

**APPLICATION AS NOTIFIED**

**B & M Davies & T Sycamore**

**(RM220104)**

**Submissions Close 18.11.22**

# FORM 12

File Number RM220104

## 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 & M Davies & T Sycamore

**What is proposed:**

Consent to establish two new residential units (resulting in a total of three residential units on the site) with associated breaches in relation to zoning and earthworks standards, and Consent Notice requirements.

- There are currently two existing residential units established on site. One of the residential units is to remain as is, and no changes are sought by this proposal; while the other is to be replaced by a new residential unit proposed by this application. The application also includes the establishment of an additional residential unit (referred to as a 'Guest House' in the application). The proposed development will be partially outside the building platform and will result in breaches relating to density of development, building coverage, building height, roof pitch and setback distances from a waterbody.
- A total volume of 4,160m<sup>3</sup> (cut and fill) is proposed over an area of 5,000m<sup>2</sup>, with the maximum depth of cut being 4.5m and the maximum height of fill being 1.8m. The application seeks to transport a total volume of 3,360m<sup>3</sup> from the site. In addition, some of the earthworks are proposed to be undertaken within 10m of the onsite waterbody.

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

903 Lake Hayes-Arrowtown Junction Highway, 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 RM220104 as the reference <https://edocs.qldc.govt.nz/Account/Login>

The Council planner processing this application on behalf of the Council is Ruth Mackay, who may be contacted by phone at 03 450 0304 or email at [ruth.mackay@qldc.govt.nz](mailto:ruth.mackay@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:**

**Friday 18<sup>th</sup> November 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 as soon as reasonably practicable after serving your submission to Council. The applicant's contact details for service are:

C/- Morgan Shepherd  
[Morgan@brownandcompany.co.nz](mailto:Morgan@brownandcompany.co.nz)  
Brown & Company Planning Group Limited,  
The Forge Building,  
Level 1/20 Athol Street,  
Queenstown 9300

**QUEENSTOWN LAKES DISTRICT COUNCIL**



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

**Date of Notification: Thursday 20<sup>th</sup> October 2022**

**Address for Service for Consent Authority:**

<b>Queenstown Lakes District Council</b>	<b>Phone</b>	<b>03 441 0499</b>
<b>Private Bag 50072, Queenstown 9348</b>	<b>Email</b>	<b>rcsubmission@qldc.govt.nz</b>
<b>Gorge Road, Queenstown 9300</b>	<b>Website</b>	<b>www.qldc.govt.nz</b>



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: **Bridget & Michael Davies and Tony Sycamore**  
(Name Decision is to be issued in)

All trustee names (if applicable):

\*Contact name for company or trust: **Michael Davies**

\*Postal Address: **156 Hogans Gully Road**

\*Post code:  
**9371**

\*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: **mike@trojanholdings.co.nz**

\*Phone Numbers: Day **027 432 4692**

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: **Morgan Shepherd - Brown & Company Planning Group**

\*Phone Numbers: Day **03 409 2259**

Mobile: **021 246 7597**

\*Email Address: **morgan@brownandcompany.co.nz**

\*Postal Address: **PO Box 1467**

\*Postcode:  
**9305**



## 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: **Michael Davies**

\*Postal Address: **As above**

\*Post code:

\*Please provide an email AND full postal address.

\*Email: **As above**



## 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: Michael Davies

\*Email: As above

[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:

903 Lake Hayes-Arrow Junction Highway

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

Lot 4 DP 453236 & Lot 1 DP 443715

District Plan Zone(s):WBRAZ



## 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

Please make contact prior to visiting the site



## 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:

Establish a new dwelling on the site



## 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 details in the invoicing section are responsible for payment of invoices and in addition will be liable to pay all costs and expenses of debt recovery and/or legal costs incurred by QLDC related to the enforcement of any debt.

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

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

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

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

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



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

Please reference your payments as follows:

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

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

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

- I confirm payment by:
- Bank transfer to account 02 0948 0002000 00(If paying from overseas swiftcode is – BKNZ222)
  - Invoice for initial fee requested and payment to follow
  - Manual Payment (can only be accepted once application has been lodged and acknowledgement email received with your unique RM reference number)

\*Reference **RMDAVIES**

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

\$3000 - Non-complying Activities (overall consent status) 

(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 **2/22/22**

Invoices are available on request



## APPLICATION & DECLARATION

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



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

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

OR:



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

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



PLEASE TICK

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.



Signed (by or as authorised agent of the Applicant) **	
Full name of person lodging this form	<b>Morgan Shepherd</b>
Firm/Company	<b>Brown &amp; Company</b>
Dated	<b>22 Feb 22</b>

\*\*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;

Information provided within the Form above

- (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).

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

- (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.

#### 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 Roading)

[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	Engineering Report
Assessment of Environmental Effects (AEE)	Geotechnical Report
Computer Register (CFR)	Wastewater Assessment
Covenants & Consent Notice	Traffic Report
Affected Party Approval/s	Waste Event Form
Landscape Report	Urban Design Report
Ecological Report	

# **Bridget & Michael Davies**

**Application for a new residential unit at 903 Lake Hayes-Arrow  
Junction Highway, Queenstown.**

**22 March 2022**

**BROWN & COMPANY**  
P L A N N I N G   G R O U P



APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 AND SECTION 127  
OF THE RESOURCE MANAGEMENT ACT 1991

To: **Queenstown Lakes District Council**

**B & M Davies**

c/- Brown & Company Planning Group Ltd, PO Box 1467, Queenstown, applies for resource consent as follows.

**1. The names and addresses of the owner and occupier (other than the applicant) of any land to which the application relates are as follows:**

The applicants are the owners of the land.

**2. The land to which the application relates ("site") is:**

The site is located at 903 Lake Hayes-Arrow Junction Highway. The land is legally described as Lot 2 DP 443715 and is 67,810m<sup>2</sup> in area with a registered building platform.

A copy of the Record of Title is at [Attachment B](#).

**3. The type of resource consent sought is as follows:**

- Land use consent pursuant to Section 88 of the Act; and
- Consent to vary a consent notice pursuant to Section 221 of the Act

**4. A description of the activity to which the application relates is:**

The applicant proposes to construct a new residential unit on the site, partially outside the building platform.

A detailed description of the proposal is contained in the Assessment of Environmental Effects ([Attachment A](#)).

**5. The following additional resource consents are required in relation to this proposal and have or have not been applied for:**

No additional resource consents have been identified; however this application seeks any other consents that are required.

**6. I attach an assessment of any effects that the proposed activity may have on the environment in accordance with section 88 of, and the Fourth Schedule to, the Act:**

The Assessment of Environmental Effects is at [Attachment A](#).

**7. I attach other information (if any), required to be included in the application by the district plan or regional plan or regulations.**

All information is contained in the application, the Assessment of Effects on the Environment (**Attachment A**) and the plans provided.

**8. Where the application is for subdivision consent:**

Not applicable.

## 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 complete and accurate.*

*If signing 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 the Fees Information section.*

*If signing 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 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.*

.....  
for Brown & Company Planning Group  
on behalf of

**B & M Davies**

**22 March 2022**

### **Address for service of the applicant:**

B & M Davies  
c/- Brown & Company Planning Group  
PO Box 1467  
Queenstown 9348

Attention: Morgan Shepherd

Telephone: 03 409 2258

Mobile: 021 246 7597

Email: [morgan@brownandcompany.co.nz](mailto:morgan@brownandcompany.co.nz)

### **Address for Invoicing:**

B & M Davies  
156 Hogans Gully Road  
RD 1  
Queenstown 9371

## **Attachments**

- A** An assessment of effects on the environment in accordance with the Fourth Schedule to the Act
- B** Record of Title & relevant Instruments
- C** Architectural Plans
- D** Landscape Assessment & Attachments
- E** Earthworks Plans
- F** Servicing Report
- G** Geotechnical Report
- H** Water Quality Improvement Plan
- I** Form 9

## FOURTH SCHEDULE ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

### 1. A description of the proposal:

#### 1.1 Scope of this Document

This Assessment of Effects on the Environment (**AEE**) is submitted in fulfilment of the applicant's duties under the Resource Management Act 1991 (**RMA**). The AEE addresses matters relating to this land use consent application to the Queenstown Lakes District Council (**QLDC** or **the Council**) for the proposal.

This AEE has been prepared in accordance with the requirements of section 88 and the Fourth Schedule of the RMA and provides all information necessary for a full understanding of the proposal and the effects it will have on the environment. To this end, the AEE contains the following information:

- A description of the Site and surrounding locality;
- A description of the proposal;
- Relevant provisions of the QLDC's District Plan;
- An assessment of effects on the environment, including analysis of relevant assessment matters;
- Part 2 RMA considerations; and
- Section 95 Assessment.

#### 1.2 The site and locality

The subject site is located at 903 Lake Hayes-Arrow Junction Highway. The site is accessed from a joint access point off the State Highway which also provides access to the Bendemeer subdivision and the carparking area for Wet Jacket Wines.

The site is located approximately 450m east of the Lake Hayes eastern shoreline and is elevated approximately 140m above the lake level. There are two existing residential units and an accessory building (85m<sup>2</sup>) located on the site. The main residential unit is centrally located on the site within the registered building platform and the second unit (129m<sup>2</sup>) is located in the eastern corner of the site as seen in the site plan (**Attachment D**).

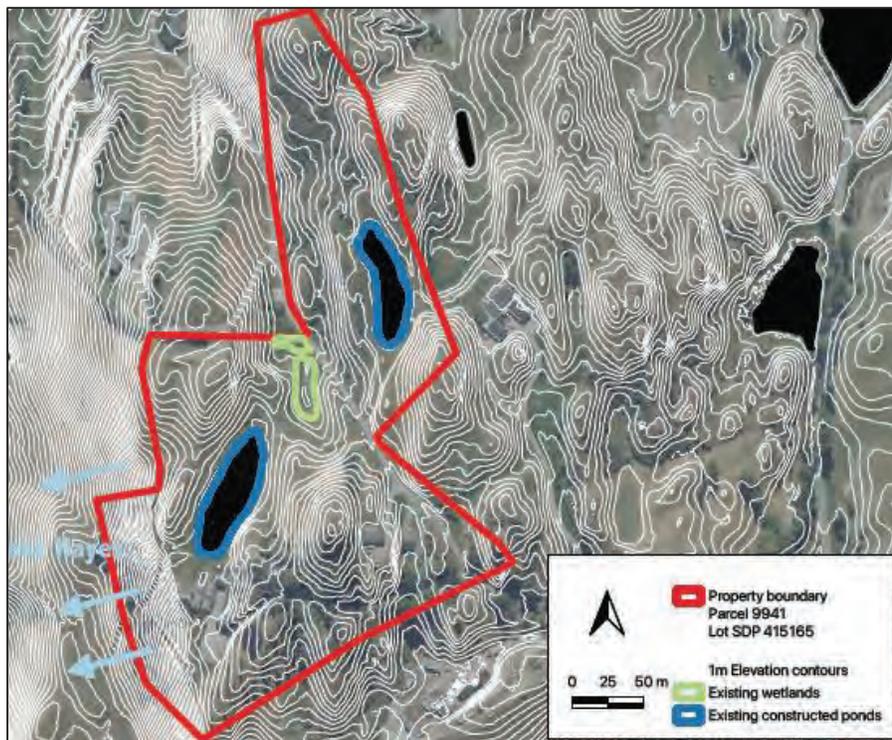
The location and extent of the site is illustrated in **Figure 1** below.



**Figure 1:** Location of the site

There are well established trees and shrubs across the site, a pool, pond and manicured lawn to the north of the building platform and main dwelling.

There are two man-made surface water ponds located in the southwest and northeast part of the site, which have been present since at least the early 2000s and provide storage for an irrigation scheme which services the subject site and a number of surrounding sites. There are also natural inland wetlands located between the two ponds to the southwest of the road that bisects the property as seen in **Figure 2** below. The wetlands are approximately 523m<sup>2</sup> and 153m<sup>2</sup>.



**Figure 2.** Aerial illustrating locations of ponds and wetlands

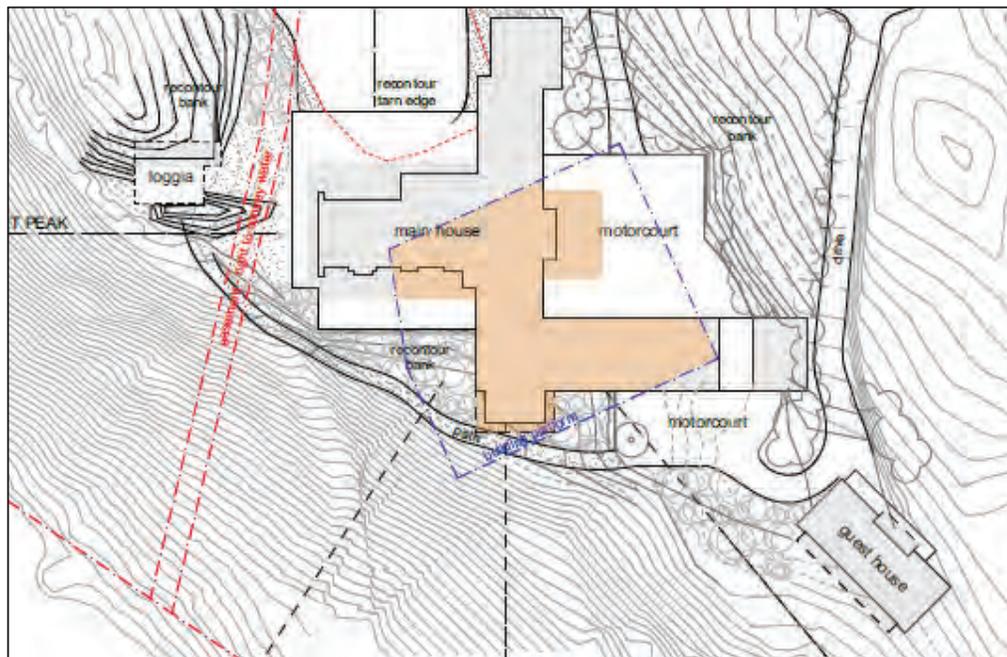
### 1.3 Consent History

The relevant consenting history is set out below:

- RM031125** Land use consent to identify a new residential building platform around an existing dwelling on proposed Lot 1 with associated design controls; and for a subdivision consent to subdivide Lot 15 DP 301727 into two allotments.
- RM041240** Land use consent to construct a cottage and new farm shed.
- RM071221** Consent to subdivide Lot 2 DP 381696 and Part Lot 1 DP 369380 into three residential lots and an access lot.
- RM071098** Consent to subdivide Lot 1 DP 396380 and Lot 2 DP 381696 by way of boundary adjustment.

### 1.4 The Proposal

It is proposed to demolish the existing residential dwelling that is located within the building platform on the site and construct two new residential units<sup>1</sup>, one being the detached guest house which will function as an accessory building / residential flat to the main dwelling. The proposed buildings are partially located within the building platform as illustrated in the Architectural Plans (**Attachment C**) and **Figure 3** below.



**Figure 3.** Proposed residential unit location plan (portion of building within the building platform shaded orange)

The proposal presents 1335m<sup>2</sup> of building coverage with the residential unit consisting of three bedrooms and associated bathrooms with a large open living area that flows outdoors to the terrace area and overlooking the pond. The proposal includes two garages, loggia and a large courtyard area. The guest house consists of two bedrooms at each end and a kitchen and a centrally located kitchen and living area. The proposed buildings are recessed into the escarpment landform and proposed to be clad in locally sourced schist.

<sup>1</sup> The total floor area of the guest house is 178m<sup>2</sup> and therefore it does not meet the definition of residential flat

The proposal includes 4160m<sup>3</sup> of cut and fill across 5000m<sup>2</sup> of the site to recontour and prepare the accessway, courtyard and building platforms for the proposed new buildings.

## 1.5 Resource Management Matters

The District Plan has been progressively reviewed since 2015 and the site has been zoned Wakatipu Basin Rural Amenity Zone (**WBRAZ**) under Stage 2 of the Proposed District Plan (**PDP**), the provisions of which have legal effect. Appeals have significantly progressed, and a number of consent orders have been issued, including on Chapter 24 Wakatipu Basin.

### 1.5.1 Proposed District Plan

The relevant PDP provisions (activities and standards) are set out in **Tables 1 and 2** below.

**Table 1. Relevant activity rules**

Provision	Detail	Activity status – consent required?
<b>Chapter 24 – Wakatipu Basin</b>		
24.4.5	The construction of buildings for residential activity, including residential flats, that are located within a building platform approved by a resource consent and registered on the applicable record of title.	<b>Yes – Controlled</b> activity consent is required for the part of the proposed building that is within the building platform
24.4.7	The construction of buildings for residential activity outside a building platform approved by resource consent and registered on the applicable record of title on a site where there is such a building platform	<b>Yes – Non-complying</b> activity consent is required for the parts of the proposed building that are located outside the building platform.

**Table 2. Relevant standards**

Provision	Detail	Activity status if breached	Consent required?
<b>Chapter 24 – Wakatipu Basin</b>			
24.5.1.4*	Any site in the Wakatipu Basin Rural Amenity Zone located wholly outside the Precinct in respect of which resource consent creating the site was granted before 21 March 2019, and a record of title subsequently issued, and with an area less than 80 hectares, a maximum of one residential unit per site.	<b>Non-complying</b>	<b>Yes – Non-complying</b> activity consent is required as there is three residential units on the site, of which one is being replaced by the proposal. The total number of units exceeds one per site.
25.5.4	<b>Building Material and Colours</b> Any building and its alteration, including shipping containers that remain on site for more than six months, are subject to the following: All exterior surfaces* must be coloured in the range of browns, greens or greys including;	<b>Restricted Discretionary</b>	<b>No</b> – the external building materials and colours will meet these standards.

Provision	Detail	Activity status if breached	Consent required?
<b>Chapter 24 – Wakatipu Basin</b>			
	<p>24.5.3.1 Pre-painted steel and all roofs must have a light reflectance value not greater than 20%; and</p> <p>24.5.3.2 All other exterior 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>** Includes cladding and built landscaping that cannot be measured by way of light reflectance value but is deemed by the Council to be suitably recessive and have the same effect as achieving a light reflectance value of 30%.</p>		
24.5.5*	<p><b>Building Ground Floor Area</b></p> <p>Where a residential building is constructed within a building platform under Rule 24.4.5, the ground floor area of all buildings must not exceed 500m<sup>2</sup>.</p>	<b>Restricted Discretionary</b>	<b>Yes – Restricted Discretionary</b> activity consent is required for 588m <sup>2</sup> of building within the building platform.
24.5.6*	<p><b>Building Coverage</b></p> <p>The building coverage of all buildings on a site not subject to Rule 24.5.5 must not exceed 15% of net site area, or 500m<sup>2</sup>, whichever is lesser.</p>	<b>Restricted Discretionary</b>	<b>Yes – Restricted Discretionary</b> activity consent is required for 961m <sup>2</sup> of building coverage (excluding the portion of the building that is subject to Rule 24.5.5) including the existing shed and cottage.
24.5.7*	<p><b>Setback from Internal Boundaries</b></p> <p>The minimum setback of any building from internal boundaries shall be 10m.</p>	<b>Restricted Discretionary</b>	<b>No</b> – the proposed building will be setback more than 10m from all internal boundaries.
24.5.8.1*	<p><b>Height of buildings</b></p> <p>The maximum height of buildings shall be 6.5m.</p>	<b>Restricted Discretionary</b>	<b>No</b> – the building sits below the 6.5m height plane with a 0.671m chimney protrusion which is exempt by the building height definition <sup>2</sup> .
24.5.8.2	<p>The maximum height of buildings shall be 8m.</p>	<b>Non-complying</b>	<b>No</b> – the proposed building does not exceed 8m in height.
24.5.9.1*	<p><b>Setback from roads</b></p>	<b>Restricted Discretionary</b>	<b>No</b> – the site does not have a road boundary.

