

APPLICATION AS NOTIFIED

**NWF Invest Limited
(RM260873)**

QUEENSTOWN LAKES DISTRICT COUNCIL

SERVICE OF NOTICE / LIMITED NOTIFICATION

Service of Notice for Limited Notification of a Resource Consent application under Section 95B of the Resource Management Act 1991.

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

NWF Invest Limited

What is proposed:

Application under Section 88 of the Resource Management Act 1991 (RMA) for the use of nine (9) residential units for a Residential Visitor Accommodation activity for up to 365 days per calendar year, accommodating up to six (6) guests per residential unit; and an associated breach to the mobility parking standard.

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

The subject site is located at 88 Middleton Road and 12 McGregor Lane, in between Middleton Road and Angelo Drive.

A full copy of this Limited Notified package is available for you to download on the following link:

<https://www.qldc.govt.nz/services/resource-consents/notified-resource-consents#limited-not-rc> or via our edocs website using RM260555 as the reference <https://edocs.qldc.govt.nz/Account/Login>

This file can also be viewed at our public computers at these Council offices:

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

The Council planner processing this application on behalf of the Council is Sol Kim, who may be contacted by phone at 03 441 1820 or e-mail at sol.kim@qldc.govt.nz

Any person who is notified of this 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:

22 October 2026

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/notified-consents/current-notified-resource-consents/>

You must serve a copy of your submission to the applicant, as soon as reasonably practicable after serving your submission to Council, using the following address:

C/- Richard Kemp
PO Box 2770
Wakatipu
Queenstown 9349

QUEENSTOWN LAKES DISTRICT COUNCIL



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

Date of Notification: 24 September 2026

Address for Service for Consent Authority:

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

Phone
Email
Website

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



DECISIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL

NOTIFICATION UNDER s95A AND s95B

OF THE RESOURCE MANAGEMENT ACT 1991

Applicant:	NWF Invest Limited
RM reference:	RM260873
Application:	Application under Section 88 of the Resource Management Act 1991 (RMA) for the use of nine (9) residential units for a Residential Visitor Accommodation activity for up to 365 days per calendar year with no minimum stay requirement, accommodating up to six (6) guests per residential unit; and an associated breach to the mobility parking standard.
Location:	88 Middleton Road and 12 McGregor Lane, Queenstown
Legal Description:	<u>88 Middleton Road</u> : Lot 26 DP 589937 held in RoT 1125967 <u>12 McGregor Lane</u> : Lot 12 DP 589937 held in RoT 1125968
Zoning:	ODP : Low Density Residential PDP (UIV) : Suburban Residential
Overlay:	Wāhi Tūpuna #20 - Te Tapunui (Queenstown Hill)
Activity Status:	Restricted Discretionary
Decision Date	22 September 2026

SUMMARY OF DECISIONS

1. Pursuant to sections 95A-95F of the Resource Management Act 1991 (**RMA**) the application will be processed on a **limited-notified** basis given the findings of Section 5 of the Section 95A and 95B report. This decision is made by Angela Jones, Independent Commissioner, on 22 September 2026 under delegated authority pursuant to Section 34A of the RMA.

1. SUMMARY OF PROPOSAL AND SITE DESCRIPTION

Consent is sought to carry out a Residential Visitor Accommodation (RVA) activity on the subject site, which comprises two adjoining lots with a combined area of approximately 3,947m².

The applicant has provided a detailed description of the proposal, the site and locality and the relevant site history in Section of the report entitled “*Resource Consent Application*”, prepared by Richard Kemp of Pragmatic Planning, and submitted as part of the application (hereon referred to as the applicant’s AEE and attached as Appendix 1). This description is considered accurate and is adopted for the purpose of this report with the following additions:

The RVA activity is proposed to be undertaken from nine residential units that were recently consented to be established, along with associated subdivision, on 26 June 2026 under RM260082. The residential units have not yet been constructed.

The location and configuration of the residential units are detailed further in RM260082 decision but to summarise:

- Five residential units are located on the Middleton Road site (88 Middleton Road) and are accessed via Middleton Road. They are identified as Unit 1-5 as shown in Figure 1.
- Four residential units are located on the McGregor Lane site (12 McGregor Lane), and are accessed via McGregor Lane. They are identified as Unit 6-9 as shown in Figure 1.
- One car park is allocated to residential unit.

The site is located on the lower slopes of Queenstown Hill, between Middleton Road and Angelo Drive over steep topography descending towards the south-southeast. McGregor Lane forms part of the subject site, being a private access contained entirely within 12 McGregor Lane, and currently serves five other lots along this lane.

The location and configuration of the residential units on the subject site are further detailed below:

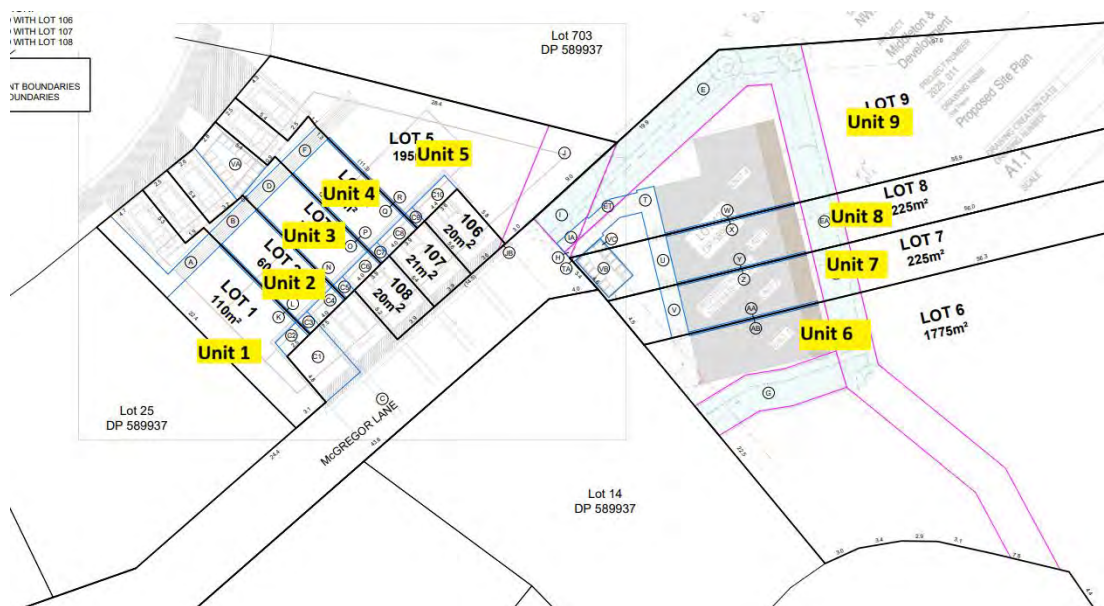


Figure 1. Subdivision Plan of the subject site, authorised under RM260082, and location of each residential unit.
Source: Subdivision Plan RM260082

2. ACTIVITY STATUS

The 2007 QLDC Operative District Plan is being reviewed through a series of plan changes commenced in August 2015 known as the Proposed District Plan (PDP). As set out in Chapter 1 of the PDP, the district plan can now be summarised as comprising:

- Provisions reviewed since 2015 referred to as the PDP that apply in areas mapped in the PDP ePlan maps; and

- B. Provisions reviewed since 2007 referred to as the Operative District Plan (ODP) that apply in areas mapped in the ODP ePlan maps, which appear as white in the PDP ePlan maps.

Strategic Chapters 3-6 of the PDP as well as Designations, Heritage and Wāhi Tūpuna apply to all areas.

Where decisions on the PDP have been appealed, the corresponding ODP rules continue to apply. As appeals are resolved, more PDP rules are treated as operative and the equivalent ODP rules are treated as inoperative (s.86F RMA). Currently, resource consent may be required under either, or both the ODP and PDP provisions listed below.

Council notified its decisions on the Urban Intensification Variation (UIV) on the 20 February 2026. The appeals period has closed, and the UIV provisions form part of the relevant planning framework.

2.1 OPERATIVE DISTRICT PLAN

There are no relevant rules under the ODP as the relevant rules of Section 7 (Residential Areas) is treated as inoperative given the relevant rules under the PDP are treated as operative pursuant to section 86F.

2.2 PROPOSED DISTRICT PLAN

The subject site is zoned Suburban Zone in the PDP, as varied by the UIV ePlan Maps and the proposed activity requires resource consent under the PDP for the following reasons:

Proposed District Plan

Rules that are treated as operative under s86F:

- A **restricted discretionary** activity pursuant to Rule 7.5.15 for a Residential Visitor Accommodation (RVA) activity exceeding 90 nights per annum. The proposed RVA activity would operate for up to 365 nights per annum, accommodating up to six (6) guests within each residential unit. Across all nine residential units on site, the total will be 54 guests at any one time, comprising nine separate groups. The Council's discretion is restricted to the following matters:

Council's discretion is restricted to the following matters:

- a) The location, nature and scale of activities;
 - b) Vehicle access and parking;
 - c) The management of noise, rubbish, recycling and outdoor activities;
 - d) Privacy and overlooking;
 - e) Outdoor lighting;
 - f) Guest management and complaints procedures;
 - g) The keeping of records of residential visitor accommodation use, and availability of records for Council inspection; and
 - h) Monitoring requirements, including imposition of an annual monitoring charge.
- A **restricted discretionary** activity pursuant to Rule 29.5.4 which requires the provision of one mobility parking space for a visitor accommodation activity for more than 6 guests. The site does not provide any mobility parking. The Council's discretion is restricted to the following:
 - a) The number, location, and design of mobility parking spaces, including the accessibility of the spaces to the building(s); and
 - b) Effectiveness of the associated signage.

2.3 ACTIVITY STATUS SUMMARY

In this case, the application is considered to be:

- a **restricted discretionary** activity under the PDP (UIV).

Overall, the application is being considered and processed as a **restricted discretionary** activity.

NOTIFICATION DETERMINATION DECISION UNDER SECTIONS 95A AND 95B OF THE RESOURCE MANAGEMENT ACT

3. SECTION 95A – PUBLIC NOTIFICATION

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

3.1 Step 1 – Mandatory public notification

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

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

The application does not involve an 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.

3.2 Step 2 – Public notification precluded

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

The proposal is not:

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

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

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

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

A consent authority must publicly notify an application if notification is not precluded by Step 2 and the consent authority decides, in accordance with s95D, that the proposed activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(8)(b)).

An assessment in this respect is therefore undertaken under Step 3, and decision made in sections 3.3.1 - 3.3.4 below:

3.3.1 Effects that must / may be disregarded (s95D(a)-(e))

Effects that must be disregarded:

- *Effects on the owners or occupiers of land on which the activity will occur and on adjacent land (s95D(a)).*
- *The activity is a **restricted discretionary** activity, so that adverse effects which do not relate to a matter of **discretion** have been disregarded (s95D(c)).*
- *Trade competition and the effects of trade competition (s95D(d)).*

Effects that may be disregarded:

- *An adverse effect of the activity if a rule or national environmental standard permits an activity with that effect (s95D(b)). The relevance of this to the application is provided in section 3.3.2 below.*

3.3.2 Permitted Effects (s95D(b))

The consent authority **may** disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect. In this case, it is permitted to use each residential unit for residential visitor accommodation activity for up to 90 nights per year, for up to 1 group of guests per residential unit (inclusive of a residential flat) for up to 9 people per unit; subject to other standards under 7.5.15. It is also permitted to use the unit for permanent residential accommodation, with no limit on the number of persons that can occupy the units. However, realistically within the Queenstown market, it is likely that each unit would be occupied by up to four couples (eight persons), along with associated vehicle use and parking – likely between two to four vehicles.

3.3.3 Assessment: Effects On The Environment

Taking into account sections 3.3.1 and 3.3.2 above, the following assessment determines whether the proposed activity will have, or is likely to have, adverse effects on the environment that are more than minor that will require public notification (s95A(8)(b)).

The following parts of the Assessment of Effects provided at section 5 of the applicant's AEE, are considered to be accurate, and are adopted for the purposes of this report:

- Noise and Outdoor Living Areas
- Health and Safety
- Rubbish and Recycling
- Outdoor Lighting
- Guest Management, Record Keeping, Complaints Procedures & Monitoring

Other relevant assessment matters have been considered in the assessment below.

Location, nature and scale of activities

The proposed RVA activity will be contained within the residential units after their establishment, which will have a modern urban residential appearance and scale, comprising multi-level, townhouse-style buildings stepped across the sloping site. Each unit is proposed to accommodate up to six guests for up to 54 guests at any one time across nine groups. While the proposed number of guests is slightly less than those anticipated for a RVA activity (per residential unit), the proposed number of nights of stay is more than four times greater than what is anticipated for a RVA activity. This level of use is considered to represent a high intensity RVA activity within this zone, due to the number of residential units proposed (9), along with their year-round use.

Although the subject site has been authorised for subdivision to create nine separate allotments, the development is arranged across two distinct areas based on the configuration of the underlying parent lots – of 88 Middleton Road and 12 McGregor Lane. Five residential units are located over 88 Middleton Road (609m²) and are accessed from Middleton Road, while the remaining four units are located at 12 McGregor Lane (3,338m²) and are accessed via McGregor Lane – which is a private accessway forming part of the subject site that follows a dog-leg configuration.

RVA activities have the potential to detract from the amenity and character of the surrounding neighbourhood where their patterns of use and occupancy differ materially from those of permanent residential occupation. Permanent residential occupation generally provides a degree of continuity and familiarity that contributes to the amenity and character anticipated within a residential neighbourhood. In this case, the proposal would exclude all nine residential units from permanent residential occupation, to enable RVA use for 365 nights per year, with a combined maximum occupancy of 54 guests and no minimum nights of stay – which would reduce the continuity and familiarity otherwise experienced and in turn, adversely affect the residential amenity and character experienced by surrounding residents.

The Visitor Accommodation Management Plan includes controls relating to outdoor use, noise, parking and waste management, which would assist in managing specific day-to-day operational and nuisance

effects. These matters are assessed in greater detail under the AEE as referenced above. However, while these controls may reduce such effects, they do not fully address the broader effects on residential amenity and character arising from the scale and concentration of RVA activity across all nine units and the potential frequency of guest turnover.

The potential effects of the proposed RVA activity on the residential amenity and character of the surrounding neighbourhood have been assessed separately for the Middleton Road and McGregor Lane development areas. As they differ in their respective topography, vehicle access, proximity and relationship with the surrounding neighbourhood.

Middleton Road Units

The five residential units at 88 Middleton Road would accommodate up to 30 guests across five separate groups and would be accessed from Middleton Road. However, the units on this section will be established in accordance with the sloping topography – stepped down southeast towards McGregor Lane. Accordingly, much of the residential development, including the principal living and outdoor areas, will be positioned below the Middleton Road frontage, with the parking and access area comprising the visible component of the development and the primary point of contact and interaction with the road.

Additionally, Middleton Road is an arterial road with a more active and transient use pattern than the privately accessed McGregor Lane. Its curving alignment, along with the sloping topography, results in increased physical and visual separation between residential units in this area and limits opportunities for direct interaction among their residential occupants.

Accordingly, the potential adverse effects arising from the location, nature and scale of the proposed activity on residential amenity and character within the wider Middleton Road area, beyond the immediately adjoining properties, are anticipated to be no more than minor. Potential effects on the immediately adjoining properties are assessed separately below.



Figure 2. View of the Middleton Road site/units from Middleton Road. Source: Architectural Plans RM260082.

McGregor Lane Units

The remaining four residential units at 12 McGregor Lane could accommodate up to 24 guests across four separate groups. These units would be accessed via McGregor Lane, which is a private accessway with a dog-leg configuration within a relatively contained residential environment. Guest arrivals and departures, along with other operational and servicing movements for the four units would therefore be concentrated along this accessway and experienced in closer proximity to the residents whose properties adjoin or are accessed from McGregor Lane.

McGregor Lane is located between Middleton Road and Angelo Drive, and due to the changes in elevation and the limited number of dwellings it serves, the lane forms a relatively contained residential environment with limited visual and physical connection to the wider surrounding area. This configuration limits the extent of the RVA activity beyond McGregor Lane. Accordingly, the potential adverse effects arising from the location, nature and scale of the proposed activity on the residential amenity and character of the wider environment are anticipated to be no more than minor.

Cumulative effects

The potential for cumulative effects arising from the location, nature and scale of the Proposed RVA activity has also been considered, taking into account other short-term visitor accommodation activities (Visitor Accommodation and Residential Visitor Accommodation) in the surroundings. A review of Council records indicates that there are four residential units in the surrounding neighbourhood that are utilised for RVA activities – three of which are authorised for 180 nights and one for 365 nights, as shown in Figure 3.

The addition of nine residential units available for RVA use for up to 365 nights per year would materially increase both the concentration and proportion of residential units authorised for RVA within the neighbourhood. Following completion of the approved subdivision (under RM260082), this proportion of RVA activities would increase from approximately 18% (4/22 properties) to 59% (13/22 properties).

In addition, three of the four RVA activities are limited to 180 nights per year (with the remaining one authorised for 365 nights per year), which could allow for some residential use in the remaining days of the year whereas the proposal would enable year-round RVA activity across all nine units without a minimum night stay requirement.

Given the increase in scale and nature of the proposal as described above, along with the substantial increase in the proportion of properties authorised for RVA – by more than threefold in comparison to existing use – the proposal is likely to shift the pattern of land use within the surrounding neighbourhood towards RVA activities. This change would reduce opportunities for permanent residential occupation, as well as the continuity and familiarity it supports. Therefore, the proposal is likely to adversely affect the residential amenity and character of the surrounding neighbourhood and limit opportunities for social/neighbourly cohesion.

These potential effects are however mitigated by the fact that the McGregor Lane site is located at the end of a private accessway downslope, similar to a rear lot, which reduces its visibility beyond its immediate surrounding neighbourhood and minimises the site's interaction with the wider environment. The residential units contained in the Middleton Road site are located downslope of the road boundary and have reduced interaction with the road boundary. This arrangement is expected to mitigate adverse cumulative effects to a level that is no more than minor.

In light of the above, it is considered that the potential effects on the wider urban environment in terms of location, nature and scale as a result of the proposed activity are likely to be no more than minor.



Figure 3. The subject site (88 Middleton Road and 12 McGregor Lane) and surrounding neighbourhood (outlined in red). RVA activities within the neighbourhood – red star indicates 365 days and yellow star indicates 180 days. Source: QLDC Aerial imagery.

Vehicle access and parking

The proposal has been reviewed by Council's Senior Land Development Engineer, Ms. Lyn Overton, who confirms that the access, parking and manoeuvring arrangements approved under RM260082 remain appropriate for the proposed RVA activity. The five residential units at 88 Middleton Road and four residential units at 12 McGregor Lane will each be provided with one on-site parking space. All nine parking spaces have been assessed as suitable for unfamiliar (Class 2) users, which includes RVA guests.

Only one parking space will be available for each unit and in addition, Ms. Overton confirms that there is no parking capacity for a second vehicle associated with the four units accessed from McGregor Lane, due to the limited width of McGregor Lane. The applicant has confirmed that any vehicles exceeding the parking provision (of one on-site parking per unit) would be required to park along Middleton Road – which has sufficient on-street parking capacity, and any prospective guests will be advised of this.

No mobility parking spaces are provided however, there is sufficient access and parking space to allow for mobility vehicles to undertake pick up and drop offs nearby the residential units as required. Furthermore, the multi-level arrangement of the residential units means that the units are not designed to be readily accessible for guests with limited mobility. The applicant has confirmed that these accessibility limitations will be clearly communicated to prospective guests prior to booking so they can determine whether the accommodation is suitable for their needs or not.

In light of the above, the potential effects of the proposed activity in relation to vehicle access and parking are likely to be no more than minor.

Privacy and Overlooking

The construction of the residential units was authorised under RM260082, which concluded that their use would not result in adverse effects on privacy. While the proposed RVA activity is a use not anticipated under that decision and has the potential for greater effects due to frequent guest turnover, it is nevertheless expected to result in effects that are similar to, or less than, those authorised under RM260082 – due to the mitigation measures proposed by the applicant to minimise potential privacy effects, such as limiting the use of the outdoor area from 10pm to 7am.

Thus, the potential effects of the proposed activity in relation to privacy and overlooking are likely to be no more than minor.

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

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

3.4 Step 4 – Public Notification in Special Circumstances

There are no special circumstances in relation to this application, which require public notification.

4. LIMITED NOTIFICATION (s95B)

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

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

Determination under s95B(2)

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

Determination under s95B(3)

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

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

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

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

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

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

Boundary activity

The proposal is not a boundary activity.

Any other activity

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

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

- a) The consent authority **may** disregard an adverse effect of the activity on a person if a rule or national environmental standard (NES) permits an activity with that effect. Section 3.3.2 above sets out the relevance of this to the application.
- b) The consent authority **must** disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and
- c) The consent authority **must** have regard to every relevant statutory acknowledgement specified in [Schedule 11](#).

4.3.1 [ii] Persons who have provided written approval (s95E(3))

No persons have provided written approval to the proposed activity.

4.3.2 Assessment: Effects on Persons

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

86 Middleton Road

This property is located adjacent to the western boundary of the subject site (88 Middleton Road) and contains a residential unit in close proximity to the proposed development – at approximately 1.5m from the shared site boundary and approximately 3.5m from Unit 1. The access staircase descending from the proposed car parking area to Units 1-5 is located within the internal boundary setback measured from the boundary shared with this property.

As stated above, the construction of the residential units was authorised under RM260082, which concluded that their use would not result in adverse effects on privacy, including over this property. While

the proposed RVA activity is a use not anticipated under that decision and has the potential for greater effects due to frequent guest turnover, it is nevertheless expected to result in effects that are similar to, or less than, those authorised under RM260082 – due to the mitigation measures proposed by the applicant to minimise potential privacy effects. The proposed activity will not result in any additional built form and therefore, is not expected to result in adverse dominance and shading effects.

In a similar manner, the potential adverse effects arising from the vehicle access and parking provisions – in relation to the proposed activity – are considered to be less than minor, as the provisions have been reviewed and confirmed to be acceptable by the Council's Senior Land Development Engineer. Ms. Overton has confirmed that the assessment provided under RM260082 is also applicable to this application accounting for Class 2 drivers – including RVA guests.

The Visitor Accommodation Management Plan includes controls relating to outdoor use, noise, parking and waste management, which would assist in managing specific day-to-day operational and nuisance effects – ensuring that such effects on the owners and occupiers of this property are less than minor.

However, the residential amenity and character experienced by the owners and occupiers of this property are likely to be adversely affected by the proposed activity, due to its scale and intensity. The proposed RVA activity is to occur year-round across nine (9) residential units, which is a substantial increase in this immediate location. As a result, the proportion of RVA activities within this neighbourhood (as shown in Figure 3) will increase more than three-fold (approximately from 18% to 59%).

Such a shift in pattern of land use within the surrounding neighbourhood would result in adverse cumulative effects by materially increasing the number and concentration of RVA activities within this neighbourhood, and reducing the proportion of properties available for long-term residential activities. This would reduce the continuity and familiarity otherwise anticipated within this residential neighbourhood, thereby contributing to the erosion of its residential amenity and character. It would also limit opportunities for neighbourly relationships and social cohesion to develop.

It is noted that this property is currently utilised for RVA, as shown in Figure 3 above. The applicant considers that, because a similar activity occurs on the property, its owners/occupiers should not be regarded as affected by the proposal. However, the resource consent for the RVA activity does not require the activity to continue in perpetuity. The RVA activity may cease at any time, allowing permanent residential occupation to resume. Its current use for RVA therefore does not disregard the owners/occupiers interest in the residential amenity and character of the surrounding neighbourhood, nor does it mean that they cannot be adversely affected by a further RVA activities within the surrounding neighbourhood. Furthermore, the existing RVA consent authorises the activity for a maximum of 180 nights per year, which is materially less than the proposed year-round use.

In light of the above, the proposed activity is considered to result in at least minor effects on the owners/occupiers of this property.

90 Middleton Road

This property adjoins both the Middleton Road and McGregor Lane sites along its southern boundary. This property is currently vacant and does not currently contain a residential unit.

The construction of the residential units was authorised under RM260082, which concluded that their use would not result in adverse effects on privacy, including over this property. While the proposed RVA activity is a use not anticipated under that decision and has the potential for greater effects due to frequent guest turnover, it is nevertheless expected to result in effects that are similar to, or less than, those authorised under RM260082 – due to the mitigation measures proposed by the applicant to minimise potential privacy effects. The proposed activity will not result in any additional built form and therefore, is not expected to result in adverse dominance and shading effects.

In a similar manner, the potential adverse effects arising from the vehicle access and parking provisions – in relation to the proposed activity – are considered to be less than minor, as the provisions have been reviewed and confirmed to be acceptable by the Council's Senior Land Development Engineer. Ms. Overton has confirmed that the assessment provided under RM260082 is also applicable to this application accounting for Class 2 drivers – including RVA guests.

The Visitor Accommodation Management Plan includes controls relating to outdoor use, noise, parking and waste management, which would assist in managing specific day-to-day operational and nuisance effects – ensuring that such effects on the owners and occupiers of this property are less than minor.

However, should this property be utilised for a residential occupation, the residential amenity and character experienced by the owners and occupiers of this property are likely to be adversely affected by the proposed activity, due to its scale and intensity. The proposed RVA activity is to occur year-round across nine (9) residential units, which is a substantial increase in this immediate location. As a result, the proportion of RVA activities within this neighbourhood (as shown in Figure 3) will increase more than three-fold (approximately from 18% to 59%).

Such a shift in pattern of land use within the surrounding neighbourhood would result in adverse cumulative effects by materially increasing the number and concentration of RVA activities within this neighbourhood, and reducing the proportion of properties available for long-term residential activities. This would reduce the continuity and familiarity otherwise anticipated within this residential neighbourhood, thereby contributing to the erosion of its residential amenity and character. It would also limit opportunities for neighbourly relationships and social cohesion to develop.

In light of the above, the proposed activity is considered to result in at least minor effects on the owners/occupiers of this property.

93 and 95 Middleton Road

These properties are located 10-20m north-northwest of the subject site across Middleton Road, positioned further upslope of the proposed development. Both sites are currently undeveloped.

The construction of the residential units was authorised under RM260082, which concluded that their use would not result in adverse effects on privacy, including over these properties. While the proposed RVA activity is a use not anticipated under that decision and has the potential for greater effects due to frequent guest turnover, it is nevertheless expected to result in effects that are similar to, or less than, those authorised under RM260082 – due to the mitigation measures proposed by the applicant to minimise potential privacy effects. The proposed activity will not result in any additional built form and therefore, is not expected to result in adverse dominance and shading effects.

In a similar manner, the potential adverse effects arising from the vehicle access and parking provisions – in relation to the proposed activity – are considered to be less than minor, as the provisions have been reviewed and confirmed to be acceptable by the Council's Senior Land Development Engineer. Ms. Overton has confirmed that the assessment provided under RM260082 is also applicable to this application accounting for Class 2 drivers – including RVA guests.

The Visitor Accommodation Management Plan includes controls relating to outdoor use, noise, parking and waste management, which would assist in managing specific day-to-day operational and nuisance effects – ensuring that such effects on the owners and occupiers of this property are less than minor.

However, should these properties be utilised for a residential occupation, the residential amenity and character experienced by the owners and occupiers are likely to be adversely affected by the proposed activity, due to its scale and intensity. The proposed RVA activity is to occur year-round across nine (9) residential units, which is a substantial increase in this immediate location. As a result, the proportion of RVA activities within this neighbourhood (as shown in Figure 3) will increase more than three-fold (approximately from 18% to 59%).

Such a shift in pattern of land use within the surrounding neighbourhood would result in adverse cumulative effects by materially increasing the number and concentration of RVA activities within this neighbourhood, and reducing the proportion of properties available for long-term residential activities. This would reduce the continuity and familiarity otherwise anticipated within this residential neighbourhood, thereby contributing to the erosion of its residential amenity and character. It would also limit opportunities for neighbourly relationships and social cohesion to develop.

While these properties have a less direct relationship with the subject site due to their location, they remain within the surrounding neighbourhood and have views across the site. Their owners and occupiers

are therefore likely to experience adverse effects on residential amenity and neighbourhood character arising from the proposal.

In light of the above, the proposed activity is considered to result in at least minor effects on the owners/occupiers of this property.

82 and 84 Middleton Road

These properties are located nearby the junction of Middleton Road and McGregor Lane, with 84 McGregor Lane located approximately 20m southwest of Unit 1 on Middleton Road. 84 Middleton Road contains a residential unit, while 82 Middleton Road is currently undeveloped.

The construction of the residential units was authorised under RM260082, which concluded that their use would not result in adverse effects on privacy, including over these properties. While the proposed RVA activity is a use not anticipated under that decision and has the potential for greater effects due to frequent guest turnover, it is nevertheless expected to result in effects that are similar to, or less than, those authorised under RM260082 – due to the mitigation measures proposed by the applicant to minimise potential privacy effects. The proposed activity will not result in any additional built form and therefore, is not expected to result in adverse dominance and shading effects.

In a similar manner, the potential adverse effects arising from the vehicle access and parking provisions – in relation to the proposed activity – are considered to be less than minor, as the provisions have been reviewed and confirmed to be acceptable by the Council's Senior Land Development Engineer. Ms. Overton has confirmed that the assessment provided under RM260082 is also applicable to this application accounting for Class 2 drivers – including RVA guests.

The Visitor Accommodation Management Plan includes controls relating to outdoor use, noise, parking and waste management, which would assist in managing specific day-to-day operational and nuisance effects – ensuring that such effects on the owners and occupiers of this property are less than minor.

However, should these properties be utilised for a residential occupation, the residential amenity and character experienced by the owners and occupiers are likely to be adversely affected by the proposed activity, due to its scale and intensity. The proposed RVA activity is to occur year-round across nine (9) residential units, which is a substantial increase in this immediate location. As a result, the proportion of RVA activities within this neighbourhood (as shown in Figure 3) will increase more than three-fold (approximately from 18% to 59%).

Such a shift in pattern of land use within the surrounding neighbourhood would result in adverse cumulative effects by materially increasing the number and concentration of RVA activities within this neighbourhood, and reducing the proportion of properties available for long-term residential activities. This would reduce the continuity and familiarity otherwise anticipated within this residential neighbourhood, thereby contributing to the erosion of its residential amenity and character. It would also limit opportunities for neighbourly relationships and social cohesion to develop.

While these properties have a less direct relationship with the subject site due to their location, they remain within the surrounding neighbourhood. And due to their location adjacent to McGregor Lane and Middleton Road, they would experience the coming and goings of the RVA guests and notice the high turnover rate for all year-round RVA activity across the nine residential units. Their owners and occupiers are therefore likely to experience adverse effects on residential amenity and neighbourhood character arising from the proposal.

In light of the above, the proposed activity is considered to result in at least minor effects on the owners/occupiers of this property.

10 McGregor Lane

This property is located south of McGregor Lane and adjoins the western boundary of 12 McGregor Lane and located across the lane from 88 Middleton Road. The residential unit on this property is located approximately 2m from the shared boundary and approximately 3.5m from the south-western corner of Unit 6 and located approximately 12m south of Units 1–5 at 88 Middleton Road.

As stated above, the construction of the residential units was authorised under RM260082, which concluded that their use would not result in adverse effects on privacy, including over this property. While the proposed RVA activity is a use not anticipated under that decision and has the potential for greater effects due to frequent guest turnover, it is nevertheless expected to result in effects that are similar to, or less than, those authorised under RM260082 – due to the mitigation measures proposed by the applicant to minimise potential privacy effects. The proposed activity will not result in any additional built form and therefore, is not expected to result in adverse dominance and shading effects.

In a similar manner, the potential adverse effects arising from the vehicle access and parking provisions – in relation to the proposed activity – are considered to be less than minor, as the provisions have been reviewed and confirmed to be acceptable by the Council's Senior Land Development Engineer. Ms. Overton has confirmed that the assessment provided under RM260082 is also applicable to this application accounting for Class 2 drivers – including RVA guests.

The Visitor Accommodation Management Plan includes controls relating to outdoor use, noise, parking and waste management, which would assist in managing specific day-to-day operational and nuisance effects – ensuring that such effects on the owners and occupiers of this property are less than minor.

However, the residential amenity and character experienced by the owners and occupiers of this property are likely to be adversely affected by the proposed activity, due to its scale and intensity. The proposed RVA activity is to occur year-round across nine (9) residential units, which is a substantial increase in this immediate location. As a result, the proportion of RVA activities within this neighbourhood (as shown in Figure 3) will increase more than three-fold (approximately from 18% to 59%).

Such a shift in pattern of land use within the surrounding neighbourhood would result in adverse cumulative effects by materially increasing the number and concentration of RVA activities within this neighbourhood, and reducing the proportion of properties available for long-term residential activities. This would reduce the continuity and familiarity otherwise anticipated within this residential neighbourhood, thereby contributing to the erosion of its residential amenity and character. It would also limit opportunities for neighbourly relationships and social cohesion to develop.

This property has a high degree of interaction with the subject site due to its location, being nearby all nine units proposed to be utilised for RVA. Its owners and occupants would experience the coming and goings of the RVA guests and notice the high turnover rate for all year-round RVA activity across the nine residential units. Therefore, the owners and occupants of this property are likely to experience adverse effects on residential amenity and neighbourhood character arising from the proposal.

It is noted that this property is currently utilised for RVA, as shown in Figure 3 above. The applicant considers that, because a similar activity occurs on the property, its owners/occupiers should not be regarded as affected by the proposal. However, the resource consent for the RVA activity does not require the activity to continue in perpetuity. The RVA activity may cease at any time, allowing permanent residential occupation to resume. Its current use for RVA therefore does not disregard the owners/occupiers interest in the residential amenity and character of the surrounding neighbourhood, nor does it mean that they cannot be adversely affected by a further RVA activities within the surrounding neighbourhood. Furthermore, the existing RVA consent authorises the activity for a maximum of 180 nights per year, which is materially less than the proposed year-round use.

In light of the above, the proposed activity is considered to result in at least minor effects on the owners/occupiers of this property.

4, 6 and 8 McGregor Lane

These properties are located south of McGregor Lane, with the closest residential unit to the proposed development located approximately 25m to the south-west, at 8 McGregor Lane. The topography slopes downward from the McGregor Lane entrance toward the subject site and across these properties.

The construction of the residential units was authorised under RM260082, which concluded that their use would not result in adverse effects on privacy, including over these properties. While the proposed RVA activity is a use not anticipated under that decision and has the potential for greater effects due to frequent guest turnover, it is nevertheless expected to result in effects that are similar to, or less than, those

authorised under RM260082 – due to the mitigation measures proposed by the applicant to minimise potential privacy effects.

In a similar manner, the potential adverse effects arising from the vehicle access and parking provisions – in relation to the proposed activity – are considered to be less than minor, as the provisions have been reviewed and confirmed to be acceptable by the Council's Senior Land Development Engineer. Ms. Overton has confirmed that the assessment provided under RM260082 is also applicable to this application accounting for Class 2 drivers – including RVA guests.

The Visitor Accommodation Management Plan includes controls relating to outdoor use, noise, parking and waste management, which would assist in managing specific day-to-day operational and nuisance effects – ensuring that such effects on the owners and occupiers of this property are less than minor.

However, the residential amenity and character experienced by the owners and occupiers are likely to be adversely affected by the proposed activity, due to its scale and intensity. The proposed RVA activity is to occur year-round across nine (9) residential units, which is a substantial increase in this immediate location. As a result, the proportion of RVA activities within this neighbourhood (as shown in Figure 3) will increase more than three-fold (approximately from 18% to 59%).

Such a shift in pattern of land use within the surrounding neighbourhood would result in adverse cumulative effects by materially increasing the number and concentration of RVA activities within this neighbourhood, and reducing the proportion of properties available for long-term residential activities. This would reduce the continuity and familiarity otherwise anticipated within this residential neighbourhood, thereby contributing to the erosion of its residential amenity and character. It would also limit opportunities for neighbourly relationships and social cohesion to develop.

While these properties have a less direct relationship with the subject site due to their location, they remain within the surrounding neighbourhood. And due to their location adjacent to McGregor Lane, they would experience the coming and goings of the RVA guests and notice the high turnover rate for all year-round RVA activity across the nine residential units. Their owners and occupiers are therefore likely to experience adverse effects on residential amenity and neighbourhood character arising from the proposal.

In light of the above, the proposed activity is considered to result in at least minor effects on the owners/occupiers of this property.

1000 Frankton Road

This property is a large 34 ha property adjoining the eastern boundary of the subject site, extending steeply upslope from the site towards the upper slope of Queenstown Hill, forming part of the Western Whakatipu Basin Outstanding Natural Landscape. It contains a large active gully along the south-west boundary, nearby the eastern boundary of the subject site, continuing towards the south.

The construction of the residential units was authorised under RM260082, which concluded that their use would not result in adverse effects on this property. While the proposed RVA activity is a use not anticipated under that decision and has the potential for greater effects due to frequent guest turnover, it is nevertheless expected to result in effects that are similar to, or less than, those authorised under RM260082 – specifically for this property, as it is not utilised for a residential occupation and no development is anticipated within this property near the subject site, due to the position of the gully.

In light of the above, and given the size, topography and undeveloped nature of this property, any actual or potential adverse effects resulting from the proposed activity on the owners and occupiers of this property are considered to be less than minor.

44 and 45 Angelo Drive

These properties are located to the south and downslope of the subject site, with Angelo Drive separating the property at 45 Angelo Drive. The closest points between these properties and the subject site are approximately 45m apart.

The construction of the residential units was authorised under RM260082, which concluded that their use would not result in adverse effects on privacy, including over these properties. While the proposed RVA activity is a use not anticipated under that decision and has the potential for greater effects due to frequent guest turnover, it is nevertheless expected to result in effects that are similar to, or less than, those authorised under RM260082 – due to the mitigation measures proposed by the applicant to minimise potential privacy effects.

In a similar manner, the potential adverse effects arising from the vehicle access and parking provisions – in relation to the proposed activity – are considered to be less than minor, as the provisions have been reviewed and confirmed to be acceptable by the Council's Senior Land Development Engineer. Ms. Overton has confirmed that the assessment provided under RM260082 is also applicable to this application accounting for Class 2 drivers – including RVA guests.

The Visitor Accommodation Management Plan includes controls relating to outdoor use, noise, parking and waste management, which would assist in managing specific day-to-day operational and nuisance effects – ensuring that such effects on the owners and occupiers of this property are less than minor.

Given the separation distance and the difference in elevation these properties are not considered to be within the surrounding neighbourhood of the subject site, as shown in Figure 3. Therefore, the owners and occupiers of these properties are not anticipated to experience adverse effects on residential amenity, neighbourhood character, or social cohesion as described above.

In light of the above, any actual or potential adverse effects resulting from the proposed activity on the owners and occupiers of this property are considered to be less than minor.



Figure 4. The subject site (outlined in blue) and neighbouring properties (marked in yellow stars). Source: QLDC Aerial Imagery.

4.3.3 Decision: Effects on Persons (s95E(1))

In terms of section 95E of the RMA, and on the basis of the above assessment, it is assessed that adverse effects with respect to residential amenity and character arising from the location, nature and scale of the proposed activity on the owner/occupiers listed below are considered to be minor or more than minor.

The persons considered affected pursuant to section 95E of the RMA and therefore to be served notice of the application are illustrated and tabled as follows:

Address (location in respect of subject site)	Person (owner/occupier)
95 Middleton Road	Wei Shen and Zizhuo Tang, on behalf of Xsolutions Property Ltd
93 Middleton Road	James Antony Forrest & David Andrew Robertson
90 Middleton Road	Donald Jackson, McCulloch & Partners on behalf of Remarkable Heights Limited and Queenstown Hill Developments Limited
86 Middleton Road	Marcin Nosek
84 Middleton Road	Jennifer Mary & Nathan Clark Shearing
82 Middleton Road	Reece Douglas & Alexandra Rodgers
4 McGregor Lane	Timothy Ronald Frampton & Petrina Maree Hickey
6 McGregor Lane	John Edward & Marie Joan Long on behalf of JE Long Trustee Company Ltd
8 McGregor Lane	Aung Teng Property Co Limited (owners not listed)
10 McGregor Lane	Maree Ann Henderson, Antony David Dackers on behalf of Mountain Edge Investments Property Limited

The persons listed above are considered affected persons under s95E.

Therefore, limited notification is not required under Step 3.

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

Special circumstances do not apply that require limited notification.

5. NOTIFICATION DETERMINATION

For the reasons set out in sections 3 and 4 of this notification decision report, under s95A and s95B of the RMA, the application is to be processed on a limited notified basis.

Prepared by



Sol Kim
SENIOR PLANNER

Decision made by



Angela Jones
INDEPENDENT COMMISSIONER

6. APPENDICES

APPENDIX 1 – Applicant's AEE

APPENDIX 2 – Visitor Accommodation Management Plan, 12 McGregor Lane & 88 Middleton Road

APPENDIX 3 – RVA Plans

APPENDIX 1 – APPLICANT’S AEE

Resource Consent Application

To:
Queenstown Lakes District Council

NWF Invest Limited

Use of Dwellings for
Residential Visitor Accommodation

88 Middleton Road &
12 McGregor Lane, Queenstown

4 August 2026



Application Summary

Applicant: NWF Invest Limited

Application: Application under Section 88 of the Resource Management Act 1991 (RMA) for a land use consent to undertake residential visitor accommodation from the nine residential units approved by RM260082.

Location: 88 Middleton Road & 12 McGregor Lane, Queenstown

Legal Description: Lot 26 Deposited Plan 589937 as held in Record of Title 1125967 & Lot 12 Deposited Plan 589937 as held in Record of Title 1125968

District Plan (Operative) Zoning: Low Density Residential

District Plan (Proposed) Zoning: Lower Density Suburban Residential Zone; Wāhi Tūpuna #20 - *Te Tapunui* (Queenstown Hill)

District Plan (Proposed UIV) Zoning: Suburban Residential Zone; Wāhi Tūpuna #20 - *Te Tapunui* (Queenstown Hill)

Activity Status: Restricted Discretionary

The following is an assessment of environmental effects that has been prepared in accordance with Schedule 4 of the Resource Management Act 1991 (RMA). The assessment of effects corresponds with the scale and significance of the effects that the proposed activity may have on the environment.

1. PROPOSAL AND SITE DESCRIPTION

Proposal Description:

Consent is sought to use each of the nine residential dwellings approved by resource consent RM260082 for short-stay residential visitor accommodation (RVA) for a *maximum* of six (6) people in each unit, each let individually for up to 365 nights per year, with a minimum stay of one (1) night for guests. A rendered overview of the consented development for which the RVA is proposed is as seen in Figure 1:



Figure 1: Overview of Consented Development for Which RVA is Sought (88 Middleton Road & 12 McGregor Lane)

The subject development has already been granted resource consent under RM260082 for the construction of nine residential units across the adjoining properties at 88 Middleton Road and 12 McGregor Lane. This application seeks resource consent solely for the use of those approved residential units for RVA.

For clarity, consent is sought for each residential unit to be used either for standard residential activity, or for RVA, with the mode of occupation to be determined by the property owner at any given time.

The form of visitor accommodation proposed is the commercial letting of residential units through platforms such as (but not limited to) Airbnb, Bookabach, and other holiday home letting services – to be managed through an appointed local property manager.

Each residential unit will comfortably accommodate a maximum of six (6) people and will be rented out to a single group. The proposed activity is the commercial letting of each

residential unit to one group, and will not operate as a backpacker's hostel or boarding house etc.

The majority of the units approved by RM260082 are two-bedroom dwellings. For these two-bedroom units, each unit will be rented to a maximum of four (4) adults, plus two (2) children under the age of sixteen (16) years – with the children to be accommodated on a sofa bed in the living room. The three-bedroom dwellings can accommodate six adults or children (no sofa bed accommodation is proposed).

In terms of management, each unit owner may appoint a locally based property manager responsible for guest bookings, cleaning, maintenance and guest liaison.

In terms of car parking, each unit is allocated one on-site car park. The Middleton Road-accessed units will each have a single car park located on a car parking platform that will be located above the units with direct access off Middleton Road. From there it is a short walk down to access the units.

The McGregor Lane units will all be accessed off McGregor Lane (a privately-owned lane originating off the legal Middleton Road) which leads to a new outdoor car parking area that will be formed to the north of the accessway. Each unit will have ownership of one car park and a turning bay will also be provided. From there it is a short walk down to access the units.

With respect to rubbish and recycling collection, the Applicant is aware of Council's policy that properties rated as commercial or accommodation are not entitled to Council waste collection services, which typically applies to RVA activities operating for more than 180 nights per year.

As consent is sought for RVA for more than 180 nights per year, each unit owner will either have their property manager remove rubbish and recycling off-site as part of servicing, or alternatively engage a private contractor for collection.

Given the development comprises two physically separate building clusters with independent access arrangements from Middleton Road and McGregor Lane respectively, separate Visitor Accommodation Management Plans have been prepared for each building.

The operation of the RVA activity will be managed through the proposed conditions of consent and the accompanying Visitor Accommodation Management Plans, which establish procedures relating to guest management, maximum occupancy, parking, rubbish collection, noise management, and general site operation.

Site and Locality Description



Figure 2: Application Sites (88 Middleton Road & 12 McGregor Lane)

The subject land comprises two adjoining allotments legally described as Lot 26 Deposited Plan 589937 (Record of Title 1125967) and Lot 12 Deposited Plan 589937 (Record of Title 1125968), with existing street addresses of 88 Middleton Road and 12 McGregor Lane. The sites are located within the Remarkables Views Subdivision on Queenstown Hill.



Figures 3 & 4: Application Sites (88 Middleton Road & 12 McGregor Lane)

Both sites (seen in Figures 3 and 4) are currently vacant and are irregular in shape. Lot 12 (12 McGregor Lane) has an area of approximately 3,338 square metres, while Lot 26 (88 Middleton Road) has an area of approximately 609 square metres. The larger McGregor Lane site physically contains the formed alignment of McGregor Lane, including the carriageway and dog-leg section, as illustrated in Figure 2.

The topography across the two sites is complex and varied. The Middleton Road site slopes moderately to steeply downward from the Middleton Road frontage toward the southeast, where it interfaces with the McGregor Lane site and access leg. In contrast, the 12 McGregor Lane site exhibits more pronounced and irregular landform characteristics. McGregor Lane itself descends gradually from Middleton Road before reaching a relatively

low-gradient upper terrace area in the western corner of the site. Beyond this, the land falls away more steeply into a gully, resulting in significant crossfall both to the southeast and to the east. This variation in gradient and direction of slope is a defining characteristic of the site and has informed the design and layout of the proposed development.

The approved development comprises nine residential units arranged across two townhouse-style buildings. Five units are located on the Middleton Road frontage, with the remaining four units located on the adjoining McGregor Lane site. Each unit has dedicated on-site parking and is designed to operate independently.

The surrounding environment comprises recently established and emerging urban residential development associated with the Remarkables Views Subdivision. The immediate locality contains a mix of vacant allotments and sites currently under construction, reflecting the staged development of the subdivision. To the wider northwest, the next stage of the Remarkables Views Subdivision is nearing completion. Overall, the character of the area is that of a contemporary hillside residential environment, with development typified by detached and semi-detached dwellings responding to sloping landform conditions.

Relevant Site History

The sites were created by subdivision resource consent RM081212, of which several variations were later granted. The record of title for the lot was issued on 17 April 2020.

Resource consent RM260082 was granted on 26 June 2026 to establish nine residential units, with breaches to density, built form and transport standards; to carry out associated earthworks which breach maximum volume, cut depth and fill height standards, and to establish retaining walls which breach setback requirements. Consent was also granted for a subdivision consent to create nine residential allotments, with breaches to minimum lot size and dimension requirements. This consent is in the early stages of being given effect to, and the current application relates to the residential units approved by RM260082.

2. ACTIVITY STATUS

2.1 THE OPERATIVE DISTRICT PLAN

With the Environment Court issuing a consent order (Decision No. [2023] NZEnvC 11) on 30 January 2023, the previous provisions of the Operative District Plan regarding visitor accommodation are now deemed inoperative. The relevant rules under the replacement Proposed District Plan are now treated as operative pursuant to section 86F of the Resource Management Act.

2.2 THE PROPOSED DISTRICT PLAN

The subject site is zoned 'Suburban Residential' in the PDP and the proposed activity requires resource consent for the following reasons:

- A **restricted discretionary** activity pursuant to Rule 7.5.15 for a Residential Visitor Accommodation activity exceeding 90 nights per annum, and to allow for

rubbish/recycling bins to be placed on the street the evening before collection. Council's discretion is restricted to:

- a) The location, nature and scale of activities;
 - b) Vehicle access and parking;
 - c) The management of noise, rubbish, recycling and outdoor activities;
 - d) Privacy and overlooking;
 - e) Outdoor lighting;
 - f) Guest management and complaints procedures;
 - g) The keeping of records of residential visitor accommodation use, and availability of records for Council inspection; and
 - h) Monitoring requirements, including imposition of an annual monitoring charge.
- A **restricted discretionary** activity pursuant to Rule 29.5.4 which requires the provision of one mobility parking space for a visitor accommodation activity involving six or more guests, with no formal mobility parking spaces provided. Council's discretion is restricted to: The number, location, and design of mobility parking spaces, including the accessibility of the spaces to the building, and the effectiveness of associated signage.

Overall, the application is assessed as a **restricted discretionary** activity.

3.0 SECTION 95A NOTIFICATION

Step 1 – Mandatory public notification

- Mandatory public notification is not required because the Applicant has not requested this.
- Provided a request is reasonable, we are unlikely to refuse to provide further information or refuse the commissioning of a report under Section 92(2)(b) of the Act.
- The application does not seek to exchange recreation reserve land under section 15AA of the Reserves Act 1977.

Accordingly, mandatory public notification of the application is not required.

Step 2 – Public notification precluded

- Public notification is not precluded by any rule or national environmental standard.
- The proposal is not a controlled activity, a restricted discretionary/discretionary subdivision or a residential activity, or a boundary activity as defined by section 87AAB.
- The proposal is not a prescribed activity.

Accordingly, public notification of the application is not precluded.

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

- Public notification of this application is not specifically required under a rule or national environmental standard.

A consent authority must publicly notify an application if it decides under s95D(8)(b) that the activity will have or is likely to have adverse effects on the environment that are more than minor. An assessment in this respect is made in Section 5 below.

Step 4 - public notification in special circumstances

- In this case it is considered that no special circumstances exist. This is because the proposal is for a visitor accommodation land use that is enabled (when appropriate in certain circumstances) through the District Plan.

4.0 EXCLUSIONS FROM ASSESSMENT (s95D(D))

a) *The Council must disregard any effects on persons who own or occupy:*

- ii) *the land in, on, or over which the activity will occur; or*
- iii) *any land adjacent to that land; and*

In this instance, the persons considered to be those listed above are marked with a Red 'X' in Figure 4 below:



Figure 4 – The Subject Site & Adjacent Land

b) *may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect; “the permitted baseline”:*

With respect to visitor accommodation, the permitted baseline includes the use of the property for residential visitor accommodation (as defined) for up to 90 nights per annum once registered as a holiday home with the Council. In order to be a permitted activity, certain standards need to be met including guest numbers, record keeping, written notice delivered to neighbours, restriction on the hours of outdoor living use, rubbish/recycling, and no heavy vehicles.

A permitted baseline does also exist for use of the dwellings for standard residential activity.

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

The proposal is a restricted discretionary activity under the Queenstown Lakes District Plan. The Council must disregard effects other than that associated with the following matters of reserved discretion outlined in Section 2 above.

- d) *must disregard trade competition and the effects of trade competition:*

There are no effects of trade competition relevant to the current proposal.

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

In this case no person has provided their written approval to the application.

5.0 ASSESSMENT OF EFFECTS ON THE ENVIRONMENT (s95D)

The following assessment of effects on the environment a) includes the information required by clause 6 (Schedule 4 of the RMA); 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.

For readability, the following assessment does not use the specific wording outlined in clauses 6 and 7. However this assessment has been prepared to address the requirements of these clauses.

The location, nature and scale of activities on site

The proposed Residential Visitor Accommodation (RVA) activity will be undertaken from within the nine residential units previously approved under resource consent RM260082. No physical alterations to the approved buildings, parking layout, access arrangements, landscaping or servicing are proposed as part of this application. Accordingly, the location of the activity has already been determined to be appropriate for residential occupation, with the current application seeking only to authorise an alternative form of residential occupation.

The approved development comprises nine self-contained residential units arranged across two separate building clusters. The Middleton Road building contains five units, while the McGregor Lane building contains four units. Each unit is capable of operating independently and will continue to do so irrespective of whether occupied by permanent residents or short-term guests. The proposal does not introduce communal visitor accommodation facilities, reception areas, restaurants, bars, function rooms or other commercial activities commonly associated with larger visitor accommodation developments.

The proposed maximum occupancy has been deliberately limited to maintain a residential scale of activity. The seven two-bedroom units will each accommodate a maximum of four adults and two children, while the two three-bedroom units will each accommodate a

maximum of six adults. These occupancy limits are consistent with the size and design of the approved dwellings, ensure there is no overcrowding, and are reinforced through the proposed conditions of consent and the Visitor Accommodation Management Plans.

Each residential unit is provided with dedicated on-site car parking as approved under RM260082. The scale of vehicle movements generated by the activity will therefore remain consistent with the capacity of the approved development, with guest parking occurring within the site.

The nature of the proposed RVA activity is comparable to contemporary short-term accommodation platforms such as Airbnb, whereby each booking is made in advance and guests are able to be pre-screened prior to arrival. The Visitor Accommodation Management Plans establish comprehensive operational procedures relating to guest behaviour, maximum occupancy, parking, rubbish collection, noise management, emergency contacts, complaint response and ongoing management of the activity. Collectively, these measures ensure the activity continues to operate in a manner compatible with the surrounding residential environment.

From outside the site, the activity will continue to present as a conventional residential development. The buildings will continue to be occupied by individual households or visitor groups in a manner similar to residential occupation, with no external indication that the units are being utilised for RVA. As such, the proposal will maintain the residential character and amenity values of the surrounding neighbourhood.

The proposal will also generate positive effects by increasing the supply of high-quality visitor accommodation within Queenstown while making efficient use of an already approved residential development and existing infrastructure, without requiring any additional built development or expansion of the site's physical footprint.

Overall, having regard to the approved scale of the development, the operational controls proposed, and the residential nature of the activity, the location, nature and scale of the proposed activities on the site are considered appropriate and will result in adverse effects on the environment that are less than minor.

