

**APPLICATION AS NOTIFIED**

**B Property Group Limited**

**(RM210618)**

**Submissions Close  
8<sup>th</sup> February 2022**

# FORM 12

File Number RM210618

## 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:

B Property Group Limited

**What is proposed:**

Land Use consent to establish and operate a lodge containing 24 villas, an owner's residences, manager's quarters, reception area, restaurant, sauna, yoga studio and distillery for the use of lodge guests only, undertake earthworks and landscaping.

Subdivide and obtain freehold titles for each of the 24 villas.

Vary and partially cancel consent notice conditions of Consent Notice 10521522.10.

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

59 Tui Drive, Bobs Cove, Mount Creighton, Queenstown

**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 RM210618 as the reference <https://edocs.qldc.govt.nz/Account/Login>

The Council planner processing this application on behalf of the Council is Nathan O'Connell, who may be contacted by phone at 021 302 107 or email at: [nathan.o'connell@qldc.govt.nz](mailto:nathan.o'connell@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:**

**8 February 2022**

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](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 (John Edmonds, john.edmonds@jea.co.nz) as soon as reasonably practicable after serving your submission to Council:

C/- John Edmonds  
[john.edmonds@jea.co.nz](mailto:john.edmonds@jea.co.nz) or [Hayley.mahon@jea.co.nz](mailto:Hayley.mahon@jea.co.nz)  
John Edmonds & Associates  
PO Box 95  
Queenstown 9300

**QUEENSTOWN LAKES DISTRICT COUNCIL**



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(signed by Wendy Baker pursuant to a delegation given under Section 34A of the Resource Management Act 1991)

**Date of Notification: Wednesday 22 December 2021**

**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**



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?

YES  NO

If 'yes' please provide information below



## PRE-APPLICATION MEETING OR URBAN DESIGN PANEL

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

Yes

No

Copy of minutes attached

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



## CONSENT(S) APPLIED FOR // \* Identify all consents sought

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



## 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 25m<sup>3</sup> per 500m<sup>2</sup>). 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

Are any additional consent(s) required that have been applied for separately?

Otago Regional Council

Consents required from the Regional Council (note if have/have not been applied for):

Yes

N/A



## 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 Applicant is 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](tel:034410499) and ask to speak to our duty planner.

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

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



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

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 – BKNZ22)

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 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:

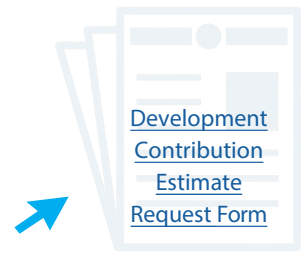
- An application for a subdivision consent must also include information that adequately defines the following:
  - (a) the position of all new boundaries:
  - (b) the areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan:
  - (c) the locations and areas 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 Roothing)

[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 &amp; Consent Notice

Affected Party Approval/s

Landscape Report

Ecological Report

Engineering Report

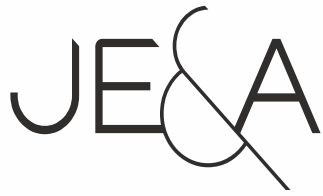
Geotechnical Report

Wastewater Assessment

Traffic Report

Waste Event Form

Urban Design Report



ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

For Visitor Accommodation and associated subdivision

At Lot 100 and Part Section 28, Block V, Glentui Heights, Bob's Cove

For B Property Group

July 2021

## 1.0 EXECUTIVE SUMMARY

**B Property Group Limited** (the applicant) seeks resource consent to construct a luxury lodge including 24 villas, an owner's residence, manager's quarters, reception area, restaurant, sauna, yoga studio and distillery at 59 Tui Drive, Bob's Cove, Queenstown. The applicant also seeks consent to subdivide and obtain separate freehold titles for each of the proposed units. The owners will be able to use their villa for up to 14 days per year with the villa remaining in use by the lodge and let to guests for the remainder of the year.

The luxury lodge will be known as **Waimarino**.

Waimarino will provide a unique luxury guest experience focused on sustainable design, construction and operation. The Lodge seeks to establish a high quality of accommodation set in a tranquil lake-side setting, to ensure relaxing guest experiences.

<b>Location:</b>	59 Tui Drive, Bob's Cove, Queenstown
<b>Legal Description:</b>	Lot 100 DP494333 and part Section 28 Block V Mid Wakatipu SD
<b>Territorial Authority:</b>	Queenstown Lakes District Council
<b>Plan:</b>	Operative District Plan (ODP) Proposed District Plan (PDP)
<b>Zoning:</b>	ODP: Rural Residential Bob's Cove Sub-Zone and Rural Zone PDP: Rural Residential Bob's Cove Sub-Zone and Rural Residential
<b>Natural Hazards:</b>	The site is subject to a LIC 2 Liquefaction Risk.
<b>Other:</b>	There are no known heritage features, cultural heritage, HAIL activities or archaeological sites.
<b>Activity Status:</b>	Non-Complying

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**DOCUMENT STATUS**

<b>Version</b>	<b>Purpose of Document</b>	<b>Prepared By</b>	<b>Reviewer</b>	<b>Date</b>
Draft A	Internal Draft	HM	JE	09/07/21
Draft B	Draft to Client	HM	AM	12/07/21
FINAL	Lodgement	HM		12/07/21



## 2.0 INTRODUCTION

This Assessment of Effects on the Environment report (AEE), inclusive of appendices, has been prepared in accordance with Schedule 4 of the Resource Management Act (RMA). Together these documents provide:

- A description of the application site and surrounding environment;
- A description of the proposal;
- A description of the consents sought;
- An assessment of environmental effects;
- Identification and assessment of relevant objectives and policies of the Operative and Proposed District Plan; and
- A conclusion.

The applicant seeks consent to construct 24 standalone villas for visitor accommodation purposes. The lodge also includes an owner’s residence, manager’s quarters, reception area, restaurant, sauna, yoga studio and distillery at 59 Tui Drive, Bob’s Cove, Queenstown. The lodge facilities will only be for the use of owners and guests. The Lodge and facilities will not be open to the public.

The applicant also seeks to carry out a freehold title subdivision of the development whereby owners will be able to use their villa for up to 14 days per year under a management agreement with the villa remaining in use by the lodge and let to guests for the remainder of the year. Parking for 22 vehicles is provided.

In order to construct the proposed lodge and associated facilities, approximately 5,699m<sup>3</sup> of earthworks is required over an area of 9,510m<sup>2</sup>.

An extensive indigenous planting scheme will visually integrate the development into the surrounding landscape and improve the biodiversity of the site.

Alterations to an existing consent notice are also necessary to facilitate this proposal.

The location of the proposed development is shown in **Figure 1** below.



**Figure 1:** Location of proposed development site at Bob’s Cove. Image Source: Google Earth and QLDC GIS.

The proposal also includes an upgrade of the wastewater treatment system which services part of the adjacent Glentui Heights subdivision. The upgraded wastewater treatment system is located within an existing

wastewater easement area (as shown on the easement plan attached) and will include a new building that will house the wastewater treatment plant and renovate the existing 400m<sup>2</sup> disposal field.

Water supply will be provided from a new bore that is located within the site.

Both water supply and wastewater are addressed through the Regional Plan: Water and no further approvals are necessary from the District Council in respect of these matters.

Overall, it is considered that the proposal will result in a less than minor effect upon the adjoining properties and the environment. The project is consistent with the strategic direction provided for in both the operative and proposed District Plan. As such, it is considered that the application can be approved on a non-notified basis.

A render of the proposed development is shown below in **Figure 2**.



**Figure 2:** Render of proposed development as if viewed from hovering above Bob’s Cove within Lake Wakatipu. Image Source: Design Base Architects.

### 3.0 SITE DESCRIPTION AND SURROUNDS

#### 3.1 Legal Description

The subject site is held in one existing title and a second title yet to be issued. The existing title is described as Lot 100 DP 494333 held in Record of Title 735397. A copy of this title and relevant interests is attached in **Appendix 1**. The second title yet to be issued is part of Section 28 Block V Mid Wakatipu SD which has been approved for subdivision under RM180302. A copy of RM180302 is attached at **Appendix 2**.

There are several interests registered against Lot 100 DP 494333, a description of which is set out in **Table 1** below:

Interest	Description
6191527.10	Right of way, rights to convey sewage & water and rights to drain stormwater
10521522.5	Right of way
10521522.6	Right to convey water
10521522.7	Right to drain sewage
10521522.10	Consent Notice (details below)

**Table 1:** Summary of interests registered against Lot 100 DP 494333

Of particular interest to this application is Consent Notice 10521522.10. The most relevant conditions from this Consent Notice are listed in **Table 2** below. These interests are discussed and assessed later in this application.

Condition	Description
Condition f)	When dwelling is erected on Lot 100, an onsite effluent disposal system shall be designed by shall be designed by a suitably experienced person.
Condition i)	The management and maintenance of areas of existing and proposed indigenous vegetation identified within the certified stage landscape plan shall be carried out in accordance with the certified 'Ecological Management and Maintenance Specification Plan' EMMP.
Condition j)	There shall be no removal, modification or any form of alteration of indigenous vegetation outside of the development area on any lot, except where approval is first obtained from the Reserve Manager and meets certain conditions.
Condition k)	All protected trees as identified on the landscape plans and all other indigenous trees over 6m in height and with a DBH of over 200mm within the undomesticated areas are to be retained and protected.
Condition l)	<p>Maintenance Specification Plan</p> <p>Any time a Building is proposed, a landscape plan for that lot shall be required to accompany the resource consent application to the Council. The plan shall achieve the following objectives:</p> <ul style="list-style-type: none"> <li>• All proposed planting shall be of native species contained in the approved Ecological Management and</li> <li>• Areas of low level planting as defined on the approved subdivision plans shall be identified. If proposed to remove existing vegetation from these areas then they shall be replanted in accordance with the EMMP 'low level' planting requirements.</li> <li>• Removal of Eucalyptus trees is encouraged, to improve indigenous character.</li> <li>• New planting shall be implemented within 8 months after the Building construction has been completed.</li> <li>• Privacy between lots should be maintained to provide seclusion and amenity to the site.</li> <li>• All protected trees, and all indigenous trees over 6m in height and with a DBH of over 200mm located outside of the development area shall be identified on the plan. Such trees shall not be removed, altered or modified in any manner, and there shall be no excavations or construction of Structures and Buildings within 2m of the drip line of such trees.</li> <li>• The boundary of the extent of all areas of indigenous vegetation outside of the development area shall be identified.</li> <li>• Gullies and/or natural watercourses shall be identified.</li> <li>• Water tanks shall be buried or partially buried and shall be screened from view beyond the lot by existing or proposed vegetation.</li> </ul>

	<ul style="list-style-type: none"> <li>• Should any protected trees be deemed to pose a hazard, a report by a suitably qualified arborist shall be provided to and certified by Council prior to its removal.</li> <li>• The proposed driveway alignment (from the lot boundary to the dwelling) shall be identified. If this alignment does not match the covenanted development area registered on the Computer Freehold Register for the lot, then the landscaping plan shall show that the total area (in m2) to be cleared of vegetation within the lot does not exceed the covenanted development area.</li> </ul>
Condition m)	All new indigenous planting shall be revegetation planting with the purpose to enable the long term natural regeneration of indigenous forest cover rather than amenity or garden type planting.
Condition n)	Landscape lighting shall be kept within the development areas only excluding access driveways where it shall not be used. Such lighting shall be downward facing only and not exceed 1m from ground level. All other exterior lighting attached to Buildings, shall be at height no greater than 3m above the ground, and shall be down lighting only, and shall not create light spill beyond the boundaries of the lot.
Condition o)	All timber crib walls or barriers visible from outside the site shall be stained a dark grey, green or brown colour (with a Light Reflectance Value of between 5 and 15%).
Condition p)	Any excavation or construction works within 10m of protected trees shall be protected from such works by mitigation measures listed in the condition.

Table 2: Summary of relevant conditions of Consent Notice 10521522.10

### 3.2 Zoning

The zoning of the subject site has been updated through the recent and on-going review of the District Plan.

In the ODP, Lot 100 DP 494333 is zoned Rural Residential - Bob’s Cove, whilst Part Section 28 Block V Mid Wakatipu SD is zoned Rural General. Both parts of the site are included in the Outstanding Natural Landscape. The ODP zoning is shown below in **Figure 3**.

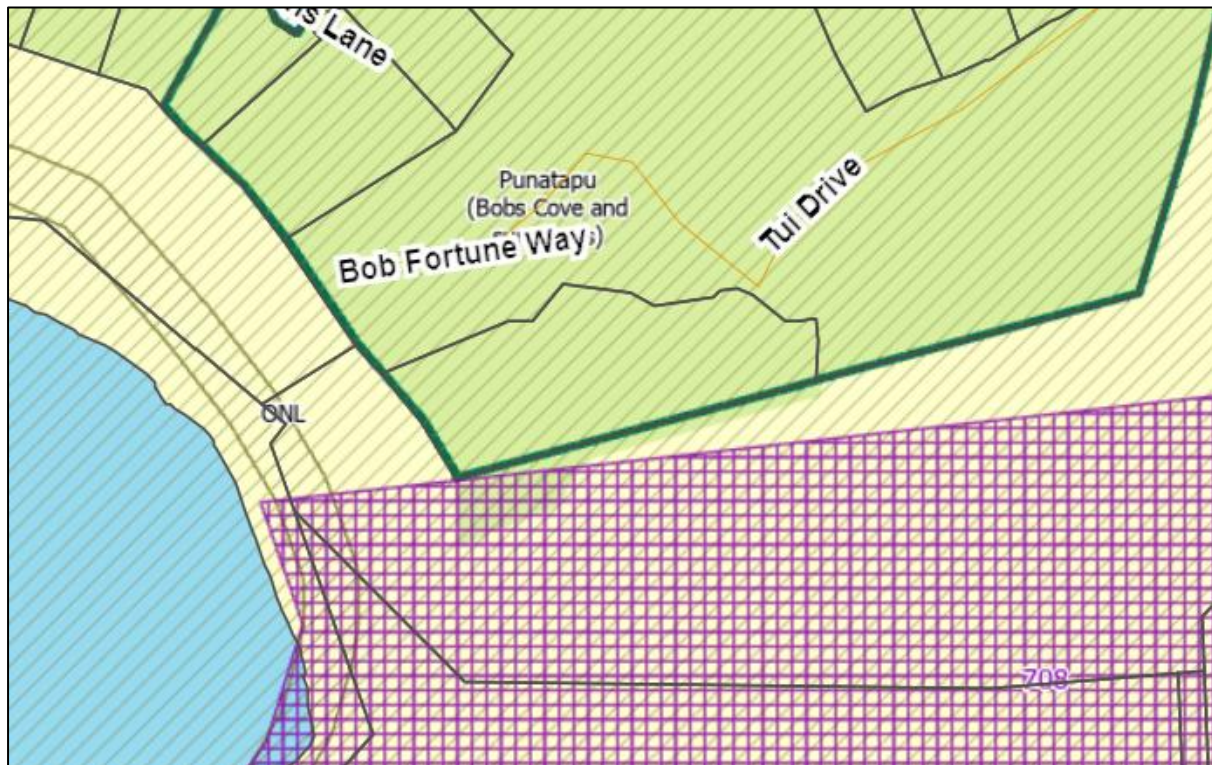


Figure 3: ODP Map 38 showing zoning. Subject site outlined in red (approximate boundaries)



The PDP zoning is shown in **Figure 4** below and identifies that Lot 100 DP 494333 remains zoned as Rural Residential - Bob's Cove, whilst Part Section 28 Block V Mid Wakatipu SD is re-zoned Rural Residential and Both parts of the subject site are identified within the Outstanding Natural Landscape classification.

Part Section 28 Block V Mid Wakatipu SD is subject to an Archaeology Site registered in the District Plan and Heritage New Zealand. Archaeology is addressed in **Section 3.7**. The whole of Bob's Cove is also subject to a Wahi Tupuna overlay (Punatapu) noted in the PDP.



**Figure 4:** PDP Stage 1, 2 and 3 Decisions and Appeals Map showing zoning.

### 3.3 Site Description and Features

The site slopes downhill to the west with all development proposed on the southern side of an existing heavily vegetated gully. The site is accessed by Tui Drive which connects to the eastern end of the site. Lot 100 DP 494333 has a total area of 14,693m<sup>2</sup>. The area of Part Section 28 Block V Mid Wakatipu SD with title still to issue has an area of 3,400m<sup>2</sup>. The total site area is 18,093m<sup>2</sup>.

The site contains mature stands of native trees and vegetation which will mostly be retained and enhanced by further planting of semi-mature native species.

### 3.4 Site History

#### District Plan

The Rural Residential Bob's Cove zone (**RRBC**) was created as a result of resolving a District Plan appeal (by consent) between Bob's Cove Developments Limited, the Wakatipu Environmental Society and the QLDC. This resulted in a specific set of objectives, policies, and rules for approximately half of the Rural Residential zoned land at Bob's Cove. This area is distinguished in **Figures 3 and 4** (above) by a bold dark-green line. The intention of the RRBC is to provide a 4,000m<sup>2</sup> average lot size, rather than a minimum to facilitate both the retention of large areas of open space on either side of the Queenstown-Glenorchy Road, and to also provide for rural living

opportunities to be integrated with established predominantly native plantings, and retain as much of that planting as possible.

RM050664 was granted on 27 June 2006 to subdivide the Bob's Cove Rural Residential Sub-zone into 104 residential lots and 2 balance lots. Only Stage 1, comprising 15 residential lots on the northern side of the Glenorchy-Queenstown Road, was completed.

RM131074 was approved 23 December 2013 (objection decision issued 3 March 2014). Consent was granted to subdivide land to the south of Queenstown-Glenorchy Road within the Bob's Cove Sub-zone, in stages, into 32 lots for residential purposes, plus a balance lot (Lot 101) and a lot to be vested as road. Each lot has a defined 'Development Area' where buildings must be located.

As part of RM131074, three 'Development Areas' were approved on Lot 100 DP 494333 which forms part of the subject site. Within the Development Areas, clearance of land and residential dwellings up to 500m<sup>2</sup> are permitted as long the proposed dwelling meets building coverage (15%) and maximum height standards (6m).

RM131074 included a Preliminary Site Investigation (PSI) which showed that the land subject to subdivision is not a HAIL site. Therefore, the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health does not apply to this development.

RM150792 was approved 26 November 2015. This was a variation to subdivision consent RM130174 to create an additional stage and change the timing of driveway construction on the residential lots.

RM160849 was approved on 17 March 2017 and re-issued 3 April 2017. The decision included approval to revise the layout of Stage 2 RM130174 to increase the total number of residential lots at Glentui Heights to 46. Stage 2 was renamed as Stage 2B.

RM180527 was approved 15 May 2018. This was a variation to include an additional lot in Stage 3 RM130174, increasing the total number of residential lots to 47. This decision includes the most up to date version of the conditions of RM130174 and associated plans.

To date, Stages 1C, 2B, 3 and 4 of RM130174 have been completed and titles issued.

RM180302 was approved on 11 December 2018 and re-issued on 12 December 2018. This decision facilitated a land-swap for that part of Section 28 Block V Mid Wakatipu SD which forms the subject site for this application with a similar sized piece of land adjacent to the Glenorchy-Queenstown Road. To carry out this 'land swap', Section 28 Block V Mid Wakatipu SD had to be subdivided. Title has not been issued for this portion of Section 28 Block V Mid Wakatipu SD, however this land forms part of the subject site for this application.

Under RM180302, it is anticipated that a residential unit will be constructed on that part of Section 28 Block V Mid Wakatipu SD that is to be swapped. It is noted that this 'land swap' area is included in the Rural Residential zone (PDP). The 'land swap' area is not included in the RRBC, and therefore no restrictions on a 'Development Area' apply to that land.

### 3.5 Natural Hazards

Geosolve have completed their natural hazard assessment of the site (**Appendix 3**) and have made the following conclusions:

- No mapped landslide hazards are recorded in the QLDC hazard database and none were identified in close proximity to the proposed building platforms.
- The risk of liquefaction is considered very low at the site and mitigation measures are not required.
- The rockfall risk to the site is low.



- A splay of the active north section of the Moonlight Fault passes through the eastern extent of the development site. However, as the Alpine Fault has a far shorter return period, the Alpine Fault is considered to provide the governing seismic risk to the area over the Moonlight Fault and is considered an acceptable risk due to the inescapable nature of the Alpine Fault on the wider district.

### 3.6 Existing Infrastructure and Services

An infrastructure report has been prepared by Craig Woodcock of JEA Survey Ltd and is attached to this application at **Appendix 4**. Summaries of existing infrastructure from that report have been set out below.

The Bob’s Cove area is not part of the QLDC’s reticulated three-waters network.

#### Water Supply

The subject site currently has an allocated amount of user rights to the existing private potable water supply that is owned by Glentui Heights Limited (**Glentui**), with service easements in place to convey water from the current reticulated network. The existing rights for the subject site allow for four additional users to join the water supply. However, the existing potable water supply is at 96% capacity and would not be enough to service the Waimarino development. The applicant obtained an Otago Regional Council consent<sup>i</sup> for a bore and the bore produces enough supply for the Waimarino development. This is covered in further detail at 4.4 below.

#### Wastewater

An existing wastewater treatment plant is located approximately 110m to the east of the Waimarino site, on Lot 101 DP 494333, which is the balance lot of the Glentui Heights subdivision. Service easements are in place from the subject site to the wastewater treatment plant. An existing private agreement provides for 4 additional residential lots to join the system. The existing system has a maximum design load of 15m<sup>3</sup> (15,000L) per day. The existing wastewater treatment plant and easement area is highlighted in **Figure 5** below.

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<sup>i</sup> RM21.119.01, RM21.200



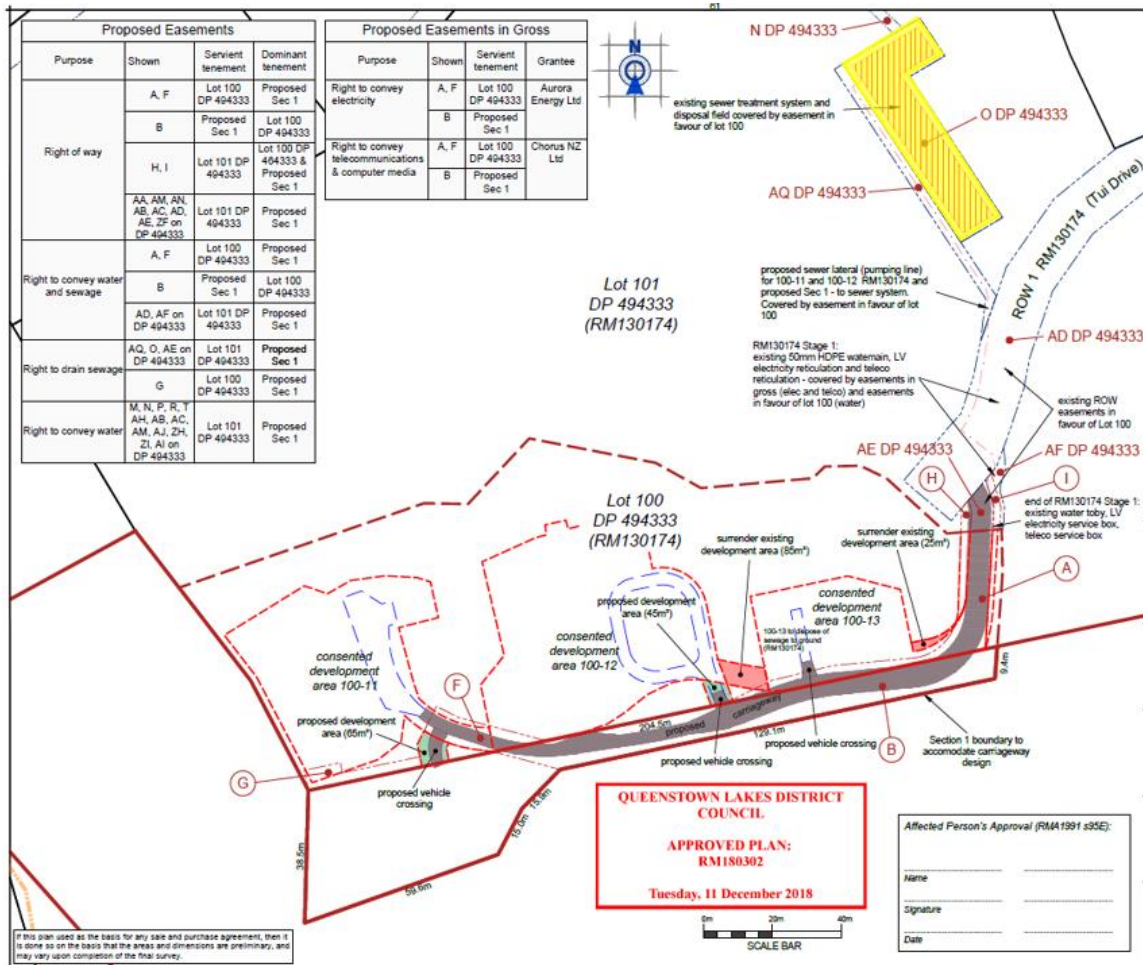


Figure 5: Existing Wastewater Treatment Plant and Disposal Field location highlighted in yellow on Lot 100 DP494333. Image Source: RM180302

**Stormwater**

Across the subject site, four residential dwellings of up to no more than 500m<sup>2</sup> or 15% net site area are anticipated with treatment of stormwater through means of onsite soakage. The current total impervious area on site provided for is 4,925m<sup>2</sup>.

**Telecommunications and Electricity**

RM180302 confirmed three development areas exist and anticipated a further residential dwelling on Part Section 28. As part of the construction that has already commenced under RM180302, telecommunications and electricity infrastructure has been installed.

**Access**

The Queenstown – Glenorchy Road is the closest public road to the Waimarino site, located approximately 380m to the north. The site gains access to the road through right of way easements over (privately owned) Tui Drive. Within the easement documents, the subject site has capacity for four users. Additional users are the subject of ongoing consultation between Glentui Heights Limited and the applicant.

RM180302 consented the formation of a 3.5 to 5.5m wide, 250m accessway along the southern boundary of the subject site with rock lined swales and a maximum gradient of 16%. At the time consent was granted, a condition was imposed to seal this access due to the 16% grade.



### 3.7 Receiving Environment

The receiving environment is the area beyond the subject site within which a proposed activity might have effects. It is necessary to also consider the future state of the environment upon which effects will occur.

#### Surrounding approved subdivision

The land to the north contains 4,000m<sup>2</sup> (or thereabouts) rural residential lots that were created in the same subdivision as the subject site. Many of these 34 sections consented in RM130174 now contain a residential dwelling. The original Stage 6 lots approved in RM130174 (lots 4-10) immediately to the north of the subject site have not been issued title yet but, it is pertinent to consider that they will be subdivided in the future and each lot will contain a dwelling of up to 500m<sup>2</sup> or 15% site coverage (whichever is the smallest).

#### Neighbouring reserve land

The land to the south and west of the subject site currently known as Section 28 Block V Mid Wakatipu SD was gazetted in 1982 as Recreation Reserve under the Land Act 1948.

#### Archaeology and Manawhenua

The area to the south of the site is Department of Conservation (DoC) Recreation Reserve and contains the Bob's Cove Track and Nature Walk<sup>ii</sup>. This area also contains an archaeological site being the Lime Kilns and Manager's Residence at Bob's Cove, which is listed in Chapter 26 of the PDP under the heading Inventory of Archaeological Sites<sup>iii</sup> the QLDC schedule as number 708 and is recognised by Heritage New Zealand as a Category Two listed site (HNZ reference 5067). Additionally, a recorded potential Māori oven site is nearby which is recorded as archaeological site (E41/14).

Mr Ben Teele of Origin Consultants has reviewed the proposal and carried out a site visit in order to provide comment regarding the impact of the development on the archaeological history of the surroundings. Mr Teele has confirmed that the likelihood of encountering archaeological material on the site is very low. A copy of Mr Teele's letter is attached at **Appendix 5**.

Additionally, approval from Aukaha and Te Ao Marama is currently being sought. It is noted that Aukaha and Te Ao Marama have been previously consulted and their written approvals provided for RM130174 and RM180302. The site is subject to the notified Wahi Tupuna overlay which was introduced as part of the Stage 3 District Plan Review.

#### Ecology

The Glentui Heights subdivision (RM130174), included an *Ecological Management and Maintenance Plan* prepared by Natural Solutions for Nature Limited.

The approved Management and Maintenance Plan identified 30 trees within the site (Lot 100) as significant. These trees were surveyed and protected by way of a consent notice condition (10521522.10). These trees were a combination of mountain beech and red beech trees with the oldest mountain beech at approximately 255 years old and the oldest red beech at around 170 years old. Following the pre-application meeting, the Applicant has revised the site layout and earthworks to ensure preservation of the protected trees and other notable vegetation recently identified by Natural Solutions for Nature Limited and Baxter Design Group Limited. Only 5 of the protected trees need to be removed with 25 being retained (including the oldest mountain beech and red

<sup>ii</sup> <https://www.doc.govt.nz/parks-and-recreation/places-to-go/otago/places/queenstown-area/things-to-do/bobs-cove-track-and-nature-walk/>

<sup>iii</sup> QLDC, PDP, Chapter 26, 26.12, Reference #708

beech). Overall, 4,730m<sup>2</sup> of indigenous is being retained on the site. Additional planting of semi-mature vegetation is also proposed to complement that existing tree planting.

Natural Solutions for Nature Limited have carried out an ecological assessment of the site (**Appendix 6**) and have determined that the site is assessed as having a moderately low level of ecological significance.

## 4.0 DESCRIPTION OF THE PROPOSAL

### 4.1 Accommodation and Guest Amenities

The proposal is to construct a luxury lodge on the site comprising of 24 villas (10x 1 bed villas and 8x 1 bed villas with living/kitchenette), owner's residence, manager's residence, reception area, distillery, restaurant, sauna and yoga studio. The distillery, restaurant, sauna and yoga studio will only be for the use of the residents. A description of the proposed operations by the applicant is attached at **Appendix 7**.

The development provides 20 parking spaces in total. It should be noted that the Applicant proposes to run a fleet of electric vehicles to ferry a proportion of the guests to and from the airport and to wherever they want to go whilst staying at the lodge.

### 4.2 Subdivision

It is proposed to carry out a freehold subdivision of the villas so that each villa is held in its own Record of Title. See proposed subdivision scheme plan attached at **Appendix 9**. A number of the villas are proposed to be sold to private buyers. However, villas in private ownership will be subject to a lease directly back to a business which will operate the lodge. The lease will have a minimum of 15 years with a right for the management company to renew the lease for up to 45 years where the owner of each villa is only able to use the villa for their own use for a maximum of 14 days per year. For the rest of the year, the villas will form part of the working lodge and will be available for visitor accommodation use. A copy of the management agreement is attached at **Appendix 8**. All villas will have access to the common property and facilities.

In order to carry out the freehold subdivision, Lot 100 DP 494333 and Part Section 28 Block V Mid Wakatipu SD (once the title is issued for Part Section 28) will need to be amalgamated prior to the subdivision of the individual villas.

### 4.3 Site Layout

The site topography has informed the location of development on the site. The gully running east to west along the northern side of the site has meant that the proposed villas are off-set from the gully, although some of the villas will be suspended on poles near the edge of the gully. Due to the general slope of the site falling east to west towards the lake, the villas have been designed to sit on poles of varying height to make the most of the views to the lake whilst still achieving privacy between villas.

Design Base Architecture advise in the Design Statement (**Appendix 12b**) that the key design brief was to "create a built form that sat lightly in the landscape, to protect the outstanding natural character of the area and to enable the guests a sense of connection to the natural environment." The proposed site layout is shown below in **Figure 6**.

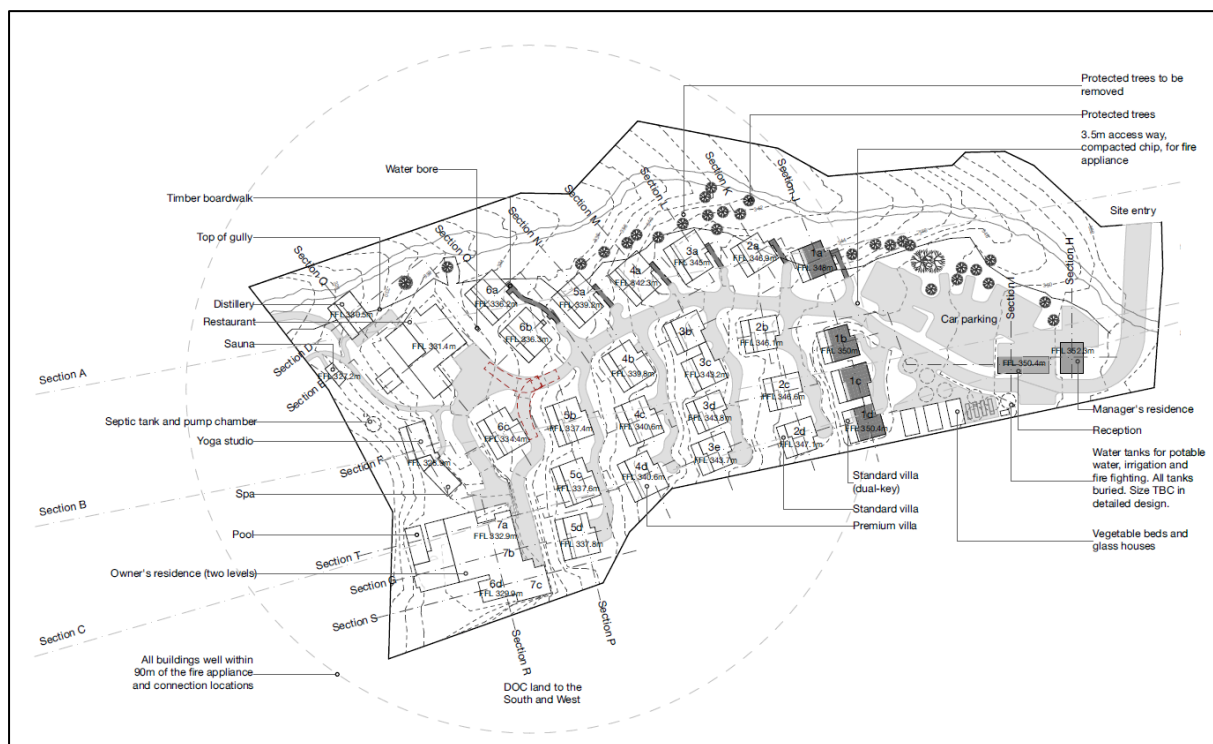


Figure 6: Proposed Site Layout. Image Source: Design Base Architecture

#### 4.4 Proposed Infrastructure and Services

JEA Survey Ltd has completed an infrastructure report that addresses the proposed servicing of the development. This is attached at **Appendix 4**.

##### Wastewater

The existing wastewater treatment system involves a small wastewater treatment plant and associated sub-surface ground disposal field. This system was installed approximately 20 years ago, and was intended to provide disposal and treatment for some of the dwellings within Fisherman’s Lane and other nearby land within the Glentui Heights subdivision. It had been designed as a potentially upgradable system and expansion would occur as subsequent subdivision stages of Glentui Heights were implemented. However, the system relies upon older technologies and experts recommend that this system should be replaced.

The treatment plant provides access to existing lots within the Glentui Heights subdivision (confirmed by easement), which include three lots in Fisherman’s Lane, up to 3 lots on the Waimarino land, and the balance within the nearby Glentui Heights land.

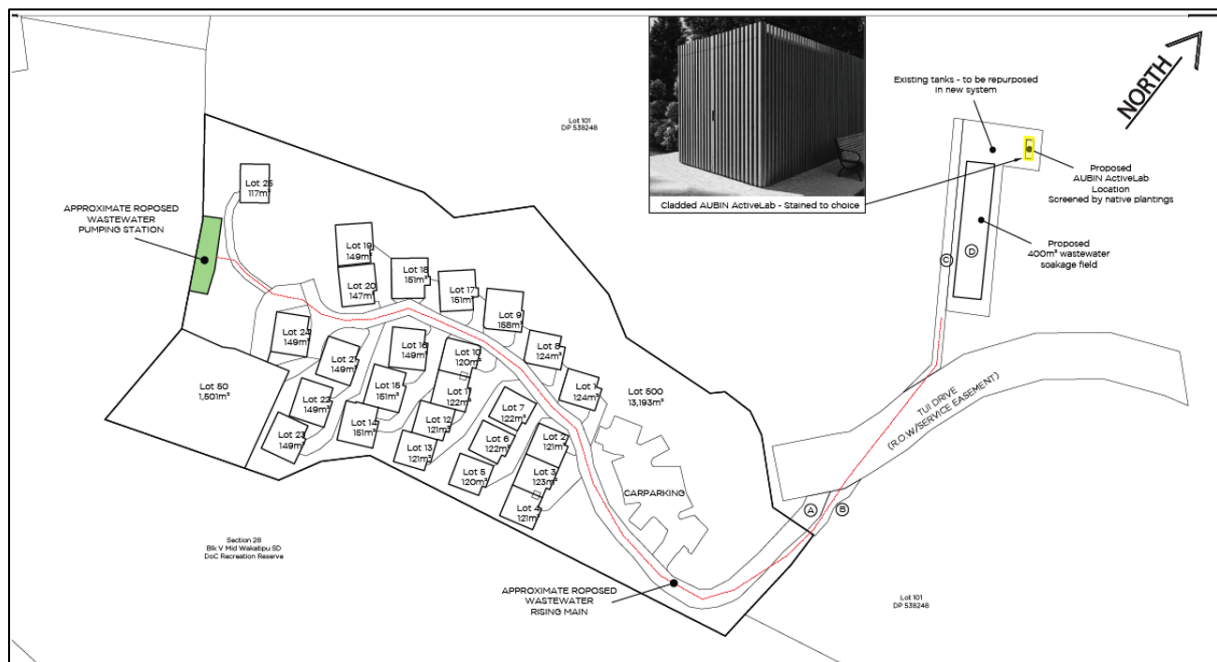
The location of the existing wastewater treatment system is shown above in **Figure 5** on the balance Lot 101 DP 494333. Existing easement corridors are in place to convey wastewater from the subject site to the wastewater treatment system.

The existing wastewater treatment plant is currently owned and maintained by Glentui Heights Limited. Consultation between B Property Group and Glentui Heights Limited are ongoing. Glentui have so far indicated that they are supportive of the Waimarino development and the proposed upgrade of the wastewater treatment plant by the applicant. It is anticipated that Glentui Heights Limited will provide their Affected Party Approval.

The anticipated waste volume from the Waimarino development is 9,848L per day. An upgrade of the wastewater treatment plant capacity to 20,000L per day would service the existing users of the wastewater treatment plant, the Waimarino development and provide extra capacity for future users if required.

Onsite investigations into the suitability of the ground conditions for the existing disposal field have been carried out by Railton Construction Limited and have confirmed that the ground conditions are suitable for the volume anticipated by the upgraded wastewater treatment plant. Resource consent from the Otago Regional Council for increased wastewater treatment volumes will be sought.

The proposed upgraded wastewater treatment scheme will consist of a buried pumping station at the western end of the site with a rising main extending the length of the site, connecting to an upgraded treatment system within the easement area on Lot 101 DP 494333. The proposed treatment system is an AUBIN ActiveLab which is designed specifically for commercial developments. The system sits within a shipping container which can be clad in a wide range of materials and colours, including rough-sawn timber stained in a dark colour with a LRV of less than 10%. The location of the proposed AUBIN ActiveLab is shown in **Figure 7** below.



**Figure 7:** Upgraded wastewater scheme with proposed AUBIN ActiveLab highlighted in yellow in existing easement area on Lot 100 DP 494333. Image Source: JEA Survey Ltd

### Water Supply

The existing private Glentui Heights potable water supply is already at 96% capacity. As a result, investigations were made into sourcing an independent water supply.

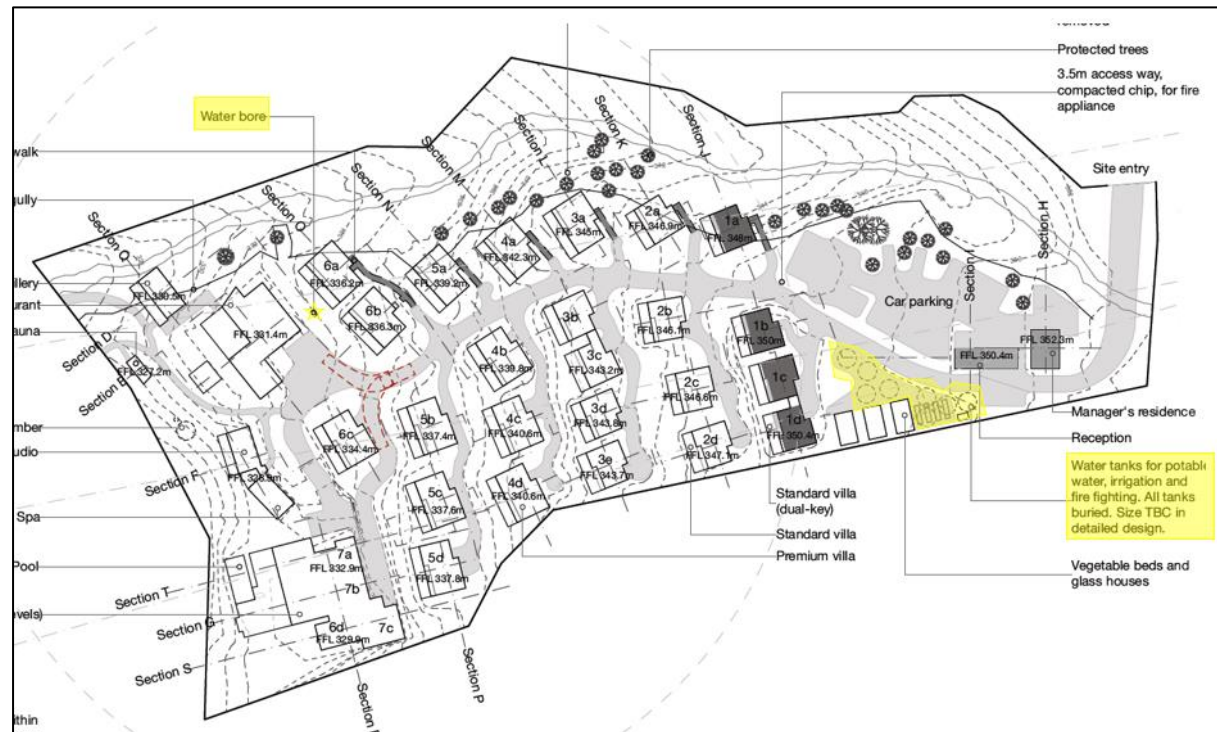
Water supply options included a surface water take from Lake Wakatipu or a bore supply. The bore is the preferred supply as it is more secure and could be established within the boundaries of the subject site.

The applicant obtained a resource consent to drill a bore within the Waimarino site. SouthDrill were engaged to complete these works and their test drilling confirmed that there is a suitable drinking water source available that will pump at 1.5L/sec. Therefore, daily water take could be up to 129,600L/day.

The Infrastructure Report (at **Appendix 4**) confirms that the total necessary potable supply for the development is 40,520L/day. The bore has additional capacity to more than supply the required amount for the development.

On-site water storage locations have been identified. The preference is to locate these tanks below ground, at the most elevated part of the site (to achieve maximum water pressure), below the proposed car park area. The size and total capacity of the water tanks is to be confirmed in detailed design stage.

The location of the bore and proposed water storage tanks are shown in **Figure 8** below:



**Figure 8:** Proposed location of bore and water storage tanks. Image Source: Design Base Architecture

### Stormwater

The Waimarino project is designed with (20 out of 24) living green roofs for both landscape/ visual impact purposes but also to assist with the attenuation of stormwater and sustainability. The Infrastructure Report (**Appendix 4**) confirms that green roofs can reduce stormwater runoff by around 40 to 60% through rainwater retention. The runoff time of the remainder is greatly reduced.

The report confirms that the calculated rate of runoff from the proposed Waimarino development will be less than the already consented residential development (14L/sec as opposed to 25 L/sec). Onsite soakage pits or individual tanks under villas are proposed to reduce runoff further and will be confirmed in detailed design stage.

### Telecommunications and Electricity

Chorus NZ Ltd and Aurora Energy have confirmed that the Waimarino development can be serviced by the existing infrastructure. Letters of confirmation are contained in the Infrastructure Report at **Appendix 4**.

### Access and Parking

Access to the site is available over the private right-of-way that is referred to as Tui Drive, which provides the site with road frontage to the Queenstown– Glenorchy Road.

Tui Drive is a relatively new chip-seal formation that varies between 3.7 to 5.5m wide carriageway with rock lined stormwater swales. This access provides road frontage to five existing rural living sites (22, 26, 36, 42 and 46 Tui Drive), and to the balance land owned by Glentui Heights Limited and described as Lot 101. The Tui Drive access is adequate and will not need to be upgraded.

In terms of trip generation and potential effects resulting from the proposed lodge upon the amenity of other users of Tui Drive, the New South Wales Roads and Maritimes Services (RMS) – 'Guide to Traffic Generating Developments' publication confirms that the expected peak traffic generation rates for visitor accommodation is about 0.4 trips per occupied room.

The peak hour rate is consistent with the ITE Trip Generation Manual which suggests that the typical morning peak hour traffic generation for a resort hotel is 0.3 vehicles per hour (vph) per room, and 0.4 vph per room during the evening peak period. Furthermore, the NZTA Research Report 453 "Trips and Parking Related to Land Use" (RR453) provides trip rates for similar hotels of 0.46 vph per room in the morning peak period and 0.24 vph per room in the evening peak period.

Based on a peak hour trip rate of 0.4 vph and all units occupied, the proposal would generate about 10 vehicle movements during the morning and evening peak hours.

In comparison, a residential development of the Waimarino site and the adjacent 'land swap' property will realistically result in four dwellings (the District Plans place no limit on the number of bedrooms) and potentially a permitted residential flat with each dwelling. The same publications provide an average range of 8 – 10 vehicle movements per day per residential unit, which could equate to up to 80 vehicle movements per day. During morning and evening peak hours the traffic generation rate of a rural dwelling is 1.4 vph per unit, which may equate to an average of 11.2 vph in morning and evening peak hours.

The Waimarino site has been intentionally designed to minimise traffic movements within the site. A single communal parking area inserted amongst mature Beech trees at the eastern end of other site restrict any vehicle movements, with the exception of emergency vehicles. The guests will move within the site either by walking or by electric cart.

The main access through the development will be constructed to meet the requirements of a fire appliance which will be 3.5 – 4.0m in width with a maximum gradient of 15%. The tees of the golf cart paths to each villa will be approximately 2.0m in width.

The infrastructure report by JEA Survey Ltd confirms that it is intended that traffic flows can be managed inside of the approved 40 movements from the underlying consented residential development.

The pavement throughout the development will be compacted gravels to a depth and compaction suitable for a fire appliance, with vegetated and rock lined swales. Given, the limited occurrence of a fire appliance, the gravel pavement at 15% is considered appropriate for the environment.

The proposed lodge activity is defined as Visitor Accommodation, and fits within the parking category of 'guest room style accommodation' There are 22 compliant carparks provided. In addition, there are charging stations for 4 golf carts and temporary park that could be used for a range of short term options (including guest pick-up/ drop-off or servicing requirements).

It is noted that neither District Plan requires provision of a loading bay or a temporary parking area.

The carpark stalls meet the size and aisle width requirements for Class 2 users.

The applicant proposes a fleet of seven electric vehicles to pick up and drop off guests.

The proposed lodge will not be associated with nor rely upon the coach market to transport guests, and no coach movements are anticipated to be associated with the lodge.

Given the location of the lodge, the applicant recognises that it will be necessary to provide staff transport to and from Queenstown. Staff will be encouraged to utilise this service in lieu of driving their own vehicles to work.

#### Fire Safety



The applicant’s architect has consulted with Fire and Emergency New Zealand (FENZ) and that remains ongoing. FENZ has recommended a large sprinkler system which covers all the vegetation on the site in the case of fire. Specifications of the vegetation sprinkler system will be provided at the detailed design stage.

#### 4.5 Activity and Facilities

The proposal seeks consent to establish Visitor Accommodation activity as a luxury lodge and includes provision for 33 buildings that contain 25 separately lettable accommodation units. The proposal includes necessary guest services including a reception area and on-site managers unit, and guest-only facilities that include a restaurant, yoga studio and spa, distillery and sauna.

The term Visitor Accommodation is defined in the Proposed District Plan as:

*Means the use of land or buildings to provide accommodation for paying guests where the length of stay for any guest is less than 90 nights; and*

- i. Includes camping grounds, motor parks, hotels, motels, backpackers’ accommodation, bunkhouses, tourist houses, lodges, timeshares and managed apartments; and*
- ii. Includes services or facilities that are directly associated with, and ancillary to, the visitor accommodation, such as food preparation, dining and sanitary facilities, conference, bar, recreational facilities and others of a similar nature if such facilities are associated with the visitor accommodation activity. The primary role of these facilities is to service the overnight guests of the accommodation however they can be used by persons not staying overnight on the site.*
- iii. Includes onsite staff accommodation.*
- iv. Excludes Residential Visitor Accommodation.*

Each of the buildings on site will be used in accordance with this definition of Visitor Accommodation.

#### 4.6 Building Design and Layout

The proposed development will be contained within 33 individual buildings. The Architect’s plans (Sheets A08-A41) provide a detailed set of floor plans, renders and elevations for each building. The buildings used for visitor accommodation are described as ‘Standard Villa’ (one bedroom), ‘Premium Villa’ (one bedroom plus living/kitchenette). Additionally, the owner’s residence (four bedroom plus living and full kitchen) may be let out to family groups.

Design Base Architects have developed the 33 complementary buildings to ensure a cohesive look and feel, but have broken up the villas with varying levels to avoid large continuous forms. The buildings will be clad in dark stained, rough-sawn timber with a LRV of no more than 10% so as to blend into the surrounding vegetation. Most of the buildings (apart from Villas 1a to 1d, reception and manager’s residence) will have green roofs. Villas 1a to 1d, reception and manager’s residence will have solar panels on their roofs, however, the roofs will be angled so that the solar panels will be facing north away from the lake. Materials details can be seen in the Architectural Plans at **Appendix 12** and the Design Statement at **Appendix 12b**.

The building coverage of the buildings is set out in **Table 3** below:

<b>Building Name</b>	<b>Number of Buildings</b>	<b>Building Coverage</b>	<b>Total Building Coverage</b>
Standard Villas	10	55.37m <sup>2</sup> each	553.7m <sup>2</sup>
Premium Villas	8	73.5m <sup>2</sup> each	588m <sup>2</sup>
Standard Villas with high deck	2	76.79m <sup>2</sup> each	153.58m <sup>2</sup>
Premium Villas with high deck	4	100.75m <sup>2</sup> each	403m <sup>2</sup>





Dual-key villa bridges	2	5.01m <sup>2</sup> each	10.02m <sup>2</sup>
Reception	1	51.5m <sup>2</sup>	51.5m <sup>2</sup>
Manager’s Residence	1	49.95m <sup>2</sup>	49.95m <sup>2</sup>
Restaurant	1	215.5m <sup>2</sup>	215.5m <sup>2</sup>
Yoga Studio & Spa	1	91.91m <sup>2</sup>	91.91m <sup>2</sup>
Distillery	1	67.88m <sup>2</sup>	67.88m <sup>2</sup>
Sauna	1	14.01m <sup>2</sup>	14.01m <sup>2</sup>
Pool (attached to Owner’s Residence)	1	40.87m <sup>2</sup>	40.87m <sup>2</sup>
Owner’s residence	1	441.47m <sup>2</sup>	441.47m <sup>2</sup>
<b>TOTAL</b>			<b>2,681.39m<sup>2</sup></b>
<b>SITE COVERAGE</b>			<b>14.83%</b>

**Table 3:** Building Coverage for proposed activities. Data Source: Design Base Architecture

The varying levels of buildings across the topography of the site are demonstrated in the render below in **Figure 9**.



**Figure 9:** Proposed development as viewed from Lake Wakatipu. Image Source: Design Base Architecture.

Examples of the proposed exterior cladding and stain are shown below in **Figure 10**.



**Figure 10:** Proposed cladding materials. Image Source: Design Base Architecture.

#### 4.7 Building Height

The variable topography of the site falls from east to west towards the Lake.

Building height is measured and determined based upon the existing or natural ground level. In this case the uneven topography does result in 7 out of the 33 buildings proposed breaching the 6m height limit above. Four of these buildings are located along the edge of the northern gully, and the height breaches are off-set by the presence of mature vegetation within the gully providing a full screen from neighbouring properties.

The proposed Gin Distillery is located towards the western end of the site, and is also suspended over the edge of the gully by up to 1.5m. The distillery building is set back from the closest adjoining properties (Glentui Heights Limited and DoC) by at least 20m and will be either screened from view or very difficult to identify.

The top row of villas (Villa 1a to 1d) also breach the height limit as a result of the shallow gradient at the top of the site. Villas 1a to 1d had to be raised slightly higher to enable these villas to catch the views to Lake Wakatipu. These three villas are centrally located with the site and screened by mature vegetation that is located to the north and east of the car park.

The majority of the proposed buildings are single level structures that are below the height plane.

None of the height breaches result in any dominance, privacy or amenity effects on any other person.

The height breaches for the applicable villas are set out in **Table 4** below and shown in **Figures 11 and 12**.

Building Name	Maximum breach above 6m height limit	Area of building through the height plane
Villa 1a	2,500mm	32.81m <sup>2</sup>
Villa 1b	850mm	55.04m <sup>2</sup>
Villa 1c	450mm	34.38m <sup>2</sup>
Villa 1d	450mm	30.34m <sup>2</sup>
Villa 2a	1,220mm	16.67m <sup>2</sup>
Villa 4a	460mm	2.93m <sup>2</sup>
Distillery	1,520mm	28.08m <sup>2</sup>

**Table 4:** Details of height breaches across site. Data Source: Design Base Architecture

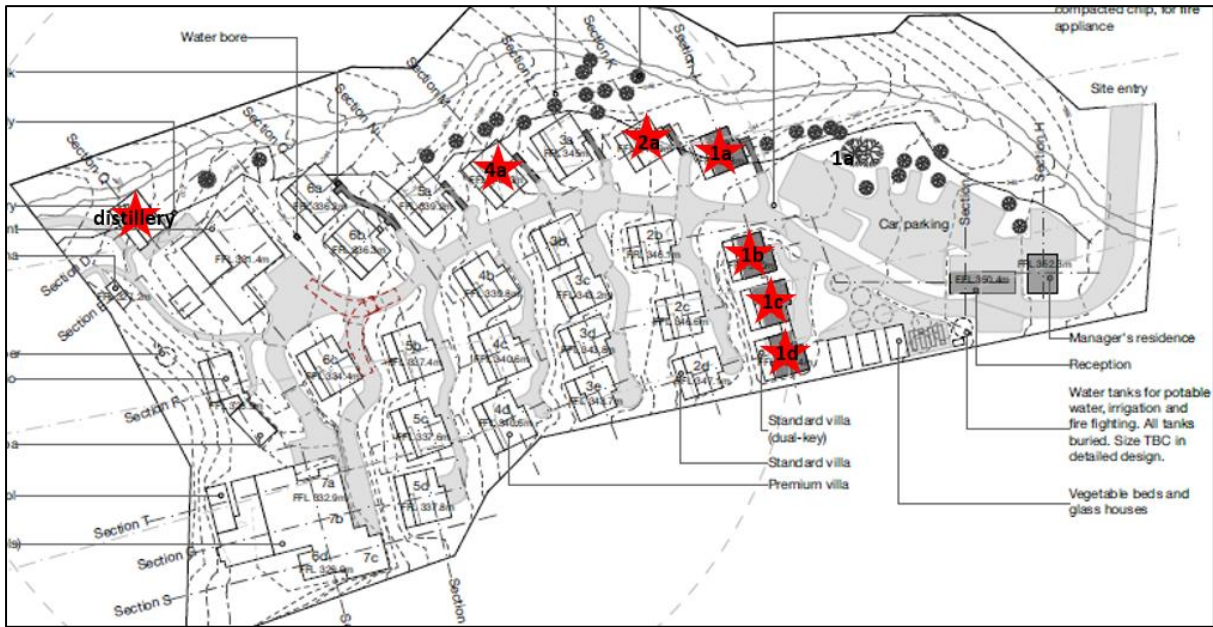


Figure 11: Site Plan showing buildings with height plane breaches marked in red stars and as listed in Table 4

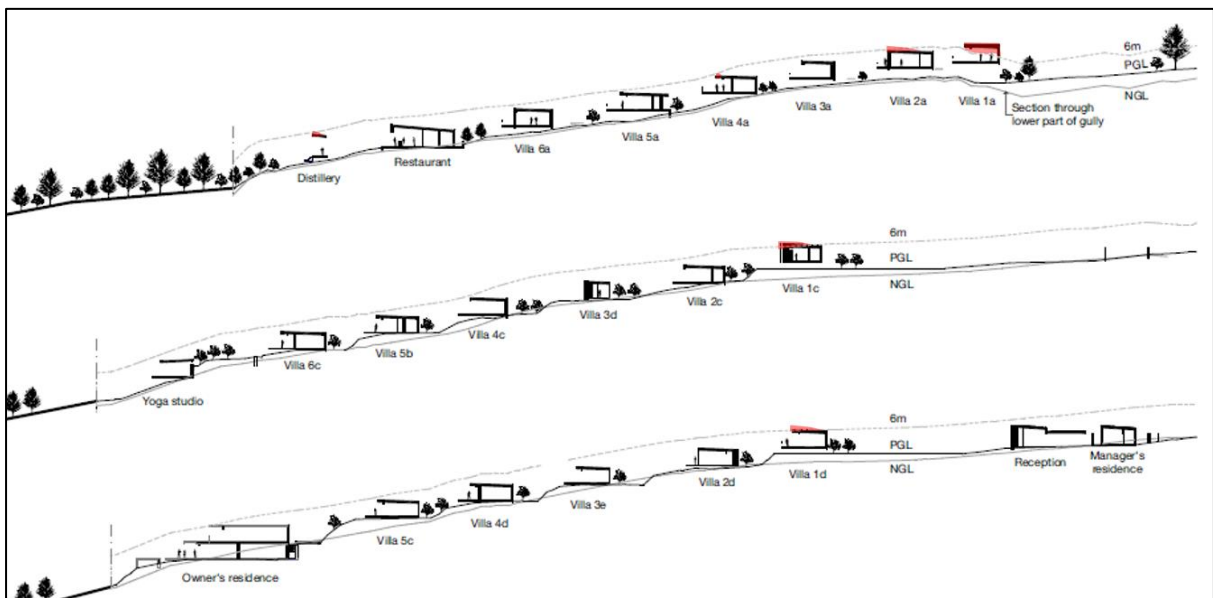


Figure 12: Proposed Sections with height plane breaches of buildings set out in Table 4 highlighted in red. Image Source: Design Base Architecture.

#### 4.8 Landscaping

A comprehensive landscape response has been developed by Baxter Design Landscape Architects. Baxter Design worked with Natural Solutions for Nature Limited (Ecologist), to develop an indigenous planting scheme which aims to integrate the development into the surrounding landscape using species already found on the site and within the Lakes Ecological Region.

The planted areas across the site are categorised into six types including:

- Tall privacy indigenous planting – for areas wider than 3m (approximately 2020m<sup>2</sup>)
- Tall privacy indigenous planting – for narrow areas (less than 3m) between villas (approximately 800m<sup>2</sup>)



- Low level indigenous planting on the western side of the villas, 0.5m-2m in height (approximately 1700m<sup>2</sup>)
- Extensive green roof planting (approximately 1910m<sup>2</sup>)
- Edible garden (planted in areas as required)
- 26 Mountain Beech and 3 Red Beech Trees at a 45L grade (approximate height 2-3m at time of planting) are proposed to provide vegetated scale and a framework of trees above the proposed roofs.

The comprehensive planting palette has been carefully selected by Baxter Design and Dawn Palmer to suit the site ecology and landscape characteristics. A copy of the proposed planting plans and planting palette are included at **Appendix 13a**.

A summary of the vegetation changes in terms of land area is shown below in **Table 5**.

Description	Area
Notable Vegetation to be removed	1,655m <sup>2</sup>
Gully vegetation existing	4,730m <sup>2</sup>
<b>Total area of planting on site at present</b>	<b>6,385m<sup>2</sup></b>
<b>Percentage of site area currently in gully and notable vegetation (total site 18,093m<sup>2</sup>)</b>	<b>35%</b>

Notable Vegetation to be retained	880m <sup>2</sup>
Gully vegetation to be retained	4730m <sup>2</sup>
Area of indigenous planting proposed (including green roofs)	6430m <sup>2</sup>
<b>Total area of vegetation to be retained/planted</b>	<b>12,040m<sup>2</sup></b>
<b>Percentage of site area to be in native vegetation (total site area 18,093m<sup>2</sup>)</b>	<b>66.5%</b>

Table 5: Proposed vegetation changes across site.

These figures shows that there is a **31.5% net increase** of native vegetation of value across the site.

The site area to be in native vegetation is demonstrated below in **Figure 13**.



Figure 13: Proposed site coverage in vegetation. Image Source: Baxter Design



### 4.9 Lighting

Exterior lighting is proposed to be subtle and proposed to be largely on the northern (back) side of buildings. Dim lighting down the access and pathways is proposed to be on sensors. The lighting plan is attached at **Appendix 14** and shown below at **Figure 14**.



**Figure 14:** Proposed Lighting Plan. Image Source: B Property Group Limited.

### 4.10 Construction

Many of the buildings are proposed to be pre-fabricated and transported onto site, so as to minimise construction timeframe and to reduce site construction effects. It is expected that the construction period will take around 12 months and a Construction Management Plan will be provided as part of the engineering approval process.

The development is proposed to be carried out in 4 stages starting at the western (lake) end of the site as demonstrated in the Staging Plan within the Design Base Architecture package at page A05 of **Appendix 12**.

Due to the pre-fabricated nature of many of the proposed buildings, it is expected that the majority of noise associated with construction will occur within the earthworks phase and can ensure compliance with the construction noise standards.

### 4.11 Earthworks

The proposed earthworks include:

Description	Unit
Cut Volume	2,579m <sup>3</sup>



Fill Volume	3,120m <sup>3</sup>
Maximum depth of cut	3.5m
Maximum depth of fill	2.5m
Area of earthworks	9,510m <sup>2</sup>

**Table 6:** Proposed earthworks. Data Source: JEA Survey Ltd

It had been initially proposed to carry out earthworks over a greater area of the site. However, on consultation with the Ecologist, the area of earthworks has been minimised where possible to leave undisturbed the soil which has saprobic (decomposer) fungal diversity being with a beech forest. It was also recommended that where excavation is required, the topsoil under beech forest and manuka shrubland should be removed to a depth of about 200mm and retained and reinstated over the finished levels or used in areas for planting.

## 5.0 CONSULTATION

The applicant has been consulting with immediate neighbours (Glentui Heights Limited and the Department of Conservation) since 2019/2020.

The below is a table setting out parties that have been consulted with and progress of consultation with them.

Address	Legal Description	Owner	Approval Provided?
59 Tui Drive, Glentui Heights	Lot 100 DP494333	Bob’s Cove Developments Limited – John Reid (Director)	Yes – attached at <b>Appendix 15a</b>
Balance Lot, Glentui Heights	Lot 101 DP 538248	Glentui Heights Limited	Consultation Ongoing
DOC Reserve	Section 28 Block V Mid Wakatipu SD	Department of Conservation	Consultation Ongoing
		Aukaha and Te Ao Marama	Copy of application sent to both entities.
		Fire and Emergency New Zealand	Consultation Ongoing

**Table 7:** Details of consultation

Further consultation with property owners along Tui Drive, Glentui Heights is ongoing.

## 6.0 CONSENTING FRAMEWORK

### 6.1 National Planning Standards and Regulations

#### National Policy Statement – Urban Development 2020

The development is not within an ‘urban environment intended to be predominantly urban in character’ and therefore it is considered that the directions contained in the NPS-UD 2020 do not apply to this proposal.

#### National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

On review of District and Regional Council records, there is no suggestion that an activity on the HAIL register has taken place on the site subject to this application. Furthermore, under RM131074 (original subdivision resource consent), a Preliminary Site Investigation (PSI) was undertaken showing the entirety of the subdivision land was not a HAIL site. It is therefore considered that the NES does not apply to this proposal.



## 6.2 Regional Policy Statements and Plans

The relevant documents prepared by the Otago Regional Council that require consideration under Section 104 include the Regional Policy Statement and the Regional Plan: Water.

### Partially Operative Otago Regional Policy Statement (operative 15 March 2021)

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

Objective/Policy	Assessment
<p><b>Policy 2.2.3 Wāhi tūpuna and associated sites</b>  <i>Enable Kāi Tahu relationships with wāhi tūpuna by all of the following:</i></p> <p>a) <i>Recognising that relationships between sites of cultural significance are an important element of wāhi tūpuna;</i></p> <p>b) <i>Recognising and using traditional place names.</i></p>	<p>The subject site is within the Punatapu wāhi tūpuna area under the QLDC PDP where earthworks, subdivision, development, buildings and structures are listed as potential threats to manawhenua values. A copy of this application has been sent to Aukaha and Te Ao Marama for their comment.</p>
<p><b>Policy 3.2.4 Managing outstanding natural features, landscapes and seascapes</b>  <i>Protect, enhance or restore outstanding natural features, landscapes and seascapes, by all of the following:</i></p> <p>a) <i>In the coastal environment, avoiding adverse effects on the values (even if those values are not themselves outstanding) that contribute to the natural feature, landscape or seascape being outstanding;</i></p> <p>b) <i>Beyond the coastal environment, maintaining the values (even if those values are not themselves outstanding) that contribute to the natural feature, landscape or seascape being outstanding;</i></p> <p>c) <i>Avoiding, remedying or mitigating other adverse effects;</i></p> <p>d) <i>Encouraging enhancement of those areas and values that contribute to the significance of the natural feature, landscape or seascape.</i></p>	<p>The subject site is within the Outstanding Natural Landscape classification area under the QLDC District Plan. The Baxter Design Landscape Assessment concludes that the proposal is appropriate within the receiving landscape and will not detract from the quality and character of the ONL, beyond what is already approved and anticipated for the site.</p> <p>It is considered that the proposal is consistent with Policy 3.2.4 of the RPS.</p>
<p><b>Policy 4.1.7 Reducing existing natural hazard risk</b>  <i>Reduce existing natural hazard risk to people and communities, including by all of the following:</i></p> <p>a) <i>Encouraging activities that:</i></p> <p>i. <i>Reduce risk; or</i></p> <p>ii. <i>Reduce community vulnerability;</i></p> <p>b) <i>Discouraging activities that:</i></p> <p>i. <i>Increase risk; or</i></p> <p>ii. <i>Increase community vulnerability;</i></p> <p>c) <i>Considering the use of exit strategies for areas of significant risk to people and communities;</i></p> <p>d) <i>Encouraging design that facilitates:</i></p> <p>i. <i>Recovery from natural hazard events; or</i></p> <p>ii. <i>Relocation to areas of lower risk; or</i></p> <p>iii. <i>Mitigation of risk;</i></p>	<p>Geosolve have confirmed that there are no unacceptable natural hazard risks to the site.</p>

**Table 8:** Partially Operative RPS assessment

Overall, it is considered that the proposed development is consistent with the RPS.



