely require treatment of the wastewater to a more stringent standard than would otherwise be required. It is therefore recommended that in the first instance the future owner look to treat to a minimum secondary level and dispose to the area identified outside of the 50m set-back from Hayes Creek.

Overall treated wastewater effluent disposal to ground within the subject site is deemed feasible on the basis that suitable consideration is given to watercourse and existing bore setbacks. The detailed design of the future wastewater treatment and disposal system will be further developed at the time a dwelling is designed. It is therefore recommended that if Option 1 for disposal to the Council network via a pressure sewer connection is not pursued, a consent notice is registered on the title to ensure that at the time a dwelling is constructed an on-site wastewater treatment and disposal system shall be suitably designed in accordance with NZS1547:2012. The disposal area associated with this system shall either be located greater than 50m from Hayes Creek and any bore, or relevant Regional Council consent shall be obtained to breach the 50m setbacks.

5. STORMWATER

The subject site is not contained within Council's stormwater scheme boundaries. It is therefore proposed to dispose of stormwater via on-site engineered soakage to ground.

The site soils assessment undertaken by Geosolve (attached as Appendix B) confirms that the site is suitable for stormwater disposal to ground. The design of this disposal will ultimately be dependent on the final design of the future dwelling and will be further designed and assessed under future building consent.

6. NETWORK UTILITY SERVICES

6.1. ELECTRICAL POWER SUPPLY

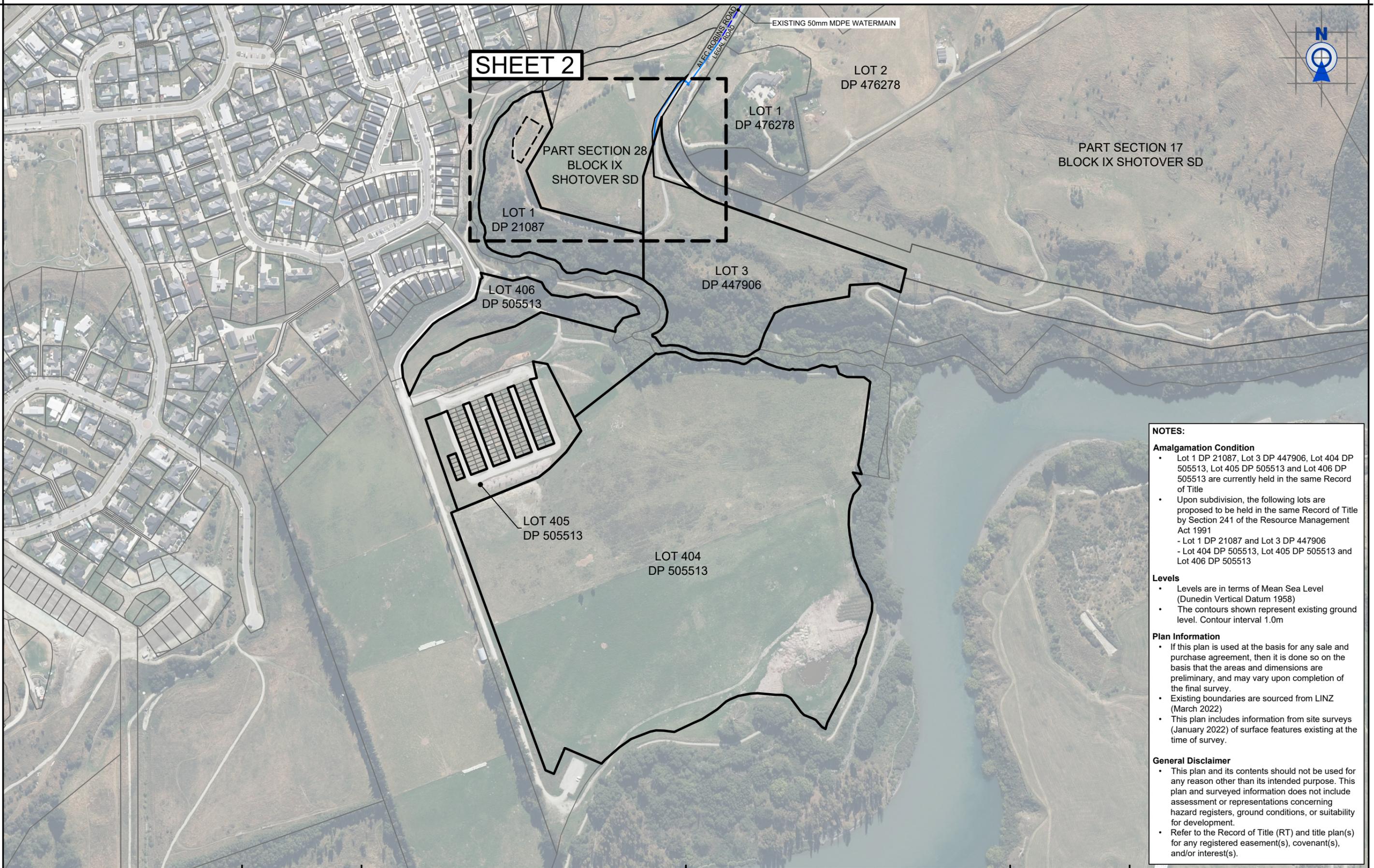
The proposed building platform will be provided with a new residential low voltage power connection via the existing low voltage Aurora network located within Alec Robins Road. Provision within the Aurora network has been confirmed and is as per the letter attached as Appendix C.

6.2. TELECOMMUNICATIONS SUPPLY

While it is feasible to service the proposed building platform for telecommunications and data via the existing Chorus network within Alec Robin Road, due to cost, complexity, and potentially limited data speeds, it is proposed to service the future dwelling via the cell phone and mobile data network only. The subject site has good cell coverage and therefore this is deemed appropriate where the owner or future owner is aware of their obligation in this regard.

Appendix A

PPG - Scheme Plans



NOTES:

Amalgamation Condition

- Lot 1 DP 21087, Lot 3 DP 447906, Lot 404 DP 505513, Lot 405 DP 505513 and Lot 406 DP 505513 are currently held in the same Record of Title
- Upon subdivision, the following lots are proposed to be held in the same Record of Title by Section 241 of the Resource Management Act 1991
 - Lot 1 DP 21087 and Lot 3 DP 447906
 - Lot 404 DP 505513, Lot 405 DP 505513 and Lot 406 DP 505513

Levels

- Levels are in terms of Mean Sea Level (Dunedin Vertical Datum 1958)
- The contours shown represent existing ground level. Contour interval 1.0m

Plan Information

- If this plan is used as the basis for any sale and purchase agreement, then it is done so on the basis that the areas and dimensions are preliminary, and may vary upon completion of the final survey.
- Existing boundaries are sourced from LINZ (March 2022)
- This plan includes information from site surveys (January 2022) of surface features existing at the time of survey.

General Disclaimer

- This plan and its contents should not be used for any reason other than its intended purpose. This plan and surveyed information does not include assessment or representations concerning hazard registers, ground conditions, or suitability for development.
- Refer to the Record of Title (RT) and title plan(s) for any registered easement(s), covenant(s), and/or interest(s).

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 0800 PPGROUP

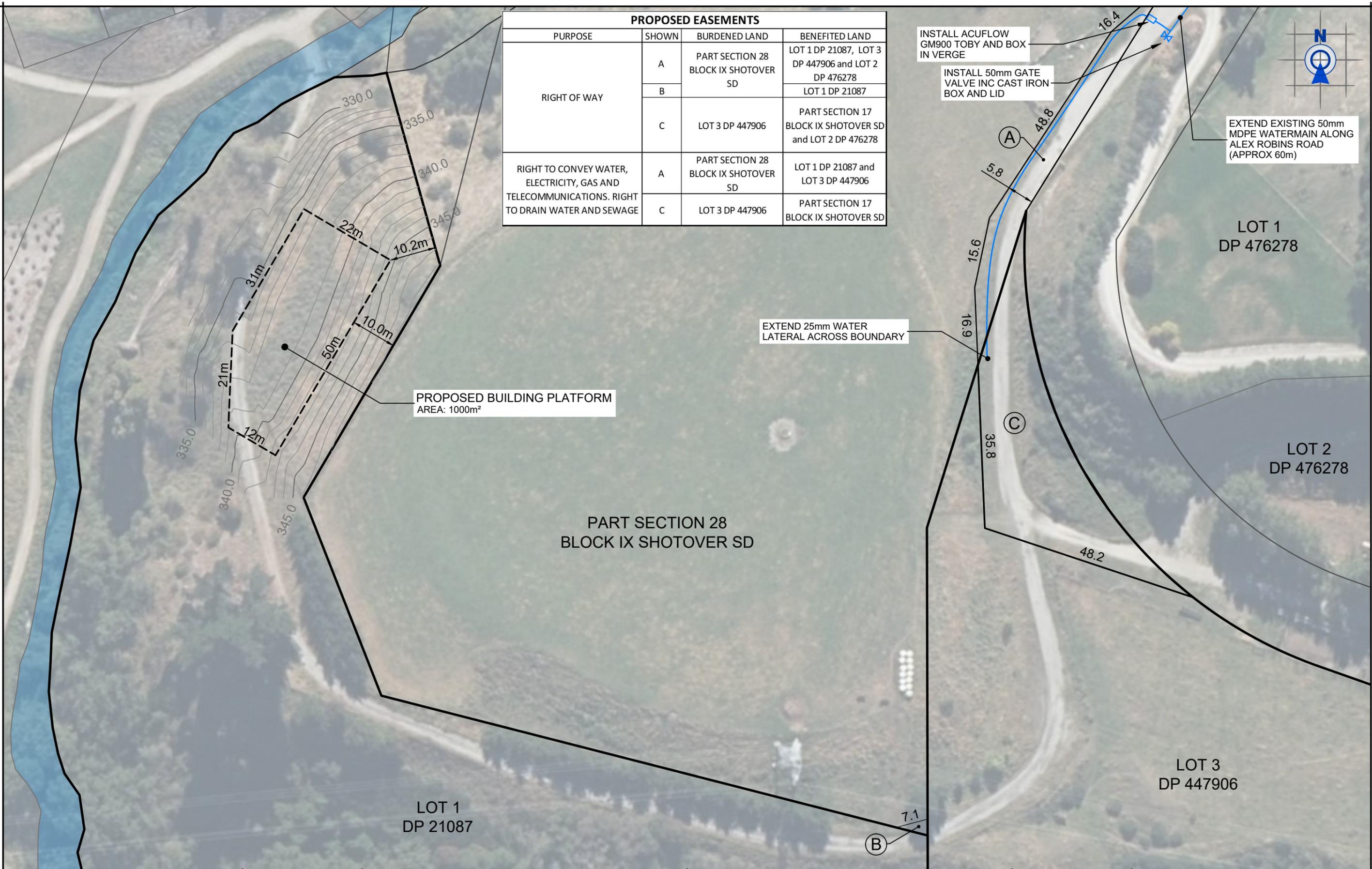
QUEENSTOWN:
 Terrace Junction,
 1092 Frankton Road.
 PO Box 2645,
 Queenstown 9349.
 T 03 441 4715
 E queenstown@ppgroup.co.nz

Client/Location: **BRIDESDALE FARM DEVELOPMENTS LTD**
ALEC ROBINS ROAD

Purpose/Drawing Title: **PROPOSED SUBDIVISION AND BUILDING PLATFORM**

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Surveyed by:	Original Size:	Scale:
Designed by:	A3	1:4000
Drawn by: SJP	DO NOT SCALE	
Checked by: AH	Sheet No:	Revision No:
Approved by:	1	A
Job Ref: Q7116-12-1	Date Created:	28/04/2022



PROPOSED EASEMENTS			
PURPOSE	SHOWN	BURDENED LAND	BENEFITED LAND
RIGHT OF WAY	A	PART SECTION 28 BLOCK IX SHOTOVER SD	LOT 1 DP 21087, LOT 3 DP 447906 and LOT 2 DP 476278
	B		LOT 1 DP 21087
	C	LOT 3 DP 447906	PART SECTION 17 BLOCK IX SHOTOVER SD and LOT 2 DP 476278
RIGHT TO CONVEY WATER, ELECTRICITY, GAS AND TELECOMMUNICATIONS. RIGHT TO DRAIN WATER AND SEWAGE	A	PART SECTION 28 BLOCK IX SHOTOVER SD	LOT 1 DP 21087 and LOT 3 DP 447906
	C	LOT 3 DP 447906	PART SECTION 17 BLOCK IX SHOTOVER SD

PROPOSED BUILDING PLATFORM
AREA: 1000m²

EXTEND 25mm WATER
LATERAL ACROSS BOUNDARY

INSTALL ACUFLOW
GM900 TOBY AND BOX
IN VERGE

INSTALL 50mm GATE
VALVE INC CAST IRON
BOX AND LID

EXTEND EXISTING 50mm
MDPE WATERMAIN ALONG
ALEX ROBINS ROAD
(APPROX 60m)

LOT 1
DP 476278

LOT 2
DP 476278

LOT 3
DP 447906

PART SECTION 28
BLOCK IX SHOTOVER SD

LOT 1
DP 21087

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QUEENSTOWN:
Terrace Junction,
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Queenstown 9349.
T 03 441 4715
E queenstown@ppgroup.co.nz

Client/Location:
**BRIDESDALE FARM
DEVELOPMENTS LTD
ALEC ROBINS ROAD**

Purpose/Drawing Title:
**PROPOSED SUBDIVISION AND
BUILDING PLATFORM**

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Surveyed by:	Original Size:	Scale:
Designed by:	A3	1:750
Drawn by: SJP	DO NOT SCALE	
Checked by: AH		
Approved by:	Sheet No: 2	Revision No: A
Job Ref: Q7116-12-1	Date Created: 28/04/2022	

Appendix B

Geosolve Geotechnical Report (relevant sections)



The site is considered Class C (shallow soil site) in accordance with NZS 1170.5:2004 seismic provisions. Locally, where rock is shallow Class B conditions will be present. The Seismic Class should be reviewed once earthwork plans are available.

5.8 Stormwater and Effluent Disposal

5.8.1 General

On-site soakage pit testing was undertaken at two location (TP1 and 7), as shown on Appendix A, Figure 1.

The test procedure comprised filling an open pit with water up to a set level and recording the drop in level over time, i.e., a falling head test. The test within TP1 was undertaken at 1.5 m bgl within the alluvial sand. The test with TP7 was undertaken at 1.5 m bgl within alluvial silt, sand and gravels. The soak pits were pre-soaked with approximately 4,500 L of water prior to recording falling head results to ensure the surrounding ground was adequately saturated prior to testing.

The soak pit logs are presented in Appendix B (TP1 and 7).

The static groundwater was not encountered during the site investigation and is considered likely to be sufficiently deep to avoid influencing the soakage test and future stormwater discharge to ground.

The test results are presented in Table 5 below and Appendix C.

Table 5. Assessed infiltration rate.

Test	Depth (m)	Soil type at base of pit	Depth to schist below ground level (m)	Soil Category AS/NZS 1547:2012	Unfactored infiltration rate*
TP1	1.5	Silty fine to medium SAND	2.8	2	250 mm/hr
TP7	1.5	Fine to medium SAND with some gravel	-	2	100 mm/hr

*We recommend a reduction factor of at least 0.5 be applied to account for any loss of soakage performance over time.

5.8.2 Discussion

Unfactored infiltration rates of 250 and 100 mm/hr were measured in TPs 1 and 7 respectively. In accordance with Table 5.1 AS/NZS 1547:2012, the soils are classified as Class 2.