Nature and Scale - Cumulative Effects

The potential cumulative effects arising from the proposed RVA activities have been carefully considered. It is acknowledged that the wider area contains a relatively high proportion of existing RVA compared with many other suburban residential areas within Queenstown. Accordingly, it is appropriate to consider not only the effects of the proposal in isolation, but also whether it would contribute to an unacceptable cumulative effect on the character, amenity and social functioning of the surrounding neighbourhood.

To assist Council in its assessment, the Applicant has commissioned an independent Social Effects Assessment prepared by Tom Worley of Formative, which specifically considers the cumulative social effects associated with the proposal within the context of the Middleton Road area. The conclusions of that report are adopted for the purposes of this AEE.

The report concludes that while Middleton Road already accommodates a relatively high

proportion of RVA, the suburb possesses a number of unique characteristics that enable additional RVA to be absorbed without giving rise to unacceptable cumulative social effects.

The Social Effects Assessment identifies that Middleton Road is a comparatively new residential area which is still undergoing development and has not yet developed the same degree of established community cohesion as many other suburban neighbourhoods within Queenstown. The area is characterised by steep topography, substantial physical separation between neighbouring dwellings, modern housing specifically designed to accommodate contemporary residential living, and a notable absence of neighbourhood-scale community facilities and gathering spaces. These characteristics naturally limit interaction between neighbouring properties and reduce the potential for RVA to adversely affect wider community cohesion when compared with more established suburban environments.

The report also concludes that the design of the approved development assists in mitigating cumulative effects. The proposed units are independently accessed, provided with dedicated on-site parking, and split between two separate building clusters accessed from Middleton Road and McGregor Lane. Consequently, guest movements are dispersed throughout the development rather than concentrated in a single location, while the approved site layout and topography minimise opportunities for activity associated with one unit to affect neighbouring properties. These characteristics distinguish the proposal from more intensive forms of commercial visitor accommodation.

Importantly, the proposal does not introduce any physical changes to the approved development or increase the intensity of built form on the site. Rather, the application seeks consent for an alternative operational use of already approved residential units. The operational effects associated with the activity will be managed through the proposed conditions of consent and the accompanying Visitor Accommodation Management Plans, which establish comprehensive procedures relating to guest behaviour, maximum occupancy, noise management, parking, rubbish collection, complaint response and ongoing property management.

While it is recognised that cumulative effects associated with RVA require careful consideration, it is not appropriate to assume that every additional consent will necessarily result in unacceptable cumulative effects. As concluded within the independent Social Effects Assessment, the existing characteristics of the Middleton Road locality, together with the approved design of the development and the proposed management measures, mean that the proposal can be readily absorbed into the surrounding environment without materially altering the existing character or social functioning of the locality or bringing the area materially closer to any theoretical “tipping point” for RVA.

Accordingly, it is considered that the cumulative effects arising from the proposal will be less than minor.

Vehicle Access and Parking

Each residential unit is provided with one dedicated on-site car parking space. The proposed RVA activity will utilise the existing vehicle access and parking arrangements previously approved under RM260082. No changes are proposed to the approved

accessways, internal manoeuvring areas or parking layout as part of this application.

The proposed activity is not anticipated to generate parking demand materially different from that associated with conventional residential occupation. While visitor accommodation can involve more frequent guest turnover, short-term visitors typically travel as a single household or group using one vehicle. Visitors to Queenstown commonly utilise taxis, rideshare services, airport shuttles and public transport throughout their stay, reducing overall vehicle ownership and parking demand compared with permanent residents.

By comparison, if the approved residential units were occupied on a permanent basis as anticipated under the permitted baseline, it would be reasonable to expect that a number of households would own two or more vehicles, with additional parking demand generated by regular visitors, tradespeople and service vehicles. In this respect, the proposed RVA activity is unlikely to result in parking demand greater than that which could reasonably occur through conventional residential occupation of the approved development.

The proposed Visitor Accommodation Management Plans also require guests to be advised of the allocated parking arrangements prior to arrival and make it clear that vehicles are to be parked within the designated on-site parking spaces. This proactive management approach will assist in minimising the potential for on-street parking or obstruction of accessways.

The District Plan also requires consideration of mobility parking. Given the relatively small scale of the activity, comprising independently operated residential units rather than a purpose-built commercial visitor accommodation facility, the provision of dedicated mobility parking is not considered necessary. The activity will continue to operate from residential units that were not designed as universally accessible accommodation (with stairs needed to be navigated to both access the units, and the bedrooms within the units), and there are numerous visitor accommodation providers within Queenstown specifically designed to cater for guests requiring accessible accommodation. Consequently, the absence of dedicated mobility parking is not expected to give rise to adverse effects.

Overall, the approved access arrangements, dedicated on-site parking provision, internal turning facilities and comprehensive operational management measures are considered sufficient to accommodate the proposed activity. The proposal will not adversely affect the safety or efficiency of the surrounding transport network, and any effects relating to vehicle access and parking will be less than minor.

Noise & Outdoor Living Areas

The proposed RVA activity will be undertaken within residential units that have already been approved for permanent residential occupation under Resource Consent RM260082. No alterations are proposed to the approved buildings, private outdoor living areas or site layout. Accordingly, the proposal will not introduce any new outdoor living spaces or alter the established relationship between the development and adjoining residential properties.

The proposed activity is expected to generate noise that is typical of a residential environment. Activities such as conversations, meal preparation, television use, the use of private outdoor living areas, and vehicles arriving and departing are all characteristic of

ordinary residential occupation.

The approved design of the development and the characteristics of the surrounding locality further reduce the potential for adverse noise effects. The site is located within a steeply sloping environment where neighbouring properties are typically separated both horizontally and vertically. Living areas and private outdoor spaces are orientated to maximise views across Lake Wakatipu and the Remarkables rather than towards adjoining properties. The combination of topography, building orientation and separation distances naturally limits the transmission of noise between neighbouring properties.

Importantly, the proposed activity will be subject to comprehensive operational management measures specifically directed at minimising potential noise effects. The accompanying Visitor Accommodation Management Plans incorporate detailed Noise Management Plans to ensure the activity operates in a manner that is compatible with the surrounding residential environment. In particular, the following measures will be implemented:

- Guests will be advised prior to arrival that the property is located within a residential neighbourhood and that consideration for neighbouring residents is expected at all times.
- Parties, functions and events are strictly prohibited.
- No use of outdoor living areas will be permitted between 10.00 pm and 7.00 am.
- No amplified sound, including music or portable speakers, will be permitted within outdoor living areas between 8.00 pm and 8.00 am.
- Permanent signage will be displayed within each residential unit and outdoor living area reminding guests of the property's location within a residential environment, the applicable quiet hours, and the restrictions applying to outdoor living areas and amplified sound.
- A local property manager will be available to respond promptly to any complaints or operational issues. Guests will be provided with the property manager's contact details prior to arrival, and neighbouring residents will similarly have access to these details should any concerns arise.
- A formal complaints procedure will be maintained, with all complaints recorded, investigated and responded to promptly. A complaints register will be maintained and made available to Council upon request.
- The Noise Management Plan will be reviewed on an ongoing basis to ensure its continued effectiveness and to enable any necessary improvements to be implemented.

These measures provide a significantly greater level of operational oversight than would ordinarily apply to conventional residential occupation. By comparison, in a permanently occupied dwelling there are generally no formal controls governing guest behaviour or

noise management (other than RMA Section 16), the proposed RVA activity will be subject to clearly defined occupancy limits, behavioural expectations, proactive guest education and immediate management intervention where required.

It is also relevant to consider the permitted baseline. The approved residential units could be occupied permanently without restrictions on the frequency of social gatherings, outdoor entertaining or visitors associated with ordinary residential living. In comparison, the proposed RVA activity will operate under comprehensive management procedures that establish clear behavioural expectations and provide immediate mechanisms to address any unreasonable noise should it occur.

Overall, having regard to the approved design of the development, the physical characteristics of the site, the residential nature of the activity, the comprehensive Noise Management Plans and the ongoing oversight provided by the property manager, it is considered that any adverse effects relating to noise and outdoor living areas will be appropriately managed and will be less than minor.

Health and Safety

In terms of health and safety, there are no specific concerns identified with the property in this regard. Adequate and safe access and on-site car parking will be provided – suitable for short-term unfamiliar users. The proposed VAMP contains clauses relating to health and safety, and sufficient smoke alarms will be installed/maintained.

As such adverse effects on the environment are considered to be less than minor with respect to health and safety.

Rubbish and Recycling

The proposed RVA activity is not anticipated to result in any adverse effects relating to rubbish or recycling. The proposal will utilise the existing refuse and recycling storage areas approved as part of RM260082, with no changes proposed to the site's servicing arrangements.

The Applicant acknowledges Council's policy that Council-supplied rubbish and recycling collection services will not be available where RVA is authorised for more than 180 nights per year. Accordingly, all refuse and recycling generated by the activity will be privately managed. Collection and disposal will be undertaken either by the Property Manager during routine servicing of the units or by a suitably qualified private waste collection contractor.

The accompanying Visitor Accommodation Management Plans establish comprehensive procedures for the management of rubbish and recycling. Guests will be provided with clear instructions regarding the appropriate separation and disposal of waste during their stay, while suitable refuse and recycling receptacles will be provided for each residential unit. Routine inspections undertaken between guest stays will ensure that waste is appropriately managed and that the development is maintained in a clean and tidy condition.

Consent is also sought to depart from Rule 7.5.15.6 to allow rubbish and recycling bins to

be placed on the kerb on the evening prior to collection. This reflects standard residential practice throughout the district and is consistent with QLDC's own guidance, which advises that bins should be placed on the kerb or designated collection point either the night before collection or before 7.00 am on the day of collection.

Allowing bins to be placed on the kerb the evening before collection also reduces the likelihood of missed collections, thereby avoiding the need for refuse to remain on-site until the following collection cycle. This assists in minimising any potential odour or amenity effects that could otherwise arise from accumulated rubbish remaining on the property for an extended period.

Overall, the proposed rubbish and recycling management arrangements are considered appropriate for the scale and nature of the activity. Waste will be proactively managed through the Visitor Accommodation Management Plans and private collection arrangements, while the requested departure from Rule 7.5.15.6 reflects normal residential practice and will not result in any adverse effects on the environment beyond those typically associated with residential living. Accordingly, any adverse effects relating to rubbish and recycling will be less than minor.

Privacy and Overlooking

The matter of discretion relating to privacy and overlooking is more relevant to the assessment of effects on persons/neighbours, and as such will be addressed in the s95E assessment to follow. Adverse effects on the wider environment will therefore be less than minor with respect to privacy and overlooking.

Outdoor Lighting

In terms of outdoor lighting, a condition of consent is volunteered to ensure outdoor lighting shall be turned off between the hours of 10.00pm to 7.00am, or shall be sensor-operated, or shall be directed away from adjacent roads and properties so that light spill beyond property boundaries does not occur.

These measures will ensure the avoidance of potential adverse glare effects on the wider environment, such that they will be less than minor.

Guest Management, Record Keeping, Complaints Procedures & Monitoring

The attached Visitor Accommodation Management Plans sets out the proposed methods to ensure effective guest management, and proper response to any complaints. Specifically, each VAMP contains procedures relating to ensuring guests are briefed on the car parking/access situation, house rules, a noise management plan, and VAMP review.

The Applicant understands the need to keep comprehensive records of the activity, and a condition of consent would be invited in this regard; including that the records be promptly made available for Council inspection when requested.

Finally, no additional monitoring of the activity is considered necessary, other than standard monitoring undertaken by Council's Monitoring department.

Overall adverse effects on the environment are concluded to be less than minor with respect to guest management, record keeping & monitoring.

Summary – Effects on the Environment

Overall, the proposed RVA activity is considered to be compatible with the surrounding residential environment. The proposal will operate within an already approved residential development and will not result in any physical changes to the site. Having regard to the approved design of the development, the characteristics of the locality, the comprehensive Visitor Accommodation Management Plans and the proposed conditions of consent, it is considered that any adverse effects on the environment will be appropriately managed and will be less than minor.

6.0 EFFECTS ON PERSONS

6.1 MANDATORY EXCLUSIONS FROM THE S95E ASSESSMENT

Section 95B(1) requires a decision whether there are any affected persons. The following steps set out in this section, in the order given, are used to determine whether the Council should limited notify the application, if the application is not to be publicly notified.

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

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

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

- Limited notification is not precluded under Step 2 as the proposal is not subject to a rule in the District Plan or NES that precludes notification.
- Limited notification is not precluded under Step 2 as the proposal is not a controlled activity and is not a prescribed activity.

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

- Limited notification is not precluded under Step 3 as the proposal is not a boundary activity where the owner of an infringed boundary has provided their approval, and it is not a prescribed activity.
- Limited notification is not precluded under Step 3 as the proposal falls into the ‘any other activity’ category and the effects of the proposal on persons are assessed in section 6.2 below.

6.2 ASSESSMENT: EFFECTS ON PERSONS AND CONSULTATION



Figure 5: Application Sites (88 Middleton Road & 12 McGregor Lane) & Adjacent Persons

Northern Neighbours – 90 & 93 Middleton Road & Section 30 Block XXI Shotover SD

The northern neighbours comprise 90 Middleton Road, 93 Middleton Road, and Section 30 Block XXI Shotover SD. As illustrated in Figures 5 and 6, each property occupies a distinctly different relationship to the application site and, consequently, each experiences the proposal in a different manner. The effects on each property are discussed collectively below.



Figure 6: Visualisation of Consented Development in Relation to Northern Neighbours

Property 90 Middleton Road adjoins the northern boundary of the application sites and is therefore the closest neighbouring residential property to the approved development. While future residential development of this property is anticipated, the most suitable building location on this adjacent property is expected to be located adjacent to Middleton Road in the upper portion of the site due to the presence of significant electrical infrastructure across the lower slopes.

Although occupants of 90 Middleton Road will have views towards the approved development, the proposal does not alter the physical form of the already approved buildings. The operational activity remains residential in nature, with guest numbers, parking, noise and outdoor activities comprehensively managed through the proposed Visitor Accommodation Management Plans. Accordingly, adverse effects on the future occupants of 90 Middleton Road are considered to be less than minor.

Property 93 Middleton Road is located on the opposite side of the Middleton Road carriageway and occupies a significantly elevated position above the application site. As can be seen in Figure 6, the approved development sits well below this property, with the outlook from 93 Middleton Road being primarily over the rooftops of the Middleton Road building towards Lake Wakatipu and the Remarkables beyond. Due to this elevation difference, the proposed RVA activity will not adversely affect the outlook, privacy or amenity enjoyed by this property. The most noticeable aspect of the activity is likely to be the occasional arrival and departure of guests using the approved on-site parking spaces, which is not materially different from the movements that would be expected from permanent residents occupying the approved dwellings. Given the separation provided by Middleton Road, the substantial difference in elevation and the residential nature of the activity, adverse effects on 93 Middleton Road are considered to be less than minor.

Section 30 Block XXI Shotover SD is located to the east of the application site on the opposite side of a steep vegetated gully. The land does not contain any residential development rights and therefore has no residential occupants whose amenity could be affected by the proposal. Furthermore, the significant topographical separation created by the gully substantially limits any interaction between the approved development and this land. Accordingly, the proposed RVA activity will not result in any adverse effects on Section 30 Block XXI Shotover SD.

Overall, adverse effects on the owners/occupiers of these northern properties (including future owners/occupiers) will be less than minor. These persons are not considered adversely affected.

Other McGregor Lane-Accessed Neighbours – 4-10 McGregor Lane

The neighbouring properties at 4–10 McGregor Lane share access via McGregor Lane and are therefore the properties most likely to observe day-to-day movements associated with the proposed RVA activity. As illustrated in Figure 7, however, the approved development has been carefully designed in response to the site's topography and the surrounding residential context, such that adverse effects on these neighbouring properties will remain less than minor.



Figure 7: Visualisation of Consented Development in Relation to McGregor Lane Accessed Neighbours

The four residential units at 12 McGregor Lane will be accessed from McGregor Lane itself, with guests arriving via the existing/approved accessway, parking within their allocated on-site car parking space, and undertaking a short walk to their respective unit. These movements are typical of conventional residential occupation and are not materially different from the activity that would occur if the approved dwellings were permanently occupied. Importantly, all parking will occur within dedicated on-site parking spaces, with no reliance on on-street parking.

The approved McGregor Lane units are orientated to maximise views across Lake Wakatipu and the wider south-eastern landscape rather than towards the neighbouring McGregor Lane properties (as seen in Figure 7). Consequently, the primary outlook from the units and associated outdoor living areas is directed away from these neighbouring properties, significantly reducing opportunities for overlooking or loss of privacy.

The Middleton Road units at #88 is located substantially higher than the McGregor Lane properties, as illustrated in Figure 7. Due to this significant difference in elevation, the Middleton Road units predominantly overlook the roofs of the neighbouring dwellings and the wider landscape beyond, rather than into private outdoor living areas or the principal internal living spaces of those properties. The separation created by the McGregor Lane carriageway, the approved parking areas and the site's steep topography further reduces the potential for any adverse privacy or amenity effects.

Operationally, the proposed RVA activity will function in a manner compatible with the surrounding residential environment. Guest numbers will be subject to prescribed occupancy limits, while noise, parking, rubbish collection and guest behaviour will be actively managed through the Visitor Accommodation Management Plans. These management measures provide a level of operational oversight that would not ordinarily apply to conventional residential occupation and further minimise the potential for adverse effects on neighbouring properties.

Overall, having regard to the approved design of the development, the orientation of the buildings, the substantial topographical separation, and the comprehensive operational management measures proposed, it is considered that the proposed RVA activity will not adversely affect the privacy, residential amenity or enjoyment of the neighbouring properties at 4–10 McGregor Lane. Accordingly, adverse effects on these neighbouring properties will be less than minor. These persons are not considered adversely affected.

South-Western Neighbours - 84 & 86 Middleton Road



Figure 8: Visualisation of Consented Development in Relation to 84 & 86 Middleton Road

The neighbouring properties at 84 and 86 Middleton Road are located to the northwest of the application site. Property 86 Middleton Road directly adjoins the approved units at 86 Middleton Road, while 84 Middleton Road is situated slightly further to the west. As illustrated in Figure 8, both properties occupy an elevated position above the approved development and consequently experience a distinctly different relationship with the site than would often occur between adjoining residential properties.

The proposed RVA activity does not involve any physical changes to the buildings previously approved under RM260082. The relationship between the approved development and these neighbouring properties therefore remains unchanged, with the current application relating solely to the operational use of the approved residential units.

The elevated positioning of both 84 and 86 Middleton Road naturally minimises the potential for adverse privacy or overlooking effects. Both properties are situated at a higher level than the approved residential units at both 88 Middleton Road and 12 McGregor Lane. As a result, the principal outlook from the approved units is generally below these neighbouring properties rather than directly towards their private outdoor living areas or internal living spaces. Likewise, the occupants of 84 and 86 Middleton Road will predominantly look down over the approved development.

The approved orientation of the residential units further reduces opportunities for overlooking. Living areas and associated outdoor spaces have been designed to maximise views across Lake Wakatipu and the surrounding landscape, rather than towards adjoining

residential properties. Combined with the site's steep topography and the separation created by the approved access and parking areas, this ensures a high degree of visual separation is maintained between the developments.

Operationally, the proposed RVA activity remains residential in character. Guest arrivals and departures, use of outdoor living areas and day-to-day activities are expected to be comparable to those associated with conventional residential occupation. Furthermore, the activity will be subject to comprehensive operational controls through the Visitor Accommodation Management Plans, including occupancy limits, noise management procedures, guest behaviour requirements and a local property manager to respond promptly to any issues that may arise.

Overall, having regard to the approved design of the development, the difference in elevation between the properties, the orientation of the buildings, and the comprehensive operational management measures proposed, it is considered that the proposed RVA activity will not adversely affect the privacy, outlook or residential amenity enjoyed by the neighbouring properties at 84 and 86 Middleton Road. Accordingly, adverse effects on these neighbouring properties will be less than minor. These persons are not considered adversely affected.

Southern Neighbour – 44 Angelo Drive



Figure 9: Visualisation of Consented Development in Relation to 44 Angelo Drive

The property at 44 Angelo Drive is located well to the south of the application site and occupies a substantially lower elevation, with access obtained independently from Angelo Drive. As illustrated in Figure 9, the approved development is positioned on the upper western portion of the site, resulting in a very high degree of both horizontal and vertical separation between the proposed RVA activity and this neighbouring property.

The significant difference in elevation, together with the intervening landform, means that there is very little visual or physical relationship between the approved development and 44 Angelo Drive. Consequently, the day-to-day activities associated with the proposed

RVA, including guest arrivals and departures, outdoor living activities and general occupation of the residential units, are unlikely to be readily discernible from this property.

There is also no shared vehicle or pedestrian access between the properties. The proposed RVA activity will be accessed independently from Middleton Road and McGregor Lane, while 44 Angelo Drive is accessed separately from Angelo Drive. Accordingly, there is no opportunity for the proposal to generate additional traffic movements or activity that would affect the operation or amenity of this neighbouring property.

Having regard to the substantial topographical separation, the independent access arrangements, and the limited interface between the two properties, it is considered that the proposed RVA activity will not adversely affect the privacy, outlook or residential amenity enjoyed by the occupants of 44 Angelo Drive. Accordingly, adverse effects on this neighbouring property will be less than minor. These persons are not considered adversely affected.

Conclusion – Effects on Persons

Overall, the above assessment has determined that adverse effects of neighbouring land owners and occupiers will be less than minor. No party is considered adversely affected by the proposal.

7.0 OVERALL NOTIFICATION ASSESSMENT

Given the assessments undertaken and conclusions made in Sections 3-6 above, it is considered that the Council should proceed with processing the application on a non-notified basis.

8.0 RELEVANT DISTRICT PLAN PROVISIONS

8.1 OBJECTIVES AND POLICIES - OPERATIVE DISTRICT PLAN

The objectives and policies of the Operative District Plan relevant to the application are now deemed inoperative, given the Environment Court's decision on ENV-2020-CHC-61 and all other appeals to the provisions of the Proposed District Plan (relevant to visitor accommodation) being resolved.

8.2 OBJECTIVES AND POLICIES – PROPOSED DISTRICT PLAN

The relevant objective and policies of the Proposed District Plan are as follows:

Proposed Chapter 7 – Suburban Residential Zone

Objective 7.2.8 - *Visitor accommodation, residential visitor accommodation and homestays are enabled at locations, and at a scale, intensity and frequency, that maintain the residential character and amenity values of the zone.*

Policies

7.2.8.2 - Restrict the establishment of visitor accommodation in locations outside the Visitor Accommodation Sub-Zones to ensure that the zone maintains a residential character.

7.2.8.3 - Ensure that residential visitor accommodation and homestays are of a scale and character that are compatible with the surrounding residential context and maintain residential character and amenity values.

7.2.8.4 - Provide opportunities for low intensity residential visitor accommodation and homestays as a contributor to the diversity of accommodation options available to visitors and to provide for social and economic wellbeing.

7.2.8.5 - Manage the effects of residential visitor accommodation and homestays outside the Visitor Accommodation Sub-Zone by controlling the scale, intensity and frequency of use and those effects of the activities that differentiate them from residential activities.

The proposed RVA activity is considered to be consistent with this objective (7.2.8). The proposal relates to the use of nine residential units that have already been approved for residential occupation, with no changes proposed to the approved buildings or site layout. The activity will operate at a residential scale, with appropriate occupancy limits and comprehensive operational management measures established through the Visitor Accommodation Management Plans and proposed conditions of consent. As demonstrated throughout this Assessment of Environmental Effects, the proposal will maintain the residential character and amenity values of the surrounding neighbourhood, with adverse effects on the environment being less than minor.

Policy 7.2.8.2 relates to Visitor Accommodation rather than Residential Visitor Accommodation and is therefore of limited relevance to the current proposal. Therefore, the policy framework does not seek to restrict the proposed RVA activity.

Policy 7.2.8.3 seeks to ensure that RVA is of a scale and character that is compatible with the surrounding residential context and maintains residential character and amenity values. The proposal is considered to give effect to this policy. The activity remains residential in nature, with occupancy limits, dedicated on-site parking, comprehensive management procedures and no physical changes to the approved development. The proposal has been designed and will operate in a manner that is compatible with the surrounding residential environment and will maintain residential character and amenity values. As such, the proposal will align with Policy 7.2.8.3 as residential character and amenity values will be maintained.

Policy 7.2.8.4 is enabling – it recognises the benefits of low-intensity RVA in contributing to the diversity of visitor accommodation options while supporting social and economic wellbeing. The proposal will provide an additional supply of high-quality visitor accommodation within Queenstown through the efficient use of an already approved residential development. The activity will diversify accommodation options available to visitors while supporting the local visitor economy, without giving rise to adverse environmental effects beyond those anticipated within a residential environment.

Finally, Policy 7.2.8.5 seeks to manage the effects of RVA by controlling the scale, intensity and frequency of use, together with those operational effects that differentiate the

activity from residential use. The proposal directly responds to this policy through the adoption of maximum occupancy limits, comprehensive Visitor Accommodation Management Plans and proposed conditions of consent. These measures manage guest behaviour, parking, noise, rubbish collection and complaint response, ensuring that the operational effects of the activity remain compatible with the surrounding residential environment. Accordingly, the proposal is considered to be fully consistent with the intent of this policy.

As such, the proposal will align with the relevant objectives and policies of proposed Chapter 7.

Proposed Chapter 29 – Transport

The proposal will align with Objective 29.2.2 and Policy 29.2.2.1 which seeks to ensure access and parking is safe and efficient for all transport modes and users.

While a dedicated mobility car parking space will not be provided, the VAMP includes measures designed to avoid adverse effects in this regard, and the scale of the activity is such that demand for an accessible car park is likely to be much less than a larger scale visitor accommodation complex. Furthermore, the dwellings are not designed for occupation by guests with mobility needs, given the multi-levels and internal stairs being the only means of access to and through the dwellings.

As such, the proposal will align with the relevant objectives and policies of proposed Chapter 29.

Summary - Proposed District Plan Objectives & Policies

Overall, the proposal is considered to align with the relevant objectives and policies of the Proposed District Plan.

9.0 OTHER MATTERS

- **Hazardous Substances:** The activity does not involve hazardous substances or installations.
- **Contaminants:** The activity will not involve the discharge of any contaminants.
- **Mitigation Measures:** Other than anticipated standard conditions of consent, no specific mitigation measures are proposed, nor considered necessary.
- **Monitoring:** No monitoring is required for the proposal except standard conditions of consent.
- **Protected Customary Rights:** The activity will not offend any protected customary rights.

10.0 PART 2 OF THE RESOURCE MANAGEMENT ACT

Section 5 of the RMA sets out the purpose of the Act – to promote the sustainable management of natural and physical resources. Given the assessment of effects undertaken above, it is considered that the use of an existing residential unit for RVA will represent sustainable management.

Section 6 of the RMA sets out the matters of national importance. None of these matters is strictly relevant to the current proposal.

The proposal will align with the requirements of Section 7 of the RMA by representing kaitiakitanga, the ethic of stewardship, and the maintenance of the quality of the environment.

Finally, the proposed activity is highly unlikely to offend any of the Principles of the Treaty of Waitangi as required by Section 8.

Overall, the proposal is considered to be consistent with Part 2 of the RMA.

11.0 CONCLUSION

Consent is sought to use each of the nine residential dwellings approved by resource consent RM260082 for short-stay residential visitor accommodation (RVA) for a *maximum* of six (6) people in each unit, each let individually for up to 365 nights per year, with a minimum stay of one (1) night for guests.

This Assessment of Environmental Effects has demonstrated that the proposal will result in adverse effects on the environment that are less than minor, that no persons are considered adversely affected, that the proposal aligns with the relevant objectives and policies of the Proposed District Plan, and is consistent with Part 2 of the Resource Management Act 1991.

Accordingly, it is requested that the Council grant resource consent to the proposal as sought, subject to appropriate conditions of consent.



Richard Kemp
Planning Consultant

**APPENDIX 2 – VISITOR ACCOMMODATION MANAGEMENT PLAN, 12 MCGREGOR LANE & 88
MIDDLETON ROAD**



Visitor Accommodation Management Plan

Unit X, 12 McGregor Lane, Queenstown

1.0 Purpose

The purpose of this Visitor Accommodation Management Plan (VAMP) is to establish clear management procedures to avoid, remedy or mitigate adverse effects associated with the use of the residential unit at Unit X, 12 McGregor Lane, Queenstown for Residential Visitor Accommodation.

The VAMP establishes responsibilities for the complex-wide Visitor Accommodation Representative, the unit-specific Property Manager, and guests, including procedures relating to guest behaviour, parking, noise, rubbish and recycling, and the investigation and resolution of complaints.

This plan also contains a Noise Management Plan (NMP) - designed to assist in achieving compliance with the relevant Visitor Accommodation noise standards of the District Plan:

- Daytime 0800 – 2000 hours: 50dBA L_{Aeq} (15 min)
- Night-time 2000 – 0800 hours: 40dBA L_{Aeq}

Noise levels shall be measured and assessed in accordance with NZS 6801:2008 and NZS6802:2008.

2.0 Visitor Accommodation Representative Details

The Visitor Accommodation Representative is appointed by the management entity for the complex and is responsible for coordinating visitor accommodation management matters across the complex.

The current (XXMONTH/YEARXXX) complex-wide Visitor Accommodation Representative appointed by the management entity is XXX and can be contacted as follows:

Name: XXXXX
 Address for Service: XXXXX
 Phone: XXXXX
 Email: XXXXX

3.0 Property Manager Details

The Property Manager is responsible for the day-to-day management of visitor accommodation within the relevant unit and for responding directly to any guest-related issues.

The current (XXMONTH/YEARXXX) Local Property Manager is TBC and can be contacted as follows:

Name: TBC
 Address for Service: TBC

Phone: TBC
Email: TBC

4.0 Visitor Accommodation Representative Responsibilities

The complex-wide Visitor Accommodation Representative appointed by the management entity is responsible for the following matters:

- Maintaining a current register of all units in the complex being used for short-term visitor accommodation, including the name and contact details of the appointed property manager for each.
- Acting as the primary point of contact in the event that any issues or complaints are raised regarding visitor accommodation activities within the complex. This includes being contactable at all times and investigating the matter, coordinating any necessary response, and reporting back to Council and/or neighbours.

5.0 Property Manager Responsibilities

Coordination with the Visitor Accommodation Representative

- Ensuring the Visitor Accommodation Representative has up-to-date contact details of both the Owner(s) and Property Manager.
- Coordinating with the complex-wide Visitor Accommodation Representative in the event of any complaints, in accordance with Section 7.3.

On Booking and Prior to Check-In

- Advising guests of the sleeping configuration/bed availability for the dwelling.
- Advising guests that there is only one on-site car park available for the unit and that this vehicle must be parked within the dedicated outdoor car park for the unit and not in any other unit's car park or on the shared accessway. Should guests need to bring more than one vehicle to the property, additional vehicles must be parked on the public Middleton Road or other public roads – but on-street parking availability is not guaranteed.
- Advising guests that coaches cannot pick-up, drop-off, or park at the site.
- Advising guests that a dedicated mobility car park is not available on the site, nor in the area.

On Check-In

- To provide the guests with a copy of the "House Rules" (as set out in Section 6.0 of the VAMP);
- To check that the number of guests in each unit does not exceed six (6). If the dwelling is a two-bedroom unit, this shall comprise a maximum of four (4) adults, plus two (2) children under the age of sixteen (16) years.
- To check that the on-site compendium contains a copy of the House Rules, and a copy of the conditions of resource consent.
- To ensure guests are familiar with the car parking arrangement for the site, being that all guests must park within the dedicated outdoor car park for the unit, and not in any other units' car park or the shared accessway. If guests have arrived to the property in more than one vehicle the additional vehicle(s) must be parked on the public Middleton Road or other public roads – but on-street parking availability is not guaranteed.

On Servicing & Other Visits

- To check that guests are only occupying one on-site car park – being the dedicated outdoor car park for the unit - and not in any other units' car park or the shared accessway. If guests have arrived to the property in more than one vehicle the additional vehicle(s) must be parked on the public Middleton Road or other public roads.
- To ensure the maximum number of guests staying within the unit does not exceed six (6) at any time. If the dwelling is a two-bedroom unit, this shall comprise of a maximum of four (4) adults plus two (2) children under the age of sixteen (16) years.
- To ensure that rubbish & recycling bins do not remain on the street for more than 24 hours

6.0 House Rules

- i) There shall be no more than six (6) guests present at any one time. If the dwelling is a two-bedroom unit, this shall comprise of a maximum of four (4) adults plus two (2) children under the age of sixteen (16) years.
- ii) There shall be no use of any outdoor living areas between 10 pm and 7 am.
- iii) Be courteous of neighbours. There shall be no undue nuisance or noise to neighbours or the local community.
- iv) Guests must ensure that noise is kept to a reasonable level at all times. After 8.00 pm, any potentially noisy activities must occur indoors with external doors and windows closed.
- v) Guests may use only the dedicated on-site car park allocated to the unit. Guests must not park in any other unit's car park or within the shared accessway. If guests arrive in more than one vehicle, any additional vehicles must be legally parked off-site on public roads, subject to the availability of lawful on-street parking.
- vi) Rubbish/recycling bins are to go out on the evening before collection, or the morning of collection (before 7.00am) and be brought back in as soon as possible after being emptied (unless rubbish/recycling is collected privately by the Property Manager). Rubbish and recycling must be stored within the designated storage area between collection days.
- vii) There shall be no sleeping on sofas.
- viii) Illegal activities are prohibited at the property.

7.0 Noise Management Plan

This NMP will set out specific methods and procedures to be undertaken by the owner/manager of the Residential Visitor Accommodation (RVA).

7.1 Noise Management Procedures

- 7.1.1 The manager of the RVA shall advise guests prior to checking in that the building is located within a residential area and request that they respect this by keeping noise levels to a reasonable level, especially between the hours of 8.00 pm to 8.00 am.
- 7.1.2 The Property Manager shall provide a contact telephone number to all guests and shall be reasonably available to respond to guest enquiries and issues throughout the duration of each booking.

7.2 Specific Noise Mitigation Measures

- 7.2.1 The manager of the RVA shall advise guests that they are not to play amplified sound from the outdoor living area between the hours of 8.00 pm – 8.00 am, and that the outdoor living area is

not to be used between 10.00 pm – 7.00 am. Amplified sound includes but is not limited to amplified speakers (musical or otherwise) and musical instruments.

- 7.2.2 The consent holder shall erect signs (minimum A4 size) on site to remind guests that they are in a residential area and to keep noise to a reasonable level, especially between the hours of 8.00 pm to 8.00 am. One sign shall be installed in the kitchen and one weatherproof sign (i.e. laminated or plastic) shall be installed within the outdoor living area. The outdoor sign shall also state that no amplified sound/music is to be played from the outdoor living area between the hours of 8pm – 8am, and that the area is to be vacated between 10pm – 7am.

7.3 Complaint Procedures

In the event that a complaint is received regarding an RVA activity within the complex – whether from Council enforcement officers, neighbours, unit owners, or any other party – the Visitor Accommodation Representative will take the lead in managing and resolving the matter, however will also coordinate with the unit-specific RVA Property Manager.

Complex-Wide Visitor Accommodation Representative

- 7.3.1 Should a complaint be received in relation to the RVA activity on the site, including from the Council or its Enforcement Officers, neighbours, or any other party, the complex-wide Visitor Accommodation Representative will immediately contact and coordinate with the unit-specific RVA Property Manager on the below and shall take the following steps:

- Immediately record the details of the complaint in writing.
- Promptly contact the relevant Property Manager to coordinate a response (immediately where practicable, but no later than 30 minutes after receipt of the complaint).
- Investigate the complaint and determine any immediate remedial actions required within one hour of receipt of the complaint, and any longer-term remedial actions required within 24 hours.
- Respond to the complainant to confirm receipt of the complaint and advise them of the steps taken and outcome within 24 hours for a preliminary response, and within 7 days for a final response where remediation measures require longer than 24 hours to implement.
- Ensure that any necessary actions are implemented by the Property Manager and/or unit owner.
- Maintain a complex-wide complaints register including details of each complaint, investigations undertaken, remedial actions implemented, and outcomes.
- Ensure that all complaints, including records of any remedial actions taken, are retained for a minimum period of five years.
- Forward details of the complaint to Queenstown Lakes District Council within 48 hours of receipt.
- Make the complaints register and associated records available to Council upon request.

RVA Property Manager

- 7.3.2 Should a complaint be received in relation to the RVA activity on the site, including from the Council or its Enforcement Officers, neighbours, or any other party, the RVA Property Manager will immediately contact and coordinate with the complex-wide Visitor Accommodation Representative on the below and shall take the following steps:

- Immediately notify and coordinate with the VAR upon becoming aware of any complaint.
- Assist the VAR in investigating the complaint and identifying appropriate remedial actions.
- Take immediate and effective steps to implement any required remedial actions.
- Communicate directly with guests where necessary to resolve the issue and ensure compliance with guest behaviour requirements.

- Maintain appropriate records relating to guest communications and actions taken in response to complaints.
- Ensure ongoing compliance with this VAMP and all relevant conditions of consent.

Repeated or Serious Complaints

7.3.3 Where repeated complaints are received in relation to the same unit, booking or guest, or where a serious complaint is received, the Visitor Accommodation Representative and Property Manager shall review the circumstances and determine whether additional management measures are required. Such measures may include issuing additional warnings to guests, requiring the cessation of particular activities, requiring guests to leave the property where appropriate and lawful, refusing future bookings, or implementing additional site-specific management measures.

8.0 Review of VAMP and Noise Management Plan

8.1 Annual Review Procedures

- 8.1.1 This VAMP and NMP shall be reviewed on an annual basis to assess their effectiveness in avoiding, remedying or mitigating adverse effects associated with residential visitor accommodation activities within the complex. The annual review shall include consideration of any complaints received during the preceding 12-month period, the nature and frequency of those complaints, the effectiveness of remedial actions undertaken, and whether amendments to this VAMP or additional management measures are required.
- 8.1.2 This review shall be completed no later than 30 December of each year.
- 8.1.3 Should any changes to this VAMP result from the review process, the amended VAMP shall be submitted to the Council's Monitoring Planner for certification.
- 8.1.4 As part of this annual review, a letter drop shall be undertaken to all neighbouring property owners within the same complex at 12 McGregor Lane, and also all other neighbours marked with a red 'X' in Figure 1. This letter shall advise each neighbouring unit owner of the contact details of the Visitor Accommodation Representative appointed by the management entity of the complex responsible for receiving any complaints, and also the appointed RVA property manager, and invite neighbours to contact both these persons should they have any questions or complaints.



Figure 1 – External Neighbours to Be Served Annual Written Notice



Visitor Accommodation Management Plan

Unit X, 88 Middleton Road, Queenstown

1.0 Purpose

The purpose of this Visitor Accommodation Management Plan (VAMP) is to establish clear management procedures to avoid, remedy or mitigate adverse effects associated with the use of the residential unit at Unit X, 88 Middleton Road, Queenstown for Residential Visitor Accommodation.

The VAMP establishes responsibilities for the complex-wide Visitor Accommodation Representative, the unit-specific Property Manager, and guests, including procedures relating to guest behaviour, parking, noise, rubbish and recycling, and the investigation and resolution of complaints.

This plan also contains a Noise Management Plan (NMP) - designed to assist in achieving compliance with the relevant Visitor Accommodation noise standards of the District Plan:

- Daytime 0800 – 2000 hours: 50dBA L_{Aeq} (15 min)
- Night-time 2000 – 0800 hours: 40dBA L_{Aeq}

Noise levels shall be measured and assessed in accordance with NZS 6801:2008 and NZS6802:2008.

2.0 Visitor Accommodation Representative Details

The Visitor Accommodation Representative is appointed by the management entity for the complex and is responsible for coordinating visitor accommodation management matters across the complex.

The current (XXMONTH/YEARXXX) complex-wide Visitor Accommodation Representative appointed by the management entity is XXX and can be contacted as follows:

Name: XXXXX
 Address for Service: XXXXX
 Phone: XXXXX
 Email: XXXXX

3.0 Property Manager Details

The Property Manager is responsible for the day-to-day management of visitor accommodation within the relevant unit and for responding directly to any guest-related issues.

The current (XXMONTH/YEARXXX) Local Property Manager is TBC and can be contacted as follows:

Name: TBC
 Address for Service: TBC

Phone: TBC
Email: TBC

4.0 Visitor Accommodation Representative Responsibilities

The complex-wide Visitor Accommodation Representative appointed by the management entity is responsible for the following matters:

- Maintaining a current register of all units in the complex being used for short-term visitor accommodation, including the name and contact details of the appointed property manager for each.
- Acting as the primary point of contact in the event that any issues or complaints are raised regarding visitor accommodation activities within the complex. This includes being contactable at all times and investigating the matter, coordinating any necessary response, and reporting back to Council and/or neighbours.

5.0 Property Manager Responsibilities

Coordination with the Visitor Accommodation Representative

- Ensuring the Visitor Accommodation Representative has up-to-date contact details of both the Owner(s) and Property Manager.
- Coordinating with the complex-wide Visitor Accommodation Representative in the event of any complaints, in accordance with Section 7.3.

On Booking and Prior to Check-In

- Advising guests of the sleeping configuration/bed availability for the dwelling.
- Advising guests that there is only one on-site car park available for the unit and that this vehicle must be parked within the dedicated outdoor car park for the unit and not in any other unit's car park or on the shared accessway. Should guests need to bring more than one vehicle to the property, additional vehicles must be parked on the public Middleton Road or other public roads – but on-street parking availability is not guaranteed.
- Advising guests that coaches cannot pick-up, drop-off, or park at the site.
- Advising guests that a dedicated mobility car park is not available on the site, nor in the area.

On Check-In

- To provide the guests with a copy of the "House Rules" (as set out in Section 6.0 of the VAMP);
- To check that the number of guests in each unit does not exceed six (6). If the dwelling is a two-bedroom unit, this shall comprise a maximum of four (4) adults, plus two (2) children under the age of sixteen (16) years.
- To check that the on-site compendium contains a copy of the House Rules, and a copy of the conditions of resource consent.
- To ensure guests are familiar with the car parking arrangement for the site, being that all guests must park within the dedicated outdoor car park for the unit, and not in any other units' car park or the shared accessway. If guests have arrived to the property in more than one vehicle the additional vehicle(s) must be parked on the public Middleton Road or other public roads – but on-street parking availability is not guaranteed.

On Servicing & Other Visits

- To check that guests are only occupying one on-site car park – being the dedicated outdoor car park for the unit - and not in any other units' car park or the shared accessway. If guests have arrived to the property in more than one vehicle the additional vehicle(s) must be parked on the public Middleton Road or other public roads.
- To ensure the maximum number of guests staying within the unit does not exceed six (6) at any time. If the dwelling is a two-bedroom unit, this shall comprise of a maximum of four (4) adults plus two (2) children under the age of sixteen (16) years.
- To ensure that rubbish & recycling bins do not remain on the street for more than 24 hours

6.0 House Rules

- i) There shall be no more than six (6) guests present at any one time. If the dwelling is a two-bedroom unit, this shall comprise of a maximum of four (4) adults plus two (2) children under the age of sixteen (16) years.
- ii) There shall be no use of any outdoor living areas between 10 pm and 7 am.
- iii) Be courteous of neighbours. There shall be no undue nuisance or noise to neighbours or the local community.
- iv) Guests must ensure that noise is kept to a reasonable level at all times. After 8.00 pm, any potentially noisy activities must occur indoors with external doors and windows closed.
- v) Guests may use only the dedicated on-site car park allocated to the unit. Guests must not park in any other unit's car park or within the shared accessway. If guests arrive in more than one vehicle, any additional vehicles must be legally parked off-site on public roads, subject to the availability of lawful on-street parking.
- vi) Rubbish/recycling bins are to go out on the evening before collection, or the morning of collection (before 7.00am) and be brought back in as soon as possible after being emptied (unless rubbish/recycling is collected privately by the Property Manager). Rubbish and recycling must be stored within the designated storage area between collection days.
- vii) There shall be no sleeping on sofas.
- viii) Illegal activities are prohibited at the property.

7.0 Noise Management Plan

This NMP will set out specific methods and procedures to be undertaken by the owner/manager of the Residential Visitor Accommodation (RVA).

7.1 Noise Management Procedures

- 7.1.1 The manager of the RVA shall advise guests prior to checking in that the building is located within a residential area and request that they respect this by keeping noise levels to a reasonable level, especially between the hours of 8.00 pm to 8.00 am.
- 7.1.2 The Property Manager shall provide a contact telephone number to all guests and shall be reasonably available to respond to guest enquiries and issues throughout the duration of each booking.

7.2 Specific Noise Mitigation Measures

- 7.2.1 The manager of the RVA shall advise guests that they are not to play amplified sound from the outdoor living area between the hours of 8.00 pm – 8.00 am, and that the outdoor living area is

not to be used between 10.00 pm – 7.00 am. Amplified sound includes but is not limited to amplified speakers (musical or otherwise) and musical instruments.

- 7.2.2 The consent holder shall erect signs (minimum A4 size) on site to remind guests that they are in a residential area and to keep noise to a reasonable level, especially between the hours of 8.00 pm to 8.00 am. One sign shall be installed in the kitchen and one weatherproof sign (i.e. laminated or plastic) shall be installed within the outdoor living area. The outdoor sign shall also state that no amplified sound/music is to be played from the outdoor living area between the hours of 8pm – 8am, and that the area is to be vacated between 10pm – 7am.

7.3 Complaint Procedures

In the event that a complaint is received regarding an RVA activity within the complex – whether from Council enforcement officers, neighbours, unit owners, or any other party – the Visitor Accommodation Representative will take the lead in managing and resolving the matter, however will also coordinate with the unit-specific RVA Property Manager.

Complex-Wide Visitor Accommodation Representative

- 7.3.1 Should a complaint be received in relation to the RVA activity on the site, including from the Council or its Enforcement Officers, neighbours, or any other party, the complex-wide Visitor Accommodation Representative will immediately contact and coordinate with the unit-specific RVA Property Manager on the below and shall take the following steps:

- Immediately record the details of the complaint in writing.
- Promptly contact the relevant Property Manager to coordinate a response (immediately where practicable, but no later than 30 minutes after receipt of the complaint).
- Investigate the complaint and determine any immediate remedial actions required within one hour of receipt of the complaint, and any longer-term remedial actions required within 24 hours.
- Respond to the complainant to confirm receipt of the complaint and advise them of the steps taken and outcome within 24 hours for a preliminary response, and within 7 days for a final response where remediation measures require longer than 24 hours to implement.
- Ensure that any necessary actions are implemented by the Property Manager and/or unit owner.
- Maintain a complex-wide complaints register including details of each complaint, investigations undertaken, remedial actions implemented, and outcomes.
- Ensure that all complaints, including records of any remedial actions taken, are retained for a minimum period of five years.
- Forward details of the complaint to Queenstown Lakes District Council within 48 hours of receipt.
- Make the complaints register and associated records available to Council upon request.

RVA Property Manager

- 7.3.2 Should a complaint be received in relation to the RVA activity on the site, including from the Council or its Enforcement Officers, neighbours, or any other party, the RVA Property Manager will immediately contact and coordinate with the complex-wide Visitor Accommodation Representative on the below and shall take the following steps:

- Immediately notify and coordinate with the VAR upon becoming aware of any complaint.
- Assist the VAR in investigating the complaint and identifying appropriate remedial actions.
- Take immediate and effective steps to implement any required remedial actions.
- Communicate directly with guests where necessary to resolve the issue and ensure compliance with guest behaviour requirements.

- Maintain appropriate records relating to guest communications and actions taken in response to complaints.
- Ensure ongoing compliance with this VAMP and all relevant conditions of consent.

Repeated or Serious Complaints

7.3.3 Where repeated complaints are received in relation to the same unit, booking or guest, or where a serious complaint is received, the Visitor Accommodation Representative and Property Manager shall review the circumstances and determine whether additional management measures are required. Such measures may include issuing additional warnings to guests, requiring the cessation of particular activities, requiring guests to leave the property where appropriate and lawful, refusing future bookings, or implementing additional site-specific management measures.

8.0 Review of VAMP and Noise Management Plan

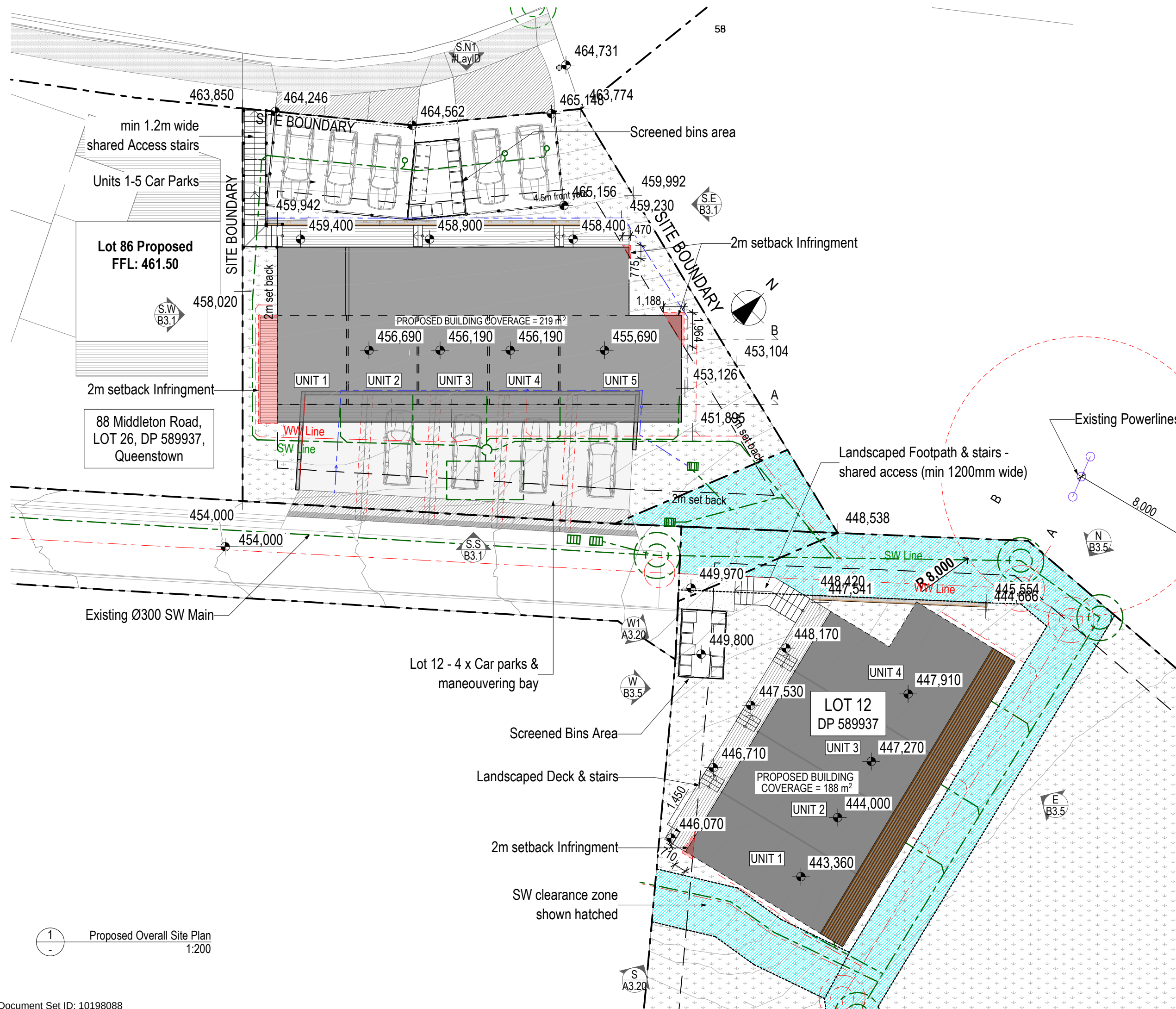
8.1 Annual Review Procedures

- 8.1.1 This VAMP and NMP shall be reviewed on an annual basis to assess their effectiveness in avoiding, remedying or mitigating adverse effects associated with residential visitor accommodation activities within the complex. The annual review shall include consideration of any complaints received during the preceding 12-month period, the nature and frequency of those complaints, the effectiveness of remedial actions undertaken, and whether amendments to this VAMP or additional management measures are required.
- 8.1.2 This review shall be completed no later than 30 December of each year.
- 8.1.3 Should any changes to this VAMP result from the review process, the amended VAMP shall be submitted to the Council's Monitoring Planner for certification.
- 8.1.4 As part of this annual review, a letter drop shall be undertaken to all neighbouring property owners within the same complex at 88 Middleton Road, and also all other neighbours marked with a red 'X' in Figure 1. This letter shall advise each neighbouring unit owner of the contact details of the Visitor Accommodation Representative appointed by the management entity of the complex responsible for receiving any complaints, and also the appointed RVA property manager, and invite neighbours to contact both these persons should they have any questions or complaints.



Figure 1 – External Neighbours to Be Served Annual Written Notice

APPENDIX 3 – RVA PLANS



- GENERAL NOTES**
1. DO NOT SCALE OFF DRAWING
 2. CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS ON SITE - IF IN DOUBT ASK THE ARCHITECT
 3. ARCHITECTS TO BE NOTIFIED OF ANY VARIATION BETWEEN SITE DIMENSION AND THOSE ON PLANS.
 4. THESE DRAWINGS REMAIN THE PROPERTY OF FOUR WALLS ARCHITECTURE AND SHOULD NOT BE COPIED IN ANY FORM OR PASSED ON TO A THIRD PARTY WITHOUT PRIOR WRITTEN CONSENT

REV	DESCRIPTION	DATE
H	PARKING REV	28.04.26
G	RC RFI RESPONSE	09.04.26
F	RC RFI RESPONSE	24.03.26
E	RC ISSUE	02.02.26
D	RC ISSUE FOR COMMENT	29.01.26
C	RC ISSUE FOR COMMENT	21.01.26
B	DEVELOPED DESIGN	15.01.26
A	DEVELOPED DESIGN	21.11.25

RESOURCE CONSENT



CLIENT
NWF Invest Ltd

PROJECT
Middleton & McGregor
Development

PROJECT NUMBER
2025_011

DRAWING NAME
Site Plans
Proposed Site Plan

DRAWING CREATION DATE
DRAWING NUMBER

B1.1

SCALE

H

@A3

1
Proposed Overall Site Plan
1:200



F1- 1.8- 2.0m high Black wood plastic composite screen panels with associated Post & Rail accessories.