<sup>2</sup> Means the vertical distance between ground level (as defined), unless otherwise specified in a District Plan rule, at any point and the highest part of the building immediately above that point. For the purpose of calculating height in all zones, account shall be taken of parapets, but not of:

a...

b. chimneys or finials (not exceeding 1.1m in any direction); provided that the maximum height normally permitted by the rules is not exceeded by more than 1.5m.

Provision	Detail	Activity status if breached	Consent required?
<b>Chapter 24 – Wakatipu Basin</b>			
	The minimum setback of any building from any road boundary (other than an unformed road) shall be 20m.		
24.5.12	<p><b>Setback of buildings from waterbodies</b></p> <p>The minimum setback of any building from the bed of a wetland, river or lake shall be 30m.</p> <p>This rule does not apply to:</p> <ol style="list-style-type: none"> <li>Waterbodies that have been built as part of a subdivision or development for the primary purpose of treating and disposing stormwater, or</li> <li>The construction of buildings for residential activities pursuant to Rule 24.4.5.</li> </ol>	<b>Restricted Discretionary</b>	<b>Yes – Restricted Discretionary</b> activity consent is required as the pond meets the definition of 'lake' and the proposal (the portion that is not subject to Rule 24.4.5) is built up to the edge of the pond with the terrace extending over the water in places.
24.5.17	<p><b>Glare</b></p> <ol style="list-style-type: none"> <li>All fixed exterior lighting shall be directed away from adjacent roads and sites.</li> <li>Activities on any site shall not result in more than a 3 lux spill (horizontal and vertical) of light to any other site, measured at any point within the boundary of the other site.</li> <li>There shall be no upward light spill</li> </ol>	<b>Restricted Discretionary</b>	<b>No</b> – the proposal will comply with the glare standards.
24.5.19	<p><b>Firefighting water and access</b></p> <p>New buildings for residential activities where there is no reticulated water supply, or any reticulated water supply is not sufficient for firefighting, must have one of the following: either a sprinkler system installed and plumbed with a maintained static water storage supply of at least 7,000 litres available to the system, or water supply and access for firefighting that meets the following requirements:</p> <ol style="list-style-type: none"> <li>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;</li> <li>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;</li> <li>The connection point or the firefighting water supply must be</li> </ol>	<b>Restricted Discretionary</b>	<b>No</b> – 45,000L of firefighting water supply can be accommodated on site within tanks.

Provision	Detail	Activity status if breached	Consent required?
<b>Chapter 24 – Wakatipu Basin</b>			
	located more than 6m and less than 90m from the building for residential activities and be accessible by emergency service vehicles during fire events; d. Access from the property road boundary to the hardstand area capable of accommodating a 20 tonne fire service vehicle.		
<b>Chapter 25 – Earthworks</b>			
25.4.2	Earthworks that do not comply with the standards for the maximum total volume of earthworks in Table 25.2	<b>Restricted Discretionary</b>	<b>Yes – Restricted Discretionary</b> activity consent is required for 4160m <sup>3</sup> of earthworks.
25.5.4	Maximum volume 400m <sup>3</sup>	<b>Restricted Discretionary</b>	<b>Yes</b> – as above.
25.5.11	Earthworks over a contiguous area of land shall not exceed the following: 1. 2500m <sup>2</sup> where the slope is 10° or greater 2. 10,000m <sup>2</sup> where the slope is less than 10°	<b>Restricted Discretionary</b>	<b>No</b> – area of earthworks greater than 10° = 2000m <sup>2</sup> and area of earthworks less than 10° = 3000m <sup>2</sup> .
25.5.12	Erosion and sediment control measures must be implemented and maintained during earthworks to minimise the amount of sediment existing the site, entering water bodies, and stormwater networks	<b>Restricted discretionary</b>	<b>No</b> – appropriate erosion and sediment control measured will be implemented and maintained.
25.5.15	The maximum depth of any cut shall not exceed 2.4m	<b>Restricted Discretionary</b>	<b>Yes – Restricted Discretionary</b> activity consent is required for a 4.5m cut for the loggia.
25.5.16	The maximum height of any fill shall not exceed 2m	<b>Restricted Discretionary</b>	<b>No</b> – the maximum height of fill if 1.8m which is required to infill the existing swimming pool.
25.5.19	<b>Water bodies</b> 1. Earthworks within 10m of the bed of any water body <sup>3</sup> , 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. 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	<b>Restricted Discretionary</b>	<b>Yes – Restricted Discretionary</b> activity consent is required for more than 5m <sup>3</sup> of earthworks within 10m of the pond.

<sup>3</sup> **Waterbody:** means fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area.

Provision	Detail	Activity status if breached	Consent required?
<b>Chapter 24 – Wakatipu Basin</b>			
	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.  These rules shall not apply to: <ol style="list-style-type: none"> <li>Any artificial water body (watercourse, lake, pond or wetland) that does not flow to a lake or river, including Lake Tewa within the Jacks Point Zone;</li> <li>Maintenance and repairing of existing hazard protection structures in and around a water body; or</li> <li>Earthworks to clear debris affecting existing structures including water intakes.</li> </ol>		
25.5.21	<b>Cleanfill<sup>4</sup></b> No more than 300m <sup>3</sup> of Cleanfill shall be transported by road to or from an area subject to earthworks	<b>Restricted Discretionary</b>	<b>Yes – Restricted Discretionary</b> activity is required for up to 3360m <sup>3</sup> to be transported from the site.

### 1.5.2 Changes to Consent Notice 7326314.3

In order to give effect to the proposed residential dwelling, it is proposed to amend the following consent notice conditions. The proposed changes are as follows (tracked in ~~deletion~~ and addition form):

- All structures shall be located within the building platform as shown on the subdivision plan Ref 5424/6 updated 20 December 2005 (stamped approved on 16 February 2006) with the exception of the development approved under RMXXXXX.***
- The maximum height of any new dwelling or alterations to the existing dwelling shall not exceed 6 metres above ground level with the exception of the dwelling approved unit RMXXXXXX.***
- Any new dwelling or alterations to the existing dwelling shall have a roof pitch of between 22.5 and 55 degrees in slope. Flat roofs are only permitted as connections between structures and are not to exceed 20% of the total area with the exception of the development approved under RMXXXXXX.***

### 1.5.3 Summary of consents required

In summary, the following consents are required for the proposal:

<sup>4</sup> **Cleanfill:** means material that, when buried, will have no adverse effect on people or the environment. Cleanfill material includes virgin natural materials such as clay, soil and rock, and other inert materials, such as concrete or brick, that are free of:

- Combustible, putrescible, degradable or leachable components;
- Hazardous substances;
- Products or materials derived from hazardous waste treatment, hazardous waste stabilisation, or hazardous waste disposal practices;
- Materials that may present a risk to human or animal health, such as medical and veterinary waste, asbestos or radioactive substances; or
- Liquid waste

- A **controlled** activity consent pursuant to Rule 24.4.5 for building within the building platform;
- A **non-complying** activity consent pursuant to Rule 24.4.7 for the parts of the proposed building that are located outside the building platform;
- A **non-complying** activity consent pursuant to Rule 24.5.1.4 for more than one residential unit on a site less than 80ha;
- A **restricted discretionary** activity consent pursuant to Rule 24.5.5 for a building greater than 500m<sup>2</sup>;
- A **restricted discretionary** activity consent pursuant to Rule 24.5.6 for building coverage greater than 500m<sup>2</sup> (outside a building platform);
- A **restricted discretionary** activity consent pursuant to Rule 24.5.12 for building within 30m of a waterbody;
- A **restricted discretionary** activity consent pursuant to Rule 25.4.2 to breach the maximum earthworks volumes;
- A **restricted discretionary** activity consent pursuant to Rule 25.5.15 for cut exceeding 2.4m in depth;
- A **restricted discretionary** activity consent pursuant to Rule 25.5.19 for earthworks within 10m of a waterbody;
- A **restricted discretionary** activity consent pursuant to Rule 25.5.21 to transport more than 300m<sup>3</sup> of cleanfill from the site; and
- A **discretionary** activity consent pursuant to Section 127 of the Act for a variation of a consent notice condition.

Overall, consent for a **non-complying** activity is required.

**2. Where it is likely that an activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:**

The proposal does not result in any significant adverse effects on the environment for the reasons set out in Part 3 below.

**3. An assessment of the actual or potential effect on the environment of the proposed activity:**

**3.1 Introduction**

The assessment of effects on the environment addresses:

- Permitted baseline and existing environment;
- Effects relating to variation of consent notice conditions;
- Effects on landscape character associated with the bulk and external appearance of buildings;

- Effects of landform modification and landscaping;
- Effects relating to infrastructure and servicing;
- Assessment matters in relation to water quality improvement; and
- Summary of effects.

### **3.2 Permitted baseline and existing environment**

When determining the actual and potential effects of an application for resource consent, the permitted baseline allows a comparison of the potential adverse effects of the proposal against what is permitted under the District Plan (the permitted baseline) and what has been lawfully undertaken on the site (the existing environment).

#### ***Permitted baseline***

In this instance, the alteration of any lawfully established building used for residential and non-residential activity is permitted subject to compliance with the relevant standards.

In relation to earthworks, the permitted activity includes 400m<sup>3</sup> of earthworks and a maximum fill height of 2m and depth of 2.4m, provided they are setback 10m from the bed of any waterbody.

#### ***Existing environment***

The existing environment includes the following:

- An existing residential dwelling, including a swimming pool located within the building platform;
- A second residential dwelling located to the north of the driveway to the main dwelling. This building is commonly referred to as 'the cottage';
- A shed in the vicinity of the cottage
- Two ponds; and
- Associated access, servicing and mature landscaping.

### **3.3 Effects relating to consent notice variations**

The proposed variations relate to the buildings located within the building platform, maximum building height and roof pitch. The proposal is in part located outside the building platform, exceeds the 6m height limit in places and has a flat membrane roof.

The basis of such consent notice conditions relates to landscape matters and the proposal is supportable from a landscape perspective and will not be any more visible than the existing dwelling for the reasons discussed in the Landscape Assessment (**Attachment D**). Therefore the proposed variations to the conditions to allow for the proposed design will not result in adverse effects on the surrounding environment.

### **3.4 Effects on landscape character associated with the bulk and external appearance of buildings**

The site is located within the Lake Hayes Slopes Landscape Character Unit (LCU 13). This LCU is identified as having a low capability to absorb additional development, a generally low degree of naturalness as a consequence of the frequency and exposure of buildings, and a low

level of landscape coherence due to the open and exposed character, together with the frequency of highly visible large-scale buildings and winding roads up steep hill slopes.<sup>5</sup>

The proposed residential unit is located in the general location of the existing dwelling with the exception of the extension outside the building platform and the proposed location of the guest house. Whilst the proposed unit is substantially larger (in ground floor area) than the existing, it is a lower structure, and the bulk of the building is to the east of the existing dwelling and well set back from the escarpment edge. In addition, the external materials proposed (schist cladding) will ensure the buildings are visually recessive and fit within the existing landscape character.

As discussed in the Landscape Assessment (**Attachment D**), the proposal is no more visible than the existing dwelling which is difficult to perceive from any public viewpoints and it will maintain the existing rural landscape character.

### **3.5 Effects of landform modification and landscaping**

The proposal requires earthworks to realign the accessway and courtyard area and prepare the building platforms as illustrated in the Earthworks Plans (**Attachment E**). The proposed earthworks also include reshaping the existing knoll to the northeast of the pond and some minor earthworks within the pond to allow for the construction of the terrace area. These earthworks have been carefully designed to ensure they are contained within the existing landform and do not result in any noticeable modifications from outside the site.

The applicant is prepared to accept the standard Environmental Management conditions to ensure the appropriate measures are implemented to avoid any potential adverse effects associated with earthworks during the construction phase.

There is a significant amount of existing mature landscaping on the site, including along the driveway adjoining 901C Arrowtown-Lake Hayes Road and down the slope to the west of the site. As previously discussed, the proposal is within the vicinity of the existing dwelling and building platform and therefore limited vegetation removal is required. The proposal does not include any mitigation planting as it is no more visible than the existing dwelling and will not result in adverse effects on the existing landscape character. It is anticipated that the applicant will progress with a landscaping plan once the dwelling has been constructed.

Overall, any potential adverse effects arising from landform modification and landscaping will be less than minor.

### **3.6 Effects relating to infrastructure and servicing**

The proposal includes decommissioning the old septic tank system and connecting to the QLDC wastewater network for which rights of connection are already held. As discussed in the Water Quality Improvement Plan (**Attachment H**), this will have a significant positive impact on the local soil and groundwater quality.

The proposal results in doubling the area of impervious surface and stormwater will continue to be disposed to ground and potentially collected for irrigation purposes.

The existing electricity network and telecommunication services exist on site and can service the proposed residential units, with all infrastructure remaining underground.

Firefighting water supply can be provided on site within tanks or alternatively sprinklers can be installed within the proposed buildings to comply with SNZ PAS 4509 – 2008.

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<sup>5</sup> It should be noted that this LCU remains subject to appeal. The appeal is seeking to amend the LCU to reflect the ability of the MacColl land (located on the western side of Morven Hill and above the State Highway) to absorb effects of further rural living subdivision and development.

There will be no adverse effects on infrastructure as a result of the proposal.

### 3.7 Assessment matters in relation to water quality improvement

The site is located within the Lake Hayes Catchment. The relevant assessment matters are addressed below.

*a. The extent to which the proposal minimises erosion or sediment during construction*

No sediment will leave the site or reach Lake Hayes during construction works. Best practice construction practices will ensure that erosion or sediment during construction is minimised and retained on site.

*b. The extent to which the proposal avoids or mitigates any potential adverse effects on surface waterbodies and ecological values through the adoption of measures to reduce stormwater runoff adverse effects from the site, including the implementation of low impact design techniques.*

There is a pond onsite that is proposed to be modified at the southwestern end to provide for the dwelling construction. The pond does not present ecological values and therefore the proposal will not result in any adverse effects, however all works within the vicinity will follow best practice methods to minimise any potential effects.

Stormwater will continue to infiltrate into the ground and managed onsite. As discussed in the Water Quality Improvement Plan (**Attachment H**) the proposed pond infill and stormwater management will not have an adverse impact on Lake Hayes water quality.

*c. Where a waterbody is located on the site, the effectiveness of riparian planting to filter sediment and reduce sediment concentrations in stormwater runoff.*

There are natural inland wetlands with intermittent and ephemeral surface water as discussed in the Water Quality Improvement Plan (**Attachment H**). As suggested by e3 Scientific, the applicant will enhance these wetlands by excluding stock from these areas and planting native vegetation around the periphery however this is not necessarily to filter sediment or reduce sediment concentrations in stormwater runoff.

*d. The extent to which erosion and sediment management and/or on-site stormwater management systems are commensurate with the nature, scale and location of the activity.*

Appropriate erosion and sediment management will be implemented throughout the construction phase. The existing onsite wastewater system will be decommissioned, and the stormwater will continue to be disposed of onsite as discussed in the Infrastructure Report and Water Quality Improvement Plan (**Attachment H**)

*e. The extent to which the proposal contributes to water quality improvement, including by:*

- i. stabilising the margins of waterways, riparian planting and ongoing management;*
- ii. Reducing inputs of phosphorus and nitrogen into the catchment;*
- iii. Implementing a nutrient management plan;*
- iv. Restoring, maintaining, and constructing new, wetlands for stormwater management;*
- v. Offering any voluntary contribution (including financial) to water quality improvement works off-site in the catchment.*

Due to the existing nature of the site being residential, the matters in (i) to (v) above are not practicable measures for improving water quality in this instance.

*f. Practicable constraints limited to situations where no further improvements to stormwater runoff management can be achieved.*

- g. Whether new development can be connected to reticulated services, or if connections are not available, whether onsite systems provide for the safe disposal of stormwater and wastewater without adversely affecting natural water systems and ecological values.

The applicant is proposing to decommission the onsite wastewater system and connect the proposed dwelling to the QLDC reticulated wastewater system which will have a significant positive impact on the local soil and groundwater quality. In addition, this will remove a significant Lake Hayes pollutant source given the current onsite wastewater system's proximity to Lake Hayes, the shallow depth of bedrock and steep gradient downhill to the lake as discussed in the Water Quality Improvement Plan ([Attachment H](#)).

Overall, the proposal will have positive effects on the water quality in the Lake Hayes catchment, and the proposed connection to the reticulated wastewater system will enable an improvement commensurate with the scale of the proposal.

### 3.8 Summary of Effects

Overall, the proposal will have less than minor adverse effects on the environment.

## 4. Assessment under the relevant objectives and policies of the Proposed District Plan

The objectives and policies of Chapter 24 (Wakatipu Basin) of the PDP are relevant. These are assessed below in [Table 3](#).

**Table 3.** *Wakatipu Basin – Objectives and Policies*<sup>6</sup>

(\*) indicates provisions still subject to outstanding appeal points

Provision	Detail of Provision	Assessment
<b>Objective 24.2.1*</b>	<i>Landscape character and visual amenity values in the Wakatipu Basin are maintained or enhanced.</i>	As discussed above and within the Landscape Assessment ( <a href="#">Attachment D</a> ) the proposal maintains the landscape character and visual amenity values of LCU 13.  The proposal is consistent with this objective.
<i>Policy 24.2.1.1*</i>	<i>Require an 80 hectare minimum net site area be maintained within the Wakatipu Basin Rural Amenity Zone outside of the Precinct.</i>	The net site area is less than 80 hectares therefore this policy is not achieved because three residential units are proposed on the 6.7ha site (a net increase of one dwelling compared to the existing situation).
<i>Policy 24.2.1.2*</i>	<i>Ensure subdivision and development is designed (including accessways, services, utilities and building platforms) to minimise inappropriate modification to the natural landform.</i>	The proposal does not result in inappropriate modification to the natural landform. All earthworks are sympathetically designed and will be revegetated to maintain the naturalness and existing landscape character.  The proposal achieves this policy.
<i>Policy 24.2.1.3*</i>	<i>Ensure that subdivision and development maintains or enhances the landscape character and visual amenity values identified in Schedule 24.8 - Landscape Character Units.</i>	The proposal maintains the landscape character and visual amenity values of the Lake Hayes Slopes Character Unit by retaining the character and scale of the existing development on the site,

<sup>6</sup> Consent order dated 27 July 2021 and 6 August 2021

Provision	Detail of Provision	Assessment
		maintaining existing landscaping and proposing additional landscaping that is consistent with the surrounding landscape. The proposal achieves this policy.
<i>Policy 24.2.1.4*</i>	<i>Maintain or enhance the landscape character and visual amenity values associated with the Rural Amenity Zone including the Precinct and surrounding landscape context by controlling the colour, scale, form, coverage, location (including setbacks from boundaries) and height of buildings and associated infrastructure, vegetation and landscape elements.</i>	The proposal will maintain the landscape character and visual amenity values associated with the Rural Amenity Zone through appropriate materials, colour, bulk and location of development. The proposal achieves this policy.
<i>Policy 24.2.1.5*</i>	<i>Require all buildings to be located and designed so that they do not compromise the landscape and amenity values and the natural character of Outstanding Natural Features and Outstanding Natural Landscapes that are either adjacent to the building or where the building is in the foreground of views from a public road or reserve of the Outstanding Natural Landscape or Outstanding Natural Feature.</i>	The proposal has been carefully designed to ensure it does not compromise the surrounding landscape and amenity values. The views of the Morven Hill ONL and Lake Hayes ONF from public places will not be adversely affected or compromised by the proposal, nor will the natural character of the landscape/feature. The proposal achieves this policy.
<i>Policy 24.2.1.9</i>	<i>Control earthworks and vegetation clearance to minimise adverse effects on landscape character and visual amenity values.</i>	The proposed earthworks are required to reshape the building platform areas, access alignment and recontour a knoll onsite. There is limited vegetation clearance required to provide for the proposal. Any potential adverse effects relating to landscape character and visual amenity values are therefore minimised. The proposal achieves this policy.
<i>Policy 24.2.1.10*</i>	<i>Enable residential activity within approved and registered building platform subject to achieving appropriate standards.</i>	The part of the proposal that is located within the building platform is a controlled activity and therefore enabled by the plan. To this extent the proposal is consistent with this policy. The parts of the proposed buildings outside the building platform are addressed in other policies for example Policies 24.2.1.5 and 24.2.1.15.
<i>Policy 24.2.1.12</i>	<i>Manage lighting so that it does not cause adverse glare to other properties, roads or public places or degrade views of the night sky.</i>	Any external lighting will comply with the relevant glare standard (24.5.17) and therefore not cause adverse glare to other properties, roads or public places. The proposal achieves this policy.
<i>Policy 24.2.1.15</i>	<i>Require buildings, or building platforms identified through subdivision, to maintain views from roads to Outstanding Natural Features and the surrounding mountain Outstanding Natural Landscape context, where such views exist; including by:</i> <i>a. implementing road setback standards;</i> <i>and</i>	The proposal is located within and in the vicinity of the approved building platform and existing dwelling and is not highly visible from any public or private viewpoint. The proposal maintains the views from roads to surrounding ONL's and ONF's. The proposal achieves this policy.