Due to the moderate levels of soakage, it is expected that storage rather than soakage will be the dominant mechanism of disposal. Shallow schist has been observed at the site during previous subsurface investigations. Schist will be effectively impermeable. It is recommended that the soakage pit is designed to be as shallow as possible to ensure that the maximum possible thickness of soil is present underlying the base of the soak pit while ensuring sufficient capacity for the design rainfall event. The final choice of disposal area will need to consider slope stability and any influence on the development.

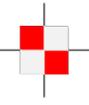
In all cases, we recommend provision for routine inspection and maintenance be included in the system design, and a safe overland flowpath be identified for the system discharge in a super-design storm.

5.9 Further Work

Geotechnical assessment of any future development proposal is required, and depending on the proposal, may include further on-site investigation. We recommend concept proposals are reviewed and any geotechnical concerns addressed early on in the project. Detailed design can then proceed once the engineering implications are understood.

Appendix A: Site Plan & Cross-section



 **Test Pit Site**

Notes:
 1. These drawings have been prepared for the benefit of Winton Partners Investments Limited with respect to the particular brief given to us and it may not be relied upon in other contexts or for any other purpose without our prior review and agreement.



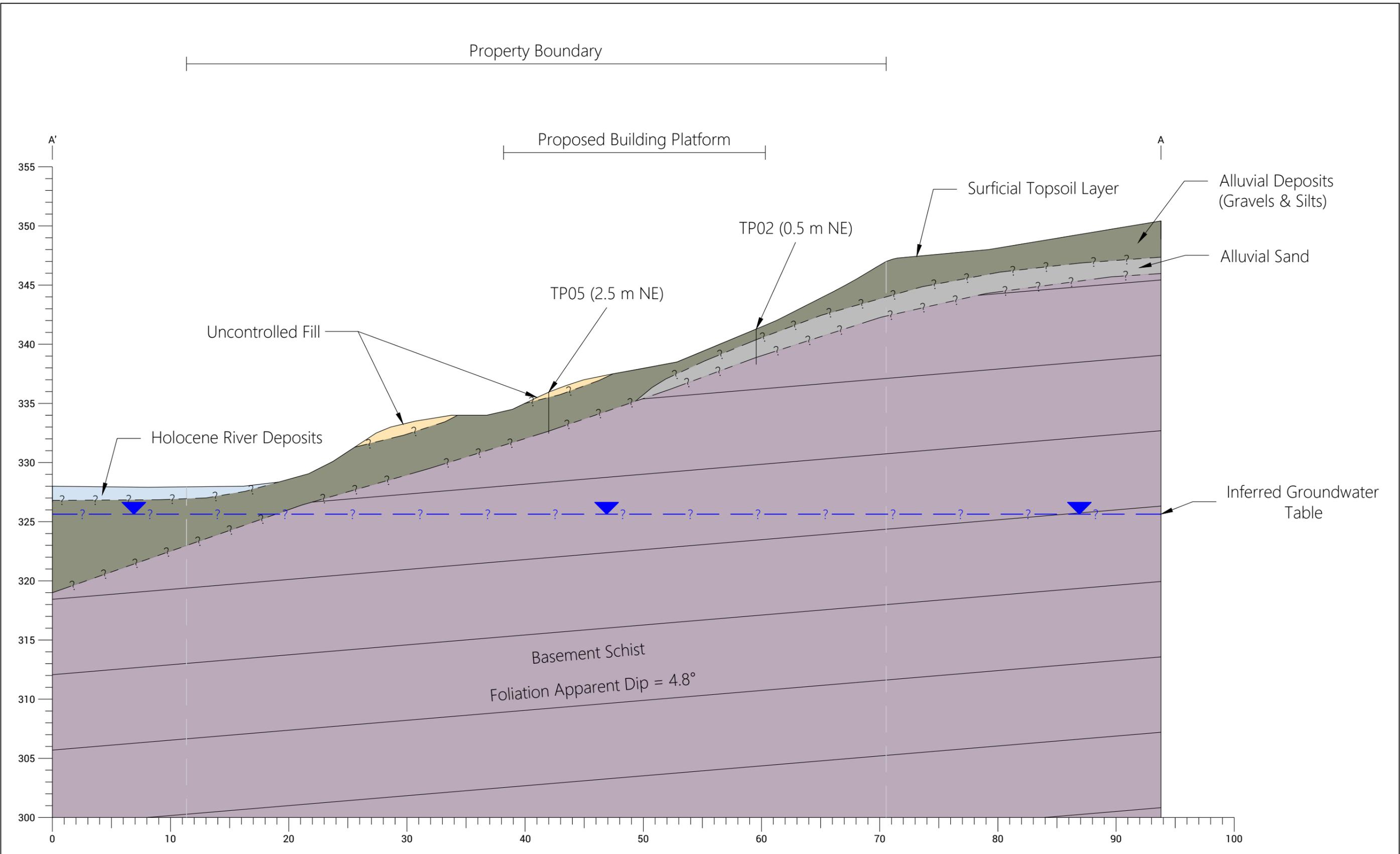
 **GEOSOLVE**
 Level 1, 70 MacAndrew Road, South Dunedin
 www.geosolve.co.nz

DRAWN	ETC	Feb.22
DRAFTING CHECKED	JMJ	Jan.22
APPROVED		Jan.22
CADFILE: 210988 Site Plan.dwg		
SCALES (AT A3 SIZE): 1:1500 (Approx.)		
PROJECT No: 210988		

Winton Partners Investments Limited
 Geotechnical Assessment
 Alec Robins Road
 Site Investigation Plan

FIG No: Figure 1

REV.	0
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Notes:
 1. These drawings have been prepared for the benefit of Winton Partners Investments Limited with respect to the particular brief given to us and it may not be relied upon in other contexts or for any other purpose without our prior review and agreement.



DRAWN	ETC	Feb.22
DRAFTING CHECKED	JMJ	Jan.22
APPROVED		Jan.22
CADFILE: 210988 Section A-A.dwg		
SCALES (AT A3 SIZE): 1:300		
PROJECT No:		210988

Winton Partners Investments Limited
 Geotechnical Assessment
 Alec Robins Road
 Section A' - A

FIG No: Figure 2

REV. 0

Appendix B: Investigation Data

PROJECT:	Lot 1 Bridesdale Farm, Lake Hayes			JOB NUMBER:	210988
LOCATION:	See Site Plan	INCLINATION:	Vertical		
EASTING:		EQUIPMENT:	6T Hydraulic Excavator	OPERATOR:	Alex
NORTHING:		COORD. SYSTEM:		COMPANY:	Find It Geosystems
ELEVATION:		EXCAV. DATUM:	Ground Level	HOLE STARTED:	20/01/2022
METHOD:	Aerial Photography	ACCURACY:		HOLE FINISHED:	20/01/2022

Soil / Rock Type	Description	Graphic Log	Depth (m)	Groundwater / Seepage	Scala Penetrometer (Blows per 100mm)
TOPSOIL	Organic SILT; brown. Firm; dry; roots and rootlets.		0m to 0.1m		
ALLUVIAL GRAVEL	Silty fine to medium GRAVEL; light brown. Medium dense; dry; massive; rounded to subrounded. Rootlets throughout.		0.1m to 0.5m		
ALLUVIAL SAND	Silty fine to medium SAND; light brownish grey. Loose to medium dense; dry; massive; rootlets along top boundary.		0.5m to 2.8m		
BASEMENT SCHIST	SCHIST; dark blueish grey. Very weak to weak; dry; foliated; slightly weathered. Recovered as fine to coarse GRAVEL.		2.8m to 2.9m	NO SEEPAGE	

Total Excavation Depth = 2.9 m

COMMENT:	Unable to penetrate further - sides collapsing due to soakage testing. Groundwater not encountered.	LOGGED BY:	JMJ
		CHECKED DATE:	08/02/2022
		SHEET:	1 of 1

PROJECT:	Lot 1 Bridesdale Farm, Lake Hayes			JOB NUMBER:	210988
LOCATION:	See Site Plan	INCLINATION:	Vertical		
EASTING:		EQUIPMENT:	6T Hydraulic Excavator	OPERATOR:	Alex
NORTHING:		COORD. SYSTEM:		COMPANY:	Find It Geosystems
ELEVATION:		EXCAV. DATUM:	Ground Level	HOLE STARTED:	20/01/2022
METHOD:	Aerial Photography	ACCURACY:		HOLE FINISHED:	20/01/2022

Soil / Rock Type	Description	Graphic Log	Depth (m)	Groundwater / Seepage	Scala Penetrometer (Blows per 100mm)
TOPSOIL	Organic SILT; brown. Firm; dry; roots and rootlets.		0m		
ALLUVIAL SILT	SILT with minor gravel; light brown. Stiff; dry; massive; low plasticity. Gravel; fine, subrounded.		0.1m		
ALLUVIAL GRAVEL	Fine to medium GRAVEL with some silt; light grey and light brown. Medium dense; dry; massive; rounded to subrounded.		0.2m		
ALLUVIAL SAND	Fine to medium SAND with trace gravel; light grey. Loose; dry; subhorizontal bedding; gravel, fine, rounded to subrounded.		0.9m		
BASEMENT SCHIST	SCHIST; dark blueish grey, dipping at approximately 5° towards 290°. Very weak to weak; dry; foliated; slightly weathered. Recovered as fine to coarse GRAVEL.		2.4m	NO SEEPAGE	
			3m		

Total Excavation Depth = 3.0 m

COMMENT:	Unable to penetrate further. Groundwater not encountered. Test pit walls collapsing in sand.	LOGGED BY:	JMJ
		CHECKED DATE:	08/02/2022
		SHEET:	1 of 1

PROJECT:	Lot 1 Bridesdale Farm, Lake Hayes			JOB NUMBER:	210988
LOCATION:	See Site Plan	INCLINATION:	Vertical		
EASTING:		EQUIPMENT:	6T Hydraulic Excavator	OPERATOR:	Alex
NORTHING:		COORD. SYSTEM:		COMPANY:	Find It Geosystems
ELEVATION:		EXCAV. DATUM:	Ground Level	HOLE STARTED:	20/01/2022
METHOD:	Aerial Photography	ACCURACY:		HOLE FINISHED:	20/01/2022

Soil / Rock Type	Description	Graphic Log	Depth (m)	Groundwater / Seepage	Scala Penetrometer (Blows per 100mm)
TOPSOIL	Organic SILT; brown. Firm; dry; roots and rootlets.		0m		
ALLUVIAL SILT	SILT with minor fine sand; light brown. Stiff; dry; massive; low plasticity. Rootlets throughout.		0.1m		
			0.9m		
ALLUVIAL SILT	SILT; grey and brown. Stiff; dry to moist; subhorizontal bedding; low plasticity.		1.2m		
ALLUVIAL GRAVEL	Sandy fine to medium GRAVEL; brown, grey and orange. Medium dense; dry to moist; subhorizontal bedding; rounded to subrounded. Sand; fine to medium.		3.2m		
ALLUVIAL SAND	Fine to medium SAND with trace gravel; dark grey. Loose; dry to moist; subhorizontal bedding; gravel; fine.		3.4m	NO SEEPAGE	

Total Excavation Depth = 3.4 m

COMMENT:	Full reach of excavator. Groundwater not encountered. Test pit walls collapsing in sandy gravel.	LOGGED BY:	JMJ
		CHECKED DATE:	08/02/2022
		SHEET:	1 of 1

PROJECT:	Lot 1 Bridesdale Farm, Lake Hayes			JOB NUMBER:	210988
LOCATION:	See Site Plan	INCLINATION:	Vertical		
EASTING:		EQUIPMENT:	6T Hydraulic Excavator	OPERATOR:	Alex
NORTHING:		COORD. SYSTEM:		COMPANY:	Find It Geosystems
ELEVATION:		EXCAV. DATUM:	Ground Level	HOLE STARTED:	20/01/2022
METHOD:	Aerial Photography	ACCURACY:		HOLE FINISHED:	20/01/2022

Soil / Rock Type	Description	Graphic Log	Depth (m)	Groundwater / Seepage	Scala Penetrometer (Blows per 100mm)
TOPSOIL	Organic SILT; brown. Firm; dry; roots and rootlets.	0m	0.0		
UNCONTROLLED FILL	Sandy SILT; light brownish orange. Stiff; dry; chaotic; low plasticity. Sand; fine.	0.1m	0.1		
BURIED TOPSOIL	Organic SILT; brown. Firm; dry; roots and rootlets.	0.35m	0.35		
ALLUVIAL SILT	SILT with trace sand; light brownish grey. Stiff; dry to moist; subhorizontal bedding; low plasticity. Sand; fine.	0.4m	0.4		
			0.5		
			0.6		
			0.7		
			0.8		
			0.9		
			1.0		
			1.1		
			1.2		
			1.3		
			1.4		
			1.5		
			1.6		
			1.7		
			1.8		
			1.9		
			2.0		
			2.1		
			2.2		
			2.3		
			2.4		
BASEMENT SCHIST	SCHIST; dark blueish grey, dipping at approximately 5° towards 290°. Very weak to weak; dry; foliated; slightly weathered. Recovered as fine to coarse GRAVEL.	2.7m	2.5		
		2.8m	2.6		
			2.7		
			2.8		

Total Excavation Depth = 2.8 m

COMMENT:	Unable to penetrate further. Groundwater not encountered. Test pit walls remaining vertical	LOGGED BY:	JMJ
		CHECKED DATE:	08/02/2022
		SHEET:	1 of 1

PROJECT:	Lot 1 Bridesdale Farm, Lake Hayes			JOB NUMBER:	210988
LOCATION:	See Site Plan	INCLINATION:	Vertical		
EASTING:		EQUIPMENT:	6T Hydraulic Excavator	OPERATOR:	Alex
NORTHING:		COORD. SYSTEM:		COMPANY:	Find It Geosystems
ELEVATION:		EXCAV. DATUM:	Ground Level	HOLE STARTED:	20/01/2022
METHOD:	Aerial Photography	ACCURACY:		HOLE FINISHED:	20/01/2022

Soil / Rock Type	Description	Graphic Log	Depth (m)	Groundwater / Seepage	Scala Penetrometer (Blows per 100mm)
TOPSOIL	Organic SILT; brown. Firm; dry; roots and rootlets.		0m		
UNCONTROLLED FILL	Sandy SILT; light brown. Stiff; dry; chaotic; low plasticity. Sand; fine.		0.1m		
BURIED TOPSOIL	Organic SILT; brown. Firm; dry; roots and rootlets.		0.4m		
ALLUVIAL SILT	Sandy SILT; light brownish grey. Stiff; dry to moist; subhorizontal bedding; low plasticity. Sand; fine.		0.45m		
			0.5m		
			0.6m		
			0.7m		
			0.8m		
			0.9m		
			1.0m		
			1.1m		
			1.2m		
			1.3m		
			1.4m		
			1.5m		
			1.6m		
			1.7m		
			1.8m		
			1.9m		
			2.0m		
			2.1m		
			2.2m		
			2.3m		
			2.4m		
			2.5m		
			2.6m		
			2.7m		
			2.8m		
			2.9m		
ALLUVIAL GRAVEL	Silty fine to coarse GRAVEL with some sand and cobbles; light grey and brown. Very dense; dry to moist; bedded; rounded to subangular. Sand; fine. Cobbles to 400mm diameter.		3m		
			3.1m		
			3.2m		
			3.3m		
BASEMENT SCHIST	SCHIST; dark blueish grey. Very weak to weak; dry; foliated; slightly weathered. Recovered as fine to coarse GRAVEL.		3.4m		
			3.5m		

Total Excavation Depth = 3.5 m

COMMENT:	Unable to penetrate further. Groundwater not encountered. Test pit walls remaining vertical	LOGGED BY:	JMJ
		CHECKED DATE:	08/02/2022
		SHEET:	1 of 1