FRONT YARD LANDSCAPING

R1.1 (& R3.7)- At least 50% front yard landscaped

R1.3 - Safe and easily visible pedestrian path

R1.4 - Shrub planting to max. 1.2m to allow passive surveillance

R1.6 - Integrate letterboxes and services into front yard



Pittosporum tenuifolium



'Hebe Odora'



Poa Cita ' Silver Tussock'



Flowering crab apple



Kowhai 'Sophora microphylla'



F1 - black screen panels



Rose 'Frau Dagmar Hastrup'

GENERAL NOTES

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REV	DESCRIPTION	DATE
E	RC REV	09.04.26
D	RC ISSUE	02.02.26
C	RC ISSUE FOR COMMENT	21.01.26
B	RC ISSUE FOR COMMENT	20.01.26
A	DEVELOPED DESIGN	21.11.25

RESOURCE CONSENT

- PLANTS & TREES:
- T1** - Flowering crab apple (*Malus tschonoskii*) - *Malus tschonoskii* is a beautiful, pyramidal grower with spring leaves that have a silver-white, felted appearance making it an excellent choice as a street tree. Growth - 6m tall & 4m broad.
 - T2** - *Sophora microphylla* Kowhai An attractive large shrub – small tree with small fern like foliage paired up the stem. The Kowhai is covered in spring with beautiful yellow flowers.
 - S1** - *Hebe Odora* *Hebe Odora* - Rounded alpine shrub with dark glossy green leaves similar to box hedge. White flowers from spring to autumn. Suitable low hedge. Mature Height 80cm x Width 80cm
 - S2** - *Rosa 'Frau Dagmar Hastrup'* A sturdy rugosa rose, which makes a lovely specimen plant or hedge. Clover-scented, light pink flowers appear throughout summer, followed by bright red hips in autumn.
 - S3** - *Poa cita ' Silver Tussock'* One of the iconic tussocks that is prevalent in high country tussock lands. It is becoming increasingly popular in modern mass plantings, due to its natural rustic beauty, and no fuss ease of care.
 - H1** - *Pittosporum tenuifolium 'Black Matipo'* Versatile large shrub or small tree prized for its dense, attractive foliage and fragrant flowers. Height when mature: 6m



CLIENT

NWF Invest Ltd

PROJECT

Middleton & McGregor Development

PROJECT NUMBER

2025_011

DRAWING NAME

Site Plans

Landscape Plan

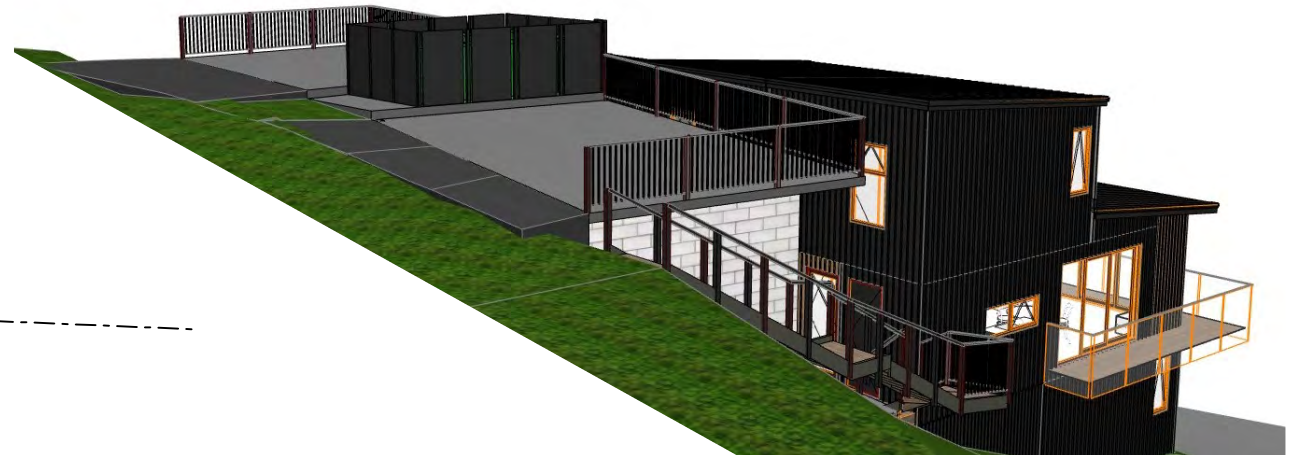
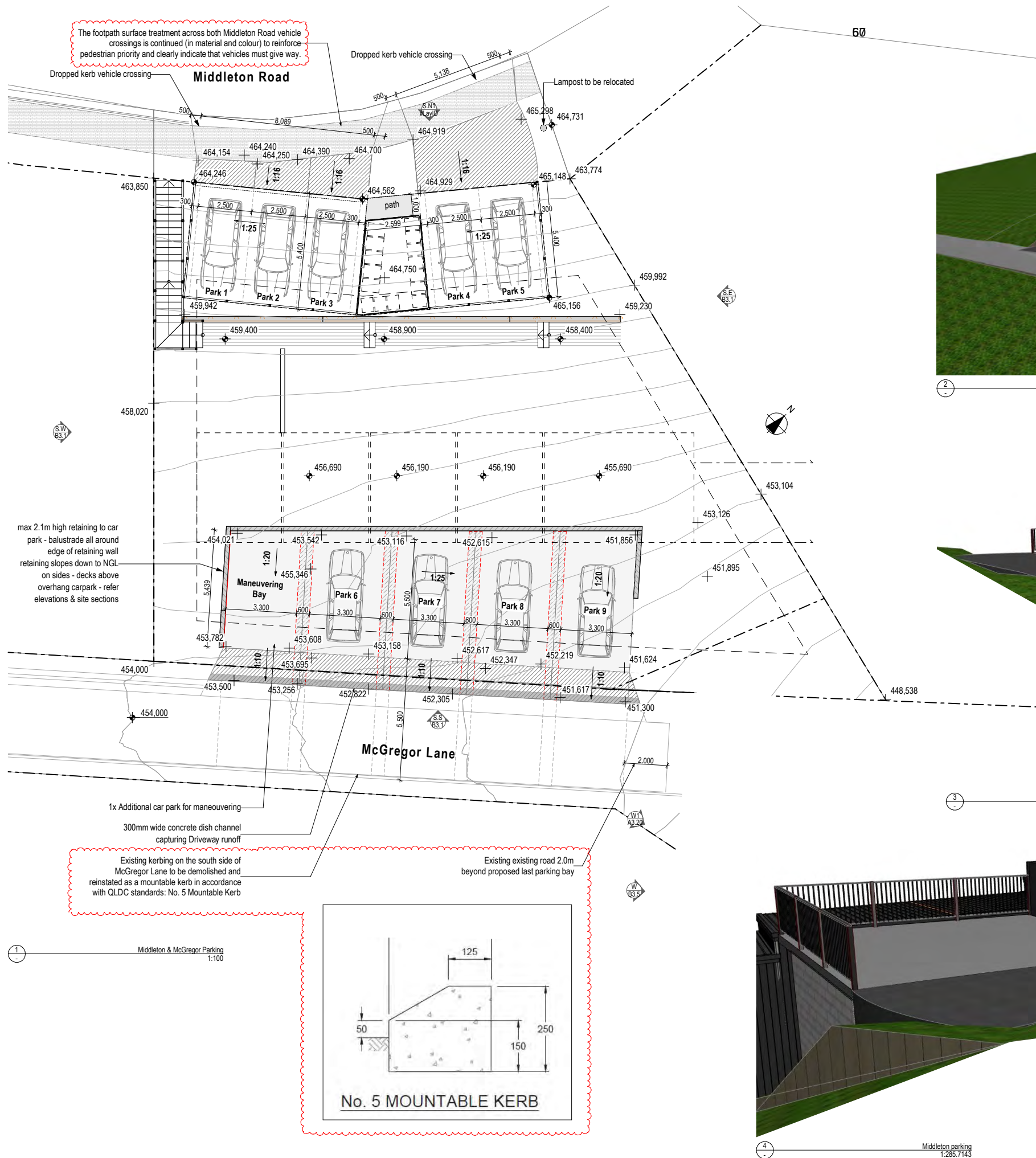
DRAWING CREATION DATE

DRAWING NUMBER

B1.4

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GENERAL NOTES		
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C PARKING REV C	05.05.26	
B PARKING REV B	04.05.26	
A PARKING REV	28.04.26	
REV	DESCRIPTION	DATE
RESOURCE CONSENT		

FOUR WALLS ARCHITECTURE

CLIENT
NWF Invest Ltd

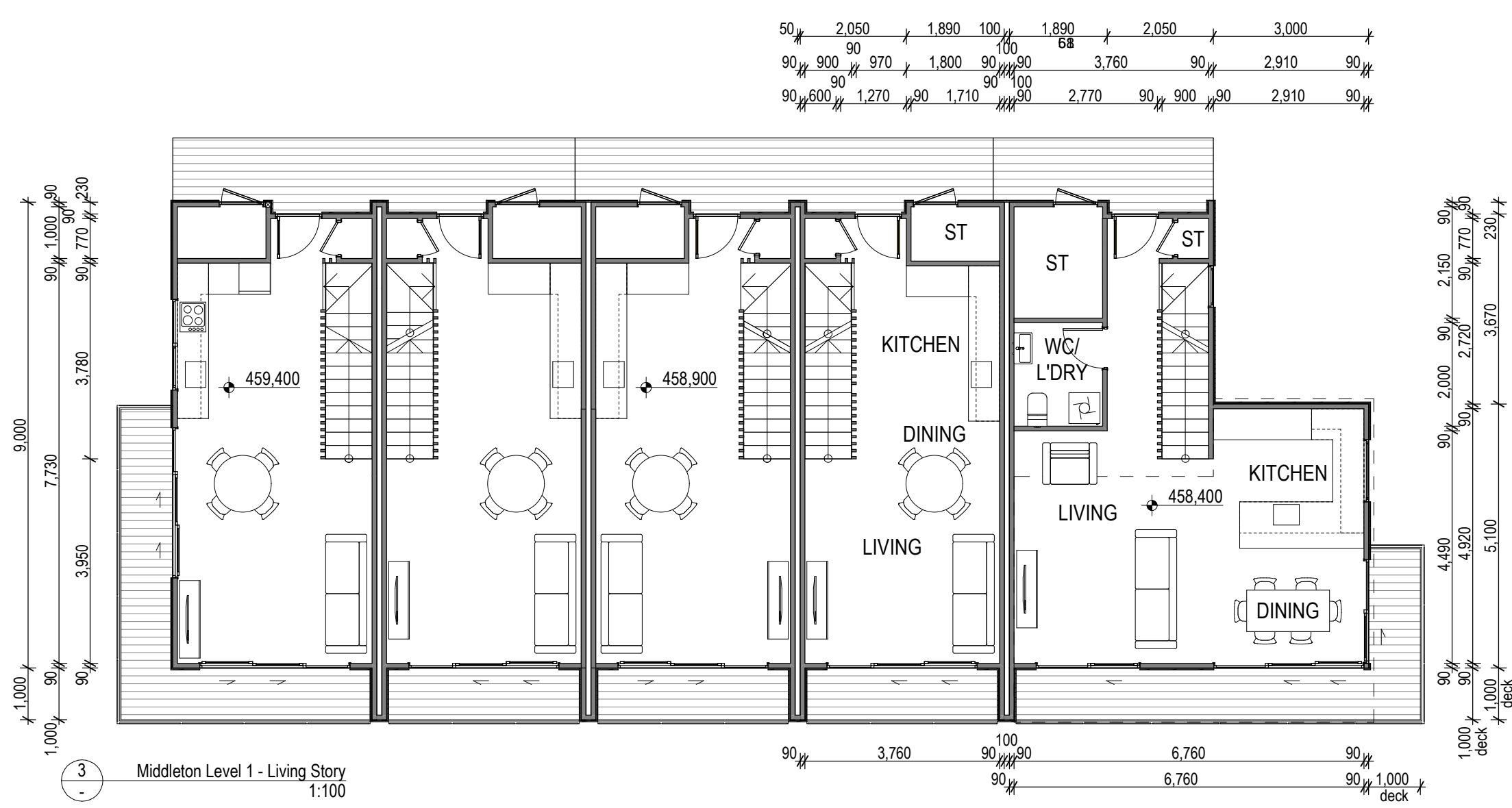
PROJECT
Middleton & McGregor Development

PROJECT NUMBER
2025_011
DRAWING NAME
Site Plan - Car Parks

DRAWING CREATION DATE
DRAWING NUMBER
B1.5
SCALE

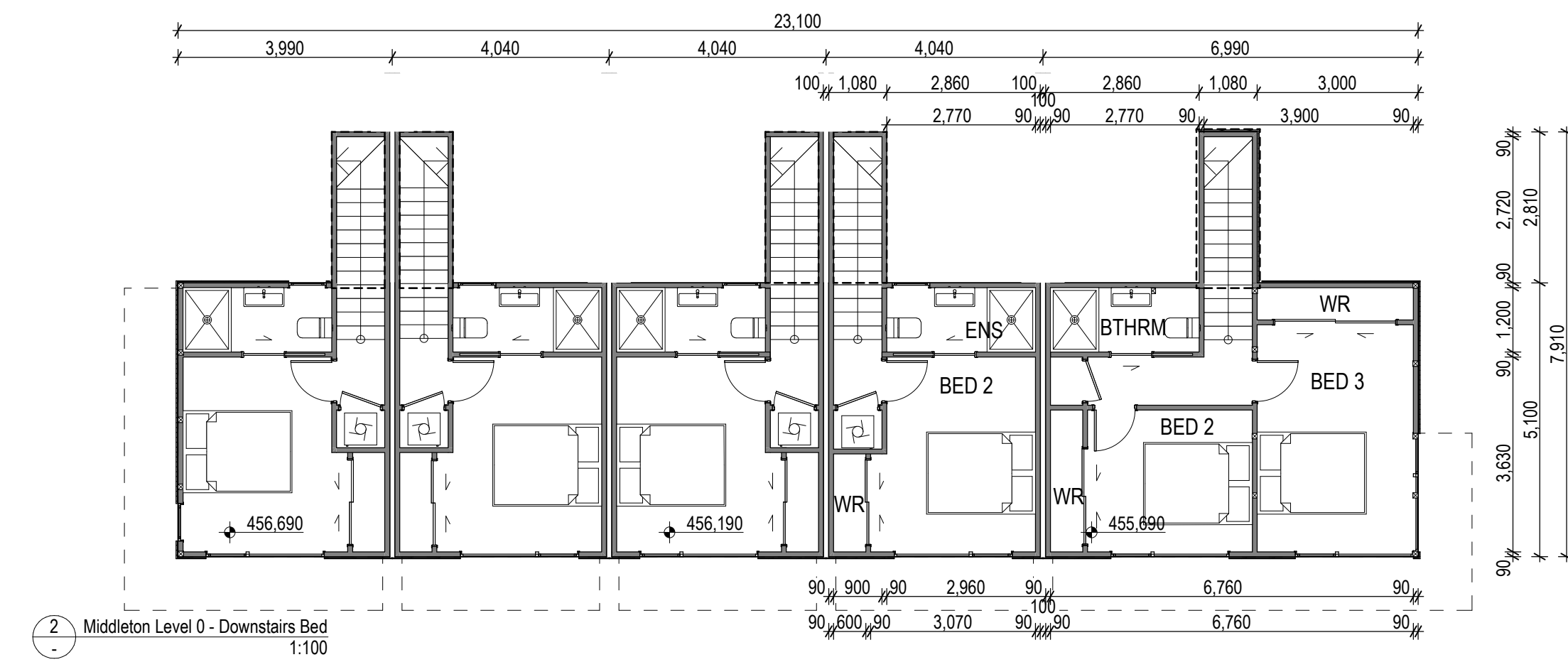
C

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UNIT 1:		
KDL Area:	25 m ²	
Deck Area:	10 m ²	
UNITS 2-4:		
KDL Area:	25 m ²	
Deck Area:	4 m ²	
UNIT 5:		
KDL Area:	31 m ²	
Deck Area:	10 m ²	

GENERAL NOTES		
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REV	DESCRIPTION	DATE
C	RC ISSUE	02.02.26
B	RC ISSUE FOR COMMENT	20.01.26
A	DEVELOPED DESIGN	21.11.25
RESOURCE CONSENT		





**FOUR WALLS
ARCHITECTURE**

CLIENT

NWF Invest Ltd

PROJECT

Middleton & McGregor
Development

PROJECT NUMBER

2025_011

DRAWING NAME

Floorplans

88 Middleton_Level 0 & Level 1
Floor Plans

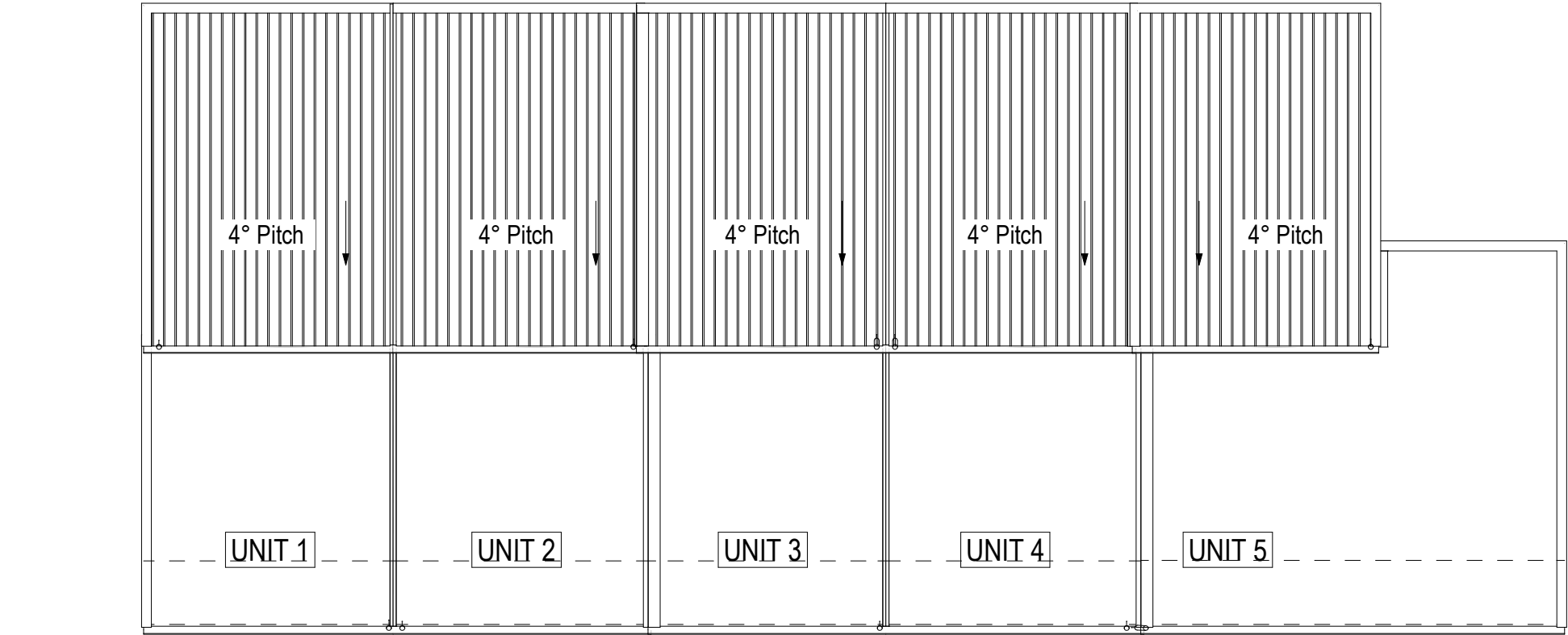
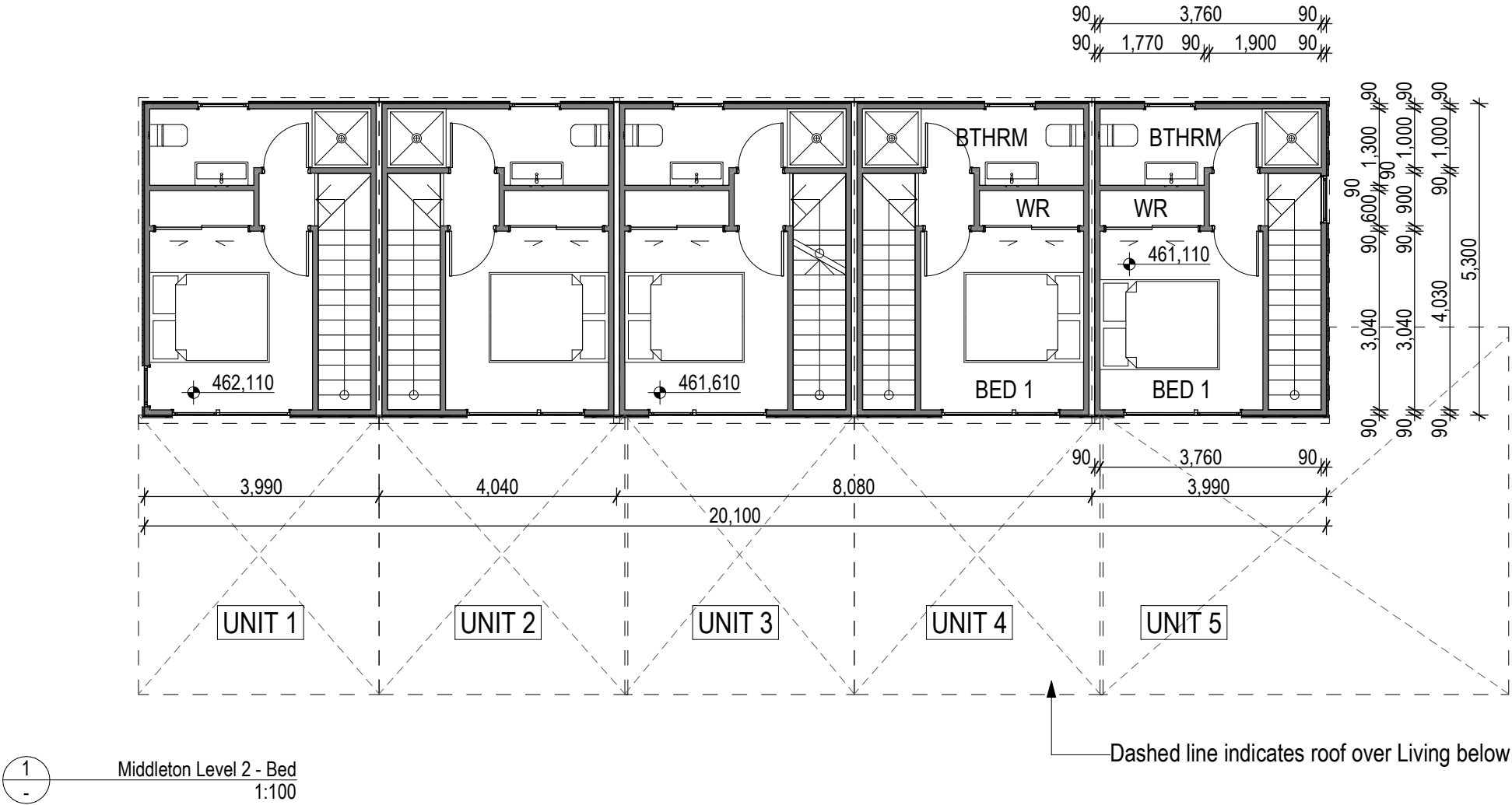
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DRAWING NUMBER

B2.1

SCALE

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REV	DESCRIPTION	DATE
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B	RC ISSUE FOR COMMENT	20.01.26
A	DEVELOPED DESIGN	21.11.25
RESOURCE CONSENT		



CLIENT
NWF Invest Ltd

PROJECT
Middleton & McGregor
Development

PROJECT NUMBER
2025_011

DRAWING NAME
Floorplans
88 Middleton_Level 2 & Roof
Plan

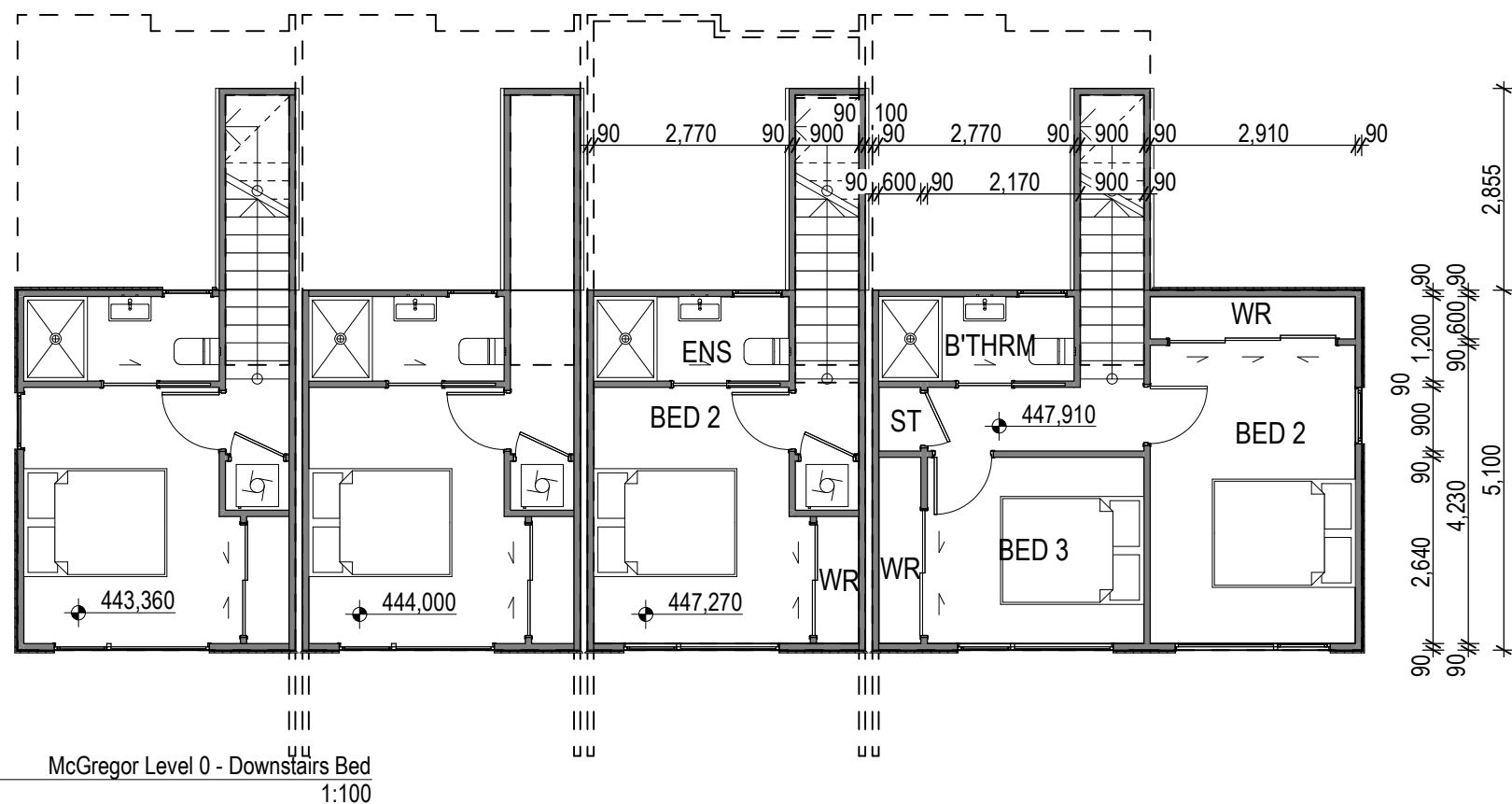
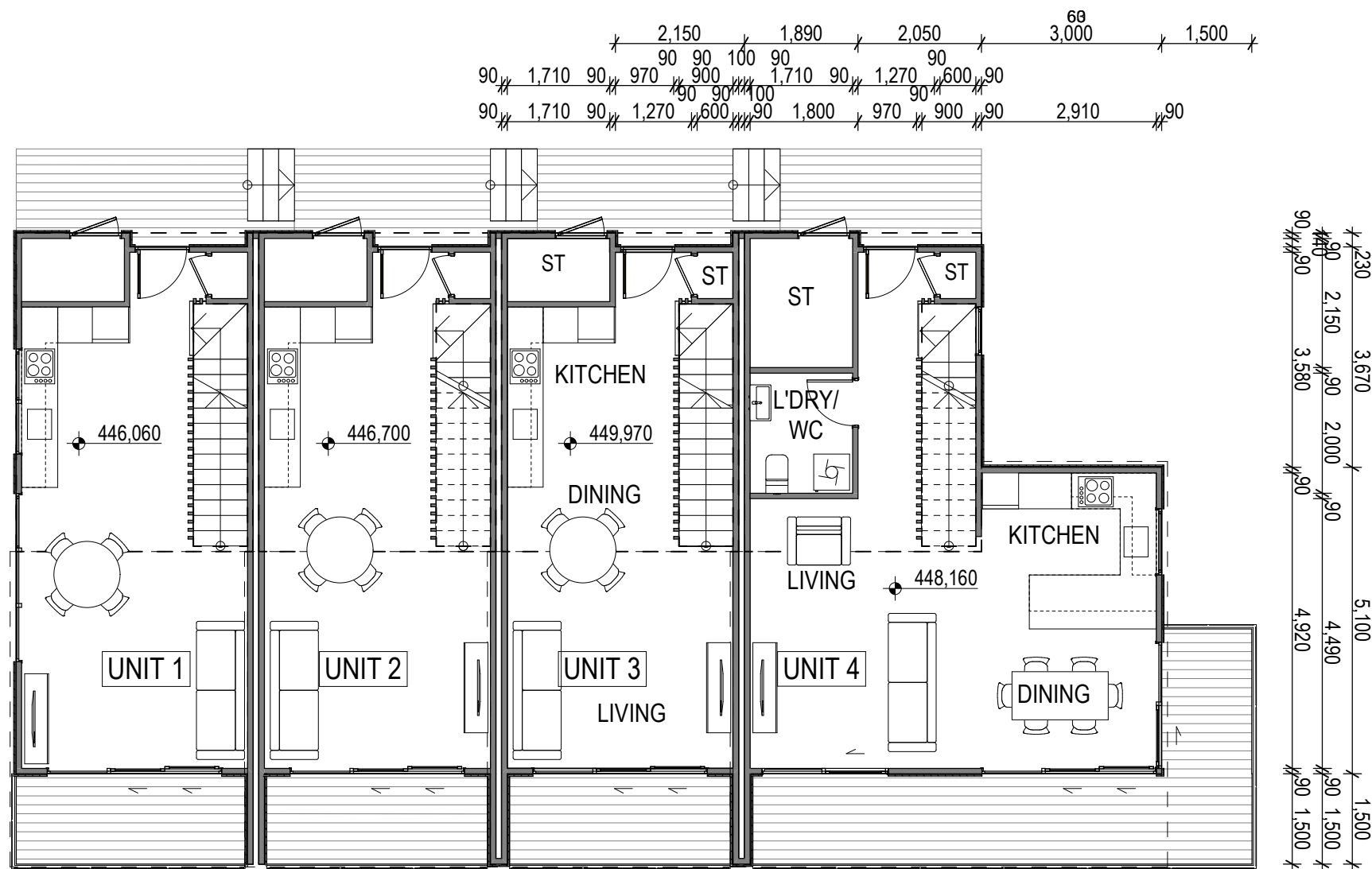
DRAWING CREATION DATE
DRAWING NUMBER

B2.2

SCALE

C

@A3



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C	RC ISSUE	02.02.26
B	RC ISSUE FOR COMMENT	20.01.26
A	DEVELOPED DESIGN	21.11.25
REV	DESCRIPTION	DATE
RESOURCE CONSENT		



**FOUR WALLS
ARCHITECTURE**

CLIENT

NWF Invest Ltd

PROJECT

Middleton & McGregor
Development

PROJECT NUMBER
2025_011

DRAWING NAME
Floorplans

12 McGregor_Level 0 & Level 1 Floor Plans

DRAFTING CREATION DATE

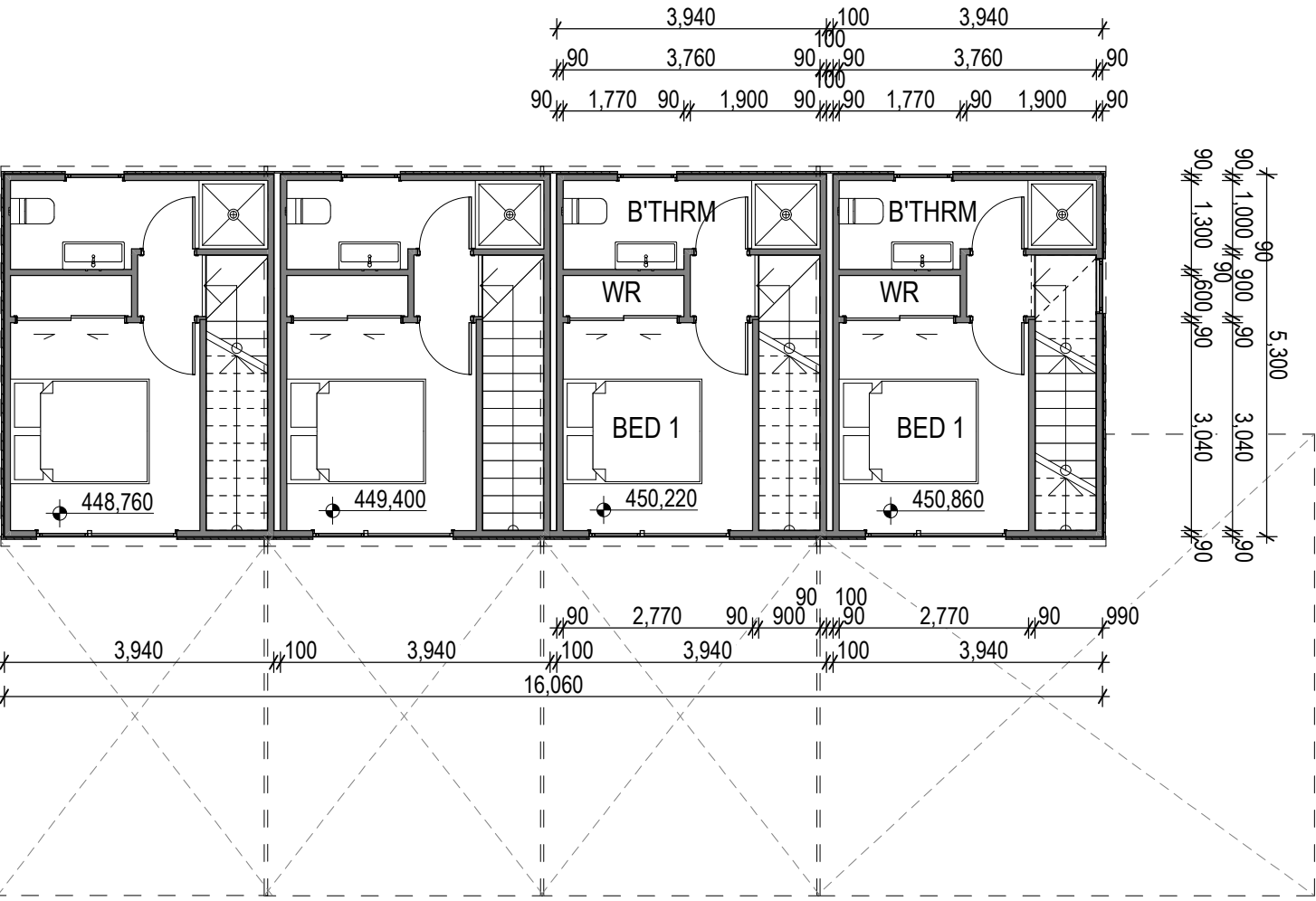
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B2.3

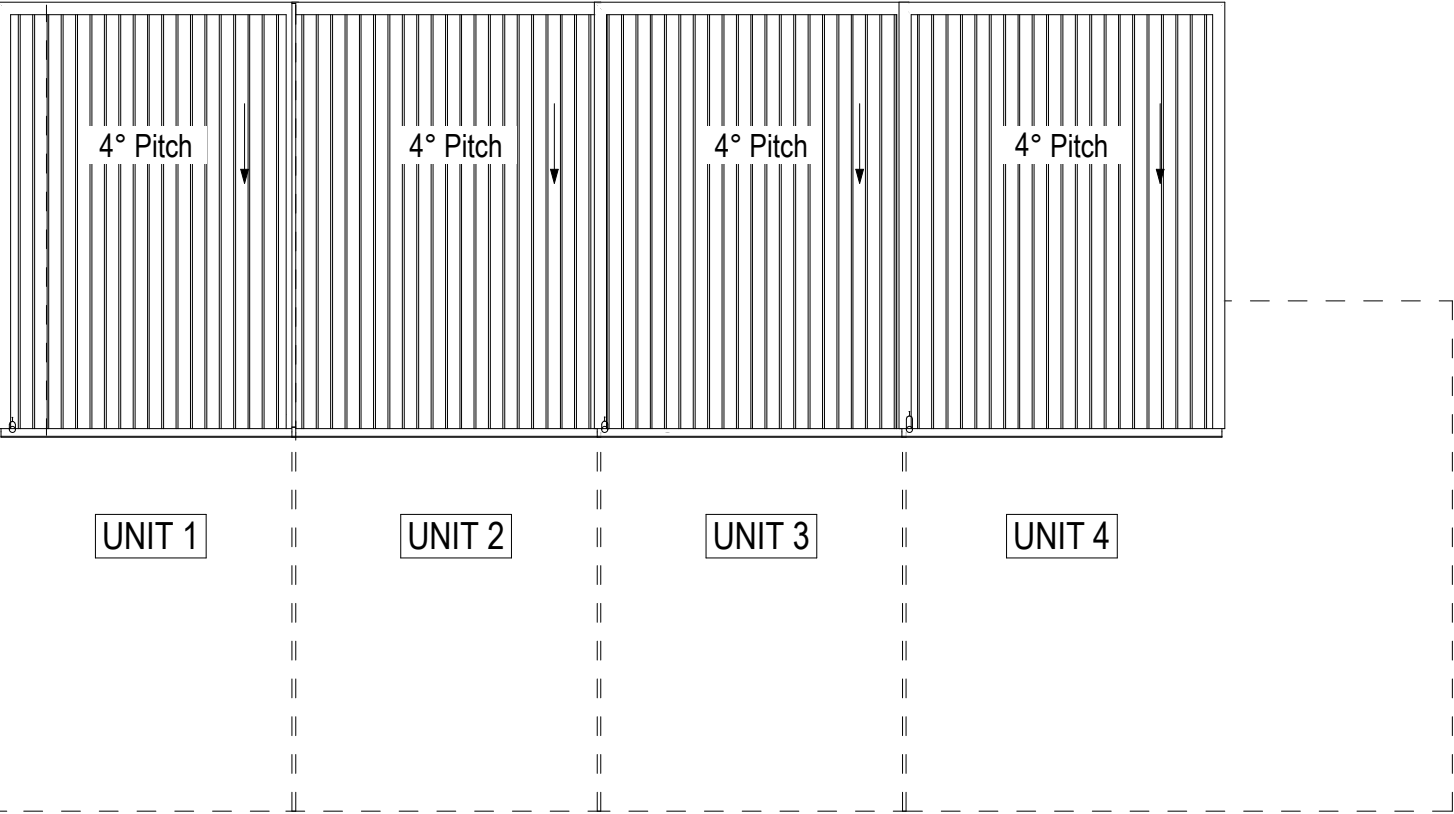
SCALE

C

@A3



1
-
McGregor Level 2 - Bed
1:100



2
-
McGregor - Level Roof
1:100

- GENERAL NOTES
- 1. DO NOT SCALE OFF DRAWING
 - 2. CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS ON SITE - IF IN DOUBT ASK THE ARCHITECT
 - 3. ARCHITECTS TO BE NOTIFIED OF ANY VARIATION BETWEEN SITE DIMENSION AND THOSE ON PLANS.
 - 4. THESE DRAWINGS REMAIN THE PROPERTY OF FOUR WALLS ARCHITECTURE AND SHOULD NOT BE COPIED IN ANY FORM OR PASSED ON TO A THIRD PARTY WITHOUT PRIOR WRITTEN CONSENT

C	RC ISSUE	02.02.26
B	RC ISSUE FOR COMMENT	20.01.26
A	DEVELOPED DESIGN	21.11.25
REV	DESCRIPTION	DATE
RESOURCE CONSENT		



CLIENT
NWF Invest Ltd

PROJECT
Middleton & McGregor
Development

PROJECT NUMBER
2025_011

DRAWING NAME
Floorplans
McGregor _Level 2 & Roof Plan

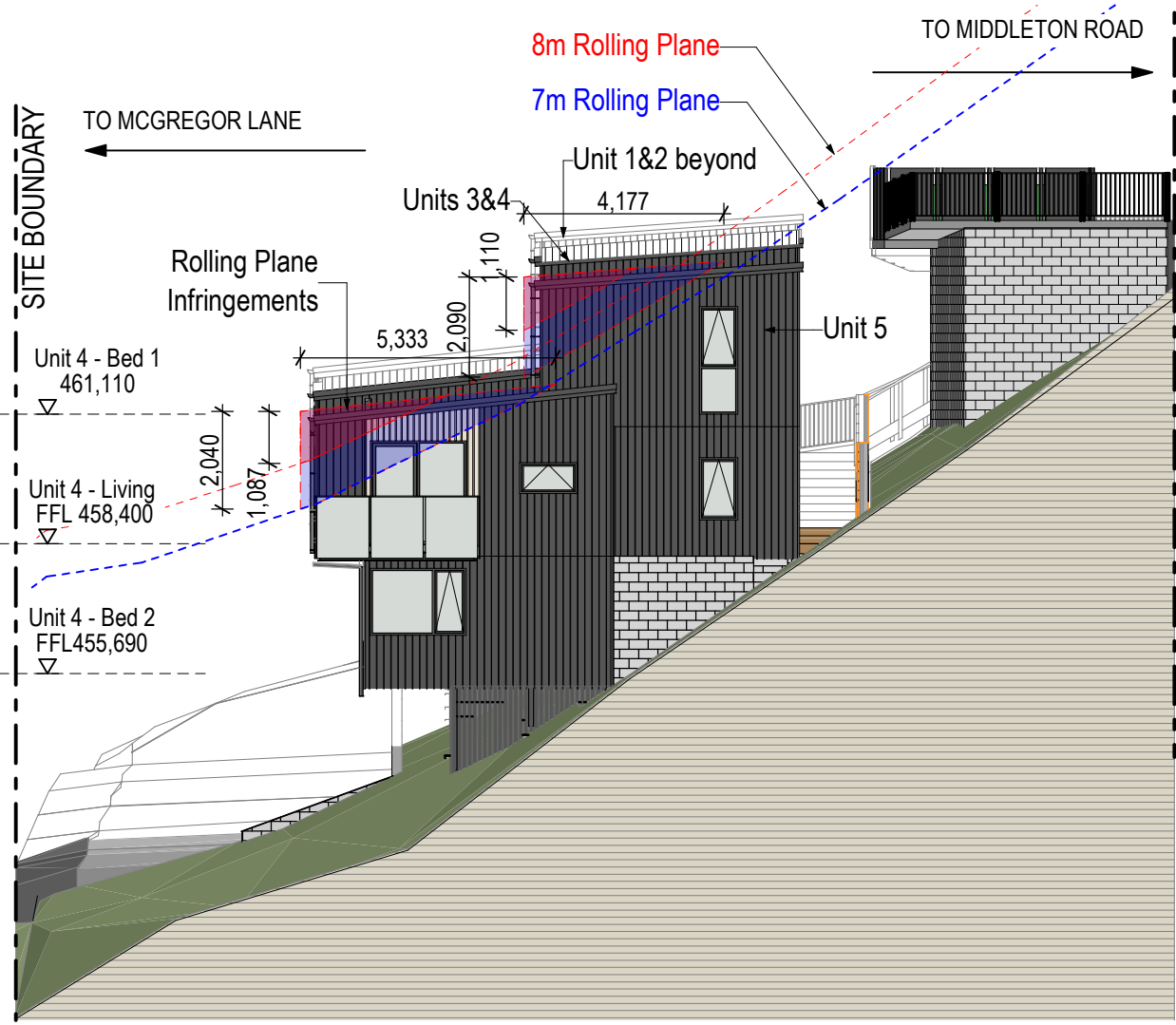
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DRAWING NUMBER

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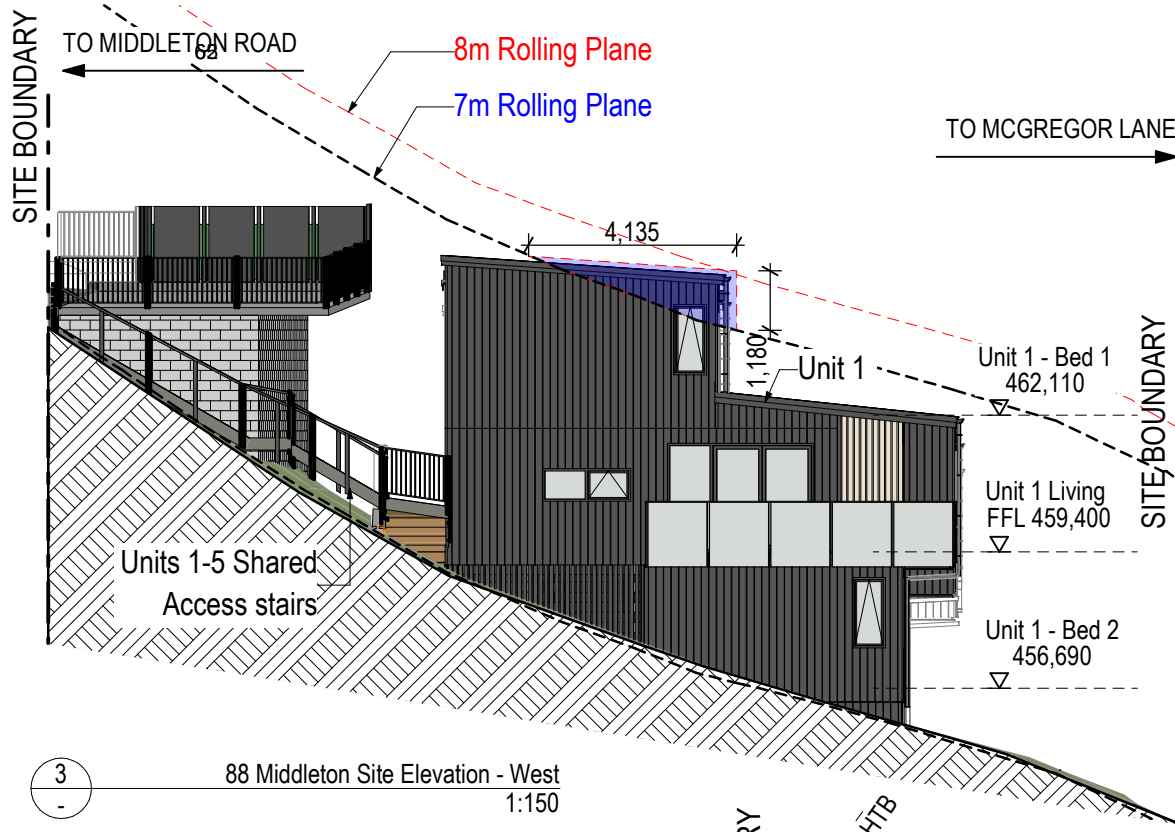
SCALE

C

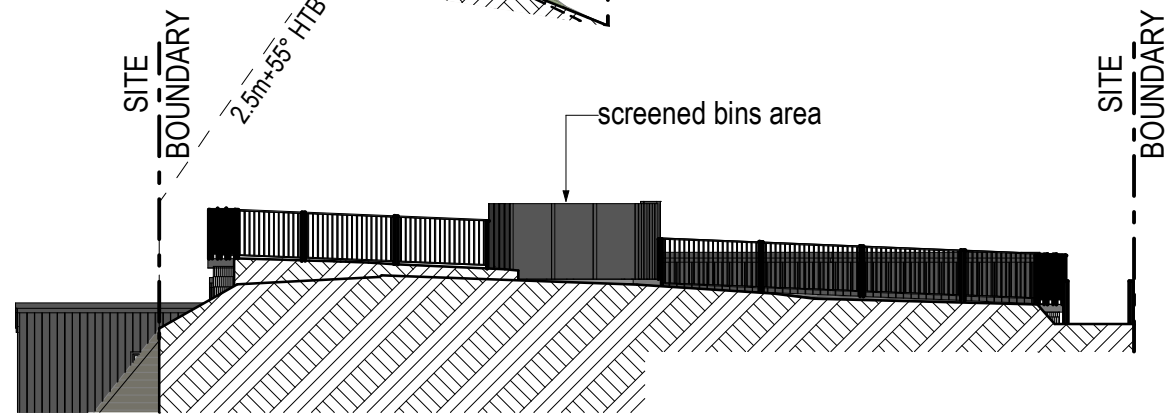
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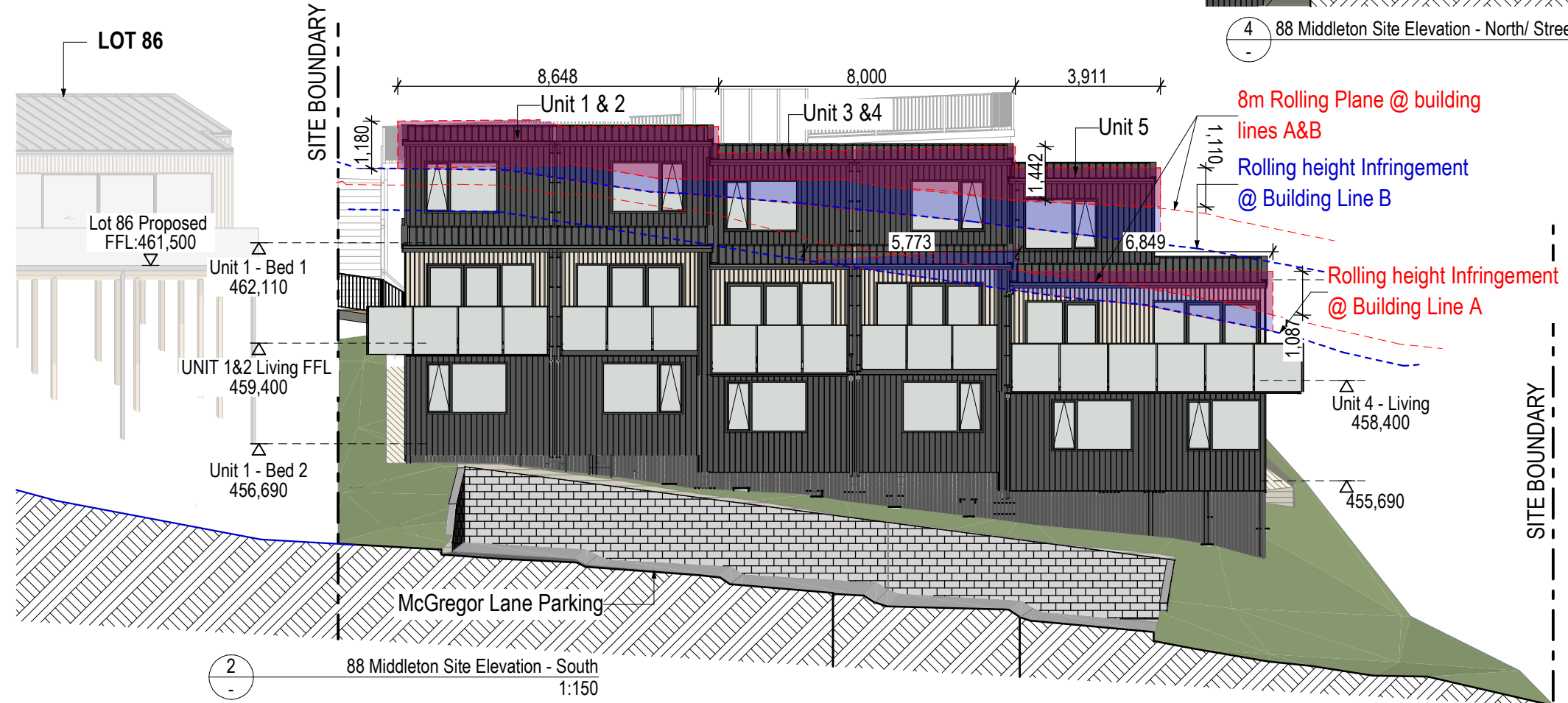
1
-
88 Middleton Site Elevation - East
1:150



3
-
88 Middleton Site Elevation - West
1:150



4
-
88 Middleton Site Elevation - North/ Street View
1:150



2
-
88 Middleton Site Elevation - South
1:150

GENERAL NOTES
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REV	DESCRIPTION	DATE
E	RC - REV FULL SET	05.05.26
D	RC - RFI RESPONSE	24.03.26
C	RC ISSUE	02.02.26
B	RC ISSUE FOR COMMENT	20.01.26
A	DEVELOPED DESIGN	21.11.25
RESOURCE CONSENT		