Proposed Otago Regional Policy Statement (notified on 26 June 2021)

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

Objective/Policy	Assessment
<p><b>ECO-P10 – Integrated management</b>  <i>Implement an integrated and co-ordinated approach to managing Otago's ecosystems and indigenous biodiversity that:</i></p> <p><i>(1) ensures any permitted or controlled activity in a regional or district plan rule does not compromise the achievement of ECO-O1,</i></p> <p><i>(2) recognises the interactions ki uta ki tai (from the mountains to the sea) between the terrestrial environment, fresh water, and the coastal marine area, including the migration of fish species between fresh and coastal waters,</i></p> <p><i>(3) promotes collaboration between individuals and agencies with biodiversity responsibilities,</i></p> <p><i>(4) supports the various statutory and non-statutory approaches adopted to manage indigenous biodiversity,</i></p> <p><i>(5) recognises the critical role of people and communities in actively managing the remaining indigenous biodiversity occurring on private land, and</i></p> <p><i>(6) adopts regulatory and non-regulatory regional pest management programmes.</i></p>	<p>The applicant has taken a proactive approach in their proposal by working with an ecologist to identify and retain as much indigenous vegetation as possible. The ecologist and project landscape architect have also worked together to develop a comprehensive and responsive planting palette which will result in a 31.5% net increase of native vegetation of value across the site.</p> <p>The ecological assessment concludes that the net effect of the landscaping treatments will result in an enhancement of the indigenous vegetation on the site.</p> <p>It is considered that the proposal is consistent with Policy ECO-P10.</p>
<p><b>HAZ-NH-P3 – New activities</b>  <i>Once the level of natural hazard risk associated with an activity has been determined in accordance with HAZ-NH-P2, manage new activities to achieve the following outcomes:</i></p> <p><i>(1) when the natural hazard risk is significant, the activity is avoided,</i></p> <p><i>(2) when the natural hazard risk is tolerable, manage the level of risk so that it does not become significant, and</i></p> <p><i>(3) when the natural hazard risk is acceptable, maintain the level of risk.</i></p>	<p>Geosolve have confirmed that there are no unacceptable natural hazard risks to the site.</p>
<p><b>HCV-WT-P2 – Management of wāhi tūpuna</b>  <i>Wāhi tūpuna are protected by:</i></p> <p><i>(1) avoiding significant adverse effects on the cultural values associated with identified wāhi tūpuna,</i></p> <p><i>(2) where adverse effects demonstrably cannot be completely avoided, remedying or mitigating adverse effects in a manner that maintains the values of the wāhi tūpuna,</i></p> <p><i>(3) managing identified wāhi tūpuna in accordance with tikaka Māori,</i></p> <p><i>(4) avoiding any activities that may be considered inappropriate in wāhi tūpuna as identified by Kāi Tahu, and</i></p> <p><i>(5) encouraging the enhancement of access to wāhi tūpuna to the extent compatible with the particular wāhi tūpuna.</i></p>	<p>The subject site is within the Punatapu wāhi tūpuna area under the QLDC PDP where earthworks, subdivision, development, buildings and structures are listed as potential threats to manawhenua values.</p> <p>A copy of this application has been sent to Aukaha and Te Ao Marama for their comment.</p>



<p><b>NFL-P2 – Protection of outstanding natural features and landscapes</b>  <i>Protect outstanding natural features and landscapes by:</i>  <i>(1) avoiding adverse effects on the values that contribute to the natural feature or landscape being considered outstanding, even if those values are not themselves outstanding, and</i>  <i>(2) avoiding, remedying or mitigating other adverse effects.</i></p>	<p>The subject site is within the Outstanding Natural Landscape classification area under the QLDC District Plan. The Baxter Design Landscape Assessment concludes that the proposal is appropriate within the receiving landscape and will not detract from the quality and character of the ONL, beyond what is already approved and anticipated for the site.</p> <p>Therefore, it is considered that the proposal avoids adverse effects on the ONL and is consistent with Policy NFL-P2</p>
<p><b>UFD-O4 – Development in rural areas</b>  <i>Development in Otago’s rural areas occurs in a way that:</i>  <i>(1) avoids impacts on significant values and features identified in this RPS,</i>  <i>(2) avoids as the first priority, land and soils identified as highly productive by LF-LS-P19 unless there is an operational need for the development to be located in rural areas,</i>  <i>(3) only provides for urban expansion, rural lifestyle and rural residential development and the establishment of sensitive activities, in locations identified through strategic planning or zoned within district plans as suitable for such development; and</i>  <i>(4) outside of areas identified in (3), maintains and enhances the natural and physical resources that support the productive capacity, rural character, and long-term viability of the rural sector and rural communities.</i></p>	<p>This development in the Rural Residential Zone avoids adverse effects on the ONL values (as covered above). The subject site has already been approved for residential development with services installed and so any value of soil for productive purposes has already been lost. Visitor accommodation is provided for in the PDP Rural Residential Zone as long as activities do not diminish the amenity values and quality and character of the rural living environment (PDP Policy 22.2.2.3).</p> <p>As described in the AEE and Objectives and Policies assessment, this development is considered to have less than minor effects on the rural residential nature of the zone and surrounding properties.</p>

**Table 9:** Proposed RPS assessment

Overall, it is considered that the proposed development is consistent with the Proposed RPS.

#### Otago Regional Plan – Water

A discharge consent from ORC will be required for the upgrade of the wastewater treatment system for discharge over 2000L per day under Rule 12.A.2.1. The anticipated volume from the Waimarino development is 9,848L per day but the current proposal is to upgrade its capacity to 20,000L per day to service existing users with the Glentui Heights subdivision and provide extra capacity for Glentui Heights if required.

## **7.0 DISTRICT PLAN PROVISIONS**

### **7.1 Operative District Plan (ODP)**

It is considered that due to the progress of the Proposed District Plan that it is no longer relevant or necessary to consider the Operative District Plan as no rule trigger from the Proposed District Plan which is under appeal is proposed to become more onerous. Therefore, only the PDP will be considered for this application in terms of consents required.



## 7.2 Proposed District Plan (PDP)

Lot 100 DP 494333 is zoned Rural Residential Bob’s Cove, whilst the balance of the site (that part of Section 28 Block V Mid Wakatipu SD which has been approved to subdivide under RM180302) is within the Rural Residential Zone (but not within the Rural Residential Bob’s Cove zone).

This distinction is important because there is a specific set of objectives and policies from the Rural Residential Bob’s Cove Zone, separate from the more general Rural Residential objectives and policies.

The purpose of this zone as stated in Chapter 22 of the PDP is:

*‘... to generally provide for development at a density of up to one residence every 4000m<sup>2</sup>. Some Rural Residential areas are located within visually sensitive landscapes. Additional provisions apply to development in some areas to enhance landscape values, indigenous vegetation, the quality of living environments within the zone and to manage the visual effects of the anticipated development from outside the zone, particularly from surrounding rural areas, lakes and rivers. The potential adverse effects of buildings are controlled by bulk and location, colour and lighting standards, and, where required, design and landscaping controls imposed at the time of subdivision.’*

The relevant PDP chapters and associated rules are identified below. Where rules are written in red, that rule or standard is under appeal and the equivalent ODP should be triggered if relevant to this application.

Chapter 22 – Rural Residential and Rural Lifestyle (including Bob’s Cove Rural Residential Sub-Zone)		
Rule	Rule Title	Assessment
<b>Table 1 – Activities - Rural Residential and Rural Lifestyle Zones</b>		
22.4.1	Construction and exterior alteration of buildings in the Rural Residential Zone	Permitted
22.4.2	Rural Lifestyle Zone – Construction of Buildings Construction and exterior alteration of buildings within building platform	N/A
22.4.3	Residential Activity	N/A
22.4.4	Residential Flat	N/A
22.4.5	Farming activity	N/A
22.4.6	Home occupation that complies with standards in Table 2	N/A
22.4.7	Residential Visitor Accommodation and Homestays	N/A
22.4.8	Informal Airports	N/A
22.4.9	Home Occupation	N/A
22.4.10	Visitor Accommodation including construction or use of buildings for visitor accommodation	Discretionary Consent would be required. Rule is under appeal but only to change activity status to RD so rule still considered to apply over ODP.
22.4.11	Informal airport, except as provided by Rule 22.4.8	N/A
22.4.12	Any buildings within Building Restriction Area	N/A
22.4.13	Any other activity not listed in Table 1	N/A
22.4.14	Panelbeating, spray painting, motor vehicle repair or dismantling etc.	N/A
<b>Table 2 - Standards – Rural Residential and Rural Lifestyle Zones</b>		
22.5.1	Building Materials and Colours  22.5.1.1 Pre-painted steel and all roofs must have a light reflectance value not greater than 20%; and	Restricted Discretionary Consent required under 22.5.1.1 because of solar panels on four villas along top of site.

	<p>22.5.1.2 All other surface** finishes except for schist, must have a light reflectance value of not greater than 30%.</p> <p>* Excludes soffits, windows and skylights (but not glass balustrades).</p>	
	<p>Discretion is restricted to:</p>	<p>a. whether the building would be visually prominent, especially in the context of the wider landscape, rural environment and as viewed from neighbouring properties;</p> <p>b. whether the proposed colour is appropriate given the existence of established screening or in the case of alterations, if the proposed colour is already present on a long established building;</p> <p>c. the size and height of the building where the subject colours would be applied.</p>
22.5.2	Building coverage 15%	Complies
22.5.3	Maximum ground floor area of any individual building must not exceed 500m <sup>2</sup>	Complies
22.5.4	<p>Minimum setback of buildings from internal boundaries</p> <p>22.5.4.1 Rural Residential Zone: 6m</p>	Restricted Discretionary Consent required in respect of breach of the minimum setback from internal boundaries.
	<p>Discretion is restricted to:</p>	
22.5.5	Setback from roads	N/A
22.5.6	Setback from water bodies	N/A
22.5.7	Home Occupation	N/A
22.5.8	Maximum height 8m	Building on Part Section 28 complies with 8m maximum height (this area not within Bob's Cove Sub-Zone which has a different height standard at 22.5.18)
22.5.9	Lighting and Glare	Complies
22.5.10	Heavy Vehicle Storage	N/A
22.5.11	Not more than one residential unit per 4000m <sup>2</sup> net site area in Rural Residential Zone	Complies
22.5.12	Residential Density in Rural Lifestyle Zone	N/A
22.5.13	<p>Firefighting water and access</p> <p>22.5.13.1 Water storage of at least 45,000 litres shall be maintained (excluding potable water storage for domestic use) with an outlet connection point that can provide 1500L/min (25 L/s) and any necessary couplings.</p> <p>22.5.13.2</p>	Complies

	<p>A hardstand area with a minimum width of 4.5m and length of 11m located within 6m of the firefighting water supply connection point and capable of supporting a 20 tonne fire service vehicle.</p> <p>22.5.13.3 The connection point for the firefighting water supply must be located more than 6m and less than 90m from the building for residential activities and be accessible by emergency service vehicles during fire events.</p> <p>22.5.13.4 Access from the property road boundary to the handstand area capable of accommodating a 20 tonne fire service vehicle.</p>			
	<table border="1"> <tr> <td>Discretion is restricted to:</td> <td> <ul style="list-style-type: none"> <li>a. the extent to which SNZ PAS 4509: 2008 can be met including the adequacy of the water supply;</li> <li>b. the accessibility of the firefighting water connection point for fire service vehicles;</li> <li>c. whether and the extent to which the building is assessed as a low fire risk.</li> </ul> </td> </tr> </table>	Discretion is restricted to:	<ul style="list-style-type: none"> <li>a. the extent to which SNZ PAS 4509: 2008 can be met including the adequacy of the water supply;</li> <li>b. the accessibility of the firefighting water connection point for fire service vehicles;</li> <li>c. whether and the extent to which the building is assessed as a low fire risk.</li> </ul>	
Discretion is restricted to:	<ul style="list-style-type: none"> <li>a. the extent to which SNZ PAS 4509: 2008 can be met including the adequacy of the water supply;</li> <li>b. the accessibility of the firefighting water connection point for fire service vehicles;</li> <li>c. whether and the extent to which the building is assessed as a low fire risk.</li> </ul>			
22.5.14	<b>Residential Visitor Accommodation</b>	N/A		
22.5.15	<b>Homestay</b>	N/A		
22.5.16	Indigenous Vegetation - The minimum area on any site to be retained or reinstated in indigenous vegetation shall be 70 percent of the net site area.	Complies – 82% of net site area is retained or reinstated in indigenous vegetation.		
22.5.17	Building Restriction	N/A		
<b>Table 4 - Rural Residential Bob's Cove and Sub-Zone</b>				
22.5.18	<p>Building Height in Sub-Zone 6m</p> <table border="1"> <tr> <td>Discretion is restricted to: (22.5.29)</td> <td> <ul style="list-style-type: none"> <li>1. The form and density of development (including buildings and associated accessways) are designed to: <ul style="list-style-type: none"> <li>a. compliment the landscape and the pattern of existing and proposed vegetation; and</li> <li>b. mitigate the visual impact of the development when viewed from Lake Wakatipu and the Glenorchy-Queenstown Road.</li> </ul> </li> <li>2. The vegetation is, or is likely to be, of sufficient maturity to effectively minimise the impact of the proposed building when viewed from Lake Wakatipu and the Glenorchy-Queenstown Road.</li> <li>3. The development provides for 75% of the zone to be established and maintained as undomesticated, such that there is a predominance of indigenous vegetation.</li> <li>4. The form of development mitigates the visual impact from Lake Wakatipu and the Glenorchy-Queenstown Road.</li> <li>5. Whether and the extent to which the proposed landscaping contains predominantly indigenous species (comprising a mix of trees, shrubs, and grasses) that are suited to the general area, such as red beech, native tussocks, hebes, pittosporum, coprosmas, cabbage trees, and lancewoods.</li> </ul> </td> </tr> </table>	Discretion is restricted to: (22.5.29)	<ul style="list-style-type: none"> <li>1. The form and density of development (including buildings and associated accessways) are designed to: <ul style="list-style-type: none"> <li>a. compliment the landscape and the pattern of existing and proposed vegetation; and</li> <li>b. mitigate the visual impact of the development when viewed from Lake Wakatipu and the Glenorchy-Queenstown Road.</li> </ul> </li> <li>2. The vegetation is, or is likely to be, of sufficient maturity to effectively minimise the impact of the proposed building when viewed from Lake Wakatipu and the Glenorchy-Queenstown Road.</li> <li>3. The development provides for 75% of the zone to be established and maintained as undomesticated, such that there is a predominance of indigenous vegetation.</li> <li>4. The form of development mitigates the visual impact from Lake Wakatipu and the Glenorchy-Queenstown Road.</li> <li>5. Whether and the extent to which the proposed landscaping contains predominantly indigenous species (comprising a mix of trees, shrubs, and grasses) that are suited to the general area, such as red beech, native tussocks, hebes, pittosporum, coprosmas, cabbage trees, and lancewoods.</li> </ul>	Does not comply. Restricted Discretionary activity
Discretion is restricted to: (22.5.29)	<ul style="list-style-type: none"> <li>1. The form and density of development (including buildings and associated accessways) are designed to: <ul style="list-style-type: none"> <li>a. compliment the landscape and the pattern of existing and proposed vegetation; and</li> <li>b. mitigate the visual impact of the development when viewed from Lake Wakatipu and the Glenorchy-Queenstown Road.</li> </ul> </li> <li>2. The vegetation is, or is likely to be, of sufficient maturity to effectively minimise the impact of the proposed building when viewed from Lake Wakatipu and the Glenorchy-Queenstown Road.</li> <li>3. The development provides for 75% of the zone to be established and maintained as undomesticated, such that there is a predominance of indigenous vegetation.</li> <li>4. The form of development mitigates the visual impact from Lake Wakatipu and the Glenorchy-Queenstown Road.</li> <li>5. Whether and the extent to which the proposed landscaping contains predominantly indigenous species (comprising a mix of trees, shrubs, and grasses) that are suited to the general area, such as red beech, native tussocks, hebes, pittosporum, coprosmas, cabbage trees, and lancewoods.</li> </ul>			
22.5.19	Setback from roads	N/A		
22.5.20	Open space (Sub-Zone only)	N/A		
22.5.21	Residential Density	Complies		
22.5.22	Boundary Planting Sub-Zone only	N/A		
22.5.23	Buildings shall be located a distance of 10m from internal boundaries.			

	Discretion is restricted to: (22.5.29)	<ol style="list-style-type: none"> <li>1. The form and density of development (including buildings and associated accessways) are designed to:</li> <li>c. compliment the landscape and the pattern of existing and proposed vegetation; and</li> <li>d. mitigate the visual impact of the development when viewed from Lake Wakatipu and the Glenorchy-Queenstown Road.</li> <li>2. The vegetation is, or is likely to be, of sufficient maturity to effectively minimise the impact of the proposed building when viewed from Lake Wakatipu and the Glenorchy-Queenstown Road.</li> <li>3. The development provides for 75% of the zone to be established and maintained as undomesticated, such that there is a predominance of indigenous vegetation.</li> <li>4. The form of development mitigates the visual impact from Lake Wakatipu and the Glenorchy-Queenstown Road.</li> <li>5. Whether and the extent to which the proposed landscaping contains predominantly indigenous species (comprising a mix of trees, shrubs, and grasses) that are suited to the general area, such as red beech, native tussocks, hebes, pittosporum, coprosmas, cabbage trees, and lancewoods.</li> </ol>	Does not comply. Restricted Discretionary consent required in respect of breach of the 10m internal boundary setback.
22.5.24	Building setback and landscaping		N/A
22.5.25	Building setbacks: Sub-Zone only  No building shall be erected within an area that has been identified as Undomesticated Area.		Non-complying activity consent required
22.5.26	Landscaping: Sub-Zone only  Where development areas and undomesticated areas have not been identified as part of a previous subdivision, at least 75% of the total area of the zone shall be set aside as "Undomesticated Area" and the remainder as "Development Area"; and at least 50% of the 'undomesticated area' shall be retained, established, and maintained in indigenous vegetation with a closed canopy such that this area has total indigenous litter cover.  This rule shall be given effect to by consent notice registered against the title of the lot created, to the benefit of the lot holder and the Council.  Such areas shall be identified and given effect to by way of covenant, as part of any land use consent application.		Non-complying activity consent required
22.5.27	Indigenous vegetation: Sub-Zone only  At least 50% of the undomesticated area within the zone shall be retained, established, and maintained in indigenous vegetation with a closed canopy, such that complete indigenous litter cover is maintained over the area; and  The landscaping and maintenance of the undomesticated area shall be detailed in a landscaping plan that is provided as part of any subdivision application. This landscaping plan shall identify the proposed species and shall provide details of the proposed maintenance programme to ensure a survival rate of at least 90% within the first 5 years.		Complies.
<b>Table 5 - Rural Residential Camp Hill</b>			N/A
<b>Table 6 - Wyuna Station Rural Lifestyle Zone</b>			N/A
<b>Table 7 - Criffel Station Rural Lifestyle Zone (upper terrace only)</b>			N/A

Table 10: PDP Chapter 22 Rural Residential and Rural Lifestyle Rule Assessment



Chapter 25 – Earthworks		
Rule	Rule Title	Assessment
<b>Table 25.1 – Maximum Total Volume of Earthworks</b>		
25.5.4	Maximum Total Volume of earthworks in Rural Residential Zone is 400m <sup>3</sup>	Does not comply. Total volume of earthworks is 5699m <sup>3</sup> . Restricted Discretionary activity under Rule 25.4.2.
<b>Table 25.3 - Standards</b>		
<b>Nuisance effects, erosion, sediment generation and run-off</b>		
25.5.11	Earthworks over a contiguous area of land shall not exceed the following area:  25.5.11.1 2,500m <sup>2</sup> where the slope is 10° or greater. 25.5.11.2 10,000m <sup>2</sup> where the slope is less than 10°. 25.5.11.3 2,500m <sup>2</sup> at any one time for the construction of a trail.	Complies. Slope across site is 8 degrees. Earthworks area is 9,510m <sup>2</sup>
25.5.12	Erosion and sediment control measures must be implemented and maintained during earthworks	Will comply
25.5.13	Dust from earthworks	Will comply
25.5.14	Earthworks that discovers any kōiwi tangata, any feature or archaeological material or evidence of contaminated land shall comply with the standards and procedures in Schedule 25.10 'Accidental Discovery Protocol'.	Will comply
<b>Height of cut and fill and slope</b>		
25.5.15	Maximum depth of any cut shall not exceed 2.4 metres	Deepest cut is 3.5m – will not comply. Restricted discretionary activity.
25.5.16	Maximum height of any fill shall not exceed 2 metres	Maximum fill is 2m – will not comply. Restricted discretionary activity.
25.5.17	Earthworks for farm tracks and access ways in the following Zones and Activity Areas shall comply with standards 25.5.17.1 to 25.5.17.3	N/A
25.5.18	25.5.18.1 Earthworks greater than 0.5 metres in height or depth, not supported by retaining walls, shall be set back from the site boundary: a. a distance at least equal to the maximum height of the fill, as measured from the toe of the fill, with a maximum batter slope angle of 1:3 (vertical: horizontal); or b. 300mm plus a batter slope angle of a maximum of 1:3 (vertical: horizontal), as measured from the crest of the cut.	Does not comply along southern boundary. Restricted discretionary consent required. Although rule is under appeal, equivalent rule exists under ODP with same activity status.
25.5.19	25.5.19.1 Earthworks within 10m of the bed of any water body, or any drain or water race that flows to a lake or river, shall not exceed 5m <sup>3</sup> in total volume, within any consecutive 12-month period.  25.5.19.2 Within 10m of the bed of any water body, or any drain or water race that flows to a lake or river, earthworks for maintenance or reinstatement of existing water take structures, undertaken on up to two occasions within any consecutive 12-month period, on each occasion shall not exceed 10m <sup>3</sup> in total volume.	Complies.
25.5.20	Earthworks shall not be undertaken below the water table of any aquifer, or cause artificial drainage of any aquifer.	N/A
25.5.21	No more than 300m <sup>3</sup> of Cleanfill shall be transported by road to or from an area subject to Earthworks.	

	Discretion is restricted to:	<ul style="list-style-type: none"> <li>• Effects on infrastructure, adjacent sites and public roads;</li> <li>• Nuisance effects; and</li> <li>• Functional aspects and positive effects.</li> </ul>	Restricted Discretionary Consent required
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Table 11: PDP Chapter 25 Earthworks Rule Assessment

Chapter 26 – Historic Heritage		
Rule	Rule Title	Assessment
<b>Table 1 - Rural Residential and Rural Lifestyle Zones</b>		
26.5.18	Modification of an archaeological site.	Part of the site is technically within an archaeological site under the PDP. Restricted Discretionary consent required. Ben Teele has confirmed very low risk of encountering anything of archaeological value.
	Discretion is limited to: The effect of the alteration or modification on the heritage and archaeological site.	

Table 12: PDP Chapter 26 Historic Heritage Rule Assessment

Chapter 27 – Subdivision and Development		
Rule	Rule Title	Assessment
27.5.8	For subdivision in the District’s Rural Residential Zone.	Restricted Discretionary Consent required. Although rule is under appeal, appeal is to make rule less stringent so considered that ODP equivalent does not required assessment.
	Discretion is restricted to: <ul style="list-style-type: none"> <li>a. in the Rural Lifestyle Zone, the location and size of building platforms and in respect of any buildings within those building platforms:                             <ul style="list-style-type: none"> <li>i. external appearance;</li> <li>ii. visibility from public places;</li> <li>iii. landscape character; and</li> <li>iv. visual amenity.</li> </ul> </li> <li>b. subdivision design and any consequential effects on the layout of lots and on lot sizes and dimensions;</li> <li>c. internal roading design and provision, relating to access and service easements for future subdivision on adjoining land, and any consequential effects on the layout of lots and on lot sizes and dimensions;</li> </ul>	



		<ul style="list-style-type: none"> <li>d. property access and roading;</li> <li>e. esplanade provision;</li> <li>f. the adequacy of on site measures to address the risk of natural and other hazards on land within the subdivision;</li> <li>g. firefighting water supply;</li> <li>h. water supply;</li> <li>i. stormwater disposal;</li> <li>j. sewage treatment and disposal;</li> <li>k. energy supply and telecommunications including adverse effects on energy supply and telecommunication networks;</li> <li>l. open space and recreation;</li> <li>m. ecological and natural values;</li> <li>n. historic heritage;</li> <li>o. easements.</li> </ul>	
27.5.11	Subdivision within a wahi tupuna area outside of the urban environment where subdivision is listed as a potential threat in Schedule 39.6.	Restricted Discretionary Consent required	
	Discretion is restricted to:	Effects on Manawhenua values.	
27.5.15	The subdivision of a site containing a known archaeological site.	Discretionary Consent required	
27.7.3	Activities that in the Bob’s Cover Sub-Zone that remove indigenous vegetation with a closed canopy to the extent that over 50% of the undomesticated areas has had indigenous vegetation of this nature removed.	Complies	
27.7.19	Minimum dimensions (30m x 30m) for site in the Rural Residential Zone	Non-Complying Consent required	

Table 13: PDP Chapter 27 Subdivision and Development Rule Assessment

Chapter 29 – Transport		
Rule	Rule Title	Assessment
29.5.1	<p>Minimum Parking Requirements:</p> <p>29.8.14: Unit type visitor accommodation for units including a kitchenette. 12 villas with kitchenettes = 1 required per unit plus one staff park per 10 units. <b>13 carparks required.</b></p> <p>29.8.16: Guest room type visitor accommodation. 12 villas with no kitchenette = 1 required per 3 guest rooms plus one staff park per 20 beds. <b>5 carparks required.</b></p> <p>29.8.7 – Carparks for a residential unit. Manager’s Residence and Owner’s Residence = <b>4 carparks required.</b></p> <p><b>Total carparks required: 22 carparks.</b></p> <p><b>Carparks supplied: 22 carparks.</b></p>	Complies with 22 carparks provided.



	Discretion is restricted to:	<ul style="list-style-type: none"> <li>a. The number of parking spaces provided.</li> <li>b. The allocation of parks to staff/ guests and residents/ visitors.</li> </ul>
29.5.2	Location and availability of Parking Spaces	Complies
	Discretion is restricted to:	<ul style="list-style-type: none"> <li>a. The long term availability of parking spaces for staff and visitors.</li> <li>b. The location of parking spaces and manoeuvring areas within a site.</li> <li>c. The proportion of spaces proposed off-site in zones other than the High Density Residential Zone, Medium Density Residential Zone, or Business Mixed Use Zone.</li> <li>d. The location, accessibility, and legal agreements proposed.</li> </ul>
29.5.3	Size of Required Parking Spaces and Layout	Complies
29.5.4	Gradient of Parking Spaces and Parking Areas	Complies
29.5.5	Mobility Parking Spaces	Does not comply. Restricted Discretionary consent required.

Table 14: PDP Chapter 29 Transport Rule Assessment

Chapter 33 – Indigenous Vegetation		
Rule	Rule Title	Assessment
33.5.3	<p>The clearance of indigenous vegetation (including cultivation or irrigation) in the following locations must not exceed a total of 50m<sup>2</sup> in any continuous period of 5 years in the following locations:</p> <ul style="list-style-type: none"> <li>a. On land that has not been cultivated or irrigated in the previous 20 years on plains, terraces and valley floors, including short tussock grassland, cushionfields or shrublands; or</li> <li>b. Indigenous forest or regenerating forest greater than 3 metres high; or</li> <li>c. Shrubland containing emergent indigenous trees greater than 3 metres high; or</li> <li>d. Matagouri (<i>Discaria toumatou</i>) shrubland that has a canopy of at least 1.5 metres high; or</li> <li>e. Diverse indigenous shrubland, where 'diverse' means three or more species of indigenous shrub or vine; or</li> <li>f. Indigenous vegetation containing any one of: matai (<i>Prumnopitys taxifolia</i>), kahikatea (<i>Dacrycarpus dacrydioides</i>), weeping mapou (<i>Myrsine divaricata</i>), Melicope simplex, Hebe rakaiaensis, Corokia cotoneaster, mountain ribbonwood (<i>Hoheria glabrata</i>), bog pine (<i>Halocarpus bidwillii</i>), celery pine (<i>Phyllocladus alpinus</i>), Hall's tōtara (<i>Podocarpus laetus</i>), kōwhai (<i>Sophora microphylla</i>), kānuka (<i>Kunzea</i> spp.), Hebe cupressoides, native brooms (<i>Carmichaelia</i> spp.), fierce</li> </ul>	<p>Restricted Discretionary Consent required. NSN have assessed that the vegetation clearance exceeds 50m<sup>2</sup> and is regenerating forest greater than 3m high (33.5.3(b)) and there are more than three indigenous shrubs or vines (33.5.3(e)).</p>

	<p>lancewood (<i>Pseudopanax ferox</i>), <i>Coprosma virescens</i>, <i>Coprosma crassifolia</i>, <i>Pimelea aridula</i>, snow totara (<i>Podocarpus nivalis</i>), southern rata (<i>Metrosideros umbellata</i>), <i>Coprosma intertexta</i>, or any species of <i>Olearia</i>; or</p> <p>g. Copper tussock (<i>Chionochloa rubra</i> subsp. <i>cuprea</i>) grasslands; or</p> <p>h. Subalpine shrubland or mixed shrub and tussock above 750m metres asl; or</p> <p>i. Rocky habitats including rock outcrops and associated talus and boulderfield habitats.</p>	
	<p>Discretion is restricted to:</p>	<ol style="list-style-type: none"> <li>1. The effects that the vegetation clearance will have on:             <ol style="list-style-type: none"> <li>a. indigenous biodiversity values:</li> <li>b. soil conservation. water quality and the hydrological function of the catchment:</li> <li>c. landscape, natural features and natural character:</li> <li>d. the amenity values of any adjacent open space including trails and walkways:</li> <li>e. ecological corridors and linkages: and</li> <li>f. cultural values associated with indigenous biodiversity.</li> </ol> </li> <li>2. The extent to which the vegetation removal is necessary taking into account the need for, or purpose of, the proposed activity;</li> <li>3. The minimisation of effects through the adoption of alternative locations for the activity on the site for the proposed activity;</li> <li>4. Proposals for remediation and mitigation of adverse effects, including through revegetation, restoration of other areas of vegetation and ongoing maintenance;</li> <li>5. Proposals for biodiversity offsets for residual adverse effects as provided for by Policy 33.2.1.6;</li> <li>6. The risk of the increase in weed and pest species. and proposed management of pests;</li> <li>7. Benefits resulting from the proposed activity including the extent to which the activity may protect, maintain or enhance indigenous biodiversity values; and</li> <li>8. Effects on kaitiakitanga and the values of indigenous vegetation, taonga species and habitats, and biodiversity to tangata whenua.</li> </ol>



**Table 15:** PDP Chapter 33 Indigenous Vegetation Rule Assessment**7.3 Summary of Required Consents**

<b>Rural Residential and Rural Lifestyle (Chapter 22)</b>		
Discretionary consent	Rule 22.4.10	Visitor Accommodation
Restricted Discretionary consent	Rule 22.5.1	Building Materials and Colours
Restricted Discretionary consent	Rule 22.5.4	Minimum Setback of buildings from internal boundaries (6m)
Restricted Discretionary consent	Rule 22.5.18	Building Height in Bob's Cove Sub-zone
Restricted Discretionary consent	Rule 22.5.33	Minimum Setback of buildings from internal boundaries in Bob's Cove Sub-zone (10m)
Non-complying consent	Rule 22.5.25	Buildings within Undomesticated Area
<b>Earthworks (Chapter 25)</b>		
Restricted Discretionary consent	Rule 25.5.4	Volume of earthworks
Restricted Discretionary consent	Rule 25.5.15	Maximum depth of any cut shall not exceed 2.4 metres.
Restricted Discretionary consent	Rule 25.5.16	Maximum height of any fill shall not exceed 2 metres.
Restricted Discretionary consent	Rule 25.5.18	Earthworks setback from boundaries
Restricted Discretionary consent	Rule 25.5.21	More than 300m <sup>3</sup> of cleanfill shall be transported by road from the site.
<b>Historic Heritage (Chapter 26)</b>		
Restricted Discretionary consent	Rule 26.5.18	Modification of an archaeological site
<b>Subdivision and Development (Chapter 27)</b>		
Restricted Discretionary consent	Rule 27.5.8	Subdivision in Rural Residential Zone
Restricted Discretionary consent	Rule 27.5.11	Subdivision within a wahi tupuna area outside the urban environment where subdivision is listed as a potential threat in Schedule 39.6
Non-Complying consent	Rule 27.7.19	Minimum dimensions in Rural Residential Zone (30x30m)
<b>Transport (Chapter 29)</b>		
Restricted Discretionary consent	Rule 29.5.5	Mobility Parking Spaces
<b>Indigenous Vegetation (Chapter 33)</b>		
Restricted Discretionary consent	Rule 33.5.3	Clearance of more than 50m <sup>2</sup> of indigenous or regenerating forest greater than 3 metres high; and Clearance of more than 50m <sup>2</sup> of diverse indigenous shrubland (three or more species).

**Table 16:** Summary of Required Consents**7.4 Resource Management Act (1991)**

Consent is also sought to vary and cancel consent notice conditions registered on Consent Notice 10521522.10 under s221 RMA. The amendments to conditions are shown in **Table 17** below as deletions in ~~strikethrough~~ and additions underlined.

<b>Condition</b>	<b>Variation</b>
f)	<del>At the time a dwelling is erected on Lot 100, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 &amp; 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into</del>

	<p><del>account the site and soils investigation report and recommendations by Railton Plumbing Ltd, dated 14<sup>th</sup> September 2012. The proposed wastewater system shall be subject to the review of Council prior to implementation and shall be installed prior to occupation of the dwelling. Consent for this may also need to be obtained from the Otago Regional Council.</del></p> <p><u>At the time Lot 100 is developed, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 &amp; 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012 or upgrade the existing wastewater treatment system on Lot 101 DP494333. The proposed wastewater system shall be subject to the review of Council prior to implementation and shall be installed prior to occupation of the site. Consent for this may also need to be obtained from the Otago Regional Council.</u></p>
i)	<p>The management and maintenance of areas of existing and proposed indigenous vegetation identified within the certified stage landscape plan shall be carried out in accordance with the certified “Ecological Management and Maintenance Specification Plan” EMMP <u>except on Lot 100 DP 494333 and part Section 28 Block Mid Wakatipu SD where indigenous vegetation shall be maintained and managed by the Baxter Design Landscape Maintenance and Management Plan approved as part of Resource Consent RMXXXXXX.</u></p>
j)	<p>There shall be no removal, modification or any form of alteration of indigenous vegetation outside of the development area on any lot, except where approval is first obtained by the Reserve Manager; and</p> <ol style="list-style-type: none"> <li>a. the vegetation is within an area of ‘low level’ planting as identified on the approved stage landscaping plan for RM130174; or</li> <li>b. is specifically approved by the Council under (k) below or as part of the landscape plan approval process required under (l) below.</li> </ol> <p><u>This condition does not apply to Lot 100 DP 494333 and part Section 28 Block Mid Wakatipu SD where indigenous vegetation shall be maintained and managed by the Baxter Design Landscape Maintenance and Management Plan, Planting Palette and accompanying Site Masterplan and Proposed Planting Zone Plan approved as part of Resource Consent RMXXXXXX.</u></p>
k)	<p>All protected trees as identified on the certified landscape plans and as ‘protected trees’ on the survey plan (identified as covenant areas HD, HE, HF, HG, HH, HI, HJ, HK, HL, HM, HN), and all other indigenous trees over 6m in height and with a DBH (diameter at breast height) of over 200mm within the undomesticated areas, are to be retained and protected. Such trees shall be not removed, altered or modified in any manner, and there shall be no excavations or construction of Structures or Buildings within 2m of the drip line. Such trees are to be identified on a landscape plan to be submitted to Council as part of any future resource consent application for development within the lot.</p> <p>Any pruning or maintenance required to remove hazards created by trees within a development area shall be accompanied by an assessment by a qualified arborist and certified by the Council’s Landscape Architect, prior to such works commencing.</p> <p><u>This condition does not apply to Lot 100 DP 494333 and part Section 28 Block Mid Wakatipu SD where indigenous vegetation shall be maintained and managed by the Baxter Design Landscape</u></p>

	<p><u>Maintenance and Management Plan, Planting Palette and accompanying Site Masterplan and Proposed Planting Zone Plan approved as part of Resource Consent RMXXXXXX.</u></p>
<p>l)</p>	<p>At the time any Building is proposed, a landscape plan for that lot shall be required to accompany the resource consent application to the Council. The plan shall achieve the following objectives:</p> <ul style="list-style-type: none"> <li>• All proposed planting shall be of native species from the list contained in the approved “Ecological Management and Maintenance Specification Plan” (EMMP) or be certified by Council.</li> <li>• Areas of low-level planting as defined on the approved subdivision plans shall be identified. If it is proposed to remove existing vegetation from these areas, then they shall be replanted in accordance with the EMMP ‘low level’ planting requirements.</li> <li>• Removal of Eucalyptus trees is encouraged, to improve indigenous character. Removal of such trees shall be undertaken in accordance with the EMMP to avoid damaging indigenous vegetation.</li> <li>• New planting shall be implemented within 8 months after the building construction has been completed.</li> <li>• Privacy between lots should be maintained to provide seclusion and amenity to the site.</li> <li>• All protected trees, and all indigenous trees over 6m in height and with a DBH (diameter at breast height) of over 200mm located outside of the development area shall be identified on the plan. Such trees shall not be removed, altered or modified in any manner, and there shall be no excavations or construction of Structures of Buildings within 2m of the drip line of such trees.</li> <li>• The boundary of the extent of all areas of indigenous vegetation outside of the development area shall be identified.</li> <li>• Gullies and/or natural watercourses shall be identified.</li> <li>• Water tanks shall be buried or partially buried and shall be screened from view beyond the lot by existing or proposed vegetation.</li> <li>• Should any protected trees be deemed to pose a hazard, a report by a suitably qualified arborist shall be provided to and certified by Council prior to its removal.</li> <li>• The proposed driveway alignment (from the lot boundary to the dwelling) shall be identified. If this alignment does not match the covenanted development area registered on the Computer Freehold Register for the lot, then the landscaping plan shall show that the total area (in m2) to be cleared of vegetation within the lot does not exceed the covenanted development area.</li> </ul> <p><u>This condition does not apply to Lot 100 DP 494333 and part Section 28 Block Mid Wakatipu SD where indigenous vegetation shall be maintained and managed by the Baxter Design Landscape Maintenance and Management Plan, Planting Palette, and accompanying Site Masterplan and Proposed Planting Zone Plan approved as part of Resource Consent RMXXXXXX.</u></p>
<p>m)</p>	<p>All new indigenous planting shall be revegetation planting with the purpose to enable the long-term natural regeneration of indigenous forest cover rather than amenity or garden type planting.</p> <p><u>This condition does not apply to Lot 100 DP 494333 and part Section 28 Block Mid Wakatipu SD where indigenous vegetation shall be maintained and managed by the Baxter Design Landscape</u></p>



	<u>Maintenance and Management Plan, Planting Palette, and accompanying Site Masterplan and Proposed Planting Zone Plan approved as part of Resource Consent RMXXXXXX.</u>
r)	<p>Areas defined as ‘low level’ indigenous vegetation on the certified landscape plans can be managed to maintain views from residential dwellings. This excludes the removal or modification of protected trees as identified on the certified subdivision and stage landscape plans. Such areas shall be managed to maintain a closed canopy of indigenous vegetation, and shall comprise of a diversity of indigenous species of trees, shrubs, grasses and ferns as listed within the EMMP certified under RM130174.</p> <p><u>This condition does not apply to Lot 100 DP 494333 and part Section 28 Block Mid Wakatipu SD where indigenous vegetation shall be maintained and managed by the Baxter Design Landscape Maintenance and Management Plan, Planting Palette, and accompanying Site Masterplan and Proposed Planting Zone Plan approved as part of Resource Consent RMXXXXXX.</u></p>
t)	<p>All Structures on each lot shall be located within the development area identified as covenant areas DD, DE, DF, DI, DJ, DK, DN, DO, DP, DS, DT, DU, DX, DY, DZ, HA, HB, HC, HE, HF, HH, HK, and HN on the survey plan <u>except on Lot 100 DP 494333 and part Section 28 Block Mid Wakatipu SD where structures shall be located as per XXXXXX plan approved as part of Resource Consent RMXXXXXX.</u></p>
v)	<p>No domestic activities are permitted within the ‘Undomesticated Area’ identified as covenant areas AP, DA, DB, DC, DG, DH, DL, DM, DQ, DR, DV, DW, HD, HG, HL, HI, HJ, HM, HO, HP, HQ and HR on the survey plan.</p> <p><u>This condition does not apply to Lot 100 DP 494333 and part Section 28 Block Mid Wakatipu SD where development and domestic activities are approved in the locations set out on XXXX plan approved as part of Resource Consent RMXXXXXX.</u></p>

**Table 17:** Proposed amendments to Consent Notice 10521522.10

## 7.5 Activity Status and Assessment Matters

Overall, the development is a **non-complying** activity.

Section 104 and 104B and 104D of the Resource Management Act (RMA) set out the relevant assessment matters for resource consent applications carrying the non-complying activity status.

### 104 Consideration of applications

(1) When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to—

- a) any actual or potential effects on the environment of allowing the activity; and
- b) any relevant provisions of—
  - (i) a national environmental standard;
  - (ii) other regulations;
  - (iii) a national policy statement;
  - (iv) a New Zealand coastal policy statement;
  - (v) a regional policy statement or proposed regional policy statement;
  - (vi) a plan or proposed plan; and
- c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.



**104B Determination of applications for discretionary or non-complying activities**

After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority –

- (a) may grant or refuse the application; and
- (b) if it grants the application, may impose conditions under section 108.

**104D Particular restrictions for non-complying activities**

- (1) Despite any decision made for the purpose of section 95A(2)(a) in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either—
  - (a) the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or
  - (b) the application is for an activity that will not be contrary to the objectives and policies of—
    - (i) the relevant plan, if there is a plan but no proposed plan in respect of the activity; or
    - (ii) the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or
    - (iii) both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.
- (2) To avoid doubt, section 104(2) applies to the determination of an application for a non-complying activity.

**8.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS****8.1 Introduction**

The effects of the proposed development are discussed below. The effects are considered to be:

- Ecology Effects
- Landscape and Visual Effects
- Amenity/Neighbourhood Effects
- Subdivision Effects
- Construction Effects
- Earthworks
- Infrastructure
- Natural Hazards
- Positive Effects

**8.2 Permitted Baseline**

Under Section 104(2) of the Resource Management Act, Council may disregard an adverse effect of a proposed activity on the environment if a plan permits an activity with that effect. Such activities form part of the permitted baseline. As has been previously set out in case law,<sup>iv</sup> the consent authority should consider following matters:

- a) Does the plan provide for a permitted activity from which a reasonable comparison of adverse effects can be conceivably drawn?

<sup>iv</sup> *Mapara Valley Preservation Soc Inc v Taupo DC* EnvC A083/07

Within the Rural Residential Bob's Cove Zone, the construction of residential buildings is permitted within Development Areas provided they comply with the 6m height plane and are no larger than 500m<sup>2</sup> or cover no more than 15% of the net site area (whichever is smaller). The subject site has approval for three Development Areas as part of the underlying subdivision consent (RM131074). Therefore, three 500m<sup>2</sup> residential dwellings up to 6m high could be constructed on the site as a permitted activity.

Additionally, RM180302 was approved in the context that a residential dwelling would be constructed on the Part Section 28 Block V Mid Wakatipu SD, however a Development Area was not approved for that part of the site – it appears a Development Area was identified in the AEE but was never carried through on the approved plans which appears to be an oversight. Had the Development Area been approved, a 500m<sup>2</sup> residential dwelling no more than 6m high would also have been a permitted activity on the site. It is considered that it is reasonable to expect that a residential dwelling would be constructed on the site.

Furthermore, residential flats are a permitted activity in the Rural Residential Zone so each of the four dwellings could also be developed to include a residential flat which increases occupancy, amenity effects and vehicle movements anticipated to and from the site.

This background provides a building bulk of four 500m<sup>2</sup> residential dwellings up to 6m high (i.e., 2 levels) which can be reasonably compared to the bulk form proposed lodge development. This demonstrates that development is anticipated on the site and clearance of existing vegetation within Development Areas (excluding the 30 protected trees along the gully) would have taken place had the site been developed for residential purposes.

A demonstrative render of the permitted baseline is provided below at **Figure 15**.



**Figure 15:** Render of Permitted/Consented Baseline. Image Source: Design Base Architecture



- b) *If parties consider that application of the baseline test will assist, are they agreed on the permitted activity or activities to be compared as to the adverse effects, and if not, where do the merits lie over the area of disagreement?*
- c) *If parties consider that the application of the baseline test will assist, are they agreed on the permitted activity or activities to be compared as to the adverse effects, and if not, where do the merits lie over the area of disagreement?*

As at the time of this application, there appears to be no disagreement that the baseline test will not assist.

- d) *Is the evidence regarding the proposal, and regarding any hypothetical (non-fanciful) development under a relevant permitted activity, sufficient to allow for an adequate comparison of adverse effect?*

The permitted baseline creates a realistic assessment of the potential built form of up to 500m<sup>2</sup> per site (2000m<sup>2</sup> total across the subject site) and up to 6m high of built form and associated land clearance. It is conceivable that four hypothetical houses could have a substantial amount of glazing as there are no design controls that manage or constrain on this design aspect.

The proposed Waimarino development will result in greater total site coverage (2,681.39m<sup>2</sup> proposed compared to 2000m<sup>2</sup> permitted), however, the built form is broken up into 33 individual buildings of varying elevations (i.e., not large solid built forms) with eaves and green roofs which are considered to provide a more sympathetic form compared to the hypothetical baseline.

It is considered that the Waimarino proposal can be legitimately compared and assessed against alternative permitted development to determine and quantify an adequate comparison of adverse effect.

- e) *Is the permitted activity with which the proposal might be compared as to adverse effect nevertheless so different in kind and purpose within the plan's framework that the permitted baseline ought not to be invoked?*

Visitor accommodation is a discretionary activity in the Rural Residential Bob's Cove Sub-Zone and the policy framework provides for visitor accommodation in the zone as long as the activity will not diminish amenity values and the quality and character of the rural living environment (Policy 22.2.23) and that the scale of buildings used for visitor accommodation are commensurate with the anticipated development of the zone and surrounding residential activities (Policy 22.2.2.4). As the policy framework for the zone anticipates visitor accommodation to some degree and the permitted residential development provides a permitted built form as a comparison, it is concluded that it is relevant to consider that the permitted baseline.

- f) *Might the application of the baseline have the effect of overriding Part 2 of the RMA?*

Amenity values are relevant to Section 7 of the Act. As assessed in the AEE below, the effects on amenity values of the proposed development are considered to be less than minor. Therefore, a comparison of the permitted baseline (4 residential dwellings and residential flats occupying 500m<sup>2</sup> of ground floor area to a height of 6m) will not have the effect of overriding Part 2.

The ODP provides the same permitted baseline for the Rural Residential Bob's Cove zone and its provisions have been well-tested against Part 2 of the Act since they were made operative in the early-2000s and achieve that purpose. As the permitted baseline is not fanciful, the fact that the same permitted baseline under the ODP is considered to achieve Part 2 of the Act is a good indication that the permitted baseline will not have the effect of overriding Part 2 of the RMA.

The questions from *Mapara* can all be answered in a positive sense; and the decision-maker is able to use its discretion to apply the permitted baseline in this case which is particularly relevant to landscape, visual and amenity effects.

### 8.3 Ecological Effects

As described earlier in this assessment; Baxter Design Group and Natural Solutions for Nature worked together to identify vegetation of note to be retained and developing a sympathetic and ecologically appropriate planting palette suitable for the characteristics of the site.

Approximately 1,655m<sup>2</sup> of notable vegetation (including 108 beech trees) is to be removed. The ecologist has concluded that the removal the vegetation will have a less than minor ecological effect given the opportunity to balance this with the 6,430m<sup>2</sup> of proposed new planting and has also recommended the removal and replacement of exotic species in the gully habitat. The ecologist notes that the net effect of this would result in the enhancement of the remaining indigenous vegetation of the site.

Overall, it is considered that there will be less than minor effects on the ecology of the site and receiving environment.

### 8.4 Landscape and Visual Effects

Baxter Design Group notes that the 6,430m<sup>2</sup> of proposed planting will:

- Reflect local species in the vicinity;
- Improve the biodiversity of the site;
- Provide habitat and food sources for native fauna;
- Visually integrate the built development into surrounding landscape; and
- Extend wildlife corridors from the neighbouring DOC land.

As covered earlier, there will be removal of 1,655m<sup>2</sup> of notable vegetation and removal of 5 protected trees. However, 29 beech trees at a 45L grade (2-3m of height at the time of planting) and 6,430m<sup>2</sup> of planting is proposed resulting in a 31.5% net increase of native vegetation on the site.

Under the permitted baseline, 7,260m<sup>2</sup> of Development Area is able to be cleared of vegetation with 10,833m<sup>2</sup> remaining as 'Undomesticated Area'. As this proposal will result in 12,040m<sup>2</sup> of vegetation retained or planted in total on the site, the proposal goes beyond the permitted baseline in terms of vegetation cover.

The proposed development is screened from other approved Glentui Heights subdivided lots to the north by the heavily vegetated gully running east to west along the northern boundary. The land to the south of the site is DOC Recreation Reserve. Consultation is ongoing with DOC but so far there has been no indication of negative feedback from DOC.

The proposed development has been designed to work with the topography of the site and nestled into the surrounding vegetation on the site and immediate surroundings. The development will result in higher site coverage than the consented baseline (PB: 2,000m<sup>2</sup>, proposed: 2,681.39m<sup>2</sup>), however the site coverage meets the permitted 15% site coverage rule (22.5.2). The development also largely complies with the 6m height limit. The breaches of the 6m height limit are largely where villas will be on stilts over the edge of gully drop-off and so these breaches are considered to be barely discernible in the context of the proposed development and site. The proposed development is within the permitted baseline for site coverage and largely for the height limit and is therefore comparable to the built form anticipated for the site. The built form is also largely within the 'Development Areas' approved on Lot 100 (see Sheet A04 of the architectural package).

The proposed development will be visible at distance from the Bob's Cove Walkway, Picnic Point, Lake Wakatipu and Glenorchy-Queenstown Road however, residential development is anticipated on the site (see permitted baseline coverage) and the proposed development is not considered to be visually prominent such that it would detract from public views of the Outstanding Natural Landscape.



It is considered that visually, the proposed development is comparable to the anticipated built form for the subject site and has been assessed as having a less than minor effect on the Outstanding Natural Landscape. Overall, it is considered that the proposed development will have a less than minor effect on landscape values.

### 8.5 Traffic and Access

As covered in the permitted baseline section above, four residential dwellings plus four residential flats are enabled by the underlying zoning on the subject site as a permitted activity. An average of 10 traffic movements per day are generally associated with a residential unit, which may be doubled if a residential flat is also included.

As covered in the proposed development section above; in terms of trip generation and potential effects resulting from the proposed lodge upon the amenity of other users of Tui Drive, the New South Wales Roads and Maritimes Services (RMS) – ‘Guide to Traffic Generating Developments’ publication confirms that the expected peak traffic generation rates for visitor accommodation is about 0.4 trips per occupied room.

The peak hour rate is consistent with the ITE Trip Generation Manual which suggests that the typical morning peak hour traffic generation for a resort hotel is 0.3 vehicles per hour (vph) per room, and 0.4 vph per room during the evening peak period. Furthermore, the NZTA Research Report 453 “Trips and Parking Related to Land Use” (RR453) provides trip rates for similar hotels of 0.46 vph per room in the morning peak period and 0.24 vph per room in the evening peak period.

Based on a peak hour trip rate of 0.4 vph and all units occupied, the proposal would generate about 10 vehicle movements during the morning and evening peak hours.

In comparison, a residential development of the Waimarino site and the adjacent ‘land swap’ property will realistically result in four dwellings (the District Plans place no limit on the number of bedrooms) and potentially a permitted residential flat with each dwelling. The same publications provide an average range of 8 – 10 vehicle movements per day per residential unit, which could equate to up to 80 vehicle movements per day. During morning and evening peak hours the traffic generation rate of a rural dwelling is 1.4 vph per unit, which may equate to an average of 11.2 vph in morning and evening peak hours.

This 40-80 vehicle movements per day (typically 11.2 vph in the morning and evening peak hours) provides the baseline of traffic movements are anticipated along Tui Drive. The proposed lodge is intended as a retreat for guests, and the proposed facilities and closes proximity to public walking tracks and the lake are intended to encourage guests to enjoy the amenity within the site. Guests will still want to be able to visit other locations and activities, however the applicant does anticipate and provide opportunities for guest to stay locally.

The applicant proposes a fleet of at least seven electric vehicles for the purpose of transporting guests to and from the airport and to other activities during their stay. It is acknowledged that this fleet may not provide for all guest requirements, but forms part of the sustainable approach adopted for this project.

A separate staff transport vehicle will be made available to pick up and drop off staff and the start and end of shifts.

Only guests of Waimarino are able to use the facilities associated with the lodge and therefore are no additional traffic movements anticipated (apart from staff movements and operational requirements). There will be no coaches servicing the site. Vehicles for servicing the lodge such as food delivery and laundry vehicles can park and off-load in the back-of house area.

The required number of carparks numbers under the PDP is set out below:

Rule	Carpark numbers required
29.8.14 – Unit type visitor accommodation for units including a kitchenette.	12 villas with kitchenettes = 1 required per unit plus one staff park per 10 units. <b>13 carparks required</b>



29.8.16 – Guest room type visitor accommodation	12 villas with no kitchenette = 1 per 3 guest rooms plus one staff park per 20 beds. <b>5 carparks required</b>
29.8.7 – Carparks required for a residential unit	Manager’s Residence and Owner’s Residence = <b>4 carparks required</b>
<b>Total carparks required</b>	<b>22 carparks required</b>

**Table 18:** Carparking numbers required

The proposal meets the standard for the number of parking spaces required with 22 supplied.

Overall, it is considered that the proposed development is will not result in levels of traffic movements far beyond what is anticipated for Tui Drive and the proposed development meets the parking space requirements. The effects of traffic and access are considered to be less than minor.

## 8.6 Amenity/Neighbourhood Effects

The site neighbours a DOC recreation reserve which borders the site to the east (between the foreshore and the site) and to the south. The recreation reserve area to the south is densely vegetated and is not largely used by the public. For coverage of the visual effects from Lake Wakatipu, see the visual effects section above. The gully along the northern boundary of the site and associated vegetation screens the view of the development from the north.

As covered above, it is considered that traffic volumes along Tui Drive are not expected rise far beyond the 40-plus movements anticipated under the permitted baseline for the site. Residents along Tui Drive may experience a change in the kinds of traffic passing their properties, however, the guests will be largely contained within the site and directed towards the lake area and surrounding tracks for recreation.

Overall, it is considered that the proposed development will have a less than minor effect on amenity and neighbourhood values.

## 8.7 Subdivision Effects

Although the proposed villas may be sold to individual owners as they will be held in their own individual freehold title, the villas are not capable of being lived in full-time. There are only small kitchenettes in 12 of the villas, no laundry and no storage. The development is located at the far corner of the Glentui Heights subdivision and at the end of the road so it is discretely located away from most of the residents in the subdivision. It is considered that although the subdivision will breach minimum lot size areas, the subdivision will not create an increased residential density and the subdivision suits the operational structure of the lodge. It is considered that the effect of subdivision is less than minor.

## 8.8 Construction Effects

The villas will largely be pre-fabricated and so the construction process is expected to be efficient and carried out within 12 months. The construction will occur in four stages starting at the bottom of the site to increase efficiency and tidiness. There will be an increase in construction vehicles on Tui Drive, however, this would also occur with the level of development anticipated by the permitted baseline. It is anticipated that the construction will comply with construction noise standards. It is considered that the construction effects are temporary and less than minor.

## 8.9 Earthworks

The majority of the buildings proposed will be set on stilts. The FFL of the buildings has been carefully considered to ensure each unit has views to the lake. There are some areas where the ground level has had to change to accommodate the view shafts. However, where possible the soil under villas will only be disturbed to drill piles to sit the villas on (i.e. no slab foundation).

As the soil biota is of value to the beech forest, Dawn Palmer has provided some recommendations to reduce the ecological effects of earthworks on the soil. Dawn has recommended that where excavation of the site is proposed, the top 200mm or so of soil should be removed and set aside for reinstatement over the finished levels or used where planting is proposed.

The development is to be carried out in four stages starting at the western (bottom) end of the site in order to prevent multiple areas of earth being exposed at one time. Earthworks are being kept away from the gully where possible. An Environmental Management Plan will be utilised to mitigate adverse environmental effects. Overall, it is considered that the earthworks will have a less than minor effect on the environment provided that Dawn Palmer's recommendations and EMP are followed.

### **8.10 Infrastructure**

Dawn Palmer has noted that provided that suitable stormwater management is provided to avoid stormwater flows down the gully, the effects on the dry ephemeral gully will be less than minor.

The upgrade of the wastewater treatment system within the easement area on Lot 101 will provide extra capacity and an upgraded system for the site as well as surrounding residents. The wastewater treatment upgrade will be subject to a resource consent from the Otago Regional Council for discharge so any adverse effects of the wastewater treatment discharge can be dealt with under that resource consent.

The bore has been tested and can feasibly supply the development with no issues.

The guest and servicing vehicles will be confined to the parking area at the top of the site with only golf cart access past this point. However, the access through the site is considered to be suitable for a fire appliance.

Overall, it is considered that effects of the infrastructure aspects of the proposal on the environment are considered to be less than minor.

### **8.11 Natural Hazards**

Geosolve have confirmed that there are no unacceptable natural hazard risks to the site. They have made further recommendations in their report at **Appendix 3** to ensure the site engineering further reduces the risk of natural hazards.

### **8.12 Positive Effects**

The Waimarino lodge development will provide a number of traditional benefits associated with visitor accommodation including:

- Employment during the construction phase and for lodge staff.
- A different accommodation option so close to the lake which is unique in Queenstown.

Other positive effects include:

- An upgraded wastewater treatment system for the Glentui subdivision.
- A 31.5% net increase of native vegetation of value across the site. The native vegetation will reflect local species in the vicinity, assist in visually integrating the built development into the surrounding landscape, and extend wildlife corridors from the neighbouring DOC land.
- Where feasible, notable vegetation to be retained on site. This retains existing wildlife habitat and food sources. The retention of mature tree height assists in aiding the development to be visually absorbed into the landscape from wider views.



- Improved biodiversity and improved health of gully ecology.

### 8.13 Effects Assessment Conclusion

When considered in the context of the permitted baseline, the development provides a very similar level of building coverage but provides a break-up in the form of building with far increased native vegetation on the site. The proposal is considered to enhance the ecological values of the site compared to the permitted baseline level of domestic use. The development is considered to make a positive visual contribution to the site and will have less than minor effects on the quality and character of the Outstanding Natural Landscape. The development is considered to have less than minor effects on amenity. Overall, it is considered that the development will have less than minor effects on the environment.

## 9.0 OBJECTIVES AND POLICY ASSESSMENT

The assessment of the objectives and policies of the Operative and Proposed District Plan are attached at **Annexure 1**.

In summary, it is considered that the proposal is consistent with the objectives and policies of the ODP and PDP.

### 10.0 WEIGHTING

The proposal is considered to be consistent with the objectives and policies of both the ODP and the PDP and so a weighting assessment is not required.

### 11.0 PARTICULAR RESTRICTIONS FOR NON-COMPLYING ACTIVITIES (SECTION 104D)

With respect to the assessment above, the first threshold test for a non-complying activity required under Section 104D has been met in that the application is not considered to create any actual or potential adverse effects which are more than minor in extent.

With respect to the second threshold test under Section 104D it is concluded that the application can pass through the second gateway test given that the proposal is not considered to contrary to the relevant policies and objectives of the District Plan.

On this basis discretion exists to grant consent for this non-complying activity.

### 12.0 THE MATTERS IN PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

In accordance with Clause 2(1)(f) of Schedule 4, an assessment of activity against the matters set out in Part 2 of the Act is required for all resource consent applications. The relevant matters of Part 2 have been reproduced and assessed below:

- 5 Purpose**
- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*
- (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*



- (c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

This proposal achieves the purpose of the Act. The proposal will provide economic and social benefit to Queenstown by providing a high standard of visitor accommodation, whilst avoiding and mitigating adverse effects on the environment.

### **6 Matters of national importance**

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:*

- (a) *the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (b) *the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- (d) *the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*

All of the Bob’s Cove rural living community is located within the Outstanding Natural Landscape category, approximately 110m from the margin of Lake Wakatipu. Both the Operative and Proposed District Plans anticipate and provide that subdivision and development will occur within this community. The key test is to protect against ‘inappropriate subdivision, use or development’.

The proposed Waimarino lodge is located in the south-west corner of the zone; physically separate from the majority of the existing and future residential community.

The Lodge site adjoins the Crown administered Recreation Reserve on the western and southern boundaries, and consultation has occurred with the Department of Conservation.

The Lodge is designed with a green roof treatment, and is intended to sit within a forested and heavily vegetated environment, so as to provide guests with a semi-wilderness experience and uninterrupted outlook. The authenticity of this guest experience is central to and consistent with achieving these matters of national importance.

The proposal will not impact on the accessibility of the public to the surrounding recreation reserve and associated tracks or the lakefront. The effects on the values and amenity of the Outstanding Natural Landscape have been assessed as less than minor.

### **7 Other matters**

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—*

- (b) *the efficient use and development of natural and physical resources:*
- (c) *the maintenance and enhancement of amenity values:*
- (d) *intrinsic values of ecosystems:*
- (f) *maintenance and enhancement of the quality of the environment:*

The location of the Lodge in the south-west corner of the Bob’s Cove community minimises effects on other owners and residents in this zone. The gully that extends along the northern side of the site provides visual and physical separation from that adjoining land owned by Glentui Heights Limited.

The land to the south of the site is densely bush-clad Crown administered reserve that is not accessible (i.e. by walking trail) to the public.

Similarly, the land to the south of the site, whilst part of the Crown administered foreshore reserve is also densely vegetated in a range of natural and introduced species. A public walkway extends along the edge of the foreshore and several clearings provide public picnic opportunities; however, the proposed Lodge site is separated by at least 60m of dense bush plantings that provide a visual screen to much of the proposed Lodge site. In addition, the subject site is elevated above the foreshore reserve area. The overall amenity effects on reserve users within the lakeside foreshore reserve will be less than minor (taking into account the baseline residential development model).

The access to the Lodge will utilise the private access referred to as Tui Drive. This access passes four other rural living sites is key amenity values, and also provides access to undeveloped (rural living) land owned by Glentui Heights Limited. The likely traffic volumes associated with the Lodge will be similar to the potential effects that might result from a compliant residential development of the same land.

Operational effects of the Lodge are an amenity consideration. The quality, scale and intensity of use are all factors that will establish the degree of effect upon other landowners in the community.

The Lodge has been purposely designed to cater to the higher end of the lodge and accommodation market, that will cater to guests that are seeking a more remote experience. This is demonstrated in the design of the Lodge, by the quality of the buildings and proposed fit-out, the landscape treatment and design, and the offering of on-site facilities and amenities.

The potential occupancy rates are comparatively modest to maintain the privacy amongst guests and the ensure that guests receive individual treatment.

Potential amenity effects upon neighbours and other landowners in the community are carefully managed and are the same the key considerations that have also been factored into the design of the proposed Lodge.

The proposal will enable the efficient use and development of natural and physical resources and maintain and enhance the amenity of the site. The proposal will maintain and enhance the quality of the ecology of the environment.

The proposal provides for the retention and protection of existing stands of mature vegetation and the introduction of additional native trees species and significant height. It is considered that this proposal will both maintain and enhance the quality of the ecology and quality of the environment.

For the reasons set out in this application, it is considered that the application will satisfy and achieve the purpose of the Act.

## **13.0 NOTIFICATION ASSESSMENT**

The purpose of this section is to assess the application against the relevant notification steps under Sections 95A and 95B of the Resource Management Act in order to determine whether notification is required.

### **13.1 Public Notification**

#### *Step 1: Mandatory public notification in certain circumstances*

Public notification is not required because it is not requested by the applicant and there is no application to exchange recreation reserve land.

#### *Step 2: If not required by step 1, public notification precluded in certain circumstances*





Public notification is not precluded under Step 2 (s95A(4)), therefore in accordance with Step 3 (s95A(7)) an assessment is required under section 95D of the Resource Management Act to determine whether the activity will have or is likely to have adverse effects on the environment that are more than minor.

Step 3: If not precluded by step 2, public notification required in certain circumstances

The application does not include any activities that are subject to a rule or NES that require public notification, and the effects assessment (Section 7) determines that the proposal will not have effects on the environment that are more than minor.

*Step 4: Public notification in special circumstances*

Special circumstances are generally taken to mean circumstances that are exceptional or unusual (but less than extraordinary); outside the common run of applications of this nature; or which make public notification desirable, despite the conclusion that the adverse effects will be no more than minor.

In this instance, it is considered that there are no special circumstances in relation to the application that warrant public notification in accordance with Section 95A(9) as there is nothing exceptional or usual about the application, in the context of the zoning.

### **13.2 Public Notification Summary**

Having assessed the proposal against the s95A public notification steps, the following conclusions are reached:

Under Step 1, public notification is not mandatory.

Under Step 2, public notification is not precluded because the application is not for a controlled activity or a boundary activity.

Under Step 3, public notification is not applicable because as outlined in this report, overall, any adverse effects on the environment are considered to be less than minor.

Under Step 4, there are no special circumstances that warrant the application being publicly notified.

Therefore, public notification is not required.

### **13.3 Limited Notification**

Section 95B(1) requires a decision on whether there are any affected persons (under s95E). The following steps set out in this section, in the order given, are used to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified under section 95A.

*Step 1: certain affected groups and affected persons must be notified.*

Section 95B(1) requires a decision on whether there are any affected persons (under s95E). The following steps set out in this section, in the order given, are used to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified under section 95A.

*Step 1: certain affected groups and affected persons must be notified.*

*Determination under s95B(2)*

The proposal does not affect protected customary rights groups and does not affect a customary marine title group; therefore, limited notification is not required.



### *Determination under s95B(3)*

Limited notification is not required under Step 1 as the proposal is not on or adjacent to or may affect land subject to a statutory acknowledgement under Schedule 11, and the person to whom the statutory acknowledgement is made is determined an affected person under section 95E (s95B(3)).

### *Step 2: if not required by Step 1, limited notification precluded in certain circumstances*

Limited notification is not precluded under Step 2 as the proposal is not subject to a rule in the District Plan or is not subject to a NES that precludes notification (s95B(6)(a)).

Limited notification is not precluded under Step 2 as the proposal is not a controlled activity.

### *Step 3: if not precluded by Step 2, certain other affected persons must be notified*

If limited notification is not precluded by Step 2, a consent authority must determine, in accordance with section 95E, whether the following are affected persons:

#### *Boundary activity*

The proposal is not a boundary activity where the owner of an infringed boundary has provided their approval.

#### *Any other activity*

As limited notification is not required under s95B(7), the proposed activity falls into the ‘any other activity’ category (s95B(8)), and the adverse effects of the proposed activity are to be assessed in accordance with section 95E.

### *Considerations in assessing adverse effects on Persons (S95E(2)(a)-(c) a)*

- a) The consent authority may disregard an adverse effect of the activity on a person if a rule or national environmental standard permits an activity with that effect.
- b) The consent authority must disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and
- c) The consent authority must have regard to every relevant statutory acknowledgement specified in Schedule 11. The consent authority may disregard an adverse effect of the activity on a person if a rule or national environmental standard permits an activity with that effect.

### *Persons who have provided written approval (s95E(3))*

In this instance, written approval has been obtained from the following persons and as a result, any adverse effects on these persons can be disregarded:

- Bob’s Cove Developments Limited – current owner of Lot 100 DP494333

## **13.4 Limited Notification Summary**

Having assessed the proposal against the s95B limited notification steps, the following conclusions are reached:

Under Step 1, limited notification is not mandatory.



Under Step 2, limited notification is not precluded because the application is not for a controlled activity or a prescribed activity.

Under Step 3, a decision on limited notification should be made if the applicant is not able to obtain the written approval of their immediate neighbours, Glentui Heights Limited and the Department of Conservation. Effects on landowners further afield are considered to be less than minor in the context of the receiving environment and permitted baseline.

Under Step 4, there are no special circumstances that warrant the application being limited notified to any other persons.

Therefore, limited notification of the application is not required.

## **14.0 CONCLUSION**

The applicant seeks resource consent to construct a luxury lodge including 24 villas, owner’s residence, manager’s quarters, reception area, restaurant, sauna, yoga studio and distillery at 59 Tui Drive, Bob’s Cove, Queenstown. The applicant also seeks to carry out a freehold subdivision of the development whereby owners will be able to use their villa for up to 14 days per year with the villa remaining in use by the lodge and let to guests for the remainder of the year.

Overall, the proposed development is anticipated to result in effects that are less than minor on the environment and on people in the context of the receiving environment and permitted baseline. The proposal is also consistent with the policy direction provided within both the operative and proposed District Plan. Accordingly, it is considered that the proposal can be approved on a non-notified basis.