PROJECT:	Lot 1 Bridesdale Farm, Lake Hayes			JOB NUMBER:	210988
LOCATION:	See Site Plan	INCLINATION:	Vertical		
EASTING:		EQUIPMENT:	6T Hydraulic Excavator	OPERATOR:	Alex
NORTHING:		COORD. SYSTEM:		COMPANY:	Find It Geosystems
ELEVATION:		EXCAV. DATUM:	Ground Level	HOLE STARTED:	20/01/2022
METHOD:	Aerial Photography	ACCURACY:		HOLE FINISHED:	20/01/2022

Soil / Rock Type	Description	Graphic Log	Depth (m)	Groundwater / Seepage	Scala Penetrometer (Blows per 100mm)			
					0	5	10	15
ROAD AGGREGATE	Silty sandy fine to coarse GRAVEL; dark grey. Very dense; dry; chaotic; subangular to angular. Sand; fine to coarse.		0.0m 0.1 0.2 0.3 0.4 0.5 0.6 0.7m	NO SEEPAGE				
UNCONTROLLED FILL	Gravelly SILT; grey. Very stiff; dry; chaotic; low plasticity. Gravel; fine to medium, subangular.		0.7m 0.8 0.9m					
BURIED TOPSOIL	Organic SILT; brown. Firm; dry; roots and rootlets.		0.9m 1.0 1.1m					
ALLUVIAL SILT	Sandy SILT; light grey brown. Firm; dry to moist; bedded; low plasticity. Sand; fine. Roots throughout.		1.1m 1.2 1.3 1.4 1.5 1.6 1.7 1.8 1.9 2.0 2.1 2.2 2.3 2.4m					
ALLUVIAL SILT	Sandy SILT; grey with orange banding. Firm; dry to moist; bedded; low plasticity. Sand; fine. Roots throughout.		2.4m 2.5 2.6 2.7 2.8 2.9 3.0 3.1 3.2 3.3 3.4 3.5m					

Total Excavation Depth = 3.5 m

COMMENT:	Unable to penetrate further - maximum reach of excavator. Groundwater not encountered. Test pit walls remaining vertical	LOGGED BY:	JMJ
		CHECKED DATE:	08/02/2022
		SHEET:	1 of 1

PROJECT:	Lot 1 Bridesdale Farm, Lake Hayes			JOB NUMBER:	210988
LOCATION:	See Site Plan	INCLINATION:	Vertical		
EASTING:		EQUIPMENT:	6T Hydraulic Excavator	OPERATOR:	Alex
NORTHING:		COORD. SYSTEM:		COMPANY:	Find It Geosystems
ELEVATION:		EXCAV. DATUM:	Ground Level	HOLE STARTED:	20/01/2022
METHOD:	Aerial Photography	ACCURACY:		HOLE FINISHED:	20/01/2022

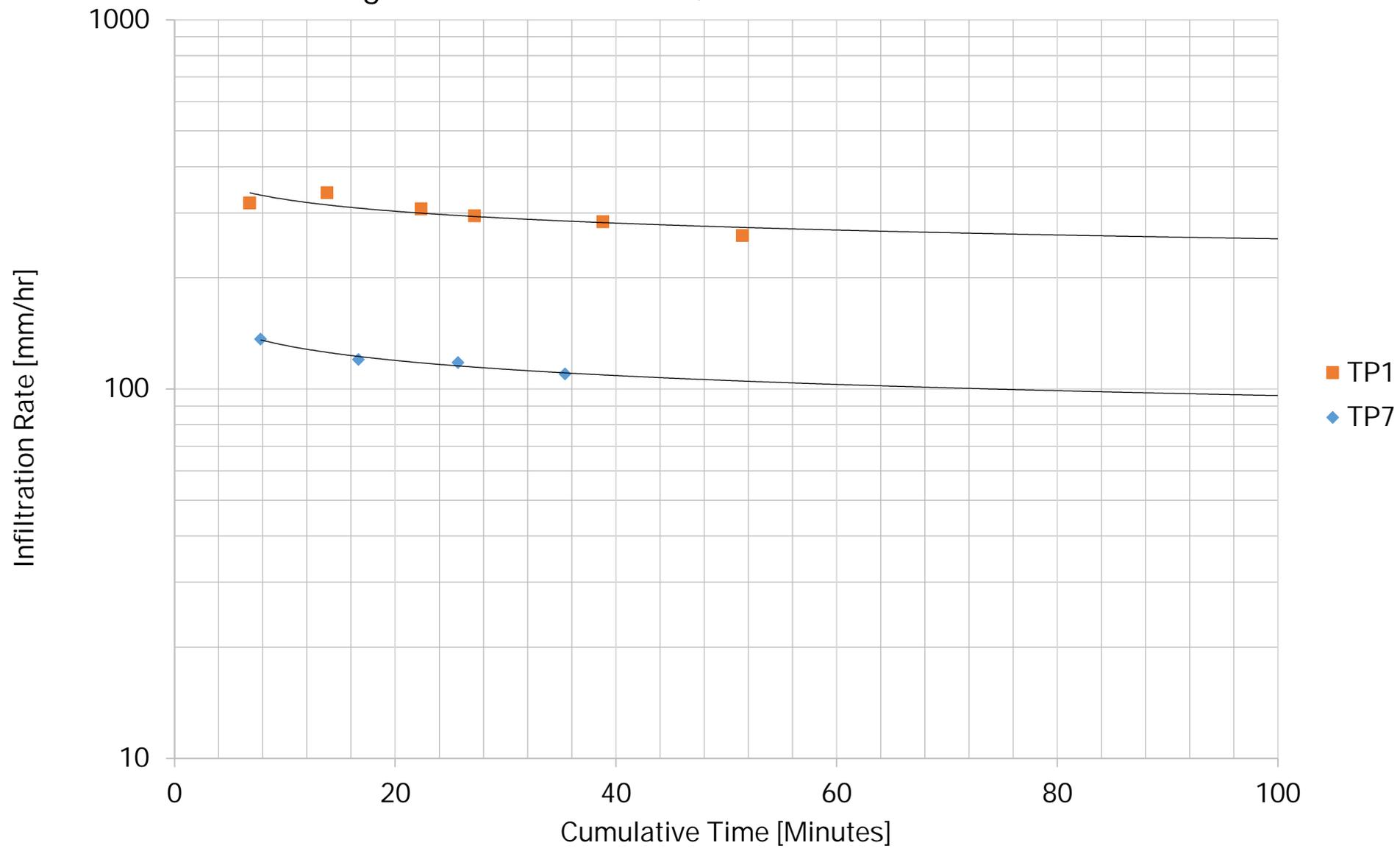
Soil / Rock Type	Description	Graphic Log	Depth (m)	Groundwater / Seepage	Scala Penetrometer (Blows per 100mm)			
					0	5	10	15
TOPSOIL	Organic SILT; brown. Firm; dry; roots and rootlets.	0m	0.0	NO SEEPAGE				
ALLUVIAL SILT	SILT; light brown. Very stiff; dry; moist; low plasticity.	0.1m	0.1					
			0.2					
			0.3					
			0.4					
			0.5					
ALLUVIAL GRAVEL	Sandy fine GRAVEL; light grey brown. Medium dense; dry; subhorizontal bedding; rounded to subrounded. Sand; fine to medium.	0.9m	0.6					
			0.7					
			0.8					
			0.9					
			1.0					
ALLUVIAL SAND	Fine to medium SAND with some gravel; light grey brown. Medium dense; dry; subhorizontal bedding; gravel; fine, rounded to subrounded.	1.3m	1.1					
			1.2					
			1.3					
			1.4					
			1.5					

Total Excavation Depth = 1.5 m

COMMENT:	Target depth reached. Groundwater not encountered.	LOGGED BY:	JMJ
		CHECKED DATE:	08/02/2022
		SHEET:	1 of 1

Appendix C: Soakage Testing Results

Soakage Test Results - Lot 1, Bridesdale Farm



- TP1
- TP7

Appendix C

Power Provisioning Letter (Aurora)

AURORA ENERGY LIMITED

PO Box 5140, Dunedin 9058

PH 0800 22 00 05

WEB www.auroraenergy.co.nz



16 March 2022

Rachael Law
Paterson Pitts Group

Sent via email only: Rachael.law@ppgroup.co.nz

Dear Rachael,

**ELECTRICITY SUPPLY AVAILABILITY FOR A PROPOSED TWO LOT SUBDIVISION.
ALEC ROBINS ROAD, QUEENSTOWN. LOT 1 DP 21087.**

Thank you for your inquiry outlining the above proposed development.

Subject to technical, legal and commercial requirements, Aurora Energy can make a Point of Supply¹ (PoS) available for this development.

Disclaimer

This letter confirms that a PoS **can** be made available. This letter **does not** imply that a PoS is available now, or that Aurora Energy will make a PoS available at its cost.

Next Steps

To arrange an electricity connection to the Aurora Energy network, a connection application will be required. General and technical requirements for electricity connections are contained in Aurora Energy's Network Connection Standard. Connection application forms and the Network Connection Standard are available from www.auroraenergy.co.nz.

Yours sincerely

A handwritten signature in black ink that reads "Niel Frear".

Niel Frear

CUSTOMER INITIATED WORKS MANAGER

¹ Point of Supply is defined in section 2(3) of the Electricity Act 1993.

Landscape Assessment Report

Bridesdale Farm Developments Ltd.

Alec Robins Road

7 June 2023



patch

landscape ■ architecture ■ urban

Document prepared by	Steve Skelton
Document reviewed by	Jessica Zuban
Status	Resource Consent
Issued	7 June 2023

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1. INTRODUCTION

1.1. This report provides an assessment of the landscape character and visual amenity effects of a proposed building platform (BP) and associated landscaping. The following report includes:

- A description of the landscape,
- A description of the proposal,
- A landscape assessment,
- Conclusions,
- Attachments.

2. DESCRIPTION OF THE LANDSCAPE

2.1. The site is near the southern end of the Wakatipu Basin in the Queenstown Lakes District, Central Otago. The northern portion of the site, where the proposal is located, is within an area described in the Proposed District Plan (PDP), Chapter 24, Wakatipu Basin as the Lake Hayes Terrace – Landscape Character Unit 14 (LCU 14) (Figure 1). The southern part of the site is within the Kawarau River Outstanding Natural Feature (ONF). LCU 14 is an alluvial terrace landform bounded to the north by Lake Hayes, to the east by the Morven Hill ONF, and to the west by Hayes Creek. It is one of the smallest LCUs in the Wakatipu Basin and reads as a small-scale plateau wedged between the urban areas of Bridesdale and Lake Hayes Estate and the Morven Hill ONF. As part of the PDP, most of the LCU has been zoned Wakatipu Basin Lifestyle Precinct or Rural Lifestyle apart from the northern and western edges where it borders Lake Hayes and Hayes Creek (Figure 1).

2.2. LCU 14 is clad mainly in pasture grass, fragmented in places by shelterbelts and hedgerows. The margins of the LCU near Lake Hayes and Hayes Creek support exotic and remnant riparian vegetation overrun with willow and poplar. Extensive exotic amenity plantings are apparent around some existing dwellings, and there are pockets of native plantings on some of the larger landholdings.

2.3. LCU14 displays a mix of rural and rural living characters with pockets of rural residential development set within larger areas of hobby farming, rural lands. Smaller residential and urban

sites border the Lake Hayes – Arrow Junction Highway while larger acreage sites exist in the southern half of the LCU within the terraces that overlook Bridesdale and Lake Hayes Estate.



Figure 1: The site (thick black line) is partially within LCU 14 (red line) and partially within the Kawarau River ONF (red hatch). The proposed BP location (blue triangle) is located in the Rural Zone (yellow). LCU 14 is primarily zoned Wakatipu Basin Lifestyle Precinct (dark blue).

- 2.4. The subject site is legally described as Lot 1 DP 21087 and is approximately 1.96ha. It is irregular in shape and wraps around the south and west facing slopes of the Lake Hayes Terrace LCU, just above Hayes Creek. The site is accessed from Alex Robins Road via an existing gravel driveway which traverses the site from east to west, and then north to the proposed BP (Figure 2).
- 2.5. The west facing, upper slope of the site has previously been cleared of vegetation and is clad in rough pasture. Rows of oak and elm exist along the north side of the existing driveway acting as a windbreak for the upper paddock. A small stand (8 trees) of mature wilding conifers (radiata

pine) also exist on the site. The site's lower slopes are predominantly clad in elderberry, willow, broom, and poplar.

- 2.6. To the west and south, the site borders Hayes Creek and the Hayes Creek Trail. On the west side of the creek the terrace rises up to meet the urban areas of Bridesdale. The Hayes Creek Trail is a biking and walking trail used by the public to access to the Queenstown Trail and the Kawarau River. A dead-end gravel track leads from the Hayes Creek Trail to access a waterfall near the site's southern boundary.



Figure 2: The site boundary (yellow line), proposed BP (red dotted line), ONL (brown dotted line), trails, and roads

3. DESCRIPTION OF THE PROPOSAL

- 3.1. The complete details of the proposal are contained within the Assessment of Environmental Effects which forms part of this proposal. In summary, the proposal seeks approval for a building platform (BP), access, and landscaping.
- 3.2. The proposed BP will be located in the north-western portion of the site. A bespoke BP has been designed to work with the surrounding and underlying landform. The western part of the BP will have a rolling height of 8m from existing ground level. That rolling height will plateau near the bulk of the BP, where a 5.5m building height will be set from a registered level (RL) (340masl) (Figure 3).

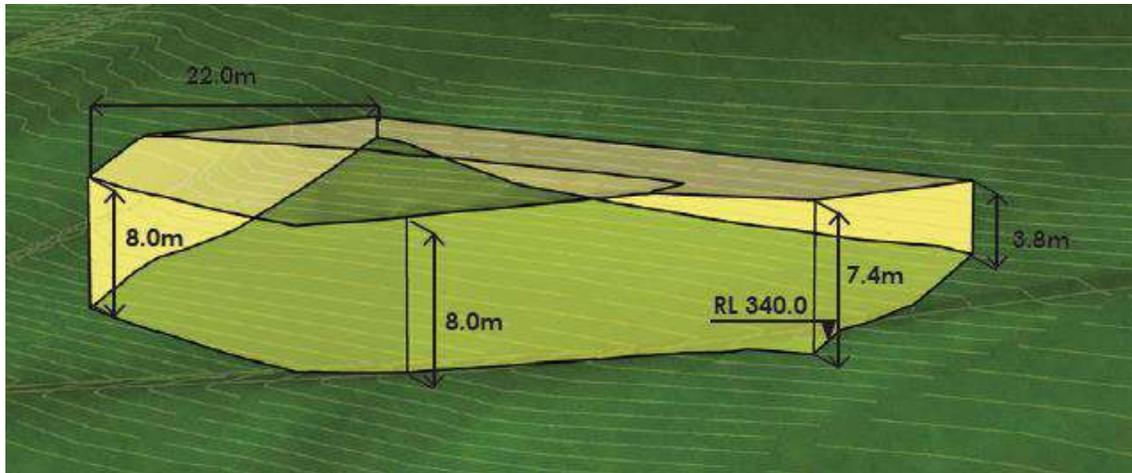


Figure 3: 3D representation of proposed BP

- 3.3. A set of design controls are proposed which will set the tone and character of future buildings and landscape treatments (**Appendix A**). The objective of these design controls is to ensure built development is of a scale and form and coloured and clad such that it will appear subservient to the landscape's values.
- 3.4. A landscape plan accompanies this proposal. This plan seeks to remove the mature wilding conifers and the existing exotic vegetation on the western slope adjacent to Hayes Creek. In place of this existing vegetation, it is proposed to plant native plants (ribbonwood, coprosma, kowhai, pittosporum, hebe, and flax) to improve the natural character and visual amenity values of the Hayes Creek area. A group of existing poplars to the west of the proposed BP are to be retained for 5 years following the planting of the proposed vegetation. Once this proposed vegetation is established and maturing, the poplars may be removed. All vegetation will act to mitigate visual effects of a future dwelling.
- 3.5. The proposed BP will be accessed by the existing gravel drive from Alec Robins Road. The gravel drive connecting the site to Hayes Creek Trail will be removed.