CLIENT
NWF Invest Ltd

PROJECT
Middleton & McGregor
Development

PROJECT NUMBER
2025_011

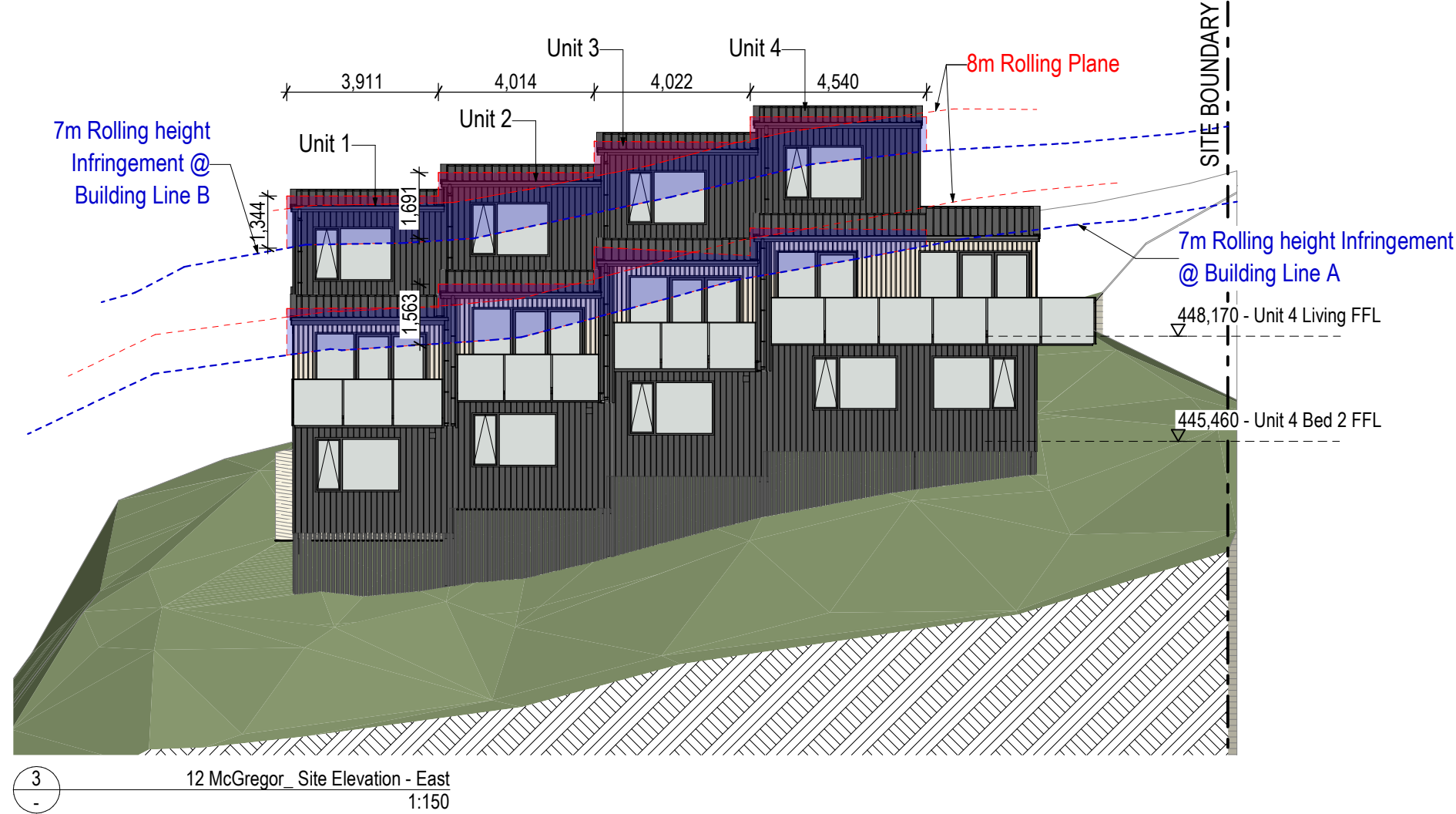
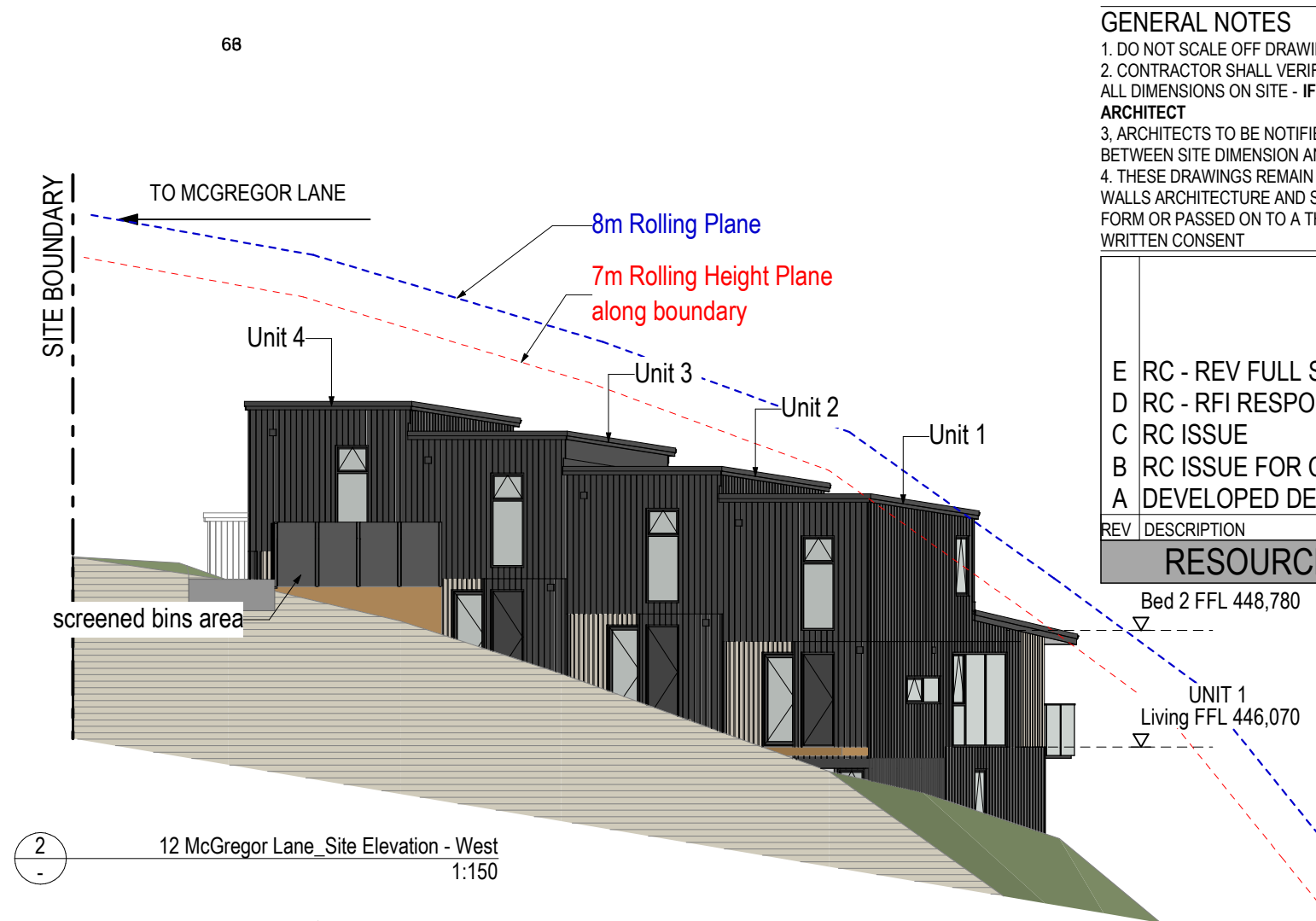
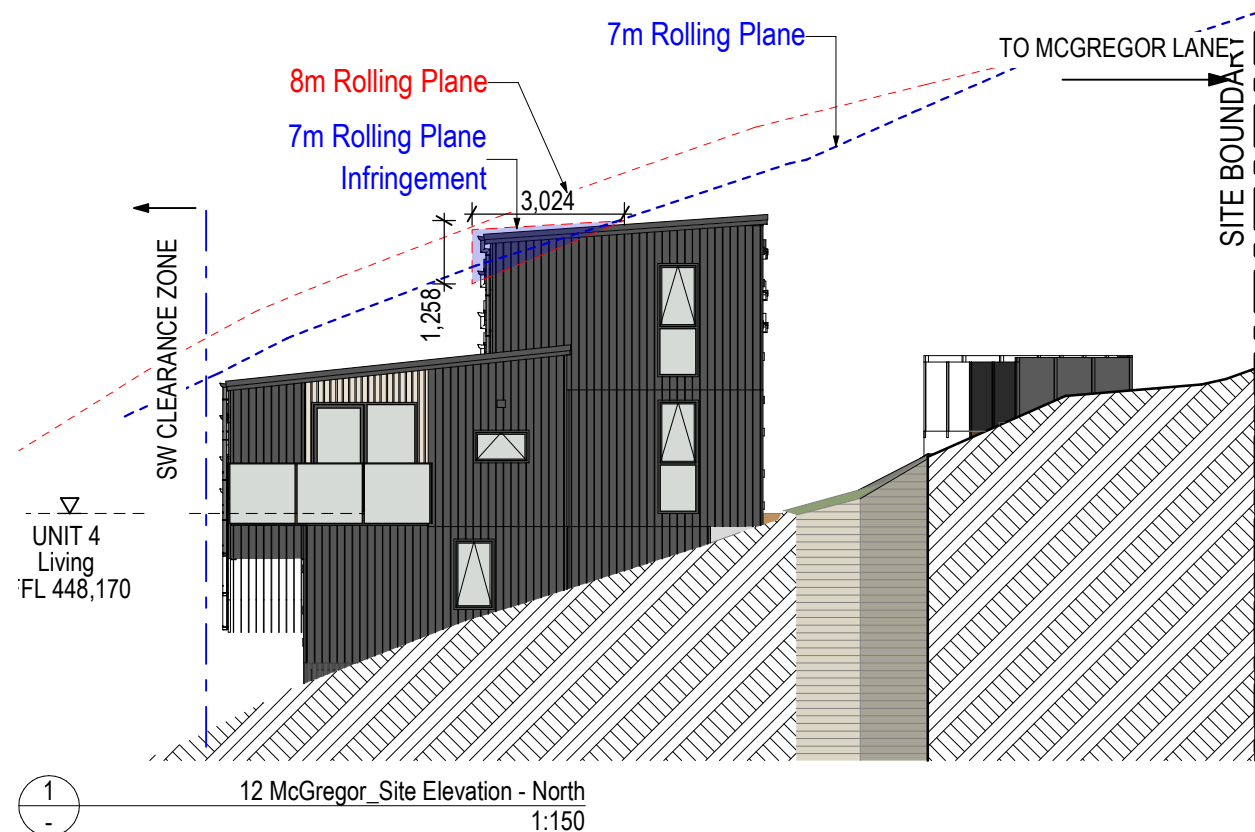
DRAWING NAME
Elevations and sections
88 Middleton_ Site Elevations

DRAWING CREATION DATE
DRAWING NUMBER

B3.1

SCALE

@A3



GENERAL NOTES

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E	RC - REV FULL SET	05.05.26
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C	RC ISSUE	02.02.26
B	RC ISSUE FOR COMMENT	20.01.26
A	DEVELOPED DESIGN	21.11.25

RESOURCE CONSENT

Bed 2 FFL 448,780

UNIT 1
Living FFL 446,070



CLIENT
NWF Invest Ltd

PROJECT
Middleton & McGregor
Development

PROJECT NUMBER
2025_011

DRAWING NAME
Elevations and sections
12 McGregor Site Elevations

DRAWING CREATION DATE
DRAWING NUMBER

B3.5

SCALE

E

@A3

TechnologyOne ECM Document Summary

Printed On 23-Sep-2026

Class	Description	Doc Set Id / Note Id	Version	Date
PUB_ACC	Form 9	10198098	1	04-Aug-2026
PUB_ACC	Assessment of Effects on the Environment	10198104	1	04-Aug-2026
PUB_ACC	Record of Title 1125968	10198089	1	04-Aug-2026
PUB_ACC	Record of Title 1125967	10198090	1	04-Aug-2026
PUB_ACC	Consent Notice 6717938.1	10198103	1	04-Aug-2026
PUB_ACC	Consent Notice 7195226.1	10198102	1	04-Aug-2026
PUB_ACC	Consent Notice 8283616.19	10198101	1	04-Aug-2026
PUB_ACC	Consent Notice 12371235.8	10198100	1	04-Aug-2026
PUB_ACC	Consent Notice 12795642.6	10198099	1	04-Aug-2026
PUB_ACC	Land Covenant 12795642.7	10198097	1	04-Aug-2026
PUB_ACC	Land Covenant in Covenant Instrument 11098487.6	10198096	1	04-Aug-2026
PUB_ACC	Land Covenant in Covenant Instrument 11677745.15	10198095	1	04-Aug-2026
PUB_ACC	Land Covenant in Covenant Instrument 11677745.17	10198094	1	04-Aug-2026
PUB_ACC	Land Covenant in Covenant Instrument 11813420.6	10198093	1	04-Aug-2026

PUB_ACC	Variation of Consent Notice 12756610.2	10198086	1	04-Aug-2026
PUB_ACC	RVA Plans	10198088	1	04-Aug-2026
PUB_ACC	Visitor Accommodation Management Plan (VAMP) - 88 Middleton Road Units 31 August 2026	10260821	1	31-Aug-2026
PUB_ACC	Visitor Accommodation Management Plan (VAMP) - 12 McGregor Lane Units 31 August 2026	10260820	1	31-Aug-2026
PUB_ACC	Volunteered Conditions of Consent 31 August 2026	10260822	1	31-Aug-2026
PUB_ACC	Letter to Neighbours - Residential Visitor Accommodation	10198092	1	04-Aug-2026
PUB_ACC	Outdoor Area Notice	10198091	1	04-Aug-2026
PUB_ACC	Social Effects Assessment	10198087	1	04-Aug-2026
PUB_ACC	Response to planner's query regarding Social Impact Assessment, dated 31.8.26	10262079	1	01-Sep-2026



APPLICATION FOR RESOURCE CONSENT
OR RMA FAST-TRACK RESOURCE CONSENT

FORM 9: GENERAL APPLICATION



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

Please make sure that you are completing **the correct form** for your consent application type. This form provides mandatory contact information and details of your application and must be completed in full. If the incorrect form is used, or if information or supporting materials are missing, your application will be returned, and you will need to resubmit your application in full.



APPLICANT //

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

Applicant's full name / company / trust [Name decision is to be issued in]

NWF Invest Limited

All trustee names (if applicable)

Authorised person for company or trust

Sam Tolich

Postal address

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

C/- Gilligan Rowe & Associates LP, Level 6, 135 Broadway, Newmarket, Auckland, 1023

Email address

admin@jcconsult.co.nz

Phone number (daytime)

0210751365

Phone number (mobile)

0210751365

The applicant is:



Owner



Occupier



Prospective Purchaser [of the site to which the application relates]



Lessee



Other [Please specify]

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





INVOICING DETAILS //

70
Information on payments and the costs involved with different application types can be found on our [charges and fees webpage](#).

Invoices will be sent out via email unless you specifically request to receive via post.

First name

NWF Invest Limited

Surname

Authorised company/trust (if applicable)

Email address

admin@jcconsult.co.nz

Postal address

C/- Gilligan Rowe & Associates LP, Level 6, 135 Broadway, Newmarket, Auckland

Postcode

1023

Address/location to which this application relates to

88 Middleton Road & 12 McGregor Lane, Queenstown

Postcode

9300



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 and company

Richard Kemp - Pragmatic Planning

Postal address

PO Box 2770, Wakatipu, Queenstown 9349

Email address

richard@pragmaticplanning.co.nz

Phone number

021 104 3405

Phone number (mobile)

021 104 3405



CONSENT(S) APPLIED FOR //

Identify all consents sought.



Land Use Consent



Land Use Consent including earthworks



Land Use Consent combined with s127 and/or s221



Subdivision Consent

If the application type you are applying for is not listed it is because it has its own application form which you will need to complete instead of using this form i.e.:

- s127 Change or Cancellation of Consent Condition
- s221 Change or Cancellation of Consent Notice
- Boundary / Marginal or Temporary Activity Notice
- Outline Plan
- Designations

[These forms can be downloaded here.](#)

If you are applying for a Land Use and s127, please indicate your applicable RM Number:



QUALIFIED FAST-TRACK APPLICATION UNDER SECTION 87AAC



Controlled Activity Land Use

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



Opt out



BRIEF DESCRIPTION OF THE PROPOSAL ⁷¹ //

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:

Undertake residential visitor accommodation - please see AEE for full details of the proposal



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

88 Middleton Road & 12 McGregor Lane, Queenstown Hill

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

Lot 26 Deposited Plan 589937 as held in Record of Title 1125967 & Lot 12 Deposited Plan 589937 as held in Record of Title 1125968

District Plan zone(s)

Suburban Residential Zone



OWNER DETAILS //

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

Owner name

Owner address

Owner email address

If the property has recently changed ownership, please indicate on what date (approximately) AND the name(s) of the previous owner(s):

Date

Name(s)



SITE VISIT REQUIREMENTS //

72
Should a Council officer need to undertake a site visit, please answer the questions below.

Question	Yes	No
Is there a gate or security system restricting access by council?	☐	☒
Is there a dog on the property?	☐	☒
Are there any other hazards or entry restrictions that council staff need to be aware of? If 'yes' please provide information below.	☐	☒



PRE-APPLICATION MEETING

Have you had a pre-application meeting with Council regarding this proposal? ☐ Yes ☒ No

If 'yes' please provide the reference number and/or name of staff member involved.



NATIONAL ENVIRONMENTAL STANDARDS (NES) //

For assessing and managing contamination in soil to protect human health.

This site may be subject to or covered by the NES for assessing and managing contamination in soil to protect human health regulations 2011. The applicant is required to address the NES regarding the past use of the land. Activities on the Hazardous Activities and Industries List (HAIL) can be found on the [MFE website](#).

If the land subject to this application been used for (including its present use) an activity on the HAIL, your application involved subdividing or changing the use of the land, sampling or disturbing soil, or removing or replacing a fuel storage system, then the NES may apply and you may need to seek consent for this concurrently in your application.

Does the proposed activity require resource consent under the NES? ☐ Yes ☒ No

If 'yes' an assessment of the application under the NES must be provided as part of your Assessment of Effects on the Environment, a detailed site investigation may be required.



OTHER CONSENTS

HAVE YOU APPLIED FOR OR OBTAINED ANY OTHER RESOURCE CONSENT(S) FROM OTAGO REGIONAL COUNCIL (ORC)?

☐

Yes

☒

No

If 'yes' please indicate what type of consent and supply the application number.

HAVE YOU APPLIED FOR A PROJECT INFORMATION MEMORANDUM (PIM) OR A BUILDING CONSENT FOR THIS PROJECT?

☐

Yes

☒

No

If 'yes' please supply the BC number.

DECLARATION OF INFRINGEMENT HISTORY

Select one of the following statements:

CORPORATION/TRUST/INCORPORATED SOCIETY/UNINCORPORATED SOCIETY:

☒

I declare that I am a person authorised to make this declaration on behalf of the Applicant. The Applicant has not been the subject of any abatement notices, enforcement orders, infringement notices, or convictions under the Resource Management Act 1991.

☐

I declare that I am a person authorised to make this declaration on behalf of the Applicant. The Applicant has been the subject of the following abatement notices, enforcement orders, infringement notices, and convictions under the Resource Management Act 1991 (list all matters and the date of each):

NATURAL PERSON:

☐

I declare that I am a natural person and that in the past 7 years I have not been the subject of any abatement notices, enforcement orders, infringement notices, or convictions under the Resource Management Act 1991.

☐

I declare that I am a natural person and that in the past 7 years I have been the subject of the following abatement notices, enforcement orders, infringement notices, and convictions under the Resource Management Act 1991:

A natural person is an identifiable individual. A non-natural person is not an identifiable individual, and includes companies, trusts, and unincorporated persons.



PAYMENT

// An initial fee is payable upon receiving the initial fee invoice following the submission of this application.

Please wait for the initial fee invoice to be issued and and **use the application reference on the invoice for your payment.**

This fee **MUST** be paid with the correct application reference in order for the processing to begin.

Incorrectly referenced payments will be refunded directly to your bank account and you will be required to resubmit payment using the correct application reference.

AMOUNT TO PAY - LAND USE AND SUBDIVISION RESOURCE CONSENT FEES

Please select from drop down list below:

\$2479 - Restricted Discretionary Activity (overall consent status)

The initial fee is made up of an administration lodgement fee of \$307.00 and monitoring fee of \$293.00 (for land use consent applications and designation related applications) if applicable. It also includes a charge reflective of the overall activity status of your application or the type of application you are applying for, this charge is treated as the application deposit.

The initial fee amounts are a minimum initial charge, and any further costs incurred will be invoiced monthly until processing is complete. The actual costs of your application will be calculated as the application progresses.

Please refer to our ¹ [charges and fees webpage](#) for more information.



INFORMATION REQUIRED TO BE SUBMITTED

// Attach to this form any information required (see below).

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

- ☒ Form 9: General Application (this form).
- ☒ Record of Title for the property (no more than 3 months old). To be named Record of Title with the title identifier at the end and to be separate documents if multiple titles (i.e. Record of Title 12345, Record of Title 678910).
- ☒ Copies of any Covenants, Consent Notices, Easement Instruments etc. These are to be named Consent Notice or Easement Instrument with the title identifier at end and to be separate documents (i.e. Consent Notice 123456, Easement Instrument 123456, Covenant 123456). These can be obtained from Land Information 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).
- ☒ Acknowledgment that written approval has not been supplied from all affected parties.
- ☒ An AEE (Assessment of Effects). 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.
- ☒ The AEE includes the relevant provisions of the District Plan and affected parties including who has or has not provided written approval.

Your application must be submitted via our online ¹ [Community Portal](#).

It's important that all your documents are named correctly - it helps us to process your application quickly and efficiently.

If you do not follow the required naming convention, your application will be rejected.

Please name your documents as per the guide below.

- Application Form
- AEE (Assessment of Environmental Effects)
- Landscape Report
- Engineering Report
- Affected Party Approval/s
- Ecological Report
- Traffic Report
- Record of Title including the title identifier at the end and to be separate documents if multiple titles (i.e. Record of Title 12345, Record of Title 678910)
- Covenants, Consent Notices, Easement Instruments etc. including the title identifier at end and to be separate documents (i.e. Consent Notice 123456, Easement Instrument 123456, Covenant 123456)
- Geotechnical Report
- Urban Design Report
- Wastewater Assessment

DECLARATION

// Please note: all boxes must be checked and a signature provided in order for your application to be processed.

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.

- ☒ I 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.
- ☒ I am/we are aware as the applicant, 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 [charges and fees section](#) and [Council's other guidance for resource consent applications](#).
- ☒ I/we agree, to make payment of all Additional Charges under s36(5) by the 20th of the month following the invoicing of the charges (**the Agreed Date**).
- ☒ In accordance with s92AA(1)(a)(iii), I/we acknowledge that this declaration constitutes written notice that the charges under s36(5) are to be paid by the Agreed Date.
- ☒ I/we accept that failing to make payment by the Agreed Date may result in the application being treated as incomplete and returned, in accordance with the process under s92AA(1)(b) and (c).
- ☒ I/we understand that after an application has been returned under this section, if the application is lodged again with the consent authority, it is to be treated as a new application.

Authorised signatory

Richard Kemp

Digitally signed by Richard Kemp
Date: 2026.07.02 23:53:07 +12'00'

Date

Full name

08/04/2026

Richard Kemp (Signed as Authorized Agent of the Applicant)

DECLARATION OF AUTHORITY TO ACT ON BEHALF

// Please sign this section if you are acting on behalf of the applicant.

- ☒ I 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 as an authorised agent of the Applicant

Richard Kemp

Digitally signed by Richard Kemp
Date: 2026.07.02 23:53:18 +12'00'

Date

Full name and title of person lodging this form

08/04/2026

Richard Kemp

Company name and address

Pragmatic Planning - PO Box 2770, Wakatipu, Queenstown 9349





APPLICATION FEES - IMPORTANT INFORMATION

When you lodge an application, an initial fee must be paid before any processing can begin. This initial fee is a deposit and represents the minimum charge for your application.

The initial fee includes:

- a deposit based on the overall activity status of the application you are applying for,
- an administration and lodgement fee, and
- a monitoring fee, where applicable.

This deposit contributes toward the total cost of processing your application. Your application will not be accepted or processed until the initial fee has been paid.

If your application is notified or requires a hearing, you will be required to pay a notification deposit and/or a hearing deposit. If unpaid, the processing of an application will be suspended until the sum is paid.

Any further costs incurred through the processing of your application are additional charges.

They will be charged on an hourly basis, and can be found listed on our [charges and fees webpage](#).

Additional fees will be invoiced monthly until the processing of your application is complete. The actual total cost of your application will be calculated progressively as work is carried out.

Please note that by signing and lodging this form you are acknowledging that the details in the applicant section represent the person or entity 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 Council related to the recovery of any debt and that you are agreeing to the payment date which will be a monthly invoice of additional fees.



PRIVACY INFORMATION

The information that you have provided on this form is public information and is gathered for a lawful purpose to ensure the efficient functioning of Council's duties, powers and functions under the Resource Management Act 1991 and the Building Act 2004. The information will enable Council to adequately assess your application for Resource Consent in accordance with the statutory processes under the Resource Management Act 1991. The information may also be collected for and disclosed to, the Ministry for the Environment and Queenstown Lakes District Council, for the purpose of statistical analysis, so that the Agencies can efficiently undertake their statutory duties. The information will be stored on a public register ([Council's eDocs website](#)) and is available to the public in accordance with the terms and conditions set out on the eDocs website.

While available to the public through the eDocs portal, any disclosure of the information on the website must be in accordance with the Local Government Official Information and Meetings Act 1987 and must not be used for a purpose other than for the reason it was collected. Members of the public should not share or distribute this information for any purpose that is not a lawful purpose set out under relevant legislation.

Any unauthorised use, disclosure, or distribution of this information by third parties may constitute a breach of the Privacy Principles set out under the Privacy Act 2020 and may be reported to the Privacy Commissioner which could result in legal sanctions.

Resource Consent Application

To:
Queenstown Lakes District Council

NWF Invest Limited

Use of Dwellings for
Residential Visitor Accommodation

88 Middleton Road &
12 McGregor Lane, Queenstown

4 August 2026



Application Summary

Applicant: NWF Invest Limited

Application: Application under Section 88 of the Resource Management Act 1991 (RMA) for a land use consent to undertake residential visitor accommodation from the nine residential units approved by RM260082.

Location: 88 Middleton Road & 12 McGregor Lane, Queenstown

Legal Description: Lot 26 Deposited Plan 589937 as held in Record of Title 1125967 & Lot 12 Deposited Plan 589937 as held in Record of Title 1125968

District Plan (Operative) Zoning: Low Density Residential

District Plan (Proposed) Zoning: Lower Density Suburban Residential Zone; Wāhi Tūpuna #20 - *Te Tapunui* (Queenstown Hill)

District Plan (Proposed UIV) Zoning: Suburban Residential Zone; Wāhi Tūpuna #20 - *Te Tapunui* (Queenstown Hill)

Activity Status: Restricted Discretionary

The following is an assessment of environmental effects that has been prepared in accordance with Schedule 4 of the Resource Management Act 1991 (RMA). The assessment of effects corresponds with the scale and significance of the effects that the proposed activity may have on the environment.

1. PROPOSAL AND SITE DESCRIPTION

Proposal Description:

Consent is sought to use each of the nine residential dwellings approved by resource consent RM260082 for short-stay residential visitor accommodation (RVA) for a *maximum* of six (6) people in each unit, each let individually for up to 365 nights per year, with a minimum stay of one (1) night for guests. A rendered overview of the consented development for which the RVA is proposed is as seen in Figure 1:



Figure 1: Overview of Consented Development for Which RVA is Sought (88 Middleton Road & 12 McGregor Lane)

The subject development has already been granted resource consent under RM260082 for the construction of nine residential units across the adjoining properties at 88 Middleton Road and 12 McGregor Lane. This application seeks resource consent solely for the use of those approved residential units for RVA.

For clarity, consent is sought for each residential unit to be used either for standard residential activity, or for RVA, with the mode of occupation to be determined by the property owner at any given time.

The form of visitor accommodation proposed is the commercial letting of residential units through platforms such as (but not limited to) Airbnb, Bookabach, and other holiday home letting services – to be managed through an appointed local property manager.

Each residential unit will comfortably accommodate a maximum of six (6) people and will be rented out to a single group. The proposed activity is the commercial letting of each

residential unit to one group, and will not operate as a backpacker's hostel or boarding house etc.

The majority of the units approved by RM260082 are two-bedroom dwellings. For these two-bedroom units, each unit will be rented to a maximum of four (4) adults, plus two (2) children under the age of sixteen (16) years – with the children to be accommodated on a sofa bed in the living room. The three-bedroom dwellings can accommodate six adults or children (no sofa bed accommodation is proposed).

In terms of management, each unit owner may appoint a locally based property manager responsible for guest bookings, cleaning, maintenance and guest liaison.

In terms of car parking, each unit is allocated one on-site car park. The Middleton Road-accessed units will each have a single car park located on a car parking platform that will be located above the units with direct access off Middleton Road. From there it is a short walk down to access the units.

The McGregor Lane units will all be accessed off McGregor Lane (a privately-owned lane originating off the legal Middleton Road) which leads to a new outdoor car parking area that will be formed to the north of the accessway. Each unit will have ownership of one car park and a turning bay will also be provided. From there it is a short walk down to access the units.

With respect to rubbish and recycling collection, the Applicant is aware of Council's policy that properties rated as commercial or accommodation are not entitled to Council waste collection services, which typically applies to RVA activities operating for more than 180 nights per year.

As consent is sought for RVA for more than 180 nights per year, each unit owner will either have their property manager remove rubbish and recycling off-site as part of servicing, or alternatively engage a private contractor for collection.

Given the development comprises two physically separate building clusters with independent access arrangements from Middleton Road and McGregor Lane respectively, separate Visitor Accommodation Management Plans have been prepared for each building.

The operation of the RVA activity will be managed through the proposed conditions of consent and the accompanying Visitor Accommodation Management Plans, which establish procedures relating to guest management, maximum occupancy, parking, rubbish collection, noise management, and general site operation.

Site and Locality Description



Figure 2: Application Sites (88 Middleton Road & 12 McGregor Lane)

The subject land comprises two adjoining allotments legally described as Lot 26 Deposited Plan 589937 (Record of Title 1125967) and Lot 12 Deposited Plan 589937 (Record of Title 1125968), with existing street addresses of 88 Middleton Road and 12 McGregor Lane. The sites are located within the Remarkables Views Subdivision on Queenstown Hill.



Figures 3 & 4: Application Sites (88 Middleton Road & 12 McGregor Lane)

Both sites (seen in Figures 3 and 4) are currently vacant and are irregular in shape. Lot 12 (12 McGregor Lane) has an area of approximately 3,338 square metres, while Lot 26 (88 Middleton Road) has an area of approximately 609 square metres. The larger McGregor Lane site physically contains the formed alignment of McGregor Lane, including the carriageway and dog-leg section, as illustrated in Figure 2.

The topography across the two sites is complex and varied. The Middleton Road site slopes moderately to steeply downward from the Middleton Road frontage toward the southeast, where it interfaces with the McGregor Lane site and access leg. In contrast, the 12 McGregor Lane site exhibits more pronounced and irregular landform characteristics. McGregor Lane itself descends gradually from Middleton Road before reaching a relatively

low-gradient upper terrace area in the western corner of the site. Beyond this, the land falls away more steeply into a gully, resulting in significant crossfall both to the southeast and to the east. This variation in gradient and direction of slope is a defining characteristic of the site and has informed the design and layout of the proposed development.

The approved development comprises nine residential units arranged across two townhouse-style buildings. Five units are located on the Middleton Road frontage, with the remaining four units located on the adjoining McGregor Lane site. Each unit has dedicated on-site parking and is designed to operate independently.

The surrounding environment comprises recently established and emerging urban residential development associated with the Remarkables Views Subdivision. The immediate locality contains a mix of vacant allotments and sites currently under construction, reflecting the staged development of the subdivision. To the wider northwest, the next stage of the Remarkables Views Subdivision is nearing completion. Overall, the character of the area is that of a contemporary hillside residential environment, with development typified by detached and semi-detached dwellings responding to sloping landform conditions.

Relevant Site History

The sites were created by subdivision resource consent RM081212, of which several variations were later granted. The record of title for the lot was issued on 17 April 2020.

Resource consent RM260082 was granted on 26 June 2026 to establish nine residential units, with breaches to density, built form and transport standards; to carry out associated earthworks which breach maximum volume, cut depth and fill height standards, and to establish retaining walls which breach setback requirements. Consent was also granted for a subdivision consent to create nine residential allotments, with breaches to minimum lot size and dimension requirements. This consent is in the early stages of being given effect to, and the current application relates to the residential units approved by RM260082.

2. ACTIVITY STATUS

2.1 THE OPERATIVE DISTRICT PLAN

With the Environment Court issuing a consent order (Decision No. [2023] NZEnvC 11) on 30 January 2023, the previous provisions of the Operative District Plan regarding visitor accommodation are now deemed inoperative. The relevant rules under the replacement Proposed District Plan are now treated as operative pursuant to section 86F of the Resource Management Act.

2.2 THE PROPOSED DISTRICT PLAN

The subject site is zoned 'Suburban Residential' in the PDP and the proposed activity requires resource consent for the following reasons:

- A **restricted discretionary** activity pursuant to Rule 7.5.15 for a Residential Visitor Accommodation activity exceeding 90 nights per annum, and to allow for

rubbish/recycling bins to be placed on the street the evening before collection. Council's discretion is restricted to:

- a) The location, nature and scale of activities;
 - b) Vehicle access and parking;
 - c) The management of noise, rubbish, recycling and outdoor activities;
 - d) Privacy and overlooking;
 - e) Outdoor lighting;
 - f) Guest management and complaints procedures;
 - g) The keeping of records of residential visitor accommodation use, and availability of records for Council inspection; and
 - h) Monitoring requirements, including imposition of an annual monitoring charge.
- A **restricted discretionary** activity pursuant to Rule 29.5.4 which requires the provision of one mobility parking space for a visitor accommodation activity involving six or more guests, with no formal mobility parking spaces provided. Council's discretion is restricted to: The number, location, and design of mobility parking spaces, including the accessibility of the spaces to the building, and the effectiveness of associated signage.

Overall, the application is assessed as a **restricted discretionary** activity.

3.0 SECTION 95A NOTIFICATION

Step 1 – Mandatory public notification

- Mandatory public notification is not required because the Applicant has not requested this.
- Provided a request is reasonable, we are unlikely to refuse to provide further information or refuse the commissioning of a report under Section 92(2)(b) of the Act.
- The application does not seek to exchange recreation reserve land under section 15AA of the Reserves Act 1977.

Accordingly, mandatory public notification of the application is not required.

Step 2 – Public notification precluded

- Public notification is not precluded by any rule or national environmental standard.
- The proposal is not a controlled activity, a restricted discretionary/discretionary subdivision or a residential activity, or a boundary activity as defined by section 87AAB.
- The proposal is not a prescribed activity.

Accordingly, public notification of the application is not precluded.

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

- Public notification of this application is not specifically required under a rule or national environmental standard.

A consent authority must publicly notify an application if it decides under s95D(8)(b) that the activity will have or is likely to have adverse effects on the environment that are more than minor. An assessment in this respect is made in Section 5 below.

Step 4 - public notification in special circumstances

- In this case it is considered that no special circumstances exist. This is because the proposal is for a visitor accommodation land use that is enabled (when appropriate in certain circumstances) through the District Plan.

4.0 EXCLUSIONS FROM ASSESSMENT (s95D(D))

a) *The Council must disregard any effects on persons who own or occupy:*

- ii) *the land in, on, or over which the activity will occur; or*
- iii) *any land adjacent to that land; and*

In this instance, the persons considered to be those listed above are marked with a Red 'X' in Figure 4 below:



Figure 4 – The Subject Site & Adjacent Land

b) *may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect; “the permitted baseline”:*

With respect to visitor accommodation, the permitted baseline includes the use of the property for residential visitor accommodation (as defined) for up to 90 nights per annum once registered as a holiday home with the Council. In order to be a permitted activity, certain standards need to be met including guest numbers, record keeping, written notice delivered to neighbours, restriction on the hours of outdoor living use, rubbish/recycling, and no heavy vehicles.

A permitted baseline does also exist for use of the dwellings for standard residential activity.

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

The proposal is a restricted discretionary activity under the Queenstown Lakes District Plan. The Council must disregard effects other than that associated with the following matters of reserved discretion outlined in Section 2 above.

- d) *must disregard trade competition and the effects of trade competition:*

There are no effects of trade competition relevant to the current proposal.

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

In this case no person has provided their written approval to the application.

5.0 ASSESSMENT OF EFFECTS ON THE ENVIRONMENT (s95D)

The following assessment of effects on the environment a) includes the information required by clause 6 (Schedule 4 of the RMA); 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.

For readability, the following assessment does not use the specific wording outlined in clauses 6 and 7. However this assessment has been prepared to address the requirements of these clauses.

The location, nature and scale of activities on site

The proposed Residential Visitor Accommodation (RVA) activity will be undertaken from within the nine residential units previously approved under resource consent RM260082. No physical alterations to the approved buildings, parking layout, access arrangements, landscaping or servicing are proposed as part of this application. Accordingly, the location of the activity has already been determined to be appropriate for residential occupation, with the current application seeking only to authorise an alternative form of residential occupation.

The approved development comprises nine self-contained residential units arranged across two separate building clusters. The Middleton Road building contains five units, while the McGregor Lane building contains four units. Each unit is capable of operating independently and will continue to do so irrespective of whether occupied by permanent residents or short-term guests. The proposal does not introduce communal visitor accommodation facilities, reception areas, restaurants, bars, function rooms or other commercial activities commonly associated with larger visitor accommodation developments.

The proposed maximum occupancy has been deliberately limited to maintain a residential scale of activity. The seven two-bedroom units will each accommodate a maximum of four adults and two children, while the two three-bedroom units will each accommodate a

maximum of six adults. These occupancy limits are consistent with the size and design of the approved dwellings, ensure there is no overcrowding, and are reinforced through the proposed conditions of consent and the Visitor Accommodation Management Plans.

Each residential unit is provided with dedicated on-site car parking as approved under RM260082. The scale of vehicle movements generated by the activity will therefore remain consistent with the capacity of the approved development, with guest parking occurring within the site.

The nature of the proposed RVA activity is comparable to contemporary short-term accommodation platforms such as Airbnb, whereby each booking is made in advance and guests are able to be pre-screened prior to arrival. The Visitor Accommodation Management Plans establish comprehensive operational procedures relating to guest behaviour, maximum occupancy, parking, rubbish collection, noise management, emergency contacts, complaint response and ongoing management of the activity. Collectively, these measures ensure the activity continues to operate in a manner compatible with the surrounding residential environment.

From outside the site, the activity will continue to present as a conventional residential development. The buildings will continue to be occupied by individual households or visitor groups in a manner similar to residential occupation, with no external indication that the units are being utilised for RVA. As such, the proposal will maintain the residential character and amenity values of the surrounding neighbourhood.

The proposal will also generate positive effects by increasing the supply of high-quality visitor accommodation within Queenstown while making efficient use of an already approved residential development and existing infrastructure, without requiring any additional built development or expansion of the site's physical footprint.

Overall, having regard to the approved scale of the development, the operational controls proposed, and the residential nature of the activity, the location, nature and scale of the proposed activities on the site are considered appropriate and will result in adverse effects on the environment that are less than minor.

Nature and Scale - Cumulative Effects

The potential cumulative effects arising from the proposed RVA activities have been carefully considered. It is acknowledged that the wider area contains a relatively high proportion of existing RVA compared with many other suburban residential areas within Queenstown. Accordingly, it is appropriate to consider not only the effects of the proposal in isolation, but also whether it would contribute to an unacceptable cumulative effect on the character, amenity and social functioning of the surrounding neighbourhood.

To assist Council in its assessment, the Applicant has commissioned an independent Social Effects Assessment prepared by Tom Worley of Formative, which specifically considers the cumulative social effects associated with the proposal within the context of the Middleton Road area. The conclusions of that report are adopted for the purposes of this AEE.

The report concludes that while Middleton Road already accommodates a relatively high

proportion of RVA, the suburb possesses a number of unique characteristics that enable additional RVA to be absorbed without giving rise to unacceptable cumulative social effects.

The Social Effects Assessment identifies that Middleton Road is a comparatively new residential area which is still undergoing development and has not yet developed the same degree of established community cohesion as many other suburban neighbourhoods within Queenstown. The area is characterised by steep topography, substantial physical separation between neighbouring dwellings, modern housing specifically designed to accommodate contemporary residential living, and a notable absence of neighbourhood-scale community facilities and gathering spaces. These characteristics naturally limit interaction between neighbouring properties and reduce the potential for RVA to adversely affect wider community cohesion when compared with more established suburban environments.

The report also concludes that the design of the approved development assists in mitigating cumulative effects. The proposed units are independently accessed, provided with dedicated on-site parking, and split between two separate building clusters accessed from Middleton Road and McGregor Lane. Consequently, guest movements are dispersed throughout the development rather than concentrated in a single location, while the approved site layout and topography minimise opportunities for activity associated with one unit to affect neighbouring properties. These characteristics distinguish the proposal from more intensive forms of commercial visitor accommodation.

Importantly, the proposal does not introduce any physical changes to the approved development or increase the intensity of built form on the site. Rather, the application seeks consent for an alternative operational use of already approved residential units. The operational effects associated with the activity will be managed through the proposed conditions of consent and the accompanying Visitor Accommodation Management Plans, which establish comprehensive procedures relating to guest behaviour, maximum occupancy, noise management, parking, rubbish collection, complaint response and ongoing property management.

While it is recognised that cumulative effects associated with RVA require careful consideration, it is not appropriate to assume that every additional consent will necessarily result in unacceptable cumulative effects. As concluded within the independent Social Effects Assessment, the existing characteristics of the Middleton Road locality, together with the approved design of the development and the proposed management measures, mean that the proposal can be readily absorbed into the surrounding environment without materially altering the existing character or social functioning of the locality or bringing the area materially closer to any theoretical “tipping point” for RVA.

Accordingly, it is considered that the cumulative effects arising from the proposal will be less than minor.

Vehicle Access and Parking

Each residential unit is provided with one dedicated on-site car parking space. The proposed RVA activity will utilise the existing vehicle access and parking arrangements previously approved under RM260082. No changes are proposed to the approved

accessways, internal manoeuvring areas or parking layout as part of this application.

The proposed activity is not anticipated to generate parking demand materially different from that associated with conventional residential occupation. While visitor accommodation can involve more frequent guest turnover, short-term visitors typically travel as a single household or group using one vehicle. Visitors to Queenstown commonly utilise taxis, rideshare services, airport shuttles and public transport throughout their stay, reducing overall vehicle ownership and parking demand compared with permanent residents.

By comparison, if the approved residential units were occupied on a permanent basis as anticipated under the permitted baseline, it would be reasonable to expect that a number of households would own two or more vehicles, with additional parking demand generated by regular visitors, tradespeople and service vehicles. In this respect, the proposed RVA activity is unlikely to result in parking demand greater than that which could reasonably occur through conventional residential occupation of the approved development.

The proposed Visitor Accommodation Management Plans also require guests to be advised of the allocated parking arrangements prior to arrival and make it clear that vehicles are to be parked within the designated on-site parking spaces. This proactive management approach will assist in minimising the potential for on-street parking or obstruction of accessways.

The District Plan also requires consideration of mobility parking. Given the relatively small scale of the activity, comprising independently operated residential units rather than a purpose-built commercial visitor accommodation facility, the provision of dedicated mobility parking is not considered necessary. The activity will continue to operate from residential units that were not designed as universally accessible accommodation (with stairs needed to be navigated to both access the units, and the bedrooms within the units), and there are numerous visitor accommodation providers within Queenstown specifically designed to cater for guests requiring accessible accommodation. Consequently, the absence of dedicated mobility parking is not expected to give rise to adverse effects.

Overall, the approved access arrangements, dedicated on-site parking provision, internal turning facilities and comprehensive operational management measures are considered sufficient to accommodate the proposed activity. The proposal will not adversely affect the safety or efficiency of the surrounding transport network, and any effects relating to vehicle access and parking will be less than minor.

Noise & Outdoor Living Areas

The proposed RVA activity will be undertaken within residential units that have already been approved for permanent residential occupation under Resource Consent RM260082. No alterations are proposed to the approved buildings, private outdoor living areas or site layout. Accordingly, the proposal will not introduce any new outdoor living spaces or alter the established relationship between the development and adjoining residential properties.

The proposed activity is expected to generate noise that is typical of a residential environment. Activities such as conversations, meal preparation, television use, the use of private outdoor living areas, and vehicles arriving and departing are all characteristic of

ordinary residential occupation.

The approved design of the development and the characteristics of the surrounding locality further reduce the potential for adverse noise effects. The site is located within a steeply sloping environment where neighbouring properties are typically separated both horizontally and vertically. Living areas and private outdoor spaces are orientated to maximise views across Lake Wakatipu and the Remarkables rather than towards adjoining properties. The combination of topography, building orientation and separation distances naturally limits the transmission of noise between neighbouring properties.

Importantly, the proposed activity will be subject to comprehensive operational management measures specifically directed at minimising potential noise effects. The accompanying Visitor Accommodation Management Plans incorporate detailed Noise Management Plans to ensure the activity operates in a manner that is compatible with the surrounding residential environment. In particular, the following measures will be implemented:

- Guests will be advised prior to arrival that the property is located within a residential neighbourhood and that consideration for neighbouring residents is expected at all times.
- Parties, functions and events are strictly prohibited.
- No use of outdoor living areas will be permitted between 10.00 pm and 7.00 am.
- No amplified sound, including music or portable speakers, will be permitted within outdoor living areas between 8.00 pm and 8.00 am.
- Permanent signage will be displayed within each residential unit and outdoor living area reminding guests of the property's location within a residential environment, the applicable quiet hours, and the restrictions applying to outdoor living areas and amplified sound.
- A local property manager will be available to respond promptly to any complaints or operational issues. Guests will be provided with the property manager's contact details prior to arrival, and neighbouring residents will similarly have access to these details should any concerns arise.
- A formal complaints procedure will be maintained, with all complaints recorded, investigated and responded to promptly. A complaints register will be maintained and made available to Council upon request.
- The Noise Management Plan will be reviewed on an ongoing basis to ensure its continued effectiveness and to enable any necessary improvements to be implemented.

These measures provide a significantly greater level of operational oversight than would ordinarily apply to conventional residential occupation. By comparison, in a permanently occupied dwelling there are generally no formal controls governing guest behaviour or

noise management (other than RMA Section 16), the proposed RVA activity will be subject to clearly defined occupancy limits, behavioural expectations, proactive guest education and immediate management intervention where required.

It is also relevant to consider the permitted baseline. The approved residential units could be occupied permanently without restrictions on the frequency of social gatherings, outdoor entertaining or visitors associated with ordinary residential living. In comparison, the proposed RVA activity will operate under comprehensive management procedures that establish clear behavioural expectations and provide immediate mechanisms to address any unreasonable noise should it occur.

Overall, having regard to the approved design of the development, the physical characteristics of the site, the residential nature of the activity, the comprehensive Noise Management Plans and the ongoing oversight provided by the property manager, it is considered that any adverse effects relating to noise and outdoor living areas will be appropriately managed and will be less than minor.

Health and Safety

In terms of health and safety, there are no specific concerns identified with the property in this regard. Adequate and safe access and on-site car parking will be provided – suitable for short-term unfamiliar users. The proposed VAMP contains clauses relating to health and safety, and sufficient smoke alarms will be installed/maintained.

As such adverse effects on the environment are considered to be less than minor with respect to health and safety.

Rubbish and Recycling

The proposed RVA activity is not anticipated to result in any adverse effects relating to rubbish or recycling. The proposal will utilise the existing refuse and recycling storage areas approved as part of RM260082, with no changes proposed to the site's servicing arrangements.

The Applicant acknowledges Council's policy that Council-supplied rubbish and recycling collection services will not be available where RVA is authorised for more than 180 nights per year. Accordingly, all refuse and recycling generated by the activity will be privately managed. Collection and disposal will be undertaken either by the Property Manager during routine servicing of the units or by a suitably qualified private waste collection contractor.

The accompanying Visitor Accommodation Management Plans establish comprehensive procedures for the management of rubbish and recycling. Guests will be provided with clear instructions regarding the appropriate separation and disposal of waste during their stay, while suitable refuse and recycling receptacles will be provided for each residential unit. Routine inspections undertaken between guest stays will ensure that waste is appropriately managed and that the development is maintained in a clean and tidy condition.

Consent is also sought to depart from Rule 7.5.15.6 to allow rubbish and recycling bins to

be placed on the kerb on the evening prior to collection. This reflects standard residential practice throughout the district and is consistent with QLDC's own guidance, which advises that bins should be placed on the kerb or designated collection point either the night before collection or before 7.00 am on the day of collection.

Allowing bins to be placed on the kerb the evening before collection also reduces the likelihood of missed collections, thereby avoiding the need for refuse to remain on-site until the following collection cycle. This assists in minimising any potential odour or amenity effects that could otherwise arise from accumulated rubbish remaining on the property for an extended period.

Overall, the proposed rubbish and recycling management arrangements are considered appropriate for the scale and nature of the activity. Waste will be proactively managed through the Visitor Accommodation Management Plans and private collection arrangements, while the requested departure from Rule 7.5.15.6 reflects normal residential practice and will not result in any adverse effects on the environment beyond those typically associated with residential living. Accordingly, any adverse effects relating to rubbish and recycling will be less than minor.

Privacy and Overlooking

The matter of discretion relating to privacy and overlooking is more relevant to the assessment of effects on persons/neighbours, and as such will be addressed in the s95E assessment to follow. Adverse effects on the wider environment will therefore be less than minor with respect to privacy and overlooking.

Outdoor Lighting

In terms of outdoor lighting, a condition of consent is volunteered to ensure outdoor lighting shall be turned off between the hours of 10.00pm to 7.00am, or shall be sensor-operated, or shall be directed away from adjacent roads and properties so that light spill beyond property boundaries does not occur.

These measures will ensure the avoidance of potential adverse glare effects on the wider environment, such that they will be less than minor.

Guest Management, Record Keeping, Complaints Procedures & Monitoring

The attached Visitor Accommodation Management Plans sets out the proposed methods to ensure effective guest management, and proper response to any complaints. Specifically, each VAMP contains procedures relating to ensuring guests are briefed on the car parking/access situation, house rules, a noise management plan, and VAMP review.

The Applicant understands the need to keep comprehensive records of the activity, and a condition of consent would be invited in this regard; including that the records be promptly made available for Council inspection when requested.

Finally, no additional monitoring of the activity is considered necessary, other than standard monitoring undertaken by Council's Monitoring department.

Overall adverse effects on the environment are concluded to be less than minor with respect to guest management, record keeping & monitoring.

Summary – Effects on the Environment

Overall, the proposed RVA activity is considered to be compatible with the surrounding residential environment. The proposal will operate within an already approved residential development and will not result in any physical changes to the site. Having regard to the approved design of the development, the characteristics of the locality, the comprehensive Visitor Accommodation Management Plans and the proposed conditions of consent, it is considered that any adverse effects on the environment will be appropriately managed and will be less than minor.

6.0 EFFECTS ON PERSONS

6.1 MANDATORY EXCLUSIONS FROM THE S95E ASSESSMENT

Section 95B(1) requires a decision whether there are any affected persons. The following steps set out in this section, in the order given, are used to determine whether the Council should limited notify the application, if the application is not to be publicly notified.

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

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

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

- Limited notification is not precluded under Step 2 as the proposal is not subject to a rule in the District Plan or NES that precludes notification.
- Limited notification is not precluded under Step 2 as the proposal is not a controlled activity and is not a prescribed activity.

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

- Limited notification is not precluded under Step 3 as the proposal is not a boundary activity where the owner of an infringed boundary has provided their approval, and it is not a prescribed activity.
- Limited notification is not precluded under Step 3 as the proposal falls into the ‘any other activity’ category and the effects of the proposal on persons are assessed in section 6.2 below.

6.2 ASSESSMENT: EFFECTS ON PERSONS AND CONSULTATION



Figure 5: Application Sites (88 Middleton Road & 12 McGregor Lane) & Adjacent Persons

Northern Neighbours – 90 & 93 Middleton Road & Section 30 Block XXI Shotover SD

The northern neighbours comprise 90 Middleton Road, 93 Middleton Road, and Section 30 Block XXI Shotover SD. As illustrated in Figures 5 and 6, each property occupies a distinctly different relationship to the application site and, consequently, each experiences the proposal in a different manner. The effects on each property are discussed collectively below.



Figure 6: Visualisation of Consented Development in Relation to Northern Neighbours

Property 90 Middleton Road adjoins the northern boundary of the application sites and is therefore the closest neighbouring residential property to the approved development. While future residential development of this property is anticipated, the most suitable building location on this adjacent property is expected to be located adjacent to Middleton Road in the upper portion of the site due to the presence of significant electrical infrastructure across the lower slopes.

Although occupants of 90 Middleton Road will have views towards the approved development, the proposal does not alter the physical form of the already approved buildings. The operational activity remains residential in nature, with guest numbers, parking, noise and outdoor activities comprehensively managed through the proposed Visitor Accommodation Management Plans. Accordingly, adverse effects on the future occupants of 90 Middleton Road are considered to be less than minor.

Property 93 Middleton Road is located on the opposite side of the Middleton Road carriageway and occupies a significantly elevated position above the application site. As can be seen in Figure 6, the approved development sits well below this property, with the outlook from 93 Middleton Road being primarily over the rooftops of the Middleton Road building towards Lake Wakatipu and the Remarkables beyond. Due to this elevation difference, the proposed RVA activity will not adversely affect the outlook, privacy or amenity enjoyed by this property. The most noticeable aspect of the activity is likely to be the occasional arrival and departure of guests using the approved on-site parking spaces, which is not materially different from the movements that would be expected from permanent residents occupying the approved dwellings. Given the separation provided by Middleton Road, the substantial difference in elevation and the residential nature of the activity, adverse effects on 93 Middleton Road are considered to be less than minor.

Section 30 Block XXI Shotover SD is located to the east of the application site on the opposite side of a steep vegetated gully. The land does not contain any residential development rights and therefore has no residential occupants whose amenity could be affected by the proposal. Furthermore, the significant topographical separation created by the gully substantially limits any interaction between the approved development and this land. Accordingly, the proposed RVA activity will not result in any adverse effects on Section 30 Block XXI Shotover SD.

Overall, adverse effects on the owners/occupiers of these northern properties (including future owners/occupiers) will be less than minor. These persons are not considered adversely affected.

Other McGregor Lane-Accessed Neighbours – 4-10 McGregor Lane

The neighbouring properties at 4–10 McGregor Lane share access via McGregor Lane and are therefore the properties most likely to observe day-to-day movements associated with the proposed RVA activity. As illustrated in Figure 7, however, the approved development has been carefully designed in response to the site's topography and the surrounding residential context, such that adverse effects on these neighbouring properties will remain less than minor.



Figure 7: Visualisation of Consented Development in Relation to McGregor Lane Accessed Neighbours

The four residential units at 12 McGregor Lane will be accessed from McGregor Lane itself, with guests arriving via the existing/approved accessway, parking within their allocated on-site car parking space, and undertaking a short walk to their respective unit. These movements are typical of conventional residential occupation and are not materially different from the activity that would occur if the approved dwellings were permanently occupied. Importantly, all parking will occur within dedicated on-site parking spaces, with no reliance on on-street parking.

The approved McGregor Lane units are orientated to maximise views across Lake Wakatipu and the wider south-eastern landscape rather than towards the neighbouring McGregor Lane properties (as seen in Figure 7). Consequently, the primary outlook from the units and associated outdoor living areas is directed away from these neighbouring properties, significantly reducing opportunities for overlooking or loss of privacy.