Provision	Detail of Provision	Assessment
	<p>b. ensuring that earthworks and mounding, and vegetation planting within any road setback, particularly where these are for building mitigation and/or privacy, do not detract from views to Outstanding Natural Features or Outstanding Natural Landscapes; while</p> <p>c. recognising that for some sites, compliance with a prescribed road setback standard is not practicable due to the site size and dimensions, or the application of other setback requirements to the site.</p>	
<b>Objective 24.2.4</b>	<i>Subdivision and development, and use of land, maintains or enhances water quality, ecological quality, and recreation values while ensuring the efficient provision of infrastructure.</i>	<p>The proposal will result in positive effects to water quality through the decommissioning of the onsite wastewater system and connection to the reticulated service.</p> <p>The proposal achieves this objective.</p>
<i>Policy 24.2.4.1</i>	<i>Avoid adverse cumulative impacts on ecosystem services or nature conservation values.</i>	<p>The proposal will not give rise to adverse cumulative impacts on ecosystem services or nature conservation values.</p> <p>The proposal achieves this policy.</p>
<i>Policy 24.2.4.2</i>	<i>Restrict subdivision, development and use of land in the Lake Hayes catchment, unless it can contribute to water quality improvement in the catchment commensurate with the nature, scale and location of the proposal.</i>	<p>This policy has been assessed in detail in Section 3.6 above, in relation to the assessment matters for Lake Hayes water quality.</p> <p>Based on the assessment in 3.6, the proposal achieves this policy.</p>
<i>Policy 24.2.4.4*</i>	<i>Provide adequate firefighting water and emergency vehicle access to ensure an efficient and effective emergency response.</i>	<p>As discussed in the Servicing Report (<b>Attachment F</b>) the proposal can be adequately serviced with firefighting water supply.</p> <p>The proposal achieves this policy.</p>
<i>Policy 24.2.4.5</i>	<i>Ensure development has regard to servicing and infrastructure costs that are not met by the developer.</i>	<p>The costs associated with the proposal will be met by the applicant.</p> <p>The proposal achieves this policy.</p>
<i>Policy 24.2.4.9</i>	<i>Encourage the planting, retention and enhancement of indigenous vegetation that is appropriate to the area and planted at a scale, density, pattern and composition that enhances indigenous biodiversity values, particularly in locations such as gullies and riparian areas, or to provide stability.</i>	<p>The proposal retains the mature vegetation on site and will enhance indigenous vegetation in the vicinity of the wetlands as discussed in the Water Quality Improvement Plan (<b>Attachment H</b>).</p> <p>The proposal achieves this policy.</p>

**Table 4. Earthworks – Objectives and Policies**

(\*) indicates provisions still subject to outstanding appeal points

Provision	Detail of Provision	Assessment
<b>Objective 25.2.1</b>	<i>Earthworks are undertaken in a manner that minimises adverse effects on the environment, including through mitigation or</i>	The proposed earthworks will be undertaken in accordance with appropriate environmental management measures as

Provision	Detail of Provision	Assessment
	<i>remediation, and protects people and communities</i>	required by conditions of consent. This will ensure all potential adverse effects arising from the proposed earthworks are minimised.  The proposal achieves this objective and the relevant policies.

As has been assessed above, the proposed extension to the garage is consistent with the relevant objectives and policies of Proposed District Plan.

## 5. Non-Complying Activity – Section 104D Assessment

Pursuant to section 104D of the Resource Management Act if a proposal is a non-complying activity then it must pass at least one of the tests of either section 104D(1)(a) or section 104D(1)(b) before an application can be assessed to make a decision under section 104B of the Act. If the application fails both tests of section 104D then the application must be declined.

### Section 104D(1)(a) – Adverse effects on the environment will be minor

Section 104D(1)(a) of the Act requires that the Council have regard to any adverse effects on the environment of allowing the activity.

Pursuant to section 104(2), when forming an opinion for the purposes of section 104D(1)(a), a council may disregard an adverse effect of the activity on the environment if the plan or a national environmental standard permits an activity with that effect (i.e. the council may consider the “permitted baseline”).

The adverse effects on the environment of allowing the activity for which resource consent is sought are identified and assessed in this Assessment of Environmental Effects above. It is concluded that the proposal will result in less than minor effects on the environment.

The test in s104D(1)(a) is satisfied.

### Section 104D(1)(b) – Proposal will not be contrary to the objectives and policies of the District Plan

An assessment has been undertaken with respect to the relevant PDP objectives and policies for the zone above in Section 3. It concludes that the proposal is not contrary to the objectives and policies of the District Plan.

The test in s104D(1)(b) is satisfied.

## 6. Part 2 of the Resource Management Act 1991

### 6.1. Section 5 – Purpose

The purpose of the Act is “to promote the sustainable management of natural and physical resources”. Section 5(2) of the Act defines “sustainable management” as:

*... 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... 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.*

The proposal will not have adverse landscape or amenity effects and will not be seen as out of character with the surrounding environment. Water quality in the wider catchment will be improved via the proposed decommissioning of the existing septic tank system and connection to the reticulated wastewater system.

The proposal is consistent with the purpose of the Act.

## **6.2. Section 6 – Matters of national importance**

Section 6 of the Act identifies matters of national importance that should be recognised and provided for. The following matter is of relevance to the proposal:

- (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:*

The proposal recognises the wetlands on site and provides for enhancement through native vegetation planting in the vicinity. The proposal has no impact on the natural character of Lake Hayes because of the distance from the lake, intervening development, and the existing development on the site.

## **6.3. Section 7 – Other matters**

Section 7 of the Act identifies other matters that should be considered. Regard must be had to the following relevant Section 7 matters:

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

The proposal achieves the relevant Section 7 matters as the proposal maintains efficient use of the land resource, amenity values and quality of the environment of the area will be maintained and the quality of the environment (specifically Lake Hayes water quality and the wetlands onsite) will be enhanced.

The amenity values of any nearby property are maintained because of the comparative isolation of the site and the proposed buildings' distance from, and lack of visibility from, those properties. There is no potential for adverse effects from noise, overlooking, or privacy.

## **7. Where the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment, which are likely to arise from such use:**

Not applicable to this proposal.

**8. Where the activity includes the discharge of any contaminant:**

Not applicable.

**9. A description of the mitigation measures (safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual and potential effect:**

No mitigation measures are necessary.

**10. Identification of affected persons and Section 95A assessment**

Section 95A of the RMA requires a decision on whether or not to publicly notify an application.

The steps set out below, in the order given, are used to determine whether to publicly notify an application for a resource consent.

***Step 1 – Mandatory public notification***

The applicant is not requesting public notification of the application (s95A(3)(a)).

Public notification is not mandatory 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 the exchange of recreation reserve land under section 15AA of the Reserves Act 1977 (s95A(3)(c)).

Therefore, public notification is not required by Step 1.

***Step 2 – Public notification precluded***

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

The proposal is not:

- a controlled activity; or
- a boundary activity as defined by section 87AAB that is restricted discretionary, discretionary or non-complying.

Public notification is not precluded (s95A(5)(b)(i)-(iii)). Therefore, public notification is not precluded by Step 2.

***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)).

Effects that must be disregarded (s95D(a)) include effects on the owners or occupiers of land on which the activity will occur and on adjacent land.

Effects that may be disregarded include:

- An adverse effect of the activity if a rule or national environmental standard permits an activity with that effect (s95D(b));
- Trade competition and the effects of trade competition (s95D(d)); and
- Effects on persons who have provided their written approval.

On the basis of the assessment set out in Section 3 above (including 3.2 (permitted baseline)), the proposed activities will not have adverse effects on the environment that are more than minor. This is especially so given an existing dwelling is being replaced by a new albeit larger dwelling. Therefore, public notification is not required under Step 3.

***Step 4 – public notification in special circumstances***

There are no special circumstances in relation to this application.

***Limited Notification (s95B)***

Section 95B requires a decision on whether there are any affected persons.

There are no affected groups or persons under section 95B(2) or 95B(3), and limited notification is not precluded as it is not subject to a rule or standards precluding notification and it is not a controlled activity (s95B(6)). Therefore, the assessment of affected persons must be undertaken in accordance with section 95E.

In light of the assessment undertaken within Section 3 of this report above, the effects on adjoining properties will be less than minor given that the proposal replaces the existing dwelling, is in keeping with the landscape character and will not detract from the amenity of the surrounding sites.

Limited notification or affected party approvals are therefore not required.

**11. Where the scale or significance of the activity's effect are such that monitoring is required, a description of how, once the proposal is approved, effects will be monitored and by whom:**

No monitoring is required apart from that normally undertaken by a Council in monitoring consent conditions.



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



  
R. W. Muir  
Registrar-General  
of Land

**Identifier** 585478

**Land Registration District** Otago

**Date Issued** 04 December 2012

**Prior References**

552926 555186

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**Estate** Fee Simple  
**Area** 8.9732 hectares more or less  
**Legal Description** Lot 1 Deposited Plan 443715 and Lot 4  
Deposited Plan 453236

**Registered Owners**

Michael John Davies, Bridget Patricia Davies and Tony Jason Sycamore

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**Interests**

Subject to Section 168A Coal Mines Act 1925 (affects part Lot 4 DP 453236 formerly part Lot 1 DP 18242)

Subject to a right to convey water over part Lot 1 DP 443715 marked JJ and a right to store water over part Lot 1 DP 443715 marked ZB both on DP 443715 created by Transfer 877687.6 - Produced 10.3.1995 and entered 8.5.1995 at 9.17 am

Appurtenant hereto is a right to convey electricity specified in Easement Certificate 983851.6 - 24.2.2000 at 9:07 am

Appurtenant hereto is a right to convey electricity created by Transfer 983851.7 - 24.2.2000 at 9:07 am

5002654.1 Gazette Notice declaring adjoining road (S.H.No 6) fronting part within land to be limited access road - 26.5.2000 at 2:26 pm

5018071.2 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 8.1.2001 at 12:51 pm

Land Covenant in Transfer 5069118.11 - 8.8.2001 at 9:05 am

Subject to a right to convey water over part Lot 1 DP 443715 marked ZA, AB and ZC on DP 443715 created by Transfer 5069118.12 - 8.8.2001 at 9:05 am

Some of the easements created by Transfer 5069118.12 are subject to Section 243 (a) Resource Management Act 1991 (affects DP 301727)

Appurtenant hereto is a right of way and a right to drain, convey, take and store water, transmit telecommunications and electricity specified in Easement Certificate 5069118.15 - 8.8.2001 at 9:05 am

Some of the easements specified in Easement Certificate 5069118.15 are subject to Section 243 (a) Resource Management Act 1991 (affects DP 301727)

Appurtenant hereto is a right to drain sewage & stormwater and a right to batter support created by Easement Instrument 5617439.7 - 11.6.2003 at 9:00 am

The easements created by Easement Instrument 5617439.7 are subject to Section 243 (a) Resource Management Act 1991 5934684.2 Surrender of the right to convey water marked a-b DP 316173 and partial surrender of the right to convey water marked a-b DP 301727 created by Transfer 877687.6 - produced 17.3.2004 at 9:00 am and entered 11.8.2004 at 9.01 am

6121508.5 Partial surrender of the right to drain stormwater and sewage specified in Easement Instrument 5617439.7 - 20.8.2004 at 9:00 am

Appurtenant hereto are rights to drain sewage and water, convey electricity, water and irrigation water and gas and transmit telecommunications created by Easement Instrument 6121508.15 - 20.8.2004 at 9:00 am

The easements created by Easement Instrument 6121508.15 are subject to Section 243 (a) Resource Management Act 1991  
Appurtenant hereto is a right to drain water and sewage, right to convey electricity, water, gas, telecommunications and computer media created by Easement Instrument 6165403.3 - 30.9.2004 at 9:00 am

Subject to a right of way over part Lot 4 DP 453236 marked E on DP 453236 and a right to convey water over part Lot 1 DP 443715 marked AB, ZA, ZB, ZC, QA and QB on DP 443715 created by Easement Instrument 6318687.6 - 21.2.2005 at 9:00 am

The easements created by Easement Instrument 6318687.6 are subject to Section 243 (a) Resource Management Act 1991  
Appurtenant hereto is a right of way created by Easement Instrument 6318687.8 - 21.2.2005 at 9:00 am

The easements created by Easement Instrument 6318687.8 are subject to Section 243 (a) Resource Management Act 1991  
Subject to a right (in gross) to convey telecommunications over part Lot 4 DP 453236 marked E on DP 453236 in favour of Telecom New Zealand Limited created by Easement Instrument 6318687.13 - 21.2.2005 at 9:00 am

The easements created by Easement Instrument 6318687.13 are subject to Section 243 (a) Resource Management Act 1991  
Subject to a right (in gross) to convey electricity, establish & maintain an electricity transformer and ancillary equipment and establish and maintain switchgear and ancillary equipment over part Lot 4 DP 453236 marked E, AB and AE on DP 453236 and over part Lot 1 DP 443715 marked PA, PB and AAA on DP 443715 in favour of Aurora Energy Limited created by Easement Instrument 6318687.15 - 21.2.2005 at 9:00 am

The easements (except right to establish & maintain switchgear & ancillary equipment) created by Easement Instrument 6318687.15 are subject to Section 243 (a) Resource Management Act 1991 (affects DP 338474)

Land Covenant in Deed 6500277.1 - 19.7.2005 at 9:00 am

Subject to a right of way over part Lot 4 DP 453236 marked AI, AA, AB, AC, AH and E on DP 453236 created by Easement Instrument 6756101.8 - 17.2.2006 at 9:00 am

Appurtenant hereto are rights to drain sewage and appurtenant to part Lot 1 DP 443715 formerly Lot 43 DP 359527 is a right of way and rights to convey water created by Easement Instrument 6756101.8 - 17.2.2006 at 9:00 am

Some of the easements created by Easement Instrument 6756101.8 are subject to Section 243 (a) Resource Management Act 1991 (affects DP 359527)

Subject to a right (in gross) to convey telecommunications and computer media over part Lot 4 DP 453236 marked AI, AA, AB, AC, AH and E on DP 453236 in favour of Telecom New Zealand Limited created by Easement Instrument 6756101.9 - 17.2.2006 at 9:00 am

The right to convey telecommunications easement in gross created by Easement Instrument 6756101.9 is subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to store and convey liquefied petroleum gas over part Lot 4 DP 453236 marked AI, AA, AB, AC, AH and E on DP 453236 in favour of On Gas Limited created by Transfer 6756101.10 - 17.2.2006 at 9:00 am

Subject to a right (in gross) to convey electricity over part Lot 4 DP 453236 marked AI, AA, AB, AC, AH and E on DP 453236 in favour of Aurora Energy Limited created by Easement Instrument 6756101.11 - 17.2.2006 at 9:00 am

The easements created by Easement Instrument 6756101.11 are subject to Section 243 (a) Resource Management Act 1991  
7326314.3 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 18.4.2007 at 9:00 am (Affects Lot 4 DP 453236 & part Lot 1 DP 443715 formerly Lot 1 DP 442848)

Subject to a right of way over part Lot 4 DP 453236 marked AI, AA, AB, AC, AD, AE, AF, AG, AH and E on DP 453236 and a right to convey electricity over part Lot 4 DP 453236 marked AB, AD, AE and AF on DP 453236 created by Easement Instrument 7326314.6 - 18.4.2007 at 9:00 am

Appurtenant to part Lot 1 DP 443715 formerly Lot 1 DP 442848 is a right of way, a right to convey electricity and rights to convey water, telecommnuications and computer media created by Easement Instrument 7326314.6 - 18.4.2007 at 9:00 am

The easements created by Easement Instrument 7326314.6 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right of way over part Lot 1 DP 443715 marked AB, AC, AA, AAA, AAB, PA and PB on DP 442848 created by Easement Instrument 7326314.7 - 18.4.2007 at 9:00 am

The easements created by Easement Instrument 7326314.7 are subject to Section 243 (a) Resource Management Act 1991 Appurtenant to part Lot 1 DP 443715 formerly Lot 1 DP 442848 is a right to convey water created by Easement Instrument 7326314.8 - 18.4.2007 at 9:00 am

The easements created by Easement Instrument 7326314.8 are subject to Section 243 (a) Resource Management Act 1991 Appurtenant to Lot 4 DP 453236 herein is a right of way and right to drain water created by Easement Instrument 7858813.1 - 26.6.2008 at 9:00 am

Subject to a right of way over part Lot 4 DP 453236 marked AI, AA, AB, AC, AD, AE, AF, AG, AH and E on DP 453236 created by Easement Instrument 7919600.5 - 27.8.2008 at 9:00 am

The easements created by Easement Instrument 7919600.5 are subject to Section 243 (a) Resource Management Act 1991 Land Covenant in Easement Instrument 8055185.2 - 27.1.2009 at 9:00 am (affects Lot 4 DP 453236)

Subject to a right to convey water over part Lot 1 DP 443715 marked JJ, ZA, AB & ZC and a right to store water over part Lot 1 DP 453236 marked ZB all on DP 443715 created by Easement Instrument 8073020.4 - 13.2.2009 at 3:07 pm

Land Covenant in Easement Instrument 8854807.10 - 5.10.2011 at 11:36 am (Affects Lot 1 DP 443715)

Land Covenant in Easement Instrument 8854807.11 - 5.10.2011 at 11:36 am (Affects Lot 1 DP 443715)

Land Covenant in Easement Instrument 8854807.12 - 5.10.2011 at 11:36 am (Affects Lot 1 DP 443715)

Subject to Section 241(2) Resource Management Act 1991 (affects DP 453236)

Land Covenant in Easement Instrument 9211218.15 - 4.12.2012 at 3:57 pm (Affects Lot 1 DP 443715)

Land Covenant in Easement Instrument 9211218.16 - 4.12.2012 at 3:57 pm (Affects Lot 1 DP 443715)

Land Covenant in Easement Instrument 9211218.17 - 4.12.2012 at 3:57 pm (Affects Lot 1 DP 443715)

Land Covenant in Easement Instrument 9211218.18 - 4.12.2012 at 3:57 pm (Affects Lot 1 DP 443715)