4. LANDSCAPE ASSESSMENT

Methodology

- 4.1. In undertaking this assessment, building poles were erected on the proposed bespoke BP to represent the location, bespoke height and extent of the 1000m² BP. The profile poles were

viewed from key locations along public roads and trails and photographs were taken using a DSLR camera. These photographs are attached to this report (**Attachment A and Images 1-10**). The effects of the proposal were then considered against the relevant assessment matters of the Proposed District Plan.

Extent of Effect

4.2. In assessing the extent of effects, this report uses the following seven-point scale.¹



An effects rating of ‘more than minor’ can be characterised as ‘moderate’ or above. ‘Minor’ adverse effects mean there will be some real effect but of less than moderate magnitude and significance, characterised as ‘low’ and low-moderate’. ‘Less than minor’ means insignificant and can be characterised as ‘very low’ or ‘low’.

4.3. This report uses the following definitions:

- **Landscape** – embodies the relationship between people and place. It is the character of an area, how the area is experienced and perceived, and the meanings associated with it. Landscape means the natural and physical attributes of land together with air and water which change over time, and which is made known by people’s evolving perceptions and associations.²
- **Landscape effect** – is a consequence of changes to the physical environment. They are the outcomes for a landscape’s values that are derived from each of its physical, associative, and perceptual dimensions. Change is not an effect: landscapes change constantly. It is the implications of change for a landscape’s values that is the effect.³

¹ NZILA. Te Tangi a Te Manu Aotearoa New Zealand Landscape Assessment Guidelines. July 2022. p. 151.

² NZILA. Te Tangi a Te Manu Aotearoa New Zealand Landscape Assessment Guidelines. July 2022. p. 76-79.

³ NZILA. Te Tangi a Te Manu Aotearoa New Zealand Landscape Assessment Guidelines. July 2022. p. 135.



- **Visual effects** – are a subset of landscape effects. They are consequences of change on landscape values as experienced in views.⁴

Landscape Category

4.4. In terms of the PDP, the site is part the Wakatipu Basin LCU 14, the Rural Zone and the Kawarau River ONF as shown on the Stage 1, 2 and 3 Decisions and Appeals maps. The site is flanked by the urban areas known as Bridesdale and Lake Hayes Estate to the west, larger lifestyle block holdings in the Lifestyle Precinct area to the east, and the Kawarau River ONF to the south. The site is a small part of LCU 14 and while zoned Rural, it is sandwiched between urban and rural living areas. The proposed BP is not within an ONL or ONF.

Statutory Considerations

4.5. It is understood that in this part of the district the PDP has largely been confirmed and the application is no longer subject to the provisions in the ODP. Although the site is shown as being part of LCU 14, the subject site has been excluded from the Wakatipu Basin Chapter 24 zoning and is instead zoned Rural in Chapter 21 of the PDP. This is an unusual scenario as almost all rural areas in the Wakatipu Basin have been included in Chapter 24.

4.6. The relevant PDP Assessment Matters contained in Chapter 21 – Rural and Chapter 6 – Landscapes - Rural Character are considered in detail below in this report.

Visibility Overview

4.7. The following description of the extent of visibility describes the potential visibility. Refer to **Attachment A** and **Images** for each view location.

4.8. The proposed BP will be located on the east side of the Hayes Creek gully which separates the urban areas of Lake Hayes Estate and Bridesdale from the rural lands of Morven Hill. The proposed BP will be visible from some public and private places in Bridesdale on the western terrace above the Hayes Creek gully. Public views of the proposed BP as viewed from Bridesdale will be restricted to the area near the Red Cottage (**Images 1-2**). Extensive built development

⁴ NZILA. Te Tangi a Te Manu Aotearoa New Zealand Landscape Assessment Guidelines. July 2022. p. 135.



within Bridesdale will screen the proposal from other public places within Bridesdale and Lake Hayes Estate.

- 4.9. The proposed BP has been designed so that the highest point of a future dwelling will not exceed the height of the terrace edge behind (east of) the BP. Adjacent private places on the terrace which exist near the opposite (west) terrace edge may be able to see the proposed BP.
- 4.10. The proposal may be visible from parts of the Hayes Creek Trail (**Images 3-9**). Views will be restricted to the northern reaches of the trail for a distance of approximately 300m. A future dwelling in the proposed BP may slightly break the skyline formed by the terrace edge east of the BP (**Images 3 & Images 5-9**). Existing dwellings within Bridesdale similarly break ridgeline and potentially skyline as viewed from the Hayes Creek Trail (**Image 4**) and the land east of and above the proposed BP is zoned Wakatipu Basin Lifestyle Precinct and likely to be developed for rural living activities which may modify this ridgeline. The mature existing poplar trees and proposed indigenous trees and shrubs west of the proposed BP will partially screen a future building from these views Hayes Creek Trail views. The proposed BP will not be visible from further south on the public trails that traverse the flood plains of the Kawarau River ONF due to the existing topography (**Image 10**).
- 4.11. The proposal may also be visible from adjacent private places in Bridesdale situated near Hayes Creek including 35 - 39 Red Cottage Drive, 13-17 Lorne Street, 9 and 12 Longlands Street. Built development to the east of Hayes Creek is currently limited but increased rural living type development is anticipated on the land east of and above the proposed BP in the Wakatipu Basin Precinct area.
- 4.12. While the proposed BP will be visible from nearby public and private places, the proposed BP design and planting will ensure development in this location is appropriately set within the landscape patterns and processes and of a scale which will reflect the anticipated rural living character of the Precinct area to the east of the site. The maximum height of a future building in the proposed BP will be 5.5m above a set RL of 340.0masl (or 345.5masl). This is lower than the height of the crest of the hillside to the east of the proposed BP (350.0masl). The proposed indigenous vegetation to the west of the BP will grow up to a mature height of more than 10m and will provide a moderate degree of screening and a vegetated context for a future dwelling

in this creek margin landscape. The proposed height restriction and indigenous vegetation will see that a future building is not visually prominent in the landscape.

21.21.2 Proposed District Plan – Rural – Rural Character Landscape (RCL)

Effects on landscape quality and character

4.13. The southern part of the subject site is within the Kawarau River ONF, while the northern part of the site where the proposed BP is located is not within the ONF. The ONF boundary is drawn roughly along the edge of the terrace landform to the west of the site (325masl), turning north to follow Hayes Creek and climbing straight up onto the plateau above the subject site (350masl) and continuing east along this contour. The proposed BP will be sandwiched between the Wakatipu Basin Lifestyle Precinct, and the urban areas of Bridesdale. It will appear as a coherent development within this existing and proposed rural living and urban area and will not be seen as part of the nearby ONF.

4.14. In addition to the BP, the proposal seeks to remove a group of wilding conifers (radiata pine) located on the site within the ONF and clear the wilding vegetation along Hayes Creek to plant native riparian vegetation on the site's western slopes. All proposed landscaping will be indigenous, compatible with the existing landscape around Hayes Creek and Bridesdale, and will enhance the quality and character of the landscape. In this receiving landscape the proposal will adversely affect the quality and character of the nearby ONF and the Rural Character Landscape to a no more than low degree.

9

Effects on visual amenity

4.15. The overall visibility of the proposed BP and landscaping is described above. It is relevant to recognize that the land east of, and above, the proposed BP is zoned Wakatipu Basin Lifestyle Precinct, and it is likely to be developed for rural living activities, which would see dwellings and ancillary dwellings and all the accompaniments of rural living type activities (sheds, amenity planting, production and gardens, clotheslines, manicured lawns, etc.) visible within the context of the proposed BP.

- 4.16. An existing mature group of poplar trees between the BP and Hayes Creek Trail will be retained during the period of proposed indigenous vegetation establishment (5 years). These poplars will provide mitigation in the short term. From the Hayes Creek Trail, the proposed BP will be broken in form by the poplars in the short term while the proposed vegetation is maturing. However, once this proposed indigenous vegetation has established, and achieves the anticipated height and density, the poplars can be removed. A future building within the proposed BP will not be prominent, as it will be set within a frame of the indigenous vegetation which will provide a moderate degree of screening and containment.
- 4.17. The BP will be visible from some private and public places on the eastern extents of Bridesdale. Again, the proposed vegetation and existing poplars will provide a moderate degree of visual mitigation. It is considered that, in the context of the much larger visually available landscape, the proposed BP will not be prominent when viewed from public places to a more than low degree. The proposed BP will not reduce the rural amenity of the Rural Character Landscape to a more than low degree.
- 4.18. As viewed adjacent private places west of the Hayes Creek corridor, the proposal will be within the line of sight separating the urban area of Bridesdale and the rural areas of the Precinct (**Image 1**). As the proposed dwelling will sit below the line of hill to the east, be partially screened with vegetation and if seen, seen in conjunction with adjacent built development in Bridesdale, it is considered that the proposal will not be visually prominent such that it detracts from private views to a more than low degree.
- 4.19. The proposed screening vegetation will not detract from or obscure views of the Rural Character Landscape from public or private locations.
- 4.20. The topography on which the BP will sit acts as a confining element which will reduce visibility of the proposed BP from views to the east. Similarly, the existing topography will ensure the proposed BP will not be visible from the public walking trails and reserves to the south, southeast and southwest along the Kwarau River.
- 4.21. All proposed planting, lighting earthworks and landscaping will not adversely affect the existing natural topography and patterns within the landscape to a more than low degree, and no new boundaries are proposed.

Design and density of development

- 4.22. The proposed BP will be accessed via an existing drive which is part of an extension of Alec Robins Road. By using this existing access, the driveway will result in very low impacts on landscape character and is already not highly visible from public and private locations. The western edge of this existing drive will be planted.
- 4.23. Future built development within the BP will appear aggregated within the approved Wakatipu Basin Lifestyle Precinct and Bridesdale urban areas. The overall density and intensity of the proposed development will not exceed the ability of the landscape to absorb change. It is considered that this northern portion of the site is where development can best be located such that it will be least visible from public and private places and result in the least impact on landscape character.

Tangata Whenua, biodiversity and geological values

- 4.24. The applicant has not received any input from iwi and the Tangata Whenua beliefs and values of the site have not been assessed.
- 4.25. The site itself holds no significant indigenous biodiversity. However, the proposal seeks a significant area of planting of appropriate indigenous vegetation such that the regeneration of the indigenous species will result in positive effects on biodiversity values.
- 4.26. While the proposal will be located on a slope, it will be set below the upper edge of a terrace and be located in an area already affected by earthworks. The proposal will result in some adverse effects on the geological values of that slope, but in the context of the wider landform and receiving rural lifestyle, and urban environment, those adverse effects will be no more than low in extent.

Cumulative effects of development on the landscape

- 4.27. As discussed above the proposed BP will be set between approved rural living type development and urban areas. The openness of the landscape in this context has, and will continue to be, reduced by approved and built development. It is considered the proposed BP

will be sandwiched between rural living and urban character areas and will read as a logical infill of the existing and approved residential character. It will not further degrade landscape quality, character or visual amenity values, with particular regard to openness to a more than very low degree due to the prevalence of residential or non-farming activities within the rural landscape.

- 4.28. The site is a unique case in that it is both within LCU 14 and zoned Rural, subject to Chapter 21 of the PDP. In this case if this resource consent were granted, the proposed development would not exceed the threshold to which the landscape could absorb any further development. It is not considered any covenants, consent notices or legal instruments that maintain open space are required. The balance of the southern part of the site is within an ONF and subject to much stricter criteria such that development there would be highly discouraged.

21.21.3 Proposed District Plan – Rural – Other factors and positive effects, applicable in all the landscape categories (ONF, ONL and RCL)

- 4.29. In this application a specific building design is not proposed. However, the proposed BP is bespoke in its shape, height limit and proposed design controls. These bespoke aspects help ensure that the proposed development is appropriate in the context of the receiving landscape.

- 4.30. The proposed development does not include any protections on open space covenants or esplanade reserves. The proposal will enhance the character of the landscape by removing existing wilding conifers and enhancing the indigenous biodiversity values through active planting of dense indigenous vegetation. This site is not part of productive land and is marginal farming land on relatively steep terrain adjacent to a watercourse which will largely be reverted to indigenous vegetation.

21.21.2 Proposed District Plan – Rural – Rural Character Landscape (RCL)

- 4.31. The proposal will result in the removal of exotic conifers and the planting of indigenous species adjacent to a creek. The proposed planting of indigenous trees and shrubs will be ecologically viable and consistent with the established character of the area. It is considered that the landscape and nature conservation values will be enhanced by the proposal.

4.32. The proposed development will be located adjacent the Kawarau River ONF. However, the proposal will not compromise the landscape values of the ONF and will instead enhance the quality and character of the ONF through the removal of exotic species and appropriate indigenous planting.

4.33. Due to the existing topography, the proposal will not be visible from most public places including the public walking trails and reserves to the south, southeast and southwest in the Kawarau River ONF. Visual effects of the proposal will be confined to adjacent public places including 300m of the Hayes Creek Trail and private and public views near the Red Cottage in Bridesdale. From these vantages, the proposal will be seen in conjunction with the adjacent development. However, as viewed from the Red Cottage area, the proposal will be within the line of sight separating the urban area of Bridesdale and the Precinct area of LCU 14 (**Image 1**). The proposed BP will sit below the line of terrace to the east, will be appropriately buffered with vegetation and will be seen in conjunction with anticipated rural living development. It will form part of an anticipated rural living character which will act as the foreground to views of the distant ONL mountains. It is considered the proposal will adversely affect views of the wider ONL to a very low degree.

5. CONCLUSION

5.1. The proposal seeks to create a 1000m² BP and associated landscaping. The proposal is located in a relatively discreet location tucked into the side of a terrace riser above Hayes Creek. The proposed design controls and landscaping will ensure that the character and amenity of the LCU and wider landscape is maintained. A future building will be visible from adjacent public and private places but will not appear prominent from these locations. As viewed from the Hayes Creek Trail, a future dwelling may detract from the visual amenity to a low degree. A future dwelling may break ridgeline and potentially skyline at points as viewed from the trail (along with other existing dwellings in Bridesdale) which will result in some low adverse effects on visual amenity. The proposed planting will provide a high degree of screening from adjacent places and some positive effects in terms of indigenous biodiversity values. Overall, it is considered that the proposal will result in no more than low adverse effects on landscape character and visual amenity values.

Prepared by:

Jessica Zuban



Landscape Architecture Associate

Reviewed by:

Stephen Skelton



Registered Landscape Architect



Proposed Design Controls

June 2023

1. Building Footprint

- All residential buildings and accessory buildings shall be contained within the approved Building Platform.
- The maximum building coverage within the Building Platform shall be 500m².

2. Building Height

- Building height is restricted to 8m from existing ground level or RL 345.5, whichever is less.

3. Exterior Cladding

- All exterior cladding shall be limited to:
 - Cedar weatherboard (stained, oiled, weathered);
 - Cedar board and batten;
 - Shingles / shakes;
 - Locally sourced schist stone/plaster mix (up to 60% plaster cover);
 - In-situ concrete/rammed earth walls;
 - Pre-weathered (patina) copper sheet cladding or weathered metal finishes (to read as subservient and secondary building materials only);
- Any colours shall be of a recessive natural colour in tones of natural browns, greys or greens with a light reflectance value (LRV) of less than 30% and not less than 7% (if a LRV is applicable for the material).