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD  
Search Copy**



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** 735397  
**Land Registration District** Otago  
**Date Issued** 08 September 2016

**Prior References**  
78399

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**Estate** Fee Simple  
**Area** 1.4693 hectares more or less  
**Legal Description** Lot 100 Deposited Plan 494333

**Registered Owners**  
Bobs Cove Developments Limited

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**Interests**

Subject to Section 8 Mining Act 1971

Subject to Section 5 Coal Mines Act 1979

Appurtenant hereto are rights of way, rights to convey sewage & water and rights to drain stormwater created by Easement Instrument 6191527.10 - 22.10.2004 at 9:00 am

The easements created by Easement Instrument 6191527.10 are subject to Section 243 (a) Resource Management Act 1991  
Appurtenant hereto is a right of way created by Easement Instrument 10521522.5 - 8.9.2016 at 4:42 pm

The easements created by Easement Instrument 10521522.5 are subject to Section 243 (a) Resource Management Act 1991  
Appurtenant hereto is a right to convey water created by Easement Instrument 10521522.6 - 8.9.2016 at 4:42 pm

The easements created by Easement Instrument 10521522.6 are subject to Section 243 (a) Resource Management Act 1991  
Appurtenant hereto is a right to drain sewage created by Easement Instrument 10521522.7 - 8.9.2016 at 4:42 pm

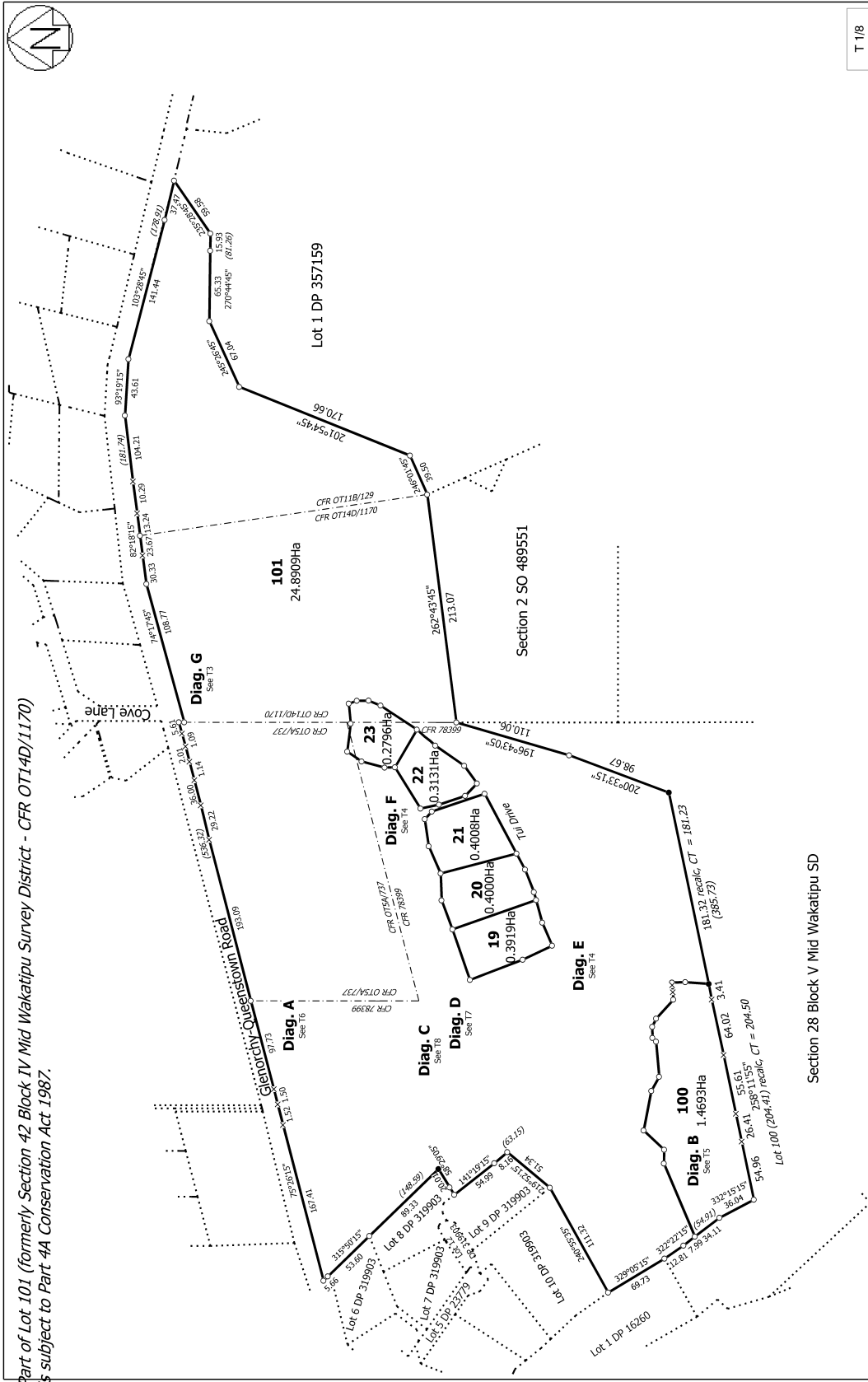
The easements created by Easement Instrument 10521522.7 are subject to Section 243 (a) Resource Management Act 1991  
10521522.10 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 8.9.2016 at 4:42 pm

10591357.3 Mortgage to (now) Diana Gillian Hubrich and Anthony Robert Herring - 21.10.2016 at 11:05 am

10591357.4 Mortgage to (now) Zemzac Limited - 21.10.2016 at 11:05 am

11453830.1 CAVEAT BY AURORA ENERGY LIMITED - 11.6.2019 at 9:28 am

11611112.1 Variation of Mortgage 10591357.3 - 20.11.2019 at 12:48 pm



T 118

<p>Land District: Otago</p> <p>Digitally Generated Plan</p> <p>Generated on: 08/08/2016 2:45pm Page 7 of 14</p>	<p>Lots 19 - 23 and 100 - 101 being a Subdivision of Lot 13 DP 319903, Sec 3 Blk V &amp; Secs 42 &amp; 43 Blk IV Mid Wakatipu SD</p>	<p>Surveyor: Stephen James Winter</p> <p>Firm: Paterson Pitts Group</p>	<p>Title Plan</p> <p>LT 494333</p> <p>Approved on: 8/08/2016</p>
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19

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

**Easement instrument to grant easement or profit à prendre, or create land covenant**  
Sections 90A and 90F, Land Transfer Act 1952 **EI 6191527.10 Easement**

Land registration district

~~CANTERBURY~~ OTAGO



Grantor

Surname(s) must be underlined or in CAPITALS.

**BOB'S COVE DEVELOPMENTS LIMITED**  
(continued on Annexure Schedules attached)

Grantee

Surname(s) must be underlined or in CAPITALS.

**BOB'S COVE DEVELOPMENTS LIMITED**

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

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

Dated this 30 day of April 2004

**Attestation**

	<b>Signed in my presence by the Grantor</b>
	<b>BOB'S COVE DEVELOPMENTS LIMITED</b>
	Signature of witness
	Witness to complete in BLOCK letters (unless legibly printed)
	Witness name
	Occupation <b>TIMOTHY JOHN HILL SOLICITOR CHRISTCHURCH</b>
Signature [common seal] of Grantor	Address

	<b>Signed in my presence by the Grantee</b>
	<b>BOB'S COVE DEVELOPMENTS LIMITED</b>
	Signature of witness
	Witness to complete in BLOCK letters (unless legibly printed)
	Witness name
	Occupation <b>TIMOTHY JOHN HILL SOLICITOR CHRISTCHURCH</b>
Signature [common seal] of Grantee	Address

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

[Solicitor for] the Grantee

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

REF: 7003 - AUCKLAND DISTRICT LAW SOCIETY

**Annexure Schedule 1**



Easement instrument

Dated

30 April 2024

Page

2

of

8

pages

10 1

**Schedule A**

(Continue in additional Annexure Schedule if required.)

Purpose (nature and extent) of easement, profit, or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
See Annexure Schedules attached			

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

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

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

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

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

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

**Covenant provisions**

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

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

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

~~[Annexure Schedule 2].~~

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

*[Handwritten signature]*

## Annexure Schedule

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

Easement Instrument Dated 30 April 2004 Page 3 of ~~8~~<sub>10</sub> Pages

### Continuation of Annexure Schedule

Purpose (nature and extent of easement, profit, or covenant)	Shown (Plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
RIGHTS TO CONVEY SEWAGE AND RIGHTS TO CONVEY WATER	E E1	Lot 12	Lots 5 – 11 and 13
	F F1	Lot 8	Lots 5-7, 9-11 and 13
	H	Lot 9	Lot 10
	G J K L M G1	Lot 13	Lots 5 – 11
	B	Lot 5 DP 23779	Lots 5-11 and 13
	N	Lot 13	Lots 5- 11
RIGHTS TO CONVEY SEWAGE	D	Lot 10	Lots 5-9, and 11 and 13
	O	Lot 13	Lots 5-11
	<del>D</del> C	Lot 11	Lots 5-10 and 13

*[Handwritten Signature]*

*[Handwritten mark]*



## Annexure Schedule

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

**Easement Instrument**

Dated

30 April 2004

Page

8  
4

of

8  
10

Pages

### Continuation of Annexure Schedule

Purpose (nature and extent of easement, profit, or covenant)	Shown (Plan Reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
RIGHT OF WAY	A	Lot 3 DP 23779	Lots 5 – 9 and <del>13</del>
RIGHT OF WAY	B	Lot 5 DP 23779	Lots 1 – 3 DP23779
RIGHT TO DRAIN STORMWATER	B	Lot 5 DP 23779	Lots 5 – 10 and 13
	C	Lot 11	Lots 5 – 10 and 13
	D	Lot 10	Lots 5 – 9, 11 and 13
	E E1	Lot 12	Lots 5 – 11 and 13
RIGHT OF WAY	B	Lot 5 DP 23779	Lots 5-11 and <del>13</del>
	E E1	Lot 12	Lots 8 – 10 and 13
	F F1	Lot 8	Lots 9 – 10 and 13
	G G1	Lot 13	Lots 9 and 10
	H	Lot 9	Lot 10

*AJR*

*~*

**Annexure Schedule**

Insert type of instrument

"Mortgage", "Transfer", "Lease" etc

Easement Instrument

Dated

30 April 2004

Page

5

of

10

pages

(Continue in additional Annexure Schedule, if required.)

**Additions to Implied Rights and Powers prescribed in Land Transfer Regulations 2002**

Clause 11(2) "Repair, Maintenance and Costs" is hereby amended by the substitution of the following new subclause:

- 11(2) If the Grantor (or Grantors if more than one) and the Grantee (or Grantees if more than one) share the use of the easement facility, each of them is responsible in proportion to their use of that easement facility for the repair and maintenance of the easement facility and associated costs, so as to keep the facility in good order and prevent it from becoming a danger or nuisance.

Clause 11 "Repair, Maintenance and Costs" is hereby amended by the addition of the following new subclause:

- 11(5) Any maintenance repair or replacement of the easement facility that is necessary because of any act or omission by any Grantor or Grantee (which includes any agents, employees, contractors, subcontractors or invitees of the Grantor or Grantee) must be carried out promptly by that Grantor or Grantee at the sole cost of that Grantor or Grantee or in such proportion as relates to the act or omission. Where the act or omission is the partial cause of the maintenance repair or replacement, the costs payable by that Grantor or Grantee responsible must be in proportion to the amount attributable to that act or omission, with the balance payable in accordance with the other provisions of this Clause 11.

Clause 14 "Disputes" is hereby amended by the addition of the following new subclauses:

- 14(d)(i) Where there is a conflict between the provisions of the Fourth Schedule to the Land Transfer Regulations 2002 and the Ninth Schedule to the Property Law Act 1952, the provisions of the Ninth Schedule must prevail.
- 14(d)(ii) Where there is a conflict between the provisions of the Fourth Schedule and/or the Ninth Schedule, and the modifications in this Easement Instrument, the modifications must prevail

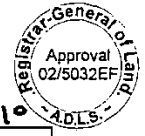
The words "telephonic communications" shall be read and understood as a reference to a "Right to convey telecommunications and computer media" as specified in Schedule 4 to the Land Transfer Regulations 2002.

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

BCD 1

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

**Annexure Schedule**



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

Easement Instrument

Dated 30 April 2004

Page 6 of 5 Pages

(Continue in additional Annexure Schedule, if required.)

**CONTINUATION OF "ATTESTATION"**

Signed in my presence by the Grantor  
**Paul Russell SMITH**  
*Paul Russell Smith  
by his attorney*

Signature of Grantor

Signature of Witness

Witness name

Occupation **TOM HORNER**  
Solicitor  
Address Auckland

Signed in my presence by the Grantor  
**Deborah Elaine SMITH**  
*Deborah Elaine Smith  
by her attorney*

Signature of Grantor

Signature of Witness

Witness name

Occupation **TOM HORNER**  
Solicitor  
Address Auckland

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

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

I, **MATTHEW LANGLEY CARSON** of Auckland, certify that:

- (a) by deed dated the 2nd day of December 2002 **DEBORAH ELAINE SMITH** of Auckland appointed me his/her attorney on the terms and subject to the conditions set out in the said deed [a copy of which is deposited at the Land Transfer Office under No 5443129.1] and
- (b) at the date hereof I have not received any notice or information of the revocation of that appointment by the death of the said **DEBORAH ELAINE SMITH** or otherwise.

SIGNED at *Auckland* this *30th* day of *April* 2004

  
.....  
**MATTHEW LANGLEY CARSON**

*B*

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

I, **MATTHEW LANGLEY CARSON** of Auckland, certify that:

- (a) by deed dated the 2nd day of December 2002 **PAUL RUSSELL SMITH** of Auckland appointed me his/her attorney on the terms and subject to the conditions set out in the said deed [a copy of which is deposited at the Land Transfer Office under No 5443129.2] and
- (b) at the date hereof I have not received any notice or information of the revocation of that appointment by the death of the said **PAUL RUSSELL SMITH** or otherwise.

**SIGNED** at this 30th day of April 2004

  
.....  
**MATTHEW LANGLEY CARSON**

3

BCD

Annexure Schedule



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

Easement Instrument

Dated 3 April 2004

Page 9 of 10 Pages

(Continue in additional Annexure Schedule, if required.)

CONTINUATION OF "ATTESTATION"

Signed in my presence by the Grantor  
Brian John McGILL

Signature of Grantor

Signature of Witness

Witness name

Karen Burchill

Occupation

Solicitor

Address

5, 50 Macrossan Street Post Douglas Q 4847

Signed in my presence by the Grantor  
Roisin Emily ELLEN

Signature of Grantor

Signature of Witness

Burchill

Witness name

Karen Burchill

Occupation

Solicitor

Address

5, 50 Macrossan Street, Post Douglas Q 4877

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

BCD2

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

**Annexure Schedule**

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

*Exchange instrument*

Dated *30 April 2004*

Page *10* of *10* pages

(Continue in additional Annexure Schedule, if required.)

**Continuation of "Attestation"**

Signed by the Grantor

Ronald Kruijer

In the presence of:

] ] ]

*R Kruijer*

*[Signature]*

**JANINE LEE ASKHAM**  
Queenstown  
Legal Executive

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

*[Signature]*





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

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

**Grantor**

GLENTUI HEIGHTS LIMITED

**Grantee**

GLENTUI HEIGHTS 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
Right of Way	"AA", "AB", "AC", "AD", "AE", "AM", "AN" and "ZF" on DP 494333	735398	735397

**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 [ ]}~~

**Form L**

**Annexure Schedule 1**

Page 1 of 4 Pages

*Insert instrument type*

Easement – Right of Way

*Continue in additional Annexure Schedule, if required*

**THE GRANTOR AND THE GRANTEE COVENANT AND AGREE:**

**GENERAL PROVISIONS**

1. The rights of way created by this instrument comprise the private road named *Tui Drive ("the roadway")* within the subdivision development known as "*Glentui Heights*" adjoining the Glenorchy-Queenstown Road.
2. As at the date of this instrument, the roadway has been established and formed to a standard suitable and appropriate for a high class residential development.
3. The intention is that the owner of the Dominant Tenement together with the owners of other allotments within "*Glentui Heights*" which have the benefit of a right of way over the roadway shall be responsible at all times for maintaining the roadway to the standard to which it has been formed. Broadly speaking, but subject to the specific provisions which follow:
  - (a) maintenance and repair works are to be undertaken in a timely fashion, so that small defects are not given the opportunity to become large defects and so that sudden damage is repaired without delay; and
  - (b) those parties having the benefit of the roadway will contribute equally to maintenance and repair costs, subject only to the provisions which follow relating to loss or damage caused by deliberate or negligent act or omission; and
  - (c) those parties having the benefit of the roadway are required to co-operate with one another in order to give effect to these general intentions.

**RIGHT TO ESTABLISH AND USE ROADWAYS**

4. The owner of the Dominant Tenement shall have the right where necessary to establish a roadway on the land over which the rights of way are granted.
5. Each right of way shall include the right for the Grantee, in common with the Grantor and other persons to whom the Grantor may grant similar rights, at all times, to go over and along the land over which the right of way is granted.
6. The right to go over and along the roadway includes the right to go over and along the roadway with or without any kind of –
  - (a) vehicle, machinery or implement; or

(b) domestic animal.

7. In this clause, the **Grantee** and the **Grantor** include agents, contractors, employees, invitees, licensees and tenants of the Grantee or the Grantor.

**REPAIR, MAINTENANCE AND COSTS**

8. The owner of the Dominant Tenement shall have the right and obligation to make necessary repairs to the roadway, and to carry out any necessary maintenance or upkeep consistent with the provisions of this instrument.
9. The roadway is at all times to be maintained to a high standard, and specifically (but without limitation) free of any slumpage, free of any potholes, free of any weeds or other growth, properly sealed and neatly presented.
10. Acknowledging that further easement rights are to be granted under other instruments for other parties to have the use of the roadway or sections of it, the owner of the Dominant Tenement and the owners of the dominant tenements under such other instruments shall be required to make equal contributions to the cost of maintenance and repairs in respect of those sections of the roadway which they each have the use of (but subject to the provisions of clause 12).
11. Maintenance and repairs shall be facilitated by all contributing parties in a co-operative manner.
12. In the event that the need for maintenance or repair is attributable solely to a deliberate or negligent act or omission by one party (whether that party shall be the Grantee, or the Grantor, or another party having the right to use the roadway), then that party shall be solely responsible for arranging and meeting the cost of the necessary repair or maintenance.

**RIGHTS OF ENTRY**

13. For the purpose of performing any duty or in the exercise of any rights conferred by this instrument, the Grantee may:
- (a) enter upon the Servient Tenement by a reasonable route and with all necessary tools, vehicles, and equipment; and
  - (b) remain on the Servient Tenement for a reasonable time for the sole purpose of completing the necessary work; and
  - (c) leave any vehicles or equipment on the Servient Tenement for a reasonable time if work is proceeding.
14. The Grantee must ensure that as little damage or disturbance as possible is caused to the Servient Tenement or to the Grantor.
15. The Grantee must ensure that all work is completed promptly, and is performed in a proper and workmanlike manner.
16. The Grantee must immediately make good any damage done to the Servient Tenement by restoring the surface of the land as nearly as is possible to its former condition.

17. The Grantee must compensate the Grantor for all damages caused by the work to any building, erection or fence on the Servient Tenement.

**ROADWAY TO BE KEPT CLEAR OF OBSTRUCTION**

18. Vehicles may be parked upon the roadway from time to time provided:
  - (a) that no vehicle may be parked for a period exceeding 24 hours at one time; and
  - (b) that parked vehicles must not be positioned in such a manner that they prevent or unreasonably restrict the movement of other vehicles (including large vehicles and vehicles towing trailers) along the roadway.
19. With the exception of materials which are temporarily placed upon the roadway for maintenance purposes, and with the exception of vehicles parked in accordance with clause 18, the roadway shall otherwise be kept clear at all times of obstructions.

**DEFAULT**

20. If either the Grantor or the Grantee does not meet the obligations specified in this instrument:
  - (a) the party not in default may serve on the defaulting party written notice requiring the defaulting party to meet a specific obligation and stating that, after the expiration of five (5) working days from service of the notice of default, the other party may meet the obligation; and
  - (b) if at the expiry of the five (5) working day period, the party in default has not met the obligation, the other party may:
    - (i) meet the obligation; and
    - (ii) for that purpose, enter the Servient Tenement; and
  - (c) the party in default is liable to pay the other party the cost of preparing and serving the default notice and the costs incurred in meeting the obligation; and
  - (d) the other party may recover from the party in default, as a liquidated debt, any money payable under this clause.

**PAYMENT OF ADDITIONAL CONTRIBUTIONS**

21. The Grantor is to receive from the Grantee a payment ("*the agreed payment*") as a contribution to roading and other costs associated with the completion of the "*Glentui Heights*" subdivision.
22. The agreed payment has been calculated and agreed upon the basis that no more than three Residential Units may be developed upon the Dominant Land.
23. The Grantor and the Grantee are agreed that if at any point in time the Grantee should become able to and should desire to develop more than three Residential Units upon the Dominant Land then at that point or points the Grantee should pay to the Grantor an additional contribution or additional contributions toward the

subdivision costs and for the benefit of having the use of the roadway to access those additional Residential Units.

24. The Grantor and the Grantee accordingly agree that if at any time the Grantee shall obtain such Consents and approvals as may be necessary to develop more than three Residential Units upon the Dominant Land then, before commencing construction of any such additional Residential Unit, the Grantee shall (subject only to having received an appropriate GST invoice from the Grantor) pay to the Grantor the sum of \$30,000.00 (plus GST) for each additional Residential Unit which has been consented and approved and which is proposed to be constructed.
25. For the purposes of clauses 22-24 above, the expression "*Residential Unit*" means a residential activity which consists of a single self-contained household unit, for the accommodation of one or more persons, incorporating no more than one kitchen and no more than one laundry facility, and includes accessory buildings.

**DISPUTES**

26. If a dispute arises with regard to the easements created by this instrument:
  - (a) the party initiating the dispute must provide full written particulars of the dispute to the other party or parties; and
  - (b) the parties must promptly meet and in good faith try to resolve the dispute using informal dispute resolution techniques, which may include negotiation, mediation, independent and expert appraisal or any other dispute resolution technique that may be agreed by the parties; and
  - (c) if the dispute is not resolved within ten (10) working days of the written particulars being given (or any longer period agreed by the parties):
    - (i) the dispute must be referred to arbitration in accordance with the Arbitration Act 1996; and
    - (ii) the arbitration must be conducted by a single arbitrator to be agreed on by the parties or, failing agreement, to be appointed by the President for the time being of the Otago branch of the New Zealand Law Society; and
    - (iii) the arbitration shall be conducted with minimum possible formality, the objective being that the dispute be resolved as quickly as is practicable and with minimum necessary cost.





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

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

**Grantor**

GLENTUI HEIGHTS LIMITED

**Grantee**

GLENTUI HEIGHTS 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
Right to Convey Water	"M", "N", "P", "R", "T", "AH", "AB", "AC", "AD", "AF", "AM", "AJ", "ZH", "ZI" and "AI" on DP 494333	735398	735397

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**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 1]~~

**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~~

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**Form L****Annexure Schedule 1**

Page 1 of 6 Pages

*Insert instrument type*

Right to Convey Water Easement

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

In this Instrument:

*"Annual Costs"* means all Capital Costs, Maintenance Costs and Operational Costs incurred on an annual basis.

*"Capital Costs"* means any costs incurred by GHL from time to time in replacing any component part or parts of the Water Supply Equipment.

*"Community Water Scheme"* and *"Scheme"* mean the reticulated water scheme to be operated by the Grantor, utilising the Water Permit and the Water Supply Equipment, for the benefit of certain properties within the Bobs Cove area including the Dominant Land.

*"Dominant Land"* and *"Dominant Tenement"* mean the dominant tenement.

*"GHL"* means Glentui Heights Limited whilst it remains the registered proprietor of the Servient Land, and thereafter means the owner from time to time of the Servient Land.

*"Grantee"* means the registered proprietor of the Dominant Tenement.

*"Grantor"* means the registered proprietor of the Servient Tenement.

*"Levy" or "Levies"* means the annual amount payable the Grantee in accordance with clauses 10-12 of this instrument.

*"Maintenance Costs"* means any costs incurred by GHL from time to time in maintaining the Water Supply Equipment including (without limitation) the cost of any maintenance contracts.

*"Maximum Volume"* means 6300 litres per day of water (being an allocation of 2100 litres per day per Residential Unit), or such other volume of water as may be authorised pursuant to clause 22, or such other volume as may be available to the Dominant Tenement from time to time under the Water Permit and as may be notified to the Grantee by GHL in writing from time to time, it being acknowledged that the total volume of water available under the Water Permit is required to be divided on a fair basis between the total number of properties (inclusive of the Dominant Tenement) which from time to time have an entitlement to receive water through the Scheme.

*"Operational Costs"* means all daily, weekly, monthly or annual costs, fees, charges or expenses incurred by GHL in relation to the operation of the Community Water Scheme, including (without limitation) all electricity expenses, metering and meter reading expenses, any Council and other local authority charges (including any fees incurred in relation to any

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Resource Consent application), any management fees and all accounting fees incurred by GHL in relation to the issuing of invoices or reports.

*“Residential Unit”* means a residential activity which consists of a single self-contained household unit, for the accommodation of one or more persons, incorporating no more than one kitchen and no more than one laundry facility, and includes accessory buildings.

*“Restrictor Valve”* means a valve designed and manufactured to restrict the flow of water to a nominated volume, and includes any similar device.

*“Servient Land”* and *“Servient Tenement”* mean the servient tenement.

*“Water Permit”* means permit number 96582 issued by Otago Regional Council, and any water permit issued in substitution thereof.

*“Water Supply Equipment”* means the well, well head, pumps, pump sheds, electricity supply, pipelines, storage tanks, reservoirs, water purifying equipment and any replacement or other equipment utilised from time to time for the supply of water pursuant to the terms of this Instrument.

#### **BACKGROUND**

- (a) The Water Supply Equipment is situated upon the Servient Land.
- (b) The Grantor holds the Water Permit, which authorises the taking of 100,000 litres of water per day for domestic purposes.
- (c) The Grantor is to utilise the Water Supply Equipment and the Water Permit for the purpose of providing a reticulated water supply scheme for certain properties within the Bobs Cove area, including the Dominant Tenement.
- (d) The Grantee shall pay to GHL an annual Levy, and GHL shall be responsible for meeting all Operational Costs, Maintenance Costs and Capital Costs relating to the Community Water Scheme.

#### **OPERATION OF SCHEME**

1. GHL shall manage and operate the Community Water Scheme for the purpose of providing a reticulated domestic water supply to the Dominant Land and other properties within the Bobs Cove area.
2. The Community Water Scheme shall be structured and operated in such a way that it is capable of providing the Maximum Volume of water to the Dominant Land.
3. Acknowledging that there are, in terms of the Water Permit and in terms of the capacity of the Water Supply Equipment, limitations upon the volume of water available, the following provisions shall apply in respect of the reticulation to the Dominant Tenement:
  - (a) Within two months after the registration of this Easement Instrument a Restrictor Valve (to be provided by and at the expense of GHL) shall be installed in the pipeline at or within the boundary of the Dominant Tenement. Such valve shall be configured so as to allow the Dominant Tenement to receive the Maximum Volume of water but no more.

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- (b) If at any future point in time the Maximum Volume changes, then the Grantee shall, at their own expense, procure and install a new Restrictor Valve (approved by GHL), the intention being that the available water take for the Dominant Tenement shall never exceed the Maximum Volume from time to time.
  - (c) The Grantee shall ensure that the Restrictor Valve, once installed, is not removed or interfered with and that it functions as intended.
  - (d) GHL shall at all times be entitled, through its agents and servants, to enter upon the Dominant Tenement for the purpose of inspecting, testing or maintaining the Restrictor Valve.
4. To enhance the efficiency of the Community Water Scheme:
- (a) Within two months after the registration of this Easement Instrument the Grantee shall at their own expense install upon the Dominant Land a water storage tank with a capacity of not less than 5000 litres.
  - (b) The connection from the Scheme shall be made direct to the storage tank, and the Restrictor Valve referred to in paragraph 3 above shall be installed within the pipeline at the boundary or between the boundary and the storage tank.
  - (c) All water drawn for use upon the Dominant Land shall be drawn from the storage tank.
  - (d) It shall be the Grantee's obligation to maintain the storage tank in good working condition at all times.
5. GHL shall use all reasonable endeavours to ensure that the water supplied through the Community Water Scheme is of potable quality compliant with the requirements of the Drinking Water Standard for New Zealand 2005 (Revised 2008).

**MAINTENANCE**

6. GHL shall use all reasonable endeavours to maintain the Scheme in good operative working condition, so that as far as is reasonably possible the Scheme is able to deliver water to the Dominant Land on a continuous basis.
7. In meeting its maintenance obligations, GHL shall seek to ensure:
- (a) That the well is kept clean and free flowing.
  - (b) That the electricity supply to the pump is kept in good condition.
  - (c) That a backup electricity supply is available when needed.
  - (d) That the pump is serviced as required and maintained in good working order.
  - (e) That pipelines and joints are maintained in good repair.
  - (f) That the storage tanks situated upon the Servient Land are kept clean and in good working condition.

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8. Notwithstanding the obligations upon GHL to maintain the Scheme in good operative working condition, it is acknowledged that from time to time circumstances might arise when the system becomes temporarily inoperative, either as a consequence of a breakdown of the Water Supply Equipment or as a consequence of closure for maintenance or repair work. Where this occurs:
- (a) GHL shall use all reasonable endeavours to ensure that normal operation of the system recommences as quickly as is practicable; but provided
  - (b) In no circumstances shall GHL have any liability to the Grantee or to any occupant of the Dominant Tenement as a consequence of any restriction upon or cessation of the availability of water through the Scheme for any period of time.

#### **ENGAGEMENT OF MANAGEMENT AND CONTRACTORS**

9. GHL shall engage or employ such staff, contractors or agents as are reasonably required from time to time to undertake:
- (a) The maintenance and repair of the Water Supply Equipment.
  - (b) The preparation and forwarding of invoices and accounts, and the receipt of Levies.
  - (c) The making of any Resource Consent applications required in respect of the Scheme.
  - (d) The co-ordination and management of the Community Water Scheme.

#### **LEVIES**

10. In consideration of the benefit of a connection to the Community Water Scheme and as a contribution toward the Annual Costs of operating the Scheme, the Grantee shall pay to GHL an Annual Levy.
11. The Levy for the 12 month period commencing 1 June 2016 shall be the sum of \$4,500.00 (plus GST).
12. The annual Levy for each succeeding 12 month period (the first of which will be the 12 month period commencing 1 June 2017) shall be automatically increased in accordance with the movement of the Consumer Price Index (All Groups) published by Statistics New Zealand or other governmental agency. On each occasion the new Levy shall be calculated in accordance with the following formula:

$$N = R \times \frac{CPI(D)}{CPI(C)}$$

where

*N = new Levy*

*R = Levy for the previous 12 months*

*CPI(D) = Consumer Price Index (All Groups) for the nearest quarter either preceding or following the date of commencement of the 12 month period*

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*CPI(C) = Consumer Price Index (All Groups) for the nearest quarter either preceding or following commencement of the previous 12 month period*

For the avoidance of doubt, it is recorded that the Levy may increase but not decrease pursuant to the above formula. In the event that an application for the formula set out above would result in a decrease in the Levy, then the Levy shall remain the same as the Levy for the previous period.

13. For the avoidance of any doubt, the requirement is that the Grantee must pay the annual Levy irrespective of the volume of water actually drawn or taken for the benefit of the Dominant Land during the period in question.
14. GHL shall issue invoices for the annual Levy as quickly as is practicable after the Levy has been calculated for each 12 month period. Every such invoice shall be payable within 14 days after the date of issue.

**OWNERSHIP OF SCHEME**

15. Notwithstanding any other provision of this Instrument or of any other agreement or document, the Scheme and the Water Supply Equipment shall at all times remain the property of GHL.

**WATER PERMIT**

16. GHL and the Grantee shall each take all reasonable steps to ensure that any conditions attaching to the Water Permit are complied with from time to time.
17. GHL shall take all reasonable steps required to ensure that the Water Permit remains current and operative for its duration and that when the Water Permit is due to expire an application is made, in a timely fashion, for the renewal, extension or replacement of the Water Permit.

**DEFAULT BY GRANTEE**

18. If the Grantee shall default in making payment of any amount properly levied in accordance with the terms of this instrument then:
  - (a) The amount in default shall be recoverable by GHL as a debt due, and pending payment shall incur interest at the rate of 20% per annum from the due date of payment until the actual date of payment; and
  - (b) Without prejudice to GHL's right to take action for recovery of the amount in default and interest, and subject to any statutory obligations (including but not limited to Section 69S(4)(b) of the Health Act 1956 or any legislation in substitution),GHL shall be entitled to disconnect the water supply to the Dominant Tenement until such time as the default has been remedied in which case all costs incurred in relation to the disconnection and subsequent reconnection shall be payable by the Grantee.
19. If the Grantee shall default in their obligations pursuant to paragraph 3, then:
  - (a) GHL shall be authorised to remedy that default; and
  - (b) all remedial costs incurred by GHL shall be payable by the Grantee; and

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- (c) pending reimbursement of the remedial costs by the Grantee to GHL, the amount of the remedial costs shall bear interest at the rate of 20% per annum from the date of demand until the date of payment; and
- (d) the amount due to GHL (including interest) shall be recoverable by GHL as a debt due; and
- (e) pending payment the right of disconnection set out in clause 18(b) above shall apply.

**FUTURE VARIATION FOR ADDITIONAL RESIDENTIAL UNITS**

- 20. The Community Water Scheme typically operates upon the basis that each Dominant Tenement comprises a single Residential Unit; that the Maximum Volume for each Residential Unit (as at the date of this Instrument) is 2100 litres of water per day; and that the Annual Levy for each Residential Unit (as at the date of this Instrument) is \$1,500.00 plus GST.
- 21. This Instrument is entered into upon the basis that the Dominant Tenement encompasses three Residential Units, which the Grantor and the Grantee understand to be the maximum permitted development potential for the Dominant Tenement. On that basis, the Maximum Volume under this Instrument is 6300 litres of water per day, and the Annual Levy under this Instrument is \$4,500.00 (plus GST).
- 22. In the event that at any future time the Grantee should obtain Local Authority approval to develop more than three Residential Units upon the Dominant Tenement then, upon request from the Grantee, and subject to there being at the time unallocated capacity under the Water Permit, the Grantor shall agree to vary the easements created by this Instrument so as to provide an additional allocation of the then Maximum Volume for each additional Residential Unit which has been approved for development upon the Dominant Tenement.
- 23. Where such additional allocation is made, then the Annual Levy shall be increased to reflect the additional allocation on a pro rata basis.

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

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

**Grantor**

GLENTUI HEIGHTS LIMITED

**Grantee**

GLENTUI HEIGHTS 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
Right to Drain Sewage	"AD", "AE", "AF", "AQ", "O" on DP 494333	735398	735397

**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 1]~~

**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 \_\_\_\_\_]~~

Form L

## Annexure Schedule 1

Page 1 of 5 Pages

*Insert instrument type*

Easement Instrument – Right to Drain Sewage

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

In this Instrument:

*“Annual Costs”* means all Capital Costs, Maintenance Costs and Operational Costs incurred on an annual basis.

*“Capital Costs”* means any costs incurred by GHL from time to time in replacing any component part or parts of the Effluent Treatment Equipment.

*“Community Effluent Treatment Scheme”* and *“Scheme”* mean the effluent and waste water treatment scheme operated by the Grantor, utilising the Effluent Treatment Equipment, for the benefit of certain properties within the Bobs Cove area including the Dominant Land.

*“Discharge Permit”* means Consent number 97750 issued by Otago Regional Council, and any Discharge Permit issued in substitution thereof.

*“Dominant Land”* and *“Dominant Tenement”* mean the dominant tenement.

*“Easement Line”* means each of the easement lines to which this Instrument relates.

*“Effluent Treatment Equipment”* means the concrete construction commercial inground multi-tank secondary waste water treatment facility located on Easement Line “O”.

*“GHL”* means Glentui Heights Limited whilst it remains the registered proprietor of the Servient Land, and thereafter means the owner from time to time of the Servient Land.

*“Grantee”* means the registered proprietor of the Dominant Tenement.

*“Grantor”* means the registered proprietor of the Servient Tenement.

*“Levy”* or *“Levies”* mean the annual amount payable the Grantee in accordance with clauses 6-8 of this instrument.

*“Maintenance Costs”* means any costs incurred by GHL from time to time in maintaining the Effluent Treatment Equipment including (without limitation) the cost of any maintenance contracts.

*“Operational Costs”* means all daily, weekly, monthly or annual costs, fees, charges or expenses incurred by GHL in relation to the operation of the Community Effluent Treatment Scheme, including (without limitation) any Council or other local authority charges (including any fees incurred in relation to any Resource Consent application), any management fees and all accounting fees incurred by GHL in relation to the issuing of invoices or reports.

*"Pipelines"* means the pipelines situated on Easement Lines "AD", "AE", "AF" and "AQ" which connect the Dominant Land to the Effluent Treatment Equipment.

*"Residential Unit"* means a residential activity which consists of a single self-contained household unit, for the accommodation of one or more persons, incorporating no more than one kitchen and no more than one laundry facility, and includes accessory buildings.

*"Servient Land"* and *"Servient Tenement"* mean the servient tenement.

#### **BACKGROUND**

- (a) The Effluent Treatment Equipment is situated upon Easement Line "O" on the Servient Land.
- (b) The Grantor holds the Discharge Permit, which authorises the discharge of 7000 litres per day of treated sewage effluent to the Servient Tenement.
- (c) The Grantor is to utilise the Effluent Treatment Equipment and the Discharge Permit for the purpose of providing a reticulated waste water and effluent treatment scheme for certain properties within the Bobs Cove area, including the Dominant Tenement.
- (d) The Grantee shall pay to GHL an annual Levy, and GHL shall be responsible for meeting all Operational Costs, Maintenance Costs and Capital Costs relating to the Effluent Treatment Scheme.

#### **OPERATION OF SCHEME**

1. GHL shall manage and operate the Community Effluent Treatment Scheme for the purpose of providing a reticulated waste water and effluent treatment system to the Dominant Land and other properties within the Bobs Cove area.
2. GHL shall use all reasonable endeavours to ensure that the Effluent Treatment Equipment operates effectively and in accordance with its specifications, and is maintained in good operative working condition so that as far as is reasonably possible the Scheme is able to deliver effective effluent and waste water treatment to the Dominant Land on a continuous basis.
3. Notwithstanding the obligation upon GHL to maintain the Effluent Treatment Equipment in good operative working condition, it is acknowledged that from time to time circumstances might arise when the Scheme becomes temporarily inoperative, either as a consequence of a breakdown or as a consequence of closure for maintenance or repair work. Where this occurs:
  - (a) GHL shall use all reasonable endeavours to ensure that normal operation of the Scheme recommences as quickly as is practicable; but provided
  - (b) In no circumstances shall GHL have any liability to the Grantee or to any occupant of the Dominant Tenement as a consequence of any restriction upon or cessation of the availability of effluent treatment through the Scheme for any period of time.
4. The Grantee shall be responsible for arranging and meeting the cost of the laying of the Pipelines, which must be laid underground. Maintenance, repair and replacement of the Pipelines shall also be the Grantee's responsibility, except that where the need

for any maintenance or repair is attributable to a deliberate or negligent act on the part of the Grantor then the Grantor shall be solely responsible for arranging and meeting the cost of the necessary repair or maintenance.

**ENGAGEMENT OF MANAGEMENT AND CONTRACTORS**

5. GHL shall engage or employ such staff, contractors or agents as are reasonably required from time to time to undertake:
  - (a) The maintenance and repair of the Effluent Treatment Equipment.
  - (b) The preparation and forwarding of invoices and accounts, and the receipt of Levies.
  - (c) The making of any Resource Consent applications required in respect of the Scheme.

**LEVIES**

6. In consideration of the benefit of a connection to the Scheme the Grantee shall pay to GHL an Annual Levy.
7. The Levy for the 12 month period commencing 1 June 2016 shall be the sum of \$4,500.00 (plus GST), being \$1,500.00 (plus GST) for each Residential Unit situated upon the Dominant Land entitled to connect to the Scheme.
8. The annual Levy for each succeeding 12 month period (the first of which will be the 12 month period commencing 1 June 2017) shall be automatically increased in accordance with the movement of the Consumer Price Index (All Groups) published by Statistics New Zealand or other governmental agency. On each occasion the new Levy shall be calculated in accordance with the following formula:

$$N = R \times \frac{CPI(D)}{CPI(C)}$$

where

*N = new Levy*

*R = Levy for the previous 12 months*

*CPI(D) = Consumer Price Index (All Groups) for the nearest quarter either preceding or following the date of commencement of the 12 month period*

*CPI(C) = Consumer Price Index (All Groups) for the nearest quarter either preceding or following commencement of the previous 12 month period*

For the avoidance of doubt, it is recorded that the Levy may increase but not decrease pursuant to the above formula. In the event that an application for the formula set out above would result in a decrease in the Levy, then the Levy shall remain the same as the Levy for the previous period.

9. For the avoidance of any doubt, the requirement is that the Grantee must pay the annual Levy irrespective of the volume of waste water actually discharged from the Dominant Land for treatment within the Scheme.

10. GHL shall issue invoices for the annual Levy as quickly as is practicable after the Levy has been calculated for each 12 month period. Every such invoice shall be payable within 14 days after the date of issue.

**OWNERSHIP OF SCHEME**

11. Notwithstanding any other provision of this Instrument or of any other agreement or document, the Scheme and the Effluent Treatment Equipment shall at all times remain the property of GHL.

**DISCHARGE PERMIT**

12. GHL and the Grantee shall each take all reasonable steps to ensure that any conditions attaching to the Discharge Permit are complied with from time to time.
13. GHL shall take all reasonable steps required to ensure that the Discharge Permit remains current and operative for its duration, that any required increase in the capacity of the Discharge Permit is applied for in a timely fashion, and that when the Discharge Permit is due to expire an application is made, in a timely fashion, for the renewal, extension or replacement of the Discharge Permit.

**DEFAULT BY GRANTEE**

14. If the Grantee shall default in making payment of any amount properly levied in accordance with the terms of this instrument then the amount in default shall be recoverable by GHL as a debt due, and pending payment shall incur interest at the rate of 20% per annum from the due date of payment.

**RIGHTS OF ENTRY**

15. For the purpose of performing any duty or in the exercise of any rights conferred by this instrument, the Grantee may:
  - (a) enter upon the Servient Tenement by a reasonable route and with all necessary tools, vehicles, and equipment; and
  - (b) remain on the Servient Tenement for a reasonable time for the sole purpose of completing the necessary work; and
  - (c) leave any vehicles or equipment on the Servient Tenement for a reasonable time if work is proceeding.
16. The Grantee must ensure that as little damage or disturbance as possible is caused to the Servient Tenement.
17. The Grantee must ensure that all work is completed promptly and is performed in a proper and workmanlike manner.
18. The Grantee must immediately make good any damage done to the Servient Tenement by restoring the surface of the land as nearly as is possible to its former condition.
19. The Grantee must compensate the Grantor for all damages caused by the work to any building, erection, fence or improvement upon the Servient Tenement.

**LIMITATION ON NUMBER OF CONNECTIONS**

20. The easement rights created by this instrument may be utilised by the Grantee to serve a maximum number of three Residential Units situated on the Dominant Land.
21. In the event that the Grantee develops any more than three Residential Units upon the Dominant Land, waste water and effluent treatment disposal for those additional units must be undertaken on the Dominant Land by way of septic tank or otherwise.





# View Instrument Details

**Instrument No** 10521522.10  
**Status** Registered  
**Date & Time Lodged** 08 September 2016 16:42  
**Lodged By** Bloomfield, Debra Maree  
**Instrument Type** Consent Notice under s221(4)(a) Resource Management Act 1991



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Affected Computer Registers	Land District
735392	Otago
735393	Otago
735394	Otago
735395	Otago
735396	Otago
735397	Otago

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**Annexure Schedule:** Contains 7 Pages.

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## Signature

Signed by Christopher Thomas Clark as Territorial Authority Representative on 17/08/2016 11:45 AM

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



IN THE MATTER of Lots 19 – 23, 100  
and 101 being a  
Subdivision of Lot 13  
DP 319903, Sec 3 Blk  
V and Secs 42 & 43 Blk  
IV Mid Wakatipu SD

AND

IN THE MATTER of a subdivision by  
Glentui Heights Ltd  
being approved  
Resource Consent  
RM130174

---

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

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**BACKGROUND**

- A. The Queenstown Lakes District Council ('Council') issued resource consent RM130174 ('Consent') authorising a thirty-five (35) lot subdivision of Lots 9, 10 & 13 DP 319903 and Sec 3 Blk V & Secs 42 & 43 Blk IV Mid Wakatipu SD.
- B. Council granted the Consent subject to certain conditions which are required to be complied with on an ongoing basis by the owner and subsequent owner(s) of the land, being those conditions specified in the Operative Part hereof.
- C. Council also issued resource consent RM150792 to vary RM130174.
- D. This consent notice addresses stages 1C and 4 only, being the subdivision of Lots 13 DP 319903 and Sec 3 Blk V and Secs 42 & 43 Blk IV Mid Wakatipu SD comprised and described in Computer Freehold Registers 78399, OT5A/737, OT14D/1170 and OT11B/129 ('Land') into seven (7) lots and the conditions of the Consent which relate to the Land.
-

**OPERATIVE PART**

1. In this Consent Notice, the definitions set out in the schedule shall apply, unless the context otherwise requires.
2. The following conditions pertaining to this Consent Notice are to be registered against the titles of the following allotments: -

Lot 19 DP 494333	CFR 735392
Lot 20 DP 494333	CFR 735393
Lot 21 DP 494333	CFR 735394
Lot 22 DP 494333	CFR 735395
Lot 23 DP 494333	CFR 735396
Lot 100 DP 494333	CFR 735397

**Conditions**

- a) The Council is not responsible for the operation, maintenance or upgrade of any part of the infrastructure or roading to any lot within this subdivision. All operational and maintenance costs in respect of roading, water supply and stormwater overland flow paths associated with the development shall be met by the relevant lot owners of the affected land.
- b) The drinking water supply is to be monitored for compliance with the Drinking Water Standard for New Zealand 2005 (revised 2008), by the management group for the lots, and the results forwarded to the Principal: Environmental Health at QLDC. The Ministry of Health shall approve the laboratory carrying out the analysis. Should the water not meet the requirements of the Standard then the management group for the lots shall be responsible for the provision of water treatment to ensure that the Drinking Water Standards for New Zealand are met or exceeded.
- c) At the time any vehicle access (driveway) is constructed on lots 19-23, the lot owner shall construct a sealed vehicle crossing from the frontage road to the lot boundary, in terms of Diagram 2, Appendix 7 of the District Plan. This shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Provision shall be made to continue any roadside drainage. The final design for the vehicle crossing shall be approved by Council prior to the dwelling being constructed.
- d) At the time a dwelling is erected on lots 19-23, fire fighting storage is to be provided. A minimum of 20,000 litres shall be maintained at all times as a static fire fighting reserve within a 30,000 litre tank. Alternatively, a 7,000 litre fire fighting reserve is to be provided for each dwelling in association with a domestic sprinkler system installed to an approved standard. A fire fighting connection in accordance with Appendix B - SNZ PAS 4509:2008 is to be located no further than 90 metres, but no closer than 6 metres, from any proposed Building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family dwellings. In the event that the proposed dwellings provide for more than single family occupation then the

consent holder should consult with the NZFS as larger capacities and flow rates may be required.

The Fire Service connection point/coupling must be located so that it is not compromised in the event of a fire.

The connection point/coupling shall have a hardstand area adjacent to it (within 5m) that is suitable for parking a fire service appliance. The hardstand area shall be located in the centre of a clear working space with a minimum width of 4.5 metres. Pavements or roadways providing access to the hardstand area must have a minimum formed width as required by QLDC's standards for rural roads (as per NZS 4404:2004 with amendments adopted by QLDC in 2005). The roadway shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Access shall be maintained at all times to the hardstand area.

Underground tanks or tanks that are partially buried (provided the top of the tank is no more than 1 metre above ground) may be accessed by an opening in the top of the tank whereby couplings are not required. A hardstand area adjacent to the tank is required in order to allow a fire service appliance to park on it and access to the hardstand area must be provided as above.

The Fire Service connection point/coupling/fire hydrant/tank must be located so that it is clearly visible and/or provided with appropriate signage to enable connection of a fire appliance.

Fire fighting water supply may be provided by means other than the above if the written approval of the New Zealand Fire Service Central North Otago Area Manager is obtained for the proposed method.

The fire fighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the Building.

- e) At the time a dwelling is erected on lots 19-23, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by Railton Plumbing Ltd, dated 14th September 2012". The proposed waste water system shall be subject to the review of Council prior to implementation and shall be installed prior to occupation of the dwelling. Consent for this may also need to be obtained from the Otago Regional Council. Lots 19-23 shall dispose of effluent by way of drip line irrigation only.
- f) At the time a dwelling is erected on lot 100, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by Railton Plumbing Ltd, dated 14th September 2012". The proposed waste water system shall be subject to the review of Council prior to implementation and shall be installed prior to occupation of the dwelling. Consent for this may also need to be obtained from the Otago Regional Council.
- g) No Building shall be constructed within the no build covenant areas marked DF, DK, DP, DU and DZ on Lots 19-23.

- h) No Building on lots 19-23 shall have a finished floor level below 352m, consistent with the recommendations of the Tonkin & Taylor Geotechnical Investigations report job number 880366.1, submitted with the RM031074 application and dated January 2013.
- i) The management and maintenance of areas of existing and proposed indigenous vegetation identified within the certified stage landscape plan shall be carried out in accordance with the certified "Ecological Management and Maintenance Specification Plan" EMMP.
- j) There shall be no removal, modification or any form of alteration of indigenous vegetation outside of the development area on any lot, except where approval is first obtained from the Reserve Manager; and
- a. the vegetation is within an area of 'low level' planting as identified on the approved stage landscaping plan for RM130174; or
  - b. is specifically approved by the Council under (k) below or as part of the landscape plan approval process required under (l) below.
- k) All protected trees as identified on the certified landscape plans and as 'protected trees' on the survey plan (identified as covenant areas HD, HE, HF, HG, HH, HI, HJ, HK, HL, HM, HN), and all other indigenous trees over 6m in height and with a DBH (diameter at breast height) of over 200mm within the undomesticated areas, are to be retained and protected. Such trees shall not be removed, altered or modified in any manner, and there shall be no excavations or construction of Structures or Buildings within 2m of the drip line. Such trees are to be identified on a landscape plan to be submitted to Council as part of any future resource consent application for development within the lot.

Any pruning or maintenance required to remove hazards created by trees within a development area shall be accompanied by an assessment by a qualified arborist and certified by the Council's Landscape Architect, prior to such works commencing.

- l) At the time any Building is proposed, a landscape plan for that lot shall be required to accompany the resource consent application to the Council. The plan shall achieve the following objectives:
- All proposed planting shall be of native species from the list contained in the approved "Ecological Management and Maintenance Specification Plan" (EMMP) or be certified by Council.
  - Areas of low level planting as defined on the approved subdivision plans shall be identified. If it proposed to remove existing vegetation from these areas, then they shall be replanted in accordance with the EMMP 'low level' planting requirements.
  - Removal of Eucalyptus trees is encouraged, to improve indigenous character. Removal of such trees shall be undertaken in accordance with the EMMP to avoid damaging indigenous vegetation.
  - New planting shall be implemented within 8 months after the Building construction has been completed.
  - Privacy between lots should be maintained to provide seclusion and amenity to the site.

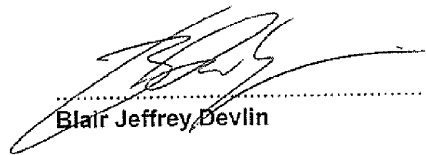
- All protected trees, and all indigenous trees over 6m in height and with a DBH (diameter at breast height) of over 200mm located outside of the development area shall be identified on the plan. Such trees shall not be removed, altered or modified in any manner, and there shall be no excavations or construction of Structures or Buildings within 2m of the drip line of such trees.
  - The boundary of the extent of all areas of indigenous vegetation outside of the development area shall be identified.
  - Gullies and/or natural watercourses shall be identified.
  - Water tanks shall be buried or partially buried and shall be screened from view beyond the lot by existing or proposed vegetation.
  - Should any protected trees be deemed to pose a hazard, a report by a suitably qualified arborist shall be provided to and certified by Council prior to its removal.
  - The proposed driveway alignment (from the lot boundary to the dwelling) shall be identified. If this alignment does not match the covenanted development area registered on the Computer Freehold Register for the lot, then the landscaping plan shall show that the total area (in m<sup>2</sup>) to be cleared of vegetation within the lot does not exceed the covenanted development area.
- m) All new indigenous planting shall be revegetation planting with the purpose to enable the long term natural regeneration of indigenous forest cover rather than amenity or garden type planting.
- n) Landscape lighting shall be kept within the development areas only excluding access driveways where it shall not be used. Such lighting shall be downward facing only and not exceed 1m from ground level. All other exterior lighting attached to Buildings, shall be at height no greater than 3m above the ground, and shall be down lighting only, and shall not create light spill beyond the boundaries of the lot.
- o) All timber crib walls or barriers visible from outside the site shall be stained a dark grey, green or brown colour (with a Light Reflectance Value of between 5 and 15%).
- p) Any excavation or construction works within 10m of protected trees as identified on the approved landscape plan shall be protected from such works by the following. Temporary fencing around protected trees shall be installed no less than 2m from the drip line of trees, and shall be a minimum of 1.8m in height. Before any materials or machinery are brought to site, or before any demolition, or development works begin fencing must be erected around all protected trees. Temporary fencing must be maintained throughout the construction works, and must prevent vehicle and person access within the protected area. No works, including the storage of machinery or materials, shall be allowed within the protected area. Notices shall be erected on fencing with words such as "Protected area – no operations or storage within fenced area".
- q) Earthworks and Structures proposed for rock fall mitigation shall be screened from view from public areas with indigenous vegetation in keeping with the approved Ecological Management and Maintenance Plan and landscape plan or shall have a green geotextile or similar applied to enable re-grassing of such Structures. Where such Structures are located within undomesticated areas a landscape reinstatement plan shall be submitted to Councils landscape architect for certification outlining the

extent of works, extent of removal of indigenous vegetation and reinstatement of indigenous vegetation prior to construction. Such Structures shall avoid removal or damage to protected trees.

- r) Areas defined as 'low level' indigenous vegetation on the certified landscape plans can be managed to maintain views from residential dwellings. This excludes the removal or modification of protected trees as identified on the certified subdivision and stage landscape plans. Such areas shall be managed to maintain a closed canopy of indigenous vegetation, and shall comprise of a diversity of indigenous species of trees, shrubs, grasses and ferns as listed within the EMMP certified under RM130174.
- s) Where a Building is proposed within 50 metres of the Glenorchy-Queenstown Road, indigenous planting within the 15m setback planted buffer shall be established to a height of 2 metres, be at a density 1 plant per square metre and shall have survived for at least 18 months prior to any residential Buildings being erected.
- t) All Structures on each lot shall be located within the development area identified as covenant areas DD, DE, DF, DI, DJ, DK, DN, DO, DP, DS, DT, DU, DX, DY, DZ, HA, HB, HC, HE, HF, HH, HK, and HN on the survey plan.
- u) Exterior cladding and roof colours shall be drawn from the natural range of browns, greens and greys consistent with the background colours of the landscape of the site, and shall be of low reflectivity with a Light Reflectivity Value of between 5 and 36%, except for roof colours which shall be between 5 and 15% and have a matt finish.
- v) No domestic activities are permitted within the 'Undomesticated Areas' identified as covenant areas AP, DA, DB, DC, DG, DH, DL, DM, DQ, DR, DV, DW, HD, HG, HL, HI, HJ, HM, HO, HP, HQ and HR on the survey plan.

DATED this 3<sup>rd</sup> day of JUNE 2016.

SIGNED for and on behalf  
of the QUEENSTOWN LAKES  
DISTRICT COUNCIL under delegated  
Authority by its Manager, Planning Practice

  
Blair Jeffrey Devlin

## SCHEDULE

### DEFINITIONS

*Structure* means any building, equipment device or other facility made by people and which is fixed to land and includes any raft.

*Building* shall have the same meaning as in the Building Act 1991, but does not include:

- Fences or walls of 2m in height or less above ground level or retaining walls of 2m in height or less below ground level, not used for a sign or for any purpose other than as a fence, retaining wall or wall.
- Structures less than 5m<sup>2</sup> in area and in addition less than 2m in height above ground level.
- Radio and television aerials (excluding dish antennae for receiving satellite television which are greater than 1.2m in diameter), less than 2m in height above ground level.
- Masts and poles less than 2m in height above ground level.

Building includes the construction, erection, alteration, relocation or placement on a site of a building.



**DECISIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL**

**NOTIFICATION UNDER s95A AND s95B AND DETERMINATION UNDER s104**

**OF THE RESOURCE MANAGEMENT ACT 1991**

<b>Applicant:</b>	Bob's Cove Developments Limited and Department of Conservation
<b>RM reference:</b>	RM180302
<b>Application:</b>	Application under s88 of the Resource Management Act (RMA) for the subdivision of Section 28 Blk V Mid Wakatipu SD to create two lots, and to undertake associated earthworks and landscaping.
<b>Location:</b>	Glenorchy-Queenstown Road, Bobs Cove
<b>Legal Description:</b>	Secs 6, 7, 28-30 Blk V Pt Sec 45 BLK IV Mid Wakatipu Survey District Road ADJ Secs 1, 7-21 (Department of Conservation reserve land) Part Sec 10 Blk V Mid Wakatipu SD held in Computer Freehold Register OT15D/983 Lot 100 Deposited Plan 494333 held in Computer Freehold Register 735397
<b>Operative District Plan Zoning:</b>	Rural General
<b>Proposed District Plan (Stage 1 – Decisions Version 2018) Zoning:</b>	Rural Residential
<b>Proposed District Plan (Stage 2) Zoning:</b>	N/A
<b>Activity Status:</b>	<b>Non-Complying Activity</b>
<b>Date</b>	<b>11 December 2018</b>
<b>Re-issue date:</b>	<b>12 December 2018</b>



### SUMMARY OF DECISIONS

1. Pursuant to sections 95A-95F of the Resource Management Act 1991 (**RMA**) the application will be processed on a **non-notified** basis given the findings of Section 3 of this report. This decision is made by Paula Costello, Senior Planner, on 11 December 2018 under delegated authority pursuant to Section 34A of the RMA.
2. Pursuant to Section 104 of the RMA, consent is **GRANTED SUBJECT TO CONDITIONS** outlined in **Appendix 1** of this decision imposed pursuant to Section 108 of the RMA. This consent can only be implemented if the conditions in Appendix 1 are complied with by the consent holder. The decision to grant consent was considered (including the full and complete records available in Council's electronic file and responses to any queries) by Paula Costello, Senior Planner, as delegate for the Council.
3. This decision is a re-issue of RM180302. Pursuant to Section 133A of the RMA, this consent is being re-issued to correct a minor error in relation to an incomplete sentence included in the RM180302 decision. Specifically, on Page 10 of the original RM180302 decision, under the heading 'Earthworks' (in Section 3.3.3), a sentence was incomplete in relation to the proposed earthworks. The following paragraph effectively sets out the intention of the sentence before it, therefore it is not necessary to include the incomplete sentence.

The overall assessment undertaken has not changed nor has the report, and the corrections made do not change the nature of the application as applied for. The text within the RM180302 decision has been updated to reflect the minor corrections described above, and the incomplete sentence has been deleted.

This is considered a minor mistake or defect and therefore the consent can be re-issued pursuant to section 133A of the RMA. The decision was made and the re-issue authorised by Paula Costello, Senior Planner, as delegate for Council on 12 December 2018. This re-issue is made one (1) working day after the grant of the consent.

## 1. SUMMARY OF PROPOSAL AND SITE DESCRIPTION

### Proposal Description

Resource consent is sought to subdivide Section 28 Blk V Mid Wakatipu SD to create two lots, and to undertake associated earthworks and landscaping.

The proposal is to facilitate a land swap between the two applicants, whereby Proposed Section 1 which is currently in Department of Conservation (DoC) ownership will be exchanged for Part Sec 10 Blk V Mid Wakatipu SD (land owned by Bobs Cove Developments Limited). This is done under a separate (non-RMA) process.

The applicant has provided a detailed description of the proposal, the site and locality and the relevant site history in Paragraphs 1 – 14 of the report entitled '*Resource Consent Application & Assessment of Effects on the Environment Prepared for the Department of Conservation + Bobs Cove Developments Ltd July 2018*', Version: 1, Version Date: 24/09/2018, prepared by Ben Farrell of John Edmonds & Associates Limited, and submitted as part of the application (hereon referred to as the applicant's AEE and attached as Appendix 2). This description is considered accurate and is adopted for the purpose of this report, with the following additional clarifications/comments:

- The Paterson Pitts drawing entitled '*Proposed Land Exchange Proposed Easement and Development Area Details*', Sheet No. 3, Revision No. H, dated 25/05/2018 shows a 'proposed development area' in relation to Lot 100 DP 494333 created by RM130174. Two areas annotated as 'surrender existing development area' are also shown.

These components are not explained anywhere in the applicant's AEE, and therefore do not form part of this application. As far as can be determined, the development areas on Lot 100 DP 494333 are as consented under RM130174. No assessment has therefore been made.

- No residential building platform has been proposed as part of the application, however domesticated and undomesticated areas have been identified within the applicant's AEE.
- The applicant has confirmed (in an e-mail dated 05 March 2018) that the site is not known to contain any contaminated or potentially contaminated land, or require resource consent under any regional plan or national environmental standard. This is based upon review of District and Regional Council records there is no suggestion that an activity on the HAIL has taken place on the piece of land subject to this application.
- The applicant has provided a letter (dated 23 November 2018) from Ben Teele of Origin Consultants Limited which documents a site walkover to assess whether there was any archaeological potential to either Lot 100 DP 494333 or Proposed Section 1 (the thin strip of reserve land on the southern border). No archaeological features were found during the site walkover, however it was recommended a condition be included on any resource consent granted requiring an Accidental Discovery Protocol be adhered to. The applicant has accepted this recommendation. This is discussed in further detail in this report.

Figure 1 below illustrates the sites that are subject to the application.



**Figure 1: Subject sites (outlined in blue)**

### *Landscaping*

A 1,425m<sup>2</sup> area of indigenous vegetation is proposed to be retained as part of the application (as shown on the *Patch* landscape plan provided as part of the application).

The submitted landscape plan identifies:

- retention of four existing trees within the site;
- a strip of low level planting near the southwestern corner of the site and retention of existing vegetation within the balance of the site outside of the curtilage and access areas.

### *Earthworks*

Earthworks are required, and are proposed to construct a vehicle access and install site services. The proposed vehicle and services access to Section 1 would straddle and occasionally cross over the boundary with the neighbouring Lot 100 DP 49433 (owned by Bobs Cove Developments Limited).

Proposed earthworks are as follows:

- Total volume of cut would be 1,099m<sup>3</sup> and fill 696 m<sup>3</sup> over a total area of 1795m<sup>2</sup>.
- Maximum cut depth would not exceed 2m and maximum fill depth would not exceed 1m based on the cross sections submitted with the application.
- The sealed carriageway would vary between 5.5m and 2.5m in width, with a formed swale either side.

### *Site History*

Under the Proposed District Plan (Stage 1 Appeals Version), the application site is zoned Rural Residential. No appeals have been lodged in respect of the zoning of the application site, and as such the Rural Residential Zoning of the subject site is not subject to challenge.

The application was originally submitted and formally received on 6 March 2018. Since this time, the appeals version of the Proposed District Plan (Stage 1) was released (on 5 May 2018). A new application was subsequently submitted and formally received on 21 July 2018 under the new Rural Residential zoning of the Proposed District Plan Appeals Version 2018.

As the new application was lodged subsequent to 5 May 2018, the activity status is to be processed, considered, and decided as an application for the type of activity that it was for, or was treated as being for, at the time the application was first lodged, being that of the Proposed District Plan (Stage 1 Appeals Version 2018), as well as the Operative District Plan due to some rules in the Proposed District Plan (Stage 1 Appeals Version 2018) not yet being treated as operative (discussed further in Section 2 below).

## 2. ACTIVITY STATUS

The proposal requires consent for the following reasons:

### OPERATIVE DISTRICT PLAN (ODP)

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

#### Part 15 – Subdivision, Development and Financial Contributions

- A **discretionary** activity resource consent pursuant to *Rule 15.2.3.3[vi]* with respect to all subdivision and associated identification of building platforms in the Rural General Zone.

No residential building platform is proposed as part of the proposed subdivision (see below).

- A **non-complying** activity resource consent pursuant to *Rule 15.2.3.4(i)* as the proposal does not comply with *Zone Standard 15.2.6.3[iii](b)* which specifies that every allotment created shall have one Residential Building Platform approved at the time of the subdivision of not less than 70m<sup>2</sup> in area and not greater than 1000m<sup>2</sup> in area, excluding lots created for the following purposes:

- (i) access lots, including driveways and walkways;
- (ii) land subject to restrictive covenant, consent notice or other legal instrument that:
  - (a) prohibits buildings in the future; or
  - (b) protects nature conservation values; or
  - (c) maintains and enhances open space;
- (iii) esplanade strips or reserves;
- (iv) utilities;
- (v) boundary adjustments.
- (vi) any allotment created pursuant to a subdivision under Rule 15.2.3.3

No residential building platform is proposed as part of the proposed subdivision. The lot proposed to be created (proposed Section 1) is not for the purpose of access lots, land subject to restrictive covenant, consent notice or other legal instrument, esplanade strips or reserves, utilities, boundary adjustments, or any allotment created pursuant to a subdivision under Rule 15.2.3.3.

- A **controlled** activity resource consent pursuant to *Rule 15.2.21.1* for earthworks associated with any subdivision of land, with the Council reserving control in respect to the matters listed in Rule 22.3.2.2(a)(i)-(ix) in Section 22.

### PROPOSED DISTRICT PLAN - STAGE 1 APPEALS VERSION 2018

Council notified its decisions on Stage 1 of the Proposed District Plan (**Stage 1 Appeals Version 2018**) on 5 May 2018. The subject site is zoned Rural Residential by the Stage 1 Appeals Version 2018 and the proposed activity requires resource consent for the following reasons:

Rules that are treated as operative under s86F:

- A **non-complying** activity resource consent pursuant to *Rule 27.5.19* for subdivision that does not comply with the minimum lot areas specified in Part 27.6.

*Rule 27.6.1* specifies that no lots to be created by subdivision, including balance lots, shall have a net site area or where specified, an average net site area less than the minimum specified. The minimum lot area specified for the Rural Residential Zone is 4,000m<sup>2</sup>.

Proposed Section 1 is proposed to have an area of 3,400m<sup>2</sup>.

It is noted that *Rule 22.4.1*, the construction and exterior alteration of buildings is a permitted activity, as are Residential Activities (*Rule 22.4.3*). Any future buildings will be subject to the rules set out in the Operative and Proposed District Plans. This includes (but is not limited to) controls relating to building coverage, building size, setbacks, building materials and colours, building height, and site density.

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

- A **restricted discretionary** activity resource consent pursuant to *Rule 27.5.8* for all subdivision activities, unless otherwise provided for, in the District's Rural Residential Zone. Discretion is restricted to:
  - a. ... (*not relevant to Rural Residential Zone*)
  - b. subdivision design and any consequential effects on the layout of lots and on lot sizes and dimensions;
  - c. internal roading design and provision, relating to access and service easements for future subdivision on adjoining land, and any consequential effects on the layout of lots and on lot sizes and dimensions;
  - d. property access and roading;
  - e. esplanade provision;
  - f. the adequacy of on site measures to address the risk of natural and other hazards on land within the subdivision;
  - g. fire fighting water supply;
  - h. water supply;
  - i. stormwater disposal;
  - j. sewage treatment and disposal;
  - k. energy supply and telecommunications including adverse effects on energy supply and telecommunication networks;
  - l. open space and recreation;
  - m. ecological and natural values;
  - n. historic heritage;
  - o. easements.