Subject to a right of way over part Lot 4 DP 453236 marked AA, AB, AC and AH and a right to convey water over part Lot 4 DP 453236 marked AD, AE and AH all on DP 453236 created by Easement Instrument 9211218.20 - 4.12.2012 at 3:57 pm

The easements created by Easement Instrument 9211218.20 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right to store water over part Lot 1 DP 443715 marked ZH, a right to convey water over part Lot 1 DP 443715 marked ZG and W and a right to convey electricity over part Lot 1 DP 443715 marked P and W all on DP 453236 created by Easement Instrument 9211218.26 - 4.12.2012 at 3:57 pm

The easements created by Easement Instrument 9211218.26 are subject to Section 243 (a) Resource Management Act 1991 9753683.1 Encumbrance to Anthony Craig Paterson, Susan Mary Paterson, Helen Christine Wilding, David Douglas Duncan, Jane Coventry Duncan, Justin John Abbiss, Caroline Elizabeth Abbiss, Veritas (2011) Limited, Daniel Robert Foggo, Rebecca Richwhite and Veritas (2012) Limited - 26.6.2014 at 9:56 am

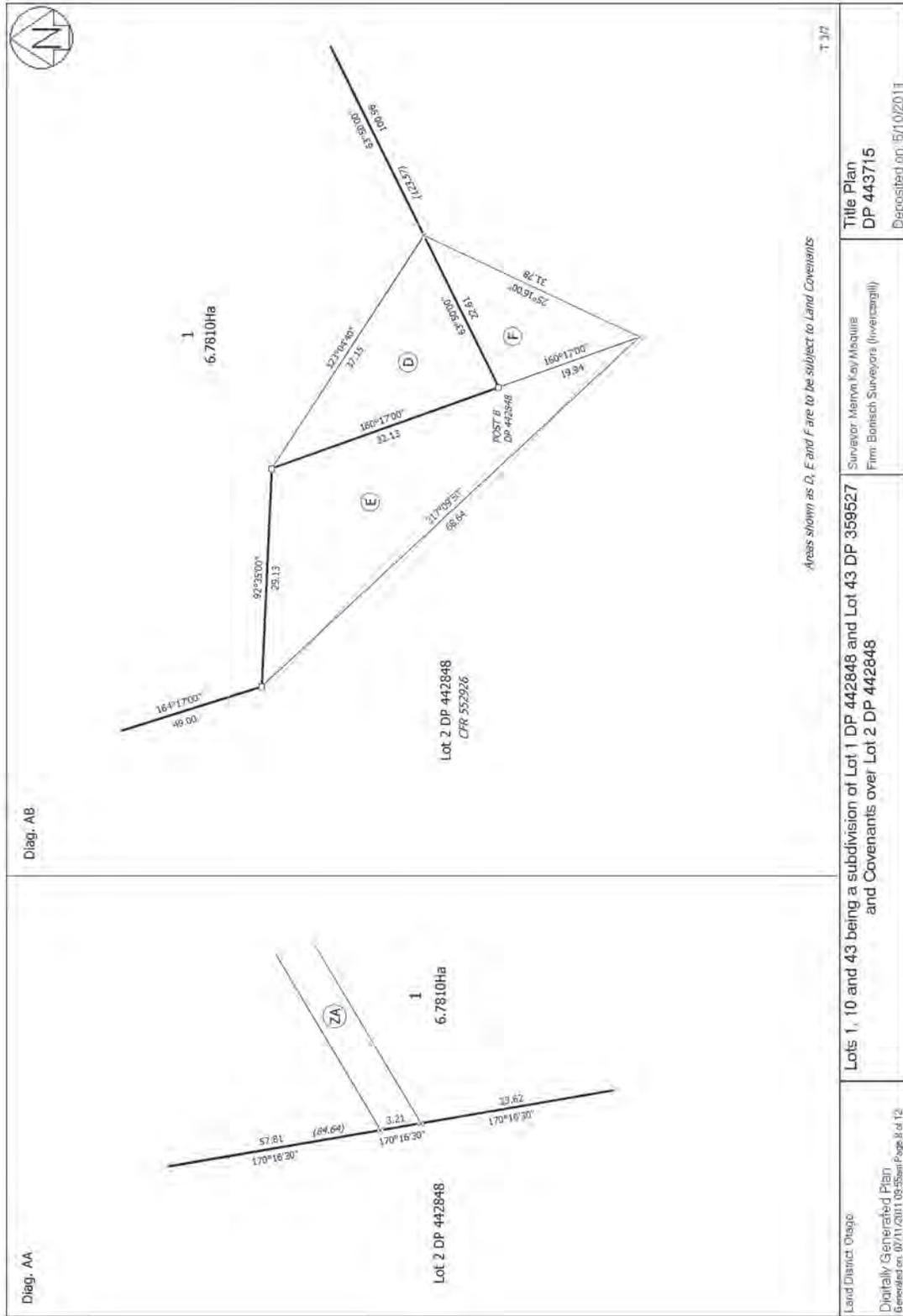
Subject to a right to convey electricity and water, a right to draw, store and pump water over Lot 4 DP 453236 marked E on DP 511902 created by Easement Instrument 10863393.3 - 4.8.2017 at 2:30 pm

Subject to a right to convey irrigation water over part Lot 1 marked A on DP 529769 and over part Lot 1 marked ZA, ZB, AB and ZC on DP 443715 and a right to store water over part marked ZB on DP 443715 created by Easement Instrument 11259005.1 - 22.11.2018 at 4:55 pm

Subject to a right to convey water over part Lot 1 marked QA and QB and a right to store water over part Lot 1 marked ZB on DP 443715 created by Easement Instrument 11259005.2 - 22.11.2018 at 4:55 pm



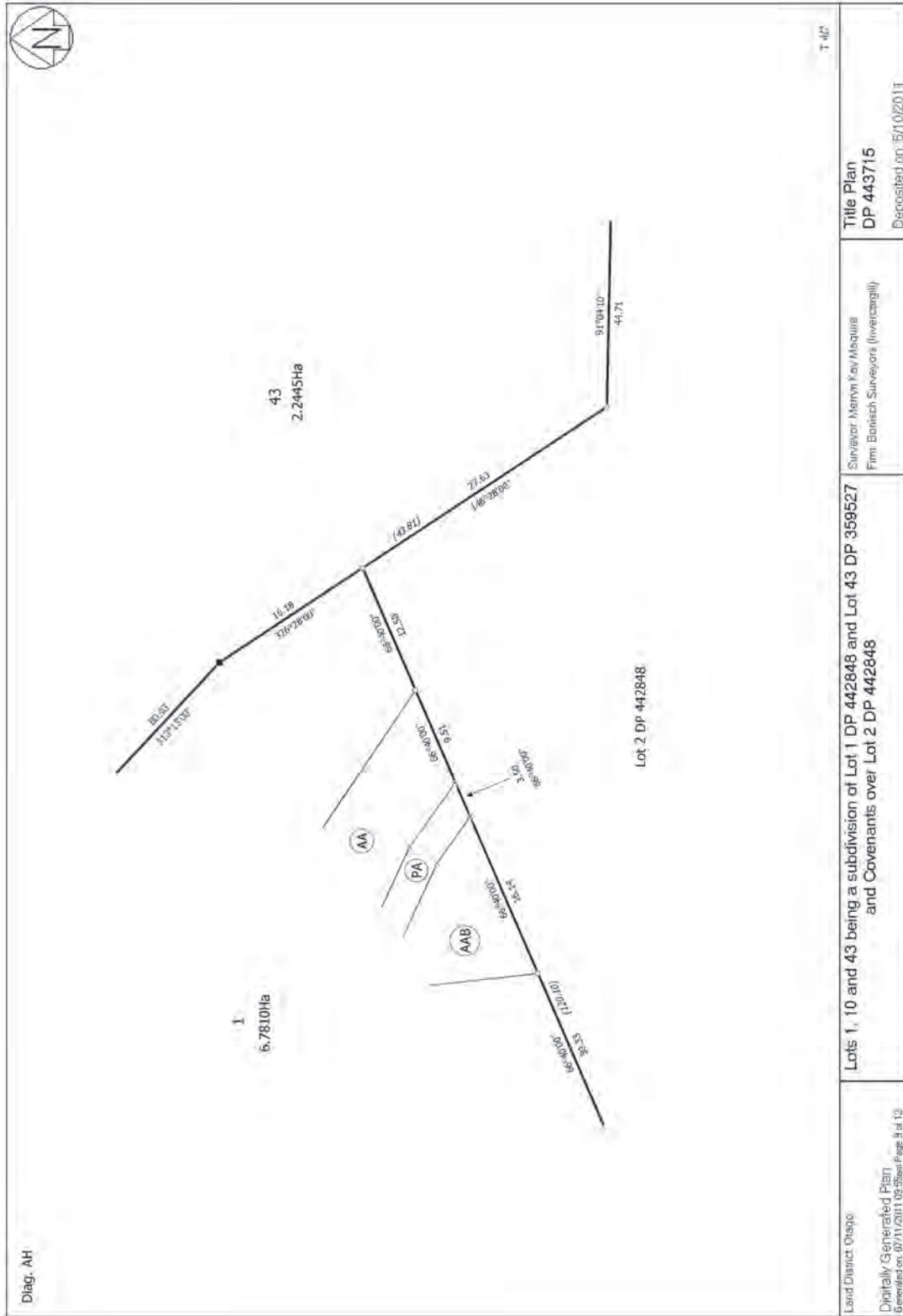


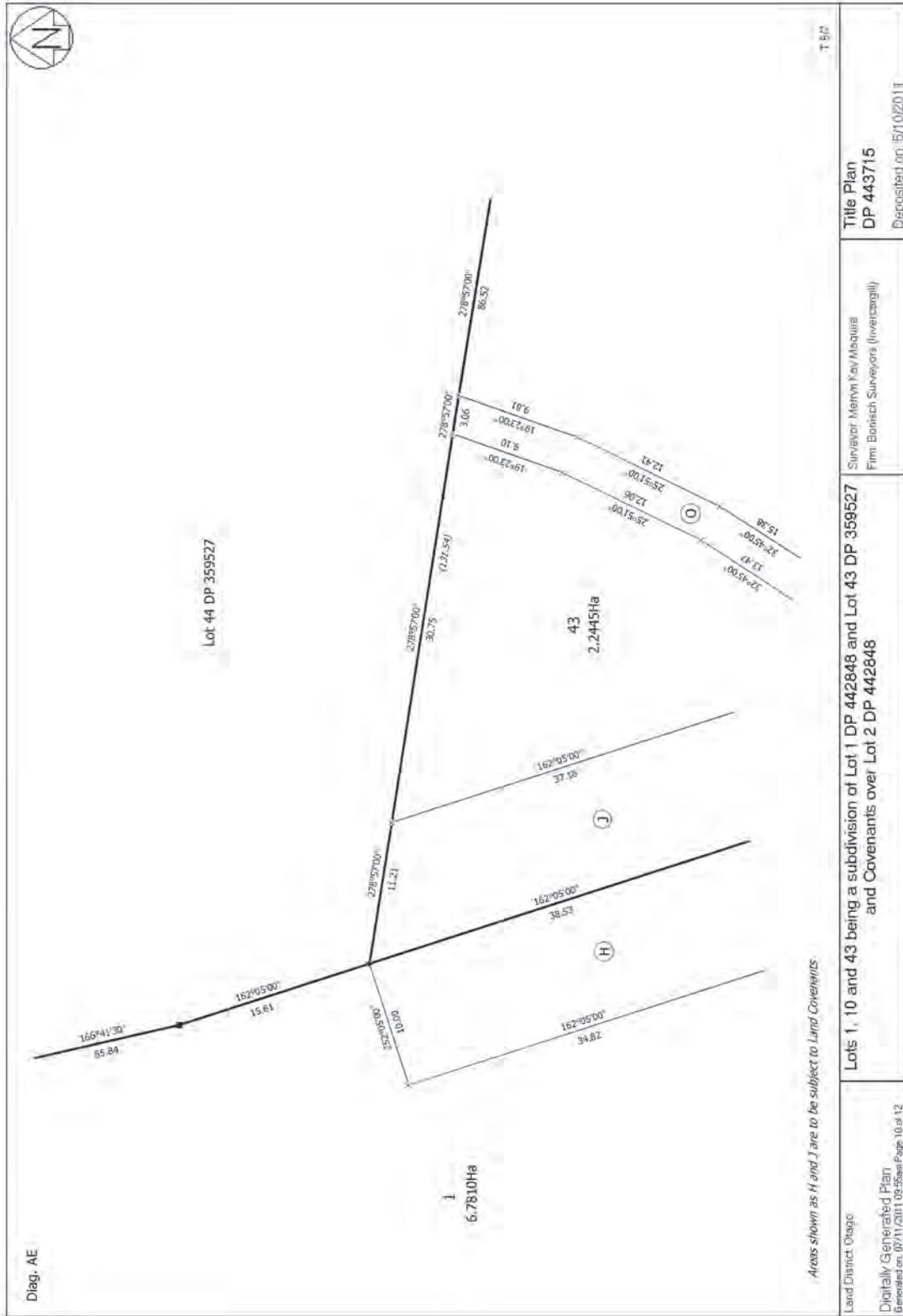


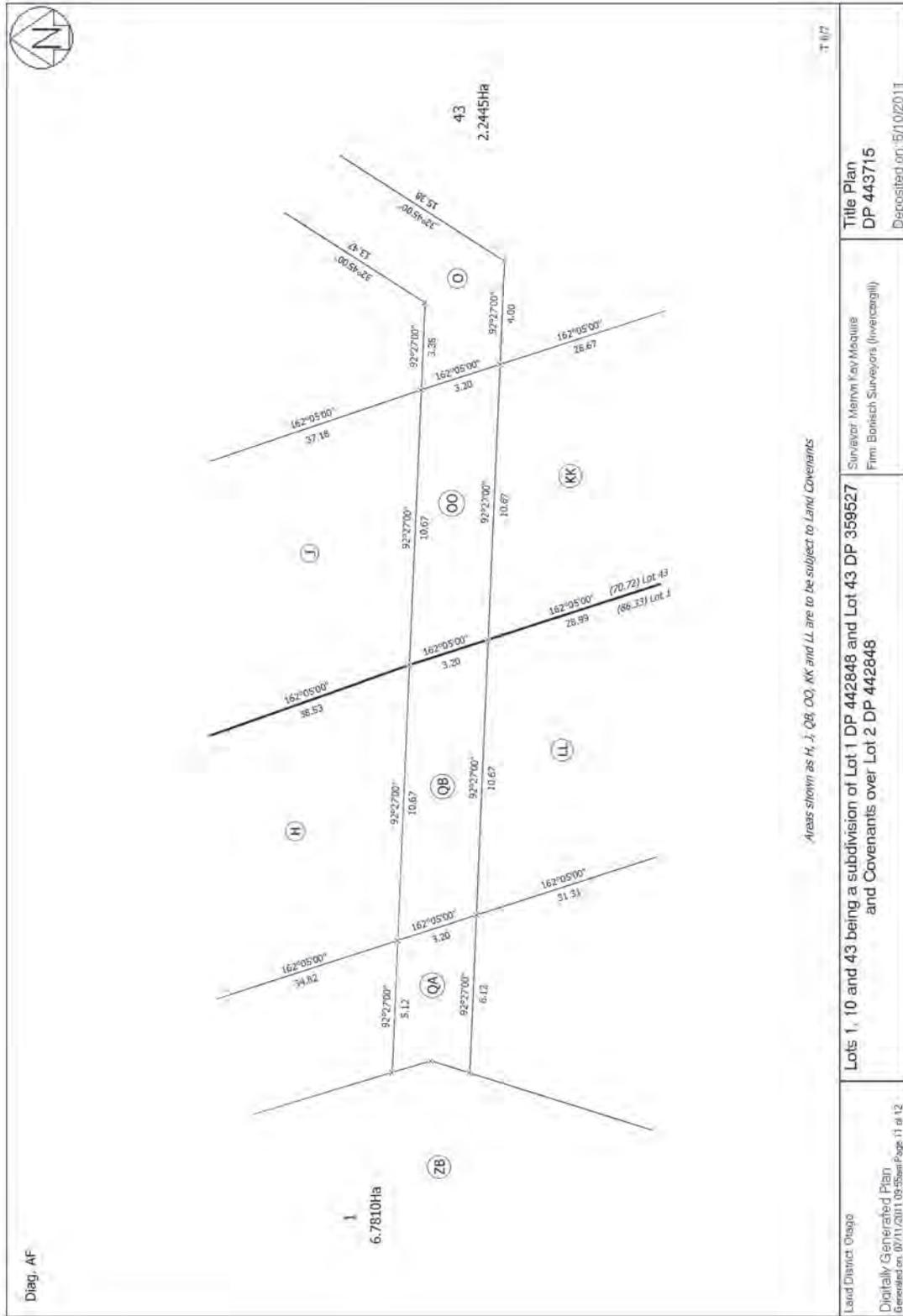
Areas shown as D, E and F are to be subject to Land Covenants