4. Roofing Material

- Roof claddings shall be in steel (corrugated or tray), slate (natural or imitation), shingles/shakes, membrane linings with gravel finish and/or vegetated.
- Any colours shall be of a recessive natural colour in tones of dark browns, greys or greens with a light reflectance value (LRV) of less than 20% and not less than 7% (if a LRV is applicable for the material).
- Conservatory style glazed roofing is permitted up to a maximum 20% of roof area.

5. Roof Details and Structures Attached

- All roofing details including gutters, downpipes and flashings shall match the joinery/roof or wall materials and colours.
- All structures attached to the roof, including aerials, dishes or solar panels, shall be discretely located such that they are not visible from the Hayes Creek Track.
- All metal chimney flues shall be enclosed or in a recessive colour to match the surrounding roof colour.

6. Windows/Glazing and Doors

- Exterior joinery shall be in timber, steel or aluminium. Joinery colours (excepting timbers) shall match roofing detail colours.

7. Gates and Fencing

- All boundary and curtilage fencing shall be constructed to a maximum height of 1.2 metres of standard unpainted timber post or waratah and wire (in the local traditional farming style, including rabbit fencing), standard unpainted timber post and beam, or dry stacked locally sourced schist stone with vertical capping in the agricultural stone wall style only.
- Entry gates shall not exceed 1.2m in height and shall be constructed of timber (excluding fittings, fixings and hinges).

8. Exterior Lighting

- All exterior lighting (including that fixed to a building) shall be housed and directed downward. All exterior lighting fixed to a dwelling shall be fixed no higher than 1.5m above finished ground level.
- Low intensity, indirect light sources are to be used for all exterior lighting applications.
- External light sources are to be incandescent, halogen or other white light, not sodium vapour or other light.
- No exterior lighting is to be installed outside of the curtilage area.

9. Curtilage Area and Services

- All elements of domestic curtilage (such as car parking areas, lawns, domestic landscape planting, outdoor storage areas, water tanks, gas cylinders, rubbish bins and clotheslines) shall be contained within the identified curtilage area and Building Platform and must be screened from view from Arrowtown-Lake Hayes Road.
- Any screening structures must adhere to the relevant building design controls.
- Water tanks shall be in a recessive natural colour in tones of natural browns, black, greys or greens and may be located outside the Building Platform provided part is within 5m of the curtilage area. Water tanks shall be screened from public views by landform or vegetation.
- All other services and utilities shall be located below ground.





50mm photo - 4 March 2022 at 2:57 pm



50mm photo - 4 March 2022 at 2:56 pm



50mm photo - 4 March 2022 at 2:48 pm



50mm photo - 4 March 2022 at 2:49 pm



50mm photo - 4 March 2022 at 2:50 pm



25mm photo - 4 March 2022 at 2:51 pm



25mm photo - 4 March 2022 at 2:52 pm



25mm photo - 4 March 2022 at 2:53 pm



50mm photo - 4 March 2022 at 2:54 pm



50mm photo - 15 August 2022 at 5:18 pm





Native trees and shrubs



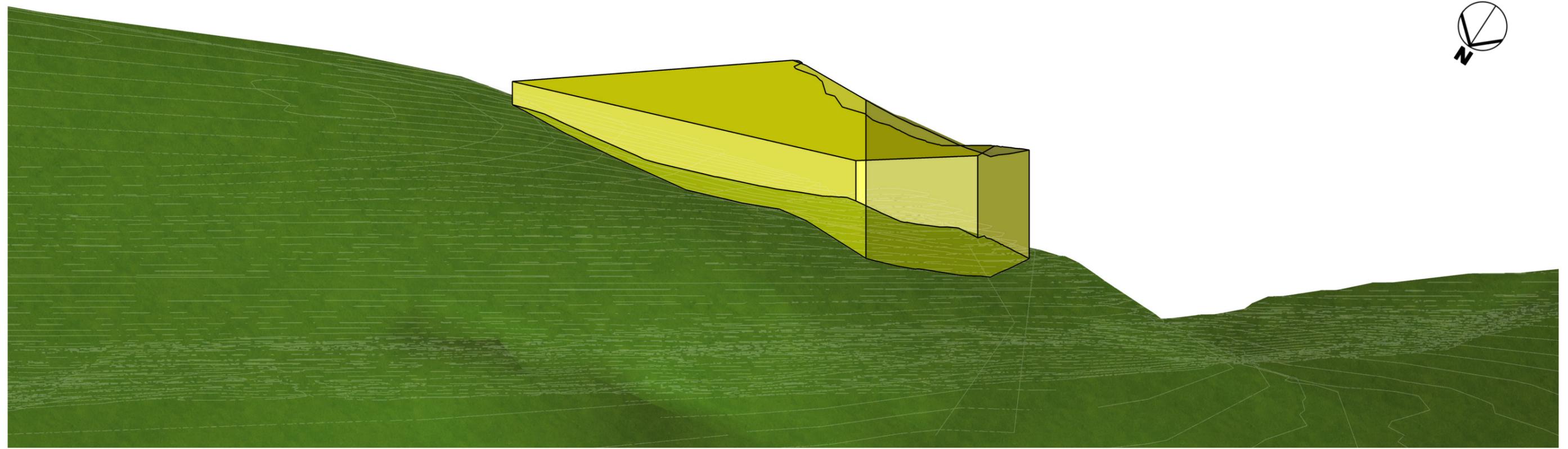
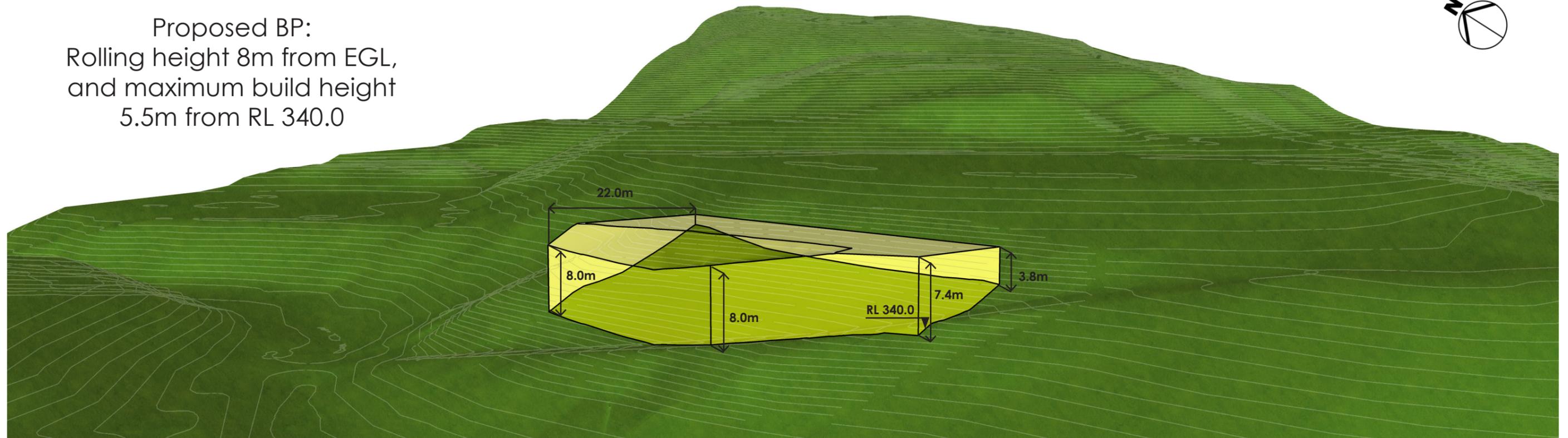
Native riparian vegetation

Botanic Name	Common Name	Size	Spacing	Percentage
Native trees and shrubs				
Coprosma propinqua	Mingimingi	PB5	2m	10%
Cordyline australis	Cabbage tree	PB18	2m	10%
Griselinia littoralis	Broadleaf hedge	PB5	2m	10%
Hoheria angustifolia	Narrow leaved lacebark	PB18	2m	10%
Sophora microphylla	Kowhai	PB18	2m	10%
Pittosporum tenuifolium	Pittosporum	PB5	2m	20%
Plagianthus regius	Ribbonwood	PB18	2m	30%
Native riparian vegetation				
Cordyline australis	Cabbage tree	PB5	2m	10%
Cortadena richardii	Toetoe	PB5	2m	10%
Griselinia littoralis	Broadleaf hedge	PB5	2m	20%
Hebe salicifolia	Whipcord hebe	PB5	2m	20%
Phormium tenax	Flax	PB5	2m	20%
Pittosporum tenuifolium	Pittosporum	PB5	2m	20%

Exotic conifers to be removed before construction commences. Proposed planting to be completed within first planting season following construction. All proposed planting to be protected from rabbits with plant guards and irrigated within the first three years of establishment.

All proposed planting areas to be maintained in perpetuity. All deceased plants to be replaced in next planting season as to maintain specified density and species mix.

Proposed BP:
Rolling height 8m from EGL,
and maximum build height
5.5m from RL 340.0



Minutes of an ordinary meeting of the Queenstown Lakes District Council held via Zoom on Thursday 2 June 2022 commencing at 1.00pm

Present:

Mayor Boulton; Councillors Clark, Copland, Ferguson, Lewers, Miller, and Smith

In attendance:

Mr Mike Theelen (Chief Executive Officer), Mr Stewart Burns (General Manager, Finance, Legal and Regulatory), Mr Peter Hansby (General Manager, Property and Infrastructure), Dr Thunes Cloete (General Manager, Community Services), Ms Meaghan Miller (General Manager, Corporate Services), Mr Tony Pickard (Transport Strategy Manager) Mr Brandon Ducharme (Three Waters Strategic Manager), Mr Simon Battrick (Sport & Recreation Manager), Mrs Jeannie Galavazi (Senior Parks & Reserves Planner), Mr Geoff Mayman (Commercial & Procurement Manager), Ms Sarah Picard (Senior Planner), Ms Tara Hurley (Policy Planner), Ms Laura Gledhill (Contracts Manager) and Ms Jane Robertson (Senior Governance Advisor)

Apologies/Leave of Absence Applications

Apologies were received from Councillor Gladding, Councillor MacLeod, Councillor Shaw and Councillor Whitehead.

On the motion of the Mayor and Councillor Clark the Queenstown Lakes District Council resolved that the apologies be accepted.

Declarations of Conflict of Interest

No declarations were made.

Special Announcements

No special announcements were made.

Public Forum

The public forum speaker appeared via Zoom.

1. Pierre Marasti (Extinction Rebellion)

Mr Marasti talked about the climate induced food crisis, noting that the impacts were being felt in both poor and rich countries. The war in Ukraine and COVID-19 pandemic had only served to accelerate this food crisis alongside many droughts and other extreme weather events across the world. QLDC could not impact the war in Ukraine but could play a part in reducing emissions. QLDC could impact the accelerated increase in methane concentration in the atmosphere by banning the installation of new gas appliances in

buildings through its consenting process. This had been achieved in New York which had banned gas and oil use in buildings in 2021.

Confirmation of Agenda

On the motion of Councillor Ferguson and Councillor Lewers the Queenstown Lakes District Council resolved that the agenda be confirmed without addition or alteration.

Confirmation of minutes

28 April 2022 (Ordinary meeting)

On the motion of the Mayor and Councillor Ferguson the Queenstown Lakes District Council resolved that the minutes of the public part of the ordinary meeting of the Queenstown Lakes District Council held on 28 April 2022 be confirmed as a true and correct record.

1. Hansen Road Intersection Legalisation

A report from Tony Pickard (Transport Strategy Manager) assessed a land exchange and road stopping request from Waka Kotahi/New Zealand Transport Agency at Hansen Road, Frankton. The report noted that this was part of an ongoing programme of work of upgrades along the State Highway 6 corridor and recommended that the Council approve initiating the land exchange and road stopping procedures.

Mr Pickard and Mr Hansby presented this report and item 2.

The Mayor asked why a four way intersection was not proposed. Mr Pickard described the greater level of efficiency created by the opposed offset signalised T-intersection arrangement. A question was also raised about whether the road outside the Grant property would be widened. The Chief Executive noted that much of the proposed widening was for public transport and for traffic to enter the BP intersection, but pointed out that it was not a Council project but an initiative led by Waka Kotahi. The Mayor asked staff to raise both questions with Waka Kotahi.

**It was moved (The Mayor/Councillor Lewers):
That the Queenstown Lakes District Council:**

- 1. Note the contents of this report;**
- 2. Approve initiation of the procedures of sections 114, 116, 117 & 120 of the Public Works Act 1981 to undertake the proposed land exchange and road stopping as shown on the Ka Huanui a Tahuna plan KHT-NZU-DES-PL-DG-PL1100B-E, summarised as:**

- a. Green area FF5: 1450m² (subject to survey) being part of Hansen Road, to be stopped and vested in RT 1027396 (or successors).
 - b. Green area FF6: 580m² (subject to survey) being part of Hansen Road, to be stopped and vested in RT OT18B/992 (or successors).
 - c. Blue area FF7: 960m² (subject to survey) of Country Lane Queenstown Ltd (or successors) to be purchased by the Crown and vested in Council.
 - d. Blue area FF8: 580m² (subject to survey) of Staff Accommodation at Hansen Road Ltd (or successors) to be purchased by the Crown and vested in Council.
3. Approve that any compensation payable to Council from an inequity of exchange as a result of the land exchange and road stopping, will be assessed by Council's valuer, and negotiated with the Crown in accordance with the provisions within Public Works Act 1981; and
 4. Agree that all costs to undertake the process will be paid for by the applicant; and
 5. Agree that Council's approval to undertake the road realignment process, along with any sale and purchase agreements relating to it shall be limited to a period of 5 years from the date of this resolution; and
 6. Delegate final terms and conditions, along with any associated agreements, compensation and consent notices to facilitate the legalisation and to provide any approvals for the placing or removal of easements, minor alignment, area changes and signing authority, to the Chief Executive of Council.

The motion was put and carried unanimously:

For: Mayor Boulton; Councillor Clark, Councillor Copland, Councillor Ferguson, Councillor Lewers, Councillor Miller, Councillor Smith

Against: Nil

Abstain: Nil

2 Consultation on proposal to reclassify portions of four recreation reserves to local purpose reserves for the Arterials project

A report from Tony Pickard (Transport Strategy Manager) advised that part of the Arterial road ran through two recreation reserves vested in the Council and portions

of these reserves were required to allow the route to be constructed. Accordingly, it was proposed that the Council reclassify these two recreation reserves to local purpose reserves and recommended that the Council notify the proposal and consult with the Commissioner about the proposal.

It was moved (Councillor Clark/Councillor Copland):

That the Queenstown Lakes District Council resolve that:

- 1. Note the contents of this report;**
- 2. Agree to consult the “Commissioner” (as defined under the Reserves Act 1977) about the proposal to reclassify portions of the following two recreation reserves to local purpose reserves (the proposed local purposes are specified below):**
 - a. Esplanade Reserve: “recreation, and roading and related purposes”; and**
 - b. Ben Lomond (One Mile Roundabout) Reserve: “roading and related purposes”;**
- 3. Authorise the General Manager Property & Infrastructure to consult with the Commissioner;**
- 4. Agree to publicly notify the proposal to reclassify portions of the following two recreation reserves to local purpose reserves (the proposed local purposes are specified below):**
 - a. Esplanade Reserve: “recreation, and roading and related purposes”; and**
 - b. Ben Lomond (One Mile Roundabout) Reserve: “roading and related purposes”; and**
- 5. Authorise officers to publicly notify the proposal.**

The motion was put and carried unanimously:

For: Mayor Boulton; Councillor Clark, Councillor Copland, Councillor Ferguson, Councillor Lewers, Councillor Miller, Councillor Smith

Against: Nil

Abstain: Nil

3 Consultation Proposal to consider Cardrona Valley Water Supply Investment

A report from Brandon Ducharme (Three Waters Strategic Manager) presented a Statement of Proposal for Council to adopt for the purpose of seeking public submissions on the proposal to increase the 2021-2031 Ten Year Plan budget and associated debt recovery in the 2021 Development Contributions Policy for investment in a Cardrona Valley community drinking water supply scheme.