Pursuant to Section 86F, *Rule 27.5.8* is not treated as operative as seven (7) appeals have been lodged in respect of this rule. All appeals seek to retain the controlled activity status of subdivision in rural living areas, as set out in the Operative District Plan. Given the matters of discretion set out for subdivision in the Proposed District Plan (Stage 1 Appeals Version) are the same as the matters of control for subdivision in the Operative District Plan, significant weight can be given to this rule.

## **PROPOSED DISTRICT PLAN - STAGE 2 NOTIFIED VERSION**

Council notified Stage 2 of the Proposed District Plan (Stage 2 Notified Version 2017) on 23 November 2017. There are no rules with immediate legal effect to which this application relates.

### **SUMMARY OF ACTIVITY STATUS**

Overall, the application is considered to be a **non-complying** activity under the ODP, and a **non-complying** activity under the Proposed District Plan (Stage 1 Appeals Version 2018).

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

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

### 3. SECTION 95A – PUBLIC NOTIFICATION

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

#### **3.1 Step 1 – Mandatory public notification**

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

Public Notification is not required as a result of a refusal by the applicant to provide further information or refusal of the commissioning of a report under section 92(2)(b) of the RMA (s95A(3)(b)).

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

#### **3.2 Step 2 – Public notification precluded**

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

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

The proposal is not a prescribed activity (s95A(5)(b)(i-iv)).

Therefore, public notification is not precluded by Step 2.

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

Public notification is not specifically required under a rule or national environmental standard (s95A(8)(a)).

A consent authority must publicly notify an application if it decides, in accordance with s95D, that the proposed activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(8)(b)).

An assessment in this respect is therefore made in section 3.3.1 – 3.3.3 below:

##### **3.3.1 Effects that must be disregarded (s95D(a)-(e))**

- A: *Effects on the owners or occupiers of land on which the activity will occur and on adjacent land (s95D(a)).*
- B: *An adverse effect of the activity if a rule or national environmental standard permits an activity with that effect (s95D(b), a permitted baseline assessment is undertaken (if applicable) in section 3.3.3 below).*
- C: *Trade competition and the effects of trade competition (s95D(d)).*
- D: *The following persons have provided their **written approval** and as such adverse effects on these parties have been disregarded (s95D(e)).*

<b>Person (owner/occupier)</b>	<b>Address (location in respect of subject site)</b>
Janine Twose (Director, Glentui Heights Limited)	Lot 101 DP 494333
Te Ao Mārama	-
Kāi Tahu ki Otago	-

Figure 2 below shows the location of Lot 101 DP 494333 from which written approval has been obtained, in relation to the application site.



**Figure 2: Map showing location of neighbouring property from which written approval was obtained (marked with green diamond) in relation to the application site (outlined in blue). Blue square denotes neighbouring land owned by the applicant (Bobs Cove Developments Limited)**

### 3.3.2 Permitted Baseline (s95D(b))

The consent authority **may** disregard an adverse effect of the activity on a person if a rule or national environmental standard permits an activity with that effect. In this case, all subdivisions require resource consent, therefore there is no permitted baseline relevant to this application.

### 3.3.3 Assessment: Effects On The Environment

Taking into account sections 3.4 above, the following assessment determines whether the proposed activity will have, or is likely to have, adverse effects on the environment that are more than minor that will require public notification (s95A(8)(b)).

The relevant assessment matters are found in Part 15 (*Subdivision Development and Financial Contributions*) of the Operative District Plan and have been taken into consideration in the assessment below. Part 5.4.2.2 (2) (*Outstanding Natural Landscapes (District Wide)*) of the Operative District Plan has also been taken into account. However given the now operative zoning of the application site under the Proposed District Plan (Stage 1 Appeals Version 2018), the assessment matters relating to Outstanding Natural Landscapes (ONL) are given little weight in the assessment to follow.

Assessment Matters 27.9.3, the matters of discretion found in Chapter 22 (Rural Residential Zone), Chapter 27 (Subdivision and Development), and Chapter 28 (Natural Hazards) of the Proposed District Plan (Stage 1 Appeals Version) have also been considered in the assessment below.

Council's consultant landscape architect, Mr Richard Denney, has provided an assessment of the proposal in respect of landscape matters. Mr Denney's assessment is adopted for the purpose of this report, is attached as *Appendix 3*, the findings of which are incorporated in the assessment below.

Council's resource management engineer, Mr Michael Wardill, has reviewed and assessed the proposal in respect of engineering matters. Mr Wardill's assessment is adopted for the purpose of this report, and is attached as *Appendix 4* to this report, the findings of which are incorporated in the assessment to follow.

### **Effects on Landscape Character**

Rural residential development is anticipated by the Rural Residential Zoning of the application site, which is not subject to challenge, and can therefore be treated as operative. It is therefore considered that some changes to the views experienced from public viewpoints are anticipated.

The proposed subdivision would separate the *Rural Residential* part of the subject property from the balance of *Rural* zoned landscape. Mr Denney considers the actual subdivision would have nil effects on the landscape character however, as it would have no direct physical effects on the land.

The subdivision would support the development of the site within its Rural Residential zoning, and would also support the reserve status removal process to proceed as part of the intended land swap with the Department of Conservation. Mr Denney considers that, under the Rural Residential zoning, the sensitivity of the natural character of the site is significantly diminished with anticipation of residential development enabled by the zone and the specificity of the zone to this site. The land would become an extension of residential development to the north.

The proposed lot is of a size and shape that would enable rural residential living. Whilst the creation of a rural residential lot may diminish the natural values of the site, the effect of this is largely anticipated by the now operative Rural Residential zoning which enables rural living, with an expected presence of buildings and landscape domestication, compared to the existing land use of conservation and recreation as defined by its current reserve status.

Mr Denney considers the proposed subdivision would diminish the natural values of the surrounding landscape to a lesser degree.

He also notes that development of the proposed lot enabled by the subdivision has the potential to compromise the general landscape character, however considers that the proposed controls an appropriate response to the landscape context in view of the Rural Residential zoning of the site and the surrounding Outstanding Natural Landscape context. The proposed controls are considered to maintain a landscape character transition between the anticipated residential development integrated into the landscape of Bobs Cove and the highly natural character of the adjacent reserve and lake edge landscape.

### **Effects on Visual Amenity Values**

The proposed subdivision and associated earthworks, along with the likely resultant residential development enabled by the subdivision would result in an increased visual presence of residential built form, lot boundaries, access road and associated domestic activity in views otherwise dominated by forest, lake and mountains.

Views most affected would be from the walking track and public reserve immediately downslope of the site, the waters of the lake, the lake edge and to a lesser degree the brief views towards the site as travelling along the Queenstown – Glenorchy Road to the west of the site.

As above, the new Rural Residential zone of the subject site anticipates residential development, and therefore residential development is expected to become part of the visual landscape within the context of the Outstanding Natural Landscape setting. Development would be viewed as an extension of the neighbouring consented Glentui residential development that is yet to be developed in the immediate proximity of the subject site. The resulting lake fringe landscape would become a more domesticated setting up to the subject site with an expectation that buildings would be integrated with the natural character of the landscape of Bobs Cove.

Given the above, it is not considered that the proposed subdivision would have any adverse effects on the visual amenity values of the surrounding area.



## Effects on the Outstanding Natural Landscape

The landscape of the site and surrounding reserve land is densely vegetated scrub and emerging forest. The neighbouring rural residential development to the north (Glentui Heights) is largely integrated into this setting with an increased presence of buildings and domestic activity.

The proposed subdivision would not be visually prominent from any public places, however Mr Denney considers the associated proposed clearance of native vegetation, earthworks and the anticipated residential development of the site would enable residential development and activity that would likely detract from views otherwise characterised by natural landscapes. Mr Denney notes that the extent of detraction would be largely determined by the degree of development integration with the landscape in terms of building forms, colours and site landscape modification. In this regard, adequate measures would be provided to integrate development into this setting, subject to retention of selected large trees and standard design controls regarding lighting, earthworks and landscape.

With regard to the proposed boundary, the proposal would create a new boundary that would follow the new zone boundary. Mr Denney considers that a new unnatural lineal boundary line across the landscape would potentially detract from the natural characteristics of this landscape. The retention of native vegetation on the site fringes, although potentially modified through proposed height vegetation controls, would assist in reducing prominence of lineal boundaries.

Due to the expected residential development of the site, any adverse effects on open space values on the site and surrounding landscape would be less than minor, as would the creep of subdivision of small rural residential lots and development into an existing natural reserve area.

The proposed subdivision is not likely to be catalyst to similar further development as the proposed subdivision is relatively unique in that it involves a land exchange with the Department of Conservation, and the balance of the subject property would retain its Reserve status, high natural values and Rural zoning

Overall, the effects of the proposed subdivision, future residential development, associated vegetation clearance and earthworks are largely anticipated by the Rural Residential zoning of the application site. Effects in this respect would be no more than minor.

## Ecological and Natural Values

The site includes indigenous ecosystems and wildlife habitat of value as identified within Council's ecologist evidence (as presented as part of Stage 1 of the Proposed District Plan). The applicant has provided an ecological assessment by Dawn Palmer of Natural Solutions for Nature Limited (NSN) (report dated 18 December 2017).

The NSN assessment finds that:

*The primary benefit of the land exchange will be the formal protection of the red beech forest while the removal of vegetation within proposed Section 1 will have no more than minor effect on the overall conservation values, ecological patterns and processes of the surrounding Reserve. Removal of woody weeds and old man's beard will reduce the potential for spread from the boundary further into the Reserve.*

Given the above, and that the subject site has been specifically rezoned as Rural Residential, the removal of indigenous vegetation is considered to be have been anticipated by this decision. Effects in this respect are therefore no more than minor.

## Archaeological and Cultural Matters

The site does not contain any Areas of Significant Indigenous Vegetation listed in Appendix 5 or Heritage Item or Archaeological Site listed in Appendix 3 of the Operative District Plan, or in Chapter 26 (Historic Heritage) of the Proposed District Plan (Stage 1 Appeals Version 2018).

The applicant has provided correspondence from an archaeologist (Mr Ben Teele, Origin Consultants Limited) who undertook a site walkover to assess whether there was any archaeological potential to either Lot 100 DP 494333 or Proposed Section 1 (the thin strip of reserve land on the southern border). No archaeological features were found during the site walkover.

Examination of aerial photographs from 1959 and 1986, as well as discussion with the landowner who has a long history with the wider area, revealed that a portion of the site had been cleared of vegetation for grazing by this time. This area has subsequently started to regenerate, and most of the site is now covered in relatively dense native vegetation. Mr Teele considers the lack of archaeological features in this particularly area is not unexpected based on the known distribution of archaeological sites within the Bob's Cove area. The area was assessed as having a low likelihood of containing subsurface archaeological features. However, it is recommended that for any resource consent issued, a condition include having a standard Accidental Discovery Protocol for earthworks undertaken on site.

Mr Matthew Schmidt of Heritage New Zealand has reviewed the assessment by Origin Consultants Limited, and has advised that Heritage New Zealand has no concerns regarding the assessment or the proposal. Mr Schmidt advises that a standard Accidental Discovery Protocol for earthworks undertaken on site would be sufficient. This has been accepted by the applicant, and is considered appropriate.

Te Ao Mārama and Kāi Tahu ki Otago have also provided their written approval to the application.

Overall, and subject to the recommended conditions of consent discussed above, any effects in terms of archaeology and culture and will be no more than minor.

### **Earthworks**

The proposal will require the access formation and involves minor depths of cut and fill with the access following the existing land topography. Mr Wardill notes that instability for the subdivision earthworks is unlikely to extend beyond the subject site boundaries due to the shallow depths and clearance from external boundaries. Standard site management conditions have been recommended in regard to subdivision earthworks.

Overall, any effects with regard to earthworks and land stability will be less than minor.

### **Natural Hazards**

Assessment Matter 15.2.10.4 of the ODP and the matters of discretion under the PDP direct Council to have regard to the likelihood of the proposed lots and infrastructure being subject to the effects of natural hazards, any potential adverse effects on adjoining properties caused by the proposed subdivision, and any need for conditions to avoid or mitigate potential damage or danger from hazards.

The QLDC GIS identifies the subject site as being potentially susceptible to liquefaction (described as LIC2 provisional) and is also bisected by the Moonlight Fault. Mr Wardill is however satisfied this elevated section can be considered a minor development extension to neighbouring land previously assessed by Council engineers under RM130174, whereby no specific hazard mitigation was deemed necessary by experts, at the time, for either liquefaction or proximity to the fault line. No recommendations are therefore made in this regard.

An advice note is recommended to alert the consent holder to the hazards on the property.

Overall, the proposed subdivision would not exacerbate any natural hazard, and it is therefore considered that adverse effects in relation to natural hazards will be less than minor.

## **Access, Vehicle Movements and Traffic Generation**

### *Proposed Access*

The access to proposed Section 1 will be shared with Lot 100 and combined will service up to 4 residential dwellings, being on Section 1 herein and Lots 100-11, 100-12, & 100-13. The access is 220m in length extending from Tui Drive to the proposed Section 1 and Lot 100-11 junctures and contained within a 9m wide legal width with reciprocal right of way easements where passing between the Lot 100 and proposed Section 1 alignments. Mr Wardill recommends that all necessary easements be created.

The subdivision of Lot 100 itself does not form part of this consent.

The access is 5.5m wide sealed access for the initial 130m in compliance with QLDC's Code of Practice, and reduces to 2.5m width where servicing only 2 dwellings, being Lot 100-11 and proposed Section 1. Mr Wardill notes that this includes a 65m section of relatively straight single lane access at 1V:5H gradient. The proposed Paterson Pitts plans detail a passing bay and sealed formation to provide appropriate traction and passing for vehicles over the steeper section. Mr Wardill is satisfied the access meets QLDC's Code of Practice, and recommends formation in accordance with Council standards and the application drawings.

### *Construction Access and Traffic*

The proposed earthworks and construction will require the operation of heavy machinery and truck access to and from the site. It is expected that all unloading of the truck will be undertaken within the site, which will mitigate the safety effects to other road users. It is not anticipated that any excess materials will be taken off the site, thus ensuring that no additional pressure occurs on the roading network. Any effects in terms of construction traffic will be temporary, will be kept to reasonable hours subject to a condition of consent, and will have a no more than minor effect on traffic in general.

### *Traffic Generation*

The proposed subdivision involves the creation of one (1) additional residential allotment from that which currently exists, and as such it is considered that this will subsequently result in an increase in vehicle movements to and from the site. As previously discussed, development of this nature is anticipated on the application site, given the now operative Rural Residential zoning, and therefore traffic movements associated with this level of development is also anticipated. Effects in respect to additional traffic generated by the proposed development will be no more than minor.

### *Summary of Effects: Access, Vehicle Movements and Traffic Generation*

Overall, and subject to the recommendations above and in Mr Wardill's report, any effects in relation to access, traffic generation and vehicle movements will be no more than minor.

## **Servicing**

Water connections will be extended from Glentui Height subdivision infrastructure. Paterson Pitts Group (PPG) have provided an assessment with the application demonstrating capacity for water, sewer, power & telecommunications. Mr Wardill has reviewed the PPG assessment and is satisfied that servicing is feasible and recommends conditions of consent to facilitate the proposed connections, prior to s224c certification.

With regard to wastewater disposal, the PPG drawings show two sewer connections but only one is to proposed Section 1, the other is to the consented development area 100-11. Onsite discharge of water to ground was also assessed as appropriate during an earlier development iteration. The applicant has confirmed that there is one dwelling intended for proposed Section 1, and Mr Wardill is satisfied (confirmed in an e-mail dated 25 October 2018) that the wastewater can be disposed of either by way of connection to reticulated services, or on-site. An appropriate condition is therefore recommended to this effect.

The applicant has accepted the recommended conditions.

Given the above and the recommended conditions of consent, overall, it is considered that adverse effects in relation to servicing will be less than minor.

### 3.3.4 Decision: Effects On The Environment (s95A(8))

On the basis of the above assessment, overall the proposed activity is not likely to have adverse effects on the environment that are more than minor. Therefore, public notification is not required under Step 3.

### **3.4 Step 4 – Public Notification in Special Circumstances**

There are no special circumstances in relation to this application.

## **4. LIMITED NOTIFICATION (s95B)**

Section 95B(1) requires a decision on whether there are any affected persons (under s95E). The following steps set out in this section, in the order given, are used to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified under section 95A.

### **4.1 Step 1: certain affected groups and affected persons must be notified**

Limited notification is not required under Step 1 as the proposal does not affect customary rights groups, customary marine title groups nor is it on, adjacent to or may affect land subject to a statutory acknowledgement (s95B(2)-(4)).

### **4.2 Step 2: if not required by Step 1, limited notification precluded in certain circumstances**

Limited notification is not precluded under Step 2 as the proposal is not subject to a rule in the District Plan or is not subject to a NES that precludes notification (s95B(6)(a)).

Limited notification is not precluded under Step 2 as the proposal is not a controlled activity or is not a prescribed activity (s95B(6)(b)).

### **4.3 Step 3: if not precluded by step 2, certain other affected persons must be notified**

If limited notification is not precluded by step 2, a consent authority must determine, in accordance with section 95E, whether the following are affected persons:

The proposal is not a boundary activity where the owner of an infringed boundary has provided their approval, and it is not a prescribed activity (s95B(7)).

As the proposal is not a boundary activity, the proposed activity falls into the 'any other activity' category (s95B(8)), and the effects of the proposed activity are to be assessed in accordance with section 95E.

#### **4.3.1 Effects That May Be Disregarded**

##### **4.3.1.1 Permitted Baseline (s95E(2)(a))**

The consent authority **may** disregard an adverse effect of the activity on a person if a rule or national environmental standard permits an activity with that effect. In this case, the permitted baseline is found within section 3.3.2 above and is not relevant to this application.

##### **4.3.1.2 Persons who have provided written approval (s95E(3))**

The following persons have provided written approval for the proposed activity and therefore are not an affected person:

<i>Person (owner/occupier)</i>	<i>Address (location in respect of subject site)</i>
Janine Twose (Director, Glentui Heights Limited)	Lot 101 DP 494333
Te Ao Mārama	-
Kāi Tahu ki Otago	-

#### 4.3.2 Assessment: Effects on Persons

Taking into account the exclusions in section 95E(2) and (3) as set out in section 4.3.1 above, the following outlines an assessment as to whether the activity will have or is likely to have adverse effects on persons that are minor or more than minor:

Figure 3 below shows the immediately adjoining neighbouring properties in relation to the application site. The property marked with a blue square denotes neighbouring land owned by the applicant (Bobs Cove Developments Limited). The properties marked with a red dot denote land owned by the joint applicant (Department of Conservation). The property marked with a green diamond denotes the neighbouring property from which written approval has been obtained (Lot 101 DP 404333).



**Figure 3: Map showing neighbouring properties in relation to the application site (outlined in blue).**

All adjoining land owners, are either owned by the applicants (Bob's Cove Developments Limited and Department of Conservation), and therefore written approval from these parties are implicit; or by persons from which written approval has been obtained. Effects on these owners are therefore disregarded.

In terms of effects on any other persons, development is anticipated on the application site by the now operative Rural Residential zoning, and land owned by the applicant physically separates the proposed new lot from any neighbouring properties. Development areas on the Glentui subdivision to the north are also separated from the proposed new lot by dense vegetation. Given these factors, any effects on any other persons would be less than minor.

#### 4.3.3 Decision: Effects on Persons (s95B(1))

In terms of section 95E of the RMA, no person is considered to be adversely affected by the proposal.

#### **4.4 Step 4 – Further Limited Notification in Special Circumstances (s95B(10))**

Special circumstances do not apply that require limited notification.

### **5. OVERALL NOTIFICATION DETERMINATION**

In reliance on the assessment undertaken in sections 3 and 4 above, the application is to be processed on a non-notified basis.

### **6. S104 ASSESSMENT**

#### **6.1 EFFECTS ON THE ENVIRONMENT (s104(1)(a))**

Actual and potential effects on the environment have been outlined in section 3 and 4 of this report. Conditions of consent can be imposed under s108 of the RMA as required to avoid, remedy or mitigate adverse effects.

#### **6.2 RELEVANT DISTRICT PLAN PROVISIONS (s104(1)(b)(vi))**

##### Operative District Plan

The relevant objectives and policies are contained in Part 4 (District Wide Issues), Part 5 (Rural Areas), and Part 15 (Subdivision, Development and Financial Contributions) of the Operative District Plan. An assessment against the relevant objectives and policies is set out below.

##### *Part 4 (District Wide Issues)*

The relevant objectives and associated policies in Part 4 include Objective 4.2.5(1), which seeks to avoid, remedy or mitigate the adverse effects of development and/or subdivision in those areas of the District where the landscape and visual amenity values are vulnerable to degradation, and to encourage development and/or subdivision to occur in those areas of the District with greater potential to absorb change without detracting from landscape and visual amenity values.

The proposed subdivision is consistent with this objective and these policies as it will be located immediately adjacent to an existing rural residential area, and therefore has potential to absorb this change without detracting from landscape and visual amenity values.

The proposed development is considered overall consistent with the intent of the objectives and policies of Part 4 of the Operative District Plan.

##### *Part 5 (Rural Areas)*

The relevant objectives in Part 5 are Objectives 1 and 3.

##### *Objective 1 – Character and Landscape Values*

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

##### *Objective 3 –*

*‘Avoiding, remedying or mitigating adverse effects of activities on rural amenity’*

The associated policies aim to provide for a range of rural activities while also protecting landscape character, rural character and the visual coherence of the rural landscape. This includes encouraging residential development in the rural zone to be setback from property boundaries so as to mitigate the adverse effects of residential activities on neighbours.

Adverse effects arising from the proposed subdivision have been appropriately avoided, remedied or mitigated through the imposition of design controls for future development on proposed Section 1. Whilst no residential building platform is proposed, any future buildings on proposed Section 1 will be required to comply with the proposed design controls as well as an applicable District Plan rules. This will ensure future buildings are appropriately set back from property boundaries, and any adverse effects on neighbours will be appropriately mitigated. Therefore its establishment is aligned with the landscape character.

The proposal is not contrary to the intent of the objectives and policies of Part 5 of the Operative District Plan.

#### Part 15 (Subdivision, Development and Financial Contributions)

In Part 15, relevant objectives and policies relate to the provision of services, the cost of providing such services, and the maintenance or enhancement of the amenities of the built environment through the subdivision process. The proposal meets Objective 1 – *Servicing* and the associated Policies 1.2, 1.5, 1.6 and 1.7 – 1.11, as the lots will have safe and efficient vehicle access, and conditions will ensure that the developer is responsible for providing adequate water, sewer, stormwater, power and phone connections prior to the new title being issued for proposed Section 1.

The proposal is also consistent with Objective 2 and the associated Policy 2.1 which require that the cost of providing services to subdivisions is met by subdividers. Objective 5 relates to the maintenance and enhancement of the amenities of the built environment. The proposal is aligned with Policy 5.1 as the proposed lot sizes and density of development are considered appropriate in the context of this area. In terms of Policy 5.5, the subdivision will not have adverse effects on the safe and efficient functioning of Council services or roads.

#### Summary of Objectives and Policies

The proposal is overall consistent with the relevant objectives and policies of the District Plan.

#### Proposed District Plan (Stage 1 – Appeals Version 2018)

The relevant operative objectives and policies are contained within Chapter 3 (Strategic Direction), Chapter 6 (Landscapes and Rural Character), Chapter 22 (Rural Residential Zone) and Chapter 27 (Subdivision and Development).

An assessment of the proposal in relation to the relevant objectives and policies of the Operative District Plan is provided at paragraphs 28 – 32 of the applicant’s AEE, is comprehensive and is considered accurate. It is therefore adopted for the purposes of this report.

Overall, the proposed subdivision is consistent with the relevant objectives and policies of the Proposed District Plan (Stage 1 Appeals Version 2018)

#### Proposed District Plan (Stage 2 Notified Version)

Council notified Stage 2 of the Proposed District Plan on 23 November 2017. There are no objectives and policies that are relevant to this application.

#### Weighting between Operative District Plan and Proposed District Plan (Stage 1 Decisions Version 2018 and Stage 2 Notified Version)

A weighting assessment in relation to the ODP and Proposed District Plan (Stage 1 Appeals Version 2018 and Stage 2 Notified Version) is only required if the conclusions reached under either planning document are different (i.e. the assessment under one plan concludes that consent can be granted and the other concludes that consent should be refused). In this case, as the conclusions reached in the above assessment lead to the same conclusion under both the ODP and PDP, no weighting assessment is required.

### **6.3 PARTICULAR RESTRICTIONS FOR NON-COMPLYING ACTIVITIES (s104(D))**

With respect to the assessment above, the first gateway test for a non-complying activity required under section 104D(1)(a) has been met in that the application will not have an adverse effect on the environment which is more than minor.

With respect to the second gateway test under section 104D(1)(b), the application is not contrary to the relevant policies and objectives of the Operative District Plan or the Proposed District Plan (Stage 1 Decisions Version 2018 and Stage 2 Notified Version).

Accordingly, as the application has passed both of the gateway tests in s104D, consent can be granted for this non-complying activity.

### **6.4 OTHER MATTERS – SUBDIVISION (s106)**

A consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that the land is or is likely to be subject to, or is likely to accelerate material damage from natural hazards, or where sufficient provision for legal and physical access to each allotment has not been made. In this case, it is considered that sufficient legal access has been provided to each proposed allotment, and that the proposed subdivision would not accelerate material damage from natural hazards.

The proposed subdivision is therefore considered appropriate.

### **6.5 PART 2 OF THE RMA**

Section 5(2) of the Resource Management Act 1991 details the purpose of the Act in promoting the sustainable management of the natural and physical resources. The proposal promotes sustainable management of natural and physical resources. The applicant is able to provide for their social, economic and cultural well-being by being able to undertake development on their land. The life supporting capacity of air, water, soil and ecosystems of the surrounding area is not significantly affected by the proposed activity.

Section 6 of the Act is not relevant to the proposal, being related to matters of national importance.

The relevant matters listed in section 7 of the Act must also be given consideration. These matters include:

- (b) Efficient use of natural and physical resources*
- (c) The maintenance and enhancement of amenity values.*
- (f) Maintenance and enhancement of the quality of the environment*

Amenity values are those natural and physical qualities and characteristics of an area, which contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.

The definition of "Environment" is defined in the Act as follows:

- (a) Ecosystems and their constituent parts including people and communities: and*
- (b) All natural and physical resources: and*
- (c) The social, economic, aesthetic, and cultural conditions which affect the matters stated paragraphs (a) to (c) of this definition or which are affected by those matters.*

With regard to the matters raised in section 7 of the Act, it is considered that, as outlined within this report, the proposal, with appropriate conditions of consent, maintains and enhances existing amenity values or the quality of the existing environment.

Overall, it is considered that the proposal promotes the overall purpose of the Act.



## 6.6 **DECISION ON RESOURCE CONSENT PURSUANT TO SECTION 104 OF THE RMA**

Consent is **granted** to subdivide Section 28 Blk V Mid Wakatipu SD to create two lots, and to undertake associated earthworks and landscaping at Glenorchy-Queenstown Road, Bobs Cove, subject to the conditions outlined in *Appendix 1* of this decision report imposed pursuant to Section 220 of the RMA.

## 7.0 **DEVELOPMENT CONTRIBUTIONS AND ADMINISTRATIVE MATTERS**

### *Local Government Act 2002: Development Contributions*

In granting this resource consent, pursuant to the Local Government Act 2002 and the Council's Policy on Development Contributions the Council has identified that a Development Contribution is required. Payment will be due prior to any application for certification pursuant to section 224(c) of the RMA.

Please contact the Council if you require a Development Contribution Estimate.

### *Administrative Matters*

The costs of processing the application are currently being assessed and you will be advised under separate cover whether further costs have been incurred.

The Council will contact you in due course to arrange the required monitoring. It is suggested that you contact the Council if you intend to delay implementation of this consent or if all conditions have been met.

This resource consent is not a building consent granted under the Building Act 2004. A building consent must be obtained before construction can begin.

This resource consent must be exercised within five years from the date of this decision subject to the provisions of section 125 of the RMA.

If you have any enquiries please contact Adonica Giborees on phone (03) 441 0499 or email [adonica.giborees@qldc.govt.nz](mailto:adonica.giborees@qldc.govt.nz).

Report prepared by

Adonica Giborees  
**CONSULTANT PLANNER**

Decision made by

Paula Costello  
**SENIOR PLANNER**

Re-issue report prepared by

Adonica Giborees  
**CONSULTANT PLANNER**

Re-issue decision made by

Paula Costello  
**SENIOR PLANNER**

- APPENDIX 1** – Consent Conditions
- APPENDIX 2** – Applicant's AEE
- APPENDIX 3** – QLDC Landscape Report
- APPENDIX 4** – QLDC Engineering Report

## **APPENDIX 1 – CONSENT CONDITIONS**

### General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:

#### Paterson Pitts Group

- 'Proposed Land Exchange (pursuant to Section 15 of the Reserves Act 1977) BCDL and Dept. of Conservation, with a Proposed Subdivision of Sec 28 Blk V Mid Wakatipu SD (Crown Land)', Sheet No. 1, Revision H, dated 25/05/2018
- 'Proposed Land Exchange (pursuant to Section 15 of the Reserves Act 1977) BCDL and Dept. of Conservation, with a Proposed Subdivision of Sec 28 Blk V Mid Wakatipu SD (Crown Land)', Sheet No. 2, Revision H, dated 25/05/2018
- 'Proposed Land Exchange Proposed Easement and Development Area Detail', Sheet No. 3, Revision H, dated 25/05/2018\*

*\* Development Areas on Lot 100 DP 494333 (RM130174) are as per RM130174 as varied by RM150792. Those areas shown as 'proposed development area (65m<sup>2</sup>)', 'proposed development area (45m<sup>2</sup>)', 'surrender existing development area (85m<sup>2</sup>)', and 'surrender existing development area (25m<sup>2</sup>)' do not form part of this application.*

- Engineering Design Site Overview, Sheet No. 1, Revision B, dated 22/02/2017
- Engineering Design Site Plan 1, Sheet No. 2, Revision B, dated 22/02/2017
- Engineering Design Site Plan 2, Sheet No. 3, Revision B, dated 22/02/2017
- Engineering Design Site Plan 3, Sheet No. 4, Revision B, dated 22/02/2017
- Engineering Design Longsection 1, Sheet No. 5, Revision B, dated 22/02/2017
- Engineering Design Longsection 2, Sheet No. 6, Revision B, dated 22/02/2017
- Engineering Design Cross Sections 1, Sheet No. 7, Revision B, dated 22/02/2017
- Engineering Design Cross Sections 2, Sheet No. 8, Revision B, dated 22/02/2017
- Engineering Design Cross Sections 3, Sheet No. 9, Revision B, dated 22/02/2017
- Engineering Design Typical Detail, Sheet No. 10, Revision B, dated 22/02/2017

#### Patch Landscape

- 'Department of Conservation – Bobs Cove Landscape Plan', Reference: PA16120 IS13, dated 10 October 2018

#### **stamped as approved on 11 December 2018**

and the application as submitted, with the exception of the amendments required by the following conditions of consent.

2. This consent shall not be exercised and no work or activity associated with it may be commenced or continued until the following charges have been paid in full: all charges fixed in accordance with section 36(1) of the Resource Management Act 1991 and any finalised, additional charges under section 36(3) of the Act.

### Engineering Conditions

#### **General**

3. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd May 2018 and subsequent amendments to that document up to the date of issue of any resource consent.

*Note: The current standards are available on Council's website via the following link:  
<http://www.qldc.govt.nz>*

**To be completed prior to the commencement of any works on-site**

4. The owner of the land being developed shall provide a letter to the Manager of Resource Management Engineering at Council advising who their representative is for the design and execution of the engineering works and construction works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under Sections 1.7 & 1.8 of QLDC's Land Development and Subdivision Code of Practice, in relation to this development.
5. At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice and who shall supervise the excavation procedure and retaining wall construction and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability and ensure compliance with NZS 4431:1989 (if required).
6. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.

**To be monitored throughout earthworks**

7. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.
8. Temporary retention systems shall be installed wherever necessary immediately following excavation to avoid any possible erosion or instability.
9. No earthworks, temporary or permanent, are to breach the boundaries of the site.

Hours of Operation – Earthworks

10. Hours of operation for earthworks, shall be:
  - Monday to Saturday (inclusive): 8.00am to 6.00pm.
  - Sundays and Public Holidays: No Activity

In addition, no heavy vehicles are to enter or exit the site, and no machinery shall start up or operate earlier than 8.00am. All activity on the site is to cease by 6.00pm.

Accidental Discovery Protocol

11. If the consent holder:
  - a) does not have an archaeological authority from Heritage New Zealand Pouhere Taonga and discovers koiwi tangata (human skeletal remains), waahi taoka (resources of importance), waahi tapu (places or features of special significance) or other Maori artefact material, the consent holder shall without delay:

- (i) notify Council, Tangata whenua and Heritage New Zealand Pouhere Taonga and in the case of skeletal remains, the New Zealand Police.
- (ii) stop work within the immediate vicinity of the discovery to allow a site inspection by the Heritage New Zealand Pouhere Taonga and the appropriate runanga and their advisors, who shall determine whether the discovery is likely to be extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required.

Any koiwi tangata discovered shall be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to its removal or preservation. Site work shall recommence following consultation with Council, the New Zealand Pouhere Taonga, Tangata whenua, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.

- b) discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder shall without delay:
  - (i) stop work within the immediate vicinity of the discovery or disturbance and;
  - (ii) advise Council, the Heritage New Zealand Pouhere Taonga and in the case of Maori features or materials, the Tangata whenua and if required, shall make an application for an Archaeological Authority pursuant to the New Zealand Pouhere Taonga Act 2014 and;
  - (iii) arrange for a suitably qualified archaeologist to undertake a survey of the site.

Site work may only recommence following consultation with Council.

***To be completed before Council approval of the Survey Plan***

- 12. Prior to the Council signing the Survey Plan pursuant to Section 223 of the Resource Management Act 1991, the consent holder shall complete the following:
  - a) All necessary easements shall be shown in the Memorandum of Easements attached to the Survey Plan and shall be duly granted or reserved. This shall include access, sewer, and water easements in favour of Lot 1 connecting through to Glentui Heights infrastructure. Prior to registration, the legal documents that are created are to be checked and approved by the Council's solicitors at the consent holder's expense to ensure that all of the Council's interests and liabilities are adequately protected.

***To be completed before issue of the s224(c) certificate***

- 13. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
  - a) The consent holder shall provide "as-built" plans and information required to detail all engineering works completed in relation to or in association with this subdivision/development to the Subdivision Planner at Council. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of ways and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
  - b) The sealed formation of the shared right of way extending from Tui Drive to the nett area of Lot 1, including vehicles crossings servicing Lot 100 RM130174 and Lot 1, in accordance with Council's standards and as shown on Paterson Pitts Group Engineering Drawing set dated 22-2-17 submitted with the RM180302 consent application. This shall include passing opportunities on at no greater than 50m centres. Provision shall be made for stormwater disposal from the access.
  - c) The provision of a minimum supply of 2,100 litres per day of potable water to the nett area of Lot 1 that complies with/can be treated to consistently comply with the requirements of the Drinking Water Standard for New Zealand 2005 (Revised 2008).

- d) The consent holder shall provide evidence to the satisfaction of the Principal Resource Management Engineer at QLDC as to how the water supply will be monitored and maintained on an ongoing basis.
- e) The provision of an onsite wastewater system or a low pressure foul sewer connection from the nett area of Lot 1 to the Glentui Heights reticulated sewerage system in accordance with Council's standards and connection policy, which shall be able to drain the buildable area within Lot 1.
- f) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the net area of Lot 1 and that all the network supplier's requirements for making such means of supply available have been met.
- g) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the net area of Lot 1 and that all the network supplier's requirements for making such means of supply available have been met.
- h) The submission of Completion Certificates from the Contractor and the Engineer advised in Condition (4) for all engineering works completed in relation to or in association with this subdivision/development (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of a Producer Statement, or the QLDC's Land Development and Subdivision Code of Practice Schedule 1B and 1C Certificate.
- i) All earthworked / exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised as soon as practicable and in a progressive manner.
- j) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- k) All native vegetation as shown on the landscape plan approved under Condition 1 of RM180302 shall be retained as per the approved plan as a closed canopy to the extent shown. If any tree or plant shall die or become diseased it shall be replaced within 12 months as per the plan with native species at a grade of no less than 1.2m in height and planted at a density no more than 1m apart from any other existing or planted native species to sufficiently infill the gaps in the vegetated canopy.
- l) All cut and fill earth faces resulting from earthworks for the access drive shall be reinstated with mixed native species to form a closed canopy, and avoid the use of retaining structures or any concrete surfacing. Earthworks shall avoid the area of the canopy drip line of all large native trees over 6m in height to protect the root zone of such trees.

#### **Ongoing Conditions/Consent Notices**

- 14. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to s.221 of the Act.

#### Engineering Conditions

- a) The Council is not responsible for the operation, maintenance or upgrade of any part of the infrastructure or roading to any lot within this subdivision. All operational and maintenance costs in respect of roading, water supply, sewer, and stormwater overland flow paths associated with the development shall be met by the relevant lot owners of the affected land.

- b) Prior to a dwelling/building constructed on site, certification from a suitably qualified geo-professional experienced in soils investigations shall be provided to the Manager of Resource Management Engineering at Council, in accordance with NZS 4431:1989, for all areas of fill within the site on which buildings are to be founded (if any). Note this will require supervision of the fill compaction by a suitably qualified geo-professional;
- c) The drinking water supply is to be monitored for compliance with the Drinking Water Standard for New Zealand 2005 (revised 2008), by the management group for the lots, and the results forwarded to the Principal: Environmental Health at Council. The Ministry of Health shall approve the laboratory carrying out the analysis. Should the water not meet the requirements of the Standard then the management group for the lots shall be responsible for the provision of water treatment to ensure that the Drinking Water Standards for New Zealand are met or exceeded.
- d) At the time a dwelling is erected on Lot 1 the owner for the time shall EITHER make connection from the dwelling to the Glentui Heights low pressure foul sewer reticulation and disposal system, OR engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012 with minimum secondary treatment of wastewater effluent prior to discharge to ground. In either case the wastewater disposal solution for the dwelling shall be subject to Council review and acceptance prior to implementation and shall be installed prior to occupation of the residential unit.
- e) At the time a dwelling is erected on Lot 1, domestic water and firefighting storage is to be provided. A minimum of 20,000 litres shall be maintained at all times as a static firefighting reserve within a 30,000 litre tank (or equivalent). Alternatively, a 7,000 litre firefighting reserve is to be provided for each dwelling in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family dwellings. In the event that the proposed dwellings provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

The FENZ connection point/coupling must be located so that it is not compromised in the event of a fire.

The connection point/coupling shall have a hardstand area adjacent to it (within 5m) that is suitable for parking a fire service appliance. The hardstand area shall be located in the centre of a clear working space with a minimum width of 4.5 metres. Pavements or roadways providing access to the hardstand area must have a minimum formed width as required by Council's standards for rural roads (as per Council's Land Development and Subdivision Code of Practice). The roadway shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Access shall be maintained at all times to the hardstand area.

Underground tanks or tanks that are partially buried (provided the top of the tank is no more than 1 metre above ground) may be accessed by an opening in the top of the tank whereby couplings are not required. A hardstand area adjacent to the tank is required in order to allow a fire service appliance to park on it and access to the hardstand area must be provided as above.

The FENZ connection point/coupling/fire hydrant/tank must be located so that it is clearly visible and/or provided with appropriate signage to enable connection of a fire appliance.

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

- f) Any power supply connections to any future dwelling/building shall be underground from existing reticulation and in accordance with any requirements and standards of the network provider.
- g) Any wired telecommunications connections to any future dwelling/building shall be underground from existing reticulation and in accordance with any requirements and standards of the network provider.
- h) Onsite parking, access and manoeuvring areas shall be formed to Council standards. Provision shall be made for stormwater disposal.

#### Building Controls

##### *a) Building colour and materials*

- i. All external walls, joinery, trims and attachments, gutters, spouting, downpipes, chimney, flues, satellite dishes and solar panels shall be coloured in natural hues of green, brown or grey with a light reflectivity value (**LRV**) of between 7% and 20%.
- ii. External wall claddings shall be limited to the following:
  - Plaster or textured which meets the colour controls.
  - Local grey coloured stone sourced from the Queenstown Lakes District such as schist or greywacke.
  - Timber weatherboard or board and batten.
  - Alternative material which meet the colour and glare controls.
- iii. The roofing materials of all buildings shall be corrugated, or tray steel, shingles or cedar shakes finished in dark recessive tones of grey, green or brown with a LRV of between 7% and 20% and have a matt finish, if painted, or a living roof of a vegetation coverage consistent with the surrounding landscape.
- iv. All ancillary structures (for example: garden sheds and garages) shall be clad and coloured to match the principal dwelling.

##### *b) Building Form*

- i. Building shall be constructed with eaves, overhangs or recessed windows of no less than 0.8m in depth over north and west facing areas to reduce the effects of glare from glazing.
- ii. All roof pitches to be mono-pitch forms to slope with the natural contours of the adjoining landform.
- iii. Buildings shall not exceed 6m in height above natural ground level except for any lift and stairwell area which shall not exceed 8m above natural ground level. No part of any building shall breach the skyline as viewed from the Bobs Cove track.

iv. Total building footprint not to exceed 500m<sup>2</sup>.

c) *Other Building Controls*

- i. All curtains, blinds or other window coverings to be match the exterior colour controls.
- ii. Solar panels shall only be installed on the roof where they are not visible from public roads, public walking tracks or Lake Wakatipu.

d) *Landscape Controls*

- i. All external lighting shall be down lighting only and not be used to highlight buildings or landscape features visible from beyond the property boundary. All external lighting shall be no higher than 1.2m above ground level and be located within 'Rural Living Amenity Area' only as shown the council certified landscape plan approved by resource consent RM180302. External lighting shall be directed away from the lake and foreshore.
- ii. Planting within the site, including the 'Rural Living Amenity Area' shall only be naturally occurring indigenous species listed in the Glen Tui Heights Ecological Management and Maintenance Specification Plan dated March 2013 – Area 3. Broadleaved Shrubland and/or Area 4, Mountain Beech.
- iii. All domestic landscaping and structures including but not limited to clothesline, outdoor seating areas, external lighting , swimming pools, tennis courts, play structures, vehicle parking, pergolas, and ornamental or amenity gardens and lawns shall be confined to the 'Rural Living Amenity Area' as shown the certified landscape plan.
- iv. All water tanks to be partially or wholly buried. If partially buried, tanks shall be of dark recessive colouring which meets the building colour controls and / or visually screened by planting as to be not visible beyond the subject property boundary.
- v. Any entranceway structures from the property boundary shall be to a height of no more than 1.2m and shall be constructed of natural materials such as unpainted timber, steel or local grey coloured stone sourced from the Queenstown Lakes District such as schist or greywacke as to not be visually obtrusive (monumental) and consistent with traditional rural elements and farm gateways.
- vi. Any fences are to be limited to the 'Rural Living Amenity Area' only and are to be standard rural character fence only, being post and wire or post and rail at a maximum height of 1.2m. Mesh fencing may be used for pest management purposes.
- vii. All earth worked areas shall be top-soiled and grassed / revegetated or otherwise permanently stabilised and vegetated to blend into the natural landforms within 6 months of completion of earthworks.
- viii. The surface all access roads and driveways shall be of a dark colour local stone chip or gravel, dark chip seal, a dark coloured and textured concrete or a dark coloured or vegetated impermeable surface (no asphalt) to result in an overall dark grey with an LRV of less than 35%.
- ix. No concrete kerb and channelling shall be used for the access road and driveway.
- x. All vehicle accessible areas to be located upslope of future dwelling or behind an area of indigenous vegetation as viewed from the lake and Bobs Cove track.



- e) This site may contain archaeological material. Under the Heritage New Zealand Pouhere Taonga Act 2014, the permission of the Heritage New Zealand Pouhere Taonga must be sought prior to the modification, damage or destruction of any archaeological site, whether the site is unrecorded or has been previously recorded. An archaeological site is described in the Act as a place associated with pre-1900 human activity, which may provide evidence relating to the history of New Zealand. These provisions apply regardless of whether a resource consent or building consent has been granted by Council. Should archaeological material be discovered during site works, any work affecting the material must cease and the Heritage New Zealand Pouhere Taonga must be contacted (Dunedin office phone 03 477 9871).

**Advice Notes:**

- (i) This consent may trigger a requirement for Development Contributions, please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information please contact the DCN Officer at Council.
- (ii) Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new dwelling. Given that the proposed dwelling is approximately 15km from the nearest FENZ Fire Station the response times of the New Zealand **Volunteer** Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in the/each new dwelling(s).
- (iii) The consent holder is advised that any retaining walls proposed in this development which exceeds 1.5m in height or walls of any height bearing additional surcharge loads will require Building Consent, as they are not exempt under Schedule 1 of the Building Act 2004.
- (iv) This site may contain archaeological material. Under the Heritage New Zealand Pouhere Taonga Act 2014, the permission of the Heritage New Zealand Pouhere Taonga must be sought prior to the modification, damage or destruction of any archaeological site, whether the site is unrecorded or has been previously recorded. An archaeological site is described in the Act as a place associated with pre-1900 human activity, which may provide evidence relating to the history of New Zealand. These provisions apply regardless of whether a resource consent or building consent has been granted by Council. Should archaeological material be discovered during site works, any work affecting the material must cease and the Heritage New Zealand Pouhere Taonga must be contacted (Dunedin office phone 03 477 9871).
- (v) The subject site is identified on the Council's interim hazard register as being within an area that has been notated as being subject to inundation, flooding, instability and slippage. It is recommended that the consent holder consult an appropriately qualified engineer to confirm whether such a potential threat actually exists in relation to the proposed activity.

**APPENDIX 2 – APPLICANT’S AEE**

# **Resource Consent Application & Assessment of Effects on the Environment**

Prepared for the Department of Conservation + Bobs Cove Developments Ltd  
July 2018

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## INTRODUCTION

1. The Department of Conservation (DOC) and Bobs Cove Developments Limited are subdividing land to facilitate an exchange of land under s15 of the Reserves Act.
2. The land to be exchanged is identified in the attached subdivision plans prepared by Paterson Pits Group. It comprises two parts:
  - **DOC land:** being land legally described as part of Section 1 of SECS 6 7 28-30 BLK V PT SEC 45 BLK IV M ID WAKATIPU SD ROAD ADJ SECS 1 7-21 BLK V MID. This land is reserve land owned by the Crown and administered by the Department of Conservation ('DOC'). It is part of the Bobs Cove Recreation Reserve. A separate title carving out this land is required before it can be exchanged. Under the Operative and Proposed District Plan the land is zoned "rural general", except for the "proposed site" which has been rezoned "Rural Residential" under the Proposed District Plan.
  - **BCDL land:** PT SEC 10 BLK V MID WAKATIPU SD contained in CT OT15D/983. This land is currently freehold land owned by Bobs Cove Developments Ltd ('BCDL'). Under the operative and proposed district plan this land is zoned Rural Residential.
3. The subdivision is required to enable the land exchange process. The BCDL land will be owned by the Crown and administered by DOC as part of the Bobs Cove Recreation Reserve. The DOC land will become freehold land owned by BCDL. As part of the land exchange agreement carried out under Section 15 of the Reserves Act, the reserve classification on the DOC land will be uplifted and contemporaneously the BCDL land will become part of the reserve.
4. The proposed subdivision requires resource consent for a non-complying activity under the operative district plan. No resource consents are required under any other planning instrument.

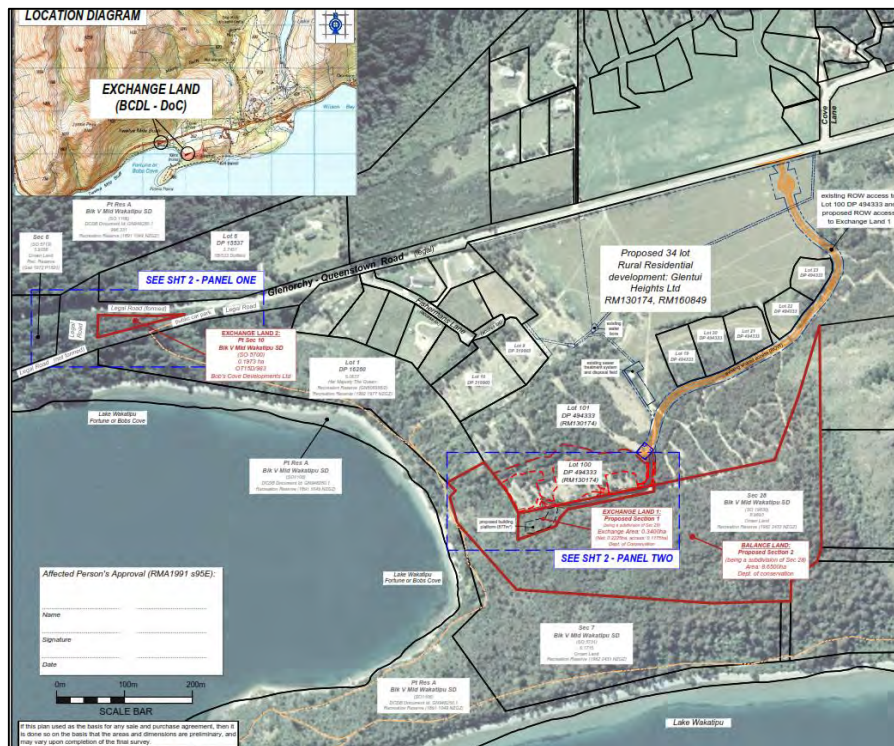


Figure 1 Location Map showing the proposed exchange of land

## DESCRIPTION OF THE ENVIRONMENT

5. The land subject to the application is located in the area known as Bob's Cove, Queenstown. The approximate extent of the land as described legally is more or less the area highlighted as yellow in the image below.
6. The proposal will create one new land parcel, illustrated as Exchange Land 1 in the attached Location Plan prepared by Paterson Pitts Group. The land subject to the application includes other land parcels managed by DOC as well as a freehold property owned by BCDL (Exchange Land 2). This land is referred to as the balance land.



Figure 2 Aerial Photo Showing legal extent of land subject to this application (Source of Aerial: QLDC GIS)

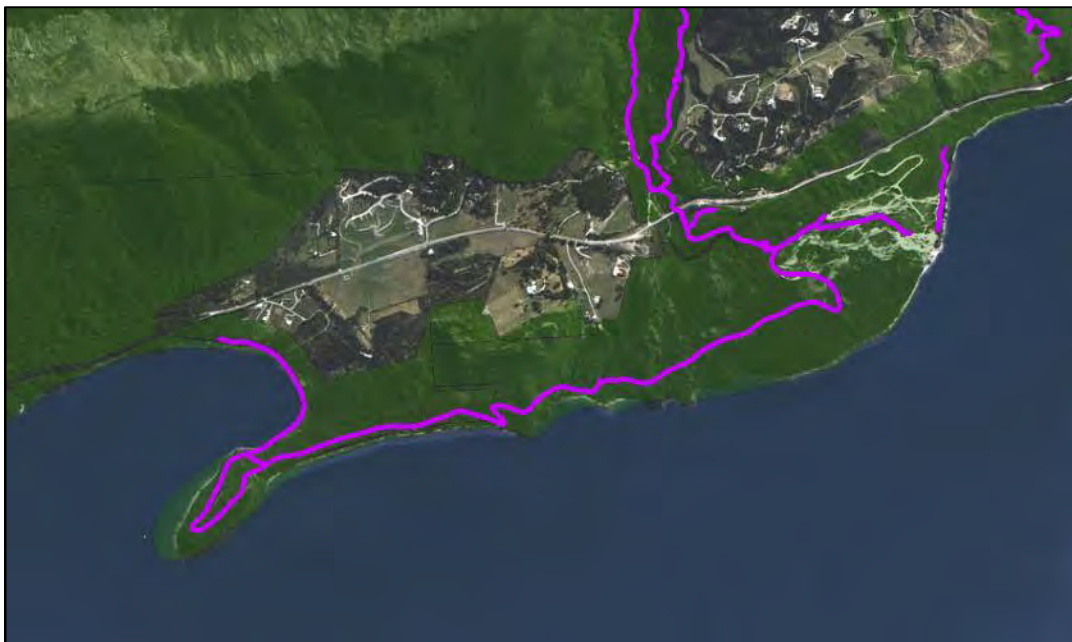


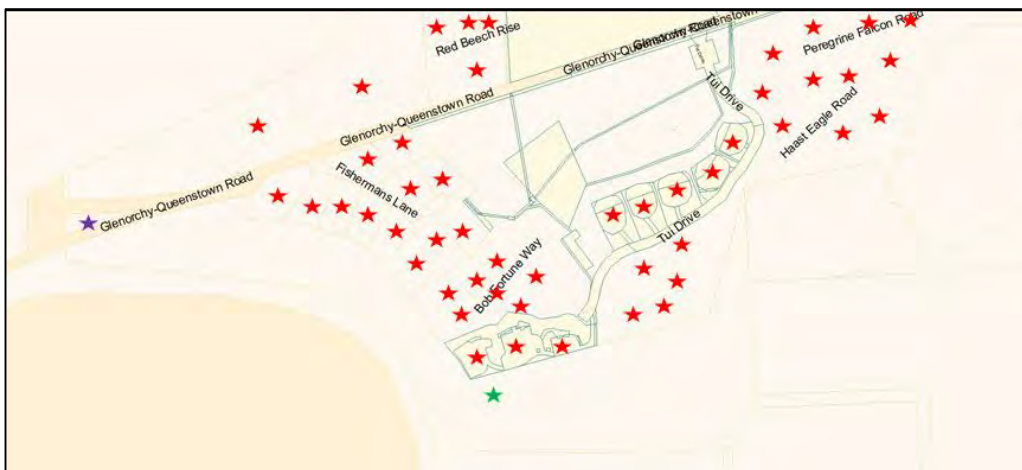
Figure 3 Aerial photo illustrating public walking tracks and extent of reserve land administered by DOC

## Environmental Values

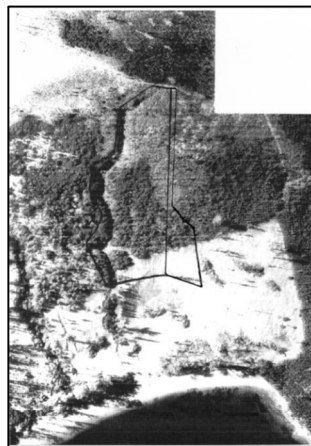
7. The land is not affected by any identified natural hazard which might affect subdivision or consequential development. The site is not known to contain any contaminated or potentially contaminated land. This is based upon review of District and Regional Council records there is no suggestion that an activity on the HAIL has taken place on the piece of land subject to this application.
8. The land contains a mix of established and mature vegetation, including areas of significant indigenous vegetation and significant habitats of indigenous fauna, as well as regenerating forest covered in invasive weed species. Ecological values of the land are discussed in the attached Ecological Assessment. The land is an Outstanding Natural Landscape. The landscape values of the land are discussed in the attached Landscape Assessment. The land includes waterbodies but not in the vicinity of the proposed new site. Archeological sites and items exist in the Bob's Cove area, although none have been identified on the land affected by the subdivision. The local area is known to be of significance to Ngai Tahu. Approval for the proposal has been obtained by Ngai Tahu representatives.

## The proposed site - Land Exchange 1

9. The proposed new site is a 3,400m<sup>2</sup> allotment abutting Lot 100 of the approved Glentui subdivision. It is crown land administered by DOC as part of the Bob's Cove Reserve. The proposed site is zoned Rural Residential. The sites topography (including the access leg) is moderate sloping down towards the bay with a change in height of about 28m from about (326msl-354msl), as illustrated in the topographical survey lines visible in Figures 4 and 5.



**Figure 4** LINZ Map showing extent of current land parcels (**the existing environment**). Red stars indicate location of an approved or existing building platform / area. Green star indicates location of Land Exchange 1. Purple star indicates location of Land Exchange 2.



**Figure 5 [left]** Aerial photo of site area showing application site area (date of photo unknown, estimated to be 1970s)

## DESCRIPTION OF THE PROPOSAL

### Subdivision

10. The applicant is seeking subdivision consent to create a “proposed site” of an area about 3,400m<sup>2</sup>. Earthworks to construct vehicle access and install site services are proposed. The proposal includes a landscape protection/undomesticated area as shown on the Indigenous Vegetation Retention Plan prepared by Patch dated 22 June 2018. The proposed site will include:

Use	Area (m <sup>2</sup> )	Domesticated (m <sup>2</sup> )	Undomesticated (m <sup>2</sup> )
Rural Living / Curtilage	1,422	1,422	-
Driveway	553	553	-
Landscape Protection	1,425	-	1,425
	<i>3,400m<sup>2</sup></i>	<i>1975m<sup>2</sup></i>	<i>1,425m<sup>2</sup></i>

11. The proposed servicing arrangements are described in the attached letter and drawings prepared by PPG. In summary the proposed new lot would be serviced (access, power, telecommunications, water supply, sewage disposal and wastewater treatment) via the existing formed access through the Glentui Heights subdivision. The applicant has legal access to the proposed site by virtue of the fact it owns, and has unrestricted legal access via the Glentui Heights subdivision, to the Wapiti Block (lot 100 which is owned by the applicant). It is understood the servicing arrangements approved for the Glentui Heights subdivision are of sufficient design and capacity to enable this outcome. Legal access to the proposed site (including the conveyance of electricity and telecommunications) is available via the Wapiti block.
12. The proposed site is large enough to accommodate onsite services including potable water supply, wastewater discharges, and a septic tank consistent with the rural zoning for the site. A Site and Soils Assessment has been prepared by Railton Contracting (refer Appendix 4).
13. It is noted that a building platform is neither proposed or required because the proposed site is zoned rural residential and new buildings are permitted.

### Consent conditions

14. A suite of development design controls are proposed by the applicant. These are set out in Appendix 5. Consent conditions relating to civil engineering matters (infrastructure and earthworks) are anticipated to be imposed on the subdivision application, in consultation with the applicant.



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## STATUTORY ASSESSMENT MATTERS

### National and Regional Consenting Requirements

15. The proposal does not require resource consent under any regional plan or national environmental standard.

### District Plan consent requirements and activity status

16. The site was zoned Rural General under the Operative District Plan but it is now zoned Rural Residential under the Proposed District Plan. The rezoning is not subject to any challenge and can therefore be deemed operative for the purposes of determining the activity status of the subdivision.

#### Operative District Plan Subdivision Standards

17. The proposed site conforms to the allotment design standards in 15.2.6.2. All allotment design standards in 15.2.6.3 will be met except for 15.2.6.3(i)(a) in relation the minimum 4,000m<sup>2</sup> allotment size. Therefore the resource consent application is to be assessed as a **non-complying activity** under rule 15.2.3.4(i) of the operative district plan for the proposed subdivision.

#### Proposed District Plan Subdivision Standards

18. It is understood the subdivision standards set out in Chapter 27 have been appealed and are therefore not determinative of the activity status.

### Assessment Matters

19. Resource consent applications for a non-complying activity are to be assessed pursuant to section 104 of the RMA. As stated in s104(1), the assessment matters identified above are subject to Part 2 of the RMA.
20. Upon review of these assessment matters, and consideration of the assessment undertaken in the approval of the abutting Glentui Heights Subdivision, and coupled with the fact that written approval has been provided by Glentui Heights Limited and Ngai Tahu representatives, it is considered the following are relevant to the assessment of this resource consent application:
- Environmental effects: Positive Effects; Nature Conservation, Recreation Values, Landscape and Visual Amenity Values; Infrastructure; Natural Hazard Risk; Archaeology / Historic Heritage; other effects.
  - Relevant objectives and policies of the operative and proposed QLDC District Plan; and
  - Part 2 of the RMA.
  - Other matters – integrity of the district plan.

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## ASSESSMENT

### Environmental effects

21. The following assessment identifies the positive and adverse effects anticipated by the proposal. It is noted the adverse effects on the environment are limited to less than 2,000m<sup>2</sup> of land within Land Exchange 1 (being the area of physical works associated with the subdivision, including access, and potential consequential development on the new site). In summary, it is considered the proposed development will have actual and potential positive effects and adverse effects being compatible, and largely indiscernible, compared to the existing environment.

#### Positive Effects

22. The proposal will result in actual positive effects including rationalisation and optimisation of land use with mutual benefits to DOC and the applicant. DOC (and the people of New Zealand and its visitors) will benefit from securing private land considered to have more natural and conservation values compared to the proposed site. The applicant will benefit from securing the rights to use land alongside its existing land holding (the wapiti block). Given development rights already exist with the land to be exchanged with DOC, the new allotment will allow a greater sense of community/neighbourhood living to be provided compared to the alternative of living in an isolated rural residential development next to a busy road and a public carpark.

#### Nature Conservation, Recreation Values, Landscape and Visual Amenity Values

23. Adverse effects associated with earthworks and vegetation clearance associated with installation of the new driveway and site services are considered to be less than minor given the findings in the attached Landscape and Ecological Assessments. Similarly, consequential effects associated with the addition of residential building(s) on the proposed new site will be very low. Overall the change in character and visibility of development is anticipated to complement and be reasonably indiscernible compared to the visibility of development within the existing environment. The proposal includes conditions that will ensure the effects of development are appropriately managed.

#### Infrastructure

24. Potential adverse effects on infrastructure are considered to be less than minor on the basis that the subdivision process can ensure the new site is satisfactorily serviced as discussed in the attached letter by Paterson Pitts Limited. Moreover, the subdivision consent can be approved subject to conditions requiring all infrastructure matters to be addressed prior to creation of the certificate of title. The applicant agrees to install the services required to service future buildings prior to s.224(c) certification.

#### Natural Hazard Risk

25. The proposed site is not susceptible to any discernible natural hazard risks. Moreover, conditions of consent are proposed to ensure all earthworks undertaken as part of the subdivision and future development on the site are managed.

#### Archaeology / Historic Heritage

26. The proposed site (where physical works is proposed) is not known to contain any identified archaeological site or item and was recently (within the last three decades) used for pastoral grazing and is therefore considered unlikely that any archaeological items will be uncovered during potential development of the site. The email attached in Appendix 7 (from Ben Farrell to Katrina Ellis dated 27/01/2016) contains details from the ArchSite Co-ordinator dated 19 Jan 2016. In addition, written approval has been provided by Ngai Tahu representatives.

#### Other effects

27. For completeness, it is considered the proposal will not have any other adverse effects on the environment, including effects on: rural character; the quality of air/water/soil resources; access to waterbodies and wetlands; and people's health and safety.

## Operative QLDC District Plan Objectives and policies

28. The most relevant Objectives and Policies of the QLDC District Plan are those applying specifically to development in the Rural Residential Zone, these being:

### Objective 1 Rural Living

**Establishment of low density rural living managed and contained in both extent and location.**

Policy 1.1 Identify areas for rural living activity having regard to the self-sufficiency of water and sewerage services

Policy 1.2 Recognise and provide for rural living development.

Policy 1.3 To encourage comprehensively planned and integrated development within the Rural Residential sub-zone at Bob's Cove, taking into account environmental and ecological characteristics and constraints.

### Objective 2 Rural Amenity

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

Policy 2.1 Recognise that permitted activities associated with farming in rural areas may result in effects such as smell, noise, dust and traffic generation, which will be noticeable to residents in the rural living areas.

Policy 2.2 Remedy or mitigate adverse effects of activities, buildings and structures on visual amenity.

Policy 2.3 Ensure residential dwellings are set back from property boundaries, so as to reduce adverse effects from activities on neighbouring properties.

29. The following district wide Objectives and Policies of the QLDC District Plan inform the above policies and are also relevant to the assessment of the application:

### Objective 1 - Nature Conservation Values

**The protection and enhancement of indigenous ecosystem functioning and sufficient viable habitats to maintain the communities and the diversity of indigenous flora and fauna within the District.**

**Improved opportunity for linkages between the habitat communities.**

**The preservation of the remaining natural character of the District's lakes, rivers, wetlands and their margins.**

**The protection of outstanding natural features and natural landscapes.**

**The management of the land resources of the District in such a way as to maintain and, where possible, enhance the quality and quantity of water in the lakes, rivers and wetlands.**

**The protection of the habitat of trout and salmon.**

#### Policies:

1.1 To encourage the long-term protection of indigenous ecosystems and geological features.

1.2 To promote the long term protection of sites and areas with significant nature conservation values.

1.4 To encourage the protection of sites having indigenous plants or animals or geological or geomorphological features of significant value.

1.6 To allow development which maintains or enhances the quality of the environment in areas identified as having rare, endangered, or vulnerable species of plants or animals of national significance, or indigenous plant or animal communities that are of outstanding significance to the nation.

1.7 To avoid any adverse effects of activities on the natural character of the District's environment and on indigenous ecosystems; by ensuring that opportunities are taken to promote the protection of indigenous ecosystems, including at the time of resource consents.

1.17 To encourage the retention and planting of trees, and their appropriate maintenance.

**Objective: Subdivision, use and development being undertaken in the District in a manner which avoids, remedies or mitigates adverse effects on landscape and visual amenity values.**

#### Policies:

##### 1 Future Development

(a) To avoid, remedy or mitigate the adverse effects of development and/or subdivision in those areas of the District where the landscape and visual amenity values are vulnerable to degradation.

(b) To encourage development and/or subdivision to occur in those areas of the District with greater potential to absorb change without detracting from landscape and visual amenity values.

(c) To ensure subdivision and/or development harmonises with local topography and ecological systems and other nature conservation values as far as possible.

##### 2 Outstanding Natural Landscapes (District-Wide/Greater Wakatipu)

(a) To maintain the openness of those outstanding natural landscapes and features which have an open character at present.

(b) To avoid subdivision and development in those parts of the outstanding natural landscapes with little or no capacity to absorb change.

(c) To allow limited subdivision and development in those areas with higher potential to absorb change.

(d) To recognise and provide for the importance of protecting the naturalness and enhancing amenity values of views from public roads.

#### 8. Avoiding Cumulative Degradation

In applying the policies above the Council's policy is:

(a) to ensure that the density of subdivision and development does not increase to a point where the benefits of further planting and building are outweighed by the adverse effect on landscape values of over domestication of the landscape.

(b) to encourage comprehensive and sympathetic development of rural areas.

#### 15. Retention of Existing Vegetation

To maintain the visual coherence of the landscape and to protect the existing levels of natural character by:

(a) Encouraging the retention of existing indigenous vegetation in gullies and along watercourses;

(b) Encouraging maintenance of tussock grass-lands and other nature ecosystems in outstanding natural landscapes.

30. For the following reasons, granting resource consent to the application will not be inconsistent with the above objectives and policies:

- The proposed subdivision will be a high quality subdivision that ensures the proposed site can be accessed and serviced;
- The underlying reserve land is not intended to be used for rural production purposes and therefore the proposal does not compromise or undermine the rural productive capacity of the rural zone;
- The proposed site is a very small area of land compared to the balance lot (which will remain reserve) and the subdivision will not compromise the life supporting capacity of soil and vegetation cover;
- The proposed site is not specifically recognised as having any significant environmental value, other than being part of a much larger outstanding natural landscape classification, which also includes the adjoining residential development;
- The subdivision will complement the adjoining Glentui Heights rural residential subdivision and will facilitate the improved protection of nature and conservation values (by facilitating a land exchange that will secure the protection of land considered have more nature conservation values than the proposed site);
- The subdivision could result in buildings (although not on any skyline, ridge, or hill). The buildings are on a sloping hill and could be visible from some public spaces (Lake Wakatipu and walking tracks) but overall the visibility of buildings will be highly compatible with the abutting Glentui Heights subdivision and will not change the landscape character of area compared to development undertaken as part of the Glentui Heights subdivision;
- All adverse environmental effects arising from the proposal have been identified and can be managed to ensure they are appropriately avoided, remedied or mitigated – through consent conditions and ongoing consent notices where required; and
- Parties neighbouring the site have been consulted and they support the proposal.

#### **Proposed QLDC District Plan Objectives and policies**

31. The application is subject to the proposed objectives and policies. It is not which proposed provisions are subject to challenge or not. If the provisions are not subject to Challenge then they can be afforded significant weight as they particularise all higher order objectives and policies under the RMA framework. If they are subject to challenge then they should be given much weight compared to the operative provisions.

32. The following provisions apply to the Rural Residential Zone. There are numerous other provisions (namely the subdivision provisions in Chapter 27 and the Strategic Objectives and Policies in Chapters 3 and 6) which may be applicable to the assessment of the application. These have been reviewed and for the reasons given above it is considered the subdivision will not offend any of these provisions. Moreover, it is understood all these other provisions are subject to challenge.