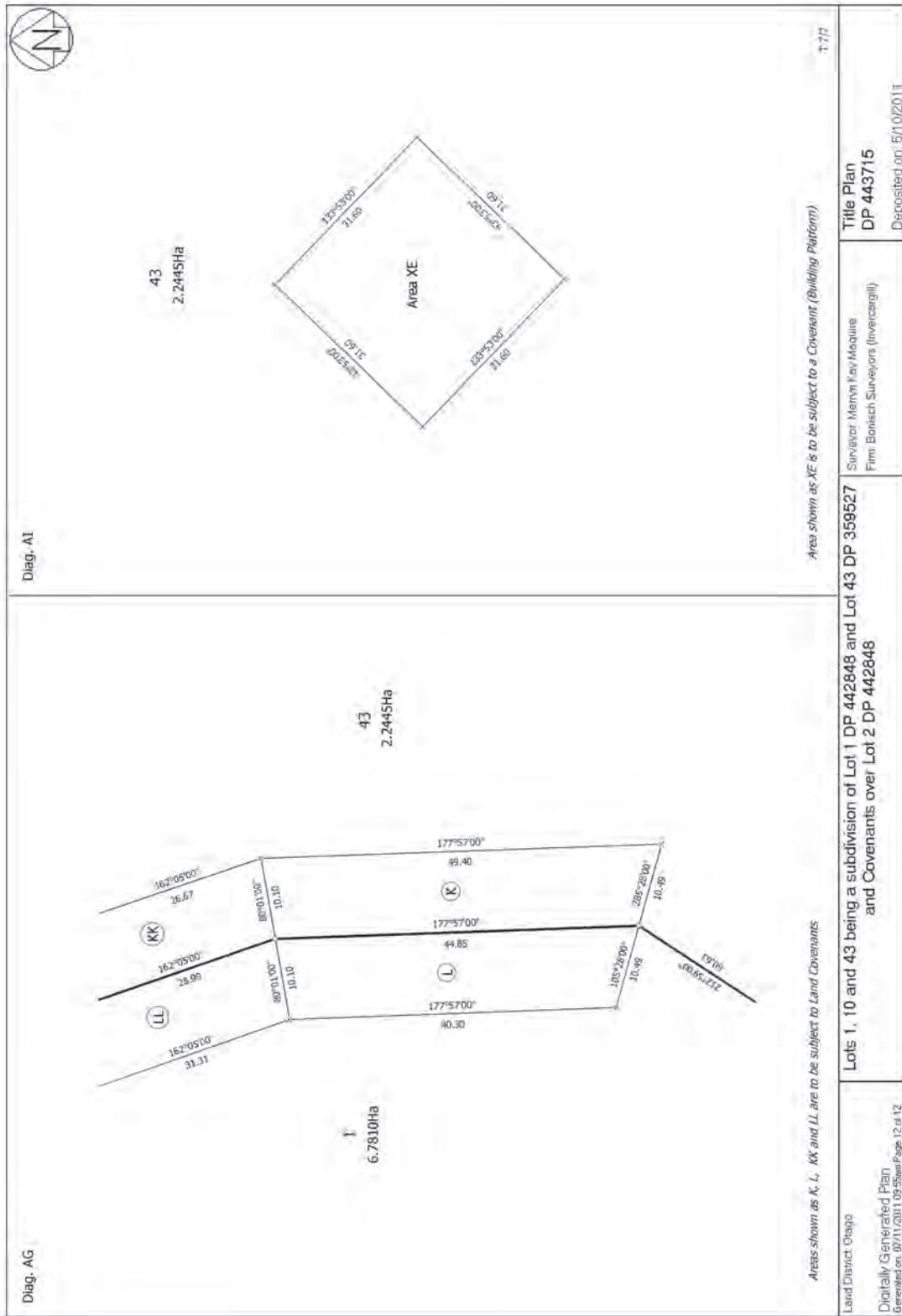
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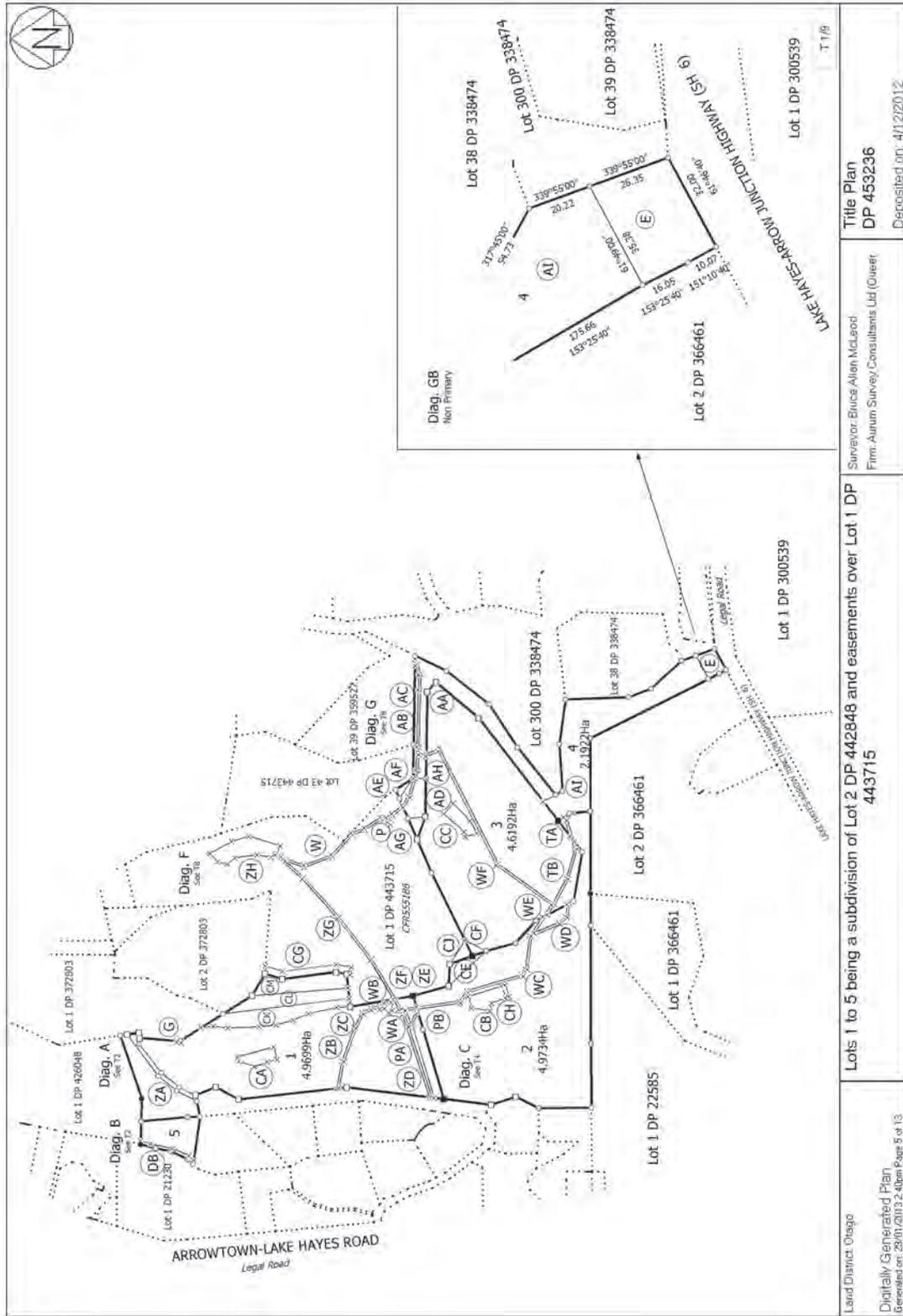
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Digitally Generated Plan (Generated on: 07/11/2011 05:55am) Page 6 of 12	Surveyor: Mervyn Kay/Maquis Firm: Bonisch Surveyors (Invercargill)
Lots 1, 10 and 43 being a subdivision of Lot 1 DP 442848 and Lot 43 DP 359527 and Covenants over Lot 2 DP 442848	Decoded on: 07/10/2011











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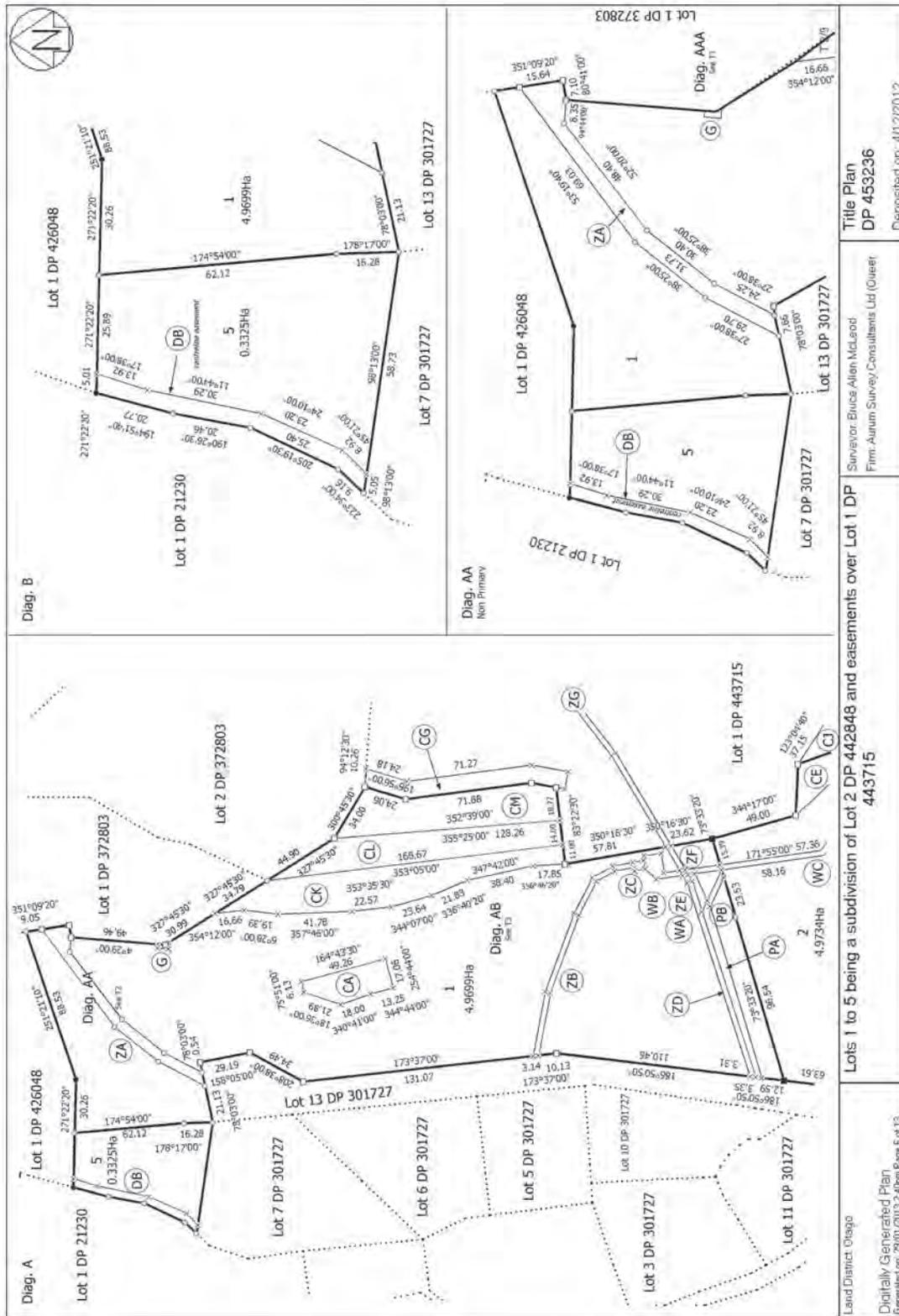
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Firm: Arrium Survey/Consultants Ltd (Client)

Title Plan  
DP 453236

Lots 1 to 5 being a subdivision of Lot 2 DP 442848 and easements over Lot 1 DP 443715

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Land District, Diago

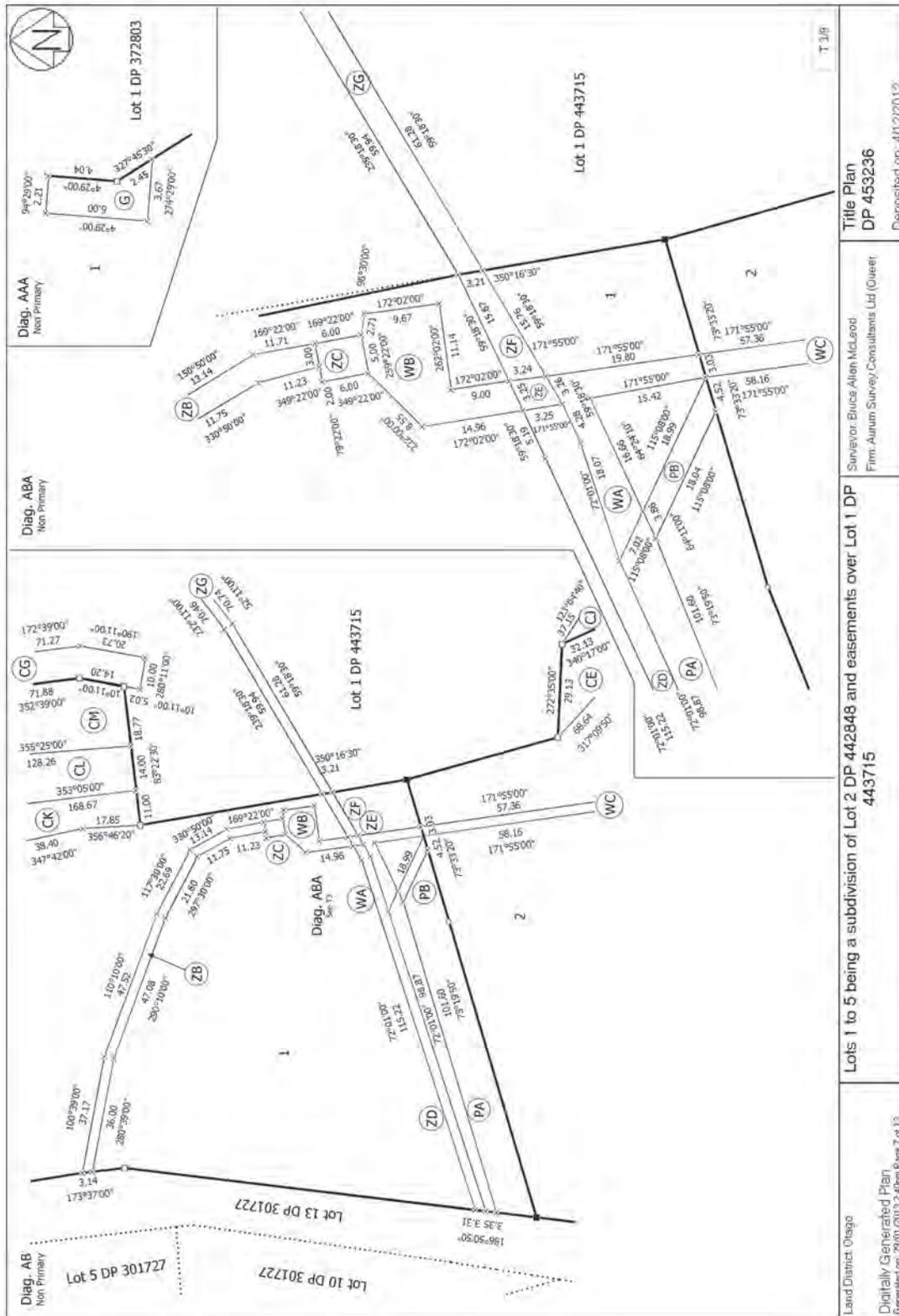
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Surveyor: Bruce Allan McLeod  
Firm: Arrium Survey/Consultants Ltd (Queer)

Title Plan  
DP 453236

Deposited on: 4/12/2012

Lots 1 to 5 being a subdivision of Lot 2 DP 442848 and easements over Lot 1 DP 443715



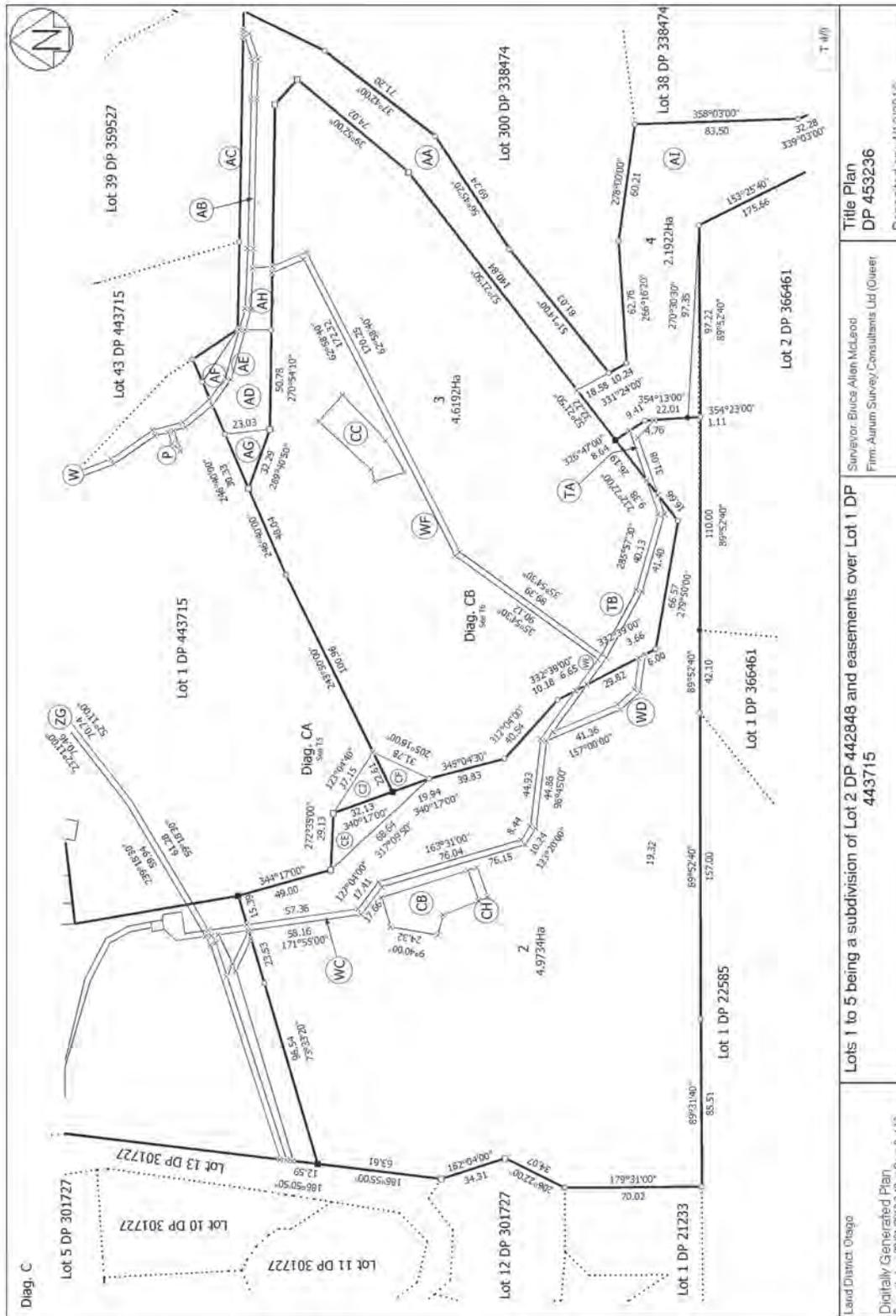
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DP 453236

Decomitted on: 4/12/2012

Surveyor: Bruce Allan McLeod  
Firm: Arrium Survey/Consultants Ltd (Queer)

Lots 1 to 5 being a subdivision of Lot 2 DP 442848 and easements over Lot 1 DP 443715

Land District: Otago  
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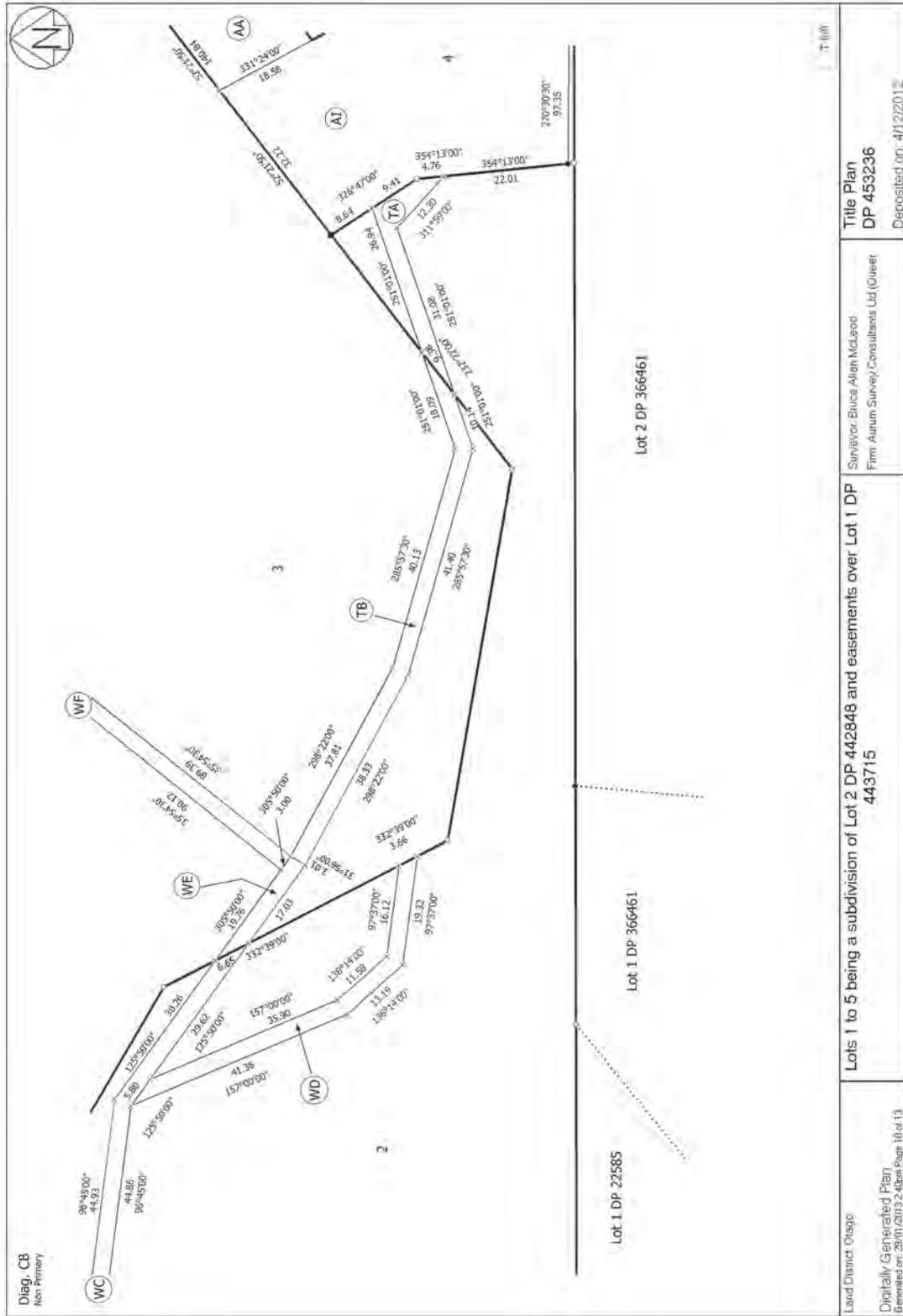
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 Firm: Arum Survey/Consultants Ltd (Queer)