Mr Burns and Mr Ducharme presented the report.

It was moved (Councillor Lewers/Councillor Clark):

That the Queenstown Lakes District Council:

- 1. Note the contents of this report;**
- 2. Adopt the Statement of Proposal Entitled *Cardrona Valley Water Supply Investment* dated 2 June 2022;**
- 3. Authorise officers to publicly notify the Statement of Proposal for public submissions;**
- 4. Appoint a hearings panel consisting of Councillor Clark, Councillor Lewers and Councillor Smith to hear submissions and make a recommendation on the status of the Cardrona Valley Water Supply Investment; and**
- 5. Direct officers to report back to the Council together with the recommendation of the hearings panel.**

The motion was put and carried unanimously:

For: Mayor Boulton; Councillor Clark, Councillor Copland, Councillor Ferguson, Councillor Lewers, Councillor Miller, Councillor Smith

Against: Nil

Abstain: Nil

4 Queenstown Events Centre - Consultation proposal on request by Waka Kotahi/NZTA to dispose of part of the site to support State Highway 6 upgrades

A report from Simon Battrick (Sport & Recreation Manager) presented a Statement of Proposal for adoption to seek public submissions on the potential disposal of parts of the Queenstown Events Centre and adjoining Frankton Golf Course to Waka Kotahi/ New Zealand Transport Agency to support State Highway 6 upgrades under the NZUP programme.

Mr Battrick presented the report. He noted that efforts had been made to minimise the impact on the Frankton Golf Centre and to continue to offer the same type of service, although it would have to reduce to being an eight hole golf course.

Councillor Ferguson expressed some concern about the proposal but noted that he was a trustee for junior golf and therefore had a conflict of interest and could not be part of a panel to hear submissions.

There was further discussion about the various land holdings in the area and the need for ongoing discussions with all the parties, noting that this could also impact the long-term future operation of the golf centre. For that reason, the option involving the least amount of capital expenditure was favoured, whilst still offering a facility of value.

However, it was also recognised that the nature of golf was changing with a trend for shorter courses emerging.

It was moved (Councillor Ferguson/Councillor Clark):

That the Queenstown Lakes District Council:

- 1. Note the contents of this report; and**
- 2. Adopt the Statement of Proposal entitled ‘Queenstown Events Centre - Consultation proposal on request by Waka Kotahi/NZTA to dispose of part of the site to support State Highway 6 upgrades’; and**
- 3. Authorise officers to publicly notify the Statement of Proposal for public submissions; and**
- 4. Appoint a hearings panel consisting of Councillor Copland, Councillor Lewers and one of either Councillor MacLeod or Councillor Shaw to hear submissions and make a recommendation on the Statement of Proposal; and**
- 5. Direct officers to report back the recommendation of the hearings panel.**

The motion was put and carried unanimously:

For: Mayor Boulton; Councillor Clark, Councillor Copland, Councillor Ferguson, Councillor Lewers, Councillor Miller, Councillor Smith

Against: Nil

Abstain: Nil

5 Application by Bridesdale Farm Developments Limited for a Right of Way Easement over Widgeon Park recreation reserve land

A report from Jeannie Galavazi (Senior Parks & Reserves Planner) advised of an application by Bridesdale Farm Developments Limited for a Right of Way Easement to provide formal legal vehicle access to the Bridesdale Garden Allotments and the adjoining rural zoned land DP505513 Lots 404 and 405. The report noted that the application had been subject to a hearing, the only submitter being the applicant. The hearing panel had recommended that the easement be granted, subject to conditions.

Mrs Galavazi presented the report.

It was moved (The Mayor/Councillor Lewers):

That the Queenstown Lakes District Council:

- 1. Note the contents of this report;**

2. **Note the Hearing Panel recommendation to approve the Right of Way easement subject to the amended conditions set out in recommendation 4 below.**
3. **Approve a Right of Way Easement to the landowner of DP 505513 Lot 404 and 405.**
4. **Direct that the approval of any easements over Council Reserve Land is subject to the following terms and conditions:**
 - a. **Use to be restricted to light vehicle and pedestrian access for the current farming use and to enable access to the garden allotments.**
 - b. **Final alignment of the easement to be agreed with Council.**
 - c. **QLDC Parks and Reserves and Infrastructure departments to be consulted prior to any works commencing.**
 - d. **Final conditions of the easement to be agreed between Council and Bridesdale Farm Developments Limited that must include:**
 - i. **A mechanism to ensure ongoing legal access for the garden allotment owners;**
 - ii. **Safe and unimpeded public access to the remainder of the reserve;**
 - iii. **In the event that Council develops an alternative access to its reserve land through Widgeon Place, and access is to be provided to the land in record of title DP505513 Lot 404, creation of the access will be at the landowner of DP505513 Lot 404's cost.**
 - iv. **Subject to item d(v), the Council and the owner of record of title DP505513 Lot 404 are equally responsible for all ongoing maintenance costs associated with the easement to maintain it in good order as at the date of grant. .**
 - v. **The owner of record of title DP505513 Lot 404 is responsible for all maintenance and/or repairs associated with the easement that are attributable to any improvements associated**

with and/or to the easement carried out by the landowner.

- e. Ability to register the easement limited to a period of 3 years from the date of full Council approval.**
 - f. Bridesdale Farm Developments Limited will meet all of Council's reasonable costs associated with the easement.**
- 5. Agree to exercise the Minister's consent (under delegation from the Minister of Conservation) to the granting of the identified easements over Council Reserve Land; and**
 - 6. Delegate approval of final wording of the easement conditions and signing authority to the General Manager Community Services.**

The motion was put and carried unanimously:

For: Mayor Bault; Councillor Clark, Councillor Copland, Councillor Ferguson, Councillor Lewers, Councillor Miller, Councillor Smith

Against: Nil

Abstain: Nil

6 New Procurement Guide

A covering report from Geoff Mayman (Commercial & Procurement Manager) presented a new Procurement Guide for the Council to adopt. The report also appended a Procurement Policy, Revision 1.

Mr Mayman presented the report.

Members commended the efforts of both staff and Councillors for their efforts to review the Guide. They also acknowledged the efforts internally to ensure work practices were in accordance with the policy and guide.

It was moved (Councillor Copland/Councillor Clark):

That the Queenstown Lakes District Council:

- 1. Note the contents of this report;**
- 2. Adopt the Procurement Guide with effect from 1 July 2022;**
- 3. Approve the date for the completion of the review of the Procurement Guide as 30 June 2023;**

4. **Approve the name change from Procurement Guidelines to Procurement Guide, and the associated reference changes within the Procurement Policy;**
5. **Approve the Procurement Policy Revision 1 (Attachment B) which includes the amended section 9 (Financial Thresholds for Procurement Planning & Procurement Method), minor changes to the sections 5.1.1 and 5.2.5, and the replacement of Guide for Guidelines, with effect from 1 July 2022; and**
6. **Approve the use of an Improvement Register to capture minor content changes to reflect continuous improvement for both the Procurement Policy and Procurement Guide.**

The motion was put and carried unanimously:

For: Mayor Boulton; Councillor Clark, Councillor Copland, Councillor Ferguson, Councillor Lewers, Councillor Miller, Councillor Smith

Against: Nil

Abstain: Nil

7 Proposed Landscape Schedules Notification

A report from Sarah Picard (Senior Planner) presented the Landscape Schedules proposed as a variation to the Proposed District Plan (PDP). The proposal would introduce Schedules 21.222 and 21.23 to Chapter 21 Rural Zone of the PDP. Council approval was sought to notify the proposal to allow for public input.

Ms Picard and Mr Avery presented the report. She detailed the reasons for developing the schedules and the methodology used.

Councillor Smith noted that the proposal had been presented to the Planning and Strategy Committee which had reviewed the process and the schedules. He remained concerned about landscape capacity as this had significant implications for the district. He was keen to be involved as a Commissioner.

It was moved (Councillor Clark/Councillor Ferguson):

That the Queenstown Lakes District Council:

1. **Note the contents of this report;**
2. **Approve for notification pursuant to section 79(1) and clause 5 of the First Schedule of the Resource Management Act 1991 the following proposed variation to the PDP, having regard to the s32 report:**
 - a. **Proposed Schedule 21.22**

b. Proposed Schedule 21.23

- 3. Authorise the Manager of Planning Policy to make minor edits and changes to the proposal and section 32 report to improve clarity and correct errors prior to notification.**
- 4. Note that consultation with Iwi authorities will occur prior to notifying this variation and advice received may prompt changes to be made to the proposals**

The motion was put and carried unanimously:

For: Mayor Boulton; Councillor Clark, Councillor Copland, Councillor Ferguson, Councillor Lewers, Councillor Miller, Councillor Smith

Against: Nil

Abstain: Nil

8 Variation to Proposed District Plan chapters in relation to Chapter 44 – Coneburn Industrial Zone and associated changes to relevant district-wide chapters

A report from Tara Hurley (Policy Planner) requested that the Council approve the notification of a variation to Chapter 44 - Coneburn Industrial Zone and an associated variation to Chapter 27 – Subdivision.

Ms Hurley and Mr Avery presented this report and that following.

It was moved (The Mayor/Councillor Lewers):

That the Queenstown Lakes District Council:

- 1. Note the contents of this report;**
- 2. Having particular regard to the section 32 evaluation report, approve pursuant to clauses 5 and 16A of the First Schedule of the Resource Management Act 1991 to notify the following variation and consequential variations to the Queenstown Lakes Proposed District Plan:**
 - a. Chapter 25 Earthworks**
 - b. Chapter 27 Subdivision**
 - c. Chapter 29 Transport**
 - d. Chapter 31 Signs; and**
 - e. Chapter 36 Noise**
 - f. Chapter 44 Coneburn Industrial Zone**
- 3. Authorise the Manager Planning Policy to make minor edits and changes to the provisions to be varied and section 32**

report to improve clarity and correct errors and to notify the variation in accordance with clause 5 of the First Schedule of the Resource Management Act 1991.

The motion was put and carried unanimously:

For: Mayor Boulton; Councillor Clark, Councillor Copland, Councillor Ferguson, Councillor Lewers, Councillor Miller, Councillor Smith

Against: Nil

Abstain: Nil

9 Ratification of the recommendations on submissions on the Accessible Parking Amendments to the Operative and Proposed District Plan

A report from Tara Hurley (Policy Planner) provided the report and recommendations of an independent commissioner on submissions on the Accessible Parking Amendments to the Proposed District Plan (PDP) and Operative District Plan (ODP) and sought ratification as a Council decision. Authority was also sought to notify a decision on PDP Chapter 29 and ODP Section 14 in accordance with Clause 10 and 11 of the First Schedule of the Resource Management Act 1991.

Councillor Smith expressed his thanks to staff for bringing this item forward as it served to ensure that accessible parking provisions remained in the District Plan.

It was moved (Councillor Lewers/Councillor Smith):

That the Queenstown Lakes District Council:

- 1. Note the contents of this report;**
- 2. Adopt the independent commissioner's report and recommendation on the submissions on the variation to Chapter 29 Transport of the Proposed District Plan and the Plan Change to Section 14 Transport of the Operative District Plan as a Council decision;**
- 3. Direct staff to alter the Proposed District Plan provisions to reflect the recommended change and to correct minor errors and make changes of minor effect in accordance with Clause 16(2) of the First Schedule of the Resource Management Act 1991;**
- 4. Note that adopting the reports and recommendation as the Council decision means that the Council also adopts the Hearings Panel reasons for those decisions as set out in the report;**
- 5. Note that adopting the reports and recommendations, as a Council decision does not mean Council has formed a view on possible future variations or other possible future**

**variations mentioned in the report and recommendation;
and**

**6. Direct staff to notify the decision in accordance with the
First Schedule of the Resource Management Act 1991.**

The motion was put and carried unanimously:

For: Mayor Boulton; Councillor Clark, Councillor Copland, Councillor Ferguson,
Councillor Lewers, Councillor Miller, Councillor Smith

Against: Nil

Abstain: Nil

10 Proposed Waste Fees and Charges

A report from Laura Gledhill (Contracts Manager) presented a proposal to increase waste fees and charges for the 2022/23 year. The report noted that increased charges were necessary to meet higher costs imposed by four key contributing factors and to ensure appropriate cost recovery was achieved for waste.

Ms Gledhill presented the report.

**It was moved (Councillor Copland/Councillor Clark):
That the Queenstown Lakes District Council:**

- 1. Note the contents of this report;**
- 2. Accept the proposed increases to the waste fees and charges for the 2022/23 year, commencing 1 July 2022 as per Attachment B *Proposed waste fees and charges for 2022/23*.**
- 3. Delegate to the Chief Executive the authority to make a six monthly adjustment to the waste fees and charges in relation to the fluctuating markets of the Emissions Trading Scheme should it be required in 2022/23.**

The motion was put and carried unanimously:

For: Mayor Boulton; Councillor Clark, Councillor Copland, Councillor Ferguson,
Councillor Lewers, Councillor Miller, Councillor Smith

Against: Nil

Abstain: Nil

11 Chief Executive's Report

A report from the Chief Executive:

- a. Proposed the appointment of Amanda Robinson as the Whakatipu community representative on the Climate Reference Group;

- b. Sought delegation to the Mayor to vote on behalf of the Council at the Local Government Annual General Meeting (and the Chief Executive to act as proxy) and direct him to vote in accordance with the Council's position on any remits;
- c. Sought Council agreement to run the Central Otago Health Inc triennial election in the Wānaka Ward alongside the Council's own election; and
- d. Presented a recommendation from the 19 May 2022 Community & Services meeting for 20 reserves located in Arrowtown, Hanley Downs, Jacks Point and Kawarau Heights.