The Middleton Road units at #88 is located substantially higher than the McGregor Lane properties, as illustrated in Figure 7. Due to this significant difference in elevation, the Middleton Road units predominantly overlook the roofs of the neighbouring dwellings and the wider landscape beyond, rather than into private outdoor living areas or the principal internal living spaces of those properties. The separation created by the McGregor Lane carriageway, the approved parking areas and the site's steep topography further reduces the potential for any adverse privacy or amenity effects.

Operationally, the proposed RVA activity will function in a manner compatible with the surrounding residential environment. Guest numbers will be subject to prescribed occupancy limits, while noise, parking, rubbish collection and guest behaviour will be actively managed through the Visitor Accommodation Management Plans. These management measures provide a level of operational oversight that would not ordinarily apply to conventional residential occupation and further minimise the potential for adverse effects on neighbouring properties.

Overall, having regard to the approved design of the development, the orientation of the buildings, the substantial topographical separation, and the comprehensive operational management measures proposed, it is considered that the proposed RVA activity will not adversely affect the privacy, residential amenity or enjoyment of the neighbouring properties at 4–10 McGregor Lane. Accordingly, adverse effects on these neighbouring properties will be less than minor. These persons are not considered adversely affected.

South-Western Neighbours - 84 & 86 Middleton Road



Figure 8: Visualisation of Consented Development in Relation to 84 & 86 Middleton Road

The neighbouring properties at 84 and 86 Middleton Road are located to the northwest of the application site. Property 86 Middleton Road directly adjoins the approved units at 86 Middleton Road, while 84 Middleton Road is situated slightly further to the west. As illustrated in Figure 8, both properties occupy an elevated position above the approved development and consequently experience a distinctly different relationship with the site than would often occur between adjoining residential properties.

The proposed RVA activity does not involve any physical changes to the buildings previously approved under RM260082. The relationship between the approved development and these neighbouring properties therefore remains unchanged, with the current application relating solely to the operational use of the approved residential units.

The elevated positioning of both 84 and 86 Middleton Road naturally minimises the potential for adverse privacy or overlooking effects. Both properties are situated at a higher level than the approved residential units at both 88 Middleton Road and 12 McGregor Lane. As a result, the principal outlook from the approved units is generally below these neighbouring properties rather than directly towards their private outdoor living areas or internal living spaces. Likewise, the occupants of 84 and 86 Middleton Road will predominantly look down over the approved development.

The approved orientation of the residential units further reduces opportunities for overlooking. Living areas and associated outdoor spaces have been designed to maximise views across Lake Wakatipu and the surrounding landscape, rather than towards adjoining

residential properties. Combined with the site's steep topography and the separation created by the approved access and parking areas, this ensures a high degree of visual separation is maintained between the developments.

Operationally, the proposed RVA activity remains residential in character. Guest arrivals and departures, use of outdoor living areas and day-to-day activities are expected to be comparable to those associated with conventional residential occupation. Furthermore, the activity will be subject to comprehensive operational controls through the Visitor Accommodation Management Plans, including occupancy limits, noise management procedures, guest behaviour requirements and a local property manager to respond promptly to any issues that may arise.

Overall, having regard to the approved design of the development, the difference in elevation between the properties, the orientation of the buildings, and the comprehensive operational management measures proposed, it is considered that the proposed RVA activity will not adversely affect the privacy, outlook or residential amenity enjoyed by the neighbouring properties at 84 and 86 Middleton Road. Accordingly, adverse effects on these neighbouring properties will be less than minor. These persons are not considered adversely affected.

Southern Neighbour – 44 Angelo Drive



Figure 9: Visualisation of Consented Development in Relation to 44 Angelo Drive

The property at 44 Angelo Drive is located well to the south of the application site and occupies a substantially lower elevation, with access obtained independently from Angelo Drive. As illustrated in Figure 9, the approved development is positioned on the upper western portion of the site, resulting in a very high degree of both horizontal and vertical separation between the proposed RVA activity and this neighbouring property.

The significant difference in elevation, together with the intervening landform, means that there is very little visual or physical relationship between the approved development and 44 Angelo Drive. Consequently, the day-to-day activities associated with the proposed

RVA, including guest arrivals and departures, outdoor living activities and general occupation of the residential units, are unlikely to be readily discernible from this property.

There is also no shared vehicle or pedestrian access between the properties. The proposed RVA activity will be accessed independently from Middleton Road and McGregor Lane, while 44 Angelo Drive is accessed separately from Angelo Drive. Accordingly, there is no opportunity for the proposal to generate additional traffic movements or activity that would affect the operation or amenity of this neighbouring property.

Having regard to the substantial topographical separation, the independent access arrangements, and the limited interface between the two properties, it is considered that the proposed RVA activity will not adversely affect the privacy, outlook or residential amenity enjoyed by the occupants of 44 Angelo Drive. Accordingly, adverse effects on this neighbouring property will be less than minor. These persons are not considered adversely affected.

Conclusion – Effects on Persons

Overall, the above assessment has determined that adverse effects of neighbouring land owners and occupiers will be less than minor. No party is considered adversely affected by the proposal.

7.0 OVERALL NOTIFICATION ASSESSMENT

Given the assessments undertaken and conclusions made in Sections 3-6 above, it is considered that the Council should proceed with processing the application on a non-notified basis.

8.0 RELEVANT DISTRICT PLAN PROVISIONS

8.1 OBJECTIVES AND POLICIES - OPERATIVE DISTRICT PLAN

The objectives and policies of the Operative District Plan relevant to the application are now deemed inoperative, given the Environment Court's decision on ENV-2020-CHC-61 and all other appeals to the provisions of the Proposed District Plan (relevant to visitor accommodation) being resolved.

8.2 OBJECTIVES AND POLICIES – PROPOSED DISTRICT PLAN

The relevant objective and policies of the Proposed District Plan are as follows:

Proposed Chapter 7 – Suburban Residential Zone

Objective 7.2.8 - *Visitor accommodation, residential visitor accommodation and homestays are enabled at locations, and at a scale, intensity and frequency, that maintain the residential character and amenity values of the zone.*

Policies

7.2.8.2 - Restrict the establishment of visitor accommodation in locations outside the Visitor Accommodation Sub-Zones to ensure that the zone maintains a residential character.

7.2.8.3 - Ensure that residential visitor accommodation and homestays are of a scale and character that are compatible with the surrounding residential context and maintain residential character and amenity values.

7.2.8.4 - Provide opportunities for low intensity residential visitor accommodation and homestays as a contributor to the diversity of accommodation options available to visitors and to provide for social and economic wellbeing.

7.2.8.5 - Manage the effects of residential visitor accommodation and homestays outside the Visitor Accommodation Sub-Zone by controlling the scale, intensity and frequency of use and those effects of the activities that differentiate them from residential activities.

The proposed RVA activity is considered to be consistent with this objective (7.2.8). The proposal relates to the use of nine residential units that have already been approved for residential occupation, with no changes proposed to the approved buildings or site layout. The activity will operate at a residential scale, with appropriate occupancy limits and comprehensive operational management measures established through the Visitor Accommodation Management Plans and proposed conditions of consent. As demonstrated throughout this Assessment of Environmental Effects, the proposal will maintain the residential character and amenity values of the surrounding neighbourhood, with adverse effects on the environment being less than minor.

Policy 7.2.8.2 relates to Visitor Accommodation rather than Residential Visitor Accommodation and is therefore of limited relevance to the current proposal. Therefore, the policy framework does not seek to restrict the proposed RVA activity.

Policy 7.2.8.3 seeks to ensure that RVA is of a scale and character that is compatible with the surrounding residential context and maintains residential character and amenity values. The proposal is considered to give effect to this policy. The activity remains residential in nature, with occupancy limits, dedicated on-site parking, comprehensive management procedures and no physical changes to the approved development. The proposal has been designed and will operate in a manner that is compatible with the surrounding residential environment and will maintain residential character and amenity values. As such, the proposal will align with Policy 7.2.8.3 as residential character and amenity values will be maintained.

Policy 7.2.8.4 is enabling – it recognises the benefits of low-intensity RVA in contributing to the diversity of visitor accommodation options while supporting social and economic wellbeing. The proposal will provide an additional supply of high-quality visitor accommodation within Queenstown through the efficient use of an already approved residential development. The activity will diversify accommodation options available to visitors while supporting the local visitor economy, without giving rise to adverse environmental effects beyond those anticipated within a residential environment.

Finally, Policy 7.2.8.5 seeks to manage the effects of RVA by controlling the scale, intensity and frequency of use, together with those operational effects that differentiate the

activity from residential use. The proposal directly responds to this policy through the adoption of maximum occupancy limits, comprehensive Visitor Accommodation Management Plans and proposed conditions of consent. These measures manage guest behaviour, parking, noise, rubbish collection and complaint response, ensuring that the operational effects of the activity remain compatible with the surrounding residential environment. Accordingly, the proposal is considered to be fully consistent with the intent of this policy.

As such, the proposal will align with the relevant objectives and policies of proposed Chapter 7.

Proposed Chapter 29 – Transport

The proposal will align with Objective 29.2.2 and Policy 29.2.2.1 which seeks to ensure access and parking is safe and efficient for all transport modes and users.

While a dedicated mobility car parking space will not be provided, the VAMP includes measures designed to avoid adverse effects in this regard, and the scale of the activity is such that demand for an accessible car park is likely to be much less than a larger scale visitor accommodation complex. Furthermore, the dwellings are not designed for occupation by guests with mobility needs, given the multi-levels and internal stairs being the only means of access to and through the dwellings.

As such, the proposal will align with the relevant objectives and policies of proposed Chapter 29.

Summary - Proposed District Plan Objectives & Policies

Overall, the proposal is considered to align with the relevant objectives and policies of the Proposed District Plan.

9.0 OTHER MATTERS

- **Hazardous Substances:** The activity does not involve hazardous substances or installations.
- **Contaminants:** The activity will not involve the discharge of any contaminants.
- **Mitigation Measures:** Other than anticipated standard conditions of consent, no specific mitigation measures are proposed, nor considered necessary.
- **Monitoring:** No monitoring is required for the proposal except standard conditions of consent.
- **Protected Customary Rights:** The activity will not offend any protected customary rights.

10.0 PART 2 OF THE RESOURCE MANAGEMENT ACT

Section 5 of the RMA sets out the purpose of the Act – to promote the sustainable management of natural and physical resources. Given the assessment of effects undertaken above, it is considered that the use of an existing residential unit for RVA will represent sustainable management.

Section 6 of the RMA sets out the matters of national importance. None of these matters is strictly relevant to the current proposal.

The proposal will align with the requirements of Section 7 of the RMA by representing kaitiakitanga, the ethic of stewardship, and the maintenance of the quality of the environment.

Finally, the proposed activity is highly unlikely to offend any of the Principles of the Treaty of Waitangi as required by Section 8.

Overall, the proposal is considered to be consistent with Part 2 of the RMA.

11.0 CONCLUSION

Consent is sought to use each of the nine residential dwellings approved by resource consent RM260082 for short-stay residential visitor accommodation (RVA) for a *maximum* of six (6) people in each unit, each let individually for up to 365 nights per year, with a minimum stay of one (1) night for guests.

This Assessment of Environmental Effects has demonstrated that the proposal will result in adverse effects on the environment that are less than minor, that no persons are considered adversely affected, that the proposal aligns with the relevant objectives and policies of the Proposed District Plan, and is consistent with Part 2 of the Resource Management Act 1991.

Accordingly, it is requested that the Council grant resource consent to the proposal as sought, subject to appropriate conditions of consent.



Richard Kemp
Planning Consultant



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



R.W. Muir
Registrar-General
of Land

Identifier **1125968**
Land Registration District **Otago**
Date Issued 13 December 2023

Prior References
1094416

Estate Fee Simple
Area 3338 square metres more or less
Legal Description Lot 12 Deposited Plan 589937
Registered Owners
NWF Invest Limited

Interests

Subject to Part IV A Conservation Act 1987

Appurtenant hereto is a right to drain foul sewage and storm water created by Transfer 697048 - 25.2.1988 at 1:58 pm

Appurtenant hereto is a right to convey water, electricity, telephone services and drain sewage created by Transfer 796528.8 - 24.1.1992 at 9:28 am

The easements created by Transfer 796528.8 are subject to Section 309 (1) (a) Local Government Act 1974

6717938.1 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 16.1.2006 at 9:00 am

7195226.1 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 18.1.2007 at 9:00 am

Appurtenant hereto is a right to drain stormwater and sewage created by Easement Instrument 7493651.16 - 7.8.2007 at 9:00 am

The easements created by Easement Instrument 7493651.16 are subject to Section 243 (a) Resource Management Act 1991

7585509.9 Surrender of the right to drain stormwater and sewage marked A on DP 385737 created by Easement Instrument 7493651.16 - 19.10.2007 at 10:22 am

8283616.19 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 28.5.2010 at 1:10 pm

Land Covenant in Easement Instrument 10802096.11 - 13.6.2017 at 1:25 pm

Appurtenant hereto is a right of way created by Easement Instrument 10802096.12 - 13.6.2017 at 1:25 pm

The easements created by Easement Instrument 10802096.12 are subject to Section 243 (a) Resource Management Act 1991

Land Covenant in Easement Instrument 10802096.16 - 13.6.2017 at 1:25 pm

Land Covenant in Covenant Instrument 11098487.6 - 24.1.2019 at 4:19 pm

Appurtenant hereto is a right of way created by Easement Instrument 11677745.7 - 17.4.2020 at 5:28 pm

The easements created by Easement Instrument 11677745.7 are subject to Section 243 (a) Resource Management Act 1991

Land Covenant in Covenant Instrument 11677745.15 - 17.4.2020 at 5:28 pm

Land Covenant in Covenant Instrument 11677745.17 - 17.4.2020 at 5:28 pm

Land Covenant in Covenant Instrument 11813420.6 - 26.11.2020 at 2:50 pm

12371235.8 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 30.9.2022 at 2:57 pm

12756610.2 Variation of Consent Notice 12371235.8 pursuant to Section 221(5) Resource Management Act 1991 - 2.10.2023 at 3:14 pm

Appurtenant hereto is a right to drain sewage and water created by Easement Instrument 12756610.4 - 2.10.2023 at 3:14 pm

The easements created by Easement Instrument 12756610.4 are subject to Section 243 (a) Resource Management Act 1991 Subject to a right to drain water and sewage over part marked G and a right of way over part marked C all on DP 589937 created by Easement Instrument 12795642.2 - 13.12.2023 at 1:41 pm

The easements created by Easement Instrument 12795642.2 are subject to Section 243 (a) Resource Management Act 1991 Subject to a right (in gross) to convey electricity over part marked C , H and I on DP 589937 in favour of Aurora Energy Limited created by Easement Instrument 12795642.3 - 13.12.2023 at 1:41 pm

The easements created by Easement Instrument 12795642.3 are subject to Section 243 (a) Resource Management Act 1991 Subject to a right (in gross) to drain sewage and water over part marked C, E and I and a right to convey water over part marked C all on DP 589937 in favour of Queenstown Lakes District Council created by Easement Instrument 12795642.4 - 13.12.2023 at 1:41 pm

The easements created by Easement Instrument 12795642.4 are subject to Section 243 (a) Resource Management Act 1991 Subject to a right (in gross) to convey telecommunications over part marked C on DP 589937 in favour of Chorus New Zealand Limited created by Easement Instrument 12795642.5 - 13.12.2023 at 1:41 pm

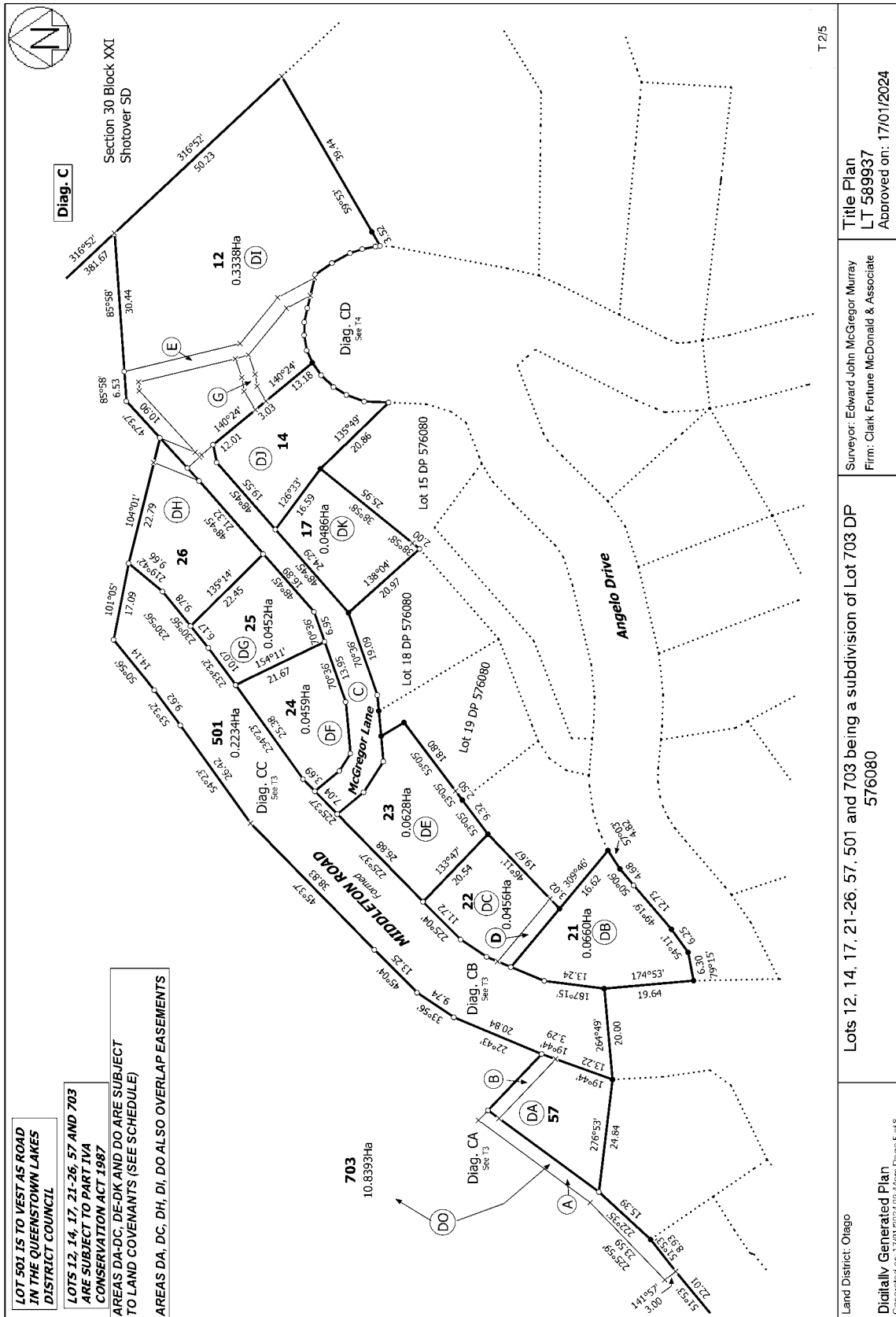
The easements created by Easement Instrument 12795642.5 are subject to Section 243 (a) Resource Management Act 1991 12795642.6 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 13.12.2023 at 1:41 pm

Land Covenant (in gross) in favour of Queenstown Hill Developments Limited, Remarkable Heights Limited, Phillip John Hensman, Lynda Mary Elizabeth Hensman and Grant Hylton Hensman created by Covenant Instrument 12795642.7 - 13.12.2023 at 1:41 pm

Subject to a right of way over part marked C on DP 589937 created by Easement Instrument 12956438.2 - 20.3.2024 at 9:33 am

Subject to a right of way over part marked C on DP 589937 created by Easement Instrument 13096293.2 - 29.8.2024 at 12:27 pm

13644068.3 Mortgage to NZMS 1st Mortgage Securities Limited - 26.6.2026 at 3:37 pm





RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy



R.W. Muir
 Registrar-General
 of Land

Identifier **1125967**
Land Registration District **Otago**
Date Issued 13 December 2023

Prior References
 1094416

Estate Fee Simple
Area 609 square metres more or less
Legal Description Lot 26 Deposited Plan 589937
Registered Owners
 NWF Invest Limited

Interests

Subject to Part IV A Conservation Act 1987

Appurtenant hereto is a right to drain foul sewage and storm water created by Transfer 697048 - 25.2.1988 at 1:58 pm

Appurtenant hereto is a right to convey water, electricity, telephone services and drain sewage created by Transfer 796528.8 - 24.1.1992 at 9:28 am

The easements created by Transfer 796528.8 are subject to Section 309 (1) (a) Local Government Act 1974

6717938.1 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 16.1.2006 at 9:00 am

7195226.1 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 18.1.2007 at 9:00 am

Appurtenant hereto is a right to drain stormwater and sewage created by Easement Instrument 7493651.16 - 7.8.2007 at 9:00 am

The easements created by Easement Instrument 7493651.16 are subject to Section 243 (a) Resource Management Act 1991

7585509.9 Surrender of the right to drain stormwater and sewage marked A on DP 385737 created by Easement Instrument 7493651.16 - 19.10.2007 at 10:22 am

8283616.19 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 28.5.2010 at 1:10 pm

Land Covenant in Easement Instrument 10802096.11 - 13.6.2017 at 1:25 pm

Appurtenant hereto is a right of way created by Easement Instrument 10802096.12 - 13.6.2017 at 1:25 pm

The easements created by Easement Instrument 10802096.12 are subject to Section 243 (a) Resource Management Act 1991

Land Covenant in Easement Instrument 10802096.16 - 13.6.2017 at 1:25 pm

Land Covenant in Covenant Instrument 11098487.6 - 24.1.2019 at 4:19 pm

Appurtenant hereto is a right of way created by Easement Instrument 11677745.7 - 17.4.2020 at 5:28 pm

The easements created by Easement Instrument 11677745.7 are subject to Section 243 (a) Resource Management Act 1991

Land Covenant in Covenant Instrument 11677745.15 - 17.4.2020 at 5:28 pm

Land Covenant in Covenant Instrument 11677745.17 - 17.4.2020 at 5:28 pm

Land Covenant in Covenant Instrument 11813420.6 - 26.11.2020 at 2:50 pm

12371235.8 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 30.9.2022 at 2:57 pm

12756610.2 Variation of Consent Notice 12371235.8 pursuant to Section 221(5) Resource Management Act 1991 - 2.10.2023 at 3:14 pm

Appurtenant hereto is a right to drain sewage and water created by Easement Instrument 12756610.4 - 2.10.2023 at 3:14 pm

The easements created by Easement Instrument 12756610.4 are subject to Section 243 (a) Resource Management Act 1991

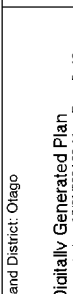
Subject to a right (in gross) to convey electricity over part marked J on D P589937 in favour of Aurora Energy Limited created by Easement Instrument 12795642.3 - 13.12.2023 at 1:41 pm

The easements created by Easement Instrument 12795642.3 are subject to Section 243 (a) Resource Management Act 1991

12795642.6 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 13.12.2023 at 1:41 pm

Land Covenant (in gross) in favour of Queenstown Hill Developments Limited, Remarkable Heights Limited, Phillip John Hensman, Lynda Mary Elizabeth Hensman and Grant Hylton Hensman created by Covenant Instrument 12795642.7 - 13.12.2023 at 1:41 pm

13644068.3 Mortgage to NZMS 1st Mortgage Securities Limited - 26.6.2026 at 3:37 pm



CONO 6717938.1 Cor

Cpy -- 01/03.Pgs -- 004, 13/01/06,15



DocID: 110708768

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

AND

IN THE MATTER of an Application
for Subdivision Consent
by A Middleton

CONSENT NOTICE

BACKGROUND

- A. A Middleton of Queenstown 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 OT14D/855 (Otago Registry) ("the land").
- B. Council has granted consent (RM040066) 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

The following conditions pertaining to this Consent Notice are to be registered against the titles of the following allotments: -

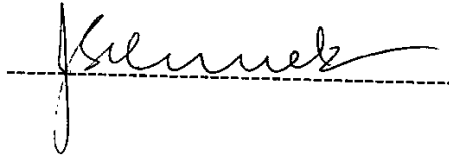
(a) Lot 1, D.P.351844

CONDITION:

- a) All services to Lot 1 are to be provided at the time of further development of the Lot.
- b) No reserves contribution has been taken for this subdivision for Lot 1 pursuant to Section 409 of the Resource Management Act 1991 and that at such time of further development no credits will be given.
- c) No burning of debris shall occur on any Lot.

Dated this 5th day of September 2005

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



Landonline User ID:

LODGING FIRM: Webb Farry

Address: PO Box 5541

Dunedin

Uplifting Box Number: 47

ASSOCIATED FIRM:

Client Code / Ref: 167122/25 - CJC

HEREWITH

Survey Plan (#)

Title Plan (#)

Traverse Sheets (#)

Field Notes (#)

Calc Sheets (#)

Survey Report

Dealing / SUD Number:
(LINZ Use only)

Priority Barcode/Date Stamp
(LINZ use only)

Plan Number Pre-Allocated or
to be Deposited:

Rejected Dealing Number:

FOR DEPOSIT ONLY
13/01/2006 15:31 0000000#0831 0001
CHECKQUE *320.00

Priority Order	CT Ref:	Type of Instrument	Names of Parties	DOCUMENT OR SURVEY FEES	MULTI-TITLE FEES	NOTICES	ADVERTISING	NEW TITLES	OTHER	RE-SUBMISSION & PRIORITY FEE	FEES \$ GST INCLUSIVE
1	OT14D/885	CONO		50.00							\$50.00
2	OT14D/855	OCT	Middleton : A A & I G					2	\$212		\$212.00
3	See Schedule	T	Middleton: A A & I G TO Middleton: A A & I G & Webb Farry								
4			Nominees Limited & Parker: SL	50.00	4	\$8					\$58.00
5											
6											

Land Information New Zealand Lodgement Form

Annotations (LINZ use only)

Fees Receipt and Tax Invoice

GST Registered Number 17-022-895

LINZ Form P005

LINZ Form P005 - PDF

Original Signatures? *Lin 200*

Subtotal (for this page)	\$320.00
Total for this dealing	\$320.00
Less Fees paid on Dealing #	
Cash/ Cheque Enclosed for	\$320.00

Version 1.7: 28 May 2004

TITLE SCHEDULE

Landonline User ID:

LODGING FIRM:

Webb Farry

Client Code / Ref:

167122/25 - CJC

Line Number	CT Ref:
1	
2	
3	OT13B/1155 OT7B/1362 OT60/188 212814 OT12A/266
4	

Line Number	CT Ref:
5	
6	
7	
8	

Line Number	CT Ref:
9	
10	
11	
12	

Line Number	CT Ref:
13	
14	
15	
16	

Line Number	CT Ref:
17	
18	
19	
20	

CONO 7195226.1 Consen

Cpy - 01/03, Pgs - 003, 17/01/07, 15:58



DocID: 110835403

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

AND

IN THE MATTER of an Application for
Subdivision Consent by A.
A. & I.G. Middleton

CONSENT NOTICE

BACKGROUND

- A. A.A & I.G Middleton of Queenstown have 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 246747, (Otago Registry) ("the land").
- B. Council has granted consent (RM060360) 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

The following conditions pertaining to this Consent Notice are to be registered against the titles of the following allotments: -

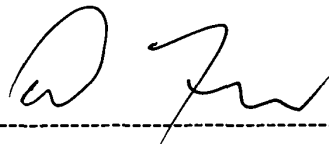
(a) Lots 1 & 2, D.P. 375014.

CONDITIONS:

- a) At such time as any residential development is undertaken on Lot 1 or Lot 2, all services shall be provided in accordance with the Council standards applicable at that time.
- b) No development contributions for Council water, stormwater or wastewater services have been taken for this subdivision and at the time of further development no credits will be given.

Dated this 7 day of September 2006

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



Landonline User ID:

LODGING FIRM:

Address:

Dunedin

Uplifting Box Number:

47

ASSOCIATED FIRM:

Client Code / Ref: 167122/40 (CJC)

HEREWITH

Survey Plan (#)

Title Plan (#)

Traverse Sheets (#)

Field Notes (#)

Calc Sheets (#)

Survey Report

Dealing / SUD Number:
(LINZ use only)

Priority Barcode/Date Stamp
(LINZ use only)

Plan Number Pre-Allocated or
to be Deposited:

Rejected Dealing Number:

7178072

Other (state)

Priority Order	CT Ref	Type of Instrument	Names of Parties	DOCUMENT OR SURVEY FEES	MULTI-TITLE FEES	NOTICES	ADVERTISING	NEW TITLES	OTHER	RE-SUBMISSION & PRIORITY FEE	FEES \$ GST INCLUSIVE
1	246747	CONO	Middleton: AA & IG	50.00							\$50.00
2	As Above	OCT	Middleton: AA & IG					2	\$212		\$212.00
3	246747 302158 302159	E	Hensman: PJ, GH & LME TO Middleton: AA & IG	50.00	2	\$4				\$20	\$74.00
4											
5											
6											

Land Information New Zealand Lodgment Form

Annotations (LINZ use only)

Original Signatures: 

Fees Receipt and Tax Invoice

GST Registered Number 17-022-895

LINZ Form P005

LINZ Form P005 - PDF

Subtotal (for this page)

Total for this dealing

Less Fees paid on Dealing # 7178072

Cash/Cheque enclosed for

\$336.00

\$336.00

\$336.00

\$0.00

Version 1.7: 28 May 2004

View Instrument Details



Instrument No	8283616.19
Status	Registered
Date & Time Lodged	28 May 2010 13:10
Lodged By	Torrey, Sandra Leah
Instrument Type	Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Computer Registers Land District

449410	Otago
449411	Otago
449412	Otago
449413	Otago
449414	Otago
449415	Otago
449416	Otago
449417	Otago
449418	Otago
449420	Otago
449421	Otago
449422	Otago

Annexure Schedule: Contains 2 Pages.

Signature

Signed by Kieran Edward Tohill as Territorial Authority Representative on 25/05/2010 03:50 PM

*** End of Report ***

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

AND

IN THE MATTER of an Application for Subdivision Consent
by QUEENSTOWN HILL
DEVELOPMENT & REMARKABLES
HEIGHTS LTD

CONSENT NOTICE

BACKGROUND

- A. QUEENSTOWN HILL DEVELOPMENT & REMARKABLES HEIGHTS LTD of Queenstown have 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 Titles 302159, 235179, 235173, 235172, 406577 (Otago Registry) ("the land").
- B. Council has granted consent (RM070513) 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.
- C. This Consent Notice relates to Stage 3 of Remarkables View.

OPERATIVE PART

The following conditions pertaining to this Consent Notice are to be registered against the titles of the following allotments: -

1) Lots 1 – 9, D.P. 411971

- a) At a time that a dwelling is constructed on Lots 1 – 9 D.P. 411971, the owner for the time being shall construct a vehicle crossing in accordance with the requirements of Council applicable at that time.

2) Lot 101 – 103 D.P. 411971

- a) All services shall be provided to Lots 101 – 103 D.P. 411971 at the time of further development of these lots, in accordance with Council's standard applicable at that time. No development contributions have been taken for these lots and no credits shall be given at the time of further development.

Dated this

7th

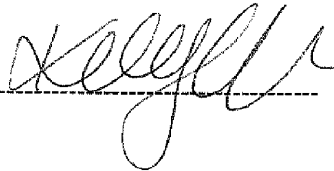
day of

May

2009 2010

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

Principal Administrative Officer



View Instrument Details



Instrument No	12371235.8
Status	Registered
Date & Time Lodged	30 September 2022 14:57
Lodged By	Roberts, Philippa Jean
Instrument Type	Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Records of Title	Land District
---------------------------	---------------

1035674	Otago
1035675	Otago
1035676	Otago

Annexure Schedule Contains 5 Pages.

Signature

Signed by Laura Jane McPhail as Territorial Authority Representative on 04/11/2022 03:33 PM

*** End of Report ***

IN THE MATTER of Lots 1, 2 and 703
being a Subdivision of Lot 703 DP 551240

AND

IN THE MATTER of Resource Consent
RM081212 as varied by RM200703
Queenstown Lakes District Council

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

BACKGROUND

- A. Queenstown Hill Developments Ltd, Remarkable Heights Limited and PJ, LME and GH Hensman have applied to the Queenstown Lakes District Council (*Council*) pursuant to provisions of the Resource Management Act 1991 for its consent to subdivide land comprised and described in Record of Title 952120 (Otago Registry).
- B. Council has granted subdivision consent (RM081212 as varied by RM200703) 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 from time to time being those conditions set out in this Consent Notice.

QLD002790 12433820.1 5264879.1

OPERATIVE PART

The following conditions pertaining to this Consent Notice are to be registered against the titles of the following allotments:

Lot 1 Deposited Plan 571490 comprised in Record of Title 1035674

Lot 2 Deposited Plan 571490 comprised in Record of Title 1035675

Lot 703 Deposited Plan 571490 comprised in Record of Title 1035676

Conditions

The following condition shall apply to Lots 1 & 2:

- a) Lot 1 shall not contain more than one residential unit.
- b) Lot 2 shall not contain more than two residential units.
- c) If Lot 2 is developed to contain two residential units then, a legally protected common turning head area for the Right of Way shall be provided at the end of the Right of Way by Lot 2 prior to occupation of either unit on Lot 2. The common turning area shall be for all land entitled to the Right of Way. The common turning head shall be formed to council standards.
- d) A suitable Traffic Management Plan (TMP) shall be provided for Lots 1 and 2 before development occurs on each lot to address vehicle access and egress during construction. The TMP shall take specific consideration of vehicles requiring to reverse up the Right of Way. The TMP may not be required if:
 - (i) a common turning head has been constructed and legally protected at the end of the Right of Way in accordance with (c) above; and
 - (ii) sufficient on-site manoeuvring for construction traffic can be demonstrated without adversely impacting on safety and/or normal operating conditions within the road reserve through disruption, inconvenience or delay.

The following condition shall apply to Lots 2 & 703:

- e) A subsoil drain constructed as part of the subdivision earthworks is present within Lot 703 and located in close proximity to the eastern boundary of Lot 2. Development that influences or results in modification of the subsoil drain is acceptable provided the location of the subsoil drain is considered at the detailed design stage for any future development on Lots 2 or 703. Engineering assessment and design solutions will be required to ensure the drain and any associated seepage is appropriately managed and incorporated in to the earthworks design and development drainage scheme. Refer to the Geosolve Limited "Geotechnical Completion Report" (Geosolve Ref: 150639, Revision 1, dated 27/06/2022) for full details of the subsoil drain location and recommendations for future development.

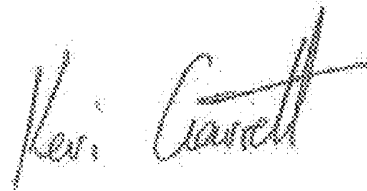
QLD002790 12433820.1 5264679.1

Notes to condition e) above:

- A copy of the Geosolve Limited Geotechnical Completion Report can be found on the SD081212.05 Subdivision file held by Council for Stage 4a of the RM081212 Resource Consent.
- At the time of further subdivision of Lot 703 in conjunction with future stages of the RM081212 consent (or subsequent resource consent), condition e) above may be varied or replaced with new condition(s) to reflect the recommendations of any additional, lot-specific geotechnical reporting completed for the site. This may be dealt with as part of the s224c certification process for the future stages of the RM081212 subdivision, with final wording of any replacement consent notice conditions to be confirmed by Council and approved by Council's solicitors prior to registration.

DATED this 31st day of August 2022

SIGNED for and on behalf of
QUEENSTOWN LAKES DISTRICT
COUNCIL under delegated authority
by its Senior Land Development
Engineer – Subdivision,
Development Contributions &
Property



Keri Anne Garrett

DocuSign Envelope ID: AE39F84F-66B0-48F7-8CBD-A642535DA154

Form 46

ANNEXURE SCHEDULE - CONSENT FORM¹

(Regulation 6 Land Transfer Regulations 2018)

Person giving consent

Surname must be underlined

Capacity and Interest of Person giving consent

eg. Mortgagee under Mortgage no.

AURORA ENERGY LIMITED

Caveator under caveat number 12512834.1

Consent

*Delete words in [] if inconsistent with the consent**State full details of the matter for which consent is required*

[Without prejudice to the rights and powers existing under the interest of the person giving consent,]

the **Person giving consent hereby consents to:**

the attached Consent Notice

Dated this day of 2022
02 November 2022 | 11:12 AM NZDT

Attestation

Signed by AURORA ENERGY
LIMITED by its Attorney Gary
Graeme DixonDocuSigned by:
Gary Dixon
56EEC35712B14F6...

Signed in my presence by the Person giving consent

DocuSigned by:
Rosie Johnston
F6BFA2D388AC403...

Signature of Witness

*Witness to complete in BLOCK letters (unless legibly printed):***Witness name** Rosie Johnston**Occupation** Corporate Office Administrator**Address** Dunedin¹ An Annexure Schedule in this form may be attached to the relevant instrument, where consent is required by the Land Transfer Regulations 2018 to enable registration under the Land Transfer Act 2017.

DocuSign Envelope ID: AE39F84F-66B0-48F7-8CBD-A642535DA154

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

I, **GARY GRAEME DIXON**, of Dunedin, Chief Financial Officer and General Manager – Finance and Systems, hereby certify –

1. That by Deed dated 26 February 2018 **AURORA ENERGY LIMITED** having its registered office at Dunedin ("the Company") appointed me as its Attorney on the terms and subject to the conditions set out in the said Deed.
2. That at the date hereof I have not received any notice or information of the revocation of that appointment.
3. That a copy of the said Deed was deposited in the office of Land Information New Zealand on 12 February 2019 under registered number 11354769.1.

SIGNED at Dunedin this
day of

2022
02 November 2022 | 11:12 AM NZDT

DocuSigned by:

Gary Dixon

5AEEC35712614E6

View Instrument Details



Instrument No 12795642.6
Status Registered
Date & Time Lodged 13 December 2023 13:41
Lodged By Weinberg, Jessica Millen
Instrument Type Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Records of Title	Land District
1125962	Otago
1125963	Otago
1125964	Otago
1125965	Otago
1125966	Otago
1125967	Otago
1125968	Otago
1125969	Otago
1125970	Otago
1125971	Otago

Annexure Schedule Contains 3 Pages.

Signature

Signed by Jessica Millen Weinberg as Territorial Authority Representative on 01/11/2023 10:56 AM

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

IN THE MATTER of Lots 12, 14, 17, 21 –
26, 57, 501 and 703 being a Subdivision
of Lot 703 DP 571490

AND

IN THE MATTER of Resource Consent
RM081212 (as varied by RM200703)
Queenstown Lakes District Council

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

BACKGROUND

- A. Queenstown Hill Developments Ltd, Remarkable Heights Limited and PJ, LME and GH Hensman has applied to the Queenstown Lakes District Council (*Council*) pursuant to provisions of the Resource Management Act 1991 for its consent to subdivide land comprised and described in Record of Title 1094416 (Otago Registry).
- B. Council has granted subdivision consent (RM081212 as varied by RM200703) 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 from time to time being those conditions set out in this Consent Notice.

Stage 4B
219290.1054 13444982.1

OPERATIVE PART

The following conditions pertaining to this Consent Notice are to be registered against the titles of the following allotments:

Lot 21 DP 589937 comprised in record of title 1125962
Lot 22 DP 589937 comprised in record of title 1125963
Lot 23 DP 589937 comprised in record of title 1125964
Lot 24 DP 589937 comprised in record of title 1125965
Lot 25 DP 589937 comprised in record of title 1125966
Lot 26 DP 589937 comprised in record of title 1125967
Lot 12 DP 589937 comprised in record of title 1125968
Lot 14 DP 589937 comprised in record of title 1125969
Lot 17 DP 589937 comprised in record of title 1125970
Lot 57 DP 589937 comprised in record of title 1125971

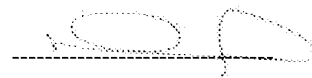
Conditions

The following condition contained below shall apply to the Lots specified in Schedule 1:

- (a) Prior to any construction work (other than work associated with geotechnical investigation), the owner for the time being shall submit to Council for certification specific engineering design and geotechnical assessment for foundations to comply with the requirements set out in Schedule 1 together with the Schedule 2A Certificate and Geotechnical Completion Report prepared by Geosolve Limited dated May 2023, Geosolve Reference: 150639. All such measures shall be implemented prior to occupation of any building.

DATED this 28th day of September 2023

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


Michael Wardill

Schedule 1

Lot	Schedule 2A Conditions for Future Development
12, 14, 17, 21-26 and 57	• Due to the sloping ground the requirements in NZS3604 with respect to sloping ground and foundations (Section 3 of this standard), will need to be considered. Specific Engineering Design (SED) of foundations and specific engineering assessment of the proposed development is therefore required to ensure long term foundation stability is met. • If excavations >1.2 m depth in rock are required, the geotechnical stability of the rock cut should be assessed. • Localised areas of seepage, particularly at the soil-rock contact, may be encountered and can, in some cases, result in softening of foundation subgrades and deterioration of unsupported cuts. All sites should ensure drainage is adequately considered around the building and earthworks to achieve long term stability. • Development that intercepts the existing subsoil drains is acceptable. Engineering assessment will be required to ensure the drain and any associated seepage is appropriately managed and incorporated into the earthworks design and development drainage scheme for each lot. • Final geotechnical inputs will depend on the extent of earthworks proposed, building design, structural engineer and Queenstown Lakes District Council requirements.

View Instrument Details



Instrument No 12795642.7
Status Registered
Date & Time Lodged 13 December 2023 13:41
Lodged By Weinberg, Jessica Millen
Instrument Type Land Covenant under s116(1)(a) or (b) Land Transfer Act 2017



Affected Records of Title	Land District
1125962	Otago
1125963	Otago
1125964	Otago
1125965	Otago
1125966	Otago
1125967	Otago
1125968	Otago
1125969	Otago
1125970	Otago
1125971	Otago

Annexure Schedule Contains 5 Pages.

Covenantor Certifications

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

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

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

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

Signature

Signed by Jessica Millen Weinberg as Covenantor Representative on 01/11/2023 10:56 AM

Covenantee Certifications

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

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

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

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

Signature

Signed by Jessica Millen Weinberg as Covenantee Representative on 01/11/2023 10:56 AM

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

Form 26**Covenant Instrument to note land covenant**

(Section 116(1)(a) & (b) Land Transfer Act 2017)

Covenantor

Queenstown Hill Developments Limited and Remarkable Heights Limited

Covenantee

Queenstown Hill Developments Limited, Remarkable Heights Limited, Phillip John Hensman, Lynda Mary Elizabeth Hensman and Grant Hylton Hensman

Grant of Covenant

The Covenantor, being the registered owner of the burdened land(s) set out in Schedule A, **grants to the Covenantee** (and, if so stated, in gross) the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s).

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

Purpose of covenant	Shown (plan reference)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Non-opposition covenant	All of the Burdened Land	Lots 12, 14, 17, 21 – 26 and 57 DP 589937 (inclusive) (RTs 1125962 - 1125971 (inclusive))	In gross

Covenant rights and powers (including terms, covenants and conditions)*Delete phrases in [] and insert memorandum number as required.**Continue in additional Annexure Schedule if required.*

The provisions applying to the specified covenants are those set out in Annexure Schedule 1.

Annexure Schedule 1**1. Introduction**

- a. The Developer is developing Queenstown Hill.
- b. To ensure the Developer can complete the development of Queenstown Hill, the Developer intends all owners of the Burdened Land to be subject to the covenants set out in this Instrument.

2. Defined Terms

2.1. In this document:

- a. **Application** means any application, request or other preparation in relation to any planning or approval process under the Resource Management Act 1991, or other legislation, which enables or facilitates subdivision, use or development of land.
- b. **Burdened Land** means the land shown on the front page of this Instrument as the Burdened Land.
- c. **Council** means Queenstown Lakes District Council and/or as the context requires Otago Regional Council, or any successors.
- d. **Covenantor** means the owner of all or any part or parts of the Burdened Land and their occupiers, invitees, executors, administrators, assignees, and successors in title from time to time.
- e. **Covenantee** means the Covenantee noted on the front page of this Instrument and their nominees, executors, administrators, assignees, and successors in title from time to time.
- f. **Covenants** means the covenants set out in this Instrument.
- g. **Developer** means each of the Covenantees, at the date this Instrument is registered, and any other entity nominated by any of the Covenantees to succeed its rights and/or obligations under this Instrument.
- h. **Developer's Balance Land** means all the land owned by the Developer or a related party of a Developer, including the land contained, or formerly contained in Records of Title 1094416, 952107 and 648115. If the Developer determines in its sole discretion (from time to time). The Developer's Balance Land:
 - i. will also include the whole or any part or parts of any of the following land specified by a Developer:
 - (a) any additional land which a Developer now or in the future owns, develops, or manages;
 - (b) any additional land which is now or in the future owned by another entity (such as a related company of a Developer) which a Developer manages or operates;
 - (c) any additional land which is now or in the future leased by or licensed to a Developer; and
 - (d) any additional land over which a Developer has, now or in the future, easement rights;
 - and

- ii. will exclude the whole or any part or parts of any land specified by a Developer.
- i. **District Plan** means the means the Council's operative District Plan, at the relevant time (or similar planning document or instrument that applies to the Developer's Balance Land, as a replacement of the District Plan).
- j. **Instrument** means this covenant instrument creating the Covenants to be registered on the Burdened Land's record of title and all its amendments or variations.
- k. **Lodge any Submission** means personally or through any agent or servant or directly or indirectly, lodge or support in any way any objection submission to any Application and includes (without limitation) taking part in any planning hearing, appeal or reference arising in respect of an Application whether as a party or otherwise.
- l. **Lot** means all or any land contained in each separate record of title that has issued or will issue for the Burdened Land (and Lots shall have a corresponding meaning).
- m. **Lot Owner** means the registered owner of a Lot and any tenant, lessee, licensee, visitor or invitee of the Lot Owner.
- n. **Queenstown Hill** means the staged development and subdivision, incorporating residential aspects undertaken, and to be undertaken, by the Developer on the Developer's Balance Land.
- o. **Relevant Authority** means any government, local, statutory or non-statutory authority or body having jurisdiction over the Developer's Balance Land.
- p. **Subdivide** and **Subdivision** means the meaning ascribed to subdivision of land in Section 218(1) of the Resource Management Act 1991 or the equivalent section in any act replacing the Resource Management Act 1991.

3. General Covenants

- 3.1. The Covenantor covenants and agrees:
 - a. to observe and perform all Covenants at all times;
 - b. to ensure that all occupiers, employees, contractors, invitees and anyone or thing that is present on the Burdened Land under the control of, or at the direction or invitation of the Covenantor, observes and performs all relevant and applicable covenants at all times;
 - c. that the Covenants shall run with and bind the Burdened Land for the benefit of the Covenantant;
 - d. to cease any action taken in breach of these Covenants forthwith upon being requested by the Covenantant to cease such action;
 - e. to pay the Covenantant's actual costs incurred, including the Covenantant's legal costs (as between solicitor and client), of and incidental to the enforcement or attempted enforcement of the Covenantant's rights, remedies and powers under this Instrument; and
 - f. to indemnify the Covenantant against all claims and proceedings arising out of a breach by the Covenantor of any of its obligations set out in this instrument.
 - g. it will not register any instrument which conflicts with or derogates from the terms of this Instrument;
 - h. any failure by a party to enforce any clause in this Instrument, or any forbearance, delay or

indulgence granted by that party to any other party, will not be construed as a waiver of the first party's rights under this Instrument; and

- i. that the Covenantor shall not be liable to the Covenantor for any loss, damage, claim or expenses or a failure to enforce the covenants set out in this Instrument.

4. Non-Opposition

- 4.1. The Covenantor covenants for the benefit of the Covenantor and the Developers not to:
 - a. object to, impede or Lodge any Submission against any Application by a Covenantor or a Developer;
 - including in relation to any:
 - b. resource consent (including any variation) under the Resource Management Act 1991; or
 - c. designation procedure, change or variation to a District Plan;
 - d. other planning or approval process which facilitates or enables development, use, and/or subdivision of land; or
 - e. action to obtain any order, injunction or any other remedy, as they relate to the use and development of the Developer's Balance Land.
- 4.2. The Covenantor hereby gives written approval (including affected person's approval under the Resource Management Act 1991) in respect of any such Applications relating to the Developers' Balance Land. The Covenantor is entitled to provide a copy of this instrument to the Relevant Authority as evidence of the Covenantor's approval.
- 4.3. If requested by a Developer, the Covenantor will promptly give its unqualified:
 - a. written approval, to any application made by a Developer to the Relevant Authority relating to the Developer's Balance Land; and/or
 - b. submission in support to any plan change relating to the Developer's Balance Land and the ongoing operation of the same.
- 4.4. The Covenantor irrevocably nominates, constitutes and appoints any Developer(s) to be the true and lawful attorney of the Covenantor for the purposes of executing all documents and plans and performing all acts, matters and things as may be necessary (without limitation) to fulfil its obligations under clause 5.2 and 5.3. No person dealing with a Developer as the attorney under this clause needs to enquire if a Developer is validly exercising its power as attorney under this clause.
- 4.5. Without limiting clauses 5.2 to 5.4 (inclusive), the Covenantor will, if called upon to do so, enter into and execute a deed of appointment of power of attorney in favour of a Developer on the terms and for the purposes set out in this clauses 5.2 to 5.4 (inclusive).
- 4.6. Without limiting the above clauses, from the date of registration of this instrument, the Covenantor will not, and will not encourage others, to:
 - a. make any complaint against any contractor or any consultant engaged by a Developer (directly or indirectly) in relation to the Developer's Balance Land; or
 - b. object to or in any way restrict a Developer from completing all or any parts of the development of Queenstown Hill (including by objecting to or attempting to restrict any noise or vibration caused by any works).

5. Contracts and Commercial Law Act 2017

- 5.1. The Covenantor and Covenantee acknowledge and agree that this Instrument is subject to Section 12 of the Contracts and Commercial Law Act 2017 and that the covenants contained in this Instrument are intended to create obligations on the Covenantor and confer benefits on the Covenantee and the Developers and are enforceable by the Covenantee and/or the Developers.

6. Implied terms

- 6.1. No covenants by the Covenantor or by the Covenantor's successors in title are implied in this Instrument other than the covenants for further assurance implied by section 208 of the Land Transfer Act 2017.

7. Costs

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

8. Vesting

- 8.1. The Covenantee consents to any part of the Burdened Land being vested as any road or reserve (**Road and/or Reserve**) in the local authority, territorial authority, NZ Transport Agency (or any such replacement entity), or the Crown (each a **Governing Body**). The Covenantee further consents to all or any part of the Burdened Land being declared to be road pursuant to Part 8 of the Public Works Act 1981 (as amended from time to time).
- 8.2. This clause will be deemed to be the Covenantee's consent required to allow the Road and/or Reserves being vested or declared as road or reserve, as applicable, (including under section 224(b)(i) of the Resource Management Act 1991 and section 114(2) of the Public Works Act 1981).
- 8.3. The Covenantor and Covenantee agree that the rights and obligations under this instrument shall cease to apply and this instrument is deemed terminated in respect of any Road and/or Reserve immediately upon Land Information New Zealand's (LINZ) survey approval of the survey plan which provides for such vesting (Survey Plan).
- 8.4. If LINZ or a Governing Body determine that further written consent is required pursuant to this clause 8, the Covenantee will (upon request by the Covenantor) execute and return in a timely manner any required consent, covenant surrender document or any other document required in respect of this instrument to allow for any part of the Land to vest as Road and/or Reserve (as applicable). This paragraph 8.4 shall not apply to any Covenantee that is a Governing Body to the intent that a Governing Body is not required to provide a written consent or surrender document.

View Instrument Details



Instrument No 11098487.6
Status Registered
Date & Time Lodged 24 January 2019 16:19
Lodged By Weinberg, Jessica Millen
Instrument Type Land Covenant under s116(1)(a) or (b) Land Transfer Act 2017



Affected Records of Title	Land District
764116	Otago
830755	Otago
830756	Otago
830757	Otago
830758	Otago
830759	Otago
830760	Otago
830761	Otago

Annexure Schedule: Contains 5 Pages.

Covenantor Certifications

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

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

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

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

Signature

Signed by Jessica Millen Weinberg as Covenantor Representative on 23/01/2019 09:51 AM

Covenantee Certifications

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

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

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

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

Signature

Signed by Jessica Millen Weinberg as Covenantee Representative on 23/01/2019 09:51 AM

*** End of Report ***

Covenant Instrument to note land covenant

(Section 116(1)(a) & (b) Land Transfer Act 2017)

Covenantor

PHILLIP JOHN HENSMAN, GRANT HYLTON HENSMAN AND LYNDA MARY
ELIZABETH HENSMAN

Covenantee

PHILLIP JOHN HENSMAN, GRANT HYLTON HENSMAN AND LYNDA MARY
ELIZABETH HENSMAN
REMARKABLE HEIGHTS LIMITED
QUEENSTOWN HILL DEVELOPMENTS LIMITED

Grant of Covenant

The Covenantor, being the registered owner of the burdened land(s) set out in Schedule A, **grants to the Covenantee** (and, if so stated, in gross) the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s).

Schedule A

Annexure Schedule, if required

Continue in additional

Purpose covenant	of	Shown reference)	(plan	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Land Covenant		All of Burdened Land		Lot 303 DP 522931 (RT 830755), Lot 309 DP 522931 (RT 830756), Lot 310 DP 522931 (RT 830757), Lot 311 DP 522931 (RT 830758), Lot 312 DP 522931 (RT 830759), Lot 313 DP 522931 (RT 830760)	Lot 701 DP 522931 , Lot 1 DP 431418 (RT 830761), Lot 700 DP 505699 (RT 764116)

Covenant rights and powers (including terms, covenants and conditions)

Delete phrases in [] and insert memorandum number as required.

Continue in additional Annexure Schedule if required.

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

[Memorandum number _____, registered under section 209 of
the Land Transfer Act 2017].

[Annexure Schedule 1].