Title Plan  
 DP 453236

Decoded on: 4/12/2012

Lots 1 to 5 being a subdivision of Lot 2 DP 442848 and easements over Lot 1 DP 443715





Title Plan  
DP 453236

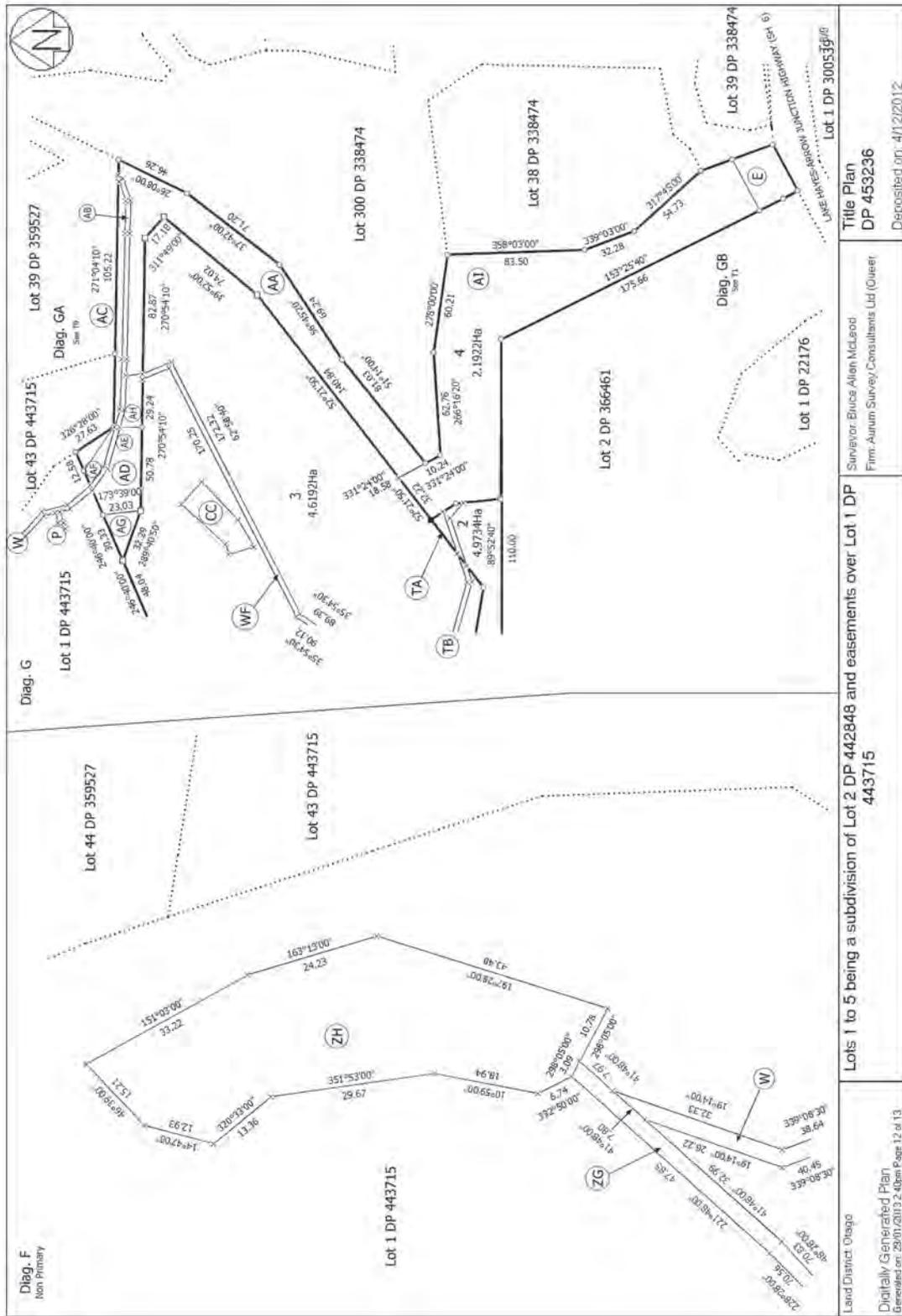
Surveyor: Bruce Allan McLeod  
Firm: Arum Survey/Consultants Ltd (Queer)

Lots 1 to 5 being a subdivision of Lot 2 DP 442848 and easements over Lot 1 DP 443715

Leired District, Chicago  
Digitally Generated Plan  
Generated on: 28/01/2013 2:40pm Page 11 of 13

Deposited on: 4/12/2012





Lot 1 DP 300536/0  
 Title Plan  
 DP 453236  
 Deposited on: 4/12/2012

Surveyor: Bruce Allan McLeod  
 Firm: Arrium Survey/Consultants Ltd (Client)

Lot 1 to 5 being a subdivision of Lot 2 DP 442848 and easements over Lot 1 DP 443715

Land District: Otago  
 Digitally Generated Plan  
 Generated on: 28/01/2013 2:40pm Page 12 of 13



CONO 7326314.3 Cor

Cpy - 01/01, Pgs - 004, 17/04/07, 14



DocID 110852605

IN THE MATTER of Section 221 of the  
Resource Management  
Act 1991

AND

IN THE MATTER of an Application for  
Subdivision Consent by  
E.P WILDING  
RM031125

---

CONSENT NOTICE

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BACKGROUND

- A. E.P Wilding, has applied to the Queenstown Lakes District Council pursuant to provisions of the Resource Management Act 1991 for its consent to subdivide land comprised and described in Certificate of Title ~~7107~~ (Otago Registry) ("the land"). 242348 
- B. Council has granted consent (RM031125) to the proposed subdivision subject to certain conditions which are required to be complied with on a continuing basis by the Owner of the land being those conditions specified in the Operative Part hereof.

## **OPERATIVE PART**

PART A – The following conditions pertaining to this Consent Notice are to be registered against the title of the following allotments:-

- (a) Lot 1 D.P. 369380
- (b) Lot 2 D.P. 369380

### **CONDITIONS:**

- a) In the event that the number of persons to be accommodated on any of the Lots is to be greater than five, then the Queenstown Lakes District Council will require commensurate increases in the water supply to that lot at the rate of 200 litres per extra person per day.
- b) At the time a new dwelling is proposed on either lot, or alterations are proposed to either existing dwelling located on either lot, the owners for the time being shall *engage* a suitably qualified Engineer who shall design an effluent disposal system in terms of AS/NZS 1547:2000 that will provide sufficient treatment / renovation to effluent from on-site disposal, prior to discharge to land. To maintain high effluent quality such a system would require the following:
  - Specific design by a suitably qualified professional Engineer.
  - A requirement that each lot must include systems that achieve the levels of treatment determined by the specific design.
  - Regular maintenance in accordance with the recommendations of the system designer and a commitment by the owner of each system to undertake this maintenance.
  - Intermittent effluent quality checks to ensure compliance with the system designer's specification.

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

At the time a new dwelling is proposed on either lot, or alterations are proposed to either existing dwelling located on either lot, the owners for the time being shall engage a suitably qualified Engineer who shall design a

suitable system for the disposal of stormwater from all impervious areas of the dwellings.

Domestic water and fire fighting storage for Lot 2 is to be provided by a standard 23,000 litre tank. Of this total capacity, a minimum of 14,000 litres shall be maintained at all times as a static fire fighting reserve. A fire fighting connection in accordance with Appendix B SNZ PAS 4509:2003 is to be located within 90 metres of any proposed building on the site. In order to ensure that connections are compatible with Fire Service equipment the fittings are to comply with the following standard. Either:

- 70 mm Instantaneous Couplings (Female) NZS 4505, or
- 100 mm and 140 mm Suction Coupling (Female) NZS 4505. (hose tail is to be the same diameter as the threaded coupling, e.g. 140 mm coupling has 140 mm hose tail)

The Fire Service coupling must be located so that it is not compromised in the event of a fire. The connection shall have hardstand area adjacent to it to allow a fire service appliance to park on it. Access shall be maintained at all times to the hardstand area. Fire fighting water supply may provided by means other than the above if the written approval of the New Zealand Fire Service is obtained for the proposed method. The fire fighting water supply tank shall be installed prior to the occupation of the dwelling.

- e) The consent holder shall pay to Council a reserve contribution in terms of Section 409 of the Resource Management Act 1991. In the circumstance a maximum contribution is required and is based on the value of 130 square metres of land prior to subdivision. The valuation of the property containing 42.5678 hectares is \$4,500,000, which equates to \$10.57 per square metre. The contribution is calculated on the additional allotment (one credit is given).

The reserve contribution is:

$$130 \times 10.57 = \underline{\underline{\$1,374.10}}$$

- f) All structures shall be located within the building platform as shown on the subdivision plan Ref 5424/6 updated 20 December 2005 (stamped as approved on 16 February 2006).
- g) The maximum height of any new dwelling or alterations to the existing dwelling shall not exceed 6 metres above ground level.
- h) Any new dwelling or alterations to the existing dwelling shall have a roof pitch of between 22.5 and 55 degrees in slope. Flat roofs are only permitted as connections between structures and are not to exceed 20% of the total area.
- i) Any new dwelling or alterations to the existing dwelling shall have roof claddings constructed from steel (corrugated or tray), cedar shingles, or slate, or similar materials.
- j) Any new dwelling or alterations to the existing dwelling's roof colours are to be natural, of low reflectivity (such as cedar shingles, slate, 'galvan' or other similar steel finish but NOT including plain galvanised), or dark coloured colours.
- k) The wall claddings of any new dwelling or alterations to the existing dwelling are to be in timber, smooth plaster, stone (local schist or Oamaru stone).
- l) Any new dwelling or alterations to the existing dwelling exterior wall colours are to be natural and recessive (in materials as stated above), or in a range of browns, tussocks, greys or natural greens.
- m) All exterior joinery for any new dwelling or alterations to the existing dwelling are to be in timber, steel or aluminium with all joinery (excluding timber) to match roofing, gutter, and spouting colours.

Dated this 30<sup>th</sup> day of October 2006

SIGNED for and on behalf  
Of the QUEENSTOWN LAKES  
DISTRICT COUNCIL by its  
Principal Administrative Officer



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## Lake Hayes - Davies

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February 2022

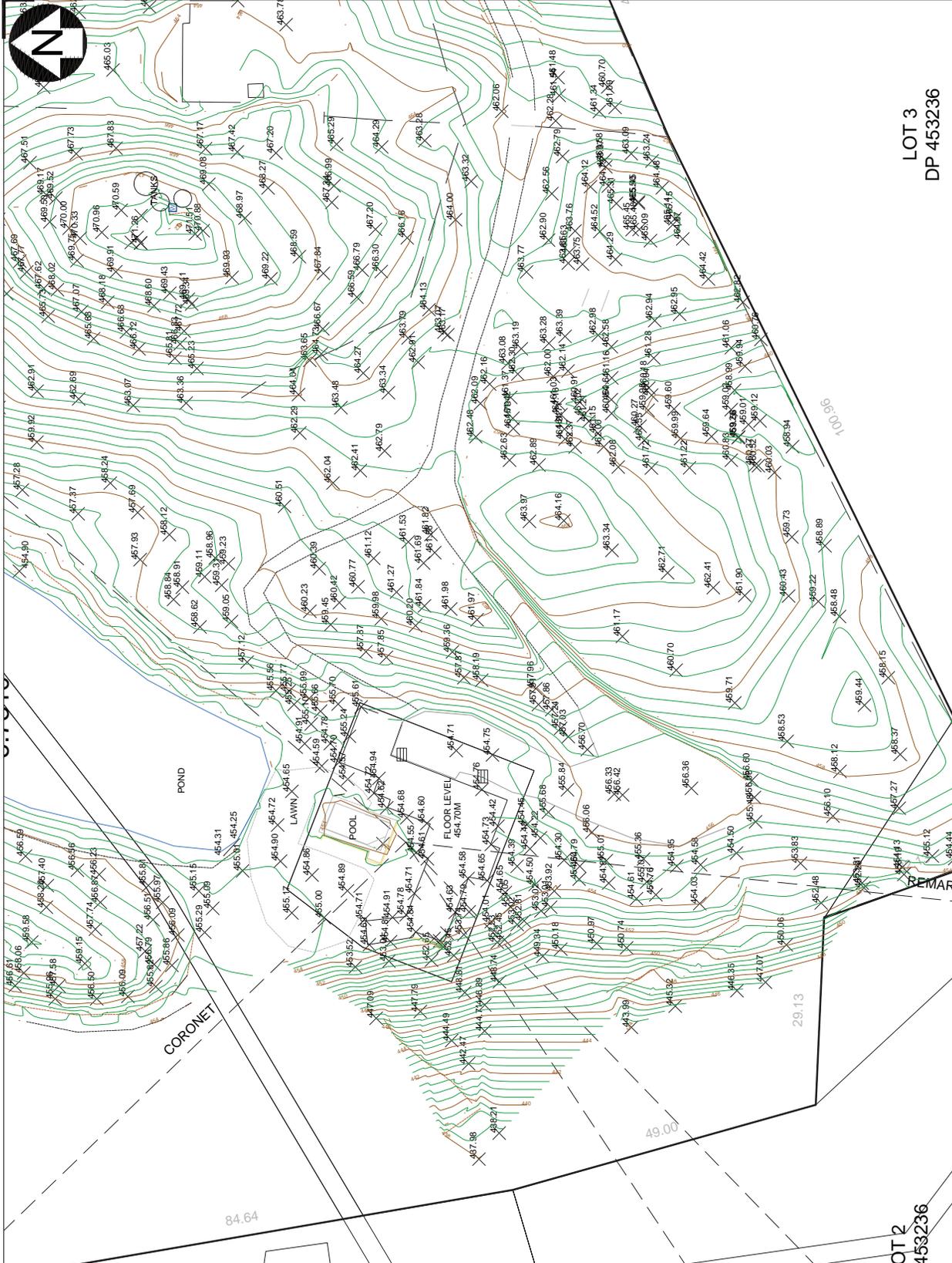
903 Lake Hayes - Arrow Junction Highway

Resource Consent

REF#: 180118

**PATTERSON**

PATTERSON ASSOCIATES LTD



LEGEND	
	BOTTOM OF BANK
	TOP OF BANK
	ROCKY OUTCROP
	FENCE
	EDGE OF TRACK
	WATER VALVE
	BUILDING
	STORMWATER SUMP
	BOTTOM OF WALL
	TOP OF WALL
	CULVERT
	MAJOR CONTOUR (m INTERVAL)
	MINOR CONTOUR (m INTERVAL)
	SURETY DATUM
	OIT IV DP 18242
	N= 817686.59
	E= 433856.71
	Z= 455.20

## TOPOGRAPHIC SURVEY

### LOT 1 DP 443715

## LOT 3

### DP 453236

**CLIENT**

DAVIES

Information shown in meters unless shown otherwise. All measurements are to the center of the line unless otherwise stated. All measurements are to the center of the line unless otherwise stated. All measurements are to the center of the line unless otherwise stated. All measurements are to the center of the line unless otherwise stated. All measurements are to the center of the line unless otherwise stated.

**DATE**

10-19

**SCALE**

1:300 @ A1  
1:600 @ A3

**PROJECT**

DP 453236

**CLIENT REVIEW**

Clark Fortune McDonald & Associates  
 Limited Civil Engineering & Land Development - Planning Consultants  
 309 Lower Shouwer Road, P.O. Box 555 Queerstown  
 Tel: (03) 441-6444, Fax (03) 442-1066, Email admin@cfma.co.nz  
 Shop 2, Otago House, 475 Money Place, P.O. Box 9960  
 Tel: (03) 470-1592, Fax (03) 470-1583, Email admin@cfma.co.nz

**CLIENT REVIEW**

Row: \_\_\_\_\_ Date: \_\_\_\_\_

By: \_\_\_\_\_

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 Limited Civil Engineering & Land Development - Planning Consultants  
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**CLIENT REVIEW**

Row: \_\_\_\_\_ Date: \_\_\_\_\_

By: \_\_\_\_\_



**Building Coverage**

Main House  
1127m<sup>2</sup>

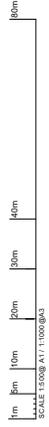
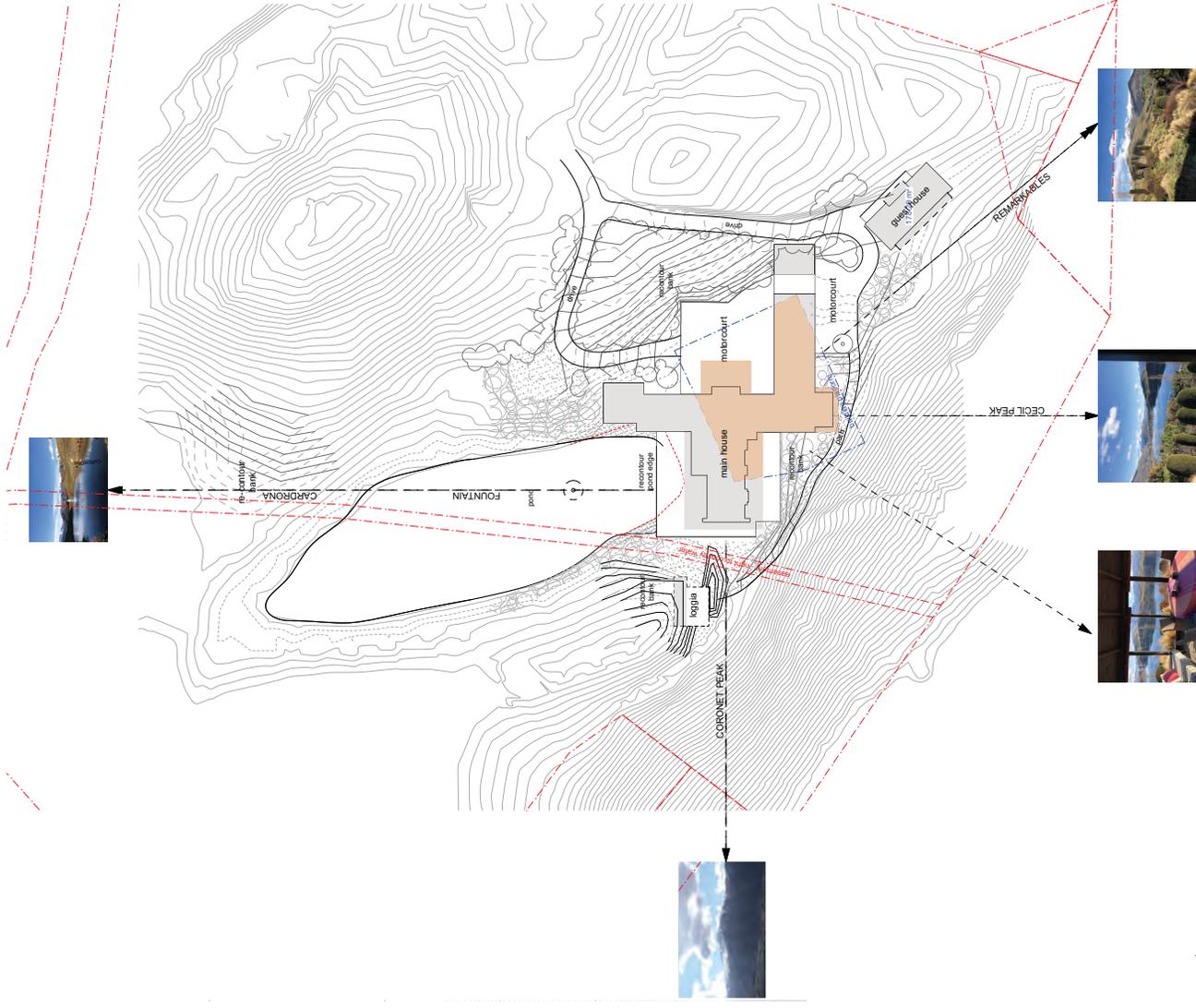
Guest House  
178m<sup>2</sup>