**It was moved (The Mayor/Councillor Copland):
That the Queenstown Lakes District Council:**

- 1. Note the contents of this report;**
- 2. Agree to appoint Amanda Robinson as the Whakatipu community representative on the Climate Reference Group.**
- 3. Agree that the Mayor is delegated authority to vote on behalf of the Council at the Local Government New Zealand AGM, directing him to vote in accordance with the Council's position on any remits, with the Chief Executive authorised to act as proxy in the event that the Mayor is unable to attend;**
- 4. Agree to conduct the election held in the Wānaka Ward on behalf of Central Otago Health Incorporated;**

Recommendation from Community & Services Committee

- 1. That the vesting of the following reserves, be approved:**

FCL Willow Pond Limited – RM191391

- a) Lot 803, Local Purpose (Access and Services) Reserve – 65m²
- b) Lot 804, Local Purpose (Access and Services) Reserve – 70m²

Henley Downs Farm Holdings Limited, Hanley Downs – RM200615

- c) Lot 302, Recreation Reserve – 6,145m²
- d) Lot 303, Local Purpose (Access and Services) Reserve – 513m²
- e) Lot 304, Local Purpose (Access and Services) Reserve – 518m²

- f) Lot 305, Local Purpose (Access and Services) Reserve – 520m²
- g) Lot 306, Local Purpose (Access and Services) Reserve – 513m²
- h) Lot 307, Local Purpose (Access and Services) Reserve – 510m²

**Queenstown Lakes Community Housing Trust (QLCHT),
Arrowtown – RM210219**

- i) Lot 202, Recreation Reserve – 3,000m²
- j) Lot 203, Local Purpose (Access and Services) Reserve – 686m²
- k) Lot 204, Local Purpose (Access and Services) Reserve – 409m²
- l) Lot 205, Local Purpose (Access and Services) Reserve – 303m²

**Queenstown Commercial Limited, Kawarau Heights –
RM210243 (as varied by RM211116)**

- m) Lot 210, Local Purpose (Access) Reserve – 299m²
- n) Lot 211, Local Purpose (Access) Reserve – 322m²
- o) Lot 212, Local Purpose (Access) Reserve – 132m²

RCL Henley Downs Limited, Hanley Downs – RM210531

- p) Lot 80: Local Purpose (Access) Reserve. Area 518m²
- q) Lot 81: Local Purpose (Access and Services) Reserve. Area 220m²

RCL Henley Downs Limited, Hanley Downs – RM210606

- r) Lot 85: Local Purpose (Access) Reserve. Area 153m²

RCL Henley Downs Limited, Jacks Point – RM211262

- s) Lot 2: Recreation Reserve. Area 1,363m²
- t) Lot 3: Recreation Reserve. Area 660m²

subject to the following works being undertaken at the applicant's expense:

- i) Consent being granted (as necessary and subject to any subsequent variations) for any subdivision required to formally create the reserves, and to also level out topography (if advised necessary by the Parks & Open Spaces Planning Manager);
- ii) All wastewater infrastructure on the reserves shall be in ground, and have no impact whatsoever on the recreation function and values of the flat grassed land above. That flat land shall be able to accommodate recreational and connection uses year round, and the ground standards shall be the same as for any Recreation Reserve not otherwise containing stormwater infrastructure.
- iii) Presentation of the reserve in accordance with Council's standards for reserves;
- iv) The submission of a Landscape Plan to Council by the developer for certification as appropriate, including subsequent implementation of landscape and planting for the reserves. The certification of such a plan shall be by the Parks and Open Spaces Planning Manager.
- v) The formation of sealed pathways on the reserves to a minimum 2 metre wide width, and to also meet the Grade 2 standard of the QLDC Cycle Trail and Track Design Standards & Specifications (2016);
- vi) A potable water supply point to be provided at the boundary of the reserve lots;
- vii) The registration of a fencing covenant under s6 of the Fencing Act 1978 on the reserves to vest in QLDC to protect the Council from liability to contribute towards any work on a fence between any public reserve vested in or administered by the Council and any adjoining land;
- viii) The registration of a Consent Notice (or alternative encumbrance) on any land within the development adjoining the reserves, to ensure any fences on land adjoining, or boundaries along any reserve, shall be

- no greater than 1.2m in height, and be 50% visually permeable;
- ix) A three (3) year maintenance period by the current landowner commencing from vesting of the reserves;
 - x) A maintenance agreement being prepared and signed by the Parks and Open Spaces Planning Manager specifying how the reserves will be maintained during the maintenance period; and
 - xi) Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.
2. Agree that any reserve improvement contributions are offset against those payable in accordance with the Development Contributions Policy current at the time of contributions payment, subject to:
- a. Detailed design plans for the reserves to be submitted and the approval of these to be delegated to the the Parks & Open Spaces Planning Manager.
 - b. Final approval of any reserve improvement costs to be delegated to the the Parks & Open Spaces Planning Manager, and is subject to the applicant demonstrating the actual costs of the improvements.
 - c. If the cost of work to construct the approved plans exceeds the contributions available to be credited, the additional cost shall be at the applicant's expense.

The motion was put and carried unanimously:

For: Mayor Boulton; Councillor Clark, Councillor Copland, Councillor Ferguson, Councillor Lewers, Councillor Miller, Councillor Smith

Against: Nil

Abstain: Nil

RESOLUTION TO EXCLUDE THE PUBLIC

On the motion of the Mayor and Councillor Ferguson it was resolved that the public be excluded from the following parts of the meeting:

The general subject of each matter to be considered whilst the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under

section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Confirmation of minutes (Ordinary Council meeting held on 28 April 2022)

Item 7 Agreement to Lease: 35 Plantation Road, Wānaka

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
7. Agreement to Lease: 35 Plantation Road, Wānaka	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to: h) enable any local authority to carry out, without prejudice or disadvantage, commercial activities; i) enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);	Section 7(2)(h) Section 7(2)(i)

This recommendation is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6 or Section 7 or Section 9 of the Official Information Act 1982 as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above with respect to each item.

The meeting went into public excluded at 2.01pm.

The meeting came out of public excluded and concluded at 2.02pm.

MAYOR

DATE

Simon Ash

From: Andrew Tipene <Andrew.Tipene@qldc.govt.nz>
Sent: Wednesday, 31 October 2018 10:23 AM
To: Simon Ash
Cc: Alicia Hunter
Subject: Re: P&I Work Request #55 - RM180478 - 98 Alec Robins Road, Lake Hayes Estate, Queenstown

Hi Simon,

I can confirm that P&I are happy to extend the Scheme Boundary for RM180478.

Regards,

Andrew

Andrew Tipene | Infrastructure Development Engineer
Queenstown Lakes District Council
M: [027 591 0137](tel:0275910137)
E: andrew.tipene@qldc.govt.nz



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From: Simon Ash <simon.ash@winton.nz>
Sent: Wednesday, 31 October 2018 9:55 am
To: Andrew Tipene
Cc: Alicia Hunter
Subject: RE: P&I Work Request #55 - RM180478 - 98 Alec Robins Road, Lake Hayes Estate, Queenstown

Hi Andrew,

Thank you for your prompt response.

At this stage all that is needed is a confirmation email from yourself confirming that QLDC are fine to extend the water boundary and provide water to the site.

Alicia – can you please confirm that the approach I have outlined above is satisfactory for the resource consent application?

Happy to discuss.

Regadr,

Simon

Simon Ash
General Manager

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From: Andrew Tipene <Andrew.Tipene@qldc.govt.nz>
Sent: Tuesday, 30 October 2018 11:22 AM
To: Simon Ash <simon.ash@winton.nz>
Cc: Alicia Hunter <alicia.hunter@qldc.govt.nz>
Subject: RE: P&I Work Request #55 - RM180478 - 98 Alec Robins Road, Lake Hayes Estate, Queenstown

Hi Simon,

In principle everything looks within our policy requirements. I need to go through the connection details and scheme boundary adjustment process. This can't be completed within a week. When do you need to connect?

Regards,

Andrew

Andrew Tipene | Infrastructure Development Engineer
Queenstown Lakes District Council
M: 027 591 0137
E: andrew.tipene@qldc.govt.nz



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From: Simon Ash [<mailto:simon.ash@winton.nz>]
Sent: Monday, 29 October 2018 10:32 AM
To: Andrew Tipene
Cc: Alicia Hunter
Subject: RE: P&I Work Request #55 - RM180478 - 98 Alec Robins Road, Lake Hayes Estate, Queenstown

Hi Andrew,

Attached is the Water Supply Boundary Adjustment document I prepared as part of the RFI for the Alec Robins Road resource consent.

Happy to discuss at any time.

Regards,,

Simon

Simon Ash
General Manager

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From: Andrew Tipene <Andrew.Tipene@qldc.govt.nz>
Sent: Monday, 29 October 2018 10:18 AM
To: Simon Ash <simon.ash@winton.nz>
Subject: RE: P&I Work Request #55 - RM180478 - 98 Alec Robins Road, Lake Hayes Estate, Queenstown

Hi Simon,

Thanks for sending this through. I'll look into Scheme Boundary Adjustment and get back to you soon.

Regards,

Andrew

Andrew Tipene | Infrastructure Development Engineer
Queenstown Lakes District Council
M: 027 591 0137
E: andrew.tipene@qldc.govt.nz



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From: simon.ash@wintonpartners.co.nz [<mailto:notifications@cognitofirms.com>]
Sent: Monday, 29 October 2018 10:10 AM
To: Andrew Tipene <Andrew.Tipene@qldc.govt.nz>
Subject: P&I Work Request #55 - RM180478 - 98 Alec Robins Road, Lake Hayes Estate, Queenstown

P&I

P&I Work Request

Entry Details

WHO IS REQUESTING THIS WORK? Simon Ash

EMAIL simon.ash@wintonpartners.co.nz

THE PERSON REQUESTING THIS WORK IS... A Developer

WORK PRIORITY Normal

DUE DATE 2/11/2018

DOES THIS WORK REQUEST RELATE TO A SPECIFIC DEVELOPMENT? Yes

Development Information

WHAT IS THE PHYSICAL ADDRESS OF THE DEVELOPMENT? 98 Alec Robins Road, Lake Hayes Estate, Queenstown

WHAT STAGE IS THE DEVELOPMENT CURRENTLY IN? Consenting

PROVIDE A REFERENCE NAME FOR THIS WORK REQUEST. RM180478

WHAT INFRASTRUCTURE OR PROPERTY IS INVOLVED WITH THIS WORK REQUEST? Potable Water

WHAT WORK IS REQUIRED? Scheme Boundary Adjustment

Scheme Boudary Adjustment

DETAIL THE SCHEME BOUNDARY ADJUSTMENT REQUESTED. 98 Alec Robins Road is currently the subject of a resource consent application (RM180478). Are part of the application a Water Supply Boundary Adjustment is required. The Water Supply Boundary Adjustment seeks to increase the existing Council Water Boundary to allow an additional water pipe of 120 metres to be

constructed along Alec Robins Road, Lake Hayes from its current position at the boundary of 111 Alec Robins Road, Lake Hayes to the boundary of 98 Alec Robins Road, Lake Hayes Estate.

A document entitled "Alec Robins Road Water Supply Boundary Adjustment Application" has been submitted to Alicia Hunter of QLDC as part of the resource consent for 98 Alec Robins Road.

**THE PERSON REQUESTING THIS
WORK AGREES TO THE PAYMENT
OF FEES ASSOCIATED WITH THIS
WORK REQUEST.**

Agree and undertake work

Form 3B - Response

Enquiry Reference: PATAI000501
Property Address: Lot 1 DP 21087, Lake Hayes 9304

Thank you for your enquiry. Transpower's Cromwell - Frankton A (CML-FKN A) 110 kV transmission line traverses the site. Support structures for this line are also located on-site or within 12m of the site. I have attached a Transpower aerial plan showing this and the *National Grid Yard* (shown as a blue corridor), which is a corridor 12m either side of the centreline of Transpower's transmission lines. Please note that the 12m setback from the closest visible edge of the tower foundation is not shown on this map. This will need to be physically measured on site.

Specific Comments

We have reviewed the resource consent application, including the subdivision/scheme plan, and confirm that Transpower has no concerns with the proposed subdivision because the building platform is 50m or more away from the transmission lines. Should you or the Council require Affected Party Approval, Transpower would be happy to provide this.

Additionally, it appears that the proposed new water mains supply connection (to be supplied via trenching from the existing mains at 111 Alec Robins Road) is also located outside the NGY of the CML-FKN-A 110kV line and will not impact the line or any National Grid transmission assets upon the site.

Should additional buildings be proposed in the future, please ensure you contact Transpower again, as there are several considerations regarding safe development near Transpower's National Grid transmission assets.

If you would like to clarify or discuss any matter raised above, or require any additional information, please contact us again through Pātai. You can also find information regarding Development near the National Grid on the [Transpower website](#), including the Transpower [Development Guide](#).

Thank you for contacting Transpower.

Please let us know how you found your experience with Transpower. Complete our survey [here](#).

Please note: Transpower reserves its right to revisit the abovementioned assessment should the proposal change or should a substantial amount of time pass following this assessment. This email cannot be relied upon if any site details and/or the nature of the development changes from that indicated in this correspondence. Please note that this email is not intended to be, and does not constitute, legal advice in relation to your legal obligations under New Zealand legislation, including under the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001).

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Soil and Land Use Capability classification assessment

Lot 1 DP 21087 & Lot 3 DP 447906

Alec Robins Road, Lake Hayes

Prepared for: Bridesdale Farm Developments Limited
Prepared by: Dr Reece Hill – Landsystems
Field assessment: 9 February 2023
Report date: 12 June 2023

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1. Introduction

A soil and Land Use Capability (LUC) classification assessment of Lot 1 DP 21087 (1.82 ha) and Lot 3 DP 447906 (3.58 ha), Alec Robins Road, Lake Hayes (the “Site”) was undertaken in order to confirm the soil and LUC units at property scale and identify the presence and distribution of highly productive land as defined by the National Policy Statement for Highly Productive Land (NPS-HPL). The assessment covered a total area of 5.4 ha (**Figure 1**).



Figure 1. Site (5.4 ha) – Lot 1 DP 21087 & Lot 3 DP 447906, Alec Robbins Road, Lake Hayes.

2. Background

National Policy Statement for Highly Productive Land

The National Policy Statement for Highly Productive Land (NPS-HPL)¹ came into force on the 17th October 2022 (clause 1.2(1)).

“Highly productive land” is defined as:

¹ National Policy Statement for Highly Productive Land 2022. September 2022.

means land that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when land is rezoned and therefore ceases to be highly productive land).

My understanding is that NPS-HPL clause 3.5(7) applies because maps produced in accordance with clause 3.4 have not yet been included in an operative regional policy statement as required by clause 3.5. Clause 3.5(7) says:

(7) Until a regional policy statement containing maps of highly productive land in the region is operative, each relevant territorial authority and consent authority must apply this National Policy Statement as if references to highly productive land were references to land that, at the commencement date:

(a) is

(i) zoned general rural or rural production; and

(ii) LUC 1, 2, or 3 land; but

(b) is not:

(i) identified for future urban development; or

(ii) subject to a Council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.

The NPS-HPL includes the following definition of LUC 1, 2, or 3 land:

“LUC 1, 2, or 3 land means land identified as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory or by any more detailed mapping that uses the Land Use Capability classification”

My assessment has been carried out using the Land Use Capability classification.

Land Use Capability

Land Use Capability (LUC) assesses an area’s capacity for sustained productive use, considering physical limitations, soil type, management requirements and soil conservation needs.

A Land Use Capability assessment is a systematic arrangement of the different types of land according to those properties that affect its capacity for long term and sustained production. It is a system that primarily assesses the land for arable (cropping) use.

The assessment is based on a national land classification system used by soil conservators for farm planning since the 1950s. A detailed description of the system is provided in the Land Use Capability Survey Handbook, a 3rd edition of which was published in 2009 (Lynn et al., 2009)².

There are eight (8) land use capability classes as recognised in the New Zealand Land Resource Inventory with limitations for use and land use versatility increasing from 1 to 8, with 8 considered unsuitable for productive use and best managed for catchment protection.

² Lynn, IH, Manderson, AK, Harmsworth, GR, Eyles, GO, Douglas, GB, Mackay, AD, Newsome, PJF (2009) Land Use Capability Handbook - a New Zealand handbook for the classification of land 3rd Ed. Hamilton, AgResearch; Lincoln, Landcare Research; Lower Hutt, GNS Science 163pp.

Non-productive land and modified soil areas

For an accurate assessment of LUC classification for a property, the assessment should be based on the current condition of the area. This is important because some land management practices (e.g. the placement of tracks, excavation for and placement of buildings, excavation of drains, soil remediation for soil contamination, and general earthworks) cause irreversible changes to the soil (i.e. changes other than those that can be remediated by management practices and return the soil to its intrinsic state). These areas are referred to as modified soil areas. In essence, these areas are classified as Anthropogenic Soils³, and can no longer be assessed using the LUC classification or considered high class soil.