Annexure Schedule 1

1. Definitions

- 1.1 In this Annexure Schedule 1 the following definitions apply:
- 1.1.1 **Burdened Land** means the land described and shown on the front page of this Instrument as the Burdened Land.
 - 1.1.2 **Covenantee** means the owner of the Benefited Land and their executors, administrators, assignees and successors in title from time to time.
 - 1.1.3 **Covenantee's Land** means the land described as Lot 700 Deposited Plan 505699 contained in record of title 764116, and Lot 701 Deposited Plan 522931, Lot 1 Deposited Plan 431418 contained in record of title 830760;
 - 1.1.4 **Covenantor** means the owner of the Burdened Land and their executors, administrators, assignees and successors in title from time to time.
 - 1.1.5 **Lodge any Submission** means (without limitation) personally or through any agent or servant or directly or indirectly, lodge or support in any way any objection submission to any Planning Proposal and includes (without limitation) taking part in any planning hearing, appeal or reference arising in respect of a Planning Proposal whether as a party or otherwise.
 - 1.1.6 **Planning Proposal** includes (without limitation) any application for resource consent and / or plan change and / or variation of any nature under the relevant District Plan or proposed District Plan;
 - 1.1.7 **Regulations** means the Land Transfer Regulations 2018; and
 - 1.1.8 All other defined terms have the same meaning given to them in the Regulations.

2. General Covenants

- 2.1 The Covenantor covenants and agrees:
- 2.1.1 to observe and perform all Covenants at all times; and
 - 2.1.2 to ensure that all occupiers, employees, contractors, invitees and anyone or thing that is present on the Burdened Land under the control of, or at the direction or invitation of the Covenantor, observes and performs all relevant and applicable covenants at all times; and
 - 2.1.3 that the Covenants shall run with and bind the Burdened Land for the benefit of the Benefited Land.

3. No-Objection Covenants

- 3.1 The Covenantor covenants in relation to the Covenantee's Land that:
- 3.1.1 it will not, and will not encourage or support any other person to:

- (a) object to or Lodge any Submission against any Planning Proposal;
 - (b) obtain an order, injunction or any other remedy;
 - (c) make any complaint against any contractor or any consultant, which relates to the Covenantee's Land.
- 3.1.2 If requested by the Covenantee, the Covenantor shall promptly give its unqualified and irrevocable:
- (a) written approval (including any affected party approval under section 95E of the Resource Management Act 1991) to any Planning Proposal relating to the Covenantee's Land; and/or
 - (b) submission in support of any Planning Proposal, relating to the Covenantee's Land.
 - (c) the Covenantor shall sign all documents and do all things required by the Covenantee to meet the Covenantor's obligation under this clause 3.

4. Enforcement

- 4.1 The Covenantor and Covenantee acknowledge and agree that:
- 4.1.1 This Instrument is subject to the Contracts (Privity) Act 1982 and that the covenants contained in this Instrument that are intended to create obligations on the Covenantor, confer benefits on the Covenantee and are enforceable at the suit of the Covenantee as well as by the Covenantee.
 - 4.1.2 The Covenantee may facilitate the observance of this Instrument by the Covenantor by taking all necessary steps to enforce its observance on behalf of any Covenantee.
 - 4.1.3 The Covenantee irrevocably appoints the Covenantor to be its attorney and in its name and at its expense to provide written approval if required in order to enforce clause 3.1.2.
- 4.2 The Covenantor acknowledges that the Covenantee shall not be liable to the Covenantor for any loss, damage, claim or expenses or a failure to enforce the Covenants set out in this Instrument.
- 4.3 In the event that the Covenantor fails to observe and perform the Covenants set out in this Instrument, a Covenantee shall have a right (but not an obligation) to do whatever may be reasonably required to remedy such failure on the part of the Covenantor, and the cost incurred by the Covenantee in remedying the default shall be refunded by the Covenantor to that Covenantee upon demand.
- 4.4 All notices relating to this Instrument are to be served in writing.

5. Liability

- 5.1 Without prejudice to the Covenantor's and Covenantee's other rights, this Instrument binds the Covenantor's and Covenantee's successors in title so that contemporaneously with the acquisition of any interest in the Burdened Land all such successors in title become bound to comply with this Instrument. However, the liability of any Covenantor under this Instrument is limited to obligations and liabilities that accrue during that Covenantor's time as registered proprietor of the Burdened Land

and only in respect of that part of the Burdened Land owned by that Covenantor. A Covenantor will not be liable for any breach of this Instrument which occurs during any period prior to or after its term as registered proprietor of the Burdened Land (however, for the avoidance of doubt, any Covenantor shall remain liable for any such antecedent breach following the transfer of its interest in the Burdened Land).

6. Costs

- 6.1 The Covenantee will pay all costs directly or indirectly attributable to the preparation and registration of this Instrument.
- 6.2 The Covenantor will pay all costs directly or indirectly attributable to the enforcement and discharge of this Instrument.

View Instrument Details



Instrument No 11677745.15
Status Registered
Date & Time Lodged 17 April 2020 17:28
Lodged By Roberts, Philippa Jean
Instrument Type Land Covenant under s116(1)(a) or (b) Land Transfer Act 2017



Affected Records of Title	Land District
881683	Otago
881684	Otago
881685	Otago
881686	Otago
881687	Otago
881688	Otago
881689	Otago
881690	Otago
881691	Otago
881692	Otago
881693	Otago
881694	Otago
881695	Otago
881696	Otago
881697	Otago
881698	Otago
881699	Otago
881700	Otago
881701	Otago
881702	Otago
881703	Otago
881704	Otago
881705	Otago
887237	Otago

Annexure Schedule Contains 4 Pages.

Covenantor Certifications

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

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

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

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

Signature

Signed by Philippa Jean Roberts as Covenantor Representative on 17/04/2020 09:45 AM

Covenantee Certifications

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

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

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

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

Signature

Signed by Philippa Jean Roberts as Covenantee Representative on 17/04/2020 09:46 AM

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

This approved format may be used for lodgement as an electronic instrument under the Land Transfer Act 2017

Form 26

Covenant Instrument to note land covenant

(Section 116(1)(a) & (b) Land Transfer Act 2017)

Covenantor

QUEENSTOWN HILL DEVELOPMENTS LIMITED, REMARKABLE HEIGHTS LIMITED
Grant Hylton HENSMAN, Phillip John HENSMAN, Lynda Mary Elizabeth HENSMAN

Covenantee

QUEENSTOWN HILL DEVELOPMENTS LIMITED AND REMARKABLE HEIGHTS LIMITED
Grant Hylton HENSMAN, Phillip John HENSMAN, Lynda Mary Elizabeth HENSMAN

Grant of Covenant

The Covenantor, being the registered owner of the burdened land(s) set out in Schedule A, **grants to the Covenantee** (and, if so stated, in gross) the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s).

Schedule A required

Continue in additional Annexure Schedule, if

Purpose of covenant	Shown (plan reference)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Land Covenant	All of the burdened land	Lots 125-127, 130-133, 177-179, 192, 302, 304- 308, 314-317, 332 DP 534603 (RTs 881683 - 881704 (inclusive))	Lot 701 DP 534603 (RT 881705) Lot 700 DP 534603 (RT 887237)

This approved format may be used for lodgement as an electronic instrument under the Land Transfer Act 2017

Covenant rights and powers (including terms, covenants and conditions)

Delete phrases in [] and insert memorandum number as required.

Continue in additional Annexure Schedule if required.

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

[Memorandum number _____, registered under section 209 of the Land Transfer Act 2017].

[Annexure Schedule 1].

This approved format may be used for lodgement as an electronic instrument under the Land Transfer Act 2017

Annexure Schedule 1

1. Definitions

1.1 In this Annexure Schedule 1 the following definitions apply:

- 1.1.1 **Burdened Land** means the land described and shown on the front page of this Instrument as the Burdened Land.
- 1.1.2 **Covenantee** means the owner of the Benefited Land and their executors, administrators, assignees and successors in title from time to time.
- 1.1.3 **Covenantee's Land** means the land described as Lot 701 Deposited Plan 534603 contained in identifier 881705 and lot 700 Deposited Plan 534603 contained in identifier 887237;
- 1.1.4 **Covenantor** means the owner of the Burdened Land and their executors, administrators, assignees and successors in title from time to time.
- 1.1.5 **Lodge any Submission** means (without limitation) personally or through any agent or servant or directly or indirectly, lodge or support in any way any objection submission to any Planning Proposal and includes (without limitation) taking part in any planning hearing, appeal or reference arising in respect of a Planning Proposal whether as a party or otherwise.
- 1.1.6 **Planning Proposal** includes (without limitation) any application for resource consent and / or plan change and / or variation of any nature under the relevant District Plan or proposed District Plan;
- 1.1.7 **Regulations** means the Land Transfer Regulations 2018; and
- 1.1.8 All other defined terms have the same meaning given to them in the Fourth Schedule of the Regulations.

2. General Covenants

2.1 The Covenantor covenants and agrees:

- 2.1.1 to observe and perform all Covenants at all times; and
- 2.1.2 to ensure that all occupiers, employees, contractors, invitees and anyone or thing that is present on the Burdened Land under the control of, or at the direction or invitation of the Covenantor, observes and performs all relevant and applicable covenants at all times; and
- 2.1.3 that the Covenants shall run with and bind the Burdened Land for the benefit of the Benefited Land.

3. No-Objection Covenants

3.1 The Covenantor covenants in relation to the Covenantee's Land that:

- 3.1.1 It will not, and will not encourage or support any other person to:
 - (a) object to or Lodge any Submission against any Planning Proposal;
 - (b) obtain an order, injunction or any other remedy;
 - (c) make any complaint against any contractor or any consultant, which relates to the Covenantee's Land.
- 3.1.2 if requested by the Covenantee, the Covenantor shall promptly give its unqualified and irrevocable:

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- (a) written approval (including any affected party approval under section 95E of the Resource Management Act 1991) to any Planning Proposal relating to the Covenantee's Land; and/or
- (b) submission in support of any Planning Proposal, relating to the Covenantee's Land.
- (c) the Covenantor shall sign all documents and do all things required by the Covenantee to meet the Covenantor's obligation under this clause 3.

4. Enforcement

- 4.1 The Covenantor and Covenantee acknowledge and agree that:
 - 4.1.1 This Instrument is subject to the Contracts (Privity) Act 1982 and that the covenants contained in this Instrument that are intended to create obligations on the Covenantor, confer benefits on the Covenantee and are enforceable at the suit of the Covenantee as well as by the Covenantee.
 - 4.1.2 The Covenantee may facilitate the observance of this Instrument by the Covenantor by taking all necessary steps to enforce its observance on behalf of any Covenantee.
- 4.2 The Covenantor acknowledges that the Covenantee shall not be liable to the Covenantor for any loss, damage, claim or expenses or a failure to enforce the Covenants set out in this Instrument.
- 4.3 In the event that the Covenantor fails to observe and perform the Covenants set out in this Instrument, a Covenantee shall have a right (but not an obligation) to do whatever may be reasonably required to remedy such failure on the part of the Covenantor, and the cost incurred by the Covenantee in remedying the default shall be refunded by the Covenantor to that Covenantee upon demand.
- 4.4 All notices relating to this Instrument are to be served in writing.

5. Liability

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

6. 12. Costs

- 6.1 The Covenantee will pay all costs directly or indirectly attributable to the preparation and registration of this Instrument.
- 6.2 The Covenantor will pay all costs directly or indirectly attributable to the enforcement and discharge of this Instrument.

View Instrument Details



Instrument No 11677745.17
Status Registered
Date & Time Lodged 17 April 2020 17:28
Lodged By Roberts, Philippa Jean
Instrument Type Land Covenant under s116(1)(a) or (b) Land Transfer Act 2017



Affected Records of Title	Land District
764112	Otago
881705	Otago

Annexure Schedule Contains 3 Pages.

Covenantor Certifications

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

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

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

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

Signature

Signed by Philippa Jean Roberts as Covenantor Representative on 17/04/2020 09:56 AM

Covenantee Certifications

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

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

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

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

Signature

Signed by Philippa Jean Roberts as Covenantee Representative on 17/04/2020 09:56 AM

*** End of Report ***

This approved format may be used for lodgement as an electronic instrument under the Land Transfer Act 2017

Form 26

Covenant Instrument to note land covenant

(Section 116(1)(a) & (b) Land Transfer Act 2017)

Covenantor

REMARKABLE HEIGHTS LIMITED, QUEENSTOWN HILL DEVELOPMENTS LIMITED

Covenantee

REMARKABLE HEIGHTS LIMITED, QUEENSTOWN HILL DEVELOPMENTS LIMITED

Grant of Covenant

The Covenantor, being the registered owner of the burdened land(s) set out in Schedule A, **grants to the Covenantee** (and, if so stated, in gross) the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s).

Schedule A required

Continue in additional Annexure Schedule, if

Purpose of covenant	Shown (plan reference)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Land Covenant – Consent to Vesting	All of the Burdened Land	Lot 321 DP 505699 (RT 764112)	Lot 701 Deposited Plan 534603 (RT 881705)

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Covenant rights and powers (including terms, covenants and conditions)

Delete phrases in [] and insert memorandum number as required.

Continue in additional Annexure Schedule if required.

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

[Memorandum number _____, registered under section 209 of the Land Transfer Act 2017].

Annexure Schedule 1.

This approved format may be used for lodgement as an electronic instrument under the Land Transfer Act 2017

Annexure Schedule 1

Covenant Provisions

1. Road/Reserve Vesting

- 1.1 The Covenantor (in its capacity as Covenantee only) irrevocably consents to any part of the Benefited Land being vested or dedicated as any road or reserve (Road and/or Reserve) including (without limitation) any local purpose reserve for public utilities or esplanade reserve or strip, in the local authority, territorial authority, NZ Transport Agency (or any such replacement entity), or the Crown (each a Governing Body).
- 1.2 This clause will be deemed to be the Covenantor's consent required to allow the Roads and/or Reserves to be vested or dedicated as road (as applicable) (including under section 224(b)(i) of the Resource Management Act 1991 and section 114(2) of the Public Works Act). If required to do so by the Covenantee, the Covenantor will execute and return to the Covenantee in a timely manner any required consent to the vesting or dedication (as applicable) or easement surrender document in respect of this instrument and that part of the Benefited Land which is subject to the vesting or dedication (as applicable).
- 1.3 Any registered owner (Burdened Encumbrancee) of an encumbrance or mortgage instrument registered against the Burdened Land after the date of registration of this instrument will take their interest/s in the Burdened Land subject to the terms of this instrument and, in particular (without limitation to this clause) will be deemed to have given its consent to the vesting or dedication of any Road or Reserve (including under section 224(b)(i) of the Resource Management Act 1991 and section 114(2) of the Public Works Act 1981). The Covenantor will use reasonable endeavours to obtain any consents from any Burdened Encumbrancee to deposit or register any Survey Plan or easement surrender document in respect of that part of the Benefited Land which is subject to the vesting or dedication (as applicable).
- 1.4 The Covenantor consents to all or any part of the Benefited Land being declared to be road pursuant to Part 8 of the Public Works Act 1981 (as amended from time to time). The provisions of this clause shall constitute the written consent of the Covenantor for the purposes of section 114(2) of the Public Works Act 1981. If required to do so by the Covenantee, the Covenantor will execute and return to the Covenantee in a timely manner any required consent or easement surrender document in respect of that part of the Benefited Land which is subject to the declaration.
- 1.5 The Covenantor irrevocably appoints the Covenantee to be its lawfully authorised attorney to:
 - (a) execute any required consent or easement surrender document;
 - (b) obtain all required Burdened Encumbrancees consent registered over the Burdened Land.

as are necessary to deposit or register the Survey Plan if, in the sole opinion of the Covenantee, the Covenantor is not complying with these clauses 1.1 to 1.3 in a timely manner. No person dealing with the Covenantee as attorney in its capacity under this clause needs to enquire if the Covenantee is validly exercising its power as attorney under this clause. For the avoidance of doubt, this clause 1.5 does not apply to a Governing Body.
- 1.6 Nothing contained in this Instrument shall apply to any Covenantor that is a Governing Body and this Instrument is deemed to be temporarily surrendered against any part of a Burdened Lot while the registered owner of that part of a Burdened Lot is a Governing Body.

View Instrument Details



Instrument No 11813420.6
Status Registered
Date & Time Lodged 26 November 2020 14:50
Lodged By Ogilvie, Sarah Grant
Instrument Type Land Covenant under s116(1)(a) or (b) Land Transfer Act 2017



Affected Records of Title Land District

941031	Otago
941032	Otago
941033	Otago
941034	Otago
941035	Otago
941036	Otago
941037	Otago
941038	Otago
941039	Otago
941040	Otago
941041	Otago
941042	Otago
941043	Otago
941044	Otago
941046	Otago
941047	Otago

Annexure Schedule Contains 4 Pages.

Covenantor Certifications

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

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

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

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

Signature

Signed by Benjamin Jon King as Covenantor Representative on 13/10/2020 10:24 AM

Covenantee Certifications

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

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

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

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

Signature

Signed by Benjamin Jon King as Covenantee Representative on 13/10/2020 10:24 AM

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

This approved format may be used for lodgement as an electronic instrument under the Land Transfer Act 2017

Form 26

Covenant Instrument to note land covenant

(Section 116(1)(a) & (b) Land Transfer Act 2017)

Covenantor

QUEENSTOWN HILL DEVELOPMENTS LIMITED and REMARKABLE HEIGHTS LIMITED

Covenantee

QUEENSTOWN HILL DEVELOPMENTS LIMITED and REMARKABLE HEIGHTS LIMITED (as to RT 941046)
Grant Hylton HENSMAN, Phillip John HENSMAN, Lynda Mary Elizabeth HENSMAN (as to RT 941047)

Grant of Covenant

The Covenantor, being the registered owner of the burdened land(s) set out in Schedule A, **grants to the Covenantee** (and, if so stated, in gross) the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s).

Schedule A required

Continue in additional Annexure Schedule, if

Purpose of covenant	Shown (plan reference)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Land Covenant	All of the burdened land	Ints 128, 129, 160, 161, 163 – 167, 193 – 197 DP 548/93 (RTs 941031 – 941044 (inclusive))	Lot 702 DP 548/93 (RT 941046) Lot 703 DP 548/93 (RT 941047)

This approved format may be used for lodgement as an electronic instrument under the Land Transfer Act 2017

Covenant rights and powers (including terms, covenants and conditions)

Delete phrases in [] and insert memorandum number as required.

Continue in additional Annexure Schedule if required.

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

[Memorandum number _____, registered under section 209 of the Land Transfer Act 2017].

[Annexure Schedule 1].

This approved format may be used for lodgement as an electronic instrument under the Land Transfer Act 2017

Annexure Schedule 1

1. Definitions

1.1 In this Annexure Schedule 1 the following definitions apply:

- 1.1.1 **Burdened Land** means the land described and shown on the front page of this Instrument as the Burdened Land.
- 1.1.2 **Covenantee** means the owner of the Benefited Land and their executors, administrators, assignees and successors in title from time to time.
- 1.1.3 **Covenantee's Land** means the land described as Lot 702 Deposited Plan 548793 contained in record of title 941046 and lot 703 Deposited Plan 548793 contained in record of title 941047.
- 1.1.4 **Covenantor** means the owner of the Burdened Land and their executors, administrators, assignees and successors in title from time to time.
- 1.1.5 **Lodge any Submission** means (without limitation) personally or through any agent or servant or directly or indirectly, lodge or support in any way any objection submission to any Planning Proposal and includes (without limitation) taking part in any planning hearing, appeal or reference arising in respect of a Planning Proposal whether as a party or otherwise.
- 1.1.6 **Planning Proposal** includes (without limitation) any application for resource consent and / or plan change and / or variation of any nature under the relevant District Plan or proposed District Plan.

2. General Covenants

2.1 The Covenantor covenants and agrees:

- 2.1.1 to observe and perform all Covenants at all times; and
- 2.1.2 to ensure that all occupiers, employees, contractors, invitees and anyone or thing that is present on the Burdened Land under the control of, or at the direction or invitation of the Covenantor, observes and performs all relevant and applicable covenants at all times; and
- 2.1.3 that the Covenants shall run with and bind the Burdened Land for the benefit of the Benefited Land.

3. No-Objection Covenants

3.1 The Covenantor covenants in relation to the Covenantee's Land that:

- 3.1.1 it will not, and will not encourage or support any other person to:
 - (a) object to or Lodge any Submission against any Planning Proposal;
 - (b) obtain an order, injunction or any other remedy;
 - (c) make any complaint against any contractor or any consultant, which relates to the Covenantee's Land.
- 3.1.2 if requested by the Covenantee, the Covenantor shall promptly give its unqualified and irrevocable:
 - (a) written approval (including any affected party approval under section 95E of the Resource Management Act 1991) to any Planning Proposal relating to the Covenantee's Land; and/or
 - (b) submission in support of any Planning Proposal, relating to the Covenantee's Land.

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- (c) the Covenantor shall sign all documents and do all things required by the Covenantee to meet the Covenantor's obligation under this clause 3.

4. Enforcement

- 4.1 The Covenantor and Covenantee acknowledge and agree that:
- 4.1.1 This Instrument is subject to the Contract and Commercial Law Act 2017 and that the covenants contained in this Instrument that are intended to create obligations on the Covenantor, confer benefits on the Covenantee and are enforceable at the suit of the Covenantee.
 - 4.1.2 The Covenantee may facilitate the observance of this Instrument by the Covenantor by taking all necessary steps to enforce its observance on behalf of any Covenantee.
 - 4.1.3 The Covenantor irrevocably appoints the Covenantee to be its attorney and in its name and at its expense to do anything which the Covenantee considers necessary to enforce or attempt to enforce the Covenantee's rights of powers under this Instrument.
 - 4.1.4 Without limiting the appointment made in clause 4.1.3, that appointment may specifically extend to the Covenantee issuing proceedings in the name of any Covenantee, provided that in doing so, the Covenantee indemnifies such Covenantee against all costs arising from or incidental to those proceedings.
- 4.2 The Covenantor acknowledges that the Covenantee shall not be liable to the Covenantor for any loss, damage, claim or expenses or a failure to enforce the Covenants set out in this Instrument.
- 4.3 In the event that the Covenantor fails to observe and perform the Covenants set out in this Instrument, a Covenantee shall have a right (but not an obligation) to do whatever may be reasonably required to remedy such failure on the part of the Covenantor, and the cost incurred by the Covenantee in remedying the default shall be refunded by the Covenantor to that Covenantee upon demand.
- 4.4 All notices relating to this Instrument are to be served in writing.

5. Liability

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

6. Costs

- 6.1 The Covenantee will pay all costs directly or indirectly attributable to the preparation and registration of this Instrument.
- 6.2 The Covenantor will pay all costs directly or indirectly attributable to the enforcement and discharge of this Instrument.

View Instrument Details



Instrument No 12756610.2
Status Registered
Date & Time Lodged 02 October 2023 15:14
Lodged By Weinberg, Jessica Millen
Instrument Type Variation of Consent Notice Condition under s221(5) Resource Management Act 1991



Affected Records of Title	Land District
---------------------------	---------------

1035676	Otago
1035674	Otago
1035675	Otago

Affected Instrument	Consent Notice under s221(4)(a) Resource Management Act 1991 12371235.8
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Annexure Schedule Contains 3 Pages.

Signature

Signed by Jessica Millen Weinberg as Territorial Authority Representative on 02/10/2023 11:50 AM

*** End of Report ***

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

AND

IN THE MATTER of a Variation of Consent
Notice 12371235.8

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

QLD001860 7591181.1
219290.1004 13479963.1

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

AND

IN THE MATTER of a Variation of Consent
Notice 12371235.8

BACKGROUND

- a) Consent Notice 12371235.8 (**Consent Notice**) is registered against land contained in Lots 1, 2 and 703 DP 571490 and comprising records of title 1035674, 1035675 and 1035676.
- b) The Consent Notice was imposed as a condition of consent of RM081212 granted by the Queenstown Lakes District Council (**Council**).
- c) Lot 703 DP 571490 comprising record of title 1035676 (**Balance Lot**), has subsequently been subdivided into the followings Lots:
 - Lot 3 DP 576080 comprised in record of title 1094402
 - Lot 4 DP 576080 comprised in record of title 1094403
 - Lot 5 DP 576080 comprised in record of title 1094404
 - Lot 6 DP 576080 comprised in record of title 1094405
 - Lot 7 DP 576080 comprised in record of title 1094406
 - Lot 8 DP 576080 comprised in record of title 1094407
 - Lot 9 DP 576080 comprised in record of title 1094408
 - Lot 10 DP 576080 comprised in record of title 1094409
 - Lot 11 DP 576080 comprised in record of title 1094410
 - Lot 15 DP 576080 comprised in record of title 1094411
 - Lot 16 DP 576080 comprised in record of title 1094412
 - Lot 18 DP 576080 comprised in record of title 1094413
 - Lot 19 DP 576080 comprised in record of title 1094414
 - Lot 20 DP 576080 comprised in record of title 1094415
- d) The Consent Notice provided that at the time of further subdivision of the Balance Lot in conjunction with future stages of RM081212 (or subsequent resource consent), condition e) may be varied or replaced with new condition(s) to reflect the recommendations of any additional, lot specific geotechnical reporting completed for the site and that this may be dealt with as part of the s224c certification process for future stages of the RM081212 subdivision.
- e) Council has agreed to vary condition e) of the Consent Notice on the basis that the Balance Lot is being subdivided as detailed above, pursuant to subdivision consent RM081212 and RM200703, so that it applies to Lots 4 and 4 DP 576080 (being created in stage 4C of the subdivision).

OPERATIVE PART

Consent Notice 12371235.8 as it relates to the land contained in Lot 703 DP 551240 comprising record of title 1035676 is varied as follows:

QLD001860 7591181.1
219290.1004 13479963.1

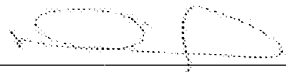
- 1) Condition e) of Consent Notice 12371235.8 is amended to read as follows (deleted text struck-through, added text **bold** and underlined):

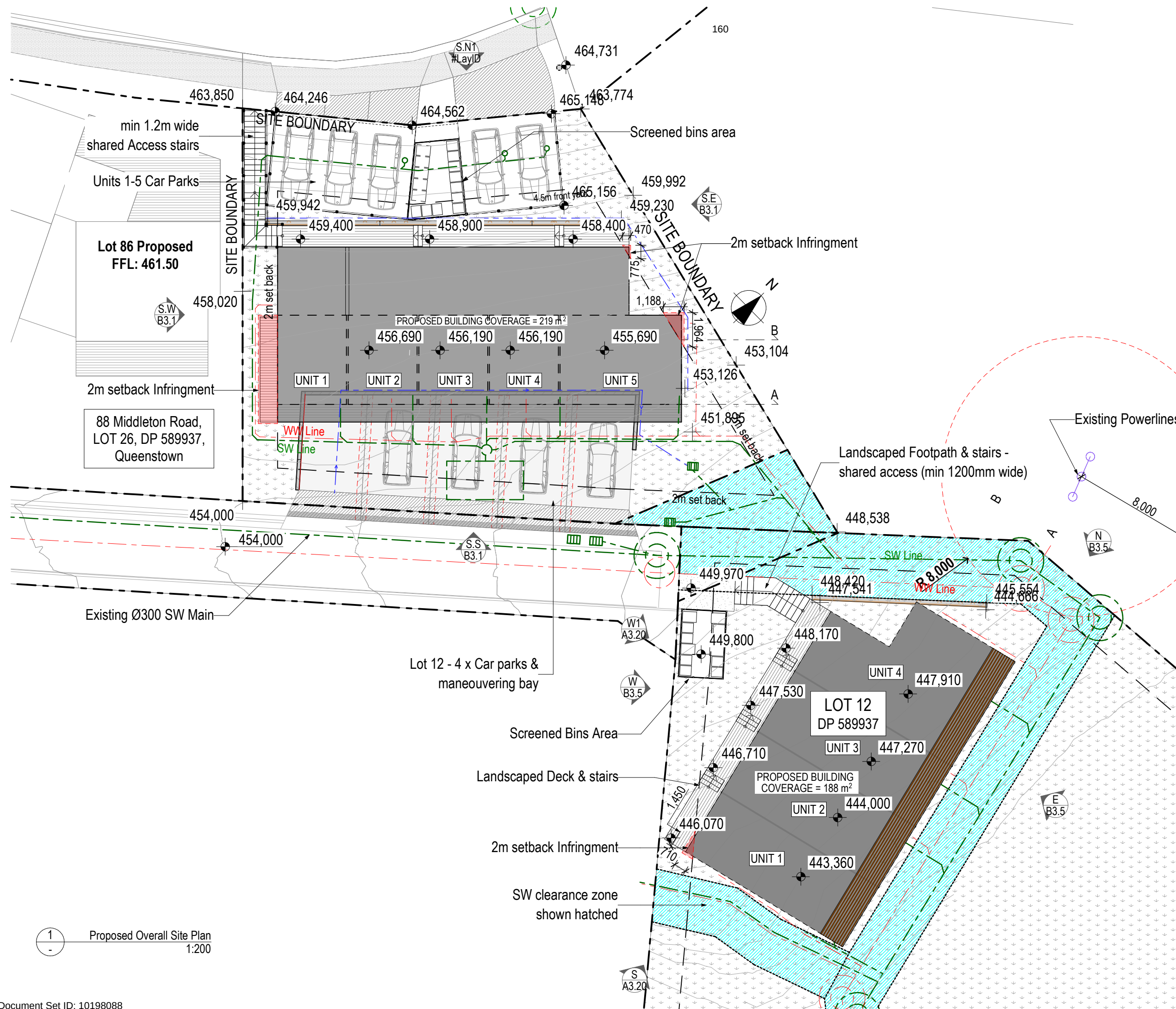
The following condition shall apply to Lots 2 **DP 571490** ~~& 703~~ and to Lots 4 and 5 **DP 576080**:

- e) A subsoil drain constructed as part of the subdivision earthworks is present within ~~Lot 703~~ **Lots 4 and 5 DP 576080 (comprising records of title 1094403 and 1094404)** and located in close proximity to the eastern boundary of Lot 2 **DP 571490**. Development that influences or results in modification of the subsoil drain is acceptable provided the location of the subsoil drain is considered at the detailed design stage for any future development on Lots—2 **DP 571490** or ~~703~~ **Lots 4 and 5 DP 576080**. Engineering assessment and design solutions will be required to ensure the drain and any associated seepage is appropriately managed and incorporated in to the earthworks design and development drainage scheme. Refer to Geosolve Limited “Geotechnical Completion Report” (Geosolve Ref: 150639, Revision 1, dated 27/06/2022) for full details of the subsoil drain location and recommendations for future development.
- 2) All other conditions of consent notice 12371235.8 shall continue to apply.

Dated this 29th day of September 2023

SIGNED for and on behalf of
the **QUEENSTOWN LAKES**
DISTRICT COUNCIL under
delegated authority by Acting Resource
Management Engineering Manager


Michael Wardill



GENERAL NOTES

1. DO NOT SCALE OFF DRAWING
2. CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS ON SITE - IF IN DOUBT ASK THE ARCHITECT
3. ARCHITECTS TO BE NOTIFIED OF ANY VARIATION BETWEEN SITE DIMENSION AND THOSE ON PLANS.
4. THESE DRAWINGS REMAIN THE PROPERTY OF FOUR WALLS ARCHITECTURE AND SHOULD NOT BE COPIED IN ANY FORM OR PASSED ON TO A THIRD PARTY WITHOUT PRIOR WRITTEN CONSENT

REV	DESCRIPTION	DATE
H	PARKING REV	28.04.26
G	RC RFI RESPONSE	09.04.26
F	RC RFI RESPONSE	24.03.26
E	RC ISSUE	02.02.26
D	RC ISSUE FOR COMMENT	29.01.26
C	RC ISSUE FOR COMMENT	21.01.26
B	DEVELOPED DESIGN	15.01.26
A	DEVELOPED DESIGN	21.11.25

RESOURCE CONSENT

FOUR WALLS ARCHITECTURE

CLIENT
NWF Invest Ltd

PROJECT
Middleton & McGregor Development

PROJECT NUMBER
2025_011

DRAWING NAME
Site Plans
Proposed Site Plan

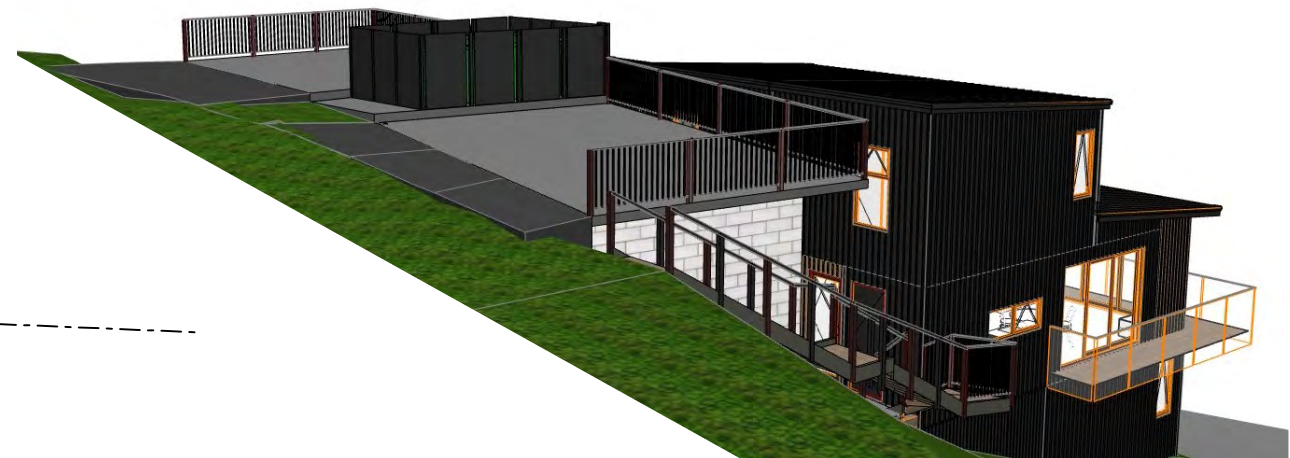
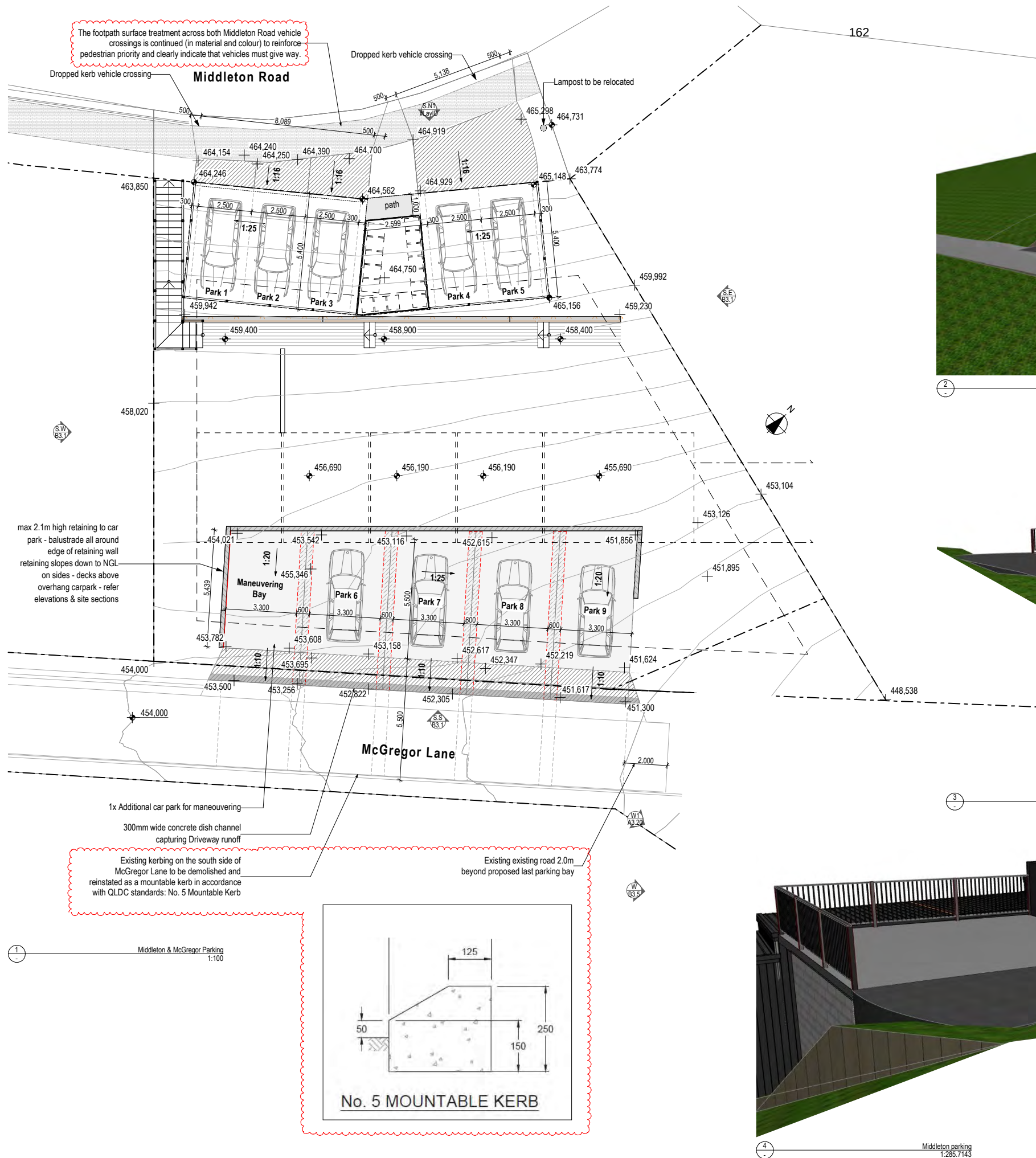
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B1.1

SCALE
@A3

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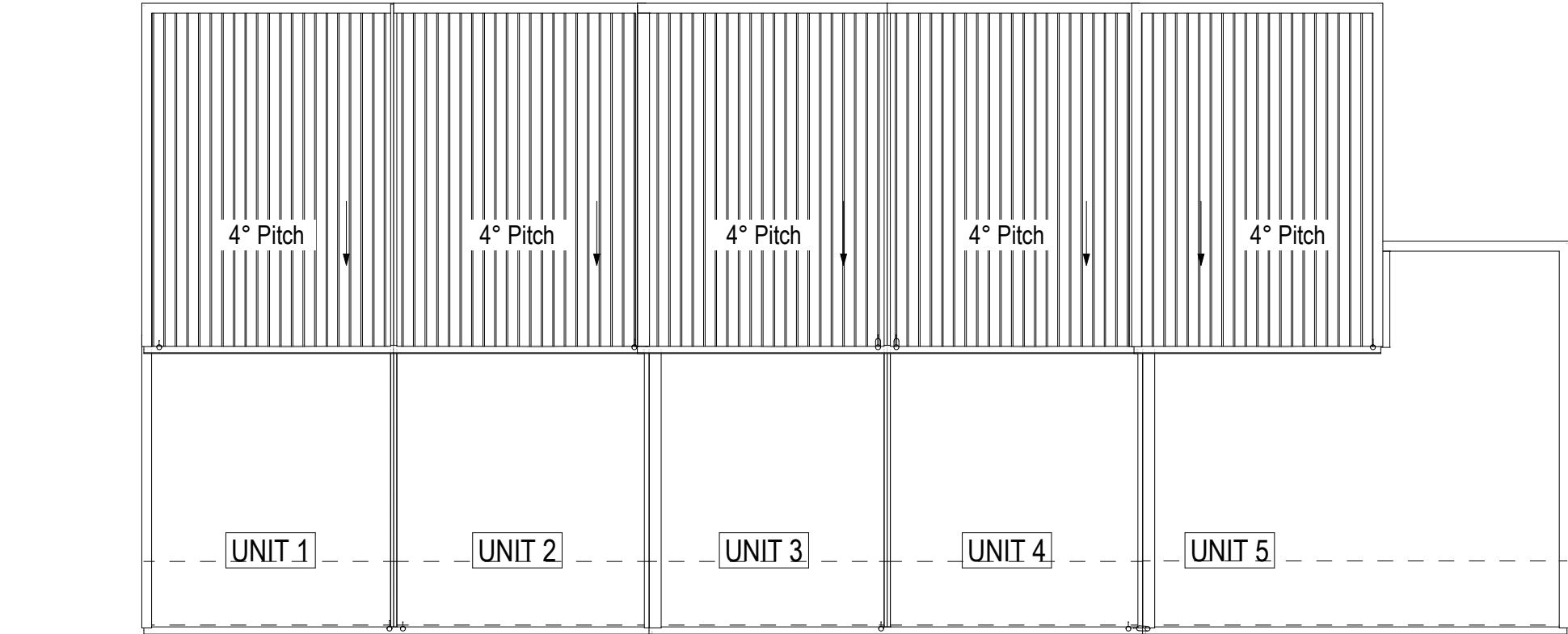
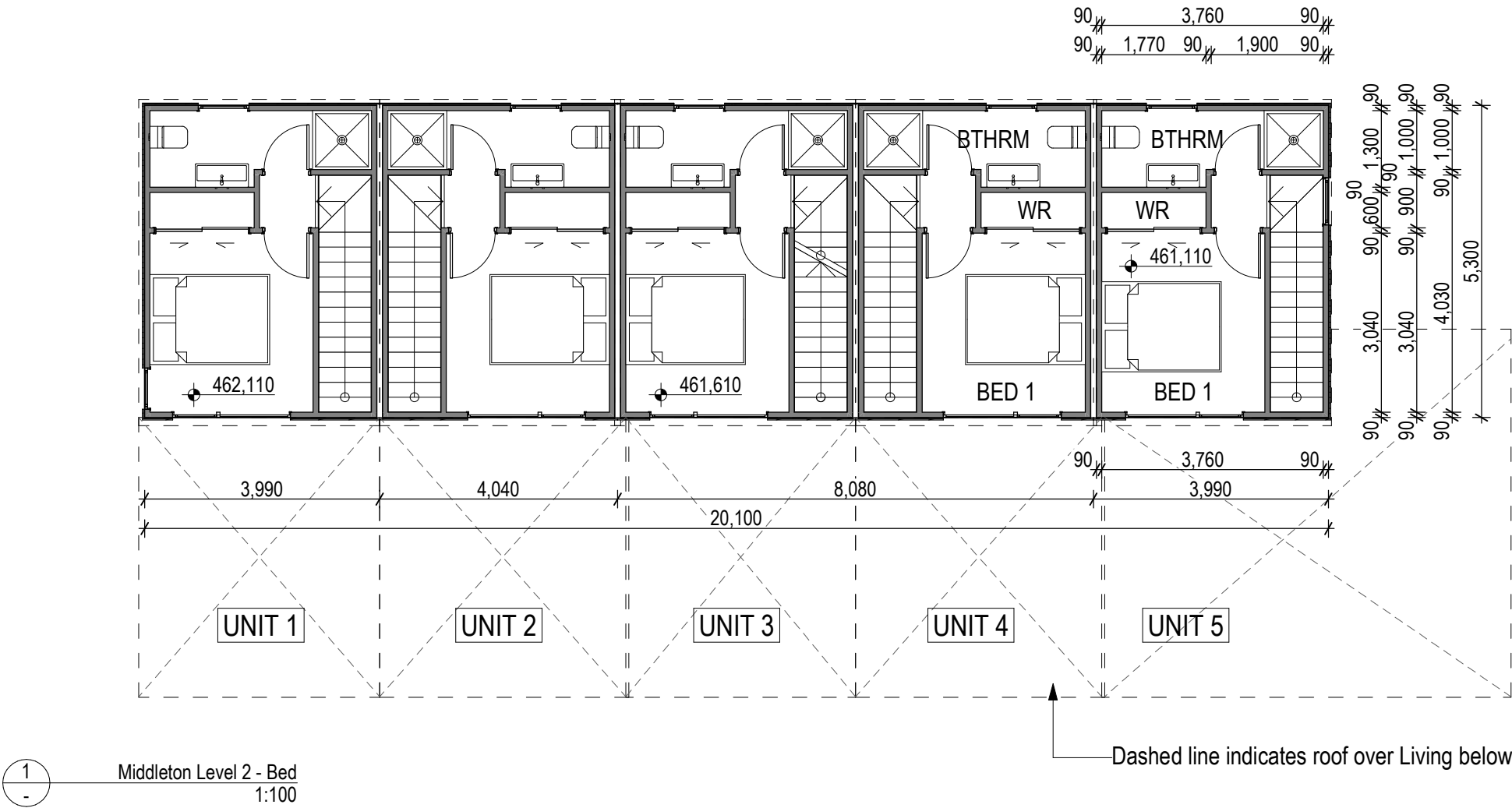
Proposed Overall Site Plan
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Document Set ID: 10198088
Version: 1, Version Date: 04/08/2026



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C PARKING REV C	05.05.26	
B PARKING REV B	04.05.26	
A PARKING REV	28.04.26	
REV	DESCRIPTION	DATE
RESOURCE CONSENT		

FOUR WALLS ARCHITECTURE	
CLIENT NWF Invest Ltd	
PROJECT Middleton & McGregor Development	
PROJECT NUMBER 2025_011	
DRAWING NAME Site Plan - Car Parks	
DRAWING CREATION DATE	
DRAWING NUMBER	
B1.5	C
SCALE	@A1



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REV	DESCRIPTION	DATE
C	RC ISSUE	02.02.26
B	RC ISSUE FOR COMMENT	20.01.26
A	DEVELOPED DESIGN	21.11.25
RESOURCE CONSENT		



CLIENT
NWF Invest Ltd

PROJECT
Middleton & McGregor
Development

PROJECT NUMBER
2025_011

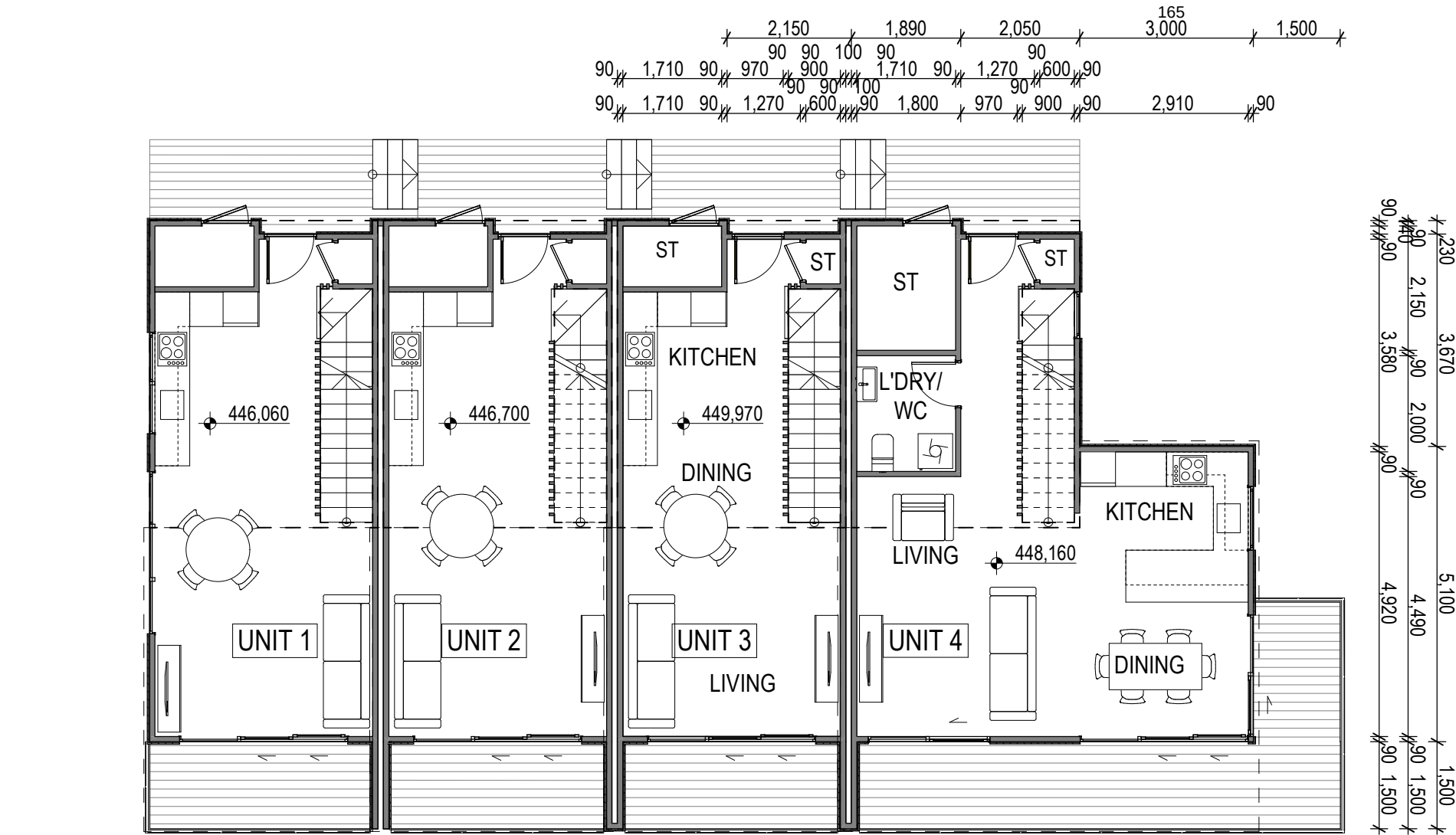
DRAWING NAME
Floorplans
88 Middleton_Level 2 & Roof
Plan

DRAWING CREATION DATE
DRAWING NUMBER

B2.2

SCALE

@A3

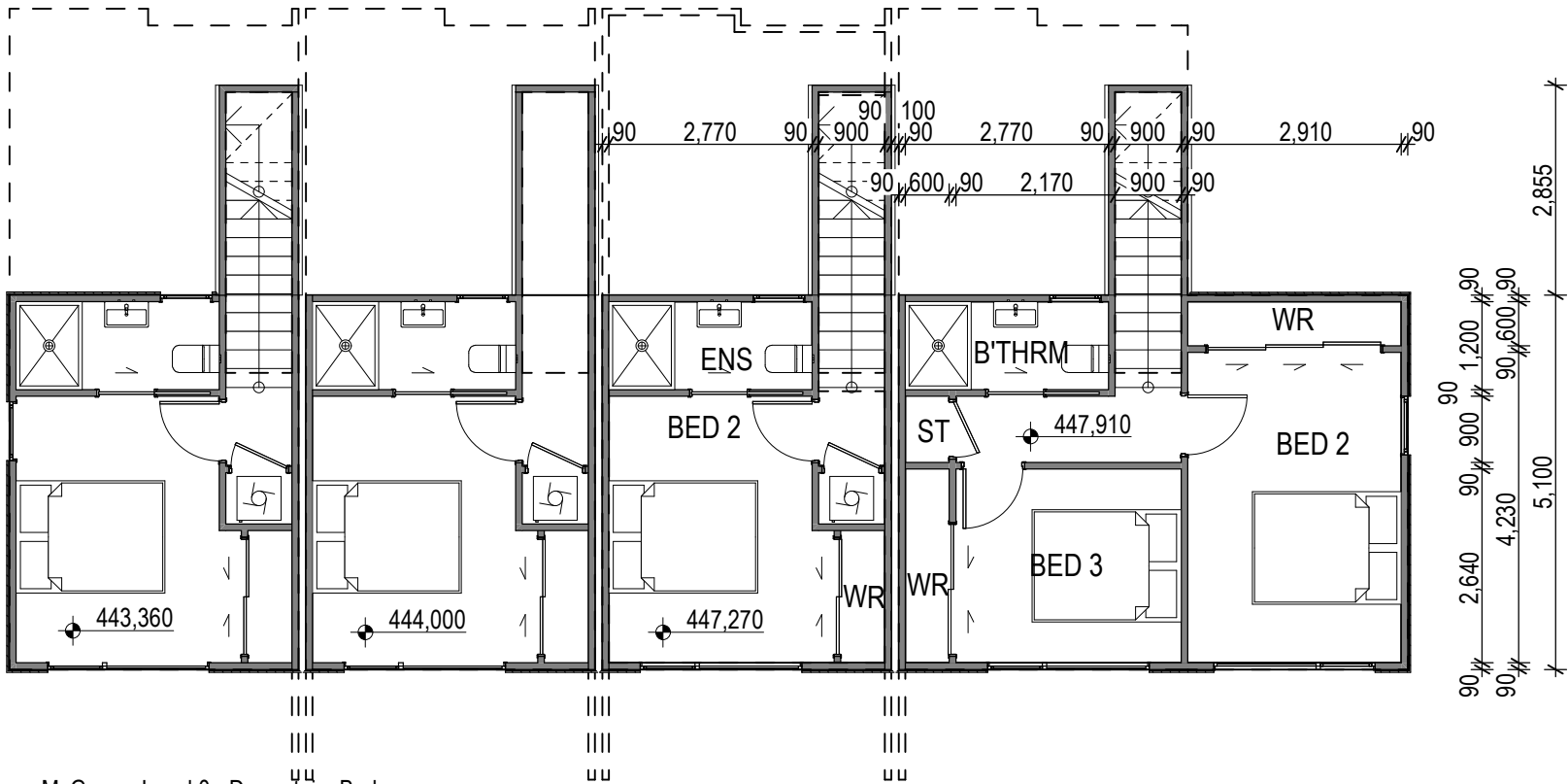


UNITS 1-3:	
Kitchen, Dining & Living Area:	25m ²
Deck Area	6m ²
UNIT 4:	
Kitchen, Dining & Living Area:	32m ²
Deck Area:	16m ²

- GENERAL NOTES**
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C RC ISSUE		02.02.26
B RC ISSUE FOR COMMENT		20.01.26
A DEVELOPED DESIGN		21.11.25
REV	DESCRIPTION	DATE
RESOURCE CONSENT		