**22.2.1 Objective - The District's landscape quality, character and amenity values are maintained and enhanced while enabling rural living opportunities in areas that can absorb development.**

Policies

22.2.1.1 Ensure the visual prominence of buildings is avoided, remedied or mitigated particularly development and associated earthworks on prominent slopes, ridges and skylines.

22.2.1.2 Set density and building coverage standards in order to maintain rural living character and amenity values and the open space and rural qualities of the District's landscapes.

22.2.1.3 Allow for flexibility of the density provisions, where design-led and innovative patterns of subdivision and residential development, roading and planting would enhance the character and amenity values of the zone and the District's landscapes.

22.2.1.4 Manage anticipated activities that are located near Outstanding Natural Features and Outstanding Natural Landscapes so that they do not diminish the qualities of these landscapes and their importance as part of the District's landscapes.

22.2.1.5 Maintain and enhance landscape values and amenity values within the zones by controlling the colour, scale, location and height of permitted buildings and in certain locations or circumstances require landscaping and vegetation controls.

22.2.1.6 Lights be located and directed so as to avoid glare to other properties, roads, and other public places and to avoid degradation of views of the night sky.

22.2.1.7 Have regard to fire risk from vegetation and the potential risk to people and buildings, when assessing subdivision, development and any landscaping.

22.2.1.8 Provide adequate firefighting water and fire service vehicle access to ensure an efficient and effective emergency response.

**22.2.2 Objective - The predominant land uses within the Rural Residential and Rural Lifestyle Zones are rural and residential activities.**

Policies

22.2.2.1 Enable residential and farming activities in both zones, and provide for community and visitor accommodation activities which, in terms of location, scale and type, community are compatible with and enhance the predominant activities of the relevant zone.

**22.2.3 Objective - New development does not exceed available capacities for servicing and infrastructure.**

Policies

22.2.3.2 Ensure traffic generated by new development does not compromise road safety or efficiency.

**22.2.4 Objective - Sensitive activities conflicting with existing and anticipated rural activities are managed.**

Policies

22.2.4.1 Recognise existing and permitted activities, including activities within the surrounding Rural Zone might result in effects such as odour, noise, dust and traffic generation that are established, or reasonably expected to occur and will be noticeable to residents and visitors in rural areas.

**Regional Policy Statement (RPS) and Proposed Regional Policy Statement (PRPS)**

33. Upon review of the RPS and PRPS it is considered the only matter of regional significance that may be of particular relevance to the assessment of this application is the appropriateness of the proposal in terms of provisions relating to the management of natural hazard risk and outstanding natural landscapes (of which there are a few). However, having determined (above) that the proposal is compatible with the adjoining rural residential land uses and will not generate more than minor adverse effects on the environment, it is considered the nature and scale of the proposal is such that the proposal will not offend any regional policy statement provision. Additionally, the PRPS remains subject to challenge and therefore little weight should be given to the provisions in the PRPS at this particular point in time.

**RMA Part 2**

34. It is considered the proposal will achieve sustainable management of local resources and is consistent with Part 2 of the RMA. In this regard:

35. In terms of section 5, and above all else: the proposed subdivision will provide for the needs of future owners or occupants of the proposed site without significantly affecting the life-supporting capacity of air, water, soil, ecosystems nor create any more than a minor adverse environmental effect.

36. For the reasons stated in the assessment above, the proposal is considered to be an appropriate activity in respect of section 6 of the Act:

- [6a] the proposal does not affect the coastal environment or margins of any lake, river or wetland;

- 
- [6b] the proposal is compatible with the existing environment and will have no more than a low adverse effect on outstanding natural landscape values. At a broad scale, it is difficult to envisage how the proposal, coupled with the benefits of the land exchange, has any effect on the subject ONL.
  - [6c] the proposal will not affect any Significant Natural Area identified in any RMA planning document and the subdivision will enable a land exchange that will secure the protection of indigenous vegetation and habitats of indigenous fauna that are of more ecological value than the proposed site;
  - [6d] the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers;
  - [6e] Ngāi Tahu representatives have provided their written approval for the proposal and it is therefore anticipated the proposal will have no discernible or inappropriate adverse effects on Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;
  - [6f] no historic heritage values will be affected by the proposal;
  - [6g] the proposal will not affect any customary rights; and
  - [6h] there are no significant risks from natural hazards to be concerned with.
37. For the reasons stated in the assessment above, the proposal is considered to be an appropriate activity in respect of section 7 of the Act:
- [7a] the subdivision supports the principle of kaitiakitanga because it will facilitate a logical land exchange that will have mutual benefits to parties with significant and established interests in the land, namely the Crown and Bob's Cove Developments Limited:
  - [7aa] the proposal promotes the ethic of stewardship by enabling parties to work collaboratively together for the long term benefit of individual, community and nature conservation values without compromising any significant environmental value:
  - [7b and ba] the proposal is an efficient use and development of natural and physical resources and the end use of energy as it consolidates new residential activity to an area already occupied by residential activity. The alternative is to establish a new isolated residential development in an area considered to be more appropriately set aside and protected from residential development:
  - [7c] the proposal will satisfactorily maintain existing amenity values, including recreational values;
  - [7d] the proposal will not adversely effect any remnant or significant natural ecosystems and is therefore will not compromise the intrinsic values of ecosystems:
  - [7f and g] the proposal will enhance the rural residential quality of the proposed site while enabling the permanent maintenance of nature conservation values. Overall the proposal will not give rise to any more than a minor adverse effect on the environment and will satisfactorily maintain the quality of the environment;
  - [g] the subdivision will enable the natural ecological and landscape values associated with the exchange land (a finite resource) to be protected without adversely affecting any significant finite characteristics (the underlying reserve land is large enough that the use of the proposed site for residential activity will have a negligible impact on the capacity of the land resource to be used);
  - [h] the proposal will not adversely affect the habitat of trout and salmon:
  - [i and j] the proposal does not include nor warrant consideration of the use and development of renewable energy or give rise to any matter that will adversely affect climate change.
38. In terms of s8: no part of the application is considered to be contrary to any principle of the Treaty of Waitangi. This is largely because of the reasons set out in the above assessment (in terms of effects on maori/Ngai Tahu) and the application is not considered to directly affect any statutory acknowledgement area identified in the Ngāi Tahu Claims Settlement Act 1998 or other relevant iwi management planning documents. Moreover, Ngāi Tahu representatives have provided their written approval for the proposal.
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## OTHER MATTERS

39. Granting approval for a non-complying activity can have a risk of undermining the integrity of the district plan. However, in this case, the proposed breach to the minimum allotment size will not undermine the integrity of the District Plan. On the contrary it will result in environmental outcomes that are more consistent with those anticipated under the district plan compared to the existing environment. For example:
- The proposed site is larger than the existing BCDL land that is proposed to be exchanged with the Crown. This means the density facilitated by the subdivision is more consistent with the minimum allotment size compared to the existing situation.
  - The subdivision provides for the land exchange which will allow consolidation of the rural living development to abut the existing Bob's Cove Rural Residential Sub Zone. This is a more appropriate outcome in respect of protecting the surrounding natural landscape values (i.e. the existing environment enables the extent of rural living development to encroach further into the natural landscape compared to the proposed site).
  - Also, the extent of breach to the zone standard is small (600m<sup>2</sup>) and will be entirely indiscernible given the large extent of the balance reserve land (i.e. there is no density issue because of the surrounding balance land which is to be held as reserve).

## CONCLUSION

40. The applicant is seeking resource consent from QLDC for a subdivision to create a new allotment, necessary for the applicant to exchange land under the Reserves Act. The applicant proposes conditions be placed on the subdivision consent to ensure the proposed new site is satisfactorily serviced and actual environmental effects are satisfactorily avoided, remedied or mitigated.
41. Having regard to the existing environment and fact that the proposal will allow an exchange of developable land with undevelopable land, the proposed subdivision is not anticipated to create any discernible adverse effects. Independent landscape and ecological experts have respectively assessed the ecological and landscape effects as no more than minor and appropriate.
42. Glentui Heights Limited is the only party considered to be potentially affected and their approval has been provided.
43. The resource consent application is to be assessed as a non-complying activity and this assessment has considered numerous matters in accordance with section 104 of the RMA. Upon assessment, it is considered the proposed activity:
- Will result in positive effects on the environment;
  - Will result in no more than minor and acceptable adverse effects on the environment;
  - Will not be inconsistent with the provisions of the RPS, PRPS, and QLDC District plan; and
  - Is consistent with Part 2 of the RMA and the concept of sustainable management.
44. QLDC has wide discretion in the matters it can consider when determining whether or not to grant or decline the resource consent application. In this case it is submitted the resource consent application can be granted subject to conditions.

Signed July 2018



**Ben Farrell**  
For John Edmonds & Associates Ltd on behalf of the applicants

**APPENDIX 3 – QLDC LANDSCAPE REPORT**



**LANDSCAPE REPORT**                      **RM180302 Bobs Cove Developments Ltd & Department of Conservation**

**TO:**    Adonica Giborees - Planner  
Queenstown Lakes District Council

**FROM:**                                         Richard Denney - Landscape Architect.

**DATE:**                                         September 10<sup>th</sup> 2018

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## INTRODUCTION

1. An application has been received by council for resource consent to subdivide Section 28 BLK V Mid Wakatipu SD to create two lots and undertake associated earthworks at site on the Glenorchy – Queenstown Road, Bobs Cove. The site is legally described as Section 1 of SECS 6 7 28-30 BLK V PT SEC 45 BLK IV M ID WAKATIPU SD ROAD ADJ SECS 1 7-21 BLK V MID and is 24.1742 hectares in area and is Crown land managed by the Department of Conservation (DoC). In terms of the Queenstown Lakes District Council District Plan (the District Plan) the property is zoned *Rural General* and within the *Proposed District Plan Map 38 – Wilson Bay and Bob's Cove*, it is zoned *Rural* with an *Outstanding Natural Landscape* classification, and *Rural Residential* (proposed Section 1). I understand from council's planner that the status of the activity is non-complying.

## PROPOSAL

2. My understanding of the proposal as described within the application is as follows:

### *Subdivision*

- To create two lots, a new lot 3400m<sup>2</sup> in area (referred to as Section 1 in the application) and a balance lot of 8.6500 hectares in area referred to as Section 2. The proposed subdivision would facilitate a proposed land exchange between DoC and Bobs Cove Developments Ltd. The swap of the proposed Section 1 currently Crown Land managed by DoC (subject site) with a 0.1973-hectare site owned by Bobs Cove Developments Ltd located adjacent to the existing DoC carpark to the Bobs Cove track and surrounded by legal road (formed on one side only).
- Earthworks to construct a vehicle access and install site services. The proposed vehicle and services access to Section 1 would straddle and occasionally cross over the boundary with the neighbouring Lot 100 DP 49433 (Bobs Cove Developments Ltd). Proposed earthworks would include:
  - Total volume of cut would be 1099m<sup>3</sup> and fill 696m<sup>3</sup> over a total area of 1795m<sup>2</sup>. Maximum cut depth would not exceed 2m and maximum fill depth would not exceed 1m based on the cross sections submitted with the application.
  - The sealed carriageway would vary between 5.5m and 2.5m in width, with a formed swale either side.
- The landscape plan submitted with the application, *Department of Conservation – Bobs Cove, Landscape Plan dated 22 June 2018* illustrates four differing areas of existing vegetation to be retained with varying controls within proposed Section 1. Area A on the lower parts of the site would be maintained with a closed canopy of 2m (assumed to be 2m in height), Area B upslope of A to 3m and Areas C and D to be maintained as a closed canopy except where works are required for the access road formation. The balance of the site would be cleared.
- A number of building and landscape controls are proposed as conditions of consent within Appendix 5 of the application ( 'Design Controls – DOC and Bobs Cove Development Ltd – Lot 1' within the attachment to the Appendix 5 landscape assessment dated Feb 2018). The

landscape plan attached to Appendix 5 is assumed to be replaced by the more recent submitted landscape plan dated 22 June 2018.

- It is my understanding this consent application only applies to the subject site of Crown Land and does not include the neighbouring Wapiti Block.

## LANDSCAPE and SITE DESCRIPTION

### Landscape

3. A landscape description is provided within the landscape report submitted with the application, I concur with the description in parts. A description is also provided within council's landscape report for the same site under a previous application, RM150998 dated May 6<sup>th</sup>, 2016 which I direct the reader to rather than repeat for this report.
4. In summary the subject site is agreed within both reports to be within an Outstanding Natural Landscape (ONL). I acknowledge the site would be rezoned within the PDP as *Rural Residential* and the rezoning of this site is not subject to any appeals. As such the ONL assessment matters would not apply to this site. I note however the proposed *Rural Residential* zone is under appeal, and the activity status of this consent application is non-complying.

### Site

5. The subject site (new proposed lot) is located on the mid to lower slope of a lake terrace face with a westerly aspect over the bay. It is densely vegetated with regenerating indigenous and exotic scrub, scattered beech and eucalyptus trees. The site is on a moderate gradient slope. The northern boundary of the site follows the boundary between the *Rural General* zone and the neighbouring *Rural Residential Bobs Cove Sub-Zone* to the north. The site is in view of the public walkway downslope, the lake edge and waters and is viewed as part of the vegetated foreshore environment and contributes to the natural character and scenic values of the cove. The vegetated nature of the site blends into the adjacent undeveloped 'Wapiti Block' within the *Rural Residential Bobs Cove Sub-Zone* adjacent.
6. The neighbouring 'Wapiti' lot to the north within the GlenTui subdivision development is partly cleared with open grassed areas surrounded by regenerating native bush. An informal vehicle track provides access to the Wapiti lot and to the boundary of the subject site.
7. The subject site and land to the west and south is Crown land managed by DoC and is classed as Recreational Reserve as defined under the Reserves Act 1977. The site and surrounding Crown land is densely vegetated in regenerating mixed indigenous scrub and an emerging canopy of predominantly beech. A few larger mountain and red beech trees are within the subject site with heights exceeding 6m. The ecological assessment submitted with the application<sup>1</sup> concludes that the subject site is at a mid-successional stage towards a beech forest and contains a high level of indigenous diversity and is regenerating towards a beech forest ecosystem. Similar to the exchange land site, the vegetation is part of a larger continuum of the surrounding reserve land. Council's ecological evidence to the proposed rezoning of the subject site, via the Proposed District Plan process<sup>2</sup>, notes the same site as in an advanced state of ecological recovery and the vegetation on the site requires the protection measures under the *Rural* zone and would be eroded if the site was to be rezoned to *Rural Residential*.
8. The parcel of applicant's land to be land swapped is located on a triangular wedge between a formed and unformed legal road and is zoned *Rural Residential*. The land is moderate to steeply sloping and vegetated with a mature red beech and an understorey of mixed indigenous and scattered exotic species such as hawthorn. A few eucalyptus trees are in the southern fringe of the beech forest within the subject site. The land is highly natural in character with predominantly mature beech canopy.

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<sup>1</sup> RM150998 (BCDL & DoC) – Ecological Assessment, Dawn Palmer, Natural Solutions for Nature Ltd dated 18 December 2017.

<sup>2</sup> Rebuttal evidence of Glenn Alister Davis on behalf of Queenstown Lakes District Council, Ecology, 7 July 2017.

9. The ecological assessment submitted with the application<sup>3</sup> concludes the parcel of land is of higher conservation value than the proposed new lot and is one of the best representatives of mature red beech forest east of the headwater catchment of the lake. The mature red beech canopy of the land parcel is continuous with the surrounding beech forest that extends down the southern slopes of Joyce Ridge to the lake edge. The parcel is on the fringe of the forest and has some forest edge degradation and weed intrusion with its close proximity to the Glenorchy - Queenstown Road. The tall canopy of the mature red beech forest has significant influence on the natural values and character of the landscape.

## BACKGROUND

### *Resource Consents*

10. RM150998 application for resource consent to subdivide to create a new fee simple lot and identify a building platform. Application replaced by RM180302.

### *Proposed District Plan submission 712*

11. *Bobs Cove Developments Limited* submitter 712 to the hearings panel for the proposed Queenstown Lakes District Plan requested that the subject site be rezoned Rural Residential. The request was adopted in the Stage 1 *PDP Decisions Versions Map 38 – Wilson Bay and Bobs Cove* and identifies specifically the area of the subject site as zoned *Rural Residential* as highlighted below.



QUEENSTOWN  
LAKES DISTRICT  
COUNCIL

PDP Decisions Version Map 38 - Wilson Bay and Bob's Cove

12. Of relevance to this application is council's consultant ecologist Glenn Davis<sup>4</sup>, who notes the following within his evidence:

*5.16 I viewed the boundary of the site from the Glentui subdivision on 19 April 2017. The vegetation covering the proposed land parcel is in a mid-successional state and is dominated by manuka but containing a range of other indigenous plants including Coprosma species and mountain beech. The vegetation is also contiguous with indigenous vegetation to the east, south and west of the site. The vegetation is representative of a mid-successional community but I do not consider this vegetation to be rare in western parts of the District.*

<sup>3</sup> RM150998 (BCDL & DoC) – Ecological Assessment, Dawn Palmer, Natural Solutions for Nature Ltd dated 18 December 2017

<sup>4</sup> *Statement of evidence of Glenn Davis on behalf of Queenstown Lakes District Council, Ecology, 24 May 2017.*

13. His view is repeated within his rebuttal evidence<sup>5</sup> as follows.

*3.6 I accept that the site was historically farmed; however, it has been left to regenerate for some time and is now in an advanced state of recovery. I visited the site on 19 April 2017 and again with Mr Ben Farrell on 23 June 2017. During these site visits I have recorded 20 indigenous vascular plant species on the site and note that beech trees are present that are overtopping the manuka. I also noted weeds within the woodland including the wilding eucalypts but the site is dominated by indigenous vegetation. My view remains that the vegetation on this site requires protection measures under the Rural Zone that will be eroded if the site was to be rezoned to Rural Residential.*

## **ASSESSMENT**

14. A landscape character and visual effects assessment is provided below. The assessment is complicated by the identification of the site as having a *Rural Residential* zoning within the PDP.
15. Council's planner has requested a brief assessment against the relevant assessment matters within the operative District Plan within the *Rural General* zone, and an assessment within the *Rural Residential Zone* as identified within the PDP Stage 1.
16. The landscape context of the site is altered by the *Rural Residential* zoning compared to that previously assessed. The zone enables residential development and this forms part of the anticipated development and land use of the site. The surrounding landscape context however remains unchanged with high natural character and scenic values associated with the reserve, and the recognition of the natural values sought to be retained as part of residential development within the adjacent *Rural Residential Bobs Cove Sub-Zone*. It is within this context of anticipated residential development within the site in a landscape context of high natural values that the following comments are provided in regard to the proposed subdivision and earthworks.
17. I will use the following scale for describing adverse effects:

Nil	No effects at all.
Negligible	Less than minor adverse effect that are discernible day to day effects but are too small to effect other persons.
Slight	Minor adverse effects that are noticeable but will not cause any significant adverse impacts.
Moderate	More than minor adverse effects that are noticeable, that cause an adverse impact but could be potentially mitigated or remedied.
Substantial	An adverse effect that is noticeable and will have a serious adverse impact on the environment but could possibly be mitigated or remedied.
Severe	Extensive adverse effects that cannot be avoided, remedied or mitigated.

## **Effects on Landscape Character**

18. The site is an anomaly in this landscape, as the *Rural Residential* zoning is specific to the subject site. This zone does not recognise the natural values of the landscape to the same degree of the neighbouring *Bobs Cove Sub-Zone*. In this unusual context a presence of residential built form and associated domestication is anticipated and is considered in the context of the effects on landscape character.

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<sup>5</sup> *Rebuttal evidence of Glenn Davis on behalf of Queenstown Lakes District Council, Ecology, 7 July 2017.*

19. The proposed subdivision would separate the *Rural Residential* part of the subject property from the balance of *Rural* zoned landscape. The actual subdivision would have nil effects on the landscape character as it would have no direct physical effects on the land.
20. The subdivision would support the development of the site within its *Rural Residential* zoning of the PDP and support the reserve status removal process to proceed as part of the intended land swap with DoC. Under the *Rural Residential* zoning the sensitivity of the natural character of the site is significantly diminished with anticipation of residential development enabled by the zone and the specificity of the zone to this site. The land would become an extension of residential development to the north.
21. The likely change in land use towards a more anticipated residential use and domestic presence in the landscape would likely diminish the natural values of the site to a high degree and surrounding landscape to a lesser degree. This is generally anticipated by the *Rural Residential* zoning enabling a rural living priority with an expected presence of buildings and landscape domestication, compared to the existing land use of conservation and recreation as defined by its current reserve status.
22. The landscape context has very high natural values and I consider a high sensitivity to development within the proposed lot. Development of the proposed lot enabled by the subdivision has the potential to compromise the general landscape character. I understand construction of a dwelling would be a permitted activity under the new zone. The interface and integration of future development with this natural landscape context would however be controlled to a degree by the proposed design controls listed within the application. I consider the proposed controls an appropriate response to the landscape context in view of the *Rural Residential* zoning of the site and the surrounding ONL context. Proposed controls would maintain a landscape character transition between the anticipated residential development integrated into the landscape of Bobs Cove and the highly natural character of the adjacent reserve and lake edge landscape.

#### **Effects on Visual Amenity**

23. The proposed formation of the new lot would have nil effects on the visual amenity values of the landscape.
24. Proposed earthworks and the potential residential development enabled by the subdivision as discussed above would however result in an increased visual presence of residential built form, lot boundaries, access road and associated domestic activity in views otherwise dominated by forest, lake and mountains. Views most affected would be from the walking track and public reserve immediately downslope of the site, the waters of the lake, the lake edge and to a lesser degree the brief views towards the site as travelling along the Queenstown - Glenorchy Road to the west of the site.
25. As above the new *Rural Residential* zone of the subject site anticipates residential development, and therefore residential development is expected to become part of the visual landscape within the context of the outstanding natural landscape setting. Development would be viewed as an extension of the neighbouring consented Glen Tui residential development that is yet to be developed in the immediate proximity of the subject site. The resulting lake fringe landscape would become a more domesticated setting up to the subject site with an expectation that buildings would be integrated with the natural character of the landscape of Bobs Cove.
26. Overall, I consider adverse effects on the visual amenity by the proposed subdivision would be nil, and by the development enabled by the subdivision would be small subject to the design controls and landscape works as submitted within the application and the recommendations within this report.

#### **Outstanding Natural Landscape (Operative District Plan)**

Given the subject site is rezoned to a *Rural Residential* the ONL assessment matters are largely redundant in this instance. A limited response is provided as follows, but is expected to carry very limited weight.

#### **5.4.2.2 Assessment Matters (2) Outstanding Natural Landscapes and Outstanding Natural Features – District Wide**

27. The landscape of the site and surrounding reserve land is densely vegetated scrub and emerging forest. The neighbouring Glen Tui residential development is largely integrated into this setting with an increased presence of buildings and domestic activity. The site would be visible from the lake edge, waters, lake side walking track and the Queenstown - Glenorchy Road. The proposed subdivision would have nil effect in terms of visual prominence. The associated proposed clearance of native vegetation, earthworks and the anticipated residential development of the *Rural Residential* zoning of the site would enable residential development and activity that would likely detract from views otherwise characterised by natural landscapes. This is anticipated to a degree by the *Rural Residential* zone, although the extent of detracting would be largely determined by the degree of development integration with the landscape in terms of building forms, colours and site landscape modification. Based on the design controls submitted with the application I consider adequate measures would be provided to integrate development into this setting subject to retention of selected large trees and standard design controls regarding lighting, earthworks and landscape.
28. The subdivision would set up a boundary that would follow the new zone boundary. A new unnatural lineal boundary line across the landscape would potentially detract from the natural characteristics of this landscape. The retention of native vegetation on the site fringes although potentially modified through proposed height vegetation controls would assist in reducing prominence of lineal boundaries. I recommend that selected mature native trees as identified in the previous application are retained and identified on the submitted landscape plan to ensure a variable and integrated natural edge to the proposed subdivision and subsequent residential development.
29. The site includes indigenous ecosystems and wildlife habitat of value as identified within council's ecologist evidence. Adverse effects on the indigenous ecology of the site are likely to be substantial as the landscape plan illustrates most of the site cleared of existing indigenous vegetation. Given the subject site has been specifically rezoned as *Rural Residential* the removal of indigenous vegetation is considered to be have been anticipated by this decision.
30. Adverse effects on open space values on the site and surrounding landscape would be low as the *Rural Residential* zoning anticipates residential building on this site.
31. The proposed subdivision and *Rural Residential* zoning are specific to this site, and the creep of subdivision of small rural residential lots and development into an existing natural reserve area are therefore anticipated. The proposed subdivision is not likely to be catalyst to similar further development as the subdivision is relatively unique as a land exchange with DoC, and the balance of the subject property would retain its Reserve status, high natural values and *Rural* zoning.
32. The proposed subdivision would not result in any positive effects on the subject site and property. It would enable the land exchange with DoC to proceed. I assume a reserve status would be placed on the exchanged lot securing the portion of mature Red Beech forest as Crown conservation land under DoC management and protection of its high natural values.

#### **15.2 Subdivision, Development and Financial Contributions Rules**

33. Most of these matters are covered above. The specific zoning to the proposed subdivision largely anticipates subdivision of the subject site or at least a division between the land use between the proposed lot and balance lot. Effects regarding the small lot size, orientation, solar gain and patterns are anticipated by the specificity of the *Rural Residential* zone to this site.
34. The site is within Bobs Cove and is an area with a number of identified archaeological sites and cultural heritage values. I recommend an assessment of the site by a qualified heritage expert be carried out and submitted to council prior to 244c to determine if the site contains heritage values of significance to this landscape that should be identified for protection or appropriately recorded prior to any development.

## **22. Earthworks**

35. Proposed earthworks for the access drive would largely follow an existing informal vehicle track through existing vegetation and cleared areas. Subject to conditions ensuring the revegetation of cut and fill faces with indigenous species, avoidance of retaining structures and protection of tree rootzones I consider adverse effects on the rural landscape and visual amenity values would be slight and would likely diminish as indigenous vegetation re-establishes.

## **22 Rural Residential (Proposed District Plan)**

36. The zone purpose provides for residential development at a density of one residence every 4000m<sup>2</sup>. The zone recognises that some *Rural Residential* areas are within visually sensitive landscapes and that the landscape quality, character and amenity values are to be maintained and enhanced while enabling rural living opportunities in areas that can absorb development. The construction of buildings would be a permitted activity.
37. The proposed subdivision would not comply with enabling one residential unit within a proposed lot size of 3600m<sup>2</sup> below the 4000m<sup>2</sup> minimum standard. As above the zone area is specific to the proposed lot subdivision, and effects of a smaller lot size are considered to be already anticipated.
38. The proposed design controls for buildings within the proposed lot would support future development that is integrated into this landscape and would comply with the zone standards. I recommend that the height control proposed includes an amendment to ensure no part of any building breaches the skyline as viewed from the Bobs Cove walking track.

## **CONCLUSION**

39. An application has been received by council for resource consent to subdivide a section of Crown land and Recreation Reserve to create two lots and to undertake associated earthworks at a site on the Glenorchy – Queenstown Road, Bobs Cove. In terms of the Queenstown Lakes District Council District Plan (the District Plan) the property is zoned *Rural General* and within the *Proposed District Plan Map 38 – Wilson Bay and Bob's Cove*, it is zoned *Rural* with an *Outstanding Natural Landscape* classification, and *Rural Residential* (proposed Section 1). The *Rural Residential* zone as shown on the Map 38 specific to the subject site has not been appealed and I understand from council's planner it is effectively operational but the rules are standards for the zone are within an appeal process. In this regard the site is assessed as effectively being within a *Rural Residential* zone but in context of a neighbouring *Rural Residential Bobs Cove Sub-Zone* and in a dominant surrounding landscape that is rural and part of a broader Outstanding Natural Landscape (ONL).
40. The *Rural Residential* zoning of the site anticipates a residential dwelling and activity at this site. The new zone is specific to this site and the proposed lot. Those adverse effects that would otherwise come with residential development in this setting have to a degree been considered and accepted by the zone change. The *Rural Residential* zone recognises that residential development may be placed in landscapes that are sensitive to development, such as the subject site. The ONL context for the development does not change, and the natural and cultural values of Bobs Cove are very high.
41. The proposed design controls and the landscape plan submitted with the application would assist in ensuring future development of the proposed lot would be sympathetic to this sensitive landscape setting. Subject to a few recommended minor amendments and conditions as listed below, the subdivision of the proposed lot and later residential development would be compatible to the *Rural Residential* zone of the proposed lot in the context of the ONL.

## **RECOMMENDED CONDITIONS**

42. Should consent be granted I consider that the following conditions should be included:
- To be completed prior to issuing title.

- i. The landscape plan '*Department of Conservation – Bobs Cove, Landscape Plan dated 22 June 2018*' submitted with the application shall be amended and resubmitted to council for certification and shall achieve the following:
    - Include on the amended plan the identification and labelling of the five large native trees as shown on the landscape plan '*Department of Conservation – Bobs Cove, Landscape Plan dated 23 January 2018*' and that they are to be retained in their unmodified natural state.
  - ii. All native vegetation as shown on the certified landscape plan shall be retained as per the certified plan as a closed canopy to the extent shown. If any tree or plant shall die or become diseased it shall be replaced within 12 months as per the plan with native species at a grade of no less than 1.2m in height and planted at a density no more than 1m apart from any other existing or planted native species to sufficiently infill the gaps in the vegetated canopy.
  - iii. An assessment of the residential lot by a qualified heritage expert shall be carried out and a report submitted to council prior to 244c for certification to determine if the site contains heritage values and sites of significance to this landscape that should be identified for protection, and/or appropriately recorded prior to any development.
  - iv. All cut and fill earth faces resulting from earthworks for the access drive shall be reinstated with mixed native species to form a closed canopy, and avoid the use of retaining structures or any concrete surfacing. Earthworks shall avoid the area of the canopy drip line of all large native trees over 6m in height to protect the root zone of such trees.
43. I recommend that the following design controls submitted with the application be amended as shown in strikethrough (deleted) and bold (additions) and form consent notice conditions attached to the proposed new residential lot prior to issuing titles as follows:

#### Building Controls

##### *Building colour and material*

- i. All external walls, joinery, trims and attachments, gutters, spouting, downpipes, chimney, flues, satellite dishes and solar panels shall be coloured in natural hues of green, brown or grey with a light reflectivity value (**LRV**) of between 7% and 20%.
- ii. External wall claddings shall be limited to the following:
  - a. Plaster or textured which meets the colour controls.
  - b. Local schist. ~~or river stone.~~
  - c. Timber weatherboard or board and batten.
  - d. Alternative material which meet the colour and glare controls.
- iii. The roofing materials of all buildings shall be corrugated, or tray steel, shingles or cedar shakes finished in dark recessive tones of grey, green or brown with a LRV ~~light reflectivity value (LRV)~~ of between 7% and 20% and have a matt finish, if painted, or a living roof of a vegetation coverage consistent with the surrounding landscape.
- iv. All ancillary structures (for example: garden sheds and garages) shall be clad and coloured to match the principal dwelling.

##### *Building Form*

- v. Building shall be constructed with eaves, overhangs or recessed windows of no less than 0.8m in depth over north and west facing areas to reduce the effects of glare from glazing.
- vi. All roof pitches to be mono-pitch forms to slope with the natural contours of the adjoining landform.



- vii. Buildings shall not exceed 6m in height above natural ground level except for any lift and stairwell area which shall not exceed 8m above natural ground level. **No part of any building shall breach the skyline as viewed from the Bobs Cove track.**
- viii. Total building footprint not to exceed 500m<sup>2</sup>.

*Other Building Controls*

- ix. All curtains, blinds or other window coverings to ~~be~~ match the exterior colour controls.
- x. Solar panels shall only be installed on the roof where they are not visible from public roads, public walking tracks or Lake Wakatipu.

Landscape Controls

- xi. All external lighting shall be down lighting only and not be used to highlight buildings or landscape features visible from beyond the property boundary. All external lighting shall be no higher than 1.2m above ground level and be ~~limited~~ **located within** ~~to the curtilage area only~~ **'Rural Living Amenity Area' only as shown the council certified landscape plan approved by resource consent RM180302.** External lighting shall be directed away from the lake and foreshore.
- xii. Planting within the site, including the ~~curtilage area~~ **'Rural Living Amenity Area'** shall only be naturally occurring indigenous species listed in the Glen Tui Heights Ecological Management and Maintenance Specification Plan dated March 2013 – Area 3. Broadleaved Shrubland and/or Area 4, Mountain Beech.
- xiii. All domestic landscaping and structures including but not limited to clothesline, outdoor seating areas, external lighting, swimming pools, tennis courts, play structures, vehicle parking, pergolas, and ornamental or amenity gardens and lawns shall be confined to the ~~curtilage area~~ **'Rural Living Amenity Area'** as shown the certified landscape plan.
- xiv. All water tanks to be partially or wholly buried. If partially buried, tanks shall be of dark recessive colouring which meets the building colour controls and / or visually screened by planting as to be not visible beyond the subject property boundary.
- xv. Any entranceway structures from the property boundary shall be to a height of no more than 1.2m and shall be constructed of natural materials such as unpainted timber, steel or schist stone as to not be visually obtrusive (monumental) and consistent with traditional rural elements and farm gateways.
- xvi. Any fences are to be limited to the ~~curtilage area~~ **'Rural Living Amenity Area'** only and rea to be standard rural character fence only, being post and wire or post and rail at a maximum height of 1.2m. Mesh fencing may be used for pest management purposes.
- xvii. All earth worked/~~exposed~~ areas shall be top-soiled and grassed / revegetated or otherwise permanently stabilised and vegetated to blend into the natural landforms **within 6 months of completion of earthworks.**
- xviii. The surface all access roads and driveways shall be of a dark colour local stone chip or gravel, dark chip seal, a dark coloured and textured concrete or a dark coloured or vegetated impermeable surface (no asphalt) to result in an overall dark grey with an LRV of less than 35%.
- xix. No concrete kerb and channelling shall be used for the access road and driveway.
- xx. All vehicle accessible areas to be located upslope of future dwelling or behind an area of indigenous vegetation as ~~experienced~~ **viewed** from the lake **and Bobs Cover track.**

Memo prepared by

  
Richard Denney

**LANDSCAPE ARCHITECT**

*B. Landscape Architecture (hons), Science.*

**APPENDIX 4 – QLDC ENGINEERING REPORT**

**From:** [Michael Wardill](#)  
**To:** [Adonica Giborees](#)  
**Subject:** TRIM: RM180302 Engineering assessment  
**Date:** Tuesday, 13 March 2018 8:30:55 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)

Hi Adonica

Agree that it looks much the same but now with a BP showing on the plans. I included BP in original conditions so no engineering change.

The only engineering condition that I can tell needs updating is the 'prior to s224' condition that references PPG drawings and this should now reflect the latest set. Happy for you to simply update 😊

Regards

Mike

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**Michael Wardill** | Resource Management Engineer

Planning & Development

Queenstown Lakes District Council

DD: +64 3 450 0359 | P: +64 3 441 0499 | M: +64 27 600 8807

E: [michael.wardill@qldc.govt.nz](mailto:michael.wardill@qldc.govt.nz)




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**From:** Adonica Giborees  
**Sent:** Monday, 12 March 2018 4:11 PM  
**To:** Michael Wardill  
**Subject:** RE: RM150998 Engineering assessment  
 Hi Mike,

This application has been re-lodged as RM180302. The only change is to the size and shape of the proposed residential building platform. As far as I can tell, the easements remain the same. Could I please get you to take a quick look at the new application, and confirm whether your assessment below remains the same?

I can do an Engineering report request if you need this for your spreadsheet – just let me know.

Kind Regards,

**Adonica Giborees** | Consultant Planner

Planning and Development

Queenstown Lakes District Council

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**From:** Michael Wardill

**Sent:** Monday, 16 October 2017 12:36 PM

**To:** Adonica Giborees <[adonica.giborees@qldc.govt.nz](mailto:adonica.giborees@qldc.govt.nz)>

**Subject:** RM150998 Engineering assessment

Hi Adonica

Subdivision consent is sought to create proposed Lots 1 & 2 from Section 28 Block V Mid Wakatipu Survey District, being 8.98983Ha. Lot 1 will be 0.34Ha and be developed from land use consent herein for residential activities whilst Lot 2 will be 8.65ha and remain as Department of Conservation land thus not requiring servicing, access or hazard consideration.

The development will result in development contributions for the new residential dwelling unit and an advice note is recommended in this regard.

The infrastructure assessment provided by Paterson Pitts Group demonstrates that infrastructure servicing and legal and formed access can be made to the subject lot. I have reviewed the PPG assessment and confirm satisfaction that measures therein are sufficient to service the site. This is further described below.

**Access** – The proposed access to Lot 1 will be shared with Lot 100 and combined will service up to 4 residential dwellings, being on Lot 1 herein and Lots 100-11, 100-12, & 100-13. The access is 220m in length extending from Tui Drive to the Lot 1 and Lot 100-11 junctures and contained

within a 9m wide legal width with reciprocal right of way easements where passing between the Lot 100 and proposed Lot 1 alignments. I recommend that all necessary easements be created. The subdivision of Lot 100 itself does not form part of this consent.

The access is 5.5m wide sealed access for the initial 130m in compliance with Figure E2 of the QLDC CoP and reduces to 2.5m width where servicing only 2 dwellings, being Lot 100-11 and Lot 1. This includes a 65m section of relatively straight single lane access at 1V:5H gradient. PPG plans detail a passing bay and sealed formation to provide appropriate traction and passing for vehicles over the steeper section. I am satisfied the access meets Figures E1 & E2 of the QLDC CoP and recommend formation in accordance with Council standards and the application drawings.

**Earthworks** – Earthworks are proposed for the construction of the access and for the lot development/dwelling construction on Lot 1 and adjacent Lot 100. These are summarised in the below table.

Access - Subdivision		Dwelling – land use	
Cut	1,099m <sup>3</sup> to 1.1m max depth	Cut	1,642m <sup>3</sup> to 5.41m depth
Fill	696m <sup>3</sup> to 1m max depth	Fill	40m <sup>3</sup> to 2.19m depth
Area	Not provided	Area	1,072m <sup>2</sup>
3,477m <sup>3</sup> of earthworks in total			

The subdivision consent will require the access formation and involves minor depths of cut and fill with the access following the existing land topography. Instability for the subdivision earthworks is unlikely to extend beyond the subject site boundaries due to the shallow depths and clearance from external boundaries. I recommend conditions of consent in regard to subdivision earthworks.

For the building platform/dwelling construction more extensive earthworks are proposed and are close to internal boundaries between Lot 1 herein and existing Lot 100. The applicant will however own both lots (following the land exchange with DOC) and therefore affected party approval is considered as provided by default, in this instance. I therefore make no assessment of earthworks between lots to be owned by the applicant/consent holder.

The maximum site cut depths are located where basement constructions are involved and are clear of external boundaries. On completion of basements these temporary cuts will be backfilled and the land permanently stabilised. I recommend engineering supervision be provided to ensure stability is maintained throughout earthworks and temporary support/propping be provided at the discretion of the engineer.

Fill is shown beneath the dwelling and I recommend that fill be certified or foundation designed to extend to suitable bearing. This will require supervision of earthworks by the above engineer. Conditions of consent are proposed for the management of siltation and dust effects during construction/earthworks.

**Services** – Water and sewer connections will be extended from Glentui Height subdivision infrastructure. PPG have provided an assessment with the application demonstrating capacity for water, sewer, power & telecommunications. I am satisfied that servicing is feasible and I recommend conditions of consent to facilitate the proposed connections, prior to s224c. Onsite discharge of water to ground was assessed as appropriate during an earlier development iteration and therefore I am satisfied that stormwater can be addressed at the time of building consent.

To ensure that service and access are installed prior to dwelling occupation I recommend a related condition of consent.

**Hazards** – The subject site is identified on QLDC hazard maps as being potentially susceptible to liquefaction (described as LIC2 provisional) and is also bisected by the Moonlight Fault. I am

however satisfied this elevated section can be considered a minor development extension to neighbouring land previously assessed by Council engineers under RM130174 whereby no specific hazard mitigation was deemed necessary by experts, at the time, for either liquefaction or proximity to the fault line. I therefore make no recommendation in this regard.

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## **1.0 RECOMMENDED SUBDIVISION CONDITIONS**

It is recommended that the following conditions are included in the consent decision:

### **General**

1. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd June 2015 and subsequent amendments to that document up to the date of issue of any resource consent.

*Note: The current standards are available on Council's website via the following link: <http://www.qldc.govt.nz>*

### **To be completed prior to the commencement of any works on-site**

2. The owner of the land being developed shall provide a letter to the Manager of Resource Management Engineering at Council advising who their representative is for the design and execution of the engineering works and construction works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under Sections 1.7 & 1.8 of QLDC's Land Development and Subdivision Code of Practice, in relation to this development.
3. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.

### **To be monitored throughout earthworks**

4. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.

### **To be completed before Council approval of the Survey Plan**

5. Prior to the Council signing the Survey Plan pursuant to Section 223 of the Resource Management Act 1991, the consent holder shall complete the following:
  - a) All necessary easements shall be shown in the Memorandum of Easements attached to the Survey Plan and shall be duly granted or reserved. This shall include access, sewer, and water easements in favour of Lot 1 connecting through to Glentui Heights infrastructure. Prior to registration, the legal documents that are created are to be checked and approved by the Council's solicitors at the consent holder's expense to ensure that all of the Council's interests and liabilities are adequately protected.

### **To be completed before issue of the s224(c) certificate**

6. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
  - a) The consent holder shall provide "as-built" plans and information required to detail all engineering works completed in relation to or in association with this subdivision/development to the Subdivision Planner at Council. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of ways and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
  - b) A digital plan showing the location of all building platforms as shown on the survey plan / Land Transfer Plan shall be submitted to the Subdivision Planner at Council. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.
  - c) The sealed formation of the shared right of way extending from Tui Drive to Lot 1, including vehicles crossings servicing Lot 100 RM130174 and Lot 1, in accordance with Council's standards and as shown on Paterson Pitts Group Engineering Drawing set dated 22-2-17 submitted with the RM150998 consent application. This shall include passing opportunities

on at no greater than 50m centres. Provision shall be made for stormwater disposal from the access.

- d) The provision of a minimum supply of 2,100 litres per day of potable water to the building platform on Lot 1 that complies with/can be treated to consistently comply with the requirements of the Drinking Water Standard for New Zealand 2005 (Revised 2008).
- e) The consent holder shall provide evidence to the satisfaction of the Principal Resource Management Engineer at QLDC as to how the water supply will be monitored and maintained on an ongoing basis.
- f) The provision of a low pressure foul sewer connection from the Lot 1 building platform to the Glentui Heights reticulated sewerage system in accordance with Council's standards and connection policy, which shall be able to drain the buildable area within Lot 1.
- g) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the net area of Lot 1 and that all the network supplier's requirements for making such means of supply available have been met.
- h) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the net area of Lot 1 and that all the network supplier's requirements for making such means of supply available have been met.
- i) The submission of Completion Certificates from the Contractor and the Engineer advised in Condition (2) for all engineering works completed in relation to or in association with this subdivision/development (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of a Producer Statement, or the QLDC's Land Development and Subdivision Code of Practice Schedule 1B and 1C Certificate.
- j) All earthworked/exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
- k) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

#### **Ongoing Conditions/Consent Notices**

7. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to s.221 of the Act.
  - a) All future buildings shall be contained within the Building Platform as shown as Covenant Area X as shown on Land Transfer Plan XXXXX.
  - b) The Council is not responsible for the operation, maintenance or upgrade of any part of the infrastructure or roading to any lot within this subdivision. All operational and maintenance costs in respect of roading, water supply, sewer, and stormwater overland flow paths associated with the development shall be met by the relevant lot owners of the affected land.
  - c) The drinking water supply is to be monitored for compliance with the Drinking Water Standard for New Zealand 2005 (revised 2008), by the management group for the lots, and the results forwarded to the Principal: Environmental Health at Council. The Ministry of Health shall approve the laboratory carrying out the analysis. Should the water not meet the requirements of the Standard then the management group for the lots shall be responsible for the provision of water treatment to ensure that the Drinking Water Standards for New Zealand are met or exceeded.
  - d) At the time a dwelling is erected on Lot 1, domestic water and firefighting storage is to be provided. A minimum of 20,000 litres shall be maintained at all times as a static firefighting reserve within a 30,000 litre tank (or equivalent). Alternatively, a 7,000 litre firefighting reserve is to be provided for each dwelling in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family dwellings. In the event that the proposed dwellings provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand

(FENZ) as larger capacities and flow rates may be required.

The FENZ connection point/coupling must be located so that it is not compromised in the event of a fire.

The connection point/coupling shall have a hardstand area adjacent to it (within 5m) that is suitable for parking a fire service appliance. The hardstand area shall be located in the centre of a clear working space with a minimum width of 4.5 metres. Pavements or roadways providing access to the hardstand area must have a minimum formed width as required by Council's standards for rural roads (as per Council's s Land Development and Subdivision Code of Practice). The roadway shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Access shall be maintained at all times to the hardstand area.

Underground tanks or tanks that are partially buried (provided the top of the tank is no more than 1 metre above ground) may be accessed by an opening in the top of the tank whereby couplings are not required. A hardstand area adjacent to the tank is required in order to allow a fire service appliance to park on it and access to the hardstand area must be provided as above.

The FENZ connection point/coupling/fire hydrant/tank must be located so that it is clearly visible and/or provided with appropriate signage to enable connection of a fire appliance.

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

**Advice Note:**

1. This consent triggers a requirement for Development Contributions, please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information please contact the DCN Officer at Council.
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**2.0 RECOMMENDED LANDUSE CONDITIONS**

It is recommended that the following conditions are included in the consent decision:

**General**

1. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd June 2015 and subsequent amendments to that document up to the date of issue of any resource consent.

*Note: The current standards are available on Council's website via the following link:*  
<http://www.qldc.govt.nz>

**To be completed prior to the commencement of any works on-site**

2. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
3. At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice and who shall supervise the excavation procedure and retaining wall construction and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability and ensure compliance with NZS 4431:1989 (if required).

**To be monitored throughout earthworks**

4. Temporary retention systems shall be installed wherever necessary immediately following excavation to avoid any possible erosion or instability.
5. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.

6. No earthworks, temporary or permanent, are to breach the boundaries of the site.

***On completion of earthworks and before construction of the dwelling***

7. On completion of earthworks within the building footprint and prior to the construction of the dwelling, the consent holder shall ensure that either:

- a) Certification from a suitably qualified geo-professional experienced in soils investigations is provided to the Manager of Resource Management Engineering at Council, in accordance with NZS 4431:1989, for all areas of fill within the site on which buildings are to be founded (if any). Note this will require supervision of the fill compaction by a suitably qualified geo-professional;
- or
- b) The foundations of the dwelling shall be designed by a suitably qualified engineer taking into consideration any areas of uncertified fill on-site.

***On completion of earthworks and before occupation of the dwelling***

8. On completion of the earthworks and before occupation of the dwelling, the consent holder shall complete the following:

- a) Lot 1 RM150998 shall be issued with section 224 completion under the RMA. *Note: This requires all subdivision access and servicing requirements of the consent to have been satisfied.*
- b) Any power supply connections to the dwelling/building shall be underground from existing reticulation and in accordance with any requirements and standards of the network provider.
- c) Any wired telecommunications connections to the dwelling/building shall be underground from existing reticulation and in accordance with any requirements and standards of the network provider.
- d) Onsite parking, access and manoeuvring areas shall be formed to Council standards. Provision shall be made for stormwater disposal.
- e) Prior to the occupation of the dwelling, domestic water and firefighting storage is to be provided. A minimum of 20,000 litres shall be maintained at all times as a static firefighting reserve within a 30,000 litre tank (or equivalent). Alternatively, a 7,000 litre firefighting reserve is to be provided for each dwelling in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family dwellings. In the event that the proposed dwellings provide for more than single family occupation then the consent holder should consult with the Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

The FENZ connection point/coupling must be located so that it is not compromised in the event of a fire.

The connection point/coupling shall have a hardstand area adjacent to it (within 5m) that is suitable for parking a fire service appliance. The hardstand area shall be located in the centre of a clear working space with a minimum width of 4.5 metres. Pavements or roadways providing access to the hardstand area must have a minimum formed width as required by Council's standards for rural roads (as per Council's s Land Development and Subdivision Code of Practice). The roadway shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Access shall be maintained at all times to the hardstand area.

Underground tanks or tanks that are partially buried (provided the top of the tank is no more than 1 metre above ground) may be accessed by an opening in the top of the tank whereby couplings are not required. A hardstand area adjacent to the tank is required in order to allow a fire service appliance to park on it and access to the hardstand area must be provided as above.

The FENZ connection point/coupling/fire hydrant/tank must be located so that it is clearly visible and/or provided with appropriate signage to enable connection of a fire appliance.

Firefighting water supply may be provided by means other than the above if the written



approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

- f) All earthworked/exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
- g) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

**Advice Note**

1. Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new dwelling. Given that the proposed dwelling is approximately 15km from the nearest FENZ Fire Station the response times of the New Zealand **Volunteer** Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in the/each new dwelling(s).
2. The consent holder is advised that any retaining walls proposed in this development which exceeds 1.5m in height or walls of any height bearing additional surcharge loads will require Building Consent, as they are not exempt under Schedule 1 of the Building Act 2004.

Regards

Mike

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**Michael Wardill** | Resource Management Engineer

Planning & Development

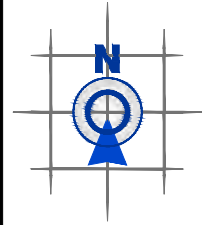
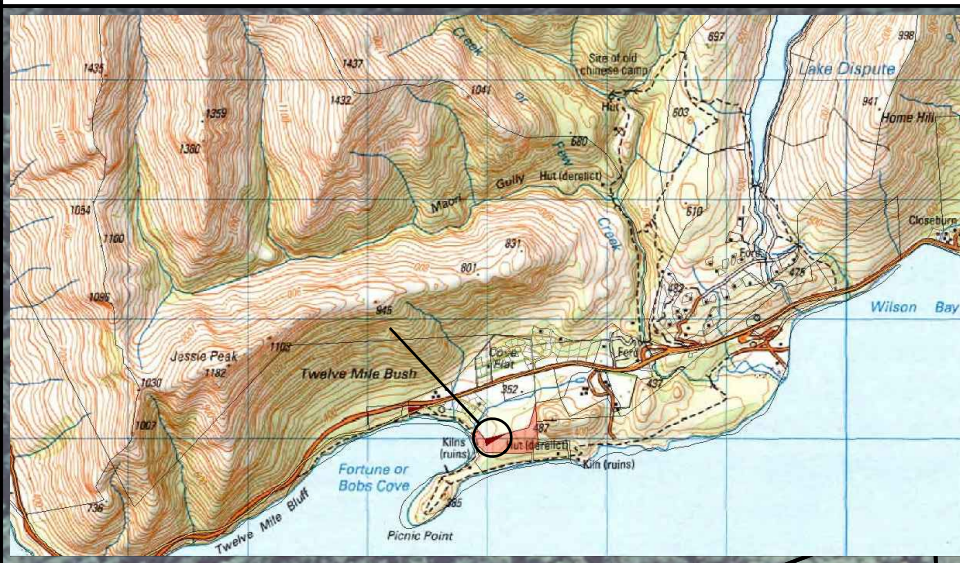
Queenstown Lakes District Council

DD: +64 3 450 0359 | P: +64 3 441 0499 | M: +64 27 600 8807

E: [michael.wardill@qldc.govt.nz](mailto:michael.wardill@qldc.govt.nz)

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**KEY**

- proposed exchange land
- ▭ proposed balance land parcel
- ▭ proposed Residential Building Platform
- - - proposed easement boundary
- existing & adjacent parcel boundary
- - - RM130174 consented development area
- - - RM130174 consented lot boundary
- RM130174 consented formed access
- - - existing easement boundary
- - - existing walkway

- PLAN NOTES:**
- See sheets 2 and 3 for detail
  - Levels are in terms of Mean Sea Level
  - Existing boundaries are sourced from LINZ (Jul 2012)
  - Aerial photography is dated 2006, source QLDC

- EXCHANGE LAND NOTES:**
- The land exchange Proposed Section 1, from the Crown to BCDL, is subject to subdivision consent. A crown subdivision plan (Sections 1 & 2 being a subdivision of Sec 28 Blk V Mid Wakatipu SD) will be required. All areas and dimensions shown are subject to survey, and Council and LINZ approvals
  - A plan of subdivision is not proposed for the exchange of land Pt Sec 10, from BCDL to the Crown
  - Pt Sec 10 is zoned Rural Residential under the QLDP. Proposed Section 1 is zoned Rural General

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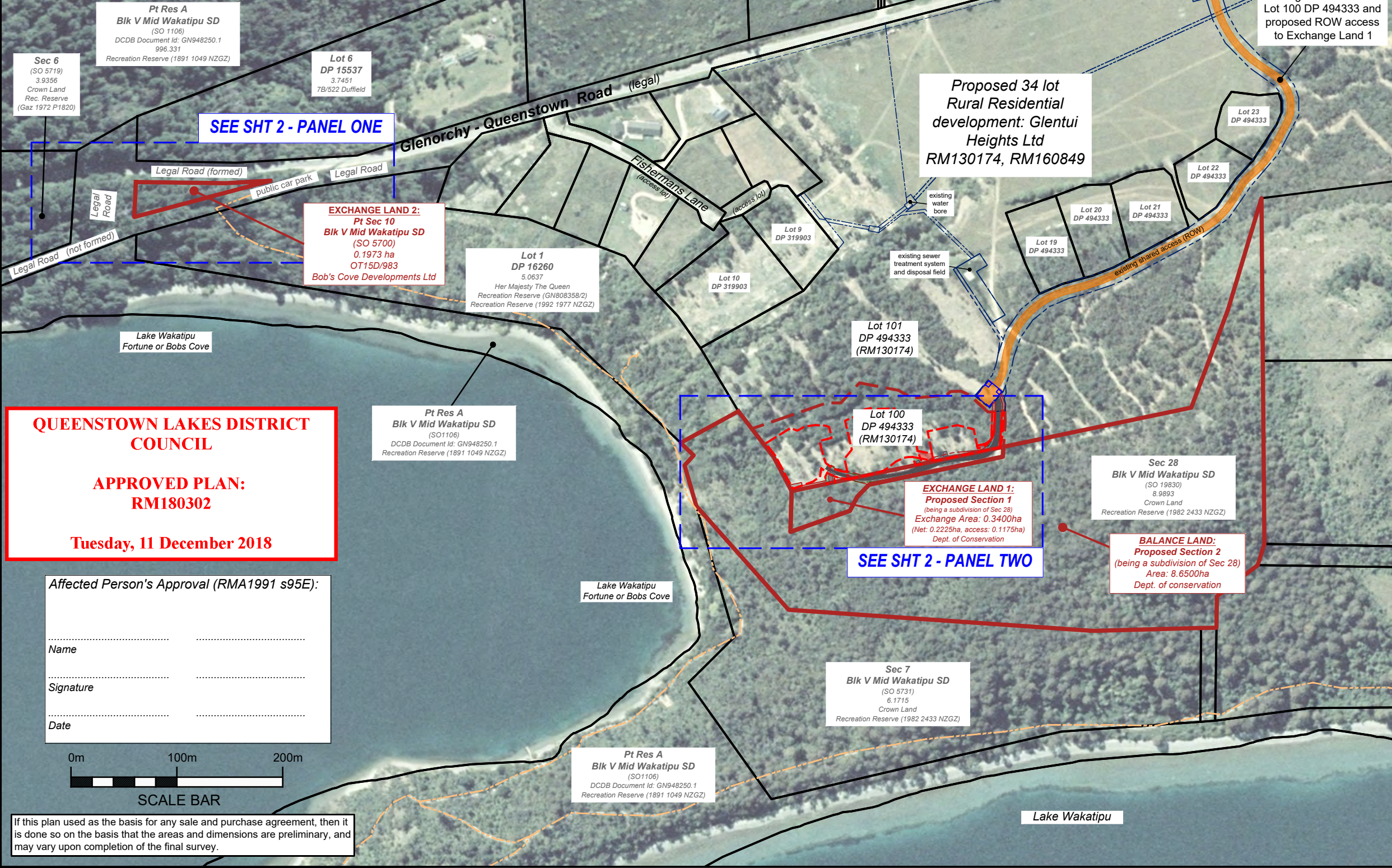
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Client/Location:  
**Dept. of Conservation and Bob's Cove Developments Ltd**  
 Bobs Cove, Glenorchy Queenstown Road  
 Pt Sec 10 & Sec 28  
 Blk V Mid Wakatipu SD (Crown Land)

Purpose/Drawing Title:  
**Proposed Land Exchange**  
 (pursuant to Section 15 of the Reserves Act 1977) BCDL and Dept. of Conservation, with a Proposed Subdivision of Sec 28 Blk V Mid Wakatipu SD (Crown Land)

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Drawn by:	SP		
Checked by:	SW		
Approved by:		<b>DO NOT SCALE</b>	
Job No:	Q6007 - 14	Sheet No:	1
		Revision No:	H
		Date Created:	25/05/2018



**QUEENSTOWN LAKES DISTRICT COUNCIL**

**APPROVED PLAN:  
RM180302**

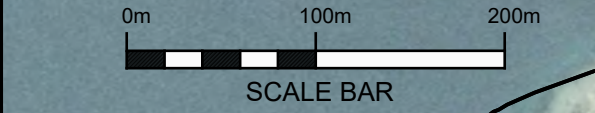
**Tuesday, 11 December 2018**

Affected Person's Approval (RMA1991 s95E):

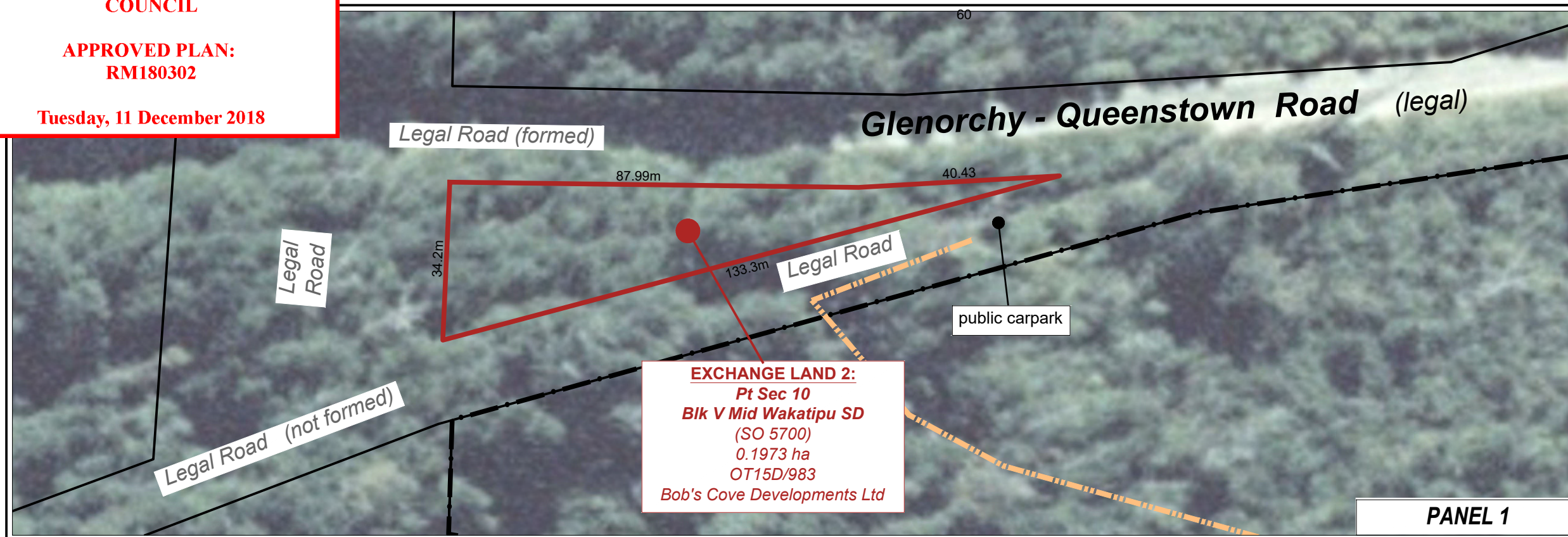
Name .....

Signature .....

Date .....

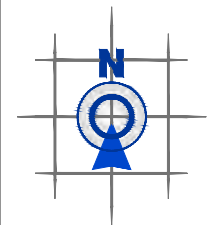


If this plan used as the basis for any sale and purchase agreement, then it is done so on the basis that the areas and dimensions are preliminary, and may vary upon completion of the final survey.



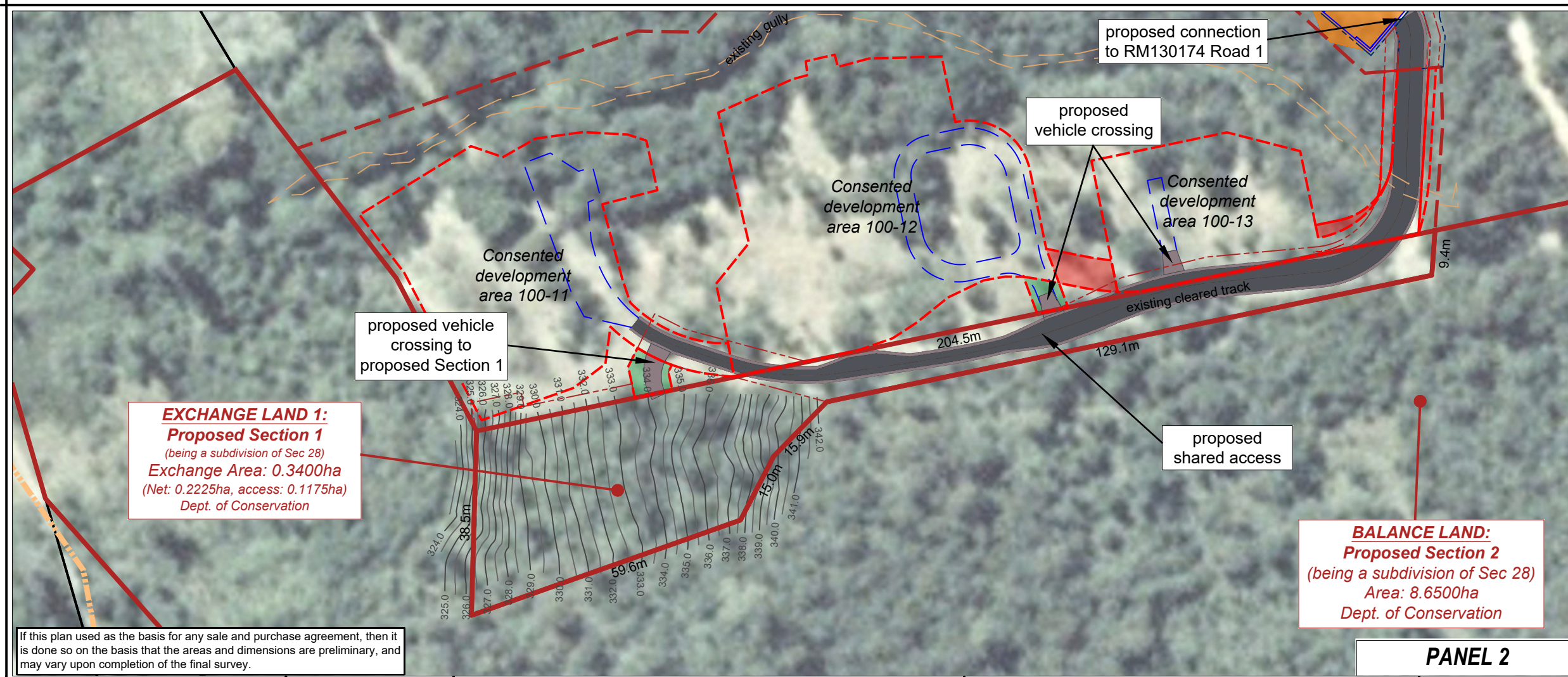
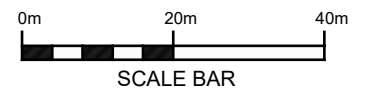
**EXCHANGE LAND 2:**  
Pt Sec 10  
Blk V Mid Wakatipu SD  
(SO 5700)  
0.1973 ha  
OT15D/983  
Bob's Cove Developments Ltd

**PANEL 1**



**KEY**

- proposed exchange land
- proposed balance land parcel
- proposed Residential Building Platform
- - - proposed easement boundary
- existing & adjacent parcel boundary
- - - RM130174 consented development area
- RM130174 consented lot boundary
- RM130174 consented formed access
- - - existing easement boundary
- - - existing walkway
- existing ground contours (0.5m interval)
- existing embankment
- existing gully (dry bed)
- - - existing tracks and cleared areas (2006)
- existing development area to be surrendered (110m<sup>2</sup> total area)
- proposed development area (110m<sup>2</sup> total area)



**EXCHANGE LAND 1:**  
**Proposed Section 1**  
(being a subdivision of Sec 28)  
Exchange Area: 0.3400ha  
(Net: 0.2225ha, access: 0.1175ha)  
Dept. of Conservation

**BALANCE LAND:**  
**Proposed Section 2**  
(being a subdivision of Sec 28)  
Area: 8.6500ha  
Dept. of Conservation

**PANEL 2**

**Affected Person's Approval (RMA1991 s95E):**

Name .....

Signature .....

Date .....

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Client/Location: Dept. of Conservation and  
**Bob's Cove Developments Limited**  
Bobs Cove, Glenorchy Queenstown Road  
Pt Sec 10 & Sec 28 Blk V Mid Wakatipu SD (Crown Land)

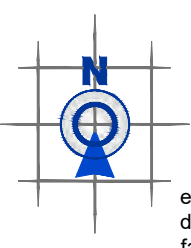
Purpose/Drawing Title: Proposed Land Exchange  
(pursuant to Section 15 of the Reserves Act 1977)  
BCDL and Dept. of Conservation, with a  
Proposed Subdivision of Sec 28 Blk V Mid Wakatipu SD  
(Crown Land)

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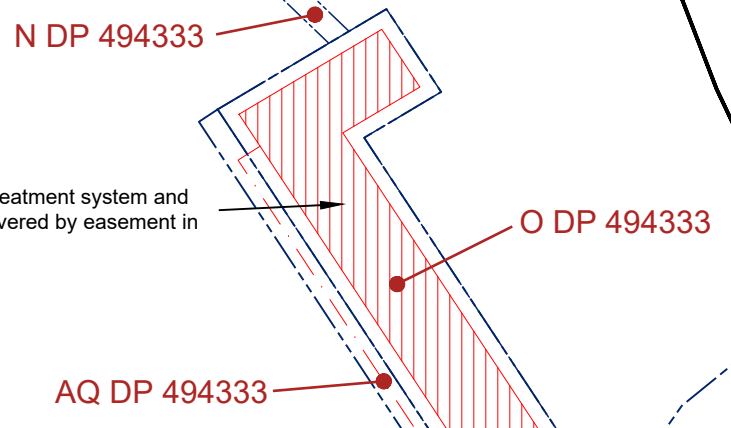
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Drawn by: SP		
Checked by: SW		
Approved by:	Sheet No: 2	Revision No: H
Job No: Q6007 - 14		Date Created: 25/05/2018

Proposed Easements			
Purpose	Shown	Servient tenement	Dominant tenement
Right of way	A, F	Lot 100 DP 494333	Proposed Sec 1
	B	Proposed Sec 1	Lot 100 DP 494333
	H, I	Lot 101 DP 494333	Lot 100 DP 464333 & Proposed Sec 1
	AA, AM, AN, AB, AC, AD, AE, ZF on DP 494333	Lot 101 DP 494333	Proposed Sec 1
Right to convey water and sewage	A, F	Lot 100 DP 494333	Proposed Sec 1
	B	Proposed Sec 1	Lot 100 DP 494333
	AD, AF on DP 494333	Lot 101 DP 494333	Proposed Sec 1
Right to drain sewage	AQ, O, AE on DP 494333	Lot 101 DP 494333	Proposed Sec 1
	G	Lot 100 DP 494333	Proposed Sec 1
Right to convey water	M, N, P, R, T AH, AB, AC, AM, AJ, ZH, ZI, AI on DP 494333	Lot 101 DP 494333	Proposed Sec 1

Proposed Easements in Gross			
Purpose	Shown	Servient tenement	Grantee
Right to convey electricity	A, F	Lot 100 DP 494333	Aurora Energy Ltd
	B	Proposed Sec 1	
Right to convey telecommunications & computer media	A, F	Lot 100 DP 494333	Chorus NZ Ltd
	B	Proposed Sec 1	



existing sewer treatment system and disposal field covered by easement in favour of lot 100



KEY	
	proposed exchange land
	proposed balance land parcel
	proposed Residential Building Platform
	proposed easement boundary
	existing & adjacent parcel boundary
	RM130174 consented development area
	RM130174 consented lot boundary
	existing easement boundary
	existing walkway

- PLANNING NOTES:**
- The proposed accessway to the development areas on Lot 100 and proposed Section 1 will follow the existing cleared track within area 'B' rather than the consented route through maturing beech trees as shown in RM130174 and on DP 494333.
  - To provide for the construction of a vehicle crossing to proposed Section 1 and development area 100-12 on Lot 100 DP 494333, amendments to the existing development areas are proposed as shown. Two areas totaling 110m<sup>2</sup> will be added whilst two existing areas totaling 110m<sup>2</sup> will be surrendered. Therefore no extra development area is required by this proposal.
  - It is proposed that in some areas, watertables, berms and batters along the main accessway will encroach into the undomesticated area on Lot 100 DP 494333. This is provided for by Section 8.2 of the QLDP, which states that the term 'development area' includes:  
*pathways and accessways, but excludes the main accessway leading from the Glenorchy-Queenstown Road to the development areas*

**Lot 101  
DP 494333  
(RM130174)**

proposed sewer lateral (pumping line) for 100-11 and 100-12 RM130174 and proposed Sec 1 - to sewer system. Covered by easement in favour of lot 100

RM130174 Stage 1: existing 50mm HDPE watermain, LV electricity reticulation and teleco reticulation - covered by easements in gross (elec and telco) and easements in favour of lot 100 (water)

**ROW 1 RM130174 (Tui Drive)**

AD DP 494333

AE DP 494333

AF DP 494333

**Lot 100  
DP 494333  
(RM130174)**

surrender existing development area (85m<sup>2</sup>)

surrender existing development area (25m<sup>2</sup>)

proposed development area (45m<sup>2</sup>)

consented development area 100-13

100-13 to dispose of sewage to ground (RM130174)

consented development area 100-11

proposed development area (65m<sup>2</sup>)

proposed vehicle crossing

proposed vehicle crossing

Section 1 boundary to accommodate carriageway design

**QUEENSTOWN LAKES DISTRICT COUNCIL**

**APPROVED PLAN:  
RM180302**

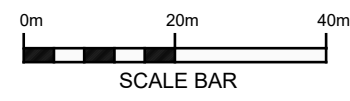
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Affected Person's Approval (RMA1991 s95E):

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Signature .....