Non-productive land includes modified soil areas as well as other areas such as streams, wetlands, native vegetation, and retired and planted areas.

For this assessment the productive area of the site (to which the LUC classification can be applied) is the site area excluding the non-productive area.

Soils

The LUC assessment identifies areas with similar rock type, soil, slope, erosion types and degree and vegetation cover. Where any one of these factors changes significantly a boundary is drawn and a new map unit created. Based on this physical inventory, together with an understanding of climate an assessment is made of each unit's capacity for long term sustained use. Thus, the property is completely covered by mapped units which identify areas having similar physical attributes.

The soils are represented on a map as map units. These map units may contain one or more soil (this varies depending on the complexity of the soil map and the scale of mapping). Generally, there is one dominant soil in a map unit which will determine the LUC classification for that map unit.

Additionally, soil naming can vary for different sources of soil map information. This is a factor of when the soil mapping was undertaken and the soil classification that was being used nationally at the time of mapping. In most cases the soil names can be correlated across soil map information sources.

3. Regional soil and LUC map information (1:50,000 scale)

Based on the available NZLRI map information⁴ the soils and LUC units on the Site are mapped as Blackstone hill soil and Arrow steepland soil on steep slopes (slope class F) with a LUC classification of LUC unit 6e19, Shotover soils on flat to gently undulating slopes (slope class A) with a LUC classification of LUC unit 2e1+3s6, and Fraser shallow sandy loam on flat to gently undulating slopes (slope class a) with a LUC classification of LUC unit 2e1.

Based on the NZLRI LUC map information and applying the NPS-HPL definition for highly productive land, LUC 6e19 is not highly productive land, and the areas that are LUC 2e1 and

³ Hewitt AE (2010) New Zealand Soil Classification. 3rd ed. Landcare Research Science Series No. 1. Lincoln, Manaaki Whenua Press.

⁴ <https://lris.scinfo.org.nz/layer/48076-nzlr-land-use-capability-2021/>

LUC 3s6 are highly productive land (**Figure 2**). A larger map is provided at the end of the report.

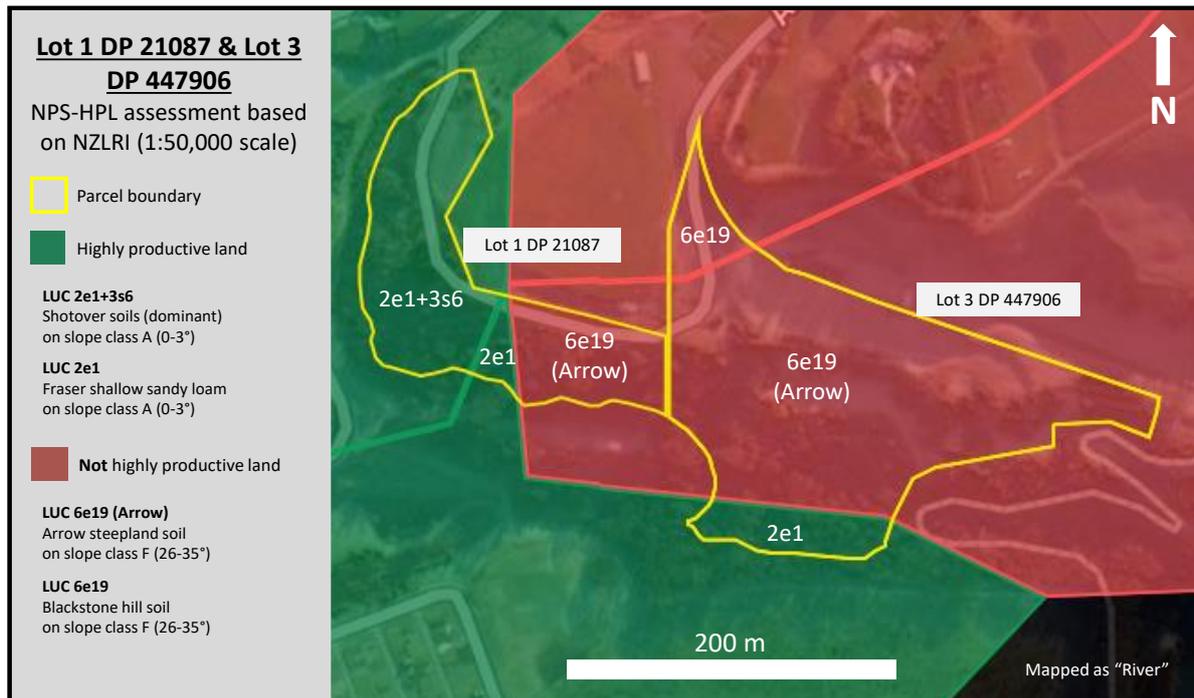


Figure 2. The distribution of soils, LUC units and NPS-HPL defined highly productive land based on the NZLRI (1:50,000 scale) map information for the Site (Lot 1 DP 21087 & Lot 3 DP 447906).

4. On-site detailed soil and LUC classification assessment

Landsystems undertook an on-site detailed soil and LUC assessment of the 5.4 ha site (Lot 1 DP 21087 and Lot 3 DP 447906) according to standard methods (Milne et al., 1993⁵ and Lynn et al., 2009⁶). The on-site assessment was undertaken on the 9th February 2023.

Observations of slope angle, topography and soil parent material were made over the relevant area. Soil augering up to 80 cm depth was used to assess soil properties such as soil horizons, drainage, plant root depths, texture, structure, and colour. This information was used to determine soil type and soil boundaries, from which the necessary LUC classification was assigned. All soils were assessed in current condition and areas of non-productive land/modified soils were identified and mapped.

5. Soil and LUC classification

A summary of the soils, LUC units and NPS-HPL defined highly productive land identified in the assessment area is provided in **Table 1**. The estimated distribution of the soils, LUC units

⁵ Milne JDG, Clayden B, Singleton P.L, Wilson AD. 1995. Soil Description Handbook. Lincoln, New Zealand, Manaaki Whenua Press. 157p.

⁶ Lynn IH, Manderson AK, Page MJ, Harmsworth GR, Eyles GO, Douglas GB, Mackay AD, Newsome PJF. 2009. Land Use Capability survey handbook – a New Zealand handbook for the classification of land. AgResearch Hamilton; Manaaki Whenua Lincoln; GNS Science Lower Hutt, New Zealand.

and NPS-HPL defined highly productive land is shown in **Figure 3** (a larger map is provided at the end of the report).

Table 1. Summary of on-site assessed soils, LUC units and NPS-HPL defined highly productive land identified for the Site (Lot 1 DP 21087 & Lot 3 DP 447906).

Soil type	Parent material	Slope class	Soil drainage	LUC Unit	NPS-HPL classification
Blackstone hill soil	Schist	Rolling to strongly rolling slopes (8-20°)	Well drained	4e9*	Not HPL
Blackstone hill soil and Arrow steepland soil	Schist	Rolling to steep slopes (8-25°)	Well drained	4e9*+6e19	Not HPL
Arrow steepland soil	Schist	Moderately steep to steep slopes (25-35°)	Well drained	6e19	Not HPL
Non-productive land/modified	-	-	-	-	Not HPL

* Best fit LUC unit assigned from South Island NZLRI extended legend.

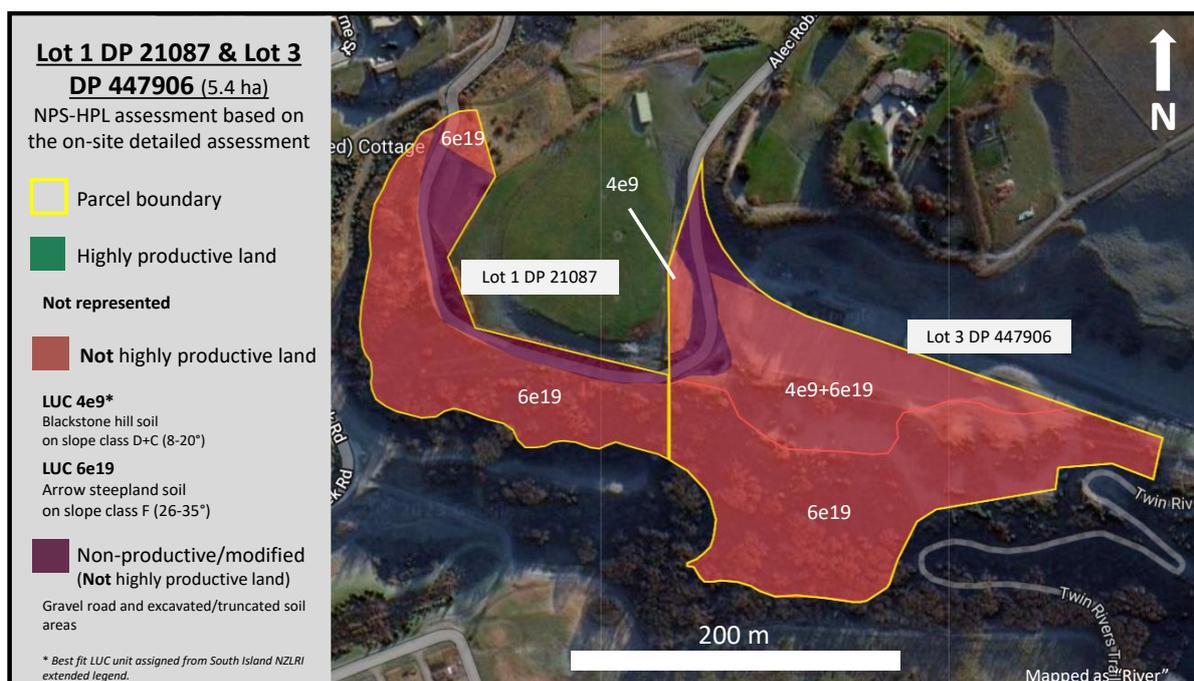


Figure 3. The distribution of soils, LUC units and NPS-HPL defined highly productive land based on the on-site assessment for the Site (Lot 1 DP 21087 & Lot 3 DP 447906).

6. Summary

Based on the on-site soil and LUC assessment, the soils in most of Lot 1 DP 21087 are Arrow steepland soils on steep slopes. The balance of the area is non-productive land, comprising a gravel road, and an area that has been excavated into the subsoil with the upper soil removed.

Land classified as LUC 6e19 is not highly productive land as defined by the NPS-HPL. The areas mapped as non-productive land are not highly productive land as defined by the NPS-HPL.

Based on the on-site soil and LUC assessment, the Lot 1 DP 21087 area does not contain any highly productive land as defined by the NPS-HPL.

Based on the on-site soil and LUC assessment, the soils in most of Lot 3 DP 447906 are Arrow soils on rolling to steep slopes and Blackstone soils on rolling to strongly rolling slopes. The balance of the area is non-productive land, comprising a gravel road, and an area that has been excavated into the subsoil with the upper soil removed.

The area with Blackstone and Arrow soils on rolling to steep slopes are most appropriately classified as LUC 4e9+6e19. Arrow soils on moderately steep to steep slopes are classified as LUC 6e19. Blackstone soils on rolling to strongly rolling slopes are classified as LUC 4e9.

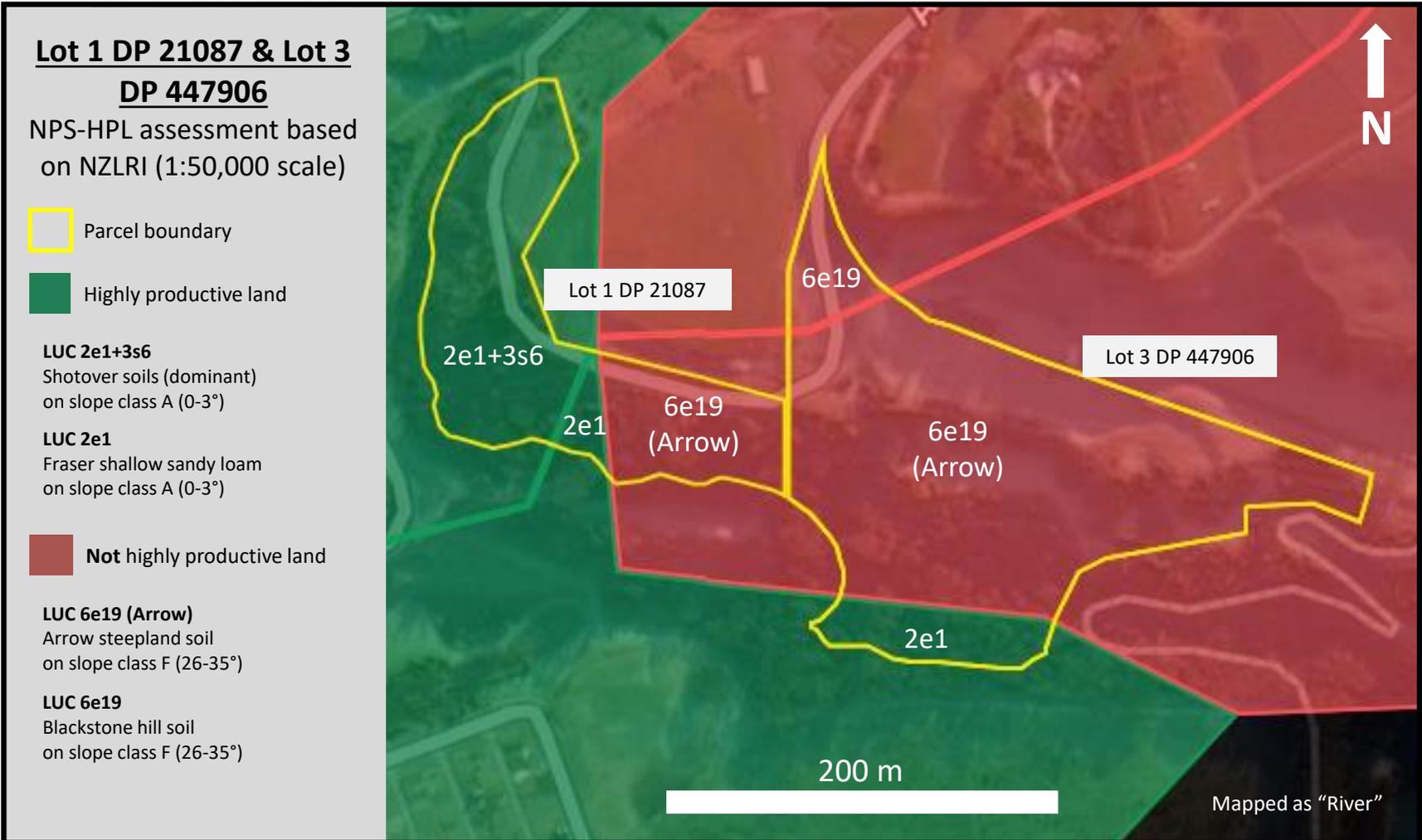
Land classified as either LUC 4e9 or 6e19 is not highly productive land as defined by the NPS-HPL. The areas mapped as non-productive land are not highly productive land as defined by the NPS-HPL.

Based on the detailed on-site assessment, the area identified as LUC 2e1 according to the NZLRI map information (refer Figure 2) has steep slopes and is most appropriately classed as LUC 6e19.

Based on the detailed on-site assessment, the Lot 3 DP 447906 area does not contain any highly productive land as defined by the NPS-HPL.

Applying the NPS-HPL based on the detailed on-site assessment, the 5.4 ha Site does not contain highly productive land as defined by the NPS-HPL.

7. Enlarged map from Figure 2.



8. Enlarged map from Figure 3.