1
-
McGregor Level 1 - Living Story
1:100



2
-
McGregor Level 0 - Downstairs Bed
1:100



CLIENT
NWF Invest Ltd

PROJECT
Middleton & McGregor
Development

PROJECT NUMBER
2025_011

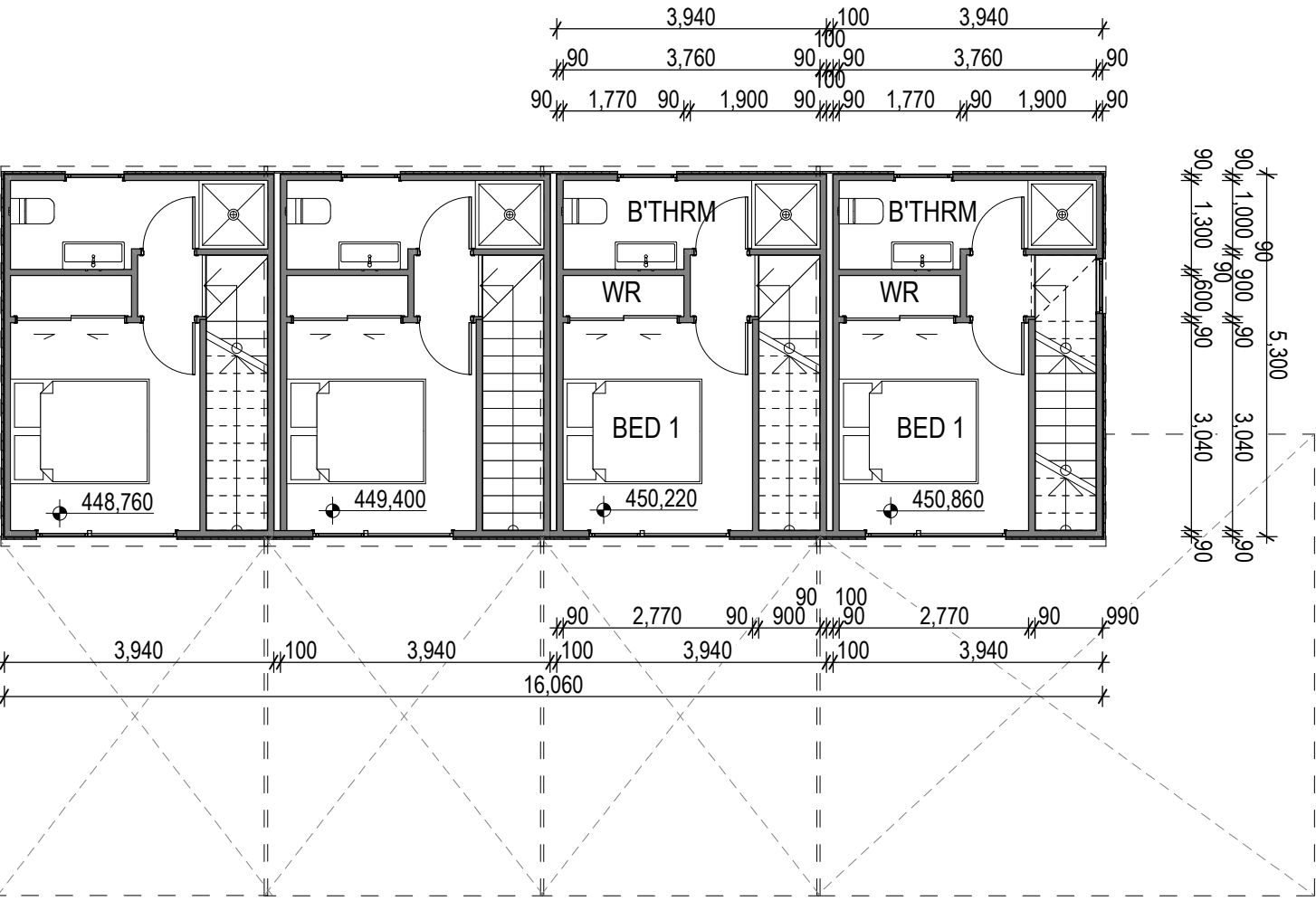
DRAWING NAME
Floorplans
12 McGregor_Level 0 & Level 1
Floor Plans

DRAWING CREATION DATE
DRAWING NUMBER

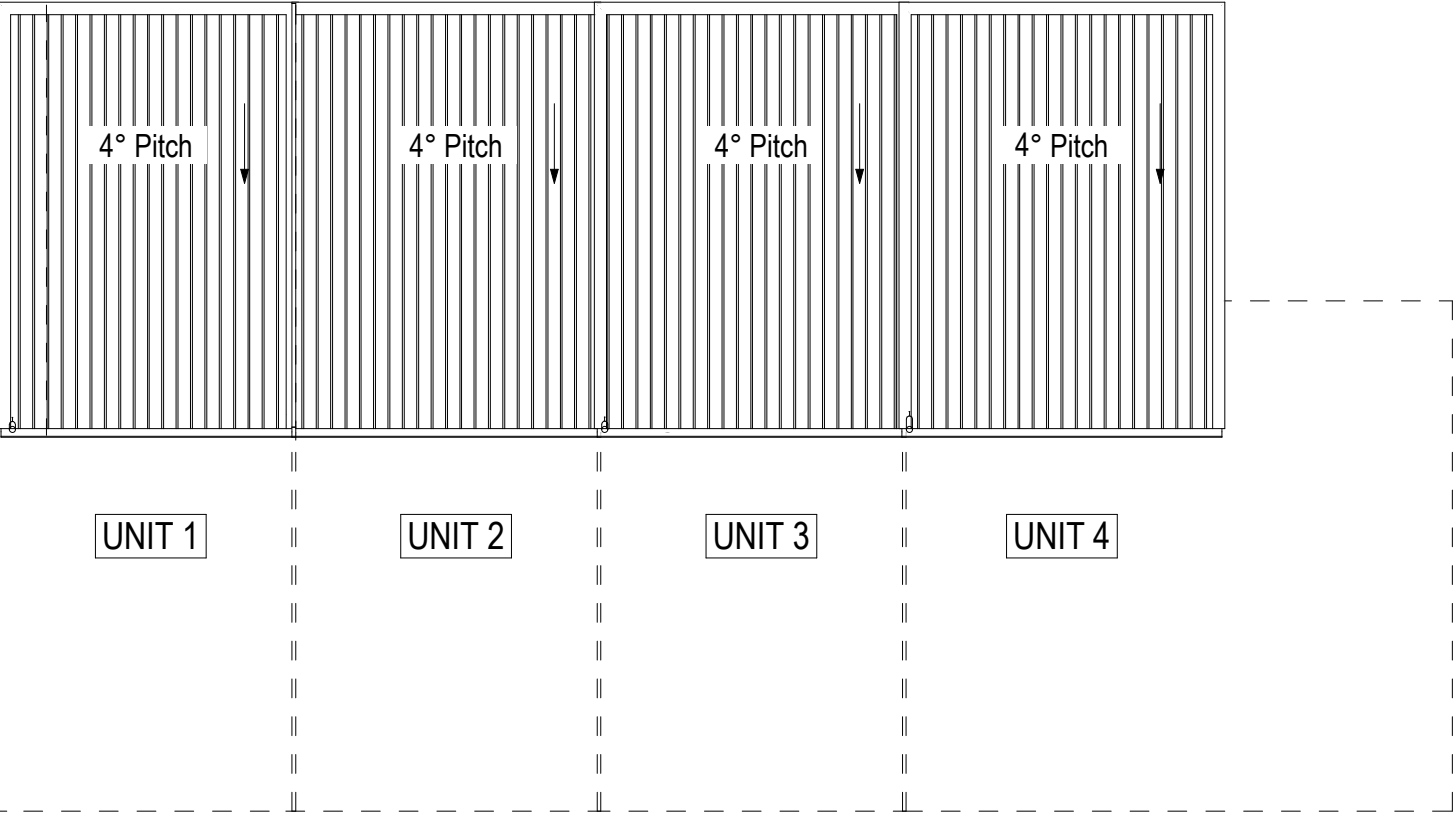
B2.3

SCALE

@A3



1
-
McGregor Level 2 - Bed
1:100



2
-
McGregor - Level Roof
1:100

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CLIENT
NWF Invest Ltd

PROJECT
Middleton & McGregor
Development

PROJECT NUMBER
2025_011

DRAWING NAME
Floorplans
McGregor _Level 2 & Roof Plan

DRAWING CREATION DATE

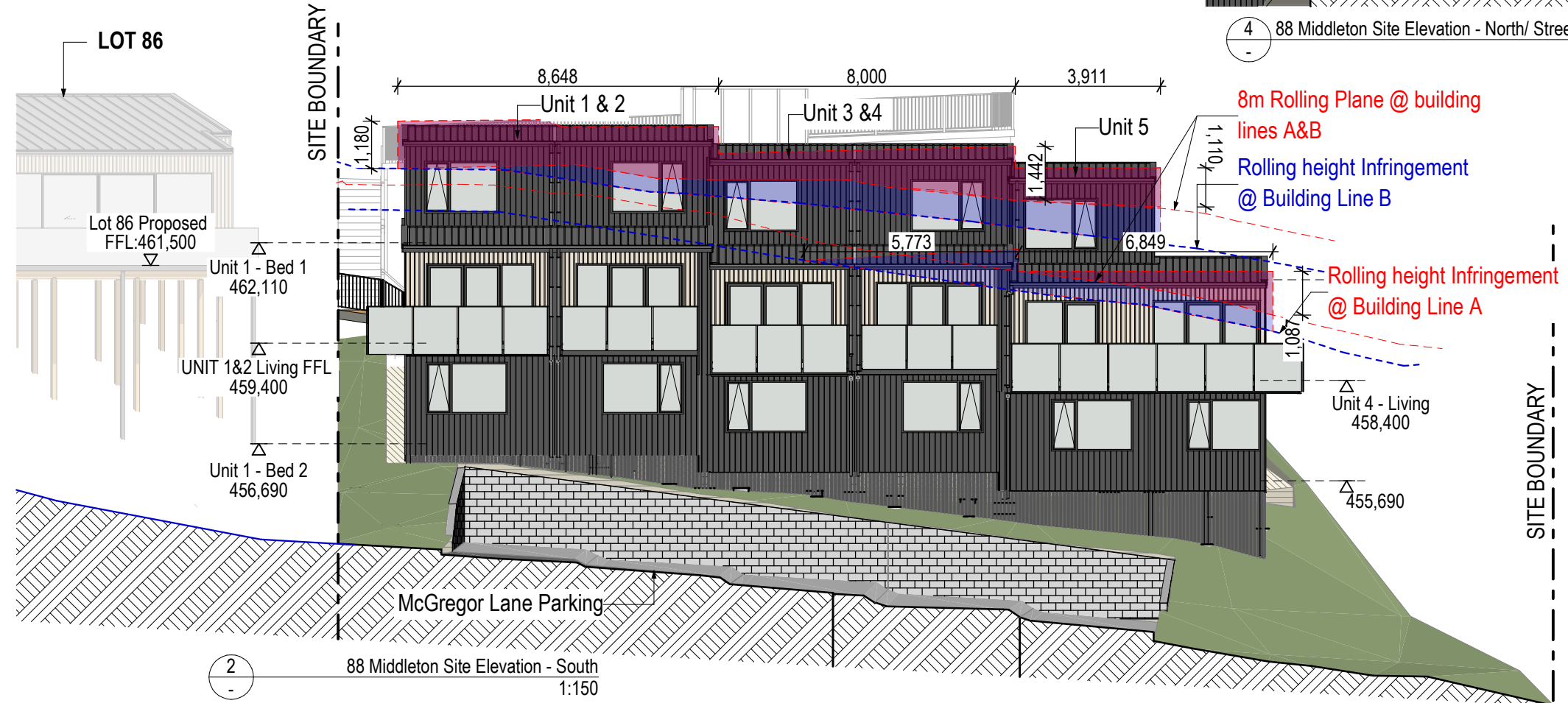
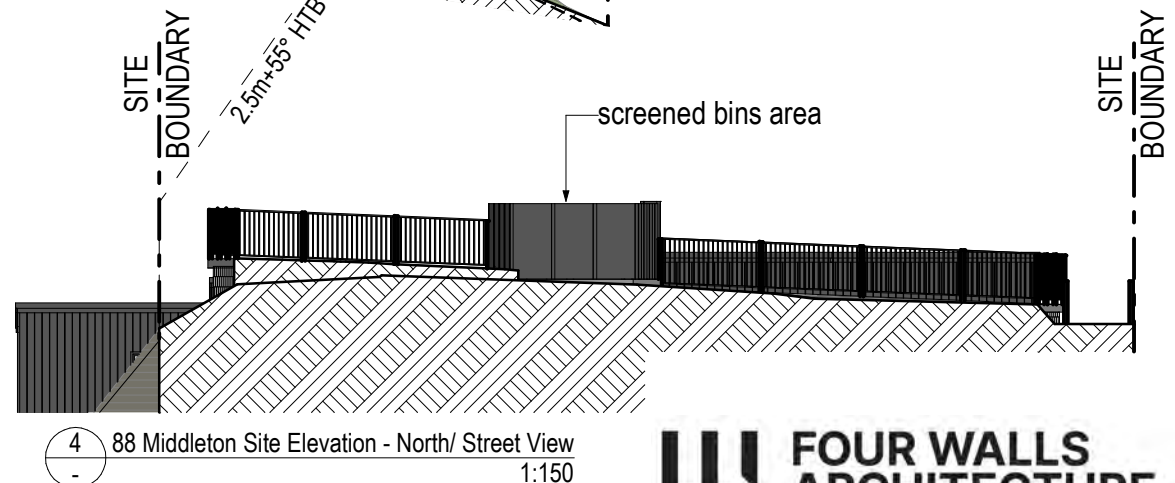
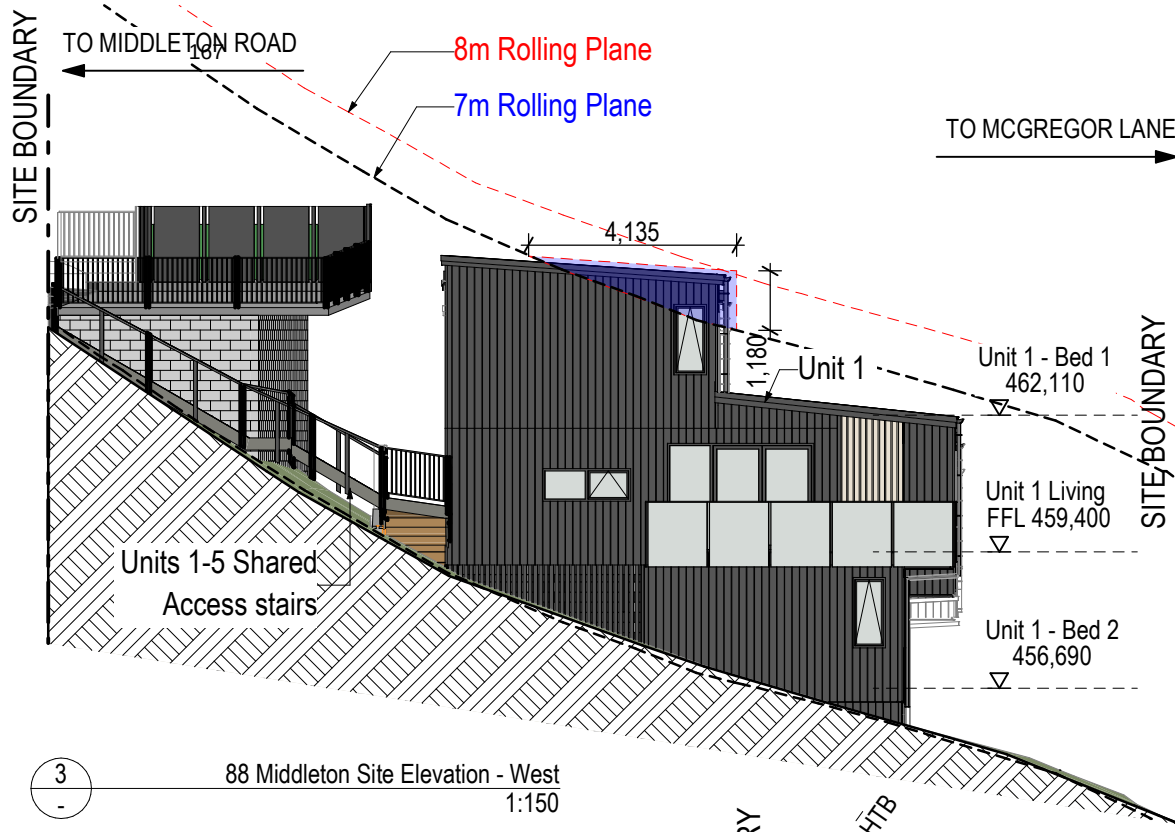
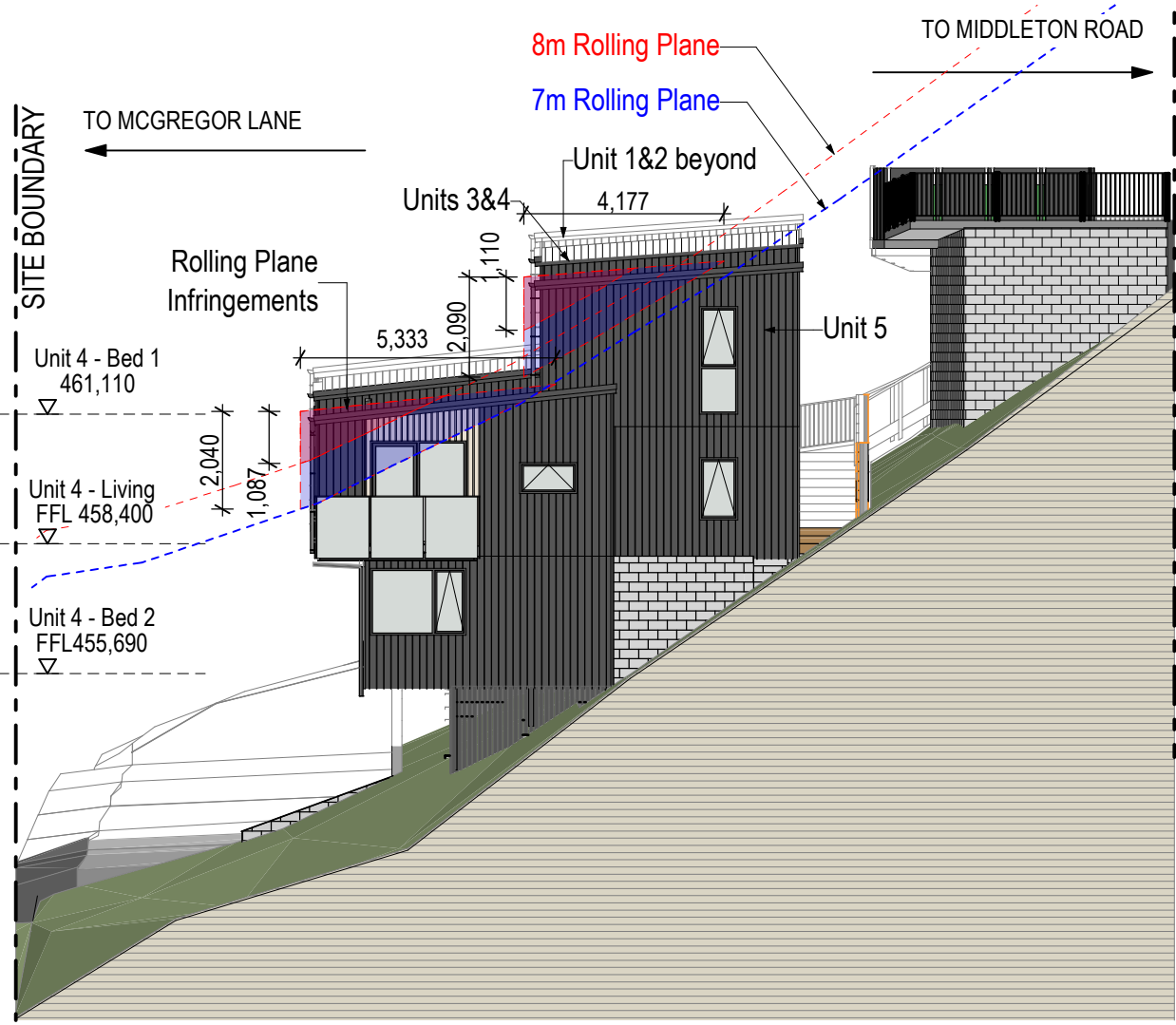
DRAWING NUMBER

B2.4

SCALE

C

@A3



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D	RC - RFI RESPONSE	24.03.26
C	RC ISSUE	02.02.26
B	RC ISSUE FOR COMMENT	20.01.26
A	DEVELOPED DESIGN	21.11.25
RESOURCE CONSENT		



CLIENT
NWF Invest Ltd

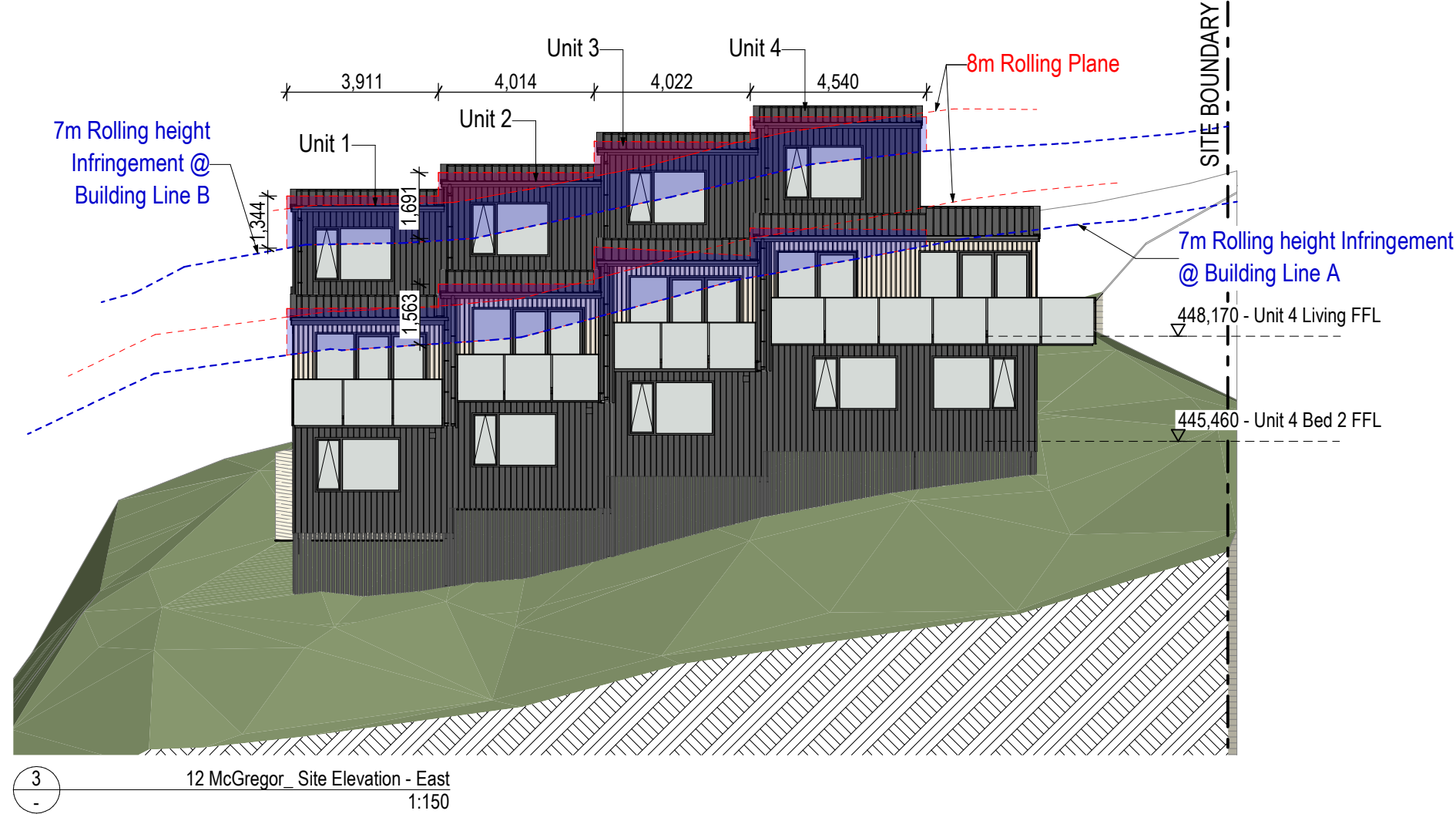
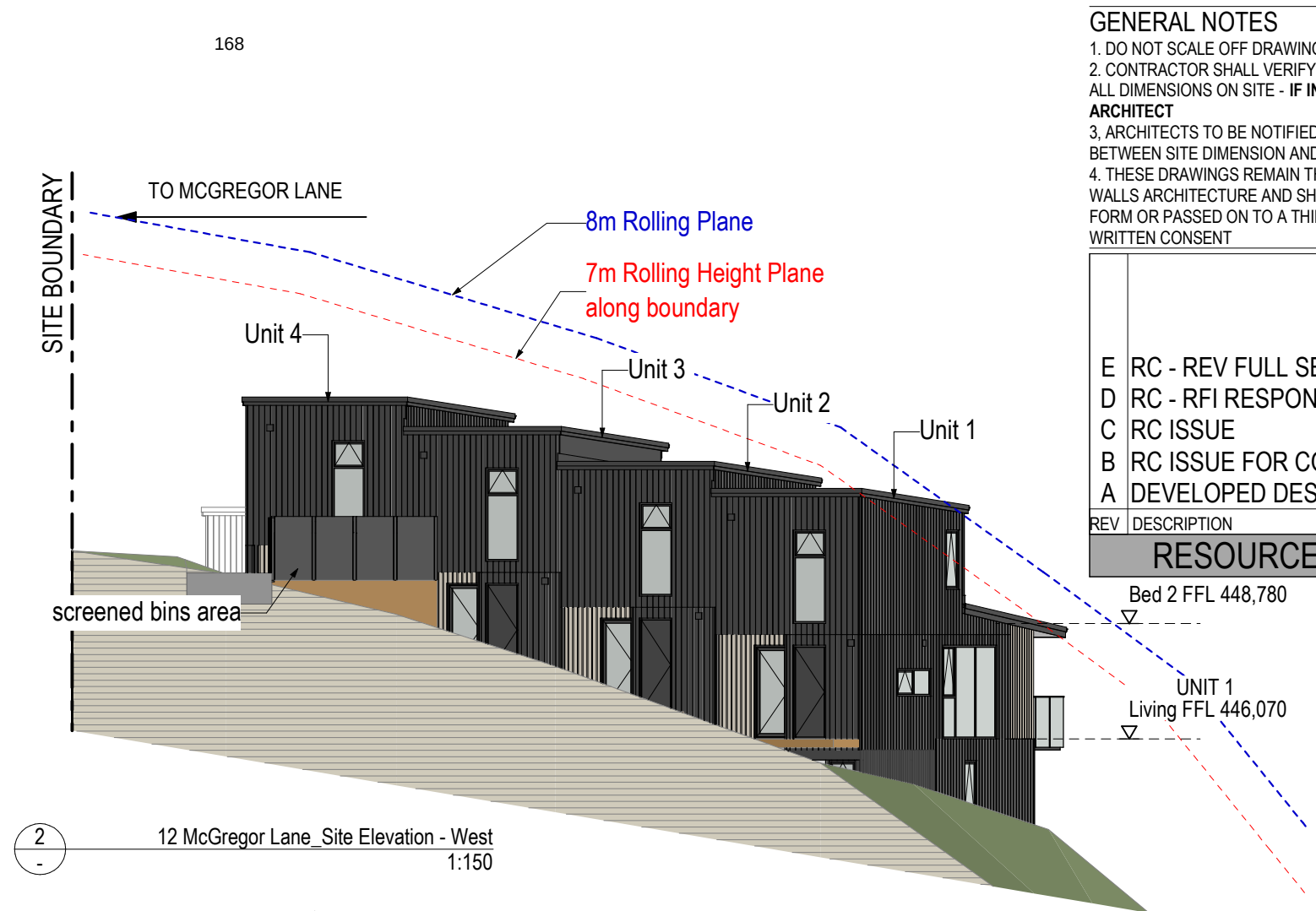
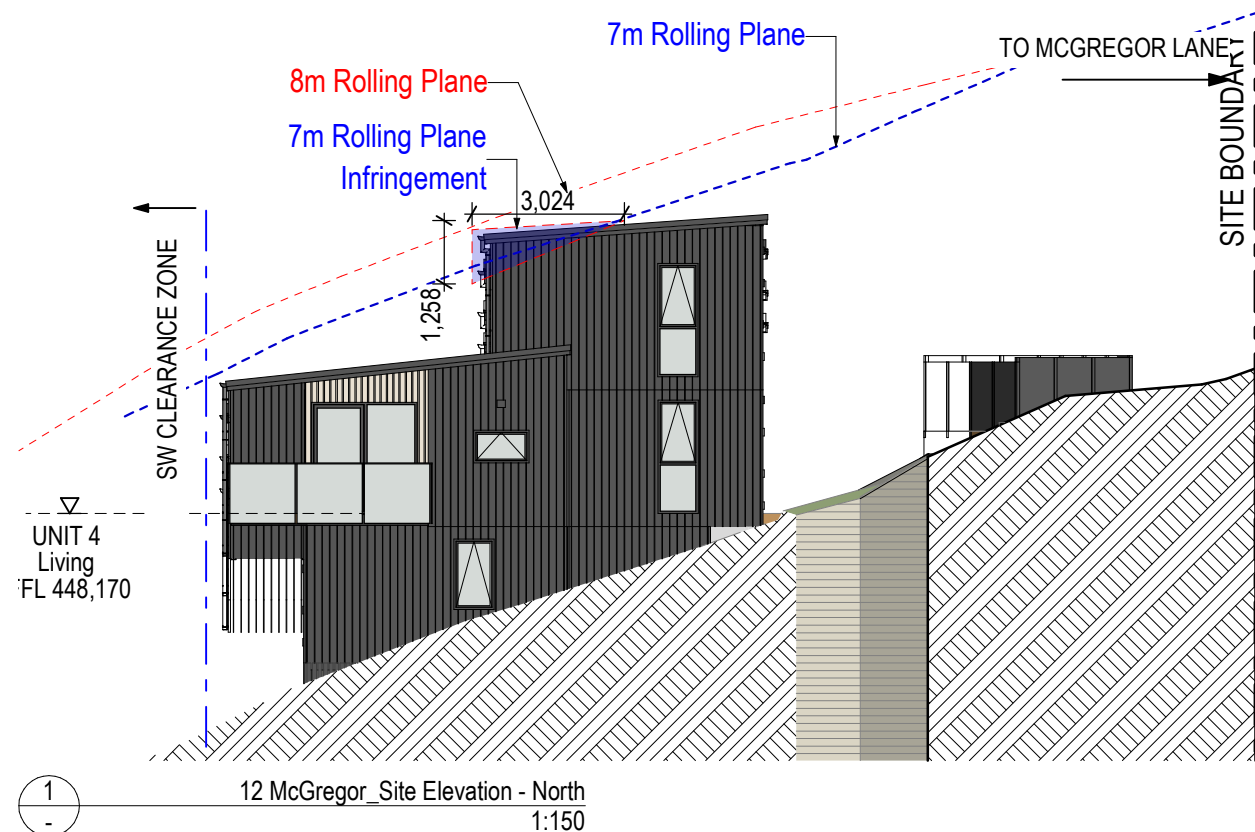
PROJECT
Middleton & McGregor Development

PROJECT NUMBER
2025_011

DRAWING NAME
Elevations and sections
88 Middleton_ Site Elevations

DRAWING CREATION DATE
DRAWING NUMBER

B3.1
SCALE
@A3



GENERAL NOTES

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B	RC ISSUE FOR COMMENT	20.01.26
A	DEVELOPED DESIGN	21.11.25

RESOURCE CONSENT

Bed 2 FFL 448,780

UNIT 1 Living FFL 446,070



CLIENT
NWF Invest Ltd

PROJECT
Middleton & McGregor Development

PROJECT NUMBER
2025_011

DRAWING NAME
Elevations and sections
12 McGregor Site Elevations

DRAWING CREATION DATE
DRAWING NUMBER

B3.5

SCALE

E

@A3



Visitor Accommodation Management Plan

Unit X, 88 Middleton Road, Queenstown

1.0 Purpose

The purpose of this Visitor Accommodation Management Plan (VAMP) is to establish clear management procedures to avoid, remedy or mitigate adverse effects associated with the use of the residential unit at Unit X, 88 Middleton Road, Queenstown for Residential Visitor Accommodation.

The VAMP establishes responsibilities for the complex-wide Visitor Accommodation Representative, the unit-specific Property Manager, and guests, including procedures relating to guest behaviour, parking, noise, rubbish and recycling, and the investigation and resolution of complaints.

This plan also contains a Noise Management Plan (NMP) - designed to assist in achieving compliance with the relevant Visitor Accommodation noise standards of the District Plan:

- Daytime 0800 – 2000 hours: 50dBA L_{Aeq} (15 min)
- Night-time 2000 – 0800 hours: 40dBA L_{Aeq}

Noise levels shall be measured and assessed in accordance with NZS 6801:2008 and NZS6802:2008.

2.0 Visitor Accommodation Representative Details

The Visitor Accommodation Representative is appointed by the management entity for the complex and is responsible for coordinating visitor accommodation management matters across the complex.

The current (XXMONTH/YEARXXX) complex-wide Visitor Accommodation Representative appointed by the management entity is XXX and can be contacted as follows:

Name: XXXXX
 Address for Service: XXXXX
 Phone: XXXXX
 Email: XXXXX

3.0 Property Manager Details

The Property Manager is responsible for the day-to-day management of visitor accommodation within the relevant unit and for responding directly to any guest-related issues.

The current (XXMONTH/YEARXXX) Local Property Manager is TBC and can be contacted as follows:

Name: TBC
 Address for Service: TBC

Phone: TBC

Email: TBC

4.0 Visitor Accommodation Representative Responsibilities

The complex-wide Visitor Accommodation Representative appointed by the management entity is responsible for the following matters:

- Maintaining a current register of all units in the complex being used for short-term visitor accommodation, including the name and contact details of the appointed property manager for each.
- Acting as the primary point of contact in the event that any issues or complaints are raised regarding visitor accommodation activities within the complex. This includes being contactable at all times and investigating the matter, coordinating any necessary response, and reporting back to Council and/or neighbours.

5.0 Property Manager Responsibilities

Coordination with the Visitor Accommodation Representative

- Ensuring the Visitor Accommodation Representative has up-to-date contact details of both the Owner(s) and Property Manager.
- Coordinating with the complex-wide Visitor Accommodation Representative in the event of any complaints, in accordance with Section 7.3.

On Booking and Prior to Check-In

- Advising guests of the sleeping configuration/bed availability for the dwelling.
- Advising guests that there is only one on-site car park available for the unit and that this vehicle must be parked within the dedicated outdoor car park for the unit and not in any other unit's car park or on the shared accessway. Should guests need to bring more than one vehicle to the property, additional vehicles must be parked on the public Middleton Road or other public roads – but on-street parking availability is not guaranteed.
- Advising guests that coaches cannot pick-up, drop-off, or park at the site.
- Advising guests that a dedicated mobility car park is not available on the site, nor in the area.

On Check-In

- To provide the guests with a copy of the "House Rules" (as set out in Section 6.0 of the VAMP);
- To check that the number of guests in each unit does not exceed six (6). If the dwelling is a two-bedroom unit, this shall comprise a maximum of four (4) adults, plus two (2) children under the age of sixteen (16) years.
- To check that the on-site compendium contains a copy of the House Rules, and a copy of the conditions of resource consent.
- To ensure guests are familiar with the car parking arrangement for the site, being that all guests must park within the dedicated outdoor car park for the unit, and not in any other units' car park or the shared accessway. If guests have arrived to the property in more than one vehicle the additional vehicle(s) must be parked on the public Middleton Road or other public roads – but on-street parking availability is not guaranteed.

On Servicing & Other Visits

- To check that guests are only occupying one on-site car park – being the dedicated outdoor car park for the unit - and not in any other units' car park or the shared accessway. If guests have arrived to the property in more than one vehicle the additional vehicle(s) must be parked on the public Middleton Road or other public roads.
- To ensure the maximum number of guests staying within the unit does not exceed six (6) at any time. If the dwelling is a two-bedroom unit, this shall comprise of a maximum of four (4) adults plus two (2) children under the age of sixteen (16) years.
- To ensure that rubbish & recycling bins do not remain on the street for more than 24 hours

6.0 House Rules

- i) There shall be no more than six (6) guests present at any one time. If the dwelling is a two-bedroom unit, this shall comprise of a maximum of four (4) adults plus two (2) children under the age of sixteen (16) years.
- ii) There shall be no use of any outdoor living areas between 10 pm and 7 am.
- iii) Be courteous of neighbours. There shall be no undue nuisance or noise to neighbours or the local community.
- iv) Guests must ensure that noise is kept to a reasonable level at all times. After 8.00 pm, any potentially noisy activities must occur indoors with external doors and windows closed.
- v) Guests may use only the dedicated on-site car park allocated to the unit. Guests must not park in any other unit's car park or within the shared accessway. If guests arrive in more than one vehicle, any additional vehicles must be legally parked off-site on public roads, subject to the availability of lawful on-street parking.
- vi) Rubbish/recycling bins are to go out on the evening before collection, or the morning of collection (before 7.00am) and be brought back in as soon as possible after being emptied (unless rubbish/recycling is collected privately by the Property Manager). Rubbish and recycling must be stored within the designated storage area between collection days.
- vii) There shall be no sleeping on sofas.
- viii) Illegal activities are prohibited at the property.

7.0 Noise Management Plan

This NMP will set out specific methods and procedures to be undertaken by the owner/manager of the Residential Visitor Accommodation (RVA).

7.1 Noise Management Procedures

- 7.1.1 The manager of the RVA shall advise guests prior to checking in that the building is located within a residential area and request that they respect this by keeping noise levels to a reasonable level, especially between the hours of 8.00 pm to 8.00 am.
- 7.1.2 The Property Manager shall provide a contact telephone number to all guests and shall be reasonably available to respond to guest enquiries and issues throughout the duration of each booking.

7.2 Specific Noise Mitigation Measures

- 7.2.1 The manager of the RVA shall advise guests that they are not to play amplified sound from the outdoor living area between the hours of 8.00 pm – 8.00 am, and that the outdoor living area is

not to be used between 10.00 pm – 7.00 am. Amplified sound includes but is not limited to amplified speakers (musical or otherwise) and musical instruments.

- 7.2.2 The consent holder shall erect signs (minimum A4 size) on site to remind guests that they are in a residential area and to keep noise to a reasonable level, especially between the hours of 8.00 pm to 8.00 am. One sign shall be installed in the kitchen and one weatherproof sign (i.e. laminated or plastic) shall be installed within the outdoor living area. The outdoor sign shall also state that no amplified sound/music is to be played from the outdoor living area between the hours of 8pm – 8am, and that the area is to be vacated between 10pm – 7am.

7.3 Complaint Procedures

In the event that a complaint is received regarding an RVA activity within the complex – whether from Council enforcement officers, neighbours, unit owners, or any other party – the Visitor Accommodation Representative will take the lead in managing and resolving the matter, however will also coordinate with the unit-specific RVA Property Manager.

Complex-Wide Visitor Accommodation Representative

- 7.3.1 Should a complaint be received in relation to the RVA activity on the site, including from the Council or its Enforcement Officers, neighbours, or any other party, the complex-wide Visitor Accommodation Representative will immediately contact and coordinate with the unit-specific RVA Property Manager on the below and shall take the following steps:

- Immediately record the details of the complaint in writing.
- Promptly contact the relevant Property Manager to coordinate a response (immediately where practicable, but no later than 30 minutes after receipt of the complaint).
- Investigate the complaint and determine any immediate remedial actions required within one hour of receipt of the complaint, and any longer-term remedial actions required within 24 hours.
- Respond to the complainant to confirm receipt of the complaint and advise them of the steps taken and outcome within 24 hours for a preliminary response, and within 7 days for a final response where remediation measures require longer than 24 hours to implement.
- Ensure that any necessary actions are implemented by the Property Manager and/or unit owner.
- Maintain a complex-wide complaints register including details of each complaint, investigations undertaken, remedial actions implemented, and outcomes.
- Ensure that all complaints, including records of any remedial actions taken, are retained for a minimum period of five years.
- Forward details of the complaint to Queenstown Lakes District Council within 48 hours of receipt.
- Make the complaints register and associated records available to Council upon request.

RVA Property Manager

- 7.3.2 Should a complaint be received in relation to the RVA activity on the site, including from the Council or its Enforcement Officers, neighbours, or any other party, the RVA Property Manager will immediately contact and coordinate with the complex-wide Visitor Accommodation Representative on the below and shall take the following steps:

- Immediately notify and coordinate with the VAR upon becoming aware of any complaint.
- Assist the VAR in investigating the complaint and identifying appropriate remedial actions.
- Take immediate and effective steps to implement any required remedial actions.
- Communicate directly with guests where necessary to resolve the issue and ensure compliance with guest behaviour requirements.

- Maintain appropriate records relating to guest communications and actions taken in response to complaints.
- Ensure ongoing compliance with this VAMP and all relevant conditions of consent.

Repeated or Serious Complaints

7.3.3 Where repeated complaints are received in relation to the same unit, booking or guest, or where a serious complaint is received, the Visitor Accommodation Representative and Property Manager shall review the circumstances and determine whether additional management measures are required. Such measures may include issuing additional warnings to guests, requiring the cessation of particular activities, requiring guests to leave the property where appropriate and lawful, refusing future bookings, or implementing additional site-specific management measures.

8.0 Review of VAMP and Noise Management Plan

8.1 Annual Review Procedures

- 8.1.1 This VAMP and NMP shall be reviewed on an annual basis to assess their effectiveness in avoiding, remedying or mitigating adverse effects associated with residential visitor accommodation activities within the complex. The annual review shall include consideration of any complaints received during the preceding 12-month period, the nature and frequency of those complaints, the effectiveness of remedial actions undertaken, and whether amendments to this VAMP or additional management measures are required.
- 8.1.2 This review shall be completed no later than 30 December of each year.
- 8.1.3 Should any changes to this VAMP result from the review process, the amended VAMP shall be submitted to the Council's Monitoring Planner for certification.
- 8.1.4 As part of this annual review, a letter drop shall be undertaken to all neighbouring property owners within the same complex at 88 Middleton Road, and also all other neighbours marked with a red 'X' in Figure 1. This letter shall advise each neighbouring unit owner of the contact details of the Visitor Accommodation Representative appointed by the management entity of the complex responsible for receiving any complaints, and also the appointed RVA property manager, and invite neighbours to contact both these persons should they have any questions or complaints.



Figure 1 – External Neighbours to Be Served Annual Written Notice



Visitor Accommodation Management Plan

Unit X, 12 McGregor Lane, Queenstown

1.0 Purpose

The purpose of this Visitor Accommodation Management Plan (VAMP) is to establish clear management procedures to avoid, remedy or mitigate adverse effects associated with the use of the residential unit at Unit X, 12 McGregor Lane, Queenstown for Residential Visitor Accommodation.

The VAMP establishes responsibilities for the complex-wide Visitor Accommodation Representative, the unit-specific Property Manager, and guests, including procedures relating to guest behaviour, parking, noise, rubbish and recycling, and the investigation and resolution of complaints.

This plan also contains a Noise Management Plan (NMP) - designed to assist in achieving compliance with the relevant Visitor Accommodation noise standards of the District Plan:

- Daytime 0800 – 2000 hours: 50dBA L_{Aeq} (15 min)
- Night-time 2000 – 0800 hours: 40dBA L_{Aeq}

Noise levels shall be measured and assessed in accordance with NZS 6801:2008 and NZS6802:2008.

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The Visitor Accommodation Representative is appointed by the management entity for the complex and is responsible for coordinating visitor accommodation management matters across the complex.

The current (XXMONTH/YEARXXX) complex-wide Visitor Accommodation Representative appointed by the management entity is XXX and can be contacted as follows:

Name: XXXXX
 Address for Service: XXXXX
 Phone: XXXXX
 Email: XXXXX

3.0 Property Manager Details

The Property Manager is responsible for the day-to-day management of visitor accommodation within the relevant unit and for responding directly to any guest-related issues.

The current (XXMONTH/YEARXXX) Local Property Manager is TBC and can be contacted as follows:

Name: TBC
 Address for Service: TBC

Version 1.2 – September 2026

Phone: TBC

Email: TBC

4.0 Visitor Accommodation Representative Responsibilities

The complex-wide Visitor Accommodation Representative appointed by the management entity is responsible for the following matters:

- Maintaining a current register of all units in the complex being used for short-term visitor accommodation, including the name and contact details of the appointed property manager for each.
- Acting as the primary point of contact in the event that any issues or complaints are raised regarding visitor accommodation activities within the complex. This includes being contactable at all times and investigating the matter, coordinating any necessary response, and reporting back to Council and/or neighbours.

5.0 Property Manager Responsibilities

Coordination with the Visitor Accommodation Representative

- Ensuring the Visitor Accommodation Representative has up-to-date contact details of both the Owner(s) and Property Manager.
- Coordinating with the complex-wide Visitor Accommodation Representative in the event of any complaints, in accordance with Section 7.3.

On Booking and Prior to Check-In

- Advising guests of the sleeping configuration/bed availability for the dwelling.
- Advising guests that there is only one on-site car park available for the unit and that this vehicle must be parked within the dedicated outdoor car park for the unit and not in any other unit's car park or on the shared accessway. Should guests need to bring more than one vehicle to the property, additional vehicles must be parked on the public Middleton Road or other public roads – but on-street parking availability is not guaranteed.
- Advising guests that coaches cannot pick-up, drop-off, or park at the site.
- Advising guests that a dedicated mobility car park is not available on the site, nor in the area.

On Check-In

- To provide the guests with a copy of the "House Rules" (as set out in Section 6.0 of the VAMP);
- To check that the number of guests in each unit does not exceed six (6). If the dwelling is a two-bedroom unit, this shall comprise a maximum of four (4) adults, plus two (2) children under the age of sixteen (16) years.
- To check that the on-site compendium contains a copy of the House Rules, and a copy of the conditions of resource consent.
- To ensure guests are familiar with the car parking arrangement for the site, being that all guests must park within the dedicated outdoor car park for the unit, and not in any other units' car park or the shared accessway. If guests have arrived to the property in more than one vehicle the additional vehicle(s) must be parked on the public Middleton Road or other public roads – but on-street parking availability is not guaranteed.

On Servicing & Other Visits

- To check that guests are only occupying one on-site car park – being the dedicated outdoor car park for the unit - and not in any other units' car park or the shared accessway. If guests have arrived to the property in more than one vehicle the additional vehicle(s) must be parked on the public Middleton Road or other public roads.
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6.0 House Rules

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- iv) Guests must ensure that noise is kept to a reasonable level at all times. After 8.00 pm, any potentially noisy activities must occur indoors with external doors and windows closed.
- v) Guests may use only the dedicated on-site car park allocated to the unit. Guests must not park in any other unit's car park or within the shared accessway. If guests arrive in more than one vehicle, any additional vehicles must be legally parked off-site on public roads, subject to the availability of lawful on-street parking.
- vi) Rubbish/recycling bins are to go out on the evening before collection, or the morning of collection (before 7.00am) and be brought back in as soon as possible after being emptied (unless rubbish/recycling is collected privately by the Property Manager). Rubbish and recycling must be stored within the designated storage area between collection days.
- vii) There shall be no sleeping on sofas.
- viii) Illegal activities are prohibited at the property.

7.0 Noise Management Plan

This NMP will set out specific methods and procedures to be undertaken by the owner/manager of the Residential Visitor Accommodation (RVA).

7.1 Noise Management Procedures

- 7.1.1 The manager of the RVA shall advise guests prior to checking in that the building is located within a residential area and request that they respect this by keeping noise levels to a reasonable level, especially between the hours of 8.00 pm to 8.00 am.
- 7.1.2 The Property Manager shall provide a contact telephone number to all guests and shall be reasonably available to respond to guest enquiries and issues throughout the duration of each booking.

7.2 Specific Noise Mitigation Measures

- 7.2.1 The manager of the RVA shall advise guests that they are not to play amplified sound from the outdoor living area between the hours of 8.00 pm – 8.00 am, and that the outdoor living area is

not to be used between 10.00 pm – 7.00 am. Amplified sound includes but is not limited to amplified speakers (musical or otherwise) and musical instruments.

- 7.2.2 The consent holder shall erect signs (minimum A4 size) on site to remind guests that they are in a residential area and to keep noise to a reasonable level, especially between the hours of 8.00 pm to 8.00 am. One sign shall be installed in the kitchen and one weatherproof sign (i.e. laminated or plastic) shall be installed within the outdoor living area. The outdoor sign shall also state that no amplified sound/music is to be played from the outdoor living area between the hours of 8pm – 8am, and that the area is to be vacated between 10pm – 7am.

7.3 Complaint Procedures

In the event that a complaint is received regarding an RVA activity within the complex – whether from Council enforcement officers, neighbours, unit owners, or any other party – the Visitor Accommodation Representative will take the lead in managing and resolving the matter, however will also coordinate with the unit-specific RVA Property Manager.

Complex-Wide Visitor Accommodation Representative

- 7.3.1 Should a complaint be received in relation to the RVA activity on the site, including from the Council or its Enforcement Officers, neighbours, or any other party, the complex-wide Visitor Accommodation Representative will immediately contact and coordinate with the unit-specific RVA Property Manager on the below and shall take the following steps:

- Immediately record the details of the complaint in writing.
- Promptly contact the relevant Property Manager to coordinate a response (immediately where practicable, but no later than 30 minutes after receipt of the complaint).
- Investigate the complaint and determine any immediate remedial actions required within one hour of receipt of the complaint, and any longer-term remedial actions required within 24 hours.
- Respond to the complainant to confirm receipt of the complaint and advise them of the steps taken and outcome within 24 hours for a preliminary response, and within 7 days for a final response where remediation measures require longer than 24 hours to implement.
- Ensure that any necessary actions are implemented by the Property Manager and/or unit owner.
- Maintain a complex-wide complaints register including details of each complaint, investigations undertaken, remedial actions implemented, and outcomes.
- Ensure that all complaints, including records of any remedial actions taken, are retained for a minimum period of five years.
- Forward details of the complaint to Queenstown Lakes District Council within 48 hours of receipt.
- Make the complaints register and associated records available to Council upon request.

RVA Property Manager

- 7.3.2 Should a complaint be received in relation to the RVA activity on the site, including from the Council or its Enforcement Officers, neighbours, or any other party, the RVA Property Manager will immediately contact and coordinate with the complex-wide Visitor Accommodation Representative on the below and shall take the following steps:

- Immediately notify and coordinate with the VAR upon becoming aware of any complaint.
- Assist the VAR in investigating the complaint and identifying appropriate remedial actions.
- Take immediate and effective steps to implement any required remedial actions.
- Communicate directly with guests where necessary to resolve the issue and ensure compliance with guest behaviour requirements.

- Maintain appropriate records relating to guest communications and actions taken in response to complaints.
- Ensure ongoing compliance with this VAMP and all relevant conditions of consent.

Repeated or Serious Complaints

7.3.3 Where repeated complaints are received in relation to the same unit, booking or guest, or where a serious complaint is received, the Visitor Accommodation Representative and Property Manager shall review the circumstances and determine whether additional management measures are required. Such measures may include issuing additional warnings to guests, requiring the cessation of particular activities, requiring guests to leave the property where appropriate and lawful, refusing future bookings, or implementing additional site-specific management measures.

8.0 Review of VAMP and Noise Management Plan

8.1 Annual Review Procedures

- 8.1.1 This VAMP and NMP shall be reviewed on an annual basis to assess their effectiveness in avoiding, remedying or mitigating adverse effects associated with residential visitor accommodation activities within the complex. The annual review shall include consideration of any complaints received during the preceding 12-month period, the nature and frequency of those complaints, the effectiveness of remedial actions undertaken, and whether amendments to this VAMP or additional management measures are required.
- 8.1.2 This review shall be completed no later than 30 December of each year.
- 8.1.3 Should any changes to this VAMP result from the review process, the amended VAMP shall be submitted to the Council's Monitoring Planner for certification.
- 8.1.4 As part of this annual review, a letter drop shall be undertaken to all neighbouring property owners within the same complex at 12 McGregor Lane, and also all other neighbours marked with a red 'X' in Figure 1. This letter shall advise each neighbouring unit owner of the contact details of the Visitor Accommodation Representative appointed by the management entity of the complex responsible for receiving any complaints, and also the appointed RVA property manager, and invite neighbours to contact both these persons should they have any questions or complaints.



Figure 1 – External Neighbours to Be Served Annual Written Notice



Volunteered Conditions of Consent – Residential Visitor Accommodation

88 Middleton Road & 12 McGregor Lane, Queenstown

General Conditions

1. That the residential visitor accommodation activity must be undertaken/carried out in accordance with the plans referenced as follows:
 - 'Proposed Site Plan' by Four Walls Architecture, Drawing Number B1.1, dated 28.04.26
 - 'Proposed Landscape Plan' by Four Walls Architecture, Drawing Number B1.4, dated 09.04.26
 - 'Site Plan – Car Parks' by Four Walls Architecture, Drawing Number B1.5, dated 05.05.26
 - '88 Middleton_Level 0 & Level 1 Floor Plans' by Four Walls Architecture, Drawing Number B2.1, dated 02.02.26
 - '88 Middleton_Level 0 & Level 1 Floor Plans' by Four Walls Architecture, Drawing Number B2.1, dated 02.02.26
 - '88 Middleton_Level 2 & Roof Plan' by Four Walls Architecture, Drawing Number B2.2, dated 02.02.26
 - '12 McGregor_Level 0 & Level 1 Floor Plans' by Four Walls Architecture, Drawing Number B2.3, dated 02.02.26
 - 'McGregor_Level 2 & Roof Plan' by Four Walls Architecture, Drawing Number B2.4, dated 02.02.26
 - '88 Middleton Site Elevations' by Four Walls Architecture, Drawing Number B3.1, dated 05.05.26
 - '12 McGregor Site Elevations' by Four Walls Architecture, Drawing Number B3.5, dated 05.05.26

stamped as approved on XX XXX 2026

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

2. This consent shall not be exercised and no work or activity associated with it may be commenced or continued until the following charges have been paid in full: all charges fixed in accordance with section 36(1) of the Resource Management Act 1991 and any finalised, additional charges under section 36(3) of the Act.
3. The consent holder is liable for costs associated with the monitoring of this resource consent under Section 35 of the Resource Management Act 1991.

Pre-Commencement of Any RVA Activity

4. Prior to giving effect to this resource consent, the s224(c) certificate for the subdivision approved by resource consent RM260082 shall be issued, and each residential unit approved by RM260082 held in a separate record of title.
5. Prior to any of the residential units being utilised for residential visitor accommodation, the consent holder shall complete the following:
 - a) The consent holder shall establish a suitable management entity that shall have the function of appointing a visitor accommodation representative responsible for receiving and actioning any complaints and coordinating a response relating to residential visitor accommodation activities within the residential units. A s108(d) covenant in favour of Queenstown Lakes District Council shall be registered on records of title of Lots 1-9 as approved by RM260082 to require all lot owners to be a part of the management entity.

The legal documents that are used to set up or that are used to establish the management entity are to be checked and approved by the Council's solicitors at the consent holder's expense to ensure that all of the Council's interests and liabilities are adequately protected.