Date .....



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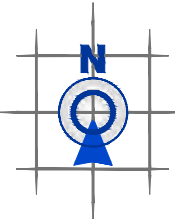
Client/Location:  
**Dept. of Conservation and Bob's Cove Developments Limited**  
Bobs Cove, Glenorchy Queenstown Road  
Pt Sec 10 & Sec 28 Blk V  
Mid Wakatipu SD (Crown Land)

Purpose/Drawing Title:  
**Proposed Land Exchange Proposed Easement and Development Area Detail**

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Drawn by:	SP		
Checked by:	SW		
Approved by:		<b>DO NOT SCALE</b>	
Job No:	Q6007 - 14	Sheet No:	3
		Revision No:	H
		Date Created:	25/05/2018

**KEY**

- Watercourse
- Fill batter
- Cut batter
- Lot boundary
- Easement/development area boundary



Earthworks Volumes			
	Cut	Fill (inc imported roading metal)	TOTAL
Shared Access	1068m <sup>3</sup>	665m <sup>3</sup>	1733m <sup>3</sup>
Vehicle Crossing 100-12	6m <sup>3</sup>	6m <sup>3</sup>	12m <sup>3</sup>
Vehicle Crossing 100-13	7m <sup>3</sup>	10m <sup>3</sup>	17m <sup>3</sup>
Vehicle Crossing proposed Section 1	18m <sup>3</sup>	15m <sup>3</sup>	33m <sup>3</sup>
<b>TOTAL</b>	<b>1099m<sup>3</sup></b>	<b>696m<sup>3</sup></b>	<b>1795m<sup>3</sup></b>

**QUEENSTOWN LAKES DISTRICT COUNCIL**  
  
**APPROVED PLAN:  
RM180302**  
  
**Tuesday, 11 December 2018**

62  
**Lot 100**  
**DP 494333**  
**Glentui Balance Parcel**  
**(RM130174)**

**SEE SHEET 2**

**Lot 100**  
**DP 494333**  
**(RM130174)**

**SEE SHEET 4**

proposed development area 100-13

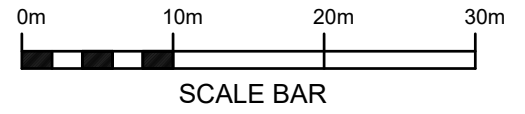
proposed development area 100-12

proposed development area 100-11

**SEE SHEET 3**

proposed Section 1  
 (Doc exchange)

Sec 28  
 Blk V Mid Wakatipu SP  
 (SO 19830)



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Client/Location:  
**Bobs Cove Developments Ltd**  
**Bobs Cove**  
**Lot 100 DP494333**

Purpose/Drawing Title:  
**Engineering Design**  
**Site Overview**

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Drawn by: SJP		
Checked by: SAM		
Approved by:	Sheet No: 1	Revision No: B
Job Ref: Q6007 - 15		

KEY	
	Watercourse
	Fill batter
	Cut batter
	Lot boundary
	Easement/development area boundary

**QUEENSTOWN LAKES DISTRICT COUNCIL**

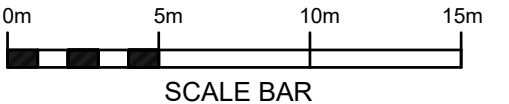
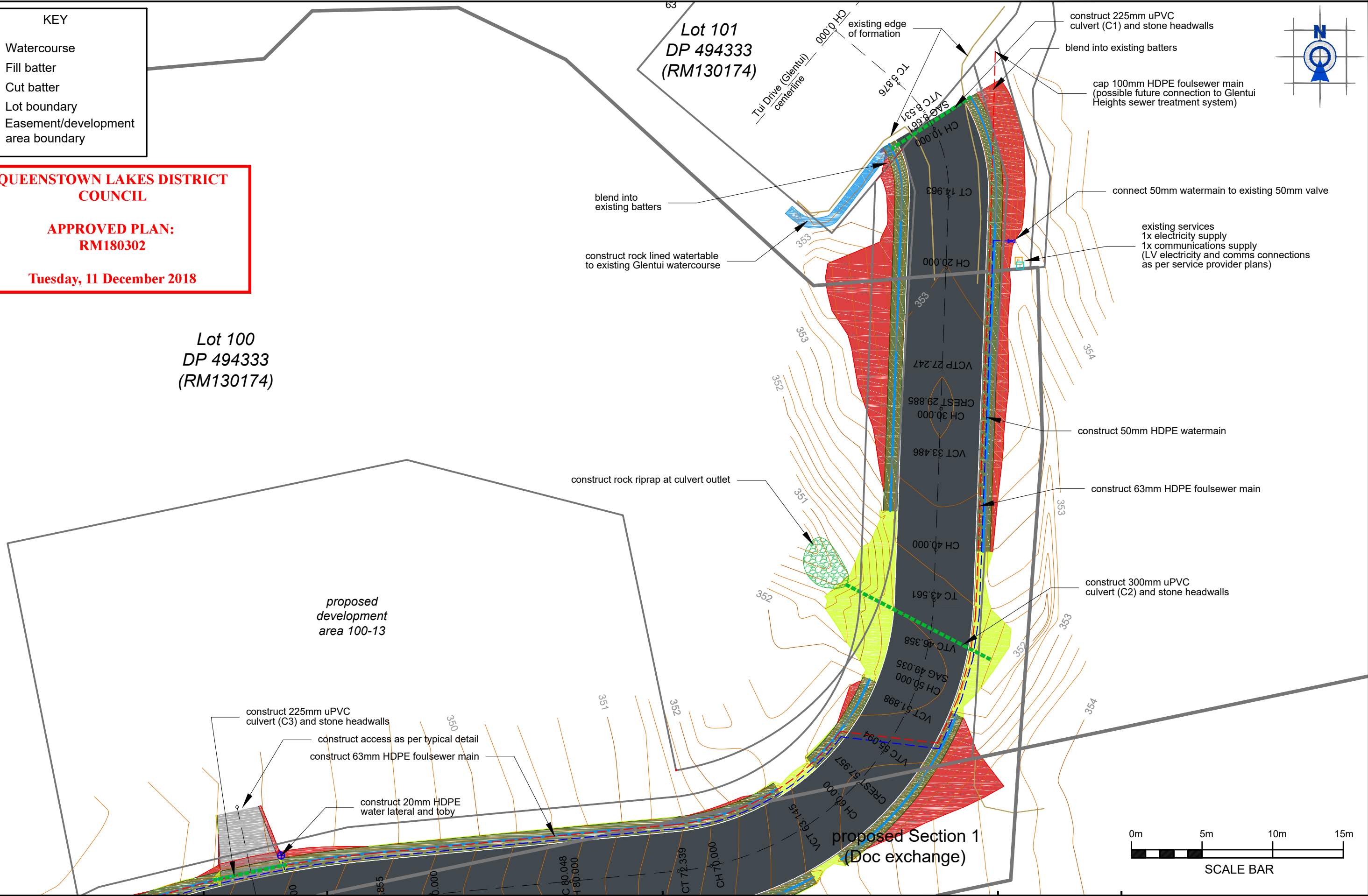
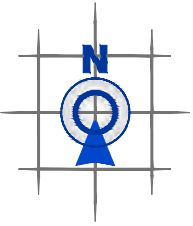
**APPROVED PLAN:  
RM180302**

**Tuesday, 11 December 2018**

Lot 100  
DP 494333  
(RM130174)

*proposed  
development  
area 100-13*

Lot 101  
DP 494333  
(RM130174)



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Client/Location:  
**Bobs Cove Developments Ltd**  
Bobs Cove  
Lot 100 DP494333

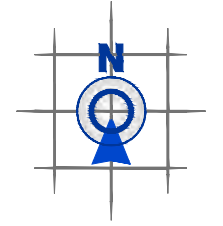
Purpose/Drawing Title:  
**Engineering Design**  
Site Plan 1

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			Date Created:
			22/02/2017

**KEY**

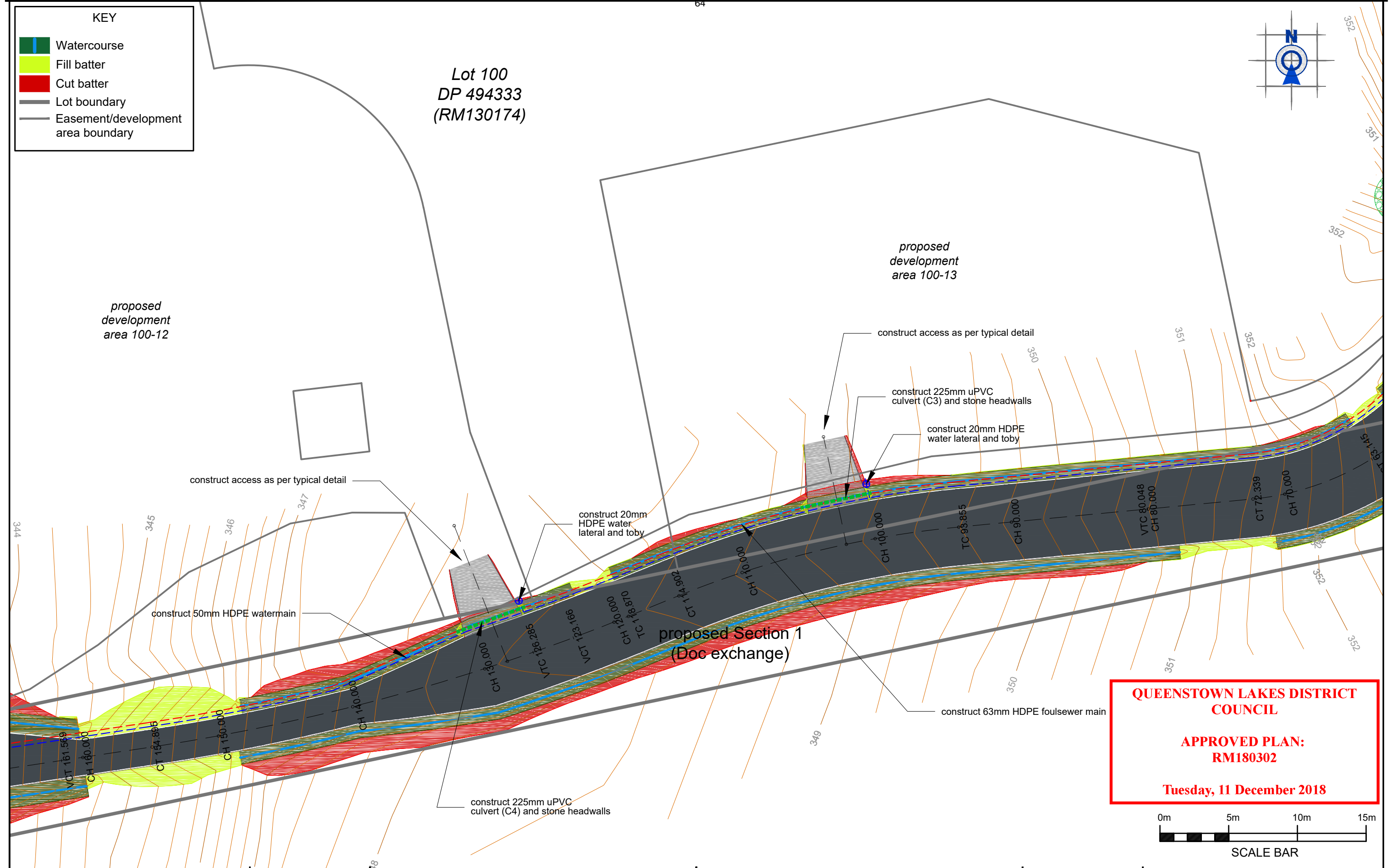
- Watercourse
- Fill batter
- Cut batter
- Lot boundary
- Easement/development area boundary



Lot 100  
DP 494333  
(RM130174)

proposed development area 100-12

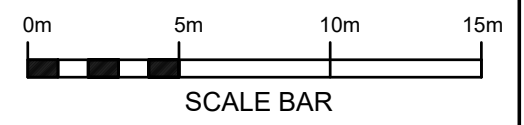
proposed development area 100-13



**QUEENSTOWN LAKES DISTRICT COUNCIL**

**APPROVED PLAN:  
RM180302**

**Tuesday, 11 December 2018**



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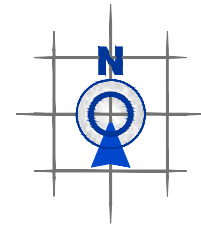
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**Bobs Cove Developments Ltd**  
**Bobs Cove**  
**Lot 100 DP494333**

Purpose/Drawing Title:  
**Engineering Design**  
**Site Plan 2**

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Checked by:	SAM	Approved by:	
Job Ref:	Q6007 - 15	Sheet No:	Revision No: Date Created:
		3	B 22/02/2017



KEY	
	Watercourse
	Fill batter
	Cut batter
	Lot boundary
	Easement/development area boundary

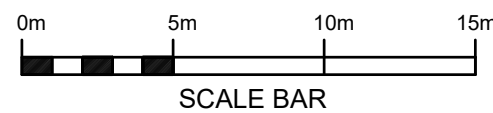
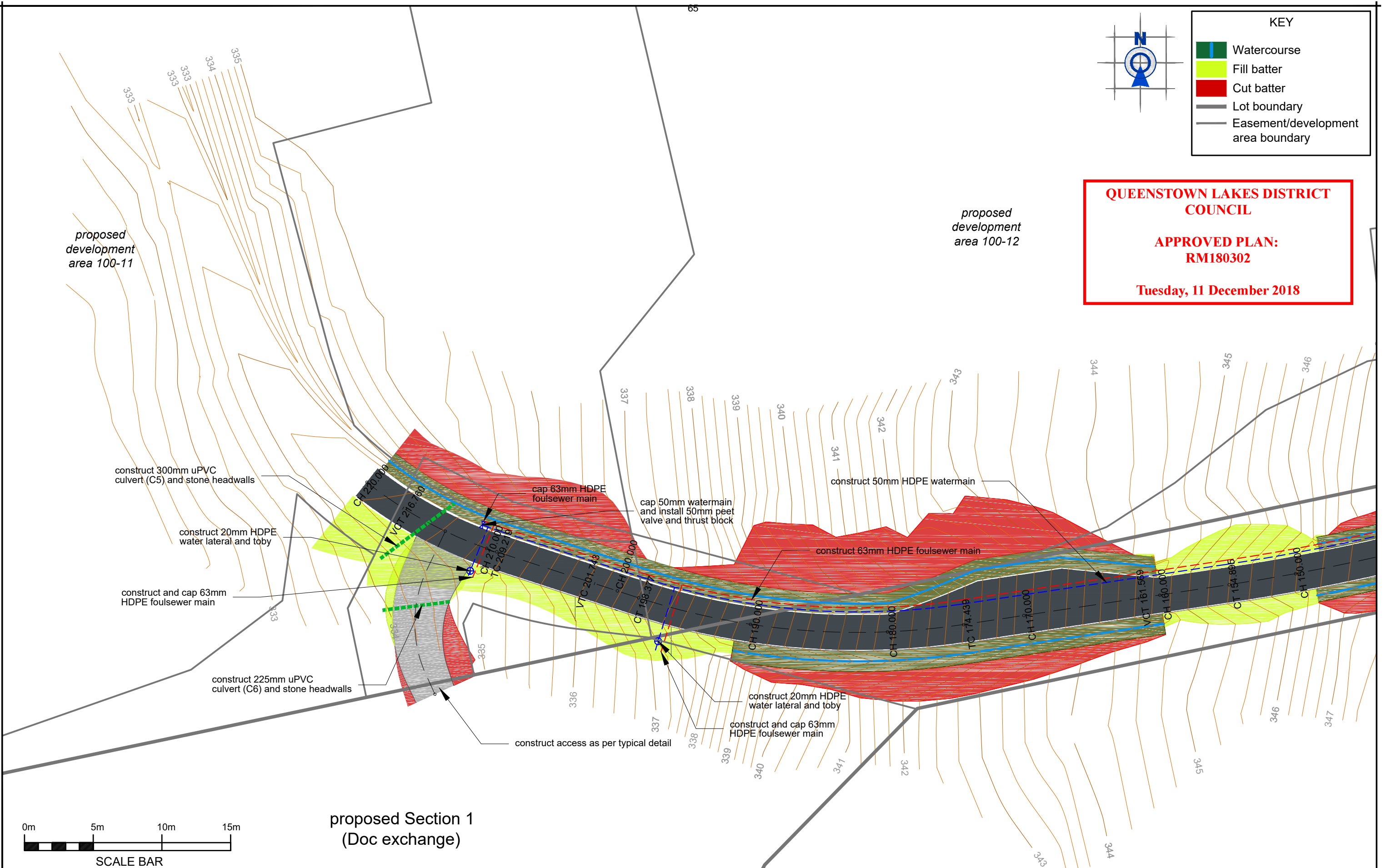
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proposed development area 100-12

proposed development area 100-11



proposed Section 1  
(Doc exchange)

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

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**Bobs Cove**  
**Lot 100 DP494333**

Purpose/Drawing Title:  
**Engineering Design**  
**Site Plan 3**

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Approved by:		4	B
Job Ref:	Q6007 - 15	Date Created:	22/02/2017



VTP CH. 8.53 RL.352.87  
SAG CH. 8.66 RL.352.87

VIP CH. 17.89 RL.352.87

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CREST CH. 29.89 RL.353.29  
VIP CH. 30.37 RL.353.36  
VTP CH. 33.49 RL.353.19

VTP CH. 46.36 RL.352.50  
SAG CH. 49.03 RL.352.43  
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VTP CH. 51.90 RL.352.51

VTP CH. 55.09 RL.352.69  
CREST CH. 57.96 RL.352.77  
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VTP CH. 63.14 RL.352.50

VTP CH. 80.05 RL.350.74

VIP CH. 101.55 RL.348.50

VTP CH. 123.17 RL.348.12  
VTP CH. 126.29 RL.348.07

VIP CH. 144.09 RL.347.75

**Horiz Curve Data**

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Vertical Curve Length  
Vertical Curve Radius

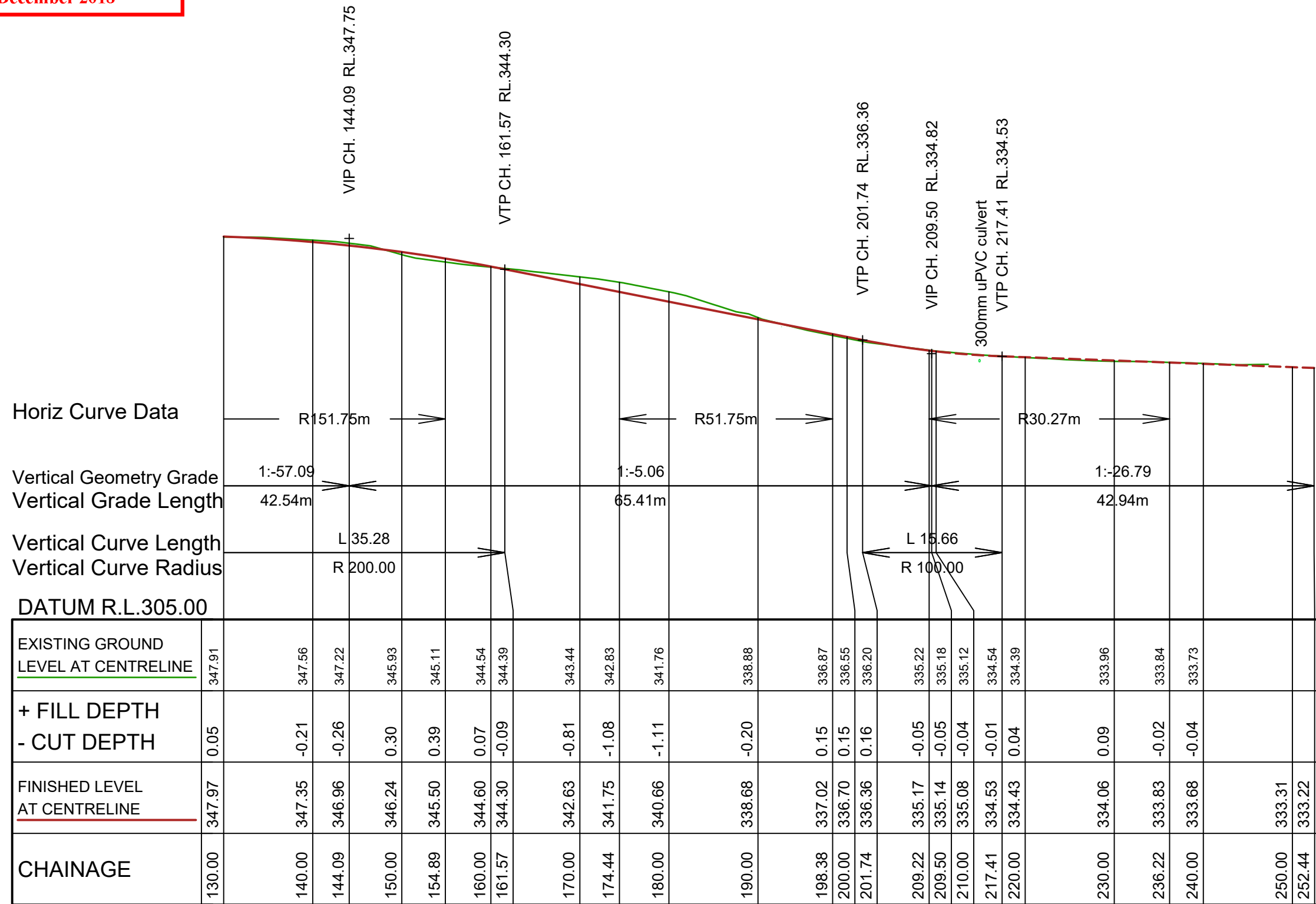
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14.96	352.96	0.23	352.96
17.89	353.00	0.29	353.00
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27.25	353.56	-0.33	353.23
29.89	353.73	-0.45	353.29
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30.37	353.73	-0.45	353.28
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46.36	351.53	0.97	352.50
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100.00	349.08	-0.01	349.06
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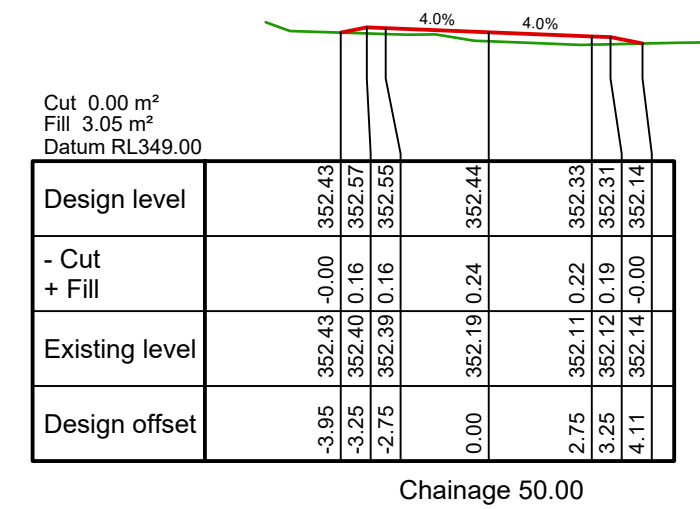
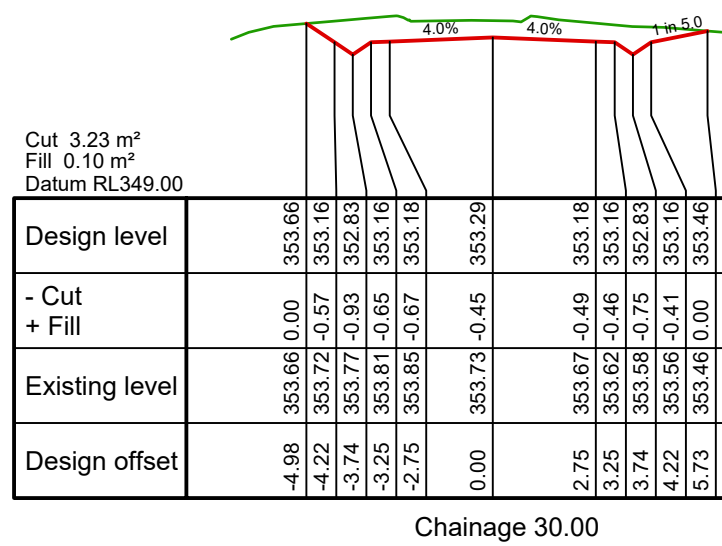
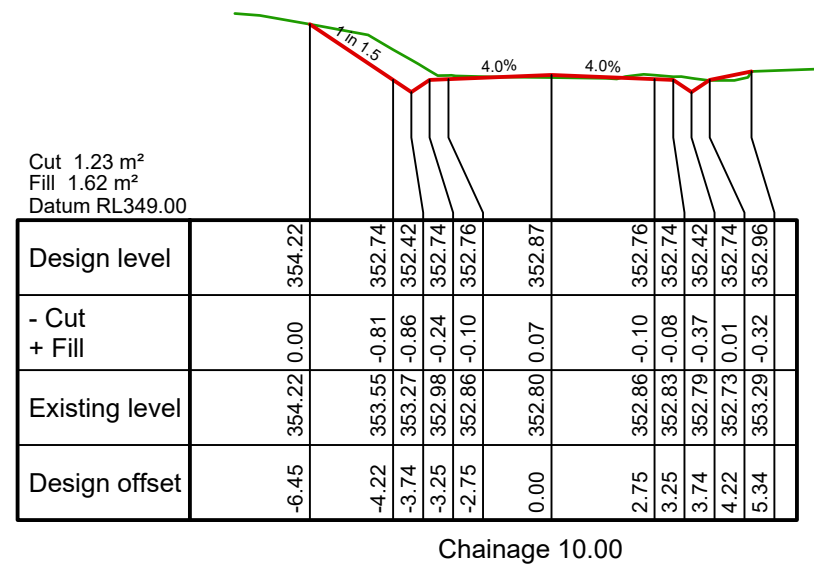
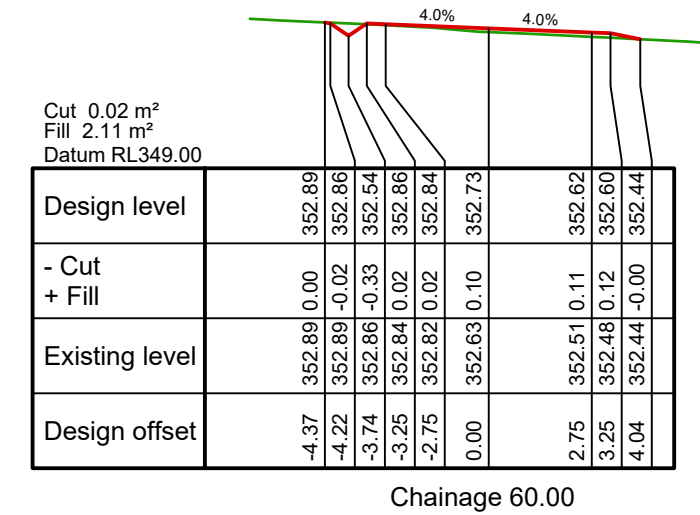
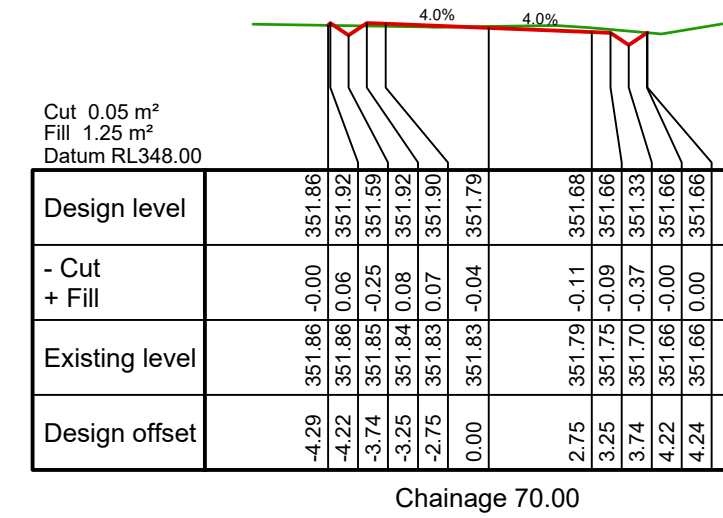
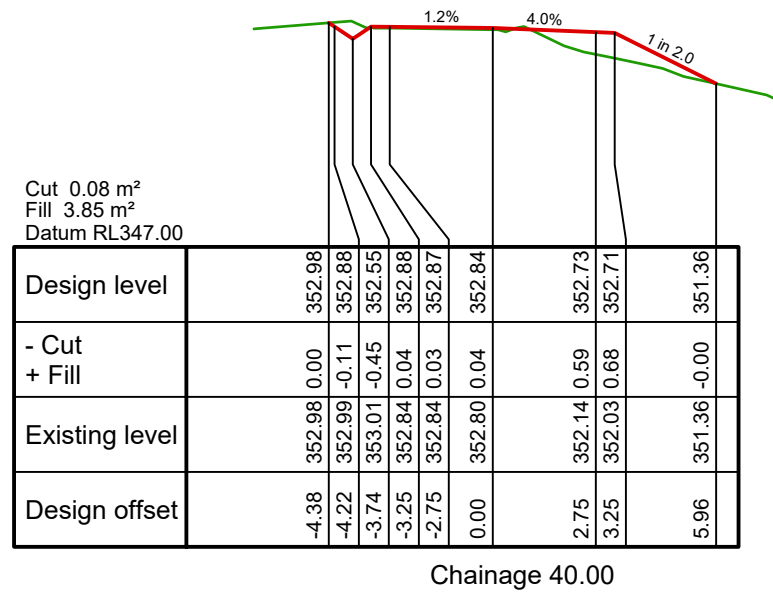
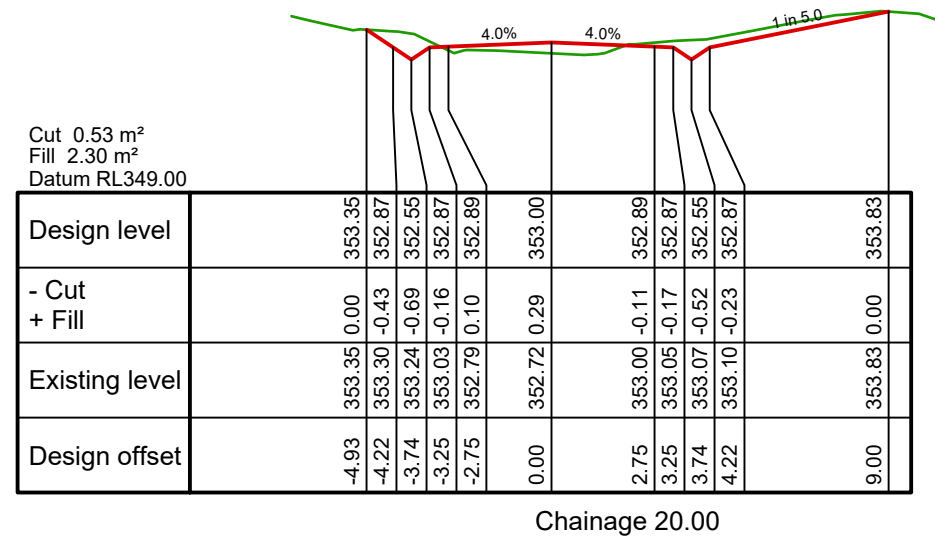
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DATUM R.L.305.00

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+ FILL DEPTH - CUT DEPTH	0.05	-0.21	-0.26	0.30	0.39	0.07	-0.09	-0.81	-1.08	-1.11	-0.20	0.15	0.15	0.16	-0.05	-0.05	-0.04	-0.01	0.04	0.09	-0.02	-0.04		
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CHAINAGE	130.00	140.00	144.09	150.00	154.89	160.00	161.57	170.00	174.44	180.00	190.00	198.38	200.00	201.74	209.22	209.50	210.00	217.41	220.00	230.00	236.22	240.00	250.00	252.44

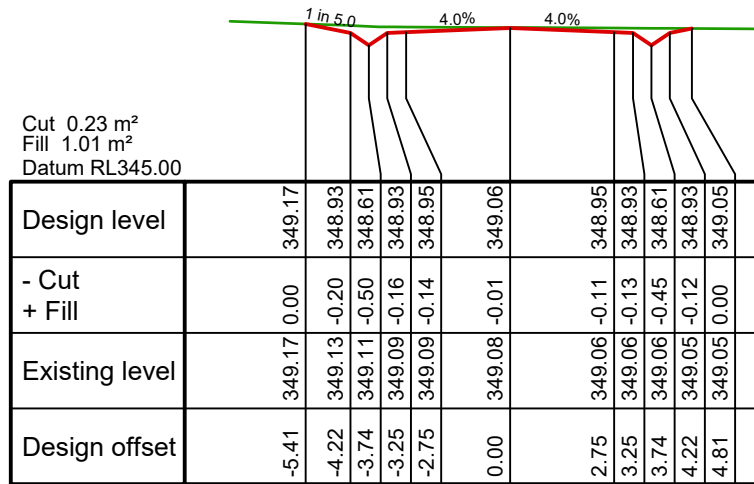
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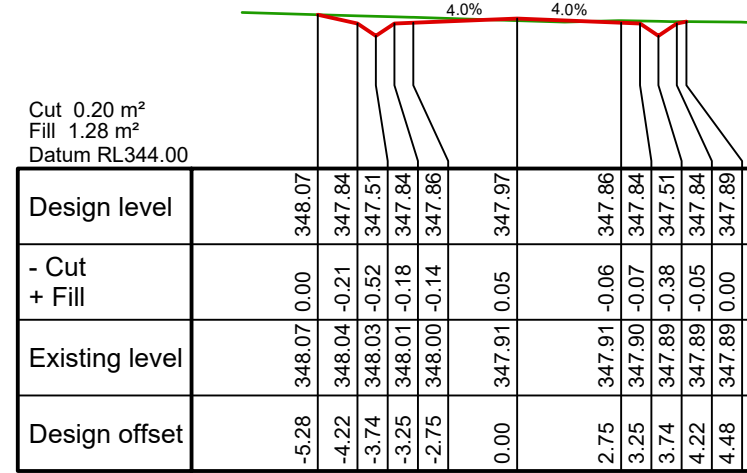
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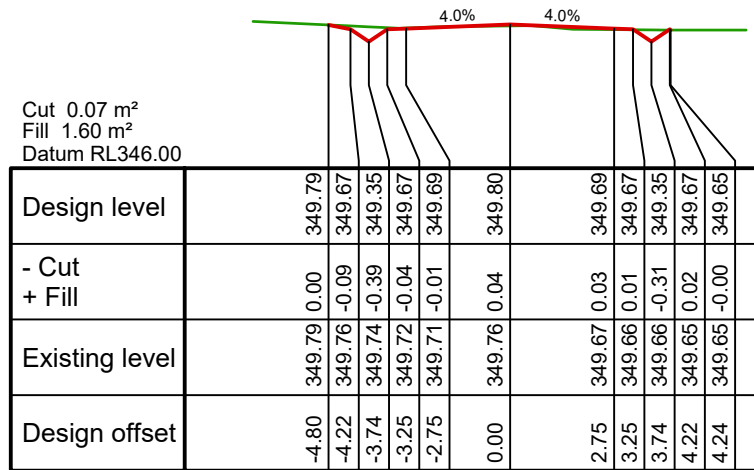
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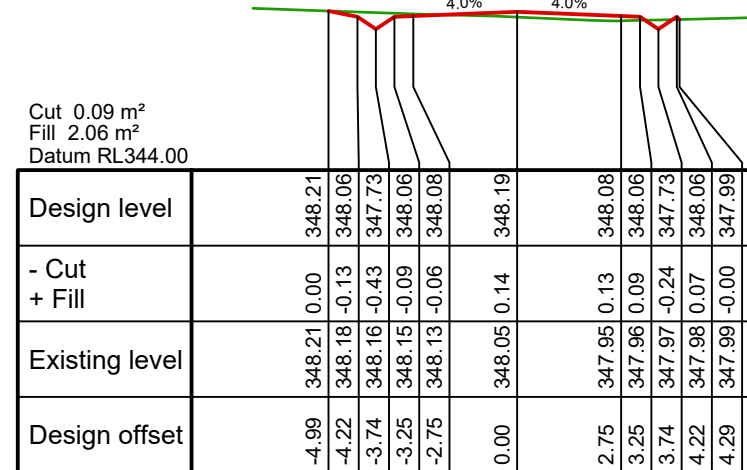
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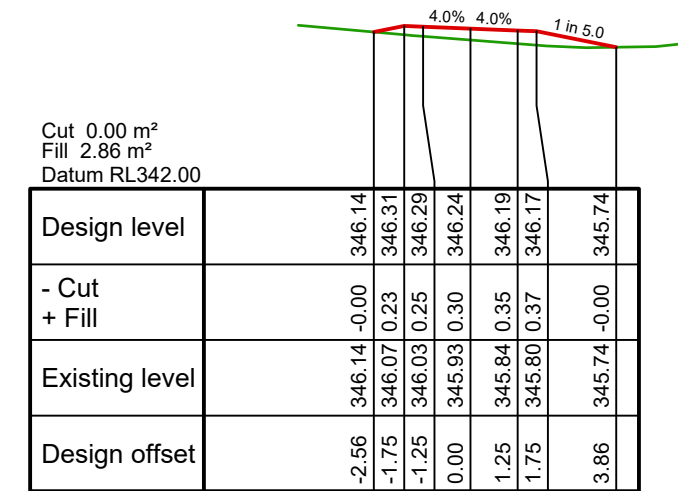
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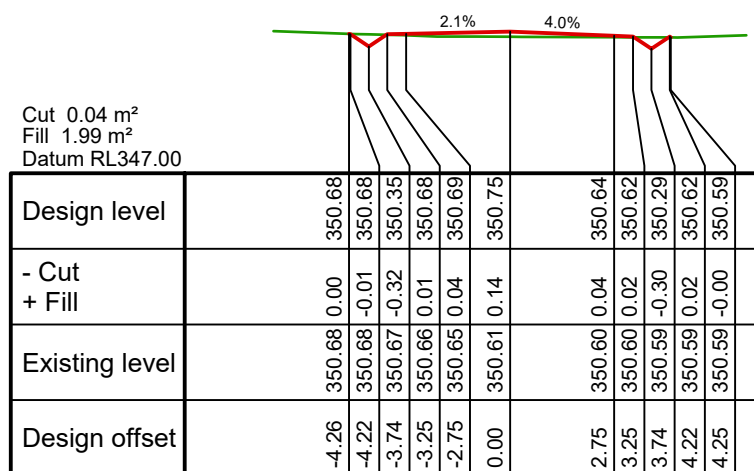
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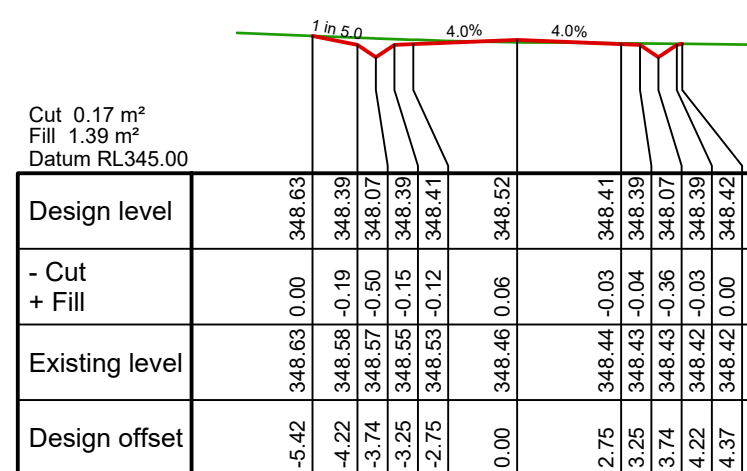
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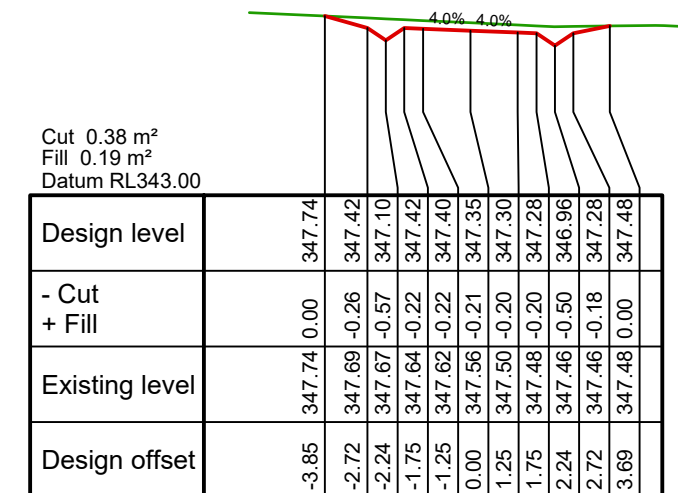
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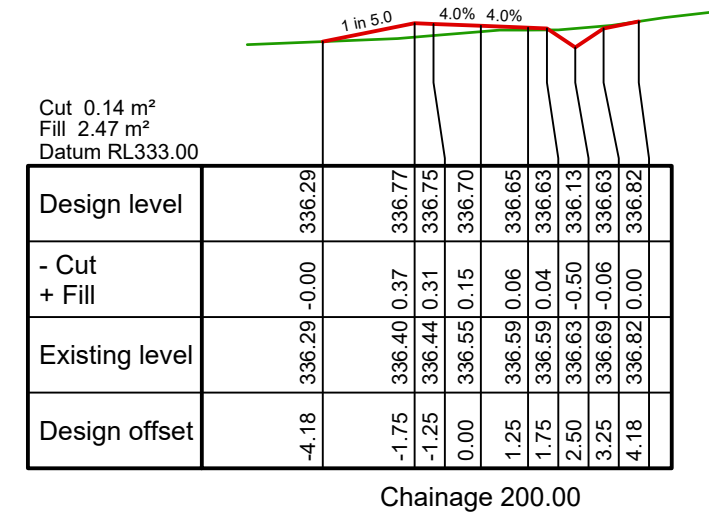
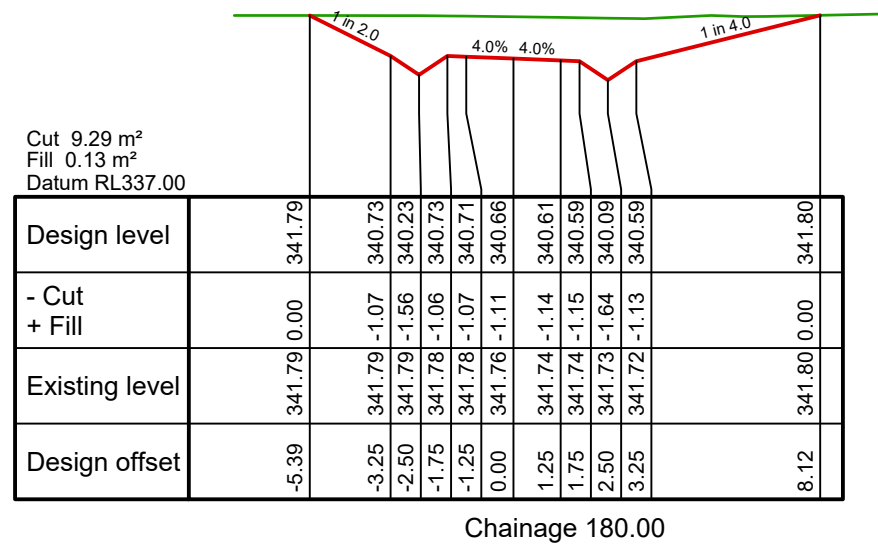
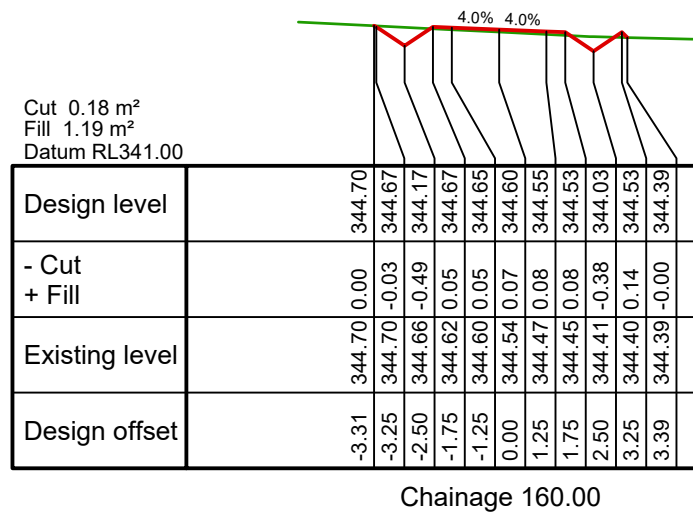
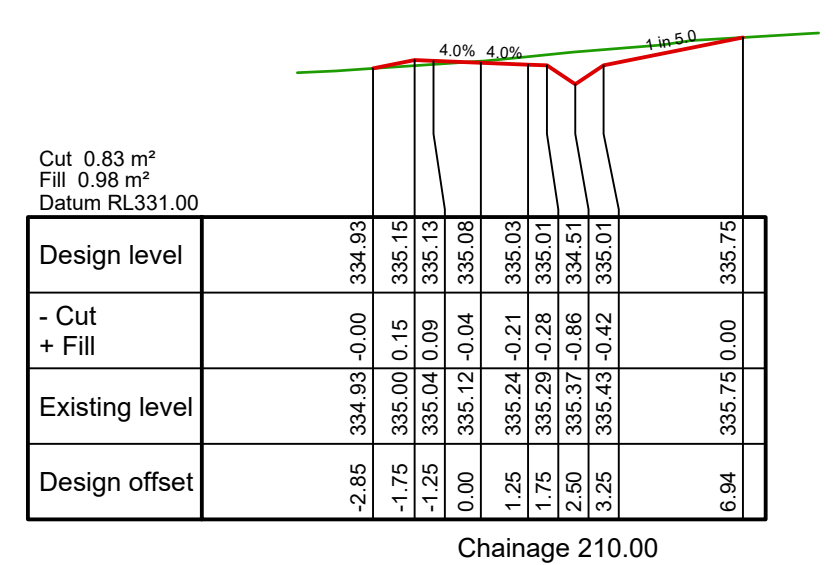
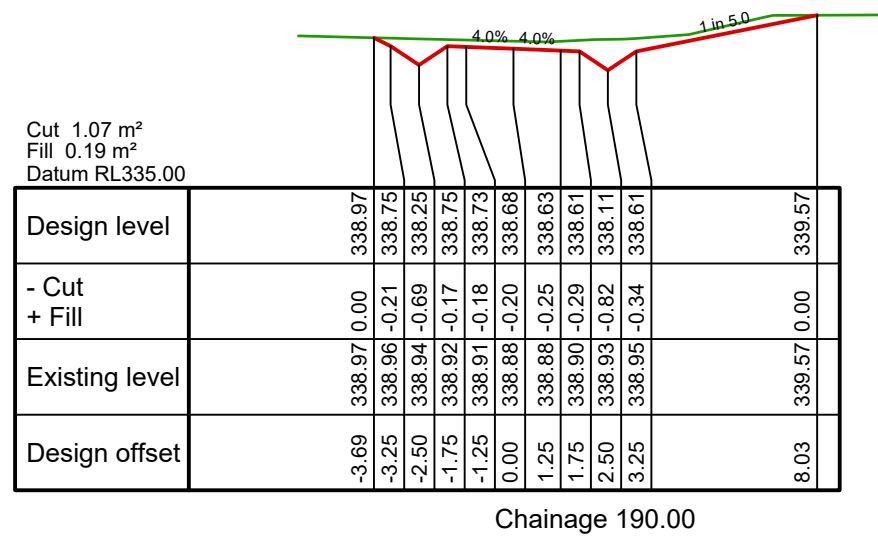
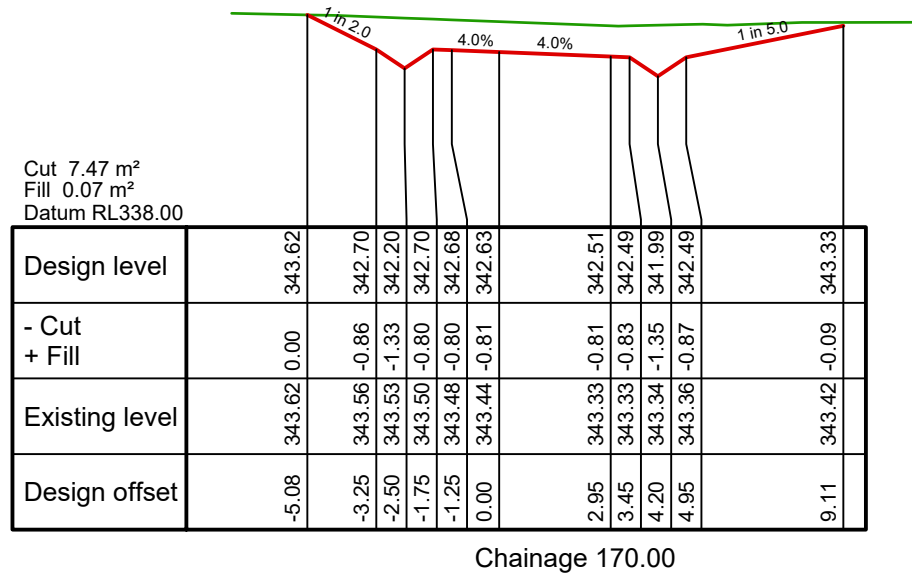


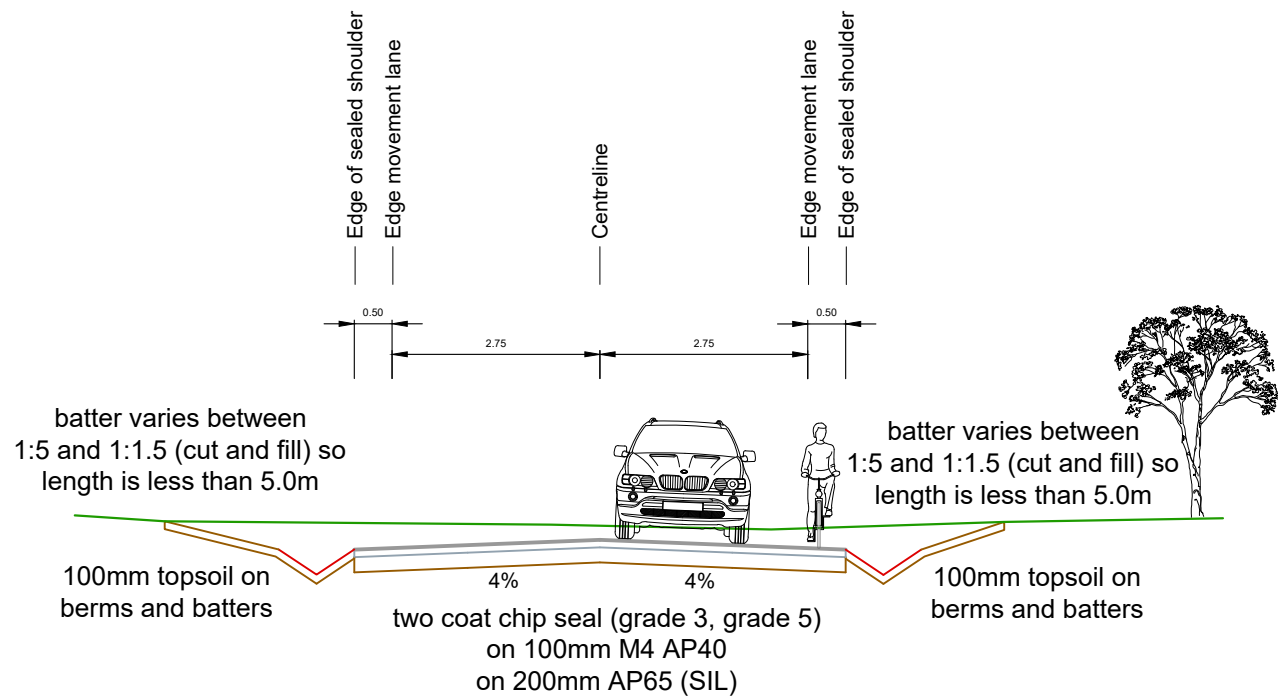
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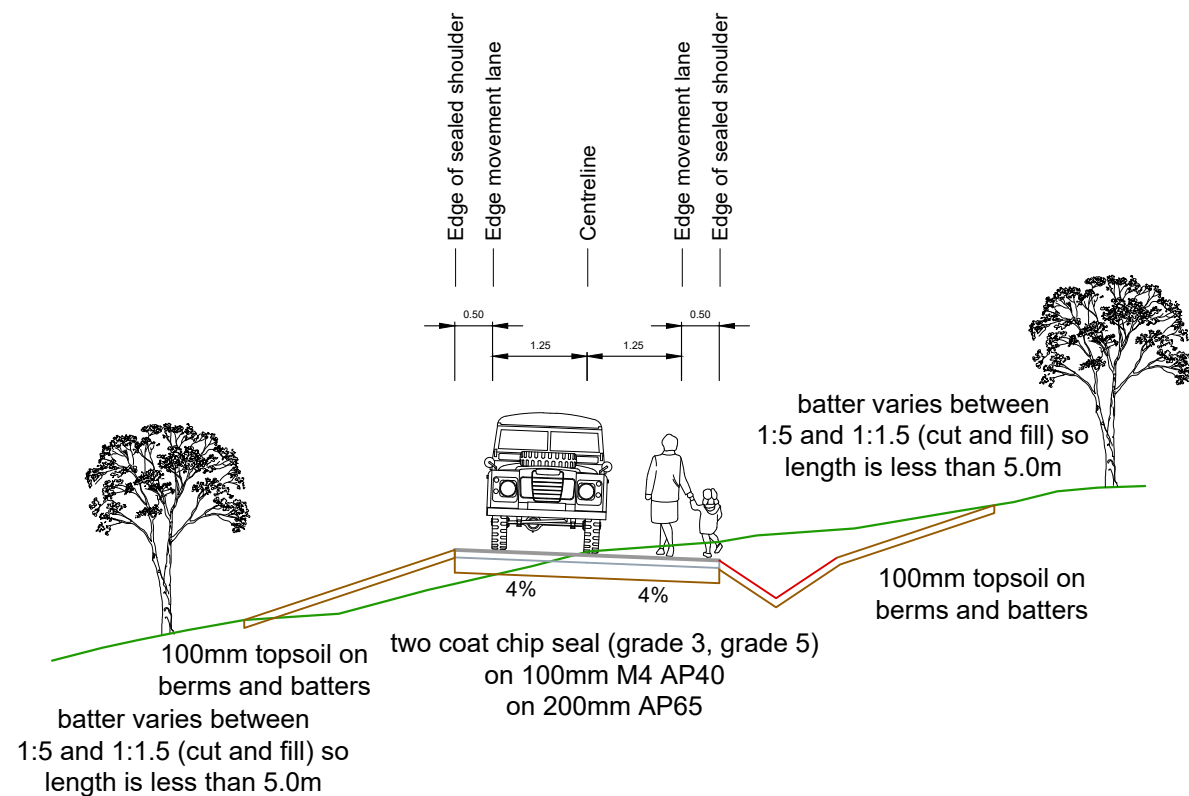
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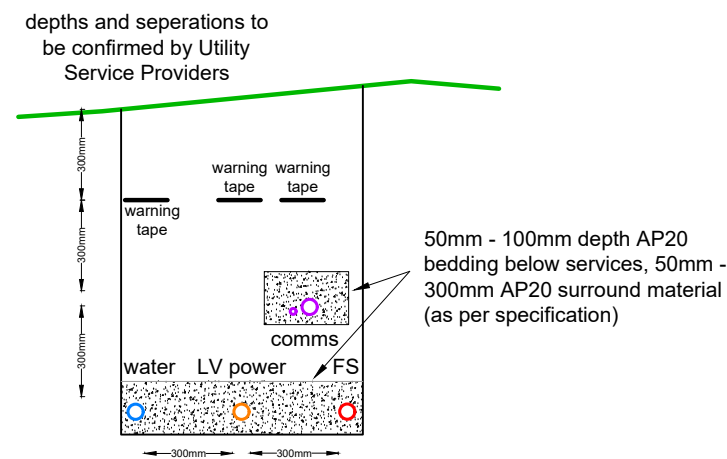




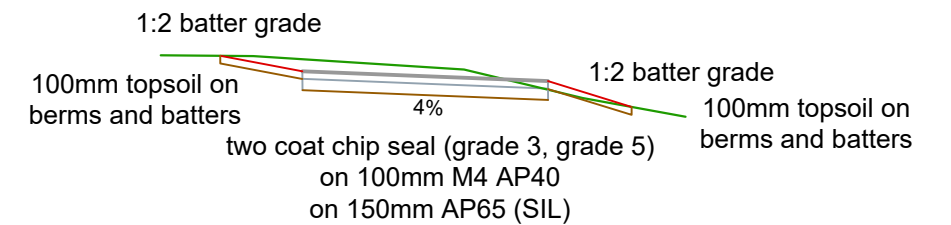
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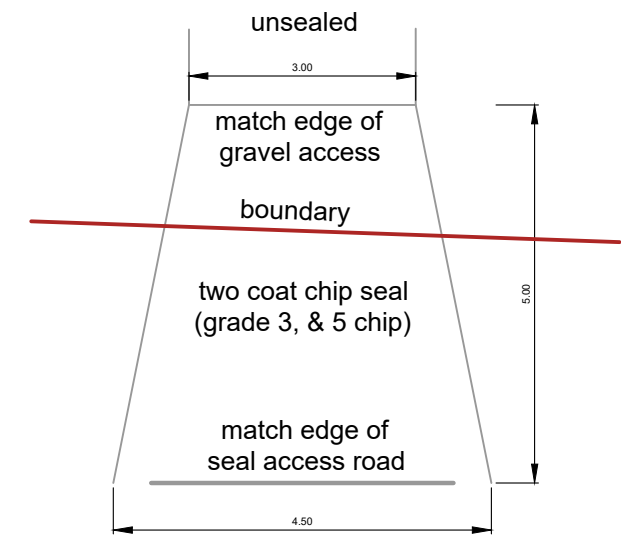
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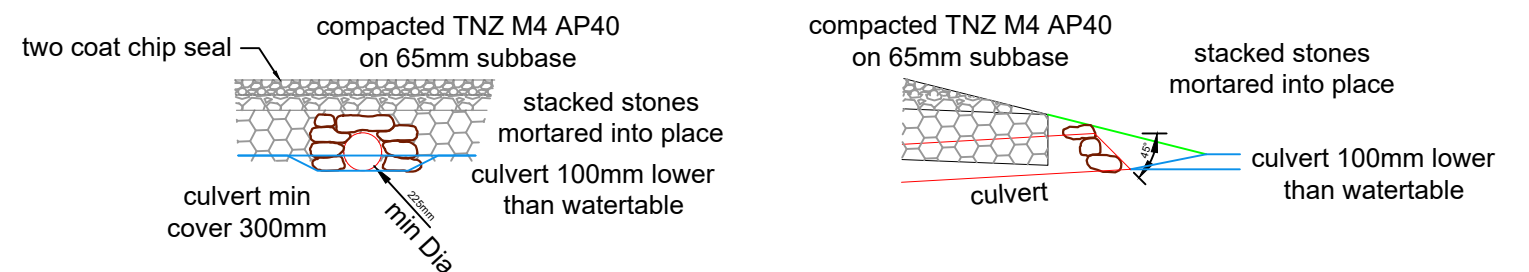
Trench Details and  
Underground Utilities



Typical Section  
Entrances



Layout of Entrances



Culvert headwall details



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DISTRICT COUNCIL

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RM180302

Tuesday, 11 December 2018





# Geotechnical Report for Resource Consent

59 Tui Drive,  
Bob's Cove

**Report prepared for:**

B Property Group

**Report prepared by:**

GeoSolve Ltd

**Distribution:**

B Property Group

John Edmonds & Associates

GeoSolve Ltd (File)

**July 2021**

**GeoSolve Ref: 200451**

Revision	Issue Date	Purpose	Author	Reviewed
1	09/07/2021	Client issue	MBS	SAM/FAW



**GEOTECHNICAL**



**WATER  
RESOURCES**



**PAVEMENTS**





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1

## 1 Introduction

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### 1.1 General

This report presents the results of a geotechnical investigation undertaken by GeoSolve Ltd in order to determine subsoil conditions and provide geotechnical inputs for a proposed accommodation development at 59 Tui Drive, Bob's Cove. This report is intended to supplement a resource consent application.



**Photograph 1 – Site photo looking west across the site.**

The investigations were undertaken for B Property Group in accordance with GeoSolve Ltd proposal dated 26 November 2020, which outlines the scope of work and conditions of engagement.

### 1.2 Development

Concept plans provided by Design Base Architecture indicate the proposed development will comprise a luxury lodge including a guest lounge, gin distillery, yoga studio, spa, pool, reception, owner's residence, managers residence and approximately 25 units. The gin distillery, several of the units and the managers residence are proposed to be located on or in close proximity to the crest of existing slopes.

We understand a new access road will be constructed through the centre of the site.

Earthworks plans provided by John Edmonds & Associates indicate that cut and fill earthworks with a total cut volume of 2,579 m<sup>3</sup> and a total fill volume of 3,120 m<sup>3</sup> are



proposed. The plans indicate maximum cut depths of approximately 3.5 m and maximum fill depths of up to 2.5 m. The proposed earthworks plans are attached in Appendix F.

## 2 Site Description

### 2.1 General

The subject site is located at Bob's Cove, approximately 12 km west of Queenstown, as shown in Figure 1 below.



**Figure 1 – Site location (red arrow)** (Source: <https://qldc.maps.arcgis.com/apps/webappviewer/index.html?id=fe81f015fb1f44c48837f29b5f8a887c>)

The property is accessed from the end of Tui Drive via a gravel road that runs in east-west direction transecting the site.

Earthworks have previously been completed at the site to form the access road and to install underground services. Other than the road and associated services, the remainder of the site is currently undeveloped and covered in grass and vegetation.

Stockpiles of soil materials are present in the eastern part of the site.

We understand that vegetation has recently been cleared from parts of the site.

The site is bounded by undeveloped land parcels in all directions. The nearest building is a residential dwelling located approximately 150 m northeast of the site.



## 2.2 Topography and Surface Drainage

The site topography is shown in Figure 1a, Appendix A. Cross sections showing the inferred ground model are presented in Figures 2a-2d Appendix A.

The site is generally gently to sloping to the west towards Lake Wakatipu, which is located approximately 115 m west of the site and topographically approximately 15-40 m lower.

An incised gully approximately 2-4 m deep runs in east-west direction through the northern part of site, as shown in Figure 1a, Appendix A. The gully slopes are variable in gradient and were measured between 15 and 30 °. The gully was dry at the time of our site investigation.

No groundwater seepages or spring flows were observed in test pits or on the ground surface within the boundaries of the property. During heavy rainfall, surface run-off is generally expected to naturally fall northwest toward the incised gully, and west toward Lake Wakatipu.

## 3 Geotechnical Investigations

---

An engineering geological site assessment has been undertaken with confirmatory subsurface investigations. GeoSolve visited the subject site on the 25<sup>th</sup> and 26<sup>th</sup> of February and the 16<sup>th</sup> of March, undertaking geotechnical investigations comprising:

- 10 test pits (TP 1-10) which were advanced to a maximum depth of 3.7 m;
- Scala penetrometer testing at each of the test pit locations;
- 3 Dynamic Probe (Heavy) tests (DPH 1-3) to a maximum depth of 7.4 m to assess liquefaction potential and relative density of the subsoils;
- 2 soakage tests (SP 1-2) to assess stormwater soakage permeability;
- Review of 1 water bore to 50 m depth.

Test pit and soak pit locations and logs are contained in Appendix A and B respectively. DPH locations and logs are contained in Appendix A and C respectively.

The bore construction report for the water bore is attached in Appendix D.

Results from the soakage testing are presented in Appendix E.

## 4 Subsurface Conditions

---

### 4.1 Geological Setting

The site is located on the north-eastern flank of the in the Wakatipu basin, a feature formed predominantly by glacial advances. Published references indicate the last glacial event occurred in the region between 10,000 and 20,000 years ago. Glaciations have left deposits of glacial till, glacial outwash and lake sediment over ice-scoured bedrock. Post glacial times have been dominated by the erosion of the bedrock and glacial sediment, with deposition of alluvial gravel by local watercourses and lacustrine sediment during periods of high lake levels.



To the southeast of the development site, fault uplifted marine sediments are folded and include limestones, sandstones, mudstones, breccia and conglomerate. These are Oligocene in age and represent a former sea arm that extended through Western Southland, and along the Moonlight Fault System, at least as far as Bobs Cove.

A splay of the active north section of the Moonlight Fault is inferred to pass through the eastern extent of the development site. The fault location is classed as “potentially active, not expressed (uncertain)” fault complexity on published geological mapping and has a return period of 140,000 years (>20,000 year class). Further commentary regarding this fault is given in Section 5.4.

A more significant seismic risk exists in this region from potentially strong ground shaking, associated with a rupture of the Alpine Fault, located 80 km northwest from Queenstown along the West Coast of the South Island. There is a high probability that an earthquake with an expected magnitude of over  $M_w$  8 will occur along the Alpine Fault within the next 50 years.

## 4.2 Stratigraphy

A geological model has been produced based on observations during site investigations. The model is presented in Figures 2a-2d, Appendix A.