Loggia/Store  
30m<sup>2</sup>

Total Building Coverage  
1335m<sup>2</sup>

Building Coverage Outside  
Approved Building Platform  
747m<sup>2</sup>

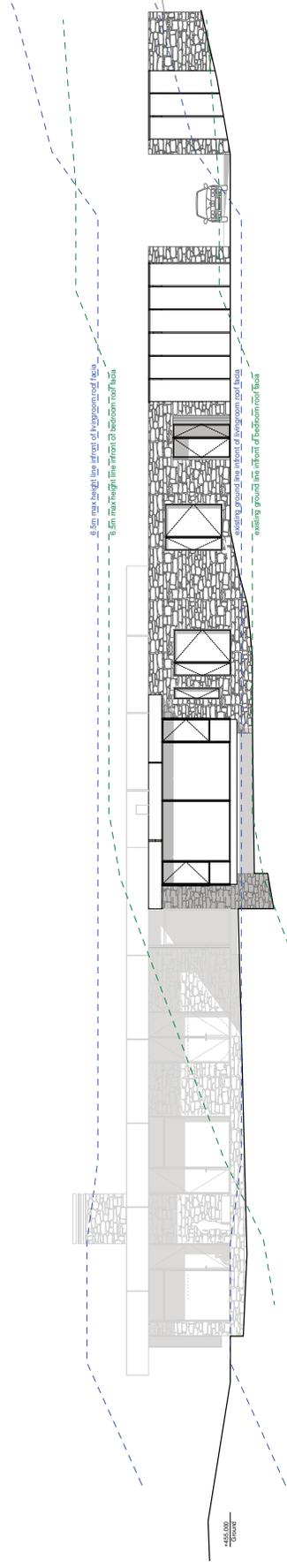
Building Coverage Within  
Approved Building Platform  
588m<sup>2</sup>



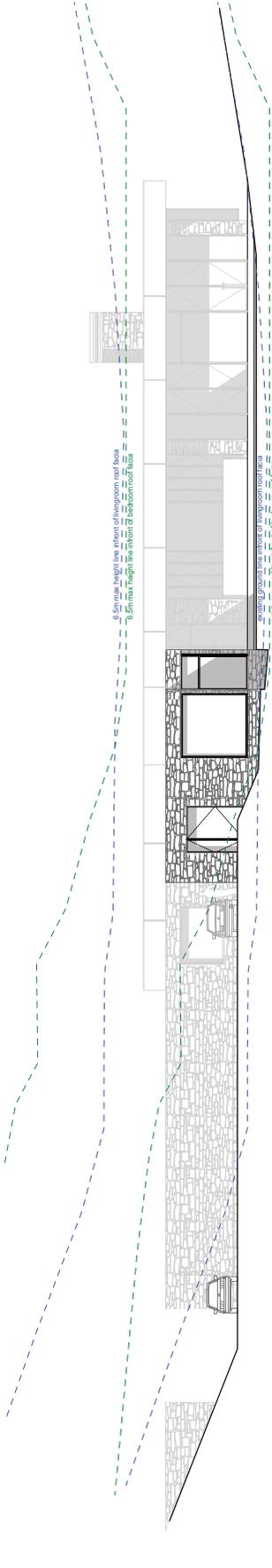






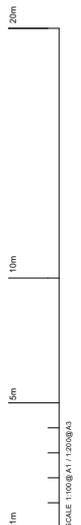


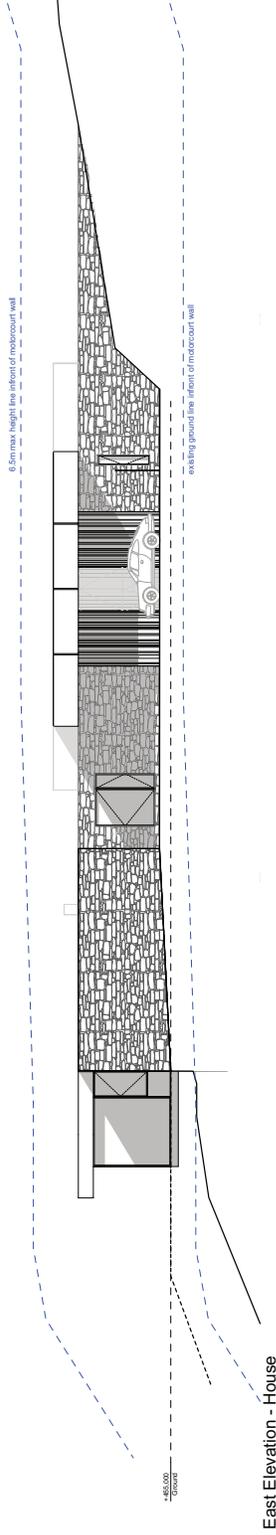
South Elevation - House



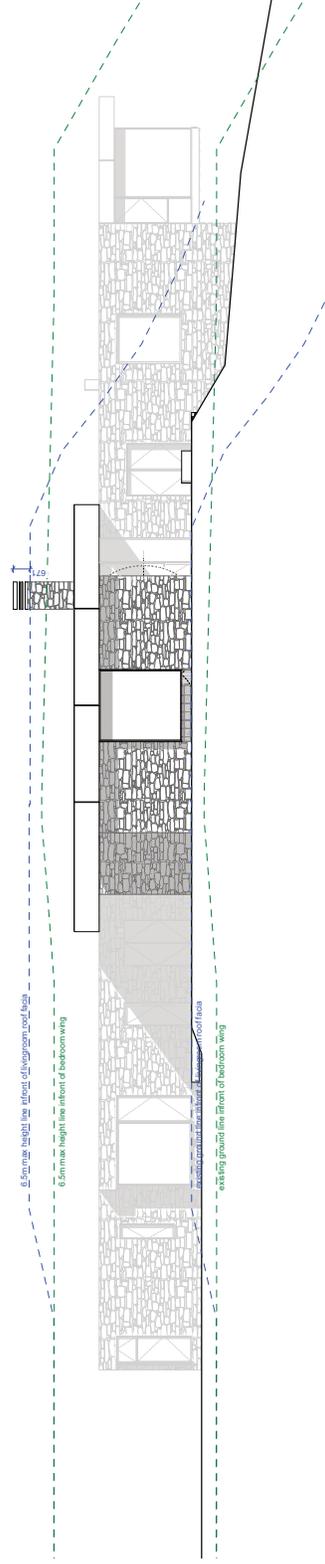
North Elevation - House

Resource Consent	R02	Roof Spandrel Panel	3	Wall Finish	J01	Steel Window Joinery
External Materials		Stone Chimney	W01	Stone Walls		Steel Window Joinery with clear high performance double glazing. Frames to be painted to match stone and brickwork.
Floor Finish	F01	Motorcourt Driveway	W02	Entry Lobby Wall	J02	Garage Door Panels
Motorcourt Driveway		Motorcourt		Vertical cladding in dark recessive tone.		Select metal wall panels to match spandrel panels.
Terrace Paving	F02	Roofing	4	Joinery		
Terrace Paving		Stone paving to terrace				
Roofing	2					



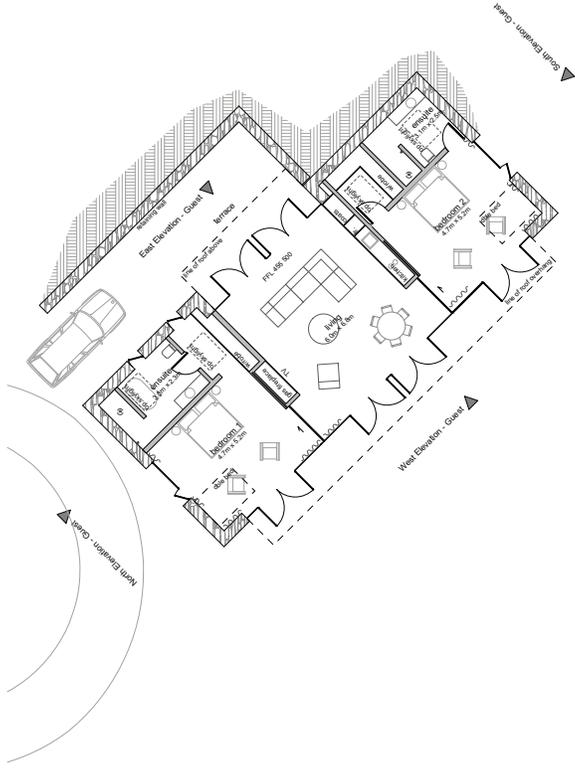


East Elevation - House

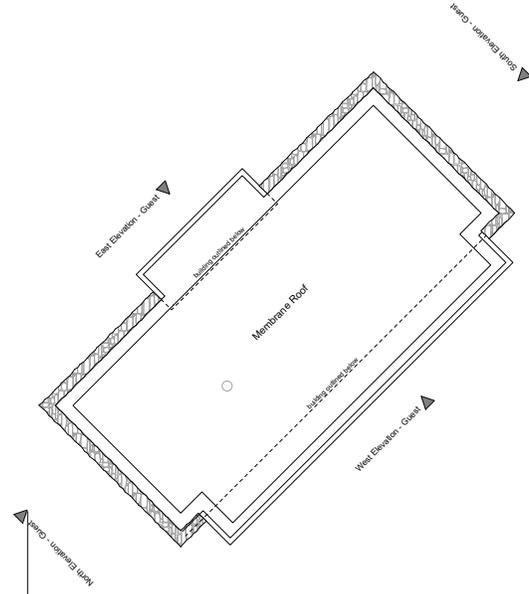


West Elevation - House

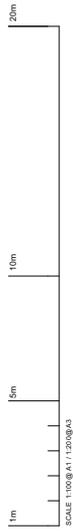
Resource Consent	R02	Roof Spandrel Panel	3	Wall/Finish	J01	Steel Window Joinery
External Materials	R03	Stone Chimney	W01	Stone Walls		Steel Window Joinery with clear high performance double glazing. Frames to be painted in a matching stone tone and matt finish
Floor Finish	F01	Motorcourt Driveway	W02	Entry Lobby Wall	J02	Garage Door Panels
Motorcourt Driveway	F02	Terrace Paving		Joinery		Selected metal wall panels to match spandrel panels.
Terrace Paving		Roofing				



Guest House Floor Plan



Guest House Roof Plan





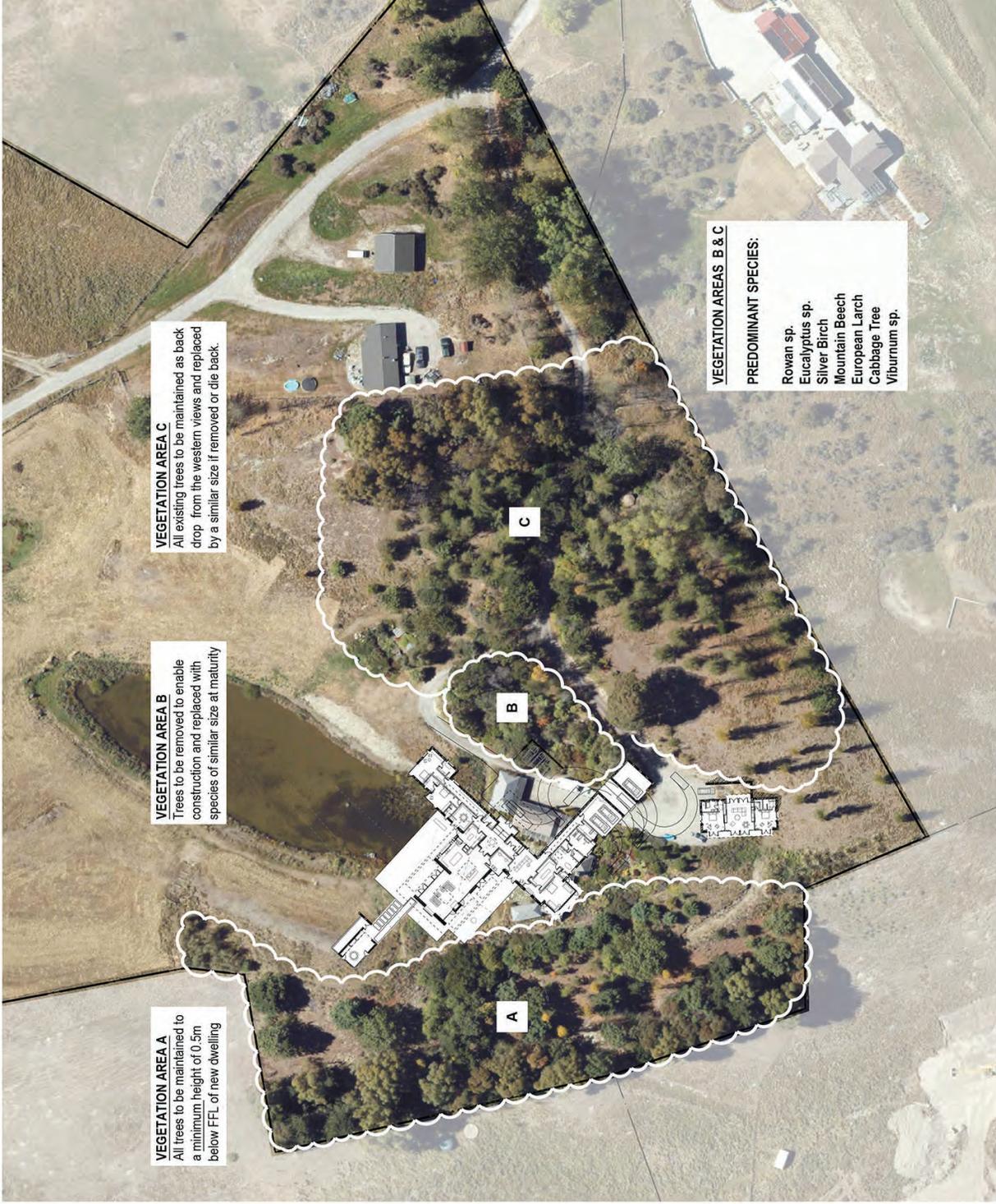
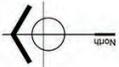
# ATTACHMENT A



## 903 LAKE HAYES ARROW JUNCTION SITE PLAN (A) DAVIES FAMILY

0 15 30 75m  
SCALE = 1:1500 AT A1  
SCALE = 1:1500 AT A3  
SCALE = 1:1500 AT A4  
REFERENCE 4339-SK06 - SCALE = 1:1500 AT A1 - 1:3000 AT A3 - 21 Mar 2022  
DRAFT - NOT A WORKING DRAWING - NOT FOR CONSTRUCTION  
I:\3139 - 903 Lake Hayes Arrow Junction\4339-SK06 - Davies - Lake Hayes - 903 plan.dwg - 5506





**VEGETATION AREA A**  
All trees to be maintained to a minimum height of 0.5m below FFL of new dwelling

**VEGETATION AREA B**  
Trees to be removed to enable construction and replaced with species of similar size at maturity

**VEGETATION AREA C**  
All existing trees to be maintained as back drop from the western views and replaced by a similar size if removed or die back.

**VEGETATION AREA A**

**PREDOMINANT SPECIES:**

- Rowan sp.
- Big Cone Pine
- Radiata Pine
- Cherry sp.
- Poplar sp.
- Eucalyptus sp.

**VEGETATION AREAS B & C**

**PREDOMINANT SPECIES:**

- Rowan sp.
- Eucalyptus sp.
- Silver Birch
- Mountain Beech
- European Larch
- Cabbage Tree
- Viburnum sp.



REFERENCE 4339-SK15 - SCALE = 1:500 AT A1 - 1:1000 AT A3 - 18 Mar 2022  
DRAFT - NOT A WORKING DRAWING - NOT FOR CONSTRUCTION  
I:\4339 - davies lake home 2021\4339-SK15-14 - vegetation management plan.dwg - 4/20/2022





**Davies 5424 Lake Hayes Arrow Junction  
Landscape Assessment  
January 2022**

## **INTRODUCTION**

1. This landscape assessment has been prepared by Baxter Design to assess the potential visual effects of a new dwelling to be located at 903 Lake Hayes Arrow Junction Highway. The existing site is 6.7 ha in size and legally described as Lot 1 DP 443715 (the site). A building platform is registered on the title. The following report includes:

- Description of the site and background,
- Description of the proposal,
- Landscape classification and methodology
- Landscape assessment,
- Conclusion.

2. The following **Attachments** are included in this report:

<b>Attachment A:</b> Site Plan	(Baxter Design: 4339-SK06)
<b>Attachment B:</b> Proposed House Design	(Baxter Design: 4339-SK07)
<b>Attachment C:</b> Proposed Home on Site	(Baxter Design: 4339-SK08)
<b>Attachment D:</b> Architects Elevations / House	Patterson Architects
<b>Attachment E:</b> Architects Elevations / House	Patterson Architects
<b>Attachment F:</b> Architects Elevations / Guesthouse	Patterson Architects
<b>Attachment G:</b> Photo Locations	(Baxter Design: 4339-SK09)
<b>Attachment H:</b> Photos 1 & 2	(Baxter Design: 4339-SK10)
<b>Attachment I:</b> Photos 3 & 4	(Baxter Design: 4339-SK11)
<b>Attachment J :</b> Photos 5 & 6	(Baxter Design: 4339-SK12)
<b>Attachment K:</b> Photos 7 & 8	(Baxter Design: 4339 – SK13)

## **DESCRIPTION OF THE EXISTING SITE AND BACKGROUND**

3. The site located approximately 450m east of the Lake Hayes Eastern shoreline and elevated approximately 140m above that lake level. The proposed dwelling will be located at the position of the established dwelling on the site, and extending out from the approved building platform that exists around the existing dwelling.
4. The existing dwelling, where the proposed dwelling is to be located (referred to as the 'site' in this report) is accessed by way of shared right of way from the Bendemeer development, off SH6 east of the intersection of SH6b and Lake Hayes - Arrowtown Road.
5. The site is also approximately 3.5km from Arrowtown and 1.4 km from the SH6 intersection. The existing pattern of development, including the existing residence, garden and tree plantings, in the vicinity of the site, are well established, located on the edge of an escarpment. The existing dwelling sits on an area of relatively

flat land at the top of the escarpment that runs parallel and rises up from, Lake Hayes, running almost north – south from Bendemeer to Hogan Gully Road. The landform is a series of undulating moraine landforms with Bendemeer located on the upper plateau of that form. The Lake Hayes – Arrowtown Road runs along the bottom of that escarpment, with a continuous pattern residential development above and below that road. The 'Hawthorn' development is located on the plateau below the site and separated from the site by approximately 120m of grazed grassland. **Attachment C** shows an overlay of the proposed dwelling over the existing dwelling and registered building platform .