In the eastern and southern parts of the site (TP 1-3, 5, 8-10 and SP 2), the subsurface soils observed during the site investigations generally comprised:

- 0.0 to 0.1 m of **topsoil**, overlying;
- 0.1 to 0.6 m of localised **uncontrolled fill** (TP 6, 9 and SP 2 only), overlying;
- 0.2 to 0.8 m of **colluvium**, overlying;
- 0.3 to 1.8 m of localised **glacial outwash deposit** (TP 1, 3, 5, 9-10 only), overlying;
- 1.5 m + of localised **subglacial lake deposit** (TP 3 and 5 only), overlying;
- 1.1 m + of **glacial till**.

In the northwest of the site (TP 4, 6-7 and SP 1), the subsurface soils observed during site investigations generally comprised:

- 0.1 to 0.2 m of **topsoil**, overlying;
- 0.3 m of localised **colluvium** (TP 4 only), overlying;
- 0.8-1.0 m of localised **alluvial deposit** (TP 6-7 only), overlying;
- 0.3 to 1.5 m of **beach deposit**, overlying;
- 1.1+ to 1.5 m (up to approx. 4.5 m inferred) of **lake sediment**, overlying;
- 0.3 m + of **glacial outwash deposit**, overlying;
- **glacial till**.

**Topsoil** is present across the majority of the site to depths of 0.1 to 0.3 m.

**Uncontrolled fill** is locally present in the upper part of the site (observed in TP 6 and TP 9 only) to depths of between 0.1 and 0.6 m. The uncontrolled fill comprises loose, sandy GRAVEL with varying components of silt, cobbles, boulders, organic silt and rootlets.



**Colluvium** was observed beneath the topsoil and uncontrolled fill in the upper part of the site to depths of between 0.3 and 0.9 m. The colluvium comprises loose, SAND with variable fractions of silt, gravel, cobbles, boulders and occasional rootlets and tree roots.

**Alluvial deposit** was observed beneath the topsoil in TP 6 and 7 only, to depths of 1.1 and 1.0 m respectively. The alluvial deposit comprises loose to medium dense, sandy GRAVEL to sandy cobbly GRAVEL with minor cobbles and a trace of silt.

**Beach deposit** was observed beneath the colluvium and alluvial deposit in TP 6, 7 and SP 1, to depths of between 1.3 and 2.6 m. The beach deposit comprises loose, SAND and sandy GRAVEL with a trace of silt.

**Lake sediment** was observed beneath the beach deposit in the lower part of the site (TP 4, 6-7, SP 1). The lake sediment comprises firm, SILT with some sand in TP 6-7 and stiff to very stiff, sandy SILT in TP 4. The lake sediment was observed to depths of 1.6 and 2.7 m in TP 4 and 7, however the base of the lake sediment was not intercepted in TP 6 which extended to 3.7 m depth. It is inferred from DPH 2, which was carried out adjacent to TP 6, that lake sediment extends to approximately 7 m depth in this location.

**Glacial outwash deposit** was observed beneath the colluvium in the upper part of the site and beneath the lake sediment in the lower part of the site. The glacial outwash deposit comprises loose to medium dense, SAND to gravelly SAND with a trace of silt and medium dense, sandy GRAVEL and sandy GRAVEL with minor cobbles.

**Subglacial lake deposit** was observed beneath the glacial outwash deposit in TP 3 and 5 to a maximum depth of 3 m in TP 5. The base of the subglacial lake deposit was not intercepted in TP 3, which extended to a maximum depth of 3 m. The subglacial lake deposit comprises very stiff, sandy SILT to SILT with some sand and medium dense to dense, silty SAND.

**Glacial till** was observed at the base of TP 1-2, 4-5 and 8-10 from depths of between 0.6 and 3.0 m. The glacial till comprises dense, gravelly SAND with variable fractions of silt and occasional cobbles and boulders to SAND with some gravel and minor silt. The glacial till is expected to extend to depth beneath the site. The drillers logs note that 'silty gravels' extend to 40 m depth and 'silts' from 40-50 m depth beneath the site.

For full descriptions of the soil materials, see the test pits logs in Appendix B.

### 4.3 Groundwater

The regional groundwater table was not intercepted in the test pit investigation but was measured in the water bore at 22.5 m depth.

Localised perched groundwater was observed in DPH 2 at 7.5 m depth, at what is inferred to be the contact between lake sediment and the underlying glacial till.



## 5 Natural Hazards

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### 5.1 Landslide

No mapped landslide hazards are present on the QLDC hazard database and none were identified in close proximity to the proposed building platforms during the site inspection.

### 5.2 Liquefaction

The site is mapped as LIC 2 (P) (possibly moderate risk) on the QLDC hazard register map

A site wide liquefaction risk review has been conducted for the purposes of this report, which included a review of test pit data and 3 dynamic probe heavy (DPH) test carried out to refusal at a maximum depth of 7.4 m.

The following comments are provided with respect to liquefaction:

- The regional groundwater table underlies the site at approximately 18-40 m depth below the proposed buildings, as measured at 22.5 m depth in the water bore. Perched groundwater was measured in DPH 2 near the inferred contact between lake sediment and glacial till at 7.4 m depth.
- Medium dense to dense glacial outwash deposits and glacial till underlies the eastern and southern part of the site at shallow depths and the soils were observed to be in a dry to moist condition.
- Lake sediment is present in the northwest of the site and is inferred to be present to a maximum depth of approximately 7 m, however no groundwater was observed within the lake sediment.
- Data from the Canterbury earthquake sequence plus other historic earthquakes<sup>1</sup> has been collated and observed subsurface damage compared with crust thickness. This assessment indicates that surface damage is likely for crusts of less than about 3.5 m thickness.

Based on the above observations the risk of liquefaction is considered very low at the site. Accordingly, associated mitigation measures are not required, and foundations should be designed in accordance with Section 6.8 below.

### 5.3 Rockfall

The site is located on gently sloping (5-10°), west facing topography. The site is topographically protected from rockfall by a gully that wraps inside the northern boundary and a deeper gully 150 m further to the north. The land also continues to slope down to lake level beyond its western boundary.

In situ limestone bluffs can be observed to the east of the site. No limestone boulders indicative of rock fall debris were identified within the subject site.

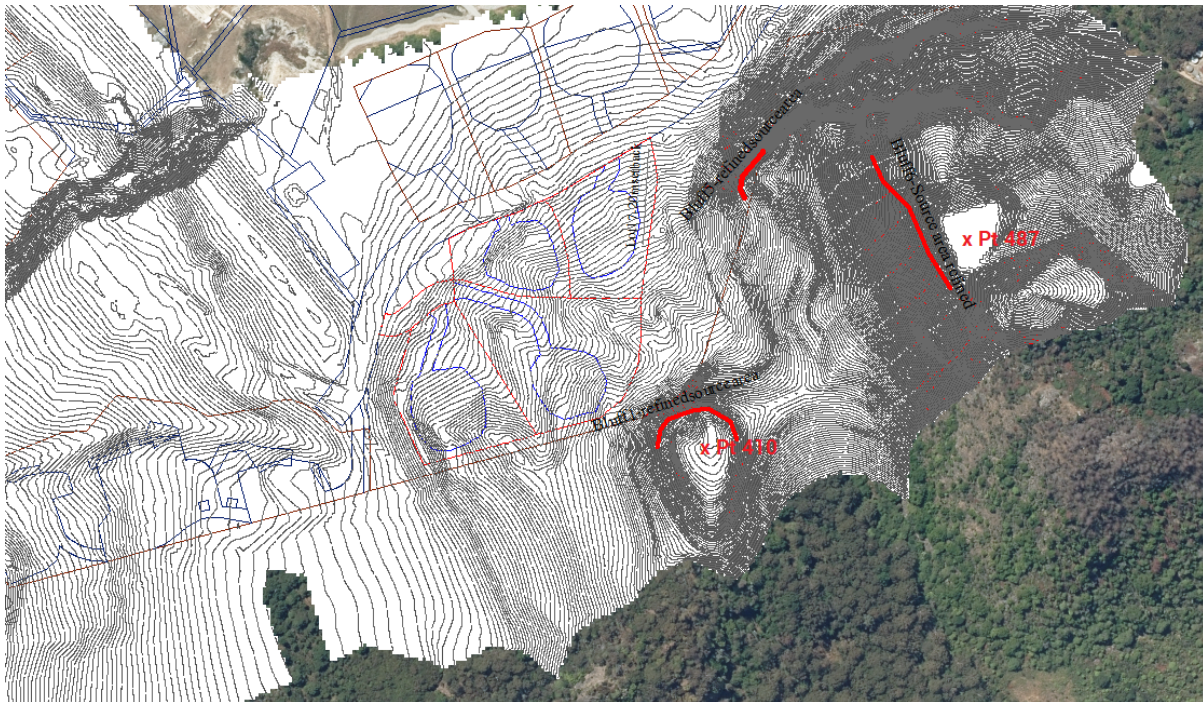
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<sup>1</sup> Bowen, H.J. and Jacka, M.E. (2013). Liquefaction induced ground damage in the Canterbury Earthquake: Predictions versus reality. Proceedings of the 19th NZGS Geotechnical Symposium. Editor CY Chin. Queenstown, New Zealand.



Several schist boulders are present on the middle/lower part of the site and are inferred to be glacial “drop out boulders”. We understand that some of these boulders have been moved/placed during construction of the road.

The eastern site boundary is approximately 150 m and 300 m offset from the base of two steep west-facing slopes, as shown in Figure 2 below.



**Figure 2 – Showing location of steep west-facing slopes east of the site.**

The rockfall risk from Pt 487 has previously been modelled by GeoSolve for a different site located northeast of the subject site using RAMMS (Rapid Mass Movement Simulation) software. The results of the rockfall modelling show that none of the modelled rockfall trajectories are predicted to enter the subject site.

The rockfall risk from Pt 410 has been modelled using the shadow angle method. Determining the shadow angle footprint provides an empirical method to assess the expected downslope limit of rock fall runoff<sup>2</sup>. The shadow angle, the angle of a straight line between the highest point of the talus slope and stopping point of the longest runoff boulder for a given rockfall, has been assessed for this site. A minimum shadow angle of 21° is recommended in the literature.

The 21° shadow angle from Pt 410 is located approximately 80 m east of the eastern site boundary.

Based on the results of the geomorphic mapping, results of rockfall modelling and distance from the rockfall source areas the rockfall risk to the site is low.

<sup>2</sup> Massey et al. 2014. Determining rockfall risk in Christchurch using rockfalls triggered by the 2010 – 2011 Canterbury earthquake sequence. *Earthquake Spectra*. 30(1):155-181. doi:10.1193/021413eqs026m.



## 5.4 Seismic Hazard

A splay of the active north section of the Moonlight Fault is inferred to pass through the eastern extent of the development site. The fault location is classed as “potentially active, not expressed (uncertain)” fault complexity on published geological mapping.

GeoSolve has completed an assessment of the risk posed by the Moonlight Fault using guidelines provided by the Ministry for the Environment and Geological and Nuclear Science for subdividing and developing land close to active faults. For the assessment the north section of the Moonlight Fault has been categorised with a return period of 140,000 years (>20,000 year class) (GNS Science, Active Faults Database), and the location is assessed as uncertain, as indicated on published geological mapping.

Following the Ministry for the Environment guidelines provided in Section 11 “Taking a Risk Based Approach to Resource Consents”, building importance category structures 1, 2a and 2b, are a permitted activity. It is understood that the proposed buildings onsite are category (Importance Level) 2 structures.

In conclusion, given the relatively long return period for the Moonlight Fault (>20,000 years), the Alpine fault, with a return period for major earthquakes of 300-350 years, and predicted ground accelerations higher than the Moonlight fault, is considered to provide the governing seismic risk to the site area.



## 6 Engineering Considerations

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### 6.1 General

The recommendations and opinions contained in this report are based upon ground investigation data obtained at discrete locations and historical information held on the GeoSolve database. The nature and continuity of subsoil conditions away from the investigation locations is inferred and cannot be guaranteed.

### 6.2 Site Preparation and Earthworks

During the earthworks operations all topsoil, uncontrolled fill, organic and water-softened soils and other unsuitable materials should be removed from the construction areas in accordance with the recommendations NZS3604.

The lake sediment and fine-grained beach deposits are susceptible to moisture and will weaken if subject to rainfall, frost, or trafficking. Exposure to the elements should be limited for fine-grained soils during foundation construction and covering the soils with polythene sheeting, granular engineered fill or site concrete will reduce degradation due to wind, rain, and surface run-off.

Robust, shallow graded sediment control measures should be instigated during construction where rainwater and drainage run-off over exposed soils is anticipated.

Water should not be allowed to pond or collect near or under foundation or building platform areas. Positive grading of the subgrade should be undertaken to prevent water ingress or ponding.

All fill that is utilised as bearing for foundations should be placed and compacted in accordance with the recommendations of NZS 4431:1989 and certification provided to that effect.

Topsoil and uncontrolled fill will not be suitable for reuse as engineered fill. The colluvium, glacial outwash deposit, alluvial deposits, beach deposits and glacial till can be used as engineered fill (during good weather and in accordance with an earthfill specification). All cobbles over 100 mm will need to be screened from engineered fill sources prior to re-use and the soils will need to be thoroughly blended for consistency.

As this fill source will include fine to medium sand, any engineered fill earthworks is recommended in drier, warmer months (during earthworks season). Due to the changeable grain size of onsite source materials, a range of compaction reference tests will be required. Maximum density and optimum moisture content will also vary. Compaction of the fill sources at lab tested optimum moisture content is critical for these soil types.

Alternatively, granular fill can be imported from a local source or quarry for consistency. An earthfill specification can be provided by GeoSolve on request.



## 6.3 Excavations

### 6.3.1 General

Earthworks plans provided by John Edmonds & Associates indicate cuts of up to approximately 3.5 m and fills of up to 2.5 m depth are proposed.

It is expected cuts will predominantly be formed within uncontrolled fill, colluvium, alluvial deposit, beach deposit, glacial outwash deposit and glacial till with minor cuts in lake sediment.

Recommendations for temporary and permanent slope batters are described below in Table 6.1. Slopes that are required to be steeper or higher than those described below should be structurally retained or subject to specific geotechnical design.

All slopes should be periodically monitored during construction for signs of instability and excessive erosion, and, where necessary, corrective measures should be implemented to the satisfaction of a geotechnical engineer or engineering geologist.

No seepages were encountered during test pitting and hence groundwater is unlikely to be encountered during excavations. However, a geotechnical practitioner should inspect and seepage, spring flow or wet spots should they be encountered during construction.

Low soil cuts (less than 1.5 m) can stand well for short construction periods and practical site management measures such as staged excavation and construction of the permanent walls, protecting the exposed soil faces with polythene sheeting, and visual inspections should be employed to ensure no issues arise.

The cuts located adjacent the owners residence will require specific engineering design and we expect that these slopes will be structurally retained.

Table 6.1 summarises the recommended batter slopes for temporary and permanent slopes up to 4.0 m high formed in site soils.

**Table 6.1 – Recommended maximum batter angles for cut slopes up to 4.0 m high in site soils.**

Material Type	Recommended Maximum Batter Angles for <u>Temporary</u> Cut Slopes Formed in Soil (horizontal to vertical)		Recommended Maximum Batter Angles for <u>Permanent</u> Cut Slopes Formed in <u>dry</u> Soil (horizontal to vertical)
	Dry Ground	Wet Ground	
Topsoil, Uncontrolled Fill, Colluvium, Alluvial Deposit, Beach Gravel, Lake Sediment	1.5H : 1.0V	3.0H : 1.0V	3.0H : 1.0V
Glacial Outwash Deposit and Glacial Till	1.0H : 1.0V	2.5H : 1.0V	2.0H : 1.0V

Permanent batter slopes in wet soils are provisional, if wet slopes are encountered they should be inspected on a case by case basis by a geotechnical engineer/engineering geologist to confirm this recommendation is appropriate.



## 6.4 Engineered Fill Slopes

### 6.4.1 General

All engineered fills should be placed and compacted in accordance with the recommendations of NZS4431: 1989 and Queenstown Lakes District Council standards. All cut and fill earthworks should be inspected and tested as appropriate during construction and certified by a Chartered Professional Engineer.

### 6.4.2 Preliminary Recommendations

All un-retained fill slopes which are less than 2.0 m high should be constructed with a batter slope angle of 2.0H: 1.0V (horizontal to vertical) or flatter if for landscaping purposes.

If the slopes are directly support a building, then preliminary batter angles of 3.0H: 1.0V in conjunction with a building setback of 2 m from the slope crest are recommended, however, this should be assessed on a case by case basis at the detailed design stage.

All fill batters should be benched into sloping ground (if applicable).

Reinforced earth slopes or slope retention can be considered if batters need to be steeper than 2H:1V or higher than 2.0 m. This should be assessed at the detailed design stage.

## 6.5 Ground Retention

All retaining walls should be designed by a chartered geotechnical or structural engineer. Due allowance should be made during the detailed design of all retaining walls for any additional loads upslope of the wall (i.e. surcharge due to backslope or buildings), potential groundwater runoff and seismic loads.

All temporary slopes for retaining wall construction should be battered in accordance with Section 6.3 of this report. Where batter slopes cannot be achieved temporary retaining will be required.

Groundwater was not identified in the test pits but perched groundwater has the potential to develop following completion of the earthworks, in particular as a result of heavy or prolonged rainfall. To ensure potential groundwater seeps and flows are properly controlled behind the retaining walls, the following recommendations are provided:

- A minimum 0.3 m width of durable free draining granular material should be placed behind all retaining structures;
- A heavy duty non-woven geotextile cloth, such as Bidim A14, should be installed between the natural ground surface and the free draining granular material to prevent siltation and blockage of the drainage media; and
- A heavy-duty (TNZ F/2 Class 500) perforated pipe should be installed within the drainage material at the base of all retaining structures to minimise the risk of excessive groundwater pressures developing. This drainage pipe should be connected to the permanent piped storm water system.



- Comprehensive waterproofing measures should be provided to the back face of all retaining walls forming changes in floor level within buildings to stop groundwater seepage into the finished buildings.

The safety implications of working under temporary cuts will need to be adequately addressed.

## 6.6 Groundwater Issues

The regional groundwater table lies well below future foundation and excavation levels and is not expected to be encountered during earthworks construction on this site. Dewatering or other groundwater-related construction issues are therefore unlikely to be required. However, it is important that GeoSolve be contacted should there be any seepage, spring flow or under-runners encountered during construction.

## 6.7 Slope Stability

The general stability of the building platforms located adjacent to the crest of the east-west trending gully and the crest of the slopes adjacent the western property boundary has been assessed.

Cross sections were provided by John Edmonds & Associates, see Figures 2a – 2d, Appendix A. A slope stability assessment using the software package Slope/W has been completed by GeoSolve to determine any specific foundation requirements. Table 6.2 below presents the results of the assessment.

**Table 6.2 – Minimum Factor of Safety Requirements for various loading cases.**

Loading Case	Minimum Factor of safety Requirements	Results
Static	1.5	Factor of Safety not satisfied for building platforms adjacent the slope crest.
Seismic Serviceability Limit State (SLS)	1.2	Factor of Safety not satisfied for building platforms adjacent the slope crest.
Seismic Ultimate Limit State (ULS)	N/A (estimated lateral stretch to be restricted to less than 20 mm)	Lateral movements > 20 mm calculated

Based on the results presented in Table 6.2:

- Buildings adjacent the crest will require specific engineering design to ensure that static and SLS factors of safety meet minimum requirements;
- Structures will need to address increasing levels of seismic displacement with proximity to the crest.



- Deep foundations (piles), inground walls and/or ground improvement are possible solutions. The most appropriate solution should be assessed at the detailed design stage, however based on the analysis undertaken it is considered that standard engineering solutions will be able to be designed and constructed to enable construction of the units in the locations proposed.

## 6.8 Foundation Considerations

### 6.8.1 General

Preliminary guidance on foundations is provided in this section. It is recommended that specific assessment for each building platform is undertaken once building layouts and floor levels are finalised.

We understand that either shallow foundations or shallow piles are proposed to support building loads. The most appropriate foundation type should be selected at the detailed design stage, however it is considered that both shallow foundations or piles will be suitable provided that the recommendations within this report are followed.

Shallow foundations are likely to bear on glacial outwash deposit, glacial till, alluvial deposit, beach deposit, lake sediment or engineered fill soil depending on building the locations and depths of cut and fill earthworks.

Topsoil and uncontrolled fill up to 0.6 m thick have been observed at the site. These materials will not provide adequate bearing for building foundations and will need to be removed from beneath any building, engineered fill footprints or piles during construction.

All unsuitable materials identified in foundation excavations, particularly those softened by exposure to water, should be undercut and replaced with engineered fill during construction. Any fill that is utilised as bearing for foundations should be placed and compacted in accordance with NZS 4431:1989 and certification provided to that effect.

To minimise the effects of freeze-thaw cycles in footings founded on soil, all shallow foundations should be founded a minimum of 0.4 m below the adjacent finished ground level.

### 6.8.2 Foundation Zone Summary

Based on the test pit data and the proposed cut and fill levels provided in the concept earthworks plans a summary of the likely foundation considerations for the development is as follows, the applicable zones are shown on Figure 1b, Appendix A.

**Zone 1** – Shallow topsoil, uncontrolled fill and colluvium overlying glacial outwash deposit, subglacial lake deposit and glacial till. Earthworks plans indicate areas of engineered fill up to approximately 2.0 m thick are proposed. Following completion of earthworks and removal of unsuitable soils it is likely buildings will be founded on glacial outwash deposit, subglacial lake deposit, glacial till and engineered fill.

Good ground conditions in accordance with NZS 3604:2011 will likely be available provided that all fill in this zone is placed and compacted in accordance with NZS 4431:1989 and



certification provided to that effect. If colluvium remains in place a reduced bearing capacity may apply.

**Zone 2** – Shallow topsoil and colluvium overlying glacial outwash deposit and glacial till. Earthworks plans indicate up to approximately 3.5 m cut and up to 2.5 m fill is proposed in this area. Following completion of earthworks it is likely buildings will be founded on glacial outwash deposit, glacial till or engineered fill.

Good ground conditions in accordance with NZS 3604:2011 will likely be available provided that all fill in this zone is placed and compacted in accordance with NZS 4431:1989 and certification provided to that effect. If colluvium remains in place a reduced bearing capacity may apply.

**Zone 3** – Variable thicknesses of colluvium, alluvial deposit, beach deposit and lake sediment overlying glacial outwash deposit, subglacial lake deposit and glacial till. Earthworks plans indicate cut depths of up to approximately 1.5 m and engineered fill depths of up to approximately 1.0 m.

Bearing capacity will likely be variable and is unlikely to meet the definition of good ground unless founded on a suitable thickness of engineered fill.

Available bearing shall be confirmed at the detailed design stage on a building by building basis once foundation options have been further developed.

### 6.8.3 Inspection of Building Foundations

Inspection and testing (dynamic probe/Scala penetrometers) should be completed along footing or pile alignments during foundation construction to confirm that available bearing is consistent with design assumptions and that the soil has not been softened by weather or excavation. Plate compaction or proof rolling of foundation slab subgrade and footing alignments should be completed following the stripping of unsuitable soils and footing excavation.

## 6.9 Stormwater Disposal

Two soakage tests were undertaken as part of the site investigations, one in the west of the site (SP1) and one near the car park in the east of the site (SP2), as shown in Figure 1a, Appendix A. Soakage testing was undertaken within the beach deposits and glacial till.

Soakage testing was undertaken at depths of 0.9 and 1.0 m within SP1 and SP2 respectively. Deeper soakage testing was not completed within SP1 to maximise the depth to the underlying low-permeability lake sediment (observed from 1.6 m bgl), and within SP2 due to the density of the glacial till soils exposed at the base of the soak pit.

Soakage testing was performed by introducing water from a hose until the water level of the pit reached the designated testing level. The inflow was then ceased and the time it took for the water level to drop was recorded. Tests were completed within each soakage pit until a representative amount of testing had been achieved for each test location. Pre-soaking was completed within the sandy GRAVEL in SP1.





Following completion of the soakage testing the base of SP1 was excavated through to a depth of 2.2 m bgl to confirm the underlying soil profile for validation of the permeability results. SP2 was not excavated through due to the density of the glacial till soils exposed at the base of the pit. Glacial till was additionally observed to extend to at least 1.8 and 2 m bgl within TPs 1 and 2 respectively completed to the northeast and west of SP2 respectively.

Full details of the subsurface stratigraphy observed in soakage pits can be found within the soak pit logs contained in Appendix B.

### 6.9.1 Permeability Analysis

The regional groundwater table was not encountered during the site investigations and is expected to lie at approximately 15 m (minimum) depth beneath the site. Therefore, the regional groundwater table is not expected to influence infiltration rates during testing or following construction of any onsite soak pits.

Calculated infiltration rates from onsite soakage testing are presented below in Table 6.3.

**Table 6.3: Assessed long term infiltration rate (note all values are factored).**

Test	Infiltration Depth (bgl)	Soil type at base of pit	Factored infiltration rate*
SP 1	0.9 m	Sandy GRAVEL with trace silt (beach deposit) overlying SILT with some sand (lake sediment) at 1.6 m depth	<b>90 mm/hr*</b>
SP 2	1.0 m	Gravelly SAND (glacial till)	<b>&lt;1 mm/hr**</b>
*Includes a reduction factor of 0.5 to account for loss of soakage performance over time. **Less than 1 mm/hr recorded within soakage testing onsite. Soakage into this unit is not recommended.			

### 6.9.2 Preliminary Soakage Design Recommendations

- Stormwater disposal to glacial till is not recommended due to the density of this soil type. Minimal drop in water level was observed in SP2 which was excavated within glacial till.
- It is recommended that stormwater is discharged directly to the sandy GRAVEL beach and alluvial deposits in all cases.
- Stormwater disposal to glacial outwash deposits may be possible, however no testing has been carried out in this soil type to date. If stormwater is to be disposed to glacial outwash deposit it is recommended additional permeability testing is carried out to confirm infiltration rates in this soil unit.
- A long-term factored infiltration rate of 90 mm/hr within SP1 for soakage systems installed into sandy GRAVEL beach deposit is considered suitable for design purposes. Note that testing was completed 0.7 m above the contact of the highly permeable beach deposit and low permeability lake sediment. A reduced infiltration rate compared to the above value is expected if the thickness of beach deposit underlying the base of any soakage pit is less 0.7 m.



- It is recommended the base of the soakage system is constructed as shallow as possible, to maximise the depth of beach deposit overlying lake sediment below the base of the soak pit.
- Appropriate setbacks of soakage areas from building platforms and slope crests, will be required and should be considered during the detailed design of any disposal system.
- It is currently unknown how stormwater is proposed to be managed at the site. It is recommended that GeoSolve confirm the provided recommendations when the stormwater management plan is developed for the site. Further test pitting and permeability testing should be carried out in the proposed disposal areas if stormwater disposal to ground is proposed for the site.
- A geotechnical practitioner who is familiar with the findings of this report should inspect the base of any soakage area during earthworks construction.
- Provision should be included for long-term inspection and routine maintenance of the soakage system.

## 6.10 Site Subsoil Category

For detailed design purposes it is recommended the magnitude of seismic acceleration be estimated in accordance with the recommendations provided in NZS 1170.5:2004.

Geotechnical investigations for the development were carried out to 50 m depth without encountering schist bedrock. Maximum depth limits in Class C for a medium dense or dense cohesionless soil is 45 and 55 m respectively.

Based on the above we recommend that Soil Class D is adopted for preliminary structural design.

## 6.11 Further Geotechnical Work

It is recommended a specific bearing capacity assessment for each building platform is undertaken once building layouts, foundations options and floor levels are finalised.

GeoSolve can be available to undertake earthworks construction monitoring, certification and inspections during the construction phase of the development.



## 7 Neighbouring Structures/QLDC EMP

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**Distances to adjoining structures:** The nearest building is a residential dwelling located approximately 150 m northeast of the site. No adverse effects are considered likely to neighbouring properties as long as standard dust and noise control measures are used during construction.

**Aquifers:** No aquifer resource will be adversely affected by the development.

**Erosion and Sediment Control:** The site presents some potential to generate silt runoff and this would naturally drain downslope. Effective systems for erosion control are runoff diversion drains and contour drains, while for sediment control, options are earth bunds, silt fences, vegetation buffer strips and sediment ponds. Only the least amount of subsoil should be exposed at any stage and surfacing established as soon as practical. Details for implementation are given. Works should be completed in accordance with QLDC's Land Development and Subdivision Code of Practice, 'A Guide to Earthworks in the Queenstown Lakes District'.

**Noise:** It is expected that earthmoving equipment, such as excavators, trucks and compactors will be required during construction. The construction contractor should take standard measures to control the construction noise and ensure QLDC requirements are met in regard to this issue.

**Dust:** Regular dampening of soil materials with sprinklers should be effective if required.

**Vibration:** No vibration induced settlement is expected in these soil types; however, any works that create vibrations should be subject to geotechnical advice.



## 8 Conclusions and Recommendations

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- The stratigraphy at the site generally comprises topsoil and uncontrolled fill overlying colluvium, alluvial deposit, beach deposit, lake sediment, glacial outwash deposit, subglacial lake deposit and glacial till.
- The regional groundwater table underlies the site at 22.5 m depth in BH1.
- The liquefaction risk at the site is considered to be very low due to the depth to groundwater table and the density of the soils underlying the upper part of the site.
- A preliminary slope stability assessment has been completed in relation to the gully slopes and the slope present in the western part of the site. Any buildings located adjacent the crest of the slopes will require specific design at the detailed design stage. The results of this assessment are presented in Section 6.7.
- Earthworks plans provided by John Edmonds & Associates indicate that cuts of up to approximately 3.5 and maximum fill depths of up to approximately 2.5 m are proposed at the site. Recommendations for temporary and permanent batter slopes are described in Table 6.1.
- Shallow foundations are likely to bear on glacial outwash deposit, subglacial lake deposit, glacial till, beach deposit, colluvium, lake sediment or engineered fill soil depending on building the locations and depths of cut and fill earthworks.
- 'Good ground' conditions in accordance with NZS 3604:2011 can be achieved if foundation loads are transferred directly to glacial outwash deposit, subglacial lake deposit, glacial till or engineered fill overlying these soil types. Beach deposits, colluvium and lake sediment will provide a reduced bearing capacity with respect to 'good ground'. A specific bearing assessment is recommended on a building by building basis at the detailed design stage once foundation options have been further developed.
- All unsuitable soils identified in foundation excavations, particularly those softened by exposure to water, should be undercut and replaced with engineered fill during construction.
- Any fill that is utilised as bearing for foundations should be placed and compacted in accordance with NZS 4431:1989 and certification provided to that effect.
- For detailed design purposes it is recommended that the site is classified "Class D – Deep subsoil" in accordance with NZS 1170.5:2004 seismic provisions.
- A long-term factored infiltration rate of 90 mm/hr for the sandy GRAVEL beach deposit is considered suitable for preliminary design purposes. Stormwater disposal into glacial till is not recommended. GeoSolve can provide further input once the location and concept design of stormwater soakage is provided.



## 9 Applicability

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This report has been prepared for the benefit of B Property Group 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.

It is important that we be contacted if there is any variation in subsoil conditions from those described in this report.

Report prepared by:

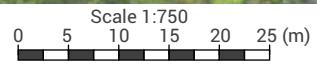
.....  
Marte Stemland  
Engineering Geologist

Reviewed for GeoSolve Ltd by:

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Stuart Minty  
Project Engineer

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Fraser Wilson  
Senior Engineering Geologist

# Appendix A: Site Plans & Cross-Sections



**Key**

- = Dynamic Probe Heavy Test (DPH)
- = Test Pit (2021)
- = Test Pit (2006)
- = Approximate Water Bore location
- = Soak Pit
- = Cross-Section location and facing
- = Approximate Location of Moonlight Fault

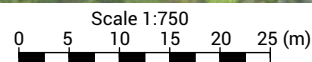
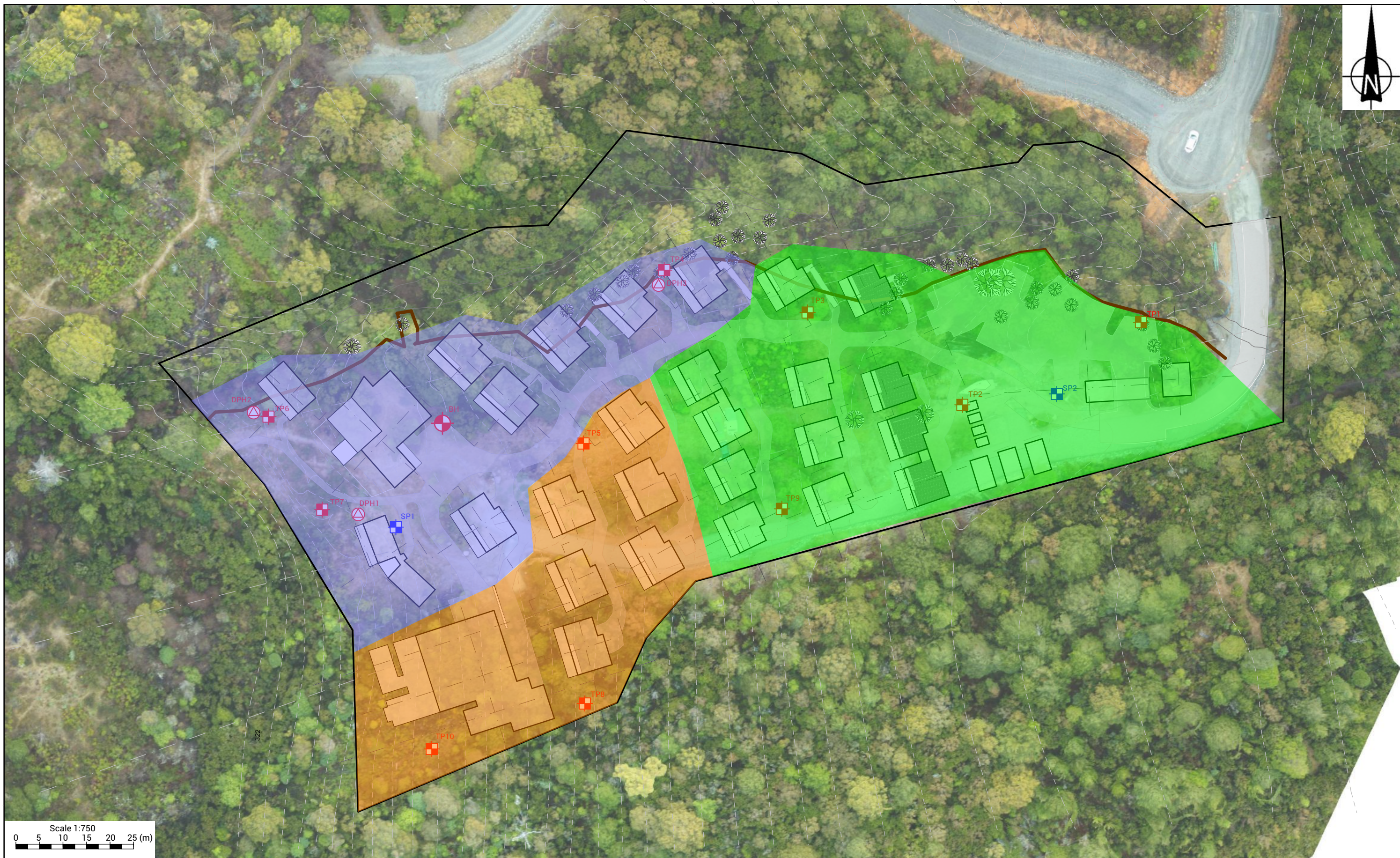
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SCALE (AT A3 SIZE):	AS SHOWN	DRAFTING CHECKED	SAM	06/2021
PROJECT No:	200451	APPROVED	FAW	06/2021



**B Property Group  
Geotechnical Assessment  
59 Tui Drive, Bob's Cove  
Site Investigation Plan**

FIG No: **FIGURE 1a**

REV. **1**



- Key**
- Zone 1: Shallow topsoil, uncontrolled fill and colluvium overlying glacial outwash deposit, subglacial lake deposit and glacial till.
  - Zone 2: Shallow topsoil and colluvium overlying glacial outwash deposit and glacial till.
  - Zone 3: Variable thicknesses of colluvium, alluvial deposit, beach deposit and lake sediment overlying glacial outwash deposit, subglacial lake deposit and glacial till.

CADFILE:	Sketch 1.xar	DRAWN	MBS	05/2021
SCALE (AT A3 SIZE):	AS SHOWN	DRAFTING CHECKED	SAM	06/2021
PROJECT No:	200451	APPROVED	FAW	06/2021



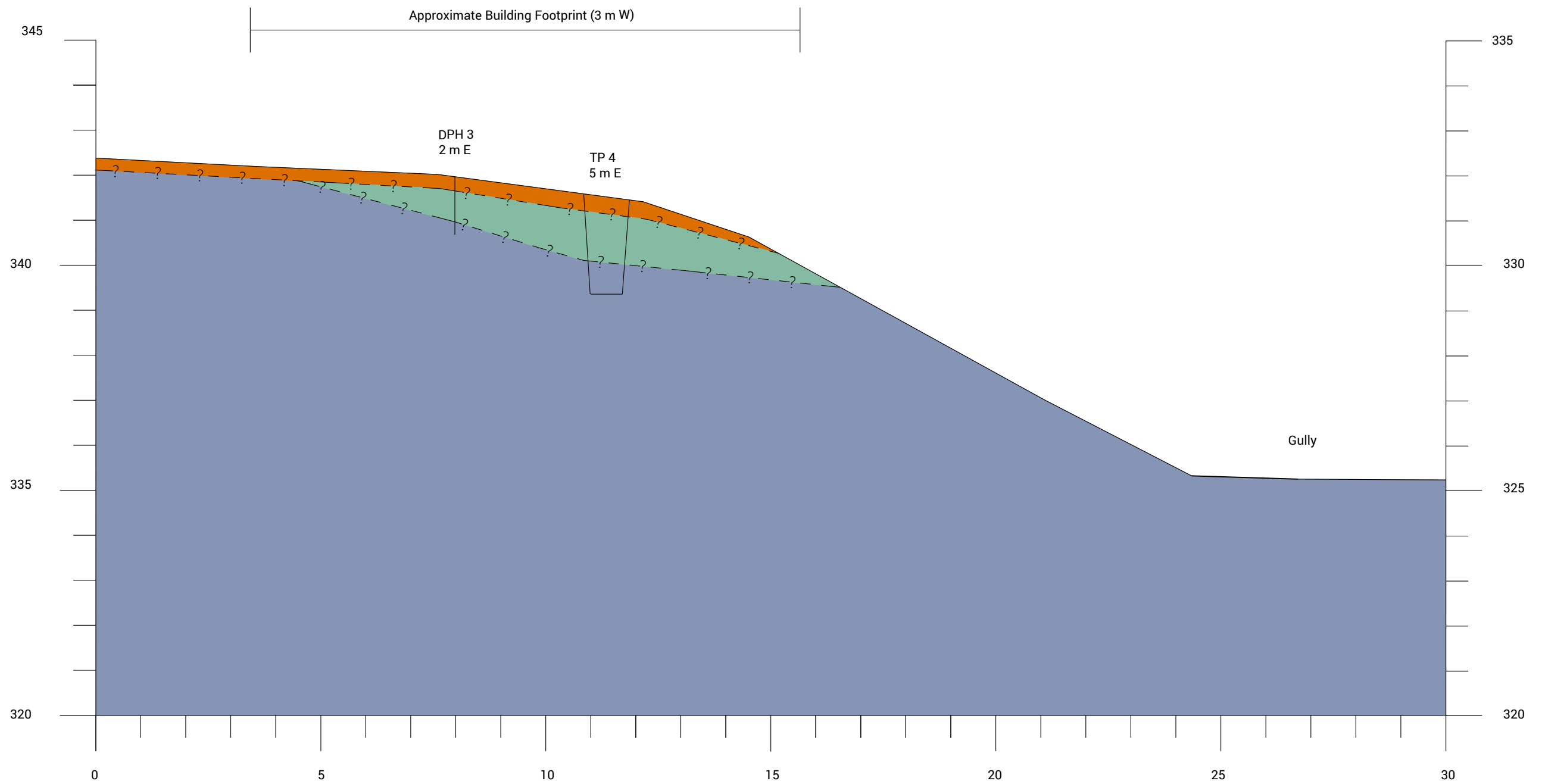
**B Property Group  
Geotechnical Assessment  
59 Tui Drive, Bob's Cove  
Site Investigation Plan**

FIG No: **FIGURE 1b**

REV.

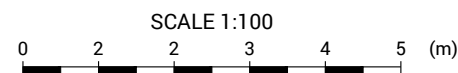
1





- Topsoil / Colluvium
- Lake Sediment
- Glacial Till

**Notes:**  
 1. These drawings have been prepared for the benefit of **B Property Group** 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.

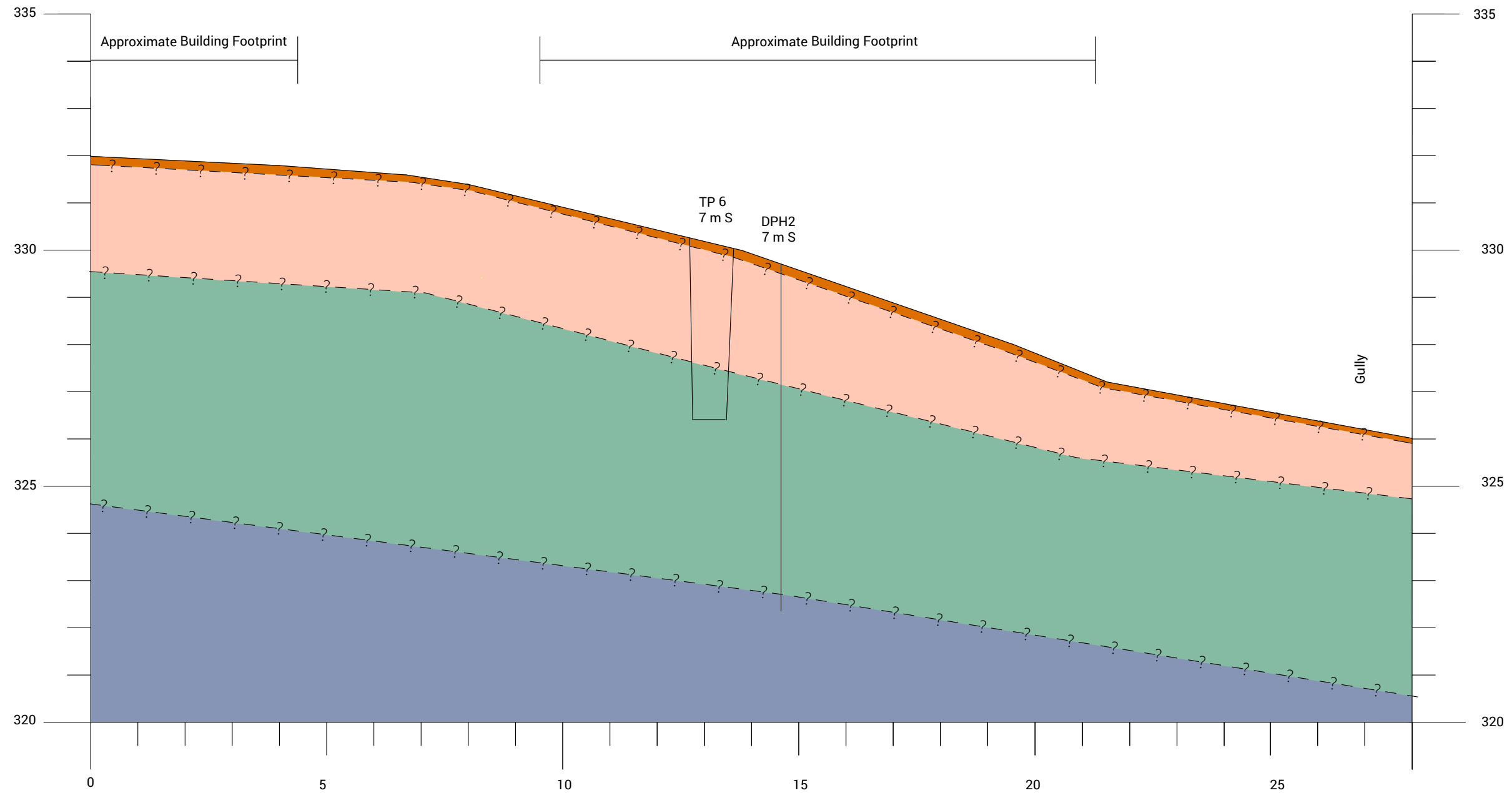


DRAWN	MBS	May 21
DRAFTING CHECKED	SAM	July 21
APPROVED	FAW	July 21
CADFILE: Cross Section A.dwg		
SCALES (AT A3 SIZE): 1:100		
PROJECT No:	200451	

**B Property Group**  
 Geotechnical Assessment  
 59 Tui Drive, Bob's Cove  
 Cross Section A

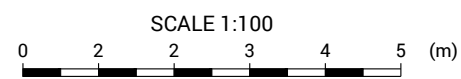
FIG No: FIG NO 2a

REV. 0



**Notes:**  
 1. These drawings have been prepared for the benefit of B Property Group 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.

- Topsoil
- Beach / Alluvial Deposit
- Lake Sediment
- Glacial Till

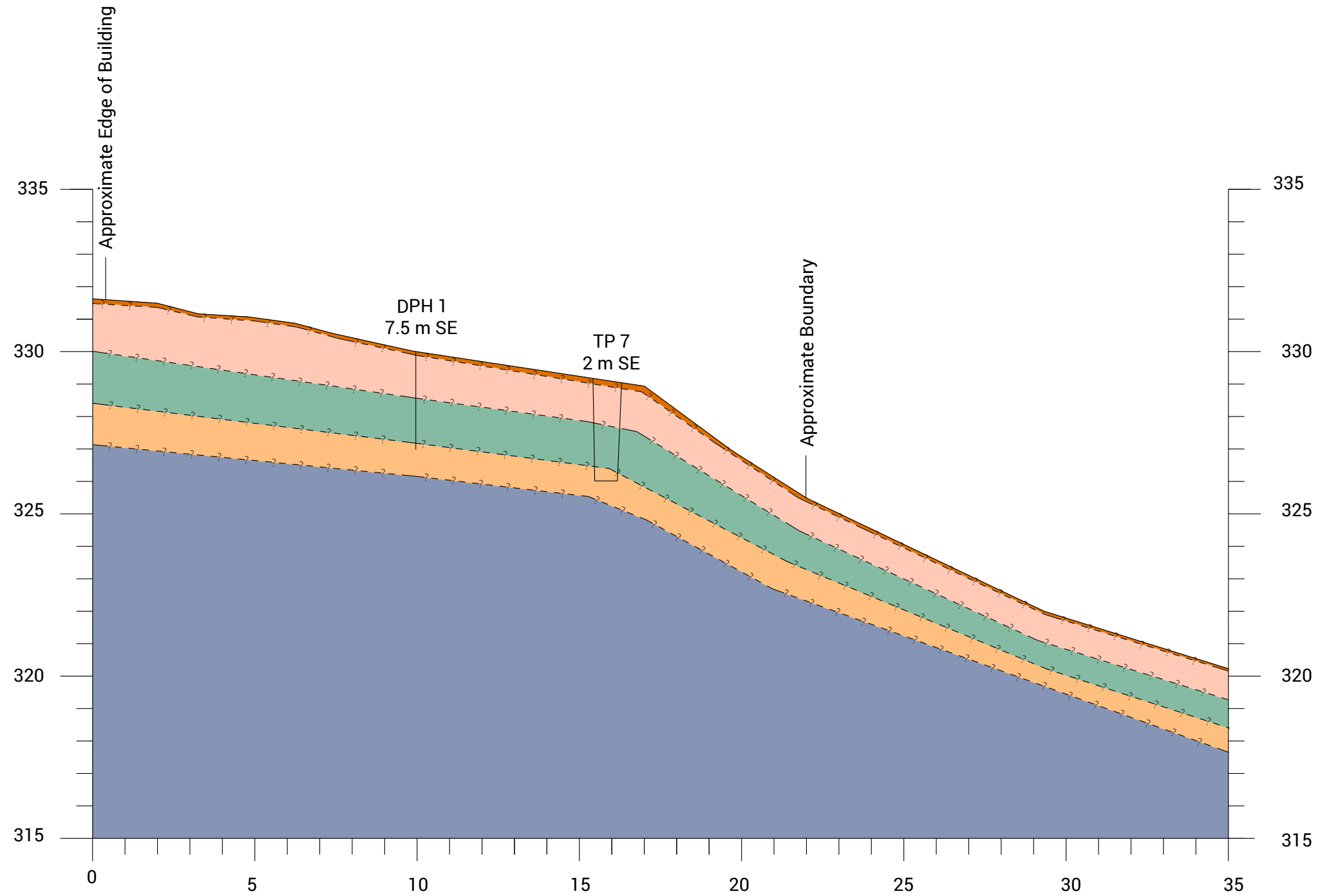


**GEOSOLVE**  
 Level 1, 70 MacAndrew Road, South Dunedin  
 www.geosolve.co.nz

DRAWN	MBS	Jul.21
DRAFTING CHECKED	SAM	July 21
APPROVED	FAW	July 21
CADFILE: Cross Section B.dwg		
SCALES (AT A3 SIZE): 1:100		
PROJECT No:	200451	

**B Property Group**  
 Geotechnical Assessment  
 59 Tui Drive, Bob's Cove  
 Cross Section B

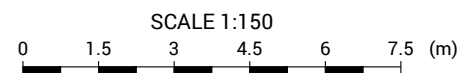
FIG No:	FIG NO 2b	REV.	0
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**Notes:**

1. These drawings have been prepared for the benefit of **The B Group** 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.

- Topsoil
- Beach / Alluvial Deposit
- Lake Sediment
- Glacial Outwash Deposit
- Glacial Till

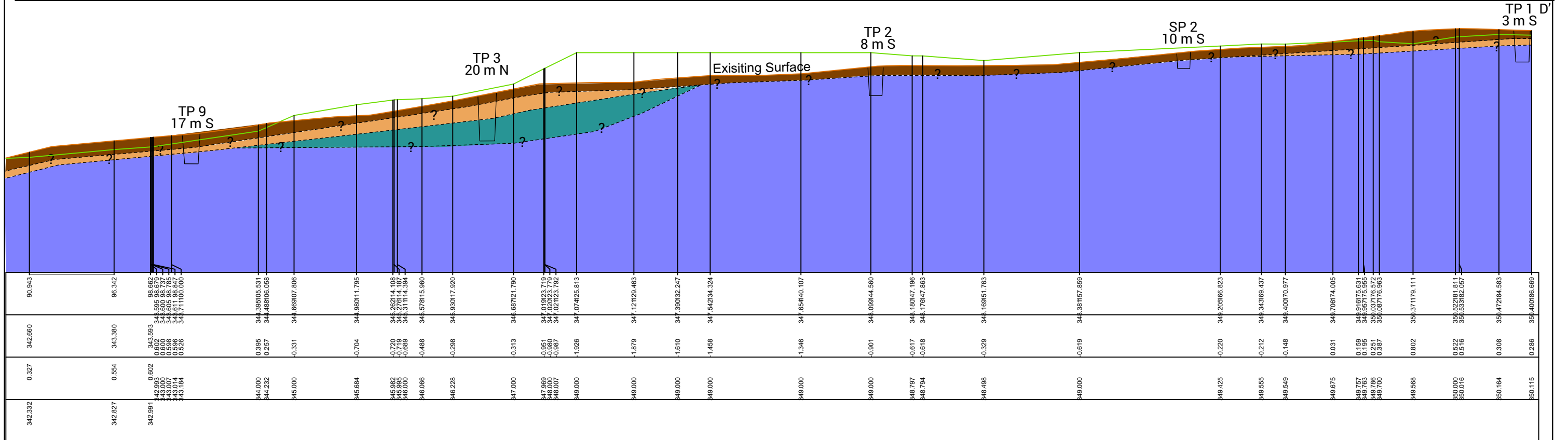
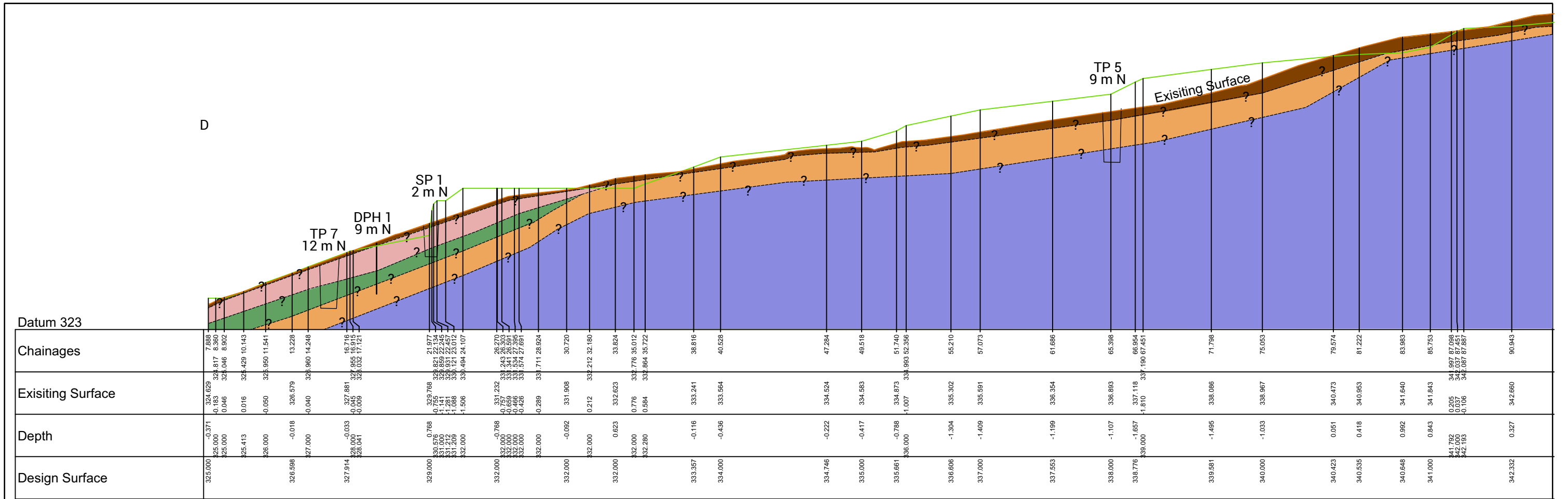


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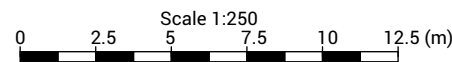
DRAWN	MBS	Jul.21
DRAFTING CHECKED		
APPROVED		
CADFILE: Cross Section C Modified.dwg		
SCALES (AT A3 SIZE): 1:150		
PROJECT No: 200451		FIG No: FIG NO 2c

**The B Group**  
Geotechnical Assessment  
59 Tui Drive, Bob's Cove  
Cross Section C

REV.  
0



- Key**
- Topsoil / Uncontrolled Fill / Colluvium
  - Glacial Outwash Deposit
  - Beach / Alluvial Deposit
  - Subglacial Lake Deposit
  - Lake Sediment
  - Glacial Till



CADFILE:	Sketch 1.xar	DRAWN	MBS	07/2021
SCALE (AT A3 SIZE):	AS SHOWN	DRAFTING CHECKED	SM	07/2021
PROJECT No:	200451	APPROVED	FAW	07/2021

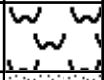
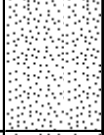
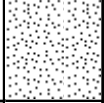
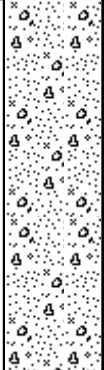
**GEOSOLVE**  
ENGINEERING CONSULTANTS

GEOTECHNICAL  
 WATER RESOURCES  
 PAVEMENTS

**B Property Group**  
**Geotechnical Assessment**  
 59 Tui Drive, Bob's Cove  
 Cross Section D

# Appendix B: Investigation Data

PROJECT:	59 Tui Drive, Bobs Cove		JOB NUMBER:	200451	
LOCATION:	See site plan	INCLINATION:			
EASTING:		EQUIPMENT:	8 tonne excavator	OPERATOR:	Russel
NORTHING:		COORD. SYSTEM:		COMPANY:	Parcell Contracting
ELEVATION:		EXCAV. DATUM:	Ground Level	HOLE STARTED:	25/02/2021
METHOD:	Aerial Photography	ACCURACY:		HOLE FINISHED:	25/02/2021

Soil / Rock Type	Description	Graphic Log	Depth (m)	Groundwater / Seepage	Scala Penetrometer (Blows per 100mm)
TOPSOIL	Organic SILT with minor gravel and a trace of rootlets and tree roots; dark brown. Firm; dry; gravel, fine to coarse, subangular.		0.0 0.1		
COLLUVIUM	Fine to medium SAND with some gravel and a trace of silt and rootlets; orange brown. Loose; dry; gravel, fine to coarse, subrounded.		0.2 0.3 0.4 0.5 0.6		
GLACIAL OUTWASH DEPOSIT	Fine to medium SAND; light grey, weak bedding dipping gently to southwest with slope profile. Medium dense; dry.		0.6 0.7 0.8 0.9		
GLACIAL TILL	Gravelly fine to coarse SAND; grey, massive. Dense; dry; gravel, fine to coarse, subrounded to subangular.		0.9 1.0 1.1 1.2 1.3 1.4 1.5 1.6 1.7 1.8 1.9 2.0	NO SEEPAGE	

Total Excavation Depth = 2.0 m

COMMENT:	Test pit dry. Walls remained stable during excavation. Unable to penetrate further with 8 tonne excavator.	LOGGED BY:	MBS
		CHECKED DATE:	08/07/2021
		SHEET:	1 of 1

# TEST PIT LOG

EXCAVATION NUMBER:

**TP 2**


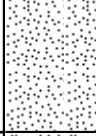


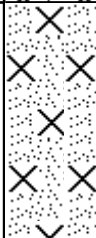
PROJECT:	59 Tui Drive, Bobs Cove			JOB NUMBER:	200451
LOCATION:	See site plan	INCLINATION:			
EASTING:		EQUIPMENT:	8 tonne excavator	OPERATOR:	Russel
NORTHING:		COORD. SYSTEM:		COMPANY:	Parcell Contracting
ELEVATION:		EXCAV. DATUM:	Ground Level	HOLE STARTED:	25/02/2021
METHOD:	Aerial Photography	ACCURACY:		HOLE FINISHED:	25/02/2021

Soil / Rock Type	Description	Graphic Log	Depth (m)	Groundwater / Seepage	Scala Penetrometer (Blows per 100mm)			
					0	5	10	15
UNCONTROLLED FILL	Sandy fine to coarse GRAVEL with a trace of rootlets; brown. Loose; moist; sand, fine to coarse; gravel, subrounded.		0.0 0.1 0.2	NO SEEPAGE				
UNCONTROLLED FILL	Sandy fine to coarse GRAVEL with some silt, cobbles, boulders and lenses of organic SILT; dark grey, mottled black, chaotic. Loose; moist, organic odour; sand, fine to coarse; gravel, subrounded to rounded; cobbles, subrounded to rounded; boulders, subrounded to rounded.		0.2 0.3 0.4 0.5 0.6					
GLACIAL TILL	Gravelly fine to coarse SAND; grey, massive. Dense; dry; gravel, fine to coarse, subrounded to subangular.		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					

Total Excavation Depth = 1.8 m

COMMENT:	Test pit dry. Walls remained stable during excavation. Unable to penetrate further with 8 tonne excavator.	LOGGED BY:	MBS
		CHECKED DATE:	08/07/2021
		SHEET:	1 of 1

PROJECT:	59 Tui Drive, Bobs Cove		JOB NUMBER:	200451	
LOCATION:	See site plan	INCLINATION:			
EASTING:		EQUIPMENT:	8 tonne excavator	OPERATOR:	Russel
NORTHING:		COORD. SYSTEM:		COMPANY:	Parcell Contracting
ELEVATION:		EXCAV. DATUM:	Ground Level	HOLE STARTED:	25/02/2021
METHOD:	Aerial Photography	ACCURACY:		HOLE FINISHED:	25/02/2021

Soil / Rock Type	Description	Graphic Log	Depth (m)	Groundwater / Seepage	Scala Penetrometer (Blows per 100mm)
TOPSOIL	Organic SILT with minor gravel and a trace of rootlets and tree roots; dark brown. Soft; dry; gravel, fine to coarse, subangular.		0m to 0.1m		
COLLUVIUM	Fine to medium SAND with some gravel, minor cobbles and a trace of silt and rootlets; orange brown. Loose; dry; gravel, fine to coarse, subrounded; cobbles, subrounded to subangular.		0.2m to 0.6m		
GLACIAL OUTWASH DEPOSIT	Gravelly fine to coarse SAND with a trace of silt; grey, bedding dipping gently to southwest (downslope). Medium dense; dry; gravel, fine to coarse, subrounded to subangular.		0.6m to 1.5m		
SUB-GLACIAL LAKE DEPOSIT	Sandy SILT; grey, laminated. Very stiff; moist; silt, non-plastic; sand, fine.		1.5m to 2.3m		
SUB-GLACIAL LAKE DEPOSIT	Silty fine SAND; grey, weak bedding. Medium dense to dense; moist; silt, non-plastic.		2.3m to 3m	NO SEEPAGE	

Total Excavation Depth = 3.0 m

COMMENT:	Test pit dry. Walls remained stable during excavation. Unable to penetrate further with 8 tonne excavator.	LOGGED BY:	MBS
		CHECKED DATE:	08/07/2021
		SHEET:	1 of 1



# TEST PIT LOG

EXCAVATION NUMBER:

**TP 4**

PROJECT:	59 Tui Drive, Bobs Cove			JOB NUMBER:	200451
LOCATION:	See site plan	INCLINATION:			
EASTING:		EQUIPMENT:	8 tonne excavator	OPERATOR:	Russel
NORTHING:		COORD. SYSTEM:		COMPANY:	Parcell Contracting
ELEVATION:		EXCAV. DATUM:	Ground Level	HOLE STARTED:	25/02/2021
METHOD:	Aerial Photography	ACCURACY:		HOLE FINISHED:	25/02/2021

Soil / Rock Type	Description	Graphic Log	Depth (m)	Groundwater / Seepage	Scala Penetrometer (Blows per 100mm)
TOPSOIL	Organic SILT with minor sand, gravel and a trace of rootlets and tree roots; dark brown. Soft; dry; sand, fine to coarse: gravel, fine to coarse, subangular.		0.0 0.1		
COLLUVIUM	Sandy fine to coarse GRAVEL with a trace of rootlets; orange brown. Loose; dry; sand, fine to coarse; gravel, subrounded.		0.1 0.4		
LAKE SEDIMENT	Sandy SILT; grey, some fine laminations dipping gently to southwest with slope profile. Stiff to very stiff; dry; silt is non-plastic; sand, fine.		0.4 1.6		
GLACIAL TILL	Gravelly fine to coarse SAND with a trace of silt, cobbles and boulders; light grey, massive. Dense; moist; gravel, subrounded to subangular; cobbles, subrounded to subangular; boulders, subrounded to subangular.		1.6 2.2	NO SEEPAGE	

Total Excavation Depth = 2.2 m

COMMENT:	Test pit dry. Walls remained stable during excavation. Unable to penetrate further with 8 tonne excavator.	LOGGED BY:	MBS
		CHECKED DATE:	08/07/2021
		SHEET:	1 of 1

PROJECT:	59 Tui Drive, Bobs Cove		JOB NUMBER:	200451	
LOCATION:	See site plan	INCLINATION:			
EASTING:		EQUIPMENT:	8 tonne excavator	OPERATOR:	Russel
NORTHING:		COORD. SYSTEM:		COMPANY:	Parcell Contracting
ELEVATION:		EXCAV. DATUM:	Ground Level	HOLE STARTED:	25/02/2021
METHOD:	Aerial Photography	ACCURACY:		HOLE FINISHED:	25/02/2021

Soil / Rock Type	Description	Graphic Log	Depth (m)	Groundwater / Seepage	Scala Penetrometer (Blows per 100mm)
TOPSOIL	Organic SILT with minor sand, gravel and a trace of rootlets and tree roots; dark brown. Soft; dry; sand, fine to coarse; gravel, fine to coarse, subangular.		0m to 0.2m		
COLLUVIUM	Fine to coarse SAND with minor silt and gravel; orange brown. Loose; dry; sand, fine to coarse; gravel, subrounded.		0.2m to 0.6m		
GLACIAL OUTWASH DEPOSIT	Fine to coarse SAND with some gravel; brown grey. Loose to medium dense; dry; gravel, fine to coarse, subrounded.		0.6m to 1.5m		
GLACIAL OUTWASH DEPOSIT	Gravelly fine to coarse SAND; grey. Medium dense; moist; gravel, fine to coarse, subrounded to subangular.		1.5m to 2.4m		
SUB-GLACIAL LAKE DEPOSIT	SILT with some sand; grey, weak laminations dipping to southwest with slope profile. Very stiff; moist; silt, non-plastic; sand, fine.		2.4m to 3.0m		
GLACIAL TILL	Gravelly fine to coarse SAND; grey. Dense; gravel, fine to coarse, subrounded to subangular.		3.0m to 3.2m		
Total Excavation Depth = 3.2 m					

COMMENT:	Test pit dry. Walls remained stable during excavation. Unable to penetrate further with 8 tonne excavator.	LOGGED BY:	MBS
		CHECKED DATE:	08/07/2021
		SHEET:	1 of 1

PROJECT:	59 Tui Drive, Bobs Cove		JOB NUMBER:	200451	
LOCATION:	See site plan	INCLINATION:			
EASTING:		EQUIPMENT:	8 tonne excavator	OPERATOR:	Russel
NORTHING:		COORD. SYSTEM:		COMPANY:	Parcell Contracting
ELEVATION:		EXCAV. DATUM:	Ground Level	HOLE STARTED:	25/02/2021
METHOD:	Aerial Photography	ACCURACY:		HOLE FINISHED:	25/02/2021

Soil / Rock Type	Description	Graphic Log	Depth (m)	Groundwater / Seepage	Scala Penetrometer (Blows per 100mm)
TOPSOIL	Organic SILT with minor sand, gravel and a trace of rootlets and tree roots; dark brown. Soft; dry; sand, fine to coarse; gravel, fine to coarse, subangular.		0.0 0.1		
ALLUVIAL DEPOSIT	Sandy fine to coarse GRAVEL with minor cobbles and a trace of rootlets; orange brown, some bedding dipping gently to southwest with slope profile. Loose; dry; sand, fine to coarse; gravel, subrounded; cobbles, subrounded.		0.1 0.2 0.3 0.4 0.5 0.6 0.7 0.8 0.9 1.0 1.1		
BEACH DEPOSIT	Fine to medium SAND; light grey, massive. Loose; dry.		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 2.5 2.6		
LAKE SEDIMENT	SILT with some sand; dark grey, weak laminations. Firm; moist; silt, low to moderate plasticity; sand, fine.		2.6 2.7 2.8 2.9 3.0 3.1 3.2 3.3 3.4 3.5 3.6 3.7	NO SEEPAGE	

Total Excavation Depth = 3.7 m

COMMENT:	Test pit dry. Walls remained stable during excavation.	LOGGED BY:	MBS
		CHECKED DATE:	08/07/2021
		SHEET:	1 of 1

PROJECT:	59 Tui Drive, Bobs Cove		JOB NUMBER:	200451	
LOCATION:	See site plan	INCLINATION:			
EASTING:		EQUIPMENT:	8 tonne excavator	OPERATOR:	Russel
NORTHING:		COORD. SYSTEM:		COMPANY:	Parcell Contracting
ELEVATION:		EXCAV. DATUM:	Ground Level	HOLE STARTED:	25/02/2021
METHOD:	Aerial Photography	ACCURACY:		HOLE FINISHED:	25/02/2021

Soil / Rock Type	Description	Graphic Log	Depth (m)	Groundwater / Seepage	Scala Penetrometer (Blows per 100mm)
TOPSOIL	Organic SILT with minor sand, gravel and a trace of rootlets and tree roots; dark brown. Soft; dry; sand, fine to coarse; gravel, fine to coarse, subangular.		0.0 0.1 0.2	NO SEEPAGE	
ALLUVIAL DEPOSIT	Sandy fine to coarse GRAVEL with a trace of rootlets; orange brown, weak bedding dipping gently to southwest with slope profile. Loose to medium dense; dry; sand, fine to coarse; gravel, subrounded.		0.2 0.3 0.4 0.5 0.6		
ALLUVIAL DEPOSIT	Sandy cobbly fine to coarse GRAVEL; orange brown, weak bedding dipping gently to southwest with slope profile. Loose; dry; sand, fine to coarse; gravel, subrounded to rounded; cobbles, subrounded to rounded.		0.6 0.7 0.8 0.9 1.0		
BEACH DEPOSIT	Fine to coarse SAND; brown grey. Loose; dry.		1.0 1.1 1.2 1.3		
LAKE SEDIMENT	SILT with some sand; grey, weak laminations. Firm; moist; silt, low to moderate plasticity; sand, fine.		1.3 1.4 1.5 1.6 1.7 1.8 1.9 2.0 2.1 2.2 2.3 2.4 2.5 2.6 2.7		
GLACIAL OUTWASH DEPOSIT	Sandy fine to coarse GRAVEL with minor cobbles; grey. Medium dense; moist; sand, fine to coarse; gravel, subangular; cobbles, subangular.		2.7 2.8 2.9 3.0		
Total Excavation Depth = 3.0 m					

COMMENT:	Test pit dry. Walls remained stable during excavation.	LOGGED BY:	MBS
		CHECKED DATE:	08/07/2021
		SHEET:	1 of 1

# TEST PIT LOG

EXCAVATION NUMBER:

**TP 8**

PROJECT:	59 Tui Drive, Bobs Cove			JOB NUMBER:	200451
LOCATION:	See site plan	INCLINATION:			
EASTING:		EQUIPMENT:	8 tonne excavator	OPERATOR:	Russel
NORTHING:		COORD. SYSTEM:		COMPANY:	Parcell Contracting
ELEVATION:		EXCAV. DATUM:	Ground Level	HOLE STARTED:	25/02/2021
METHOD:	Aerial Photography	ACCURACY:		HOLE FINISHED:	25/02/2021

Soil / Rock Type	Description	Graphic Log	Depth (m)	Groundwater / Seepage	Scala Penetrometer (Blows per 100mm)
TOPSOIL	Organic SILT with minor sand, gravel and a trace of rootlets and tree roots; dark brown. Soft; dry; gravel, fine to coarse, subangular.		0.0 0.1 0.2		
COLLUVIUM	Gravelly fine to medium SAND with a trace of cobbles, rootlets and tree roots; orange brown. Loose; dry; gravel, fine to coarse, subrounded.		0.2 0.3 0.4 0.5		
GLACIAL OUTWASH DEPOSIT	Sandy fine to coarse GRAVEL; grey brown, some bedding dipping gently to southwest with slope profile. Loose to medium dense; dry; gravel, subrounded.		0.5 0.6 0.7 0.8 0.9 1.0 1.1 1.2		
GLACIAL TILL	Gravelly fine to coarse SAND with minor silt; light grey, massive. Dense; moist; gravel, fine to coarse, subrounded to subangular.		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 2.5 2.6 2.7 2.8 2.9 3.0 3.1 3.2	NO SEEPAGE	

Total Excavation Depth = 3.2 m

COMMENT:	Test pit dry. Walls remained stable during excavation.	LOGGED BY:	MBS
		CHECKED DATE:	08/07/2021
		SHEET:	1 of 1

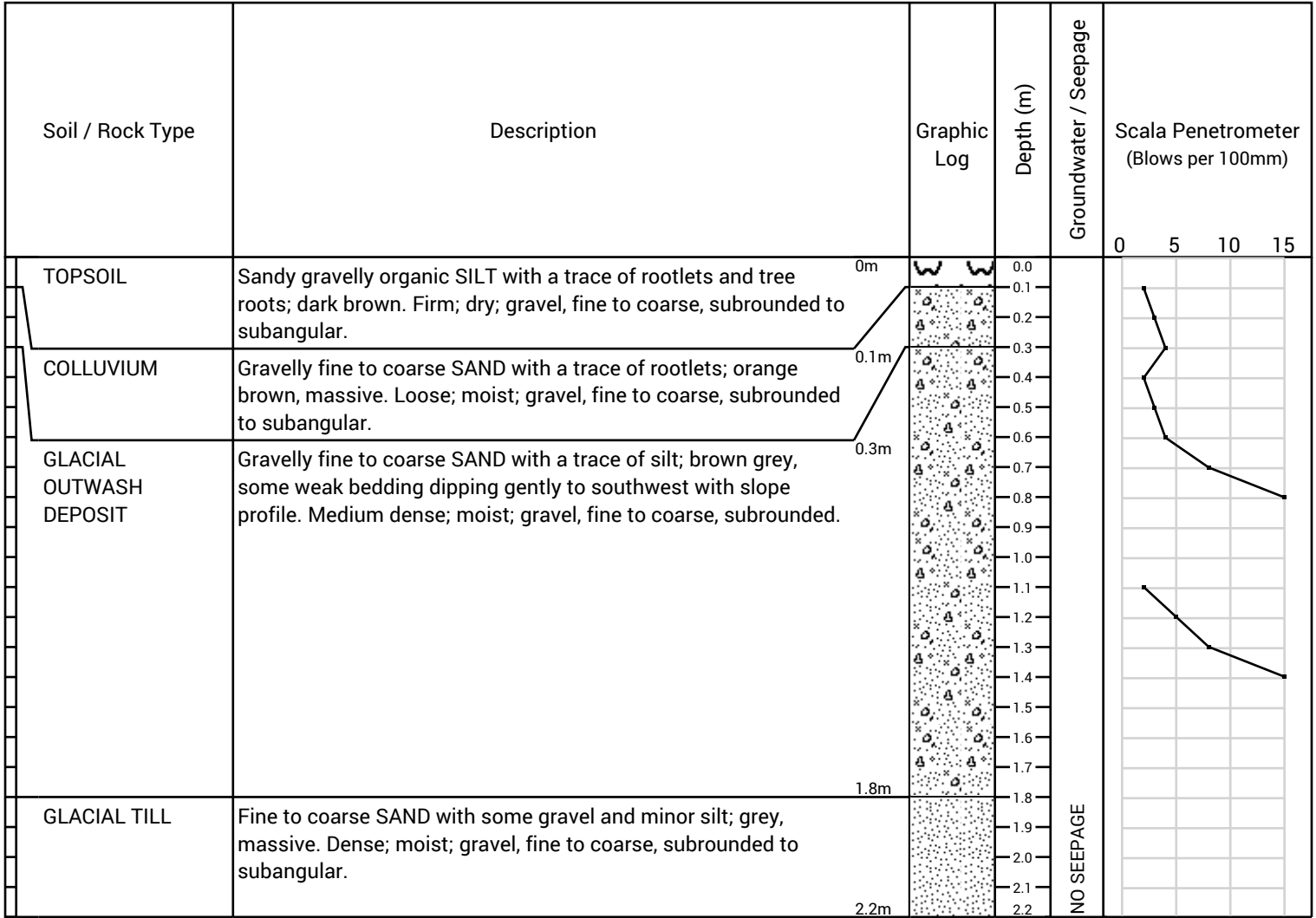
PROJECT:	59 Tui Drive, Bobs Cove			JOB NUMBER:	200451
LOCATION:	See site plan	INCLINATION:			
EASTING:		EQUIPMENT:	8 tonne excavator	OPERATOR:	Russel
NORTHING:		COORD. SYSTEM:		COMPANY:	Parcell Contracting
ELEVATION:		EXCAV. DATUM:	Ground Level	HOLE STARTED:	26/02/2021
METHOD:	Aerial Photography	ACCURACY:		HOLE FINISHED:	26/02/2021

Soil / Rock Type	Description	Graphic Log	Depth (m)	Groundwater / Seepage	Scala Penetrometer (Blows per 100mm)				
					0	5	10	15	
UNCONTROLLED FILL	Sandy fine to coarse GRAVEL with minor silt and a trace of rootlets; brown. Loose; dry; gravel, fine to coarse, subrounded to subangular.		0.0	NO SEEPAGE					
COLLUVIUM	Gravelly fine to coarse SAND with a trace of silt, rootlets and tree roots; orange brown, some weak bedding dipping gently to southwest with slope profile. Loose; dry; gravel, fine to coarse, subrounded.		0.1						
GLACIAL OUTWASH DEPOSIT	Sandy fine to coarse GRAVEL; grey brown, some weak bedding dipping gently to southwest with slope profile. Medium dense to dense; dry; gravel, subrounded to subangular.		0.9						
GLACIAL TILL	Fine to coarse SAND with some gravel and minor silt; grey, massive. Dense; moist; gravel, fine to coarse, subrounded to subangular.		1.2						
			1.8						

Total Excavation Depth = 1.8 m

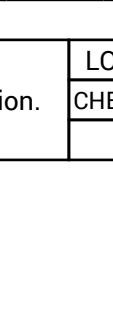
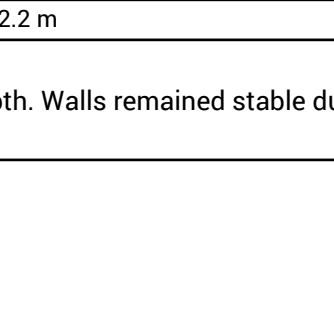
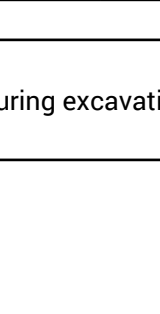
COMMENT:	Test pit dry. Walls remained stable during excavation.	LOGGED BY:	MBS
		CHECKED DATE:	08/07/2021
		SHEET:	1 of 1

PROJECT:	59 Tui Drive, Bobs Cove		JOB NUMBER:	200451	
LOCATION:	See site plan	INCLINATION:			
EASTING:		EQUIPMENT:	8 tonne excavator	OPERATOR:	Russel
NORTHING:		COORD. SYSTEM:		COMPANY:	Parcell Contracting
ELEVATION:		EXCAV. DATUM:	Ground Level	HOLE STARTED:	26/02/2021
METHOD:	Aerial Photography	ACCURACY:		HOLE FINISHED:	26/02/2021



COMMENT:	Test pit dry. Walls remained stable during excavation.	LOGGED BY:	MBS
		CHECKED DATE:	08/07/2021
		SHEET:	1 of 1

PROJECT:	59 Tui Drive, Bobs Cove			JOB NUMBER:	200451
LOCATION:	See site plan	INCLINATION:			
EASTING:		EQUIPMENT:	8 tonne excavator	OPERATOR:	Russel
NORTHING:		COORD. SYSTEM:		COMPANY:	Parcell Contracting
ELEVATION:		EXCAV. DATUM:	Ground Level	HOLE STARTED:	26/02/2021
METHOD:	Aerial Photography	ACCURACY:		HOLE FINISHED:	26/02/2021

Soil / Rock Type	Description	Graphic Log	Depth (m)	Groundwater / Seepage	Scala Penetrometer
TOPSOIL	Organic SILT with minor sand, gravel and a trace of rootlets and tree roots; dark brown. Soft; dry; gravel, fine to coarse, subangular.		0.0 0.1 0.2		
BEACH DEPOSIT	Sandy fine to coarse GRAVEL with a trace of silt; orange brown, weak bedding dipping gently to southwest (downslope). Loose; moist; sand, fine to coarse; gravel, subrounded.		0.3 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		
LAKE SEDIMENT	SILT with some sand; grey, some weak laminations dipping gently to southwest (downslope). Firm; moist; silt, low to moderate plasticity; sand, fine.		1.7 1.8 1.9 2.0 2.1 2.2	NO SEEPAGE	

Total Excavation Depth = 2.2 m

COMMENT:	Soakage testing @ 0.9 m depth. Walls remained stable during excavation.	LOGGED BY:	MBS
		CHECKED DATE:	08/07/2021
		SHEET:	1 of 1



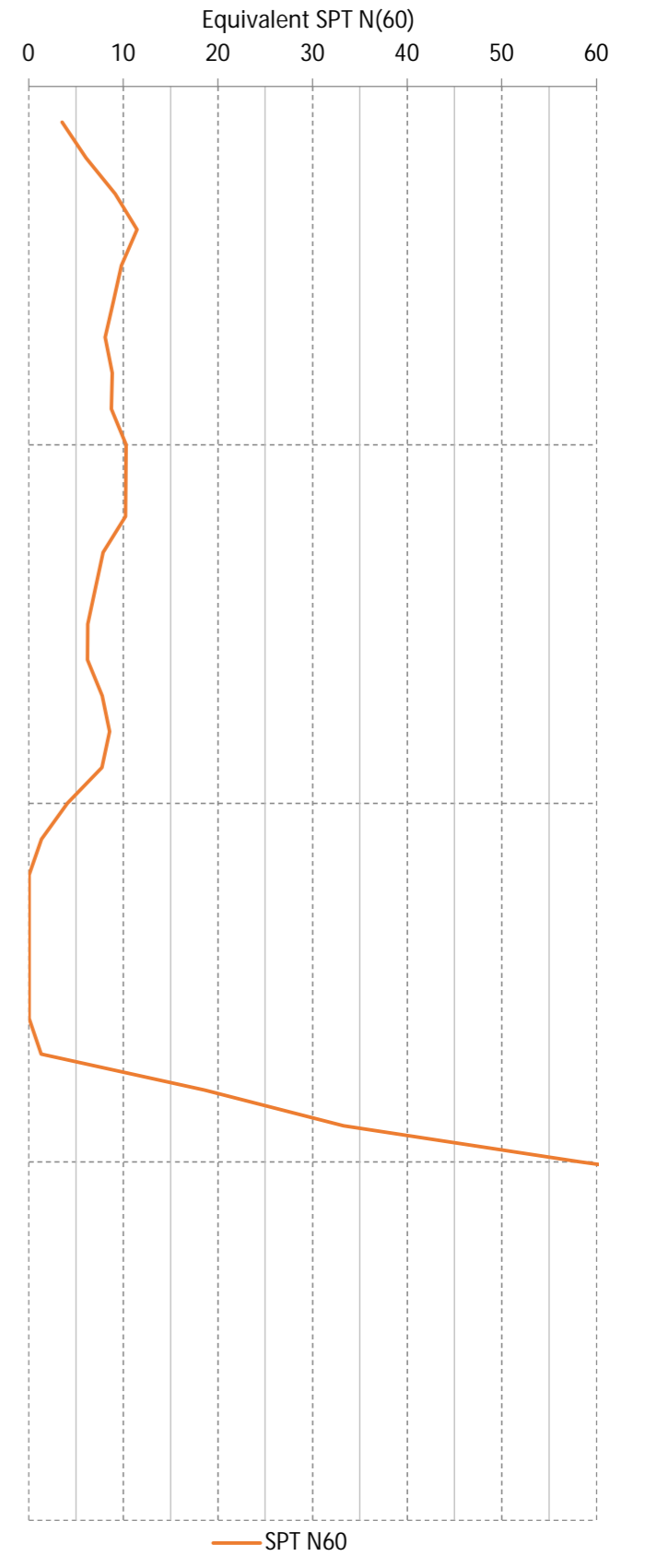
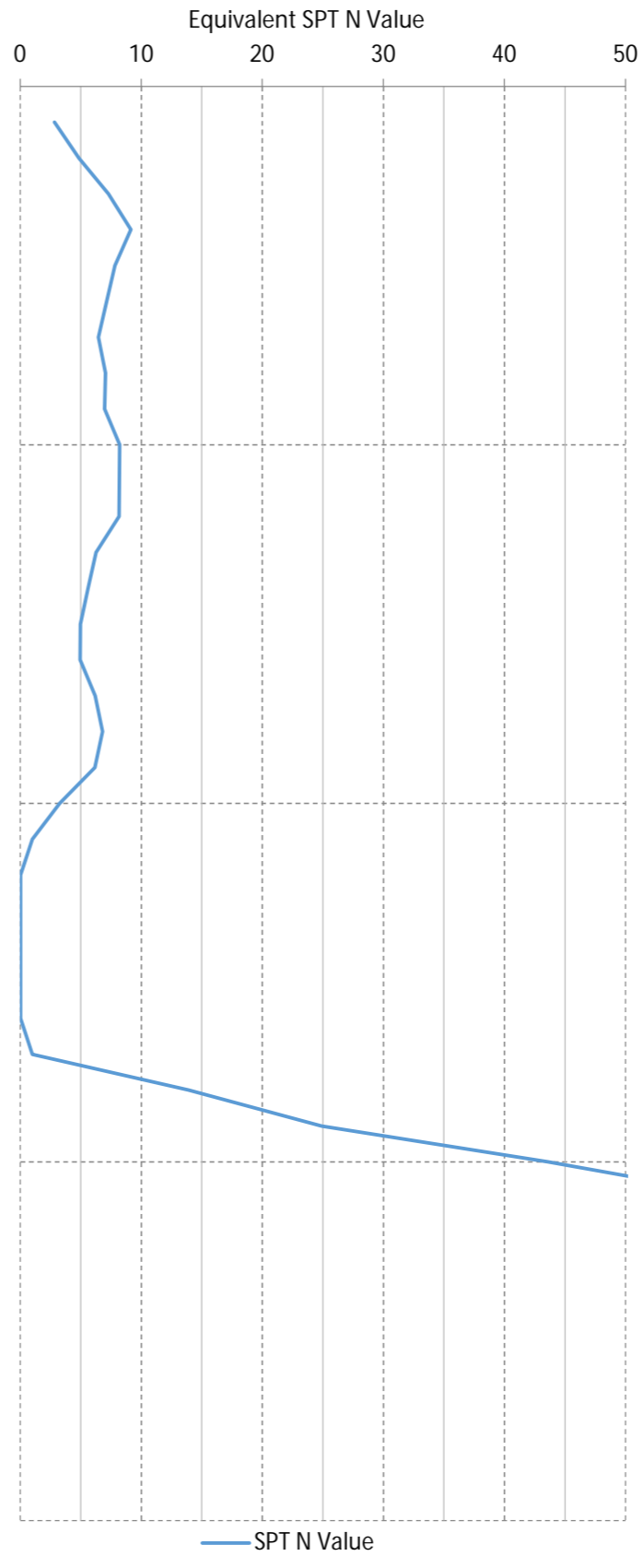
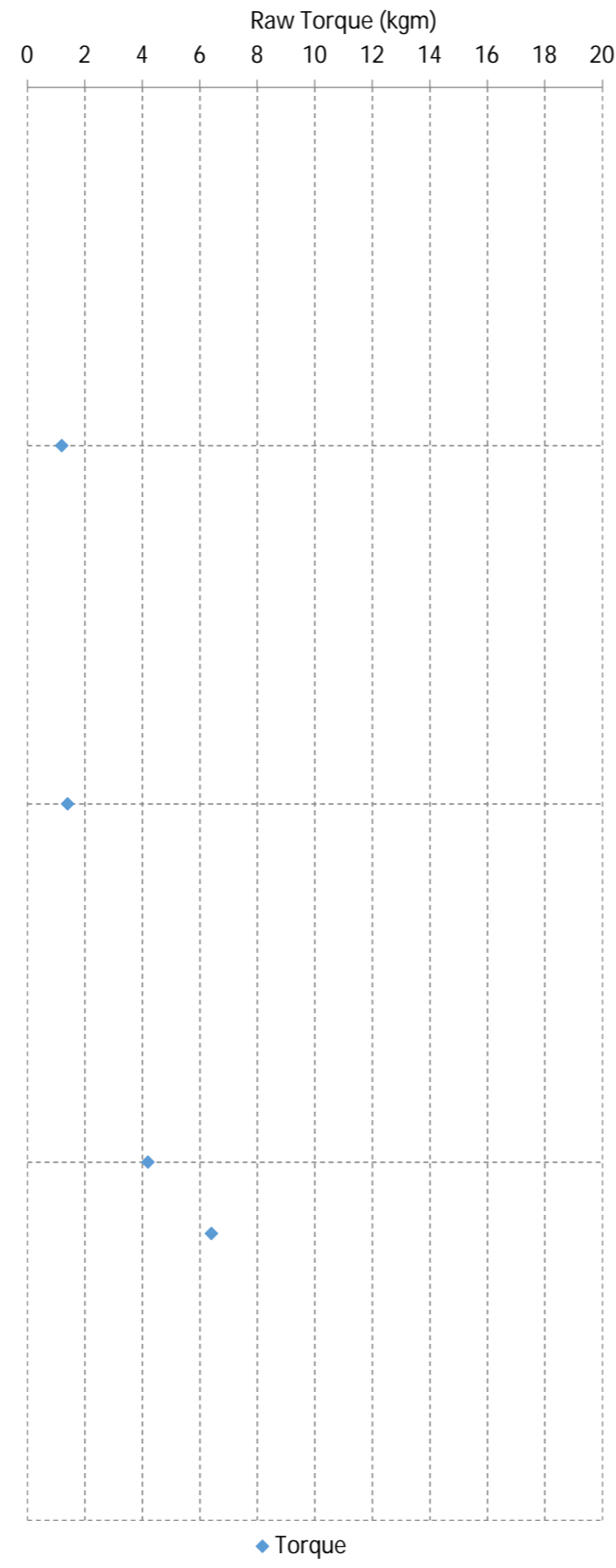
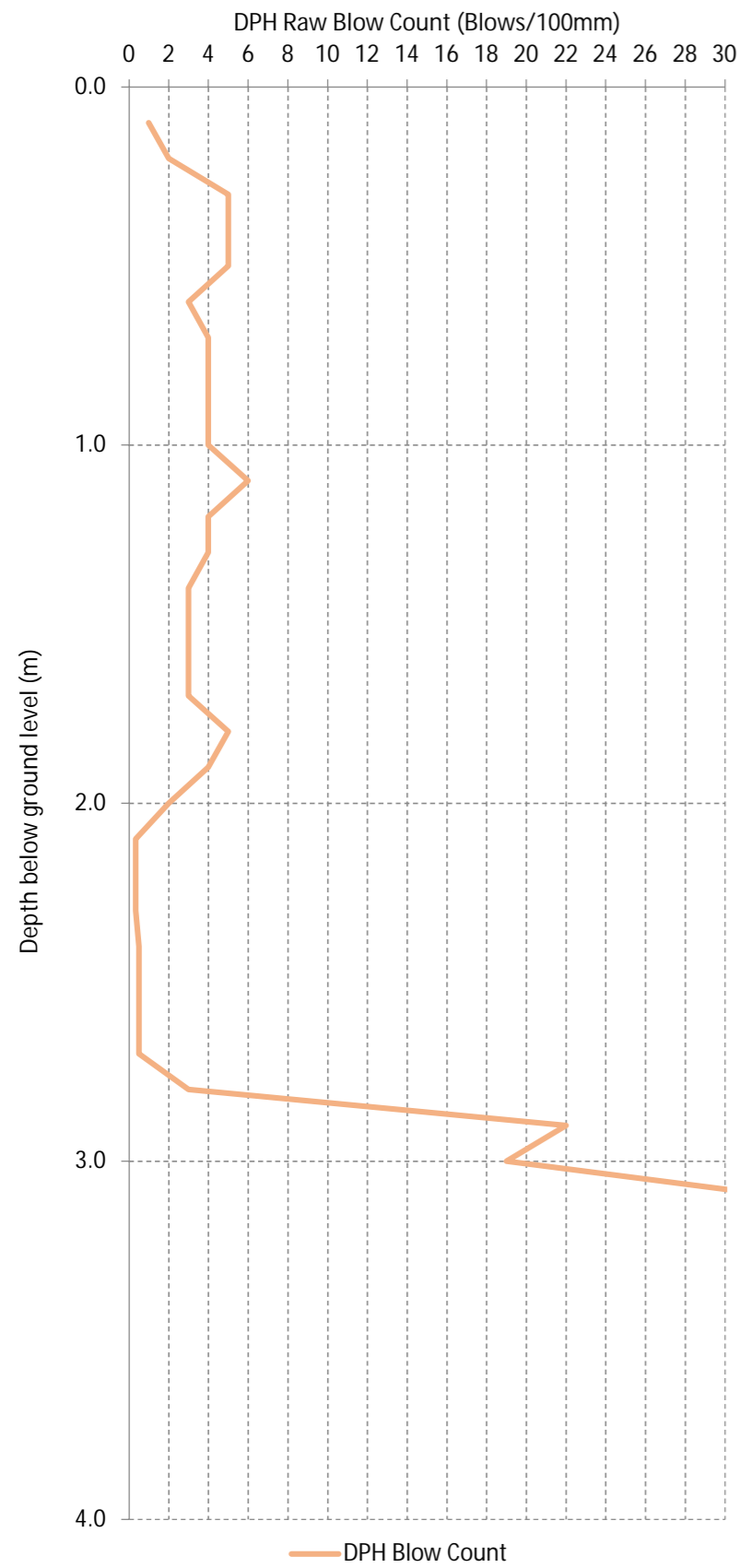
PROJECT:	59 Tui Drive, Bobs Cove			JOB NUMBER:	200451
LOCATION:	See site plan	INCLINATION:			
EASTING:		EQUIPMENT:	8 tonne excavator	OPERATOR:	Russel
NORTHING:		COORD. SYSTEM:		COMPANY:	Parcell Contracting
ELEVATION:		EXCAV. DATUM:	Ground Level	HOLE STARTED:	25/02/2021
METHOD:	Aerial Photography	ACCURACY:		HOLE FINISHED:	25/02/2021


Soil / Rock Type	Description	Graphic Log	Depth (m)	Groundwater / Seepage	Scala Penetrometer
UNCONTROLLED FILL	Sandy fine to coarse GRAVEL with a trace of silt and rootlets; brown grey. Loose; moist; sand, fine to coarse; gravel, subrounded.		0.0 0.1	NO SEEPAGE	
UNCONTROLLED FILL	Sandy gravelly organic SILT with a trace of cobbles and rootlets; dark grey and dark brown, chaotic. Loose; moist, organic odour; sand, fine to coarse; gravel, fine to coarse, subrounded to subangyular; cobbles, subrounded to subangular.		0.1 0.2 0.3 0.4 0.5		
GLACIAL TILL	Gravelly fine to coarse SAND; grey, massive. Dense; dry; gravel, fine to coarse, subrounded to subangular.		0.5 0.6 0.7 0.8 0.9 1.0		

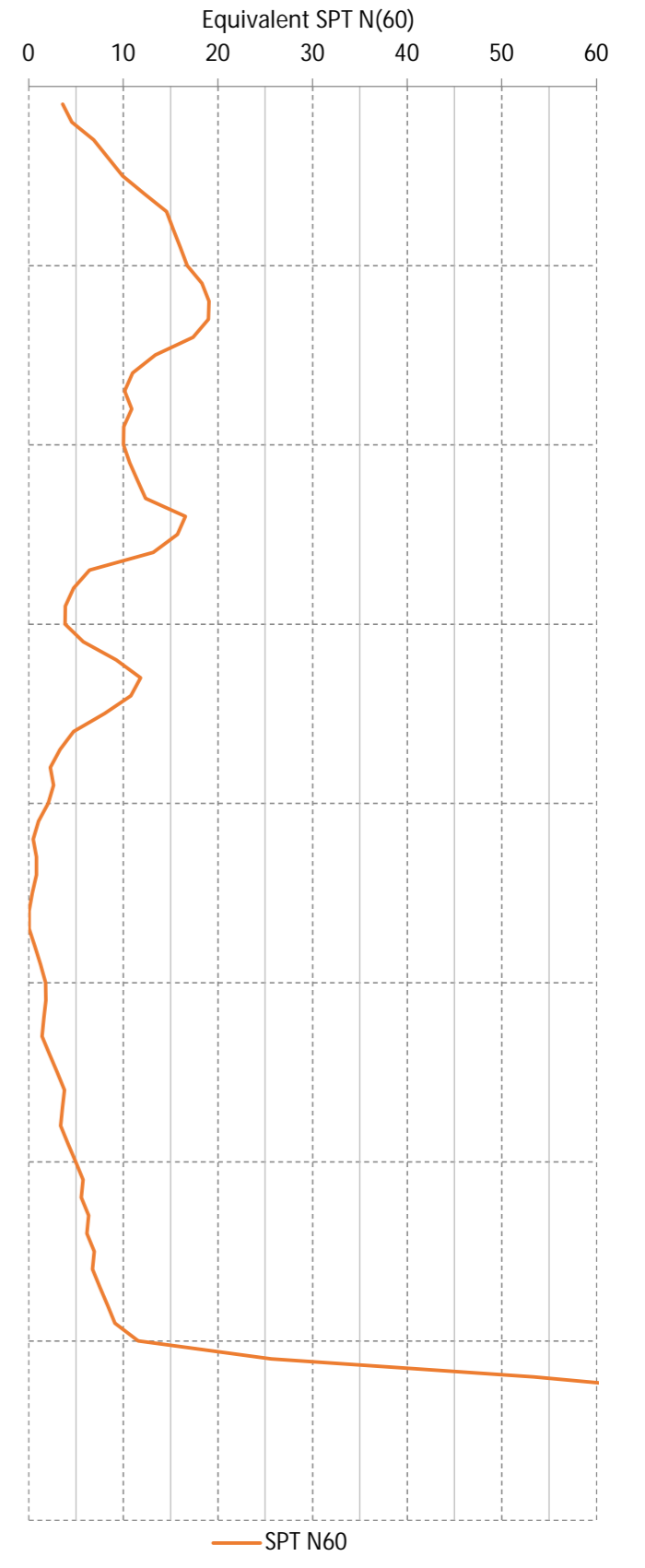
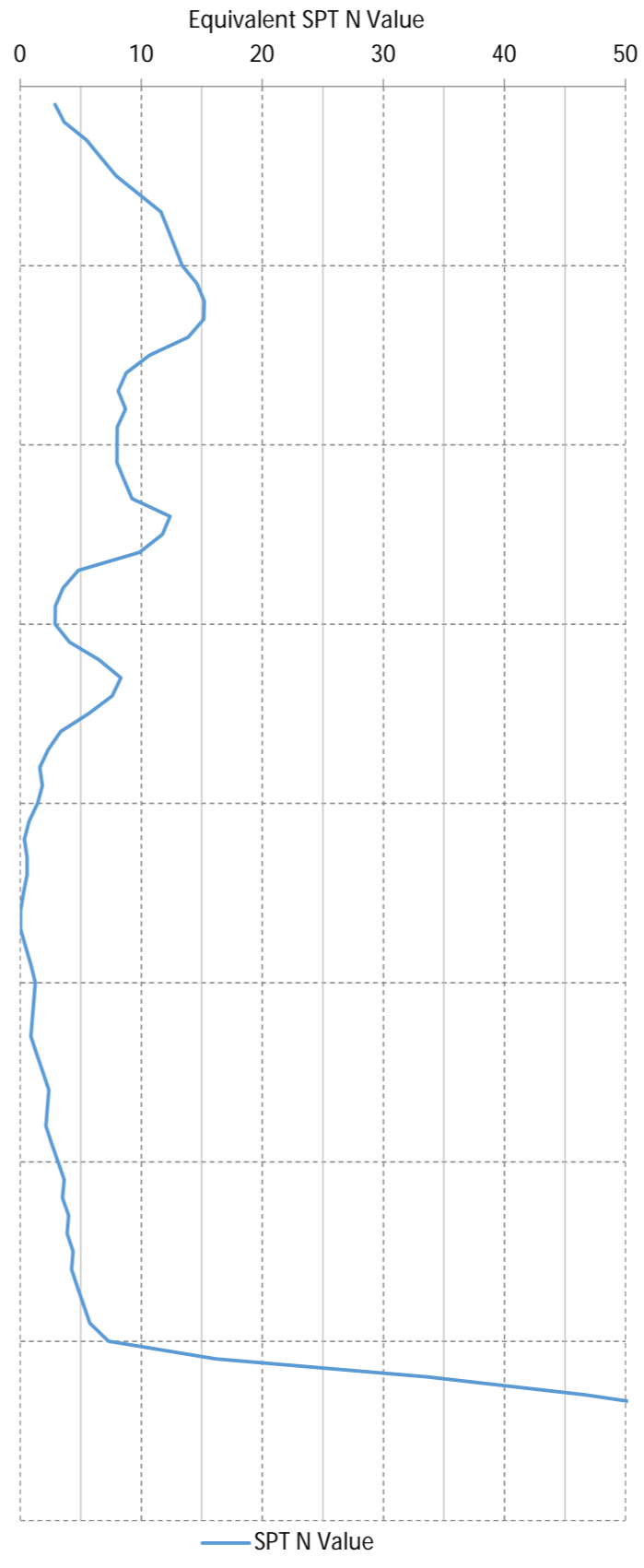
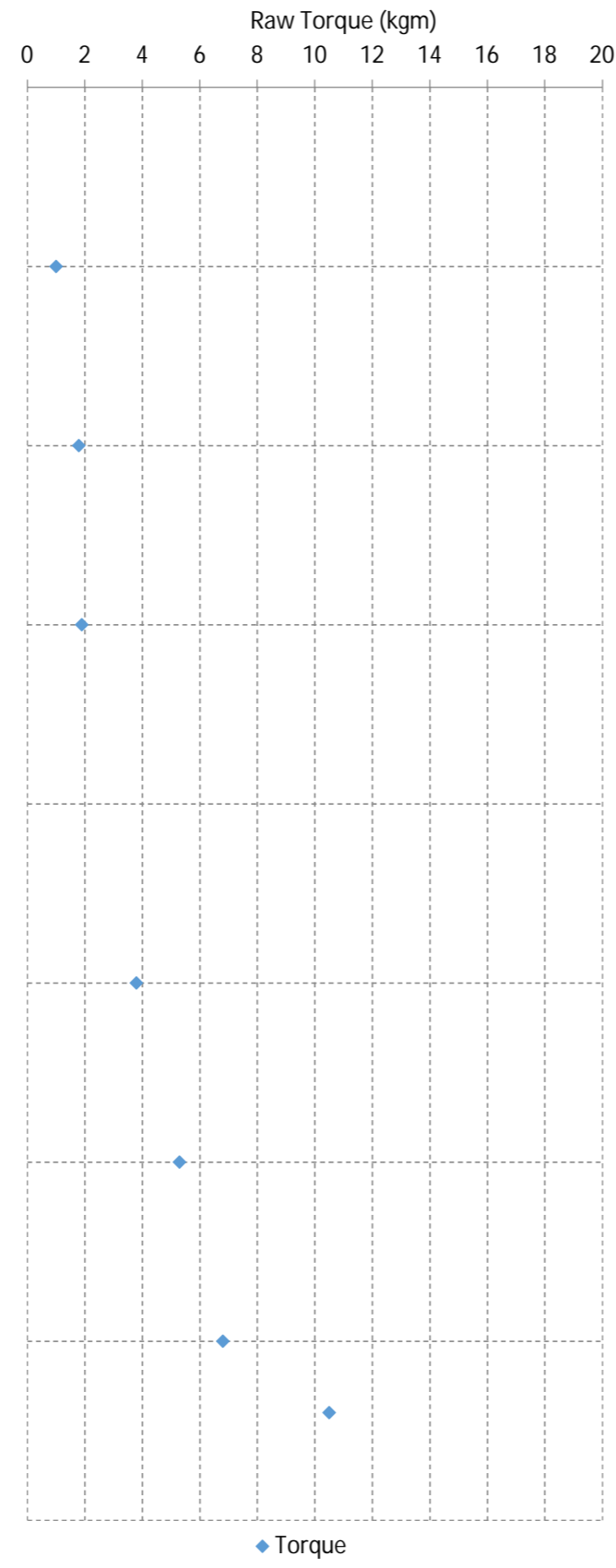
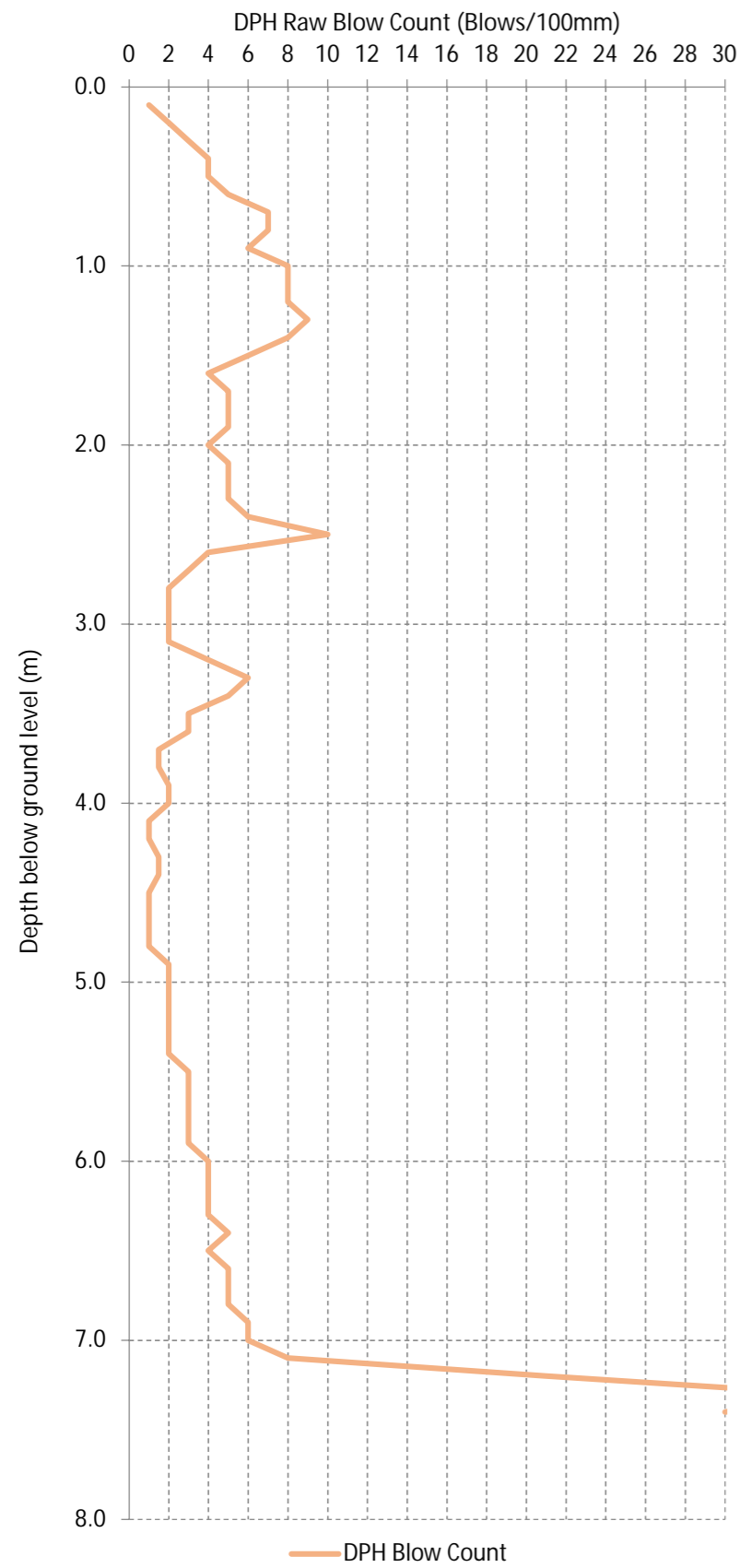
Total Excavation Depth = 1.0 m

COMMENT:	Soakage testing @ 1.0 m depth. Walls remained stable during excavation. Unable to penetrate further with 8 tonne excavator.	LOGGED BY:	MBS
		CHECKED DATE:	08/07/2021
		SHEET:	1 of 1

# Appendix C: DPH Logs



	PROJECT	200451 - 59 Tui Drive, Bob's Cove	CLIENT	The B Group	LOGGED BY	NT
	DESCRIPTION	Liquefaction Analysis	TEST NUMBER	DPH1	ANALYSED BY	MBS
	LOCATION	59 Tui Drive, Bob's Cove	DATE	16/03/2021	CHECKED BY	FAW



PROJECT  
DESCRIPTION  
LOCATION

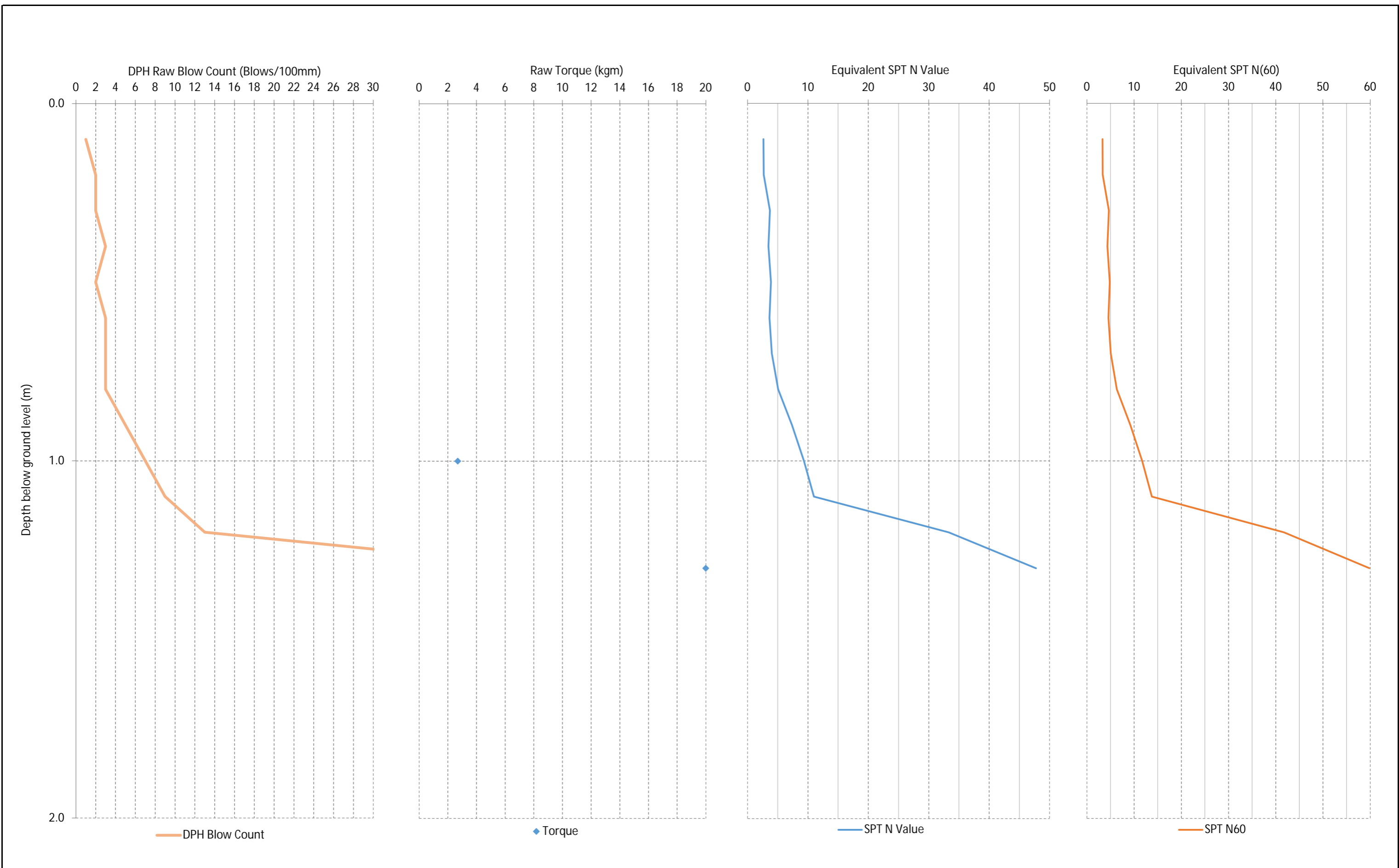
200451 - 59 Tui Drive, Bob's Cove  
Liquefaction Analysis  
59 Tui Drive, Bob's Cove


CLIENT  
TEST NUMBER  
DATE

The B Group  
DPH2  
16/03/2021

LOGGED BY  
ANALYSED BY  
CHECKED BY

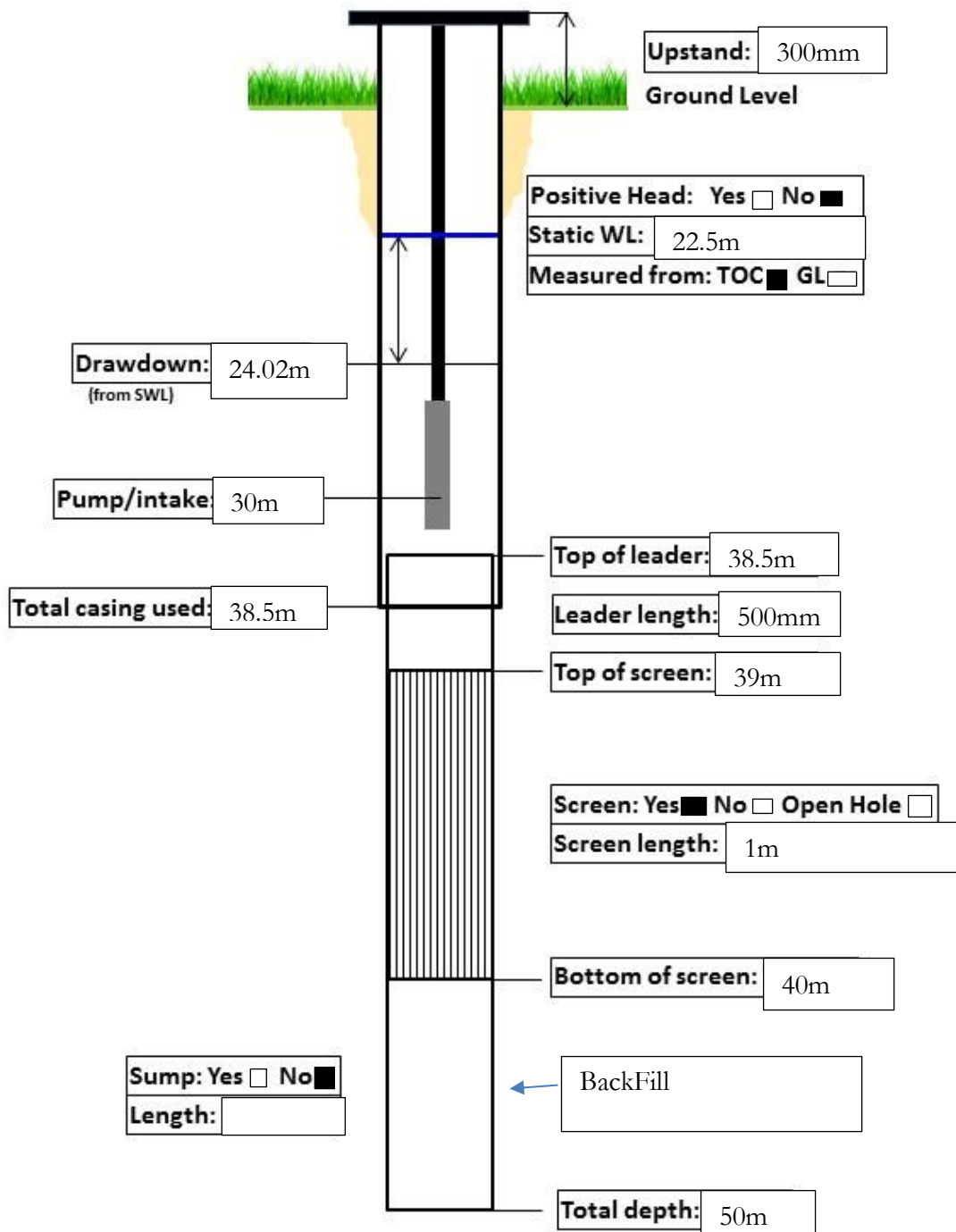
NT  
MBS  
**FAW**



	<p>PROJECT DESCRIPTION LOCATION</p> <p>200451 - 59 Tui Drive, Bob's Cove Liquefaction Analysis 59 Tui Drive, Bob's Cove</p>	<p>CLIENT TEST NUMBER DATE</p> <p>The B Group DPH3 16/03/2021</p>	<p>LOGGED BY ANALYSED BY CHECKED BY</p> <p>NT MBS <b>FAW</b></p>
--	---	---	--

# Appendix D: Bore Construction Report

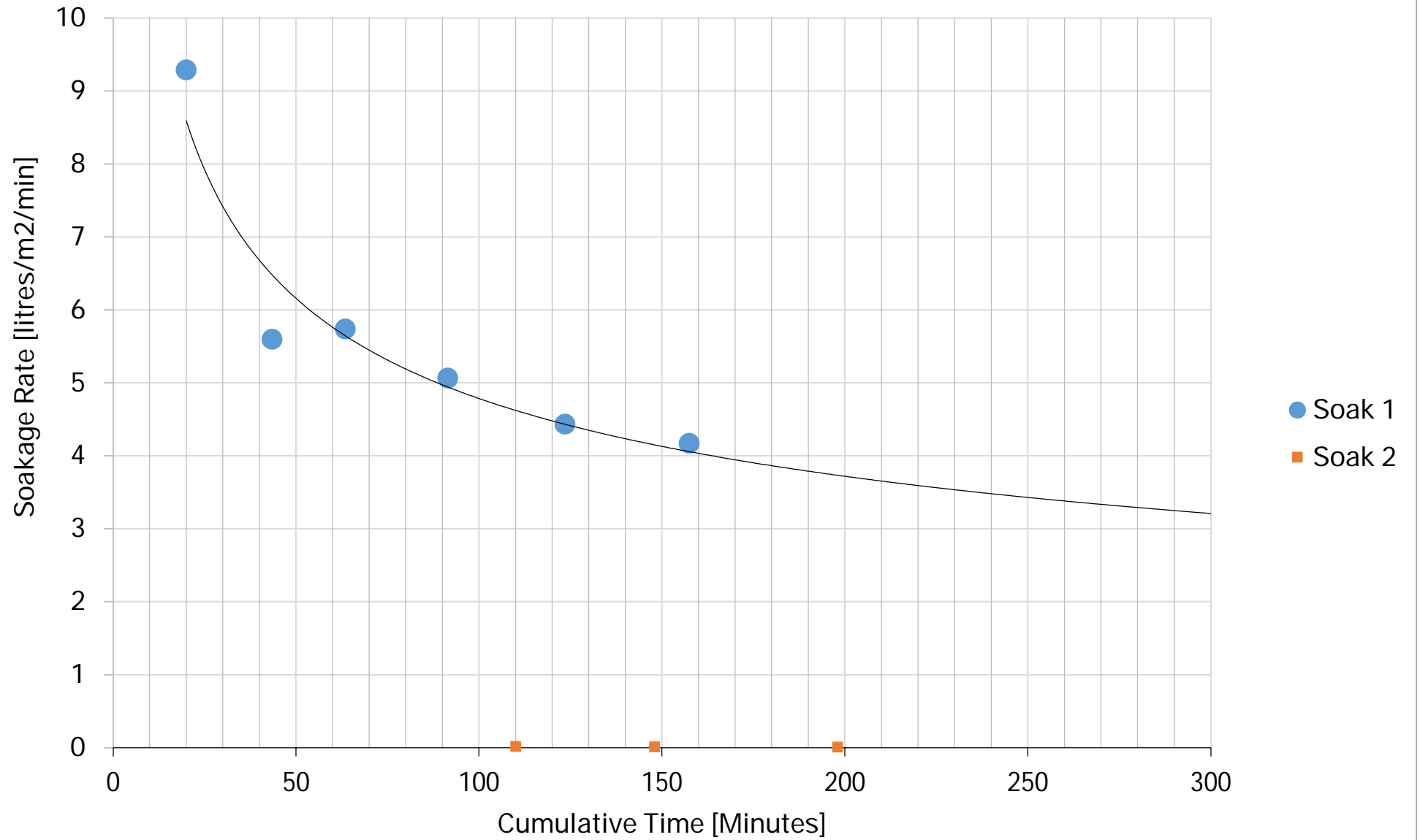




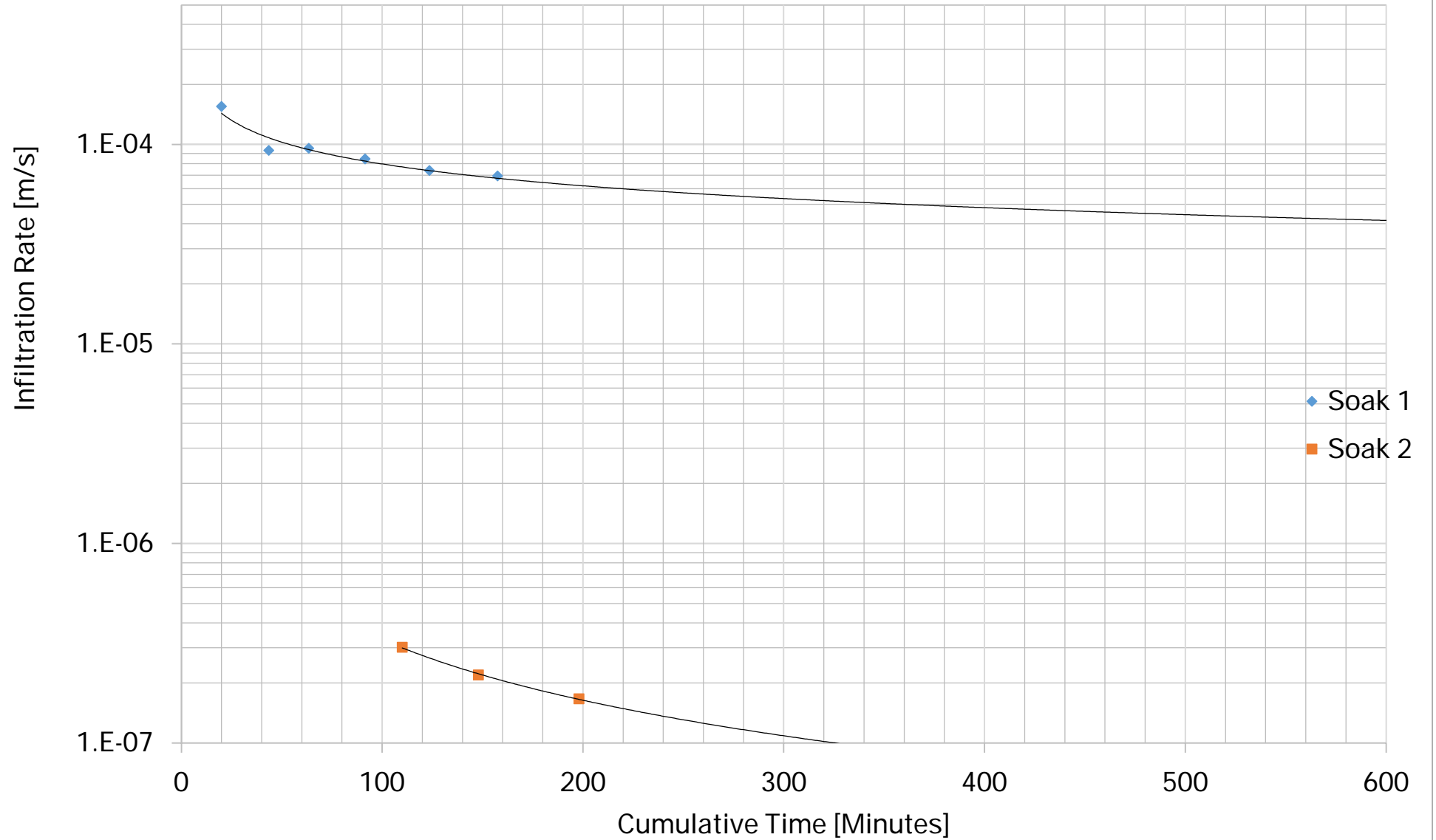


# Appendix E: Soakage Graphs

# Soak Test Results



# Soak Test Results



# Appendix F: Earthworks Plans



**EARTHWORKS DEPTH KEY:**

	Fill Depth 0.15m to 0.5m		Cut Depth 0.15m to 0.5m
	Fill Depth 0.5m to 1.0m		Cut Depth 0.5m to 1.0m
	Fill Depth 1.0m to 1.5m		Cut Depth 1.0m to 1.5m
	Fill Depth 1.5m to 2.0m		Cut Depth 1.5m to 2.0m
	Fill Depth 2.0m to 2.5m		Cut Depth 2.0m to 2.5m
			Cut Depth 2.5m to 3.0m
			Cut Depth 3.0m to 3.5m

**EARTHWORKS SUMMARY**

<u>Volumes</u>	
Cut	2,579m <sup>3</sup>
Fill	3,120m <sup>3</sup>
Area	9,510m <sup>2</sup>

**NOTES**

- Original ground surface supplied by PPG in combination with surveys completed by JEA.
- Boundaries are sourced from LINZ.
- Contour interval 1.0m.
- No allowance has been made for topsoil.
- Cut/fill between +/-0.15m have not been shown, these will be assessed onsite at the time of construction.

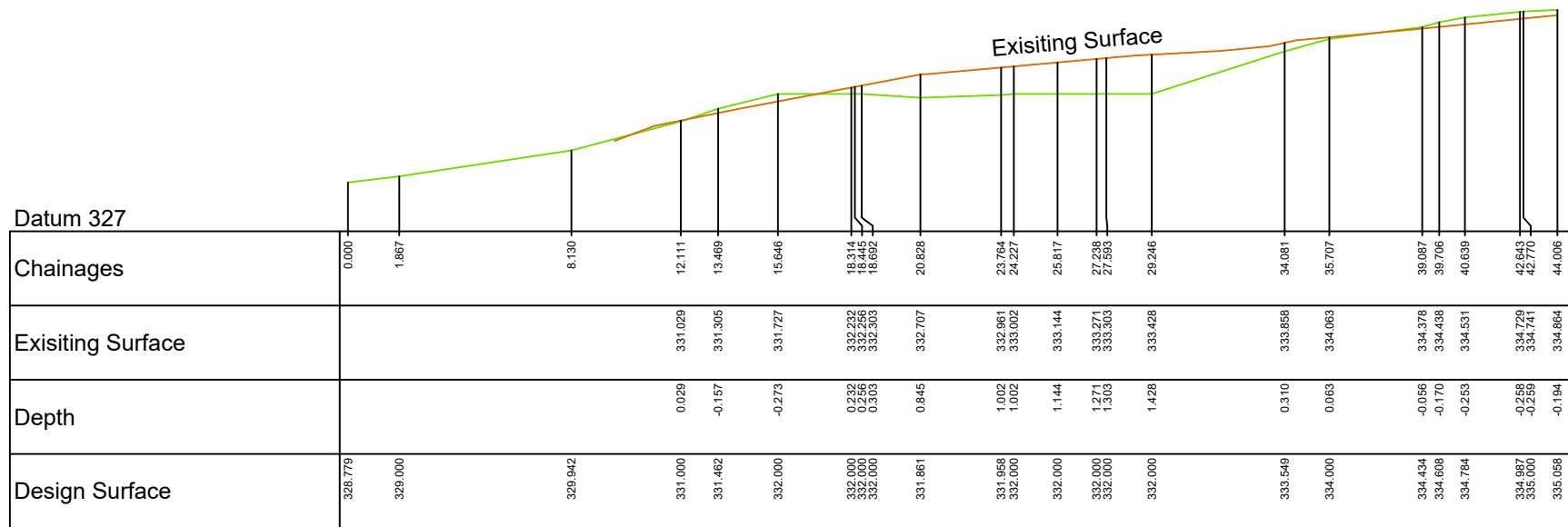
ISSUED FOR REVIEW - 6.7.21

CLIENT  
**B Property Group**

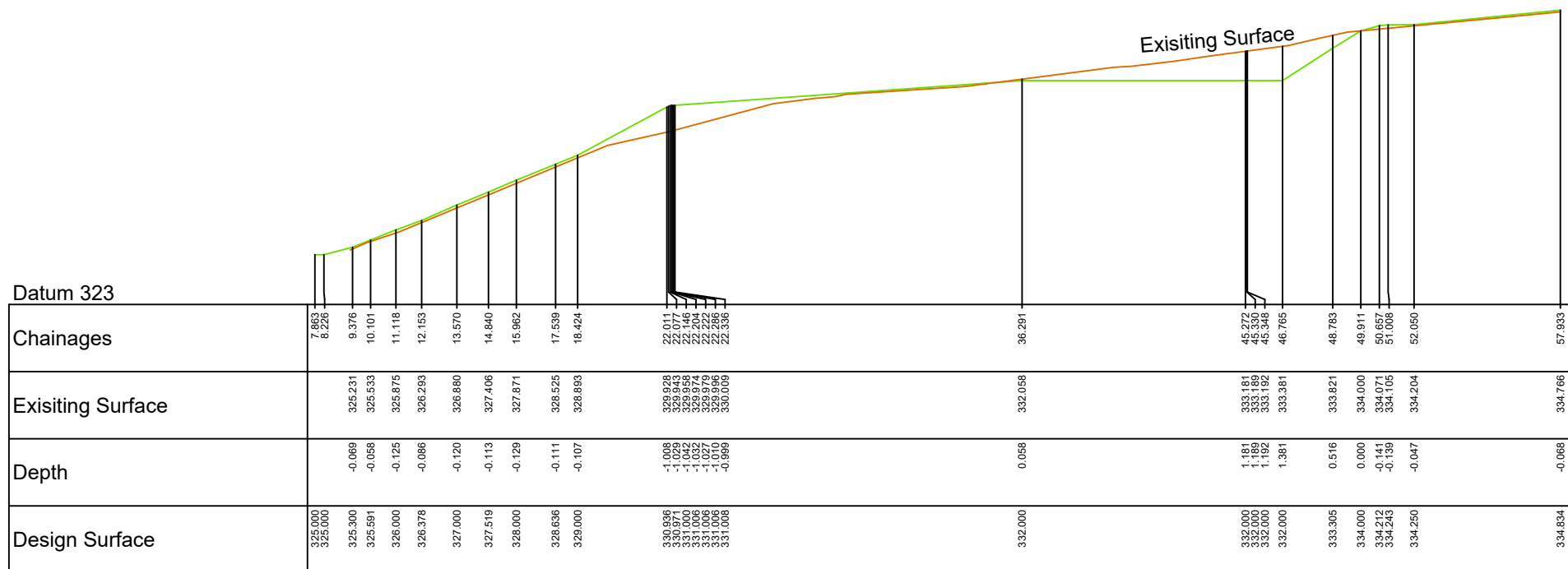
NOTES:  
 • ALL DIMENSIONS SHOWN ARE IN METERS UNLESS SHOWN OTHERWISE.  
 • CHECK ELECTRONIC DATA AGAINST LATEST HARD COPY VERSION.  
 • COPYRIGHT ON THIS DRAWING IS RESERVED.  
 • THIS PLAN MAY BE SUBJECT TO FINAL SURVEY.

**Earthworks Plan - Sheet 1 of 4**  
**Waimarino Development**  
**Bobs Cove**

REV.	DATE	REVISION DETAILS	BY	SURVEYED	SIGNED	DATE	JOB NO.	DRAWING NO.
B	6.7.21	VILLA AMENDMENTS	CW	CW	CW	Varies	19184	04.01
				DRAWN	CHECKED	DATE	SCALE	
				CW	CW	08.07.21	1:1 @ A3	
DATUM & LEVEL								REV.
MT NIC 2000 - NZVD16								B



Section A



Section B

ISSUED FOR REVIEW - 4.6.21



CLIENT  
**B Property Group**

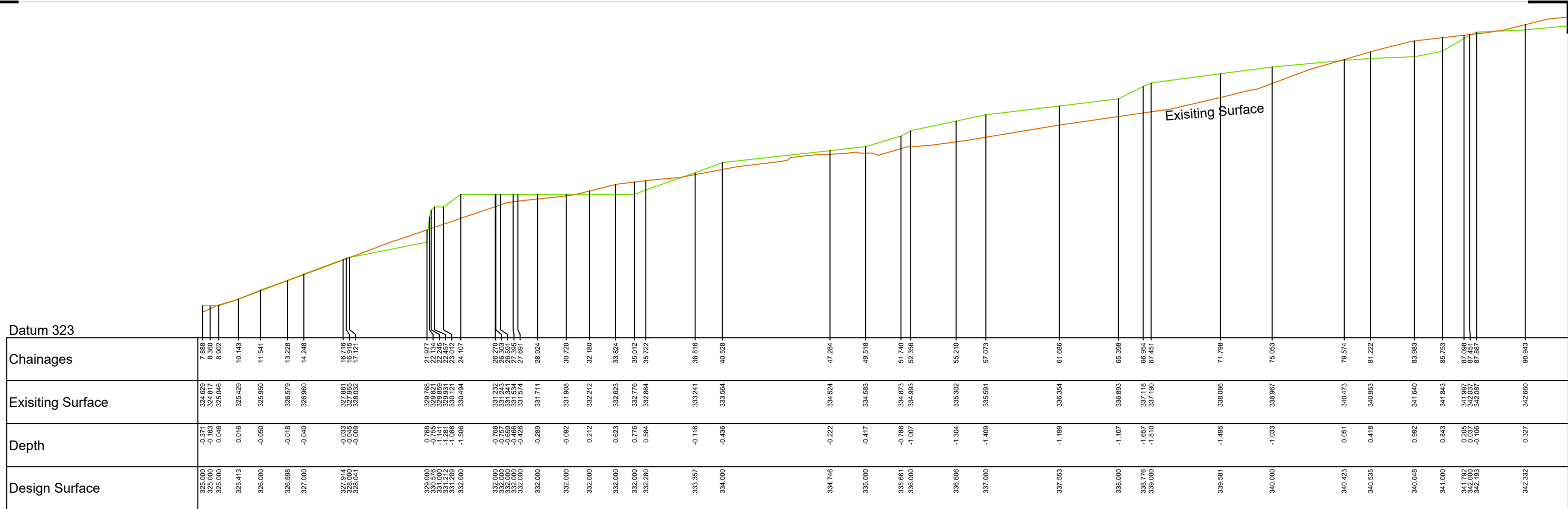
NOTES:  
 • ALL DIMENSIONS SHOWN ARE IN METERS UNLESS SHOWN OTHERWISE.  
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## Earthworks Plan - Sections - Sheet 2 of 4

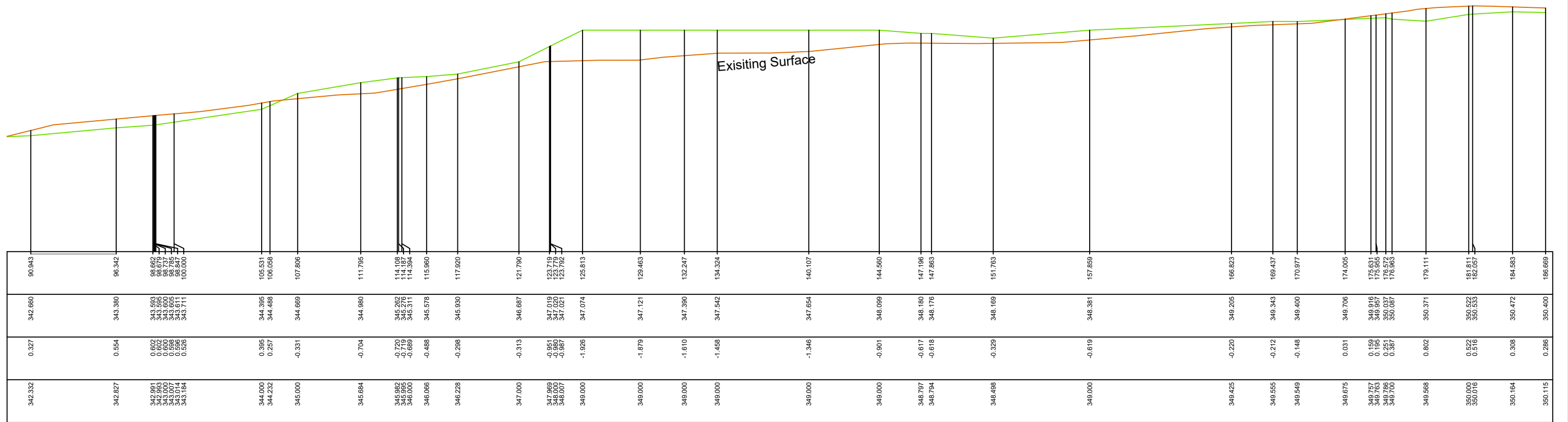
### Waimarino Development

### Bobs Cove

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				DRAWN	CHECKED	DATE	SCALE	
				CW	CW	08.07.21	1:250 @ A3	
DATUM & LEVEL <b>MT NIC 2000 - NZVD16</b>								REV. -



Section C



Section C

ISSUED FOR REVIEW - 4.6.21



CLIENT  
**B Property Group**

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**Earthworks Plan - Sections - Sheet 3 of 4**  
**Waimarino Development**  
**Bobs Cove**

REV.	DATE	REVISION DETAILS	BY	SURVEYED	SIGNED	DATE	JOB NO.	DRAWING NO.
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DATUM & LEVEL <b>MT NIC 2000 - NZVD16</b>								REV. -