Photograph showing the existing dwelling on site – Photo Dec 2021

6. The existing dwelling is located on the edge of the escarpment, surrounded by very well-established trees and shrubs, with extensive and established trees running down the slope to the west of the site. The existing building has a tiled gabled roof, with stone wall cladding features and is approximately 5.2 metres high at the all the gable peaks from ground level.
7. A large lawn area extends to the north of the existing dwelling, with a pond located within that valley form that extends to the north of the existing dwelling.

### THE PROPOSED DWELLING

8. The proposed dwelling is illustrated on **Attachments B-H**. The proposed dwelling (**Attachment C**) extends over an approved 1000m<sup>2</sup> building platform to both the southeast and north west. The proposed dwelling is located no further out (west) towards the escarpment edge than the existing dwelling and approximately 7m east of the western corner of the platform where a dwelling could be built out over the edge of the escarpment.
9. The proposed dwelling is approximately 890m<sup>2</sup> in size, with the guest house to the south of the proposed dwelling being approximately 178m<sup>2</sup>.
10. The proposed dwelling is a flat roof structure composed of an 'I' shaped form being the master bedroom and accessory rooms to that, then a living room extension towards the north. West of the living room is a dining loggia, largely unroofed with a very small roof over the furniture store. To the southeast of the main dwelling is a guest house with a footprint of approximately 150m<sup>2</sup>, at the same level as the main dwelling. The principle outdoor living space will be south of the main living area, in a location approximately where the outdoor loggia of the existing dwelling currently is located.
11. Access to the dwelling will utilise the existing driveways with access to the carpark area from both on the south and the north, as per the existing driveway pattern.

12. In regards to the form and height of the building the main dwelling is largely 3.7m in height above existing ground level (the same level as the existing dwelling) , being a vertical stone wall face with window and door punctuations. A soffit, approximately 1m high extends over the master bedroom and that part of the 'l' form that runs south-west – northeast, clad in a dark metal finish. The guest bedroom building will be 3.4m high, with a metal soffit detail 600mm deep extending along the west side of the building, the same height as the rest of that building.
13. No gable or roof forms will be visible on the house as is essentially flat roofed, the membrane roofs being built to minimum slope specifications.

### **LANDSCAPE CLASSIFICATION AND METHODOLOGY**

14. The assessment of effects scale used in this assessment is based on the New Zealand Institute of Landscape Architects (NZILA) 'Landscape Assessment and Sustainable Management 10.1' Best Practice Note. Appendix 1 outlines this ranking and associated explanation.

### **RELEVANT STATUTORY PROVISIONS**

15. Under the Proposed District Plan (PDP), the proposed site is located within the Wakatipu Basin Rural Amenity Zone (WBRAZ) and Landscape Character Unit (LCU) 13 Lake Hayes Slopes.
16. Under the Operative District Plan (ODP), the proposed site is located within a Visual Amenity Landscape (VAL) of the Rural General Zone.
17. This landscape assessment will respond to the following District Plan assessment matters:

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

- Chapter 5.4.2.2 (3) – Rural General Zone – Visual Amenity Landscape

### **LANDSCAPE AND VISUAL ASSESSMENT - Chapter 5.4.2.2 (3) – Rural General Zone – Visual Amenity Landscape**

### **EFFECTS ON NATURAL AND PASTORAL CHARACTER**

18. The new dwelling centred on the existing RBP will be located within an existing and established pattern of vegetation that surrounds the existing dwelling and 'spills' down the slope of the escarpment. From surrounding public and private places, the existing dwelling and vegetation is an established part of that public view and this application will not be introducing a residential dwelling into a pristine environment, rather an established residential pattern. The proposed dwelling, whilst having a substantially larger ground floor (the proposed building is single level) than the existing dwelling on site, is a lower structure, with the bulk of the building to the east of the existing dwelling and approved platform, well set back from the escarpment edge.
19. The proposed guesthouse is located south of the RBP however is a relatively small building, being 3.4m in height and clad largely in stone. This structure when viewed from the distances described will not adversely affect the wider natural character of the surrounding landscape, being at the Same elevation of the proposed dwelling and located visually within the frame of surrounding landscape
20. The colour, cladding and form (height) of the proposed dwelling will ensure that any potential visibility of a future dwelling will be visually recessive within the existing character of the rural residential neighbourhood. Importantly, the scale of the dwelling is not the determinant of effects here as only the western edge of the proposed dwelling will be visible, being those edges facing towards Lake Hayes and surrounds and the bulk of the dwelling will not be perceived from wider views given that the dwelling will occupy an existing flat terrace.

## VISIBILITY OF DEVELOPMENT

21. The potential visual catchment of the proposed dwelling is relatively limited with the closest views towards the site being that directly across Lake Hayes at 1.35 km. The dwelling will not be visible from any of Arrowtown – Lake Hayes Road and all potential visibility is restricted to the Lake Hayes walkway and to the Ladies Mile corridor, those views being between 3-5km distant from the site.
22. In general, the existing dwelling is already difficult to perceive and most viewers would be unaware of its location. The effects of the proposed dwelling will be no more than this.
23. **Attachment G** shows the location of the photographs. From Arrowtown-Lake Hayes Road (refer photos 1 & 2) the proposed dwelling will not be visible, screened by landform and existing vegetation, usually both.
24. From Photos 3 & 4 show views towards the proposed dwelling from the Lake Hayes Walkway, one at the northern reserve and the other from the highest point of the track. As noted earlier, the existing dwelling is very difficult to detect from these views, unless the viewer is assisted or is aware of the dwelling. To the casual observer the existing dwelling would not be noticed. The proposed dwelling will be no more visible than the existing dwelling from these locations due to its proposed height, colour and materials and the scale of the proposed dwelling facing this view.
25. From the Ladies Mile viewpoints, the existing and proposed dwelling are at such distance, and settled visually within an existing treed frame, that they are (and will be) barely discernible.
26. The proposed dwelling will not break the skyline from any of the viewpoints described and the existing vegetation, as it does with the existing dwelling, visually absorbs structure at that location.
27. Taking the above into account, it is considered that any potential visibility of a future dwelling will read as a small component of the existing cluster vegetation and structure development and as a result will not be visually prominent, in fact the opposite. To that end, any potential visibility of a future dwelling from the identified viewpoints above will have a very low adverse visual effect on the existing visual amenity values of the surrounding VAL.

## FORM AND DENSITY

28. The proposed dwelling will be located substantially within the existing RBP and mostly to the east of that platform. To that end the proposed scale and density of this development will be perceived as no more than currently exists on the site, albeit with a lower roof line and will not introduce densities which reflect those characteristics of urban areas.

## CUMULATIVE EFFECTS OF DEVELOPMENT ON THE LANDSCAPE

29. The visual catchment of this dwelling, being that catchment from where it may be potentially visible is very limited, at distance and the effects are largely established. No additional mitigation planting is required above and beyond that that already exists on the site.
30. The dwelling forms are recessive in nature without requiring further mitigation, being lower than the existing dwelling and largely presenting a stone wall elevation to those distant views, albeit with window punctuations. As a result of architectural character of the proposed dwelling, the dwelling will be visually appropriate within the existing landscape character and any potential visibility will not lead to further degradation or domestication of the landscape.

## LANDSCAPE AND VISUAL ASSESSMENT - Chapter 24.7.5 Wakatipu Basin (restricted discretionary)

### Landscape Character

31. Under the PDP, the proposed site is located on the centre of LCU 13 Lake Hayes Slopes.
32. LCU 23, identifies the proposed site as '*variably steep to moderately sloping hillsides*' and within the *Environmental characteristics and visual amenity values to be maintained and enhanced*' and the description notes the '*requirement for careful integration of buildings within landform and planting*'
33. In the absence of the minor terrace on the site, the established plantings and the existing RBP, realistically this would be a difficult site to undertake development and to meet the assessment matters set out in the PDP and ODP. The site however is established with both an established dwelling and plantings and a RBP does exist.
34. The existing vegetation and settlement patterns of the LCU and in particular the area within the immediate vicinity, provides a layer of human modification, visible from surrounding places. That layer however tends to occupy the central and southern portions of LCU13. The proposed dwelling with its low height, recessive claddings and limited exposure to views ensures that it will be visually recessive, as is the existing dwelling.
35. The proposal takes the opportunity to retain the mature trees to the north-east and north-west of the proposed RBP. The retained trees will provide a mature height and canopy, providing an immediate backdrop to the proposed site, aiding in visually absorbing the dwelling into the existing vegetation patterns.
36. Although the proposal will be partially visible, it will be no more visible than the existing dwelling, which is difficult to perceive from any of the viewpoints described in this report and any potential visibility will be read in that context.
37. Taking into account the above, any potential visibility of the proposed dwelling will not appear out of context and will maintain the existing rural residential landscape character. Any potential visibility from surrounding public places will have a very low adverse visual effect.

**APPENDIX A**

Landscape and visual effects rating scales extracted from the Guidelines for the Assessment of Landscape and Visual Effects, Supplementary Statement of Evidence of Bridget Mary Gilbert for Queenstown Lakes District Council, Topic 2 – Rural Landscapes, 29 April 2019.

<b>Adverse Visual Effects Rating Scale</b>	
<b>Effect Rating</b>	<b>Use and Definition</b>
<b>Very High</b>	Total loss of key elements / features / characteristics, i.e. amounts to a very significant negative change in visual amenity.
<b>High</b>	Major modification or loss of most key elements / features / characteristics, i.e. little of the pre-development visual amenity remains and amounts to a significant negative change in visual amenity values. Concise Oxford English Dictionary Definition High: adjective - Great in amount, value, size, or intensity.
<b>Moderate - High</b>	Modifications of several key elements / features / characteristics, i.e. the pre-development visual amenity remains evident but materially changed.
<b>Moderate</b>	Partial loss of or modification to key elements / features / characteristics, i.e. the pre-development visual amenity remains evident but is changed. Concise Oxford English Dictionary Definition Moderate: adjective - average in amount, intensity, quality or degree
<b>Moderate - Low</b>	Small loss of or modification to one or more key elements / features / characteristics, i.e. new elements are not uncharacteristic within the visual environment and do not disturb the pre development visual amenity.
<b>Low</b>	Very little material loss of or modification to key elements / features / characteristics. i.e. new elements integrate seamlessly into the pre-development visual environment. Concise Oxford English Dictionary Definition Low: adjective- 1. Below average in amount, extent, or intensity.
<b>Very Low</b>	Negligible loss of or modification to key elements/ features/ characteristics of the baseline, i.e. visual influence of new elements is barely discernible.
<b>Very Low</b>	Negligible loss of or modification to key elements/ features/ characteristics / values of the baseline, i.e. influence of new elements on landscape character and / or landscape values is barely discernible.

For the purposes of notification determination, an adverse effects rating of Moderate- Low corresponds to a 'minor' adverse effects rating. An adverse effects rating of 'Low' or 'Very Low' corresponds to a 'less than minor' adverse effects rating.

NB. These rating scales apply to adverse effects, not to positive effects.

# ATTACHMENT A



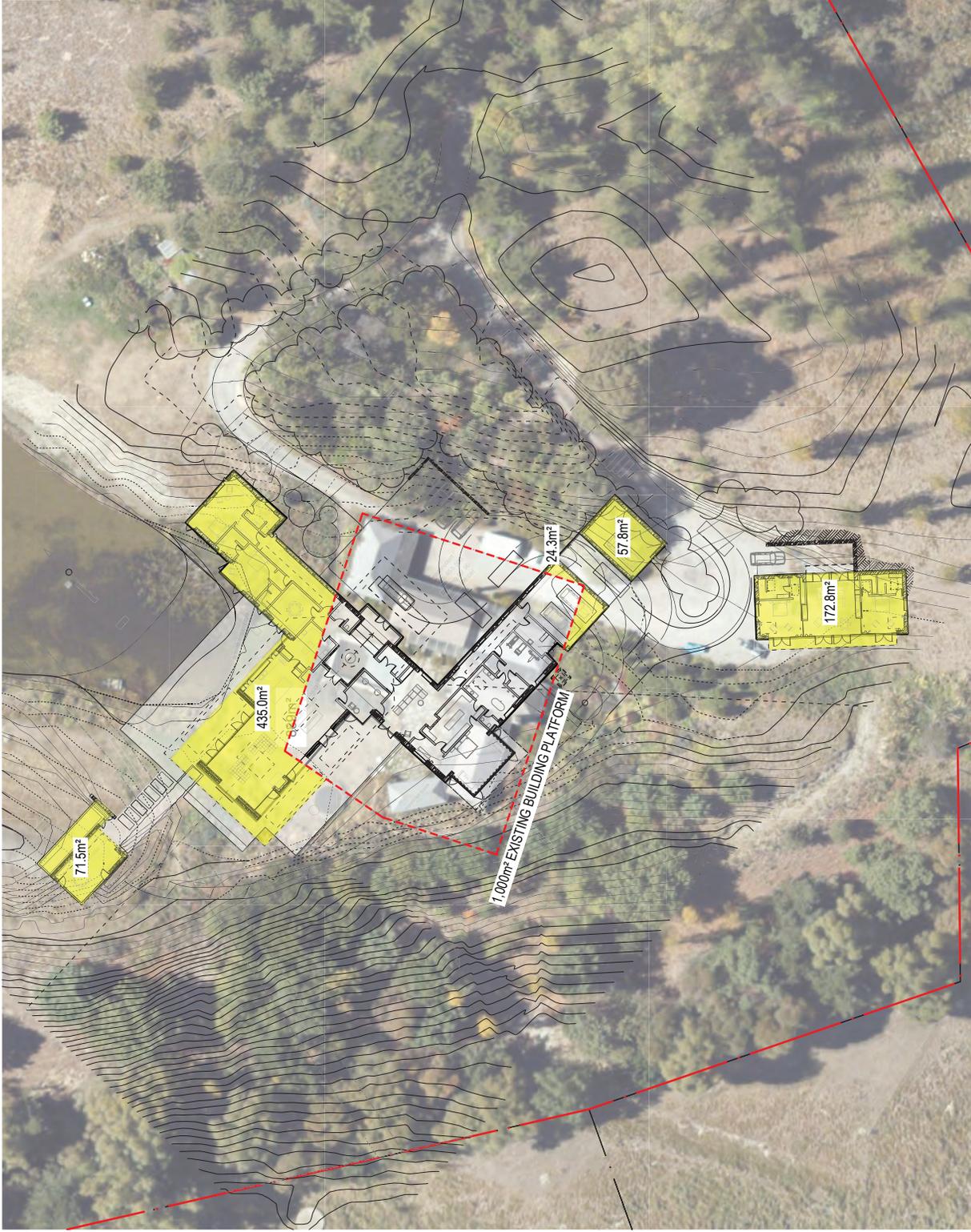
## 903 LAKE HAYES ARROW JUNCTION SITE PLAN (A) DAVIES FAMILY

**DRAFT**

0 15 30 75m  
SCALE = 1:1500 AT A1  
SCALE = 1:3000 AT A3  
REFERENCE 4339-SK06 - SCALE = 1:1500 AT A1 - 1:3000 AT A3 - 14 Feb 2022  
DRAFT - NOT A WORKING DRAWING - NOT FOR CONSTRUCTION  
I:\A339 - 020224\lakehayes\2021\coun\4339-sk06 - 020224 - lake hayes - site plan.dwg - 3006

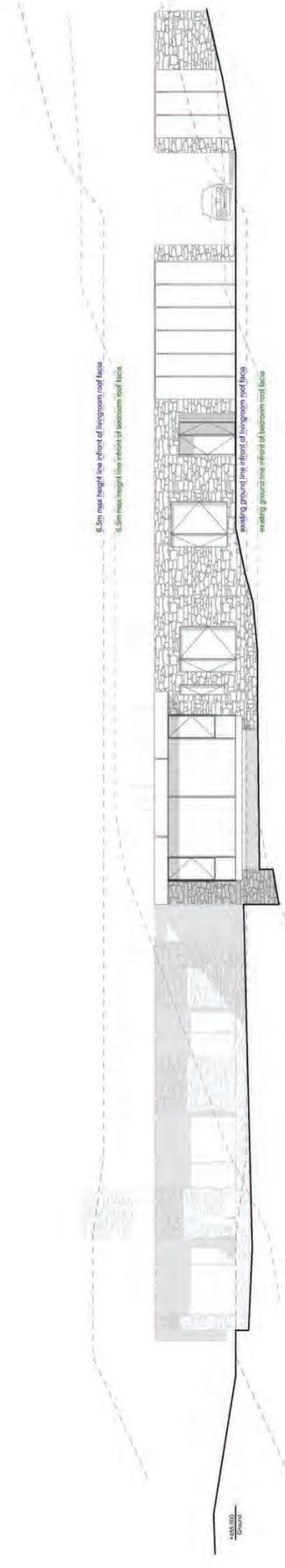




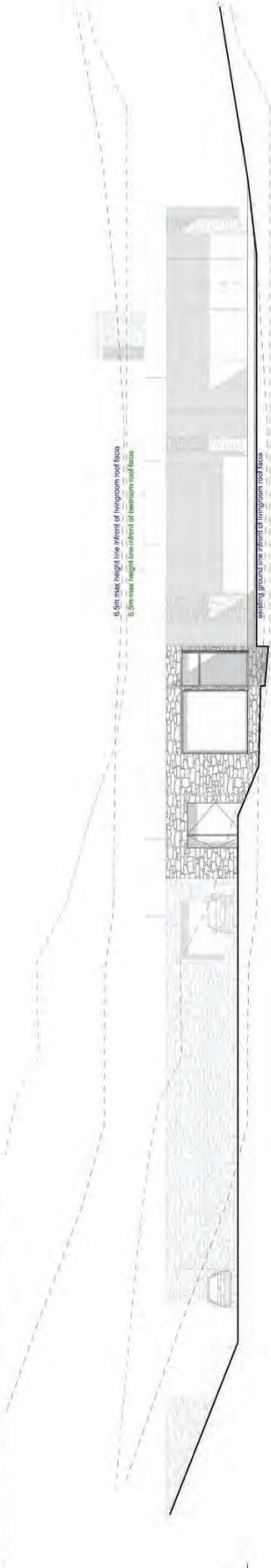




# ATTACHMENT D



South Elevation - House



North Elevation - House

## ARCHITECT'S PROPOSED HOUSE DESIGN (B) DAVIES FAMILY - 903 LAKE HAYES ARROW JUNCTION

Resource Consent	R02	Red Spandrel Panel	3	Wall Finish	J01	Steel Window Joinery
External Materials		Match stone walls in dark recessive tone and half finish.		Stone Walls		Steel window joinery with clear high performance double glazing. Frames to be painted to match stone walls recessive tone and half finish.
Floor Finish		Chimney clad in local schist with full shroud in front to match spandrel panels.	W01	Ennry Lobby Wall		
Metacourt Driveway	F01	Stone chip to driveway and metacourt.	W02	Cladding	J02	Garage Door Panels
Terrace Paving	F02	Stone paving to terrace	R03	Roofing		Selected metal wall panels to match spandrel panels.
Roofing	2	Stone paving to terrace	R04	Roofing		Match stone walls in tone.







G

ATTACHMENT



**DRAFT**

**PHOTO LOCATIONS (G)**  
DAVIES FAMILY - 903 LAKE HAYES ARROW JUNCTION