In the absence of a management entity, or in the event that the management entity established is unable to undertake, or fails to undertake, its obligations and responsibilities stated above, then the lot owners shall be responsible for establishing a replacement management entity and, in the interim, the lot owners shall be responsible for undertaking all necessary functions.

Operational Conditions

6. The consent holder shall ensure the residential visitor accommodation activity is undertaken in accordance with the approved visitor accommodation management plan (~~RMXXXXXX~~, Appendix ~~X~~), and the following conditions (7 - 20).

Advice Note: The visitor accommodation management plan may be updated from time to time, which shall be certified by Council's Planning and Development department prior to implementation and shall demonstrate the management techniques that will be used to ensure conditions (7 - 20) are met, and shall include the contact details of the property manager available for any complaints.

7. Each unit shall be rented to a maximum of one (1) group at any one time.
8. The maximum number of persons on site in association with the residential visitor accommodation use shall be restricted to six (6) persons at any one time in each residential unit. For a two (2) bedroom unit, this shall comprise of a maximum of four (4) adults plus two (2) children under the age of sixteen (16) years. *Advice Note: This condition does not restrict maximum adult/child numbers for a three bedroom unit.*
9. When a unit is utilised for residential visitor accommodation, the use of outdoor areas is prohibited between the hours of 10.00pm to 7.00am.
10. Prior to an individual residential unit being utilised for residential visitor accommodation, the owner of that unit shall complete the following:
 - a) Two (2) signs (minimum A4 size) shall be erected within that unit to remind guests that they are in a residential area, and that the use of outdoor areas is prohibited between the hours of 10.00pm to 7.00am. One sign shall be installed in the kitchen of the unit and weatherproof signs (e.g. laminated) shall be installed within each outdoor area.
 - b) Upon installation, and prior to the use of a unit for residential visitor accommodation, the consent holder shall submit photographs of these signs to the Council Monitoring Department for monitoring purposes. The signs shall be retained on site as long as the visitor accommodation activity is undertaken in that unit.

11. Each residential unit may be used for residential visitor accommodation for up to 365 nights per calendar year.
12. The consent holder shall maintain a record of all tenancies in the form of a register containing the number of occupants and the number of days/nights of occupancy. Details of all tenancies for at least the preceding 5 years shall be continually maintained. This register shall be made available for inspection by the Council at all times.

Please note: While the consent holder is responsible for there being an up to date register, the register may be completed by a letting agent / property manager.

13. The consent holder shall ensure that no coaches are to service the authorised activity.
14. Any outdoor lighting shall be turned off between the hours of 10.00pm to 7.00am, or shall be sensor-operated, or shall be directed away from adjacent roads and properties so that light spill beyond property boundaries does not occur.
15. All rubbish and recycling shall be disposed of appropriately. Where there is kerbside collection utilised, rubbish and recycling shall only be placed on the street the day of or day prior to collection.

Should Council kerbside collection of rubbish and recycling not be available to the consent holder, the consent holder must submit details of an alternate private collection service to Council for certification prior to such a service being utilised. Details shall include but not necessarily be limited to, the location of rubbish and recycling areas on site, collection method and day of collection.

Note: The management plan may be required to be updated to address a change in rubbish and recycling services.

16. Within three (3) months of the property changing ownership, the consent holder shall provide to the Council's Monitoring department and complex management entity/Visitor Accommodation Representative, in writing, confirmation of whether or not they intend to continue operating the Residential Visitor Accommodation, and the nature of the residential use, and also (if required) update the visitor accommodation management plan required under Condition (6) of RMXXXXXX
17. Prior to the use of a dwelling for visitor accommodation activities authorised by this consent, and within ten working days of each anniversary of the date of this decision (and within 10 days of a change in property manager contact details), the consent holder shall undertake a letter drop to the owners/occupiers of neighbouring adjacent sites below:

Applying to 88 Middleton Road Units

- All other units at 88 Middleton Road
- All units at 12 McGregor Lane
- 90 Middleton Road
- 93 Middleton Road
- 86 Middleton Road
- 8 McGregor Lane
- 10 McGregor Lane

Applying to 12 McGregor Lane Units

- All other units at 12 McGregor Lane
- All units at 88 Middleton Road
- 82 Middleton Road
- 6 McGregor Lane
- 8 McGregor Lane
- 10 McGregor Lane
- 90 Middleton Road

- 44 Angelo Drive

The consent holder shall in this correspondence (which may be electronic) advise that a copy of the conditions of **RMXXXXXX**, approved plans, approved visitor management plan (which contains current contact details of the property manager and Visitor Accommodation Representative) and a cover letter (all of which can be electronic). The cover letter shall outline the consented activity, the unit-specific property managers contact details for receiving any complaints, and also the contact details of the complex-wide Visitor Accommodation Representative responsible for receiving any complaints. The cover letter shall direct owners and occupiers to direct all complaints to be conveyed to management entity's Visitor Accommodation Representative in the first instance. The consent Holder shall submit a copy of the letter to the Council Monitoring Department for monitoring purposes within 10 working days of each letter drop..

18. The consent holder and the complex-wide Visitor Accommodation Representative shall maintain a record of all complaints received during the operation of the residential visitor accommodation activity in the form of a register containing the complaint details and any remedial actions undertaken. Details of all complaints (including any remedial actions taken) shall be kept for at least the preceding 5 years and any complaints received shall be forwarded to the Council Monitoring Department for monitoring purposes within 48 hours of the complaint being received. The complaint register shall be made available for inspection by the Council at all times.
19. Upon receiving a complaint, the Visitor Accommodation Representative (or Property Manager, where the complaint is received by them in the first instance) shall:
 - Immediately record the details of the complaint in writing.
 - Promptly contact the other responsible management party to coordinate a response (immediately where practicable, but no later than 30 minutes after receipt of the complaint)
 - Investigate the complaint and determine any immediate remedial actions required within one hour of receipt of the complaint, and any longer-term remedial actions required within 24 hours.
 - Respond to the complainant to confirm receipt of the complaint and advise them of the steps taken and outcome within 24 hours for a preliminary response, and within 7 days for a final response where remediation measures require longer than 24 hours to implement.
 - Ensure that any necessary actions are implemented by the RVA Property Manager and/or unit owner.
 - Maintain a complex-wide complaints register, including details of each complaint, investigations undertaken, and outcomes.
 - Ensure that all complaints (including records of any remedial actions taken) are retained for a minimum of five years.
 - Forward details of any complaints to the Queenstown Lakes District Council Monitoring Team within 48 hours of receipt.
 - Make the complaints register available to Council for inspection upon request.
20. The residential visitor accommodation activity shall be so conducted that the following noise limits are not exceeded at any point within the boundary of any other site:

Daytime 0800 – 2000 hours: 50dBA L_{Aeq} (15 min)
 Night-time 2000 – 0800 hours: 40dBA L_{Aeq}

Noise levels shall be measured and assessed in accordance with NZS 6801:2008 and NZS6802:2008.

Review

21. Within six months of the date of this decision; and/or upon the receipt of information identifying non-compliance with the conditions of this consent, and/or within ten working days of each anniversary of the date of this decision, the Council may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this resource consent for any of the following purposes:
 - a) To deal with any adverse effects on the environment that may arise from the exercise of the consent which were not foreseen at the time the application was considered and which it is appropriate to deal with at a later stage.
 - b) To deal with any adverse effects on the environment which may arise from the exercise of the consent and which could not be properly assessed at the time the application was considered.
 - c) To avoid, remedy and mitigate any adverse effects on the environment which may arise from the exercise of the consent and which have been caused by a change in circumstances or which may be more appropriately addressed as a result of a change in circumstances, such that the conditions of this resource consent are no longer appropriate in terms of the purpose of the Resource Management Act 1991.
 - d) The purpose of this review is in relation to effects on any person in relation to nuisance (including but not limited to noise and rubbish/recycling).
22. As part of the review clause stated in Condition 21 of this consent, the Council may have the visitor accommodation management plan audited at the consent holder's expense.

XX NEIGHBOUR'S ADDRESS XX
 XX NEIGHBOUR'S ADDRESS XX
 XX NEIGHBOUR'S ADDRESS XX

XX DATE/MONTH/YEAR XX

Re: Residential Visitor Accommodation at Unit XX, 88 Middleton Road / 12 McGregor Lane, Queenstown – Information & Our Contact Details

Dear Neighbour,

We are the owners of unit XX at 88 Middleton Road / 12 McGregor Lane. The Council has granted us resource consent to use our property for residential visitor accommodation, such as Airbnb. Specifically, we have been granted resource consent to use our unit in this manner for a maximum of 365 nights/year, for a maximum of 6 guests at any one time.

When the house is not rented in this manner it will be either used by us, by our friends/family, be vacant, or potentially rented out to long-term tenants in future.

The purpose of this letter is to advise you of this, and provide you with our current contact details – to make it easy for you to get in touch with us to discuss any aspect of this use of the property.

When renting out the house, we and our local Property Manager are very careful to only accept guests that we believe will be a good fit for the property. We only want mature, responsible people in our home – and know these people will be the best neighbours for you.

Our consent from the Council involves several measures which will be implemented to ensure we can use our property in this way without adversely affecting our neighbours, including you. All these measures were proposed by us, and accepted by Council. They are as follows:

- 1) A maximum of 6 guests at any one time in our unit.
- 2) We will brief guests on where to park, prior to arrival. All guests will be required to park within our dedicated car park.
- 3) Signs are to be installed in the house reminding guests they are in a residential area and to keep noise levels to a minimum at all times.
- 4) No use of outdoor living areas between 10pm – 7am the following day. This is to avoid unnecessary noise during night time hours. We will install signs that convey this message.
- 5) No amplified music/sound to be played from outdoor areas between 8pm – 8am the following day. Any noisy activities should only occur inside after 8 pm with windows and doors closed.
- 6) Rubbish/recycling will be actively managed and disposed of into the communal rubbish/recycling bins for collection.

You can easily view the full resource consent documentation including conditions of the resource consent, approved plans, approved Visitor Accommodation Management Plan on the Council's Edocs website: <https://edocs.qldc.govt.nz/>

By searching for the consent number "RMXXXXXX".

Invitation & Contact Details

Our aim is to use our property for visitor accommodation without it adversely affecting you in any way. Therefore, we would like to provide you with the contact details of our local Property Manager

(XXXXXXXX). Please feel free to contact them directly to let us know of any concerns, issues, or complaints. Should any issues arise we would greatly appreciate the opportunity to resolve these directly, as soon as we can.

Name: XXXXXXXX

Phone: XXXXXXXX

Address for Service: XXXXXXXX

Email: XXXXXXXX

If you need to get in touch with us directly, here are our contact details:

Contact Mobile Number: XXXXXX

Email Address: XXXXXX

Postal Address: XXXXXX

Thank you and warm regards,

XXXXXX NAME XXXXXX

IMPORTANT NOTICE

— OUTDOOR AREA —

Dear Guests

Kindly note our house is located within a residential area.
Please respect our neighbours by keeping noise to a low level
at all times, especially between **8pm – 8am**.

AS AGREED WITH THE QUEENSTOWN COUNCIL, THE FOLLOWING RULES APPLY:



NO AMPLIFIED SOUND/MUSIC

is to be played from the outdoor living areas
between the hours of **8pm – 8am**.



ALL OUTDOOR LIVING AREAS

must be vacated between the hours
of **10pm – 7am**.



If you have any questions about these rules,
please call **XXX** on **XXXXXX**





Memo

To: Richard Kemp, Principal Planner, Pragmatic Planning
From: Tom Worley, Associate
Date: 28 July 2026
Re: 88 Middleton Road, Queenstown - Residential Visitor Accommodation social effects assessment

NWF Invest Limited seeks to undertake Residential Visitor Accommodation (**RVA**) activities at 88 Middleton Road, Queenstown (**Site**) in nine units, seven two-bedroom and two three-bedroom units, for 365 days a year. The property is in the Suburban Residential Zone (**SRZ**) under the Queenstown Lakes District Council (**QLDC**) Proposed District Plan (**PDP**). RVA is permitted in the SRZ zone for up to 90 nights as it complies with Rules 7.4.7 and 7.5.15, and for this reason the proposal is a restricted discretionary activity.

We provided social impact evidence for a similar application at 62 Middleton Road, which has recently been approved, and NWF has asked us to provide an assessment of the likely social wellbeing effects that may arise from this proposal.

Social impacts background

The social wellbeing and effects arising from a project's management, use and development on people and communities' ability to provide for their social, economic, and cultural wellbeing and health and safety is an important aspect of Part 2 of the RMA. The 'environment' is defined not only by natural ecosystems, but also includes people and communities, natural and physical resources, amenity values, and social, economic, aesthetic and cultural conditions.

Social impacts refer to changes to individuals and communities resulting from proposed changes that will alter the day-to-day way in which they live, work, play, relate to each other, organise to meet their needs, and generally participate as members of society.

A Social Impact Assessment (**SIA**) concentrates on who is affected, where, when and how, and what measures can be used to improve outcomes across different timeframes. It includes analysing the intended and unintended consequences of resource use and planning decisions.

Research scope and methodology

SIAs generally have the following four phases, which have been employed in this assessment:

- ❖ Understanding the proposal and scoping the likely social effects. This can be done by reviewing international and local research on the key topic, and/or interviewing communities.



If submissions have been produced, there is also evidence of the key effects that local communities and organisations are concerned with.

- ❖ Describing the social baseline before the proposed change occurs, including the underlying demographics, social values, existing character and amenity of the receiving environment, and any planning considerations such as contribution towards a local tipping point on adverse effects on local amenity value.
- ❖ Describing the likely social effects that are relevant to the specific proposal.
- ❖ Providing mitigation strategies to help reduce, avoid or minimise likely effects, for example can the effects in the surrounding land uses be managed by controlling the scale, intensity and frequency of use?

The scope of this memo is to describe the likely social effects of the proposed land use activity by addressing each of the four methodology steps.

Scoping of likely social effects

Our involvement in preparing social effects evidence for 62 Middleton Road helped to identify that the following key positive and negative social effects are likely to be relevant to the RVA application for 88 Middleton Road. The relevant QLDC District Plan visitor accommodation policies include 7.2.8.3 (compatible scale and character of local context), 7.2.8.4 (contribution to accommodation options diversity and supporter of economic wellbeing) and 7.2.8.5 (Management of effects of RVA through control of scale, intensity and frequency). The key social wellbeing effects fall into the following three broad categories:

- ❖ Amenity effects including community cohesion and character
- ❖ Livelihoods; and
- ❖ Other environmental impacts

Wider Queenstown social baseline and planning framework

Housing affordability is a long standing challenge in the Queenstown Lakes District, with a range of factors contributing to poor housing affordability, including rapid population growth, land supply issues associated with topography, high demand from the top end of the market, tourism demand and construction market issues such as labour shortages and high building costs. While house prices are preventing some residents from owning homes, there is also significant pressure in the rental market driven by seasonal workers, holiday accommodation and high weekly rents.



Middleton Road is located within the wider Queenstown economy which is strongly driven by tourism, with 30% of its GDP and one in three jobs being generated by the sector in 2024.¹ The tourism economy has grown significantly in recent years, and as development outpaced planning and infrastructure provision, residents' sentiments have changed towards tourism with 78% "feeling that visitor numbers were putting too much pressure on local infrastructure and services" while also agreeing that tourism is regionally important.²

The region's Destination Management Plan "Travel to a Thriving Future", developed in 2023 through a partnership between Destination Queenstown, Lake Wanaka Tourism and QLDC, emphasises prioritising people and place alongside economic outcomes, to ensure that the visitor economy enriches the environment, supports cultural and social wellbeing, and sustains a thriving community. The purpose of the visitor economy is described as "improving local and visitor wellbeing and experience, forging connections between people and places, and enabling healthy ecosystems, so that the district becomes known as a leading example of how travel creates a thriving future".³ The aim is to attract 'high contributing' visitors such as those who stay longer, explore further, forge connections with locals, and give back.

Globally, the presence of Airbnb (& similar) listings in popular cities and locations has been considered to have put pressure on housing availability and affordability at the lower- to middle-end of the housing market. More locally in Queenstown this is also linked to the availability of long-term rentals used by service workers and families. Leveraging off the attractiveness of Queenstown Lakes as a tourism destination, a significant proportion of the property owners offer their property, as a whole or in part, for RVA rentals through platforms such as Airbnb, Bookabach, Bachcare, and Expedia etc.. This has been identified as one of the key contributors to housing affordability issues in Queenstown.

In 2023, QLDC incorporated a distinction between visitor accommodation, residential visitor accommodation and homestays in the PDP which was confirmed by an Environment Court decision.⁴ The definition of RVA was added which includes letting of any residential unit whether for residential activity or for guest accommodation. In the SRZ, the number of permitted days that residential visitor accommodation can operate is for 90 days, in other locations there are other restrictions on the number of permitted days. In part, this was due to Council's approach to try to improve the supply and affordability of housing in the district.⁵

¹<https://www.queenstownnz.co.nz/stories/post/coming-of-age-how-tourism-transformed-queenstown-into-a-global-destination>

² Ibid

<https://www.queenstownnz.co.nz/stories/post/how-queenstown-is-changing-tourism-for-good>

³ Ibid

<https://www.regenerativetourism.co.nz/>

⁴ *AirBnB Australia Pty Limited v Queenstown Lakes District Council* [2023] NZEnvC 11

⁵ <https://www.qldc.govt.nz/media/p1epjwti/joint-housing-action-plan-final.pdf>, page 14



Middleton Road social baseline

Demographics

To understand the social baseline of the immediate area, I have used demographic information from Statistics New Zealand's Census of Population and Dwellings (**Census**) to understand who is living in the Middleton Road suburb. I defined the Middleton Road suburban area using Statistics New Zealand's Statistical Area 1 definitions due to the Census data being available for these geographies.⁶ I have compared Middleton Road with eleven other SRZ locations (six in urban Queenstown and five other areas: Arrowtown, Lake Hayes, Lake Hayes Estate, Wanaka and Lake Hawea) to understand the key similarities and differences. Figure 1 shows the spatial definition for the SRZ areas in urban Queenstown.

Figure 1: Suburban Residential Zone assessment spatial areas definitions⁷



Tables of the Census variables describing the socio-economic profiles of residents in all the SRZ areas are appended to this memo. The key patterns relevant to this assessment are:

⁶ SA1's represent a small, non-administrative area, designed for reporting detailed census data at an aggregated level. They are the physical equivalent of a city or rural block and contain 100–200 residents

⁷ Note, there is one property parcel between the Middleton Road and Hensman Road study areas which is currently used for rural purposes and as such has been excluded from the spatial definitions.



- ❖ Middleton Road (32%), Hensman Road (33%) and Sunshine Bay/Fernhill (33%) areas had higher shares of young working aged people (15-29 years) in comparison to the District average (20%). There were commensurately lower shares of children (<15 years) and retirement aged (65+ years) in those areas. This potentially indicates that the areas may be being used as a first home suburb or for flatting situations rather than as the basis for family homes.
- ❖ The same communities, and including Frankton, are less settled with high shares of the population having lived there for less than a year: Middleton Road (49%), Sunshine Bay/Fernhill (41%), Hensman Road (39%), Frankton (36%) compared to the district (30%). Other SRZ areas have very stable populations with residents living there for more than 10 years, including Kelvin Heights (27%), Kawarau Falls (26%) and Arthurs Point (26%).
- ❖ Middleton Road residents were more likely to be living elsewhere in NZ (60%) or overseas (15%) at the previous Census (2018) than the average Queenstown District resident (54% elsewhere in NZ and 8% overseas).
- ❖ There were much higher shares of multi-family households (such as those flatting) in Middleton Road (26%), Hensman Road (20%) and Sunshine Bay/Fernhill (18%) than in Queenstown district (11%).
- ❖ Very high shares of dwellings were not owned by their occupants in Middleton Road (65%), Sunshine Bay/Fernhill (56%), Hensman Road (52%), and Frankton (48%) compared with the District average (37%).
- ❖ In terms of dwelling status, 16% of the dwellings in Middleton Road were under construction reflecting the new subdivision status of the land. In comparison, the Queenstown Lakes District average was 3%, with all other SRZ areas having between 0%-2% of dwellings under construction.
- ❖ All SRZ areas, except Arthurs Point, had higher shares of residents away on Census night (15%-25%) than the District average (13%). Hensman Road (21%) and Middleton Road (18%) also had higher shares of empty dwellings compared to Queenstown overall (13%).

The Census data indicates that for Middleton Road there is a high level of non-permanent and transient residents, or first home owners and flatting households, compared to other SRZs.

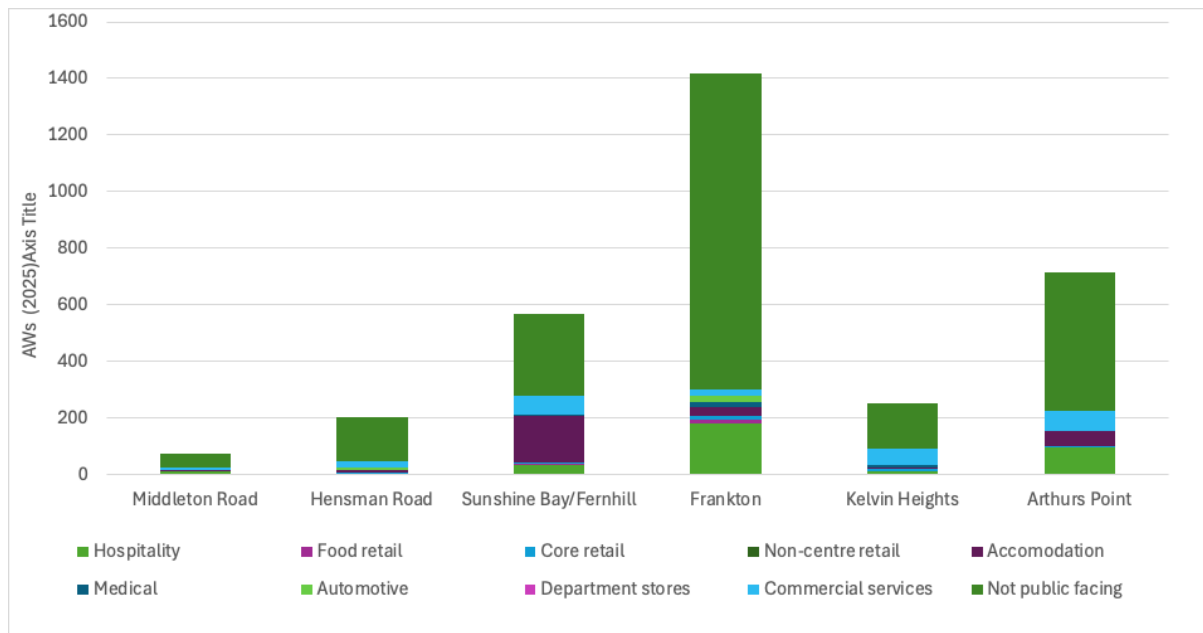
Business activity in each SRZ

I have examined the level of employment in industry sectors that are likely to serve the community's needs for each SRZ (Figure 2). This shows that relative to the comparative areas, Middleton Road has a much lower number of jobs present in the community. The lower number is in part reflective of the development stage Middleton Road is at but also shows that there is a lack of a commercial foundation



supporting access to goods, services and jobs in the communities, relative to comparative areas. This is consistent with observations during the site visit, as noted in Appendix B.

Figure 2: Centres-based SRZ employment activity⁸



By comparison to other SRZs, Middleton Road has the lowest number of centre-based employment (Hospitality, Food Retail, Core Retail, Accommodation, Medical, Automotive) with approximately 14 active jobs in the area, compared to 26 for Hensman Road, 212 for Sunshine Bay/Fernhill and 31 for Kelvin Heights. Total employment in Middleton Road is approximately 72 jobs, with 204 for Hensman Road, 569 for Sunshine Bay/Fernhill and 252 for Kelvin Heights. This is consistent with previous observations about the relatively low commercial support for community cohesion.

Site visit

In late March 2026 we visited Middleton Road, its surrounds and other SRZ areas to compare the similarities and understand the differences in the environmental amenity at different times of the day.

The Middleton Road area currently consists of relatively newly built houses and empty sections either in the process of being developed or for sale for future development. The defining geographical context of the area is the comparative steepness of the properties with an outlook south-east across Lake Wakatipu towards the Remarkables. The housing stock, while all individually designed and built, showcase similar aesthetic characteristics which provide a cohesive feel when travelling through the area. There are very few community assets available to residents and visitors in the Middleton Road area. A community open space, De La Mare Park, close to Frankton Road is available for residents, as

⁸ The categories are groupings of 6 digit ANZSIC categories into service, retail and community oriented sectors



well as a small public reserve space covered in shrubbery and trees, Jetty Park, midway up Middleton Road on the western edge of the area.

As the suburb has developed, and continues to do so, based off observations at various times of day during the site visit, supporting the census data, it appeared that the majority of those staying in the area were younger, more mobile and active workers, house/flat share arrangements and a range of holiday makers, with a lower apparent proportion of households being family groups.

The assessment and comparison to alternative SRZs around Queenstown is contained with Appendix B.

Assessment of effects

Scale of effects and tipping point assessment

Cumulative effects are an important consideration for resource consent applications, and there is evidence that there has been a large number of RVA consent applications in the Middleton Road area. The recent decision for the application of RVA activity at 62 Middleton Road, while successful, identified that additional RVA activity could, while minor in scale, contribute to adverse social effects, bringing the community closer to a theoretical tipping point about how much RVA can be absorbed locally. The range of social wellbeing effects causing concern related primarily to those experienced by neighbouring properties and were centred on nuisance behaviours that might be associated with complaints to Council regarding noise, traffic or other environmental issues.

The applicant does not have access to monitoring and compliance records that Council upkeep, and they have no knowledge of significant or ongoing complaints at any of their properties that have obtained consent, so it is difficult to anticipate the scale of issues associated with RVA activity. This section describes the range of social wellbeing effects that may arise, but it is difficult to establish whether these are likely to be frequent and ongoing or sporadic one-off inconveniences without evidence of the nature of complaints that have been received to date. There are wider social wellbeing effects that may arise which have also been discussed in this section.

Appendix C provides a snapshot of the scale of the presence of Airbnb properties active within the Middleton Road area and compares this to other SRZs. Firstly, it is acknowledged that the Council's database of properties consented for RVA activity, as used in the Section 42A Report for the assessment of the 62 Middleton Road application, is an accurate representation of the total maximum potential visitor accommodation nights in the area, likely showing greater availability than using Airbnb data. However, I consider using active Airbnb data for an analysis on community functionality as appropriate as it represents 'on-the-ground' activity, rather than just potential, of which household owners may choose to use at their preference. The outcome of this assessment, in combination with the site visit, indicates that while the Middleton Road area is operating at the upper end of suburbs



currently offering Airbnb accommodation (lower than Hensman Road and similar to Sunshine Bay/Fernhill), the nature of the suburb's geographic context and operational set up, along with sympathetic housing designs means that this activity is readily absorbed. In terms of impacts at a community level it is considered that additional RVA activity here is appropriate in this context, and will have less of an impact or contribution toward a tipping point than it would if located elsewhere.

At the specific development level, consideration also needs to be given to the scale of the 9-unit development. Firstly, the direct impact on neighbouring properties is limited by the individual entrance pathways for each unit, limiting foot traffic on the boundary. Off-street parking is provided at the street level outside each unit on Middleton Road, meaning guests only need to move directly in front of the properties during arrival/departure events. If there is more than one car per dwelling it will need to be accommodated on the street, for which there appears sufficient space. The split of access to the units between Middleton Road for the upper units and McGregor Lane also provides a natural break in the activity of the proposed development

It is assumed that, if sold, the individual units will be purchased by a number of different parties. Social effects and conflict may arise between units, making accommodation management plans an important component of supporting a functional community within the development itself, as well as in the wider community context.

Amenity, community character and social cohesion

Social wellbeing is enhanced through social interactions which are evidenced in relationships, social bonds and experiences that help provide sense of place. Theories of place attachment denote the community is a physical place imbued with memories, family histories and associations that have symbolic importance for residents and provide sense of identity and meaning.⁹ Changes to the unique character and social identity of place from a change in the types of residents can disrupt this in established locations.

QLDC's PDP adopts the RMA Section 2 definition of amenity as "those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes". QLDC's Spatial Plan has been designed to create built environments that are well connected and liveable.¹⁰ Rapid recent growth has been acknowledged as having put pressure on social infrastructure in some neighbourhoods curtailing opportunities for social interactions. Poor road and active connections and a lack of scale in some

⁹ Ryan, C., and Ma Linglong, 2020. Social consequences of Airbnb – a New Zealand case study of cause and effect, *Journal of Sustainable Tourism*

Sharda, R., and Lees, L., 2023. The everyday lived experiences of Airbnbification in London, *Social and Cultural Geography*, 24:2, 253-273.

¹⁰ QLDC Spatial Plan "The Queenstown Lakes Spatial Plan" (July 2021) - [the-spatial-plan_a4-booklet_jul21-final-web-for-desktop.pdf](#), outcome 4, pg 99



developments has led to poor access to local shops and social infrastructure. A key objective (Outcome 4) is to have well designed neighbourhoods that provide for everyday needs to help get people out of cars to improve the health and wellbeing of communities. Key criteria for thriving communities includes access to education, health and medical care, green spaces and facilities, community spaces, workplaces, a safe environment, local shopping and meeting places (Strategy 11).

Due to the Middleton Road environs being a relatively new residential location it is not a place that is imbued with established character, rather it is an area of Queenstown that is still establishing its sense of place, of which the steepness and outstanding views of the natural landscape will be an integral part of its character once it is fully established. A feature of the Middleton Road area that is unique when compared to other similarly zoned areas in Queenstown, is that the design of the dwellings and property interface with the street-front is sympathetic to RVA and minimises overflow of activities back onto the street for visitor vehicles, service providers and residential utilities such as rubbish collection.

Additionally, the steepness of the area means that neighbouring properties behind and in-front have very little practical interaction with each other, or the activities that occur on each property due to the significant vertical separation. The view afforded to these properties through the slope position and outlook direction means that houses look away from the road in which they are positioned, or over the top of the roads below, so any transport activity has a limited effect on people who are occupying their own properties.

The Middleton Road area as it has been developed is currently absent of any meaningful community spaces or facilities that enhance community or personal connection with others. A small community open space close to Frankton Road is not in a location, or of a scale or design that makes it readily accessible to residents/visitors that are staying further up Middleton Road. Additionally, there are no local schools, cafes or shops within the Middleton Road area that facilitate further community connection. The lack of community spaces means that unless people are passing by each other on the street, there are limited opportunities or locations where residents or visitors would have passive interactions and build a greater sense of community over time.

While the current population of the Middleton Road Area has a high proportion of young working professionals and multi-family (i.e. flat share) households, based on observations from the site visit these households appear to be accommodated at the base of the Middleton Road area, near Frankton Road, where there are a large number of terraced housing developments which support this type of arrangement. Developments further up Middleton Road, including the Site, generally occupy a different market segment. Investors and developers have potentially chosen this location for building housing stock that is appropriate for RVA and short-term tenancies, due to the outstanding views that can be obtained from sections, but also due to the lack of good access to social infrastructure.



While most houses in the area will have a high-value view that will be enjoyed by residents and visitors, the baseline culture for the area is limited in terms of social cohesion and connectedness. The suburb requires a high level of people movement out of the area in order to actively be part of the broader Queenstown community, which does not easily support community and cohesion to develop organically in place. Residents and visitors will leave for community services and recreation, and wider Queenstown residents based outside the area won't be drawn to Middleton Road to enhance existing cohesion or connectedness.

By comparison, other SRZs in Queenstown have been established for longer timeframes, have layouts that enable closer proximity to neighbours and support community connection and cohesiveness through the provision of services and areas for recreation. There is a more defined residential character that comes with being well established and having local access to household services, education, and social spaces, facilities and parks that help to foster social interactions.

Middleton Road is a unique SRZ in Queenstown due to its topography, the types of dwellings being developed, the notable absence of existing or planned social infrastructure, and singular point of entry and exit at the intersection of Middleton Road and Frankton Road. Therefore, it is unlikely that the functionality and social cohesion of the Middleton Road Area will be negatively impacted by additional RVA.

Livelihoods

In alignment with QLDC Policy 7.2.8.4, NWF Invest will be able to sell the properties, once constructed, to other people who may seek to live in them or rent them out as RVA. The building activity is adding nine residential properties to Queenstown's overall housing stock. A resource consent permitting RVA will make the properties attractive to a wider market.

Many communities raise concerns that absentee owners do not reinvest money into the local economy and there is resentment that benefits do not accrue to locals.¹¹ However, because purchasers or investors may choose these properties on the Site for investment due to their locational suitability for RVA, this inadvertently benefits locals because this frees up housing that is better suited to long-term residential living.

Another positive aspect of short-term RVA for the local economy is that owners earn extra income which can be used to support mortgage payments or improve lifestyles, which can flow on to improved physical and mental wellbeing as well as further money spent in the local area. Money paid for renting

¹¹ Theophilus, A., and Ullrich-Schad, J.D, 18 October 2025. "Your neighbours are new every week": short-term rentals, housing, and community wellbeing in high-amenity rural places, Population and Environment (2025) 47:37



accommodation also supports employment in other local services such as property managers, cleaners and maintenance companies, and in the retail and tourism sectors.

The key negative effect is the removal of nine new houses from the potential residential housing and rental markets, which has been recognised as a strong driver of housing affordability issues in Queenstown. This is a well-recognised issue in social impact literature arising from Airbnbs.¹² The literature also identifies the potential for long-term residents and their families to get priced out of their communities and increasing socio-economic inequality for those that are not able to afford short-term rentals.¹³

In Queenstown it is very important that there is rental housing stock that is suitable for housing lower-income and seasonal workers.¹⁴ Due to this activity being new and developed in a location that is designed to take advantage of the views, there are unlikely to be effects of this nature, rather as stated earlier, the nine properties may help alleviate some pressure from investors by drawing their attention away from existing residential areas.

By the nature of the proposal, policy 7.2.8.4 is supported through providing additional accommodation options and support of economic wellbeing of the property owner(s) and businesses employed to manage the properties.

Other environmental effects

Other environmental impacts that may disrupt the way that people use their properties include noise and lighting that is of a different nature from typical residential activities, street parking congestion and traffic movements, rubbish issues, and disruptive behaviour.¹⁵ Aside from any noise associated with wheeling suitcases, car doors shutting and any socialising or parties on decks, most of the activities associated with RVA are very similar to the range of activities that are expected in residential areas.

Direct neighbours and surrounding neighbours' can be adversely impacted by being unable to enjoy the use of their own property. If exposed to these impacts, especially chronic noise, over a long period of time there is the potential for this to cause personal psycho-social impacts such as stress, anxiety,

¹² McGoughm S., November 2019, Managing the impacts of Airbnb: A case Study of Queenstown, New Zealand, University of Otago

¹³ Theophilus, A., and Ullrich-Schad, J.D, 18 October 2025. "Your neighbours are new every week": short-term rentals, housing, and community wellbeing in high-amenity rural places, Population and Environment (2025) 47:37

Ryan, C., and Ma Linglong, 2020. Social consequences of Airbnb – a New Zealand case study of cause and effect, Journal of Sustainable Tourism

¹⁴ <https://www.qldc.govt.nz/media/uk2nuwka/qldc-qol-report-2025.pdf>

¹⁵ Theophilus, A., and Ullrich-Schad, J.D, 18 October 2025. "Your neighbours are new every week": short-term rentals, housing, and community wellbeing in high-amenity rural places, Population and Environment (2025) 47:37



irritability and cognitive impairment. A key question is whether the scale of these activities is responsible for long term frequent and ongoing disruptions to people's ways of life or whether any interruptions are one off events that create nuisance at the time but are not constantly causing effects.

Noise from the movement of people who would be using the properties as accommodation compared to long-term residents is unlikely to be materially different day-to-day, outside of arrival and departure times while carrying luggage. The average length of stay by visitors to Queenstown is 4-5 nights and the average occupancy is 80%,¹⁶ and in the Middleton Road context about half of stays are for two nights (52%) and 31% are for three nights or more. This information indicates that coming and going from RVA would typically happen once or twice a week and departures for tourism trips from the base accommodation would not be materially different from residential trips to the supermarket or schools for example.¹⁷

Additionally, in Queenstown it is not uncommon for applications to include Visitor Accommodation Management Plans that address and provide guidelines for noise management, parking and rubbish including having a readily contactable property manager who is available to address noise concerns. However, there is the potential for some conflict to arise if these matters are not well managed or disruptions occur on an ongoing basis, and if ownership of the units is by multiple parties, social conflict could arise by owners.

Street level issues such as parking and rubbish are managed firstly through the design of the dwellings on the property, with off-street parking and rubbish bin storage areas. The natural separation of the neighbouring sections as a result of the topography also means that overflow impacts between neighbours are naturally mitigated.

Safety and security issues can also be raised as concerns by surrounding communities relating to the constant change of people in short term visitor accommodation. While global research suggests there can be a link between crime and an increase in Airbnb listings, those patterns are more influenced by transient communities being more susceptible to crime going on around them in vacant properties, and not the guests from short-term accommodation (who are subject to reviews, access to platforms, etc.). A University of Auckland study also identified that this was more likely in apartment buildings or similar set ups, rather than suburban neighbourhoods in the New Zealand context. It was generally identified that the total number of visitors was less a driver of crime than Airbnb being present in high density housing areas.¹⁸ The potential for criminal behaviour can be mitigated at the individual

¹⁶ <https://airbtics.com/annual-airbnb-revenue-in-queenstown-new-zealand/>

¹⁷ https://assets.simpleviewinc.com/simpleview/image/upload/v1/clients/queenstownnz/Queenstown_Visitor_Survey_Report_Q3_22_23_Website_b2208324-7b1b-40da-b192-888cd50493e6.pdf

¹⁸ <https://www.auckland.ac.nz/en/news/2023/10/30/airbnb-auckland-crime-housing-university-study.html>



property level by landlords providing secure housing setups and supplying appropriate information to guests about security arrangements before and during their stay.

It should be noted that some people enjoy engaging with tourists and hearing information about their travels and the countries where they normally live, and the presence of RVA may provide opportunities for social interactions of a different nature compared to being able to 'pop over the fence' to borrow items or informally get together. There is also more potential for social interactions if properties have tenants as opposed to sitting as empty holiday homes while they are not in use.¹⁹

Conclusions

I consider that the impacts of the proposal at 88 Middleton Road will maintain the current social cohesion and residential amenity of the Middleton Road suburb. There is limited social cohesion, connectedness and residential amenity in the Middleton Road area currently. This is due to a number of factors, including:

- ❖ Neighbouring properties are physically separated from each other as a result of the steepness of the slopes and road layout in which they are being constructed.
- ❖ There is no provision of shared community facilities and infrastructure in the Middleton Road area, which means that community cohesiveness is unlikely to develop organically or embed in the social fabric.
- ❖ Existing properties with dwellings that are already offering short-term accommodation, have been designed to accommodate this activity with limited overflow to public areas.

The existing environment including the limited support network for social cohesion mean that there are limited opportunities for social cohesion and residential amenity to develop further over time, regardless of how the properties are used. The existing residential amenity is one of a satellite suburb that is currently being developed in isolation from community facilities and public spaces which would typically make a suburb a desirable location for less transient residents, such as families and older couples, to live in.

If set up and designed appropriately and managed well at the individual property level, impacts on the surrounding physical and social environment can be appropriately mitigated. The design of the homes, visitor accommodation management plans and surrounding physical environment and topography mean that additional RVA could be easily absorbed into the area, without bringing the area closer to a 'tipping point' of not being able to support additional RVA without disrupting existing social

¹⁹ Sharda, R., and Lees, L., 2023. The everyday lived experiences of Airbnbification in London, *Social and Cultural Geography*, 24:2, 253-273.



cohesion. At the broader community level there is the potential for positive impacts on livelihoods due to jobs supported through managing and servicing RVA.

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Appendix A: Socio-demographic profiles for Suburban Residential Zones²⁰

Figure 3: SRZ community demographic characteristics

	Middleton Road	Hensman Road	Sunshine Bay/Fernhill	Frankton	Kelvin Heights	Arthurs Point	Kawarau Falls	Arrowtown	Lake Hayes Estate	Lake Hayes	Wanaka	Lake Hawea	Queenstown Lakes	Otago Region	New Zealand
Age															
Children (<15 yrs)	10%	6%	10%	13%	17%	17%	8%	20%	21%	11%	17%	22%	16%	16%	19%
Young working (15-29)	32%	33%	33%	18%	14%	21%	17%	14%	18%	11%	16%	14%	20%	22%	19%
Older working (30-64)	56%	51%	53%	54%	49%	56%	45%	51%	50%	48%	49%	52%	52%	44%	45%
Retirement aged (65+)	3%	10%	5%	15%	21%	5%	29%	15%	11%	30%	18%	11%	12%	18%	17%
Years at Usual Residence (U.R.)															
0 years	49%	39%	41%	36%	19%	26%	24%	20%	25%	7%	25%	26%	30%	23%	20%
1-4 years	33%	35%	36%	31%	33%	36%	36%	34%	32%	35%	35%	44%	36%	31%	33%
5-9 years	13%	12%	10%	14%	20%	19%	14%	18%	22%	24%	23%	17%	17%	18%	19%
10+ years	5%	14%	13%	19%	27%	19%	26%	28%	20%	35%	17%	14%	16%	27%	27%
U.R. 5 Years Ago															
Same as UR	23%	30%	28%	37%	46%	38%	40%	45%	41%	54%	39%	28%	32%	44%	45%
Elsewhere in NZ	60%	55%	57%	49%	43%	50%	49%	44%	49%	37%	48%	57%	54%	47%	45%
Not born five years ago	3%	2%	3%	6%	6%	5%	2%	5%	5%	0%	5%	9%	5%	5%	6%
Overseas	15%	13%	12%	9%	5%	8%	8%	6%	4%	10%	8%	7%	8%	5%	4%
No fixed abode	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

*MELAA is Middle Eastern, Latin American and African

Figure 4: SRZ community household characteristics

	Middleton Road	Hensman Road	Sunshine Bay/Fernhill	Frankton	Kelvin Heights	Arthurs Point	Kawarau Falls	Arrowtown	Lake Hayes Estate	Lake Hayes	Wanaka	Lake Hawea	Queenstown Lakes	Otago Region	New Zealand
Household Income															
<\$30,000	5%	6%	5%	13%	8%	5%	3%	7%	6%	11%	8%	8%	7%	15%	14%
\$30,001-\$50,000	11%	4%	5%	11%	11%	4%	6%	9%	6%	5%	10%	10%	8%	15%	13%
\$50,001-\$70,000	11%	9%	9%	14%	5%	6%	8%	8%	9%	5%	9%	9%	8%	11%	10%
\$70,001-\$100,000	16%	15%	16%	14%	11%	11%	17%	15%	10%	16%	15%	17%	14%	15%	14%
\$100,000+	58%	66%	66%	48%	64%	74%	67%	61%	69%	63%	58%	57%	62%	43%	49%
Household Type															
One person household	16%	13%	12%	25%	14%	14%	16%	19%	12%	24%	17%	19%	16%	25%	21%
Couple only	42%	48%	45%	35%	48%	38%	54%	36%	34%	53%	42%	38%	40%	33%	29%
Couple with child(ren)	16%	14%	19%	23%	32%	35%	16%	30%	39%	24%	27%	34%	29%	25%	29%
One parent with child(ren)	0%	5%	6%	6%	4%	3%	0%	9%	6%	0%	6%	5%	5%	8%	12%
Multi-family	26%	20%	18%	12%	3%	10%	14%	6%	8%	0%	8%	5%	11%	9%	9%
Dwelling Tenure															
Owned or partly owned	35%	48%	44%	52%	76%	69%	68%	68%	75%	80%	70%	75%	63%	69%	66%
Not owned	65%	52%	56%	48%	24%	31%	32%	32%	25%	20%	30%	25%	37%	31%	34%
Sector of Landlord															
Private	100%	100%	99%	94%	100%	100%	100%	97%	96%	100%	100%	100%	98%	88%	85%
Local Council	0%	0%	1%	0%	0%	0%	0%	2%	4%	0%	0%	0%	1%	1%	1%
Housing NZ	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	1%	1%
Iwi, hapu or Maori land trust	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Other community housing prov	0%	0%	0%	4%	0%	0%	0%	0%	0%	0%	0%	0%	0%	6%	11%
Other state owned enterprise o	0%	0%	0%	1%	0%	0%	0%	1%	0%	0%	0%	0%	1%	4%	2%

²⁰ Data sourced from Statistics NZ Census of Population and Dwellings, 2023



Figure 5: SRZ community dwelling status characteristics

	Middleton Road	Hensman Road	Sunshine Bay/Fernhill	Frankton	Kelvin Heights	Arthurs Point	Kawarau Falls	Arrowtown	Lake Hayes Estate	Lake Hayes	Wanaka	Lake Hawea	Queenstown Lakes
Occupied Dwelling	45%	58%	71%	76%	64%	76%	60%	70%	91%	64%	65%	71%	69%
Unoccupied Dwelling	39%	41%	27%	23%	33%	22%	39%	28%	7%	25%	34%	25%	27%
Residents Away	20%	20%	17%	15%	25%	10%	33%	11%	3%	19%	13%	11%	13%
Empty Dwelling	18%	21%	11%	9%	9%	15%	6%	17%	2%	11%	20%	13%	14%
Dwelling Under Construction	16%	1%	1%	0%	2%	0%	1%	1%	3%	6%	2%	5%	3%



Appendix B: SRZ site visit descriptions

During the field trip, I visited several Queenstown SRZ areas that also host short-term visitor accommodation to compare and contrast the residential amenity and potential for social cohesion. This included Hensman Road, Sunshine Bay/Fernhill, Frankton, Kelvin Heights, Arthurs Point, Lake Hayes Estate, Hanley's Farm and Arrowtown. A brief description of my observations in relation to how the other SRZs within the metropolitan area compare to Middleton Road, and how known RVA appears to impact the amenity and residential character of local areas, is included below.

Hensman Road: The closest area by distance and geographically to Middleton Road, also with a high density of RVA. This well-established area has a large number of Airbnb (or similar) options. It is close to the town centre and provides spectacular views due to its orientation and sloping geography. Relative to other locations, houses are close to each other and there was a high presence of vehicles parked on the roadside. Visually identifying which houses were residential and which were supporting RVA was not simple. During the site visit (both in evening and morning periods) the suburb appeared 'active' with people movement but did not appear to be negatively impacted by the presence of RVA and the behaviours of those using the area for tourism. There was no disruptive noise at street level and roadside parking was busy but not more so than for other SRZ areas. Similar to Middleton Road, there were limited opportunities for social connection points within the community such as parks and playgrounds, and other social facilities. The Lake Wakatipu viewpoint at the southern end of Hensman Road was an active location for visitors, but this point appears to appeal to visitors from all over the city, rather than creating a flow of tourists from local accommodation.

Sunshine Bay/Fernhill: Located south of the city centre and with a high proportion of RVA. This area, in general, has older housing stock than both Middleton Road and Hensman Road and appears to support better residential cohesion with houses having more oversight of surrounding properties and shared public spaces. Narrower streets meant the presence of traffic was evident and unavoidable. However, even with closer neighbour connection, differentiating between residential households and those currently being used as RVA was not immediately obvious. Sunshine Bay Reserve and Fernhill Reserve both provided opportunities for community connection for people of all ages, while the presence of shops and restaurants in the suburb also supports a stronger sense of local community amenity.

South Frankton: The area located south of the airport, functions very differently to the Middleton Road area. Here the housing stock is generally much older and more modest in build. The flatter topography of the area means that households are in closer proximity with neighbours and across the road. This has also resulted in higher density and lower-cost/simpler construction, supporting more affordable housing options for residents and renters. Airbnb options are less present in the area and as an observer there is no perceivable difference in how the suburb looks or feels where RVA is located. The biggest impact on the area was traffic built up at the top of the suburb for people assumed



to be using it to access the airport or for cheaper parking options. Community parks and closer connections to the Remarkables Park Town Centre gave the appearance of a connected suburb, where accommodation options were available to visitors, rather than a suburb set up to support tourism operations.

Kelvin Heights: This area supports established and large-scale residential housing, with strong residential amenity due to the presence of local parks, and accessible public recreation facilities including the Queenstown Golf Course and walkway around Kelvin Grove. Residential cohesion is supported by good accessibility and connectivity. Compared to Middleton Road, the area feels more upmarket, with a stronger community feel. RVA present in the Kelvin Heights area is absorbed within the housing stock, with limited apparent possibilities for spillover into neighbouring properties or effects on local amenity. Census unoccupied dwelling information indicates that the area contains many holiday homes, but the comparatively low proportion of Airbnb listing suggests they are less likely to be made available for visitor accommodation.

Arthurs Point: An established suburban area with an apparent higher proportion of high value properties and occupants. Households were close to each other, with a premium on design and build quality apparent. Social cohesion was obvious through the ability for connections to be established in local parks and playgrounds, but also through frequenting nearby businesses. Tourism operations are a key component of the character of the area.



APPENDIX C: Airbnb data assessment

To understand the presence of RVA within QLDC and the Middleton Road suburb, I have analysed data from Inside Airbnb.²¹ Inside Airbnb is an independent, openly available dataset that compiles and republishes publicly visible information from Airbnb listings and calendars; in practice, it provides a snapshot of currently active Airbnb activity which is made available for research and public discussion. The data is collected from all of Airbnb's publicly visible listings about once a quarter, and I have used the most recent data available for my assessment.²²

There are other short-term property rental platforms in operation in Queenstown,²³ for which reason the use of only Airbnb data will tend to understate the true prevalence of RVA in private residences. However, my assessment has focussed on the Airbnb brand, because it is a dominant brand in the Queenstown market, and there is publicly available geocoded data available on the number and location of Airbnb rentals that supports assessment of the proposal's social effects. I also consider Airbnb data as appropriate to use because it provides a snapshot of active listings and how RVA is active in the area, rather than a total summary of all consented houses in the area which shows the maximum capacity of RVA

Importantly, the data is anonymised at source: Airbnb obscures listing locations by up to about 150m, so mapped points are approximate only, and are not exact addresses, which makes the data a useful source for understanding the scale and spatial pattern of Airbnb-listed accommodation. It is also relevant that some dwellings may have more than one Airbnb listing attached if they are available in multiple configurations (such as a five bedroom house being separately available as two-bed, three-bed, and five-bed formats). That multiple listing issue will tend to overstate the actual number of dwellings used as Airbnb rentals, although that overstatement will be countered by the understatement of only considering the Airbnb platform, and not rentals on other platforms. While I have assessed individual Airbnb listings in the Middleton Road area to avoid duplicates, I have not done so for other places in Queenstown, as the number of those listings makes the task time-prohibitive. However, as previously noted, it is assumed that double counting from possible duplication will be counteracted by not including listing from other platforms, so overall is unlikely to have a material impact on the analysis.

The Inside Airbnb data I extracted shows that Airbnbs are widespread throughout most of urban Queenstown, and in rural areas, and in fact in most places where there are residential dwellings,

²¹ Website: <https://insideairbnb.com/get-the-data/>, accessed 25 March 2026, using data updated on 13 February 2026

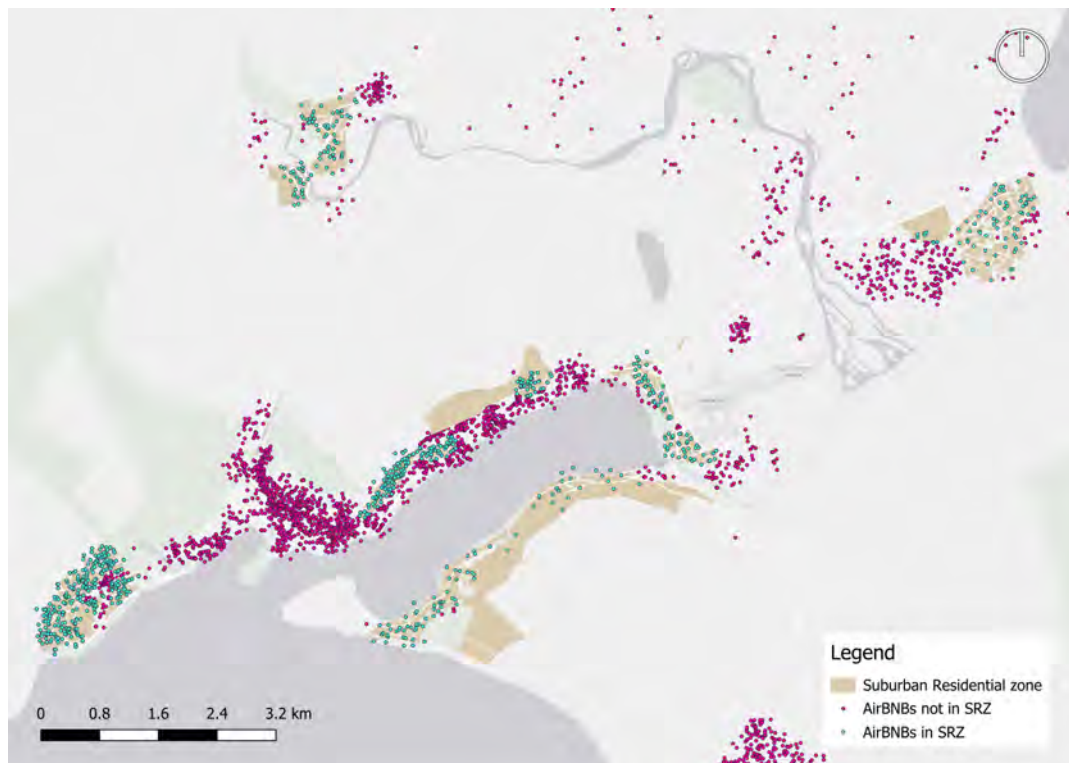
²² Inside Airbnb data, February 13 2026

²³ Including New Zealand based sites such as Bookabach.co.nz, Bachcare, and Holiday Houses by TradeMe, and offshore sites such as Booking.com, Expedia, and Agoda.



including residential and commercial zones, and in the SRZ (Figure 6). Note that some mapped Airbnb locations appear in the water due to the dataset's anonymisation.

Figure 6: Location of Airbnbs within Queenstown (from Inside Airbnb data)



The Inside Airbnb data shows that Airbnbs are quite spatially ubiquitous across QLDC's 13 different SRZ locations. In 11 of the 13 SRZs more than 10% of dwellings are listed on Airbnb (notwithstanding the duplicate issues I describe above), in five areas more than 20% of dwellings are Airbnbs, and in three (Middleton Road, Hensman Road, and Sunshine Bay/Fernhill) more than 40% of dwellings are Airbnbs (Figure 7).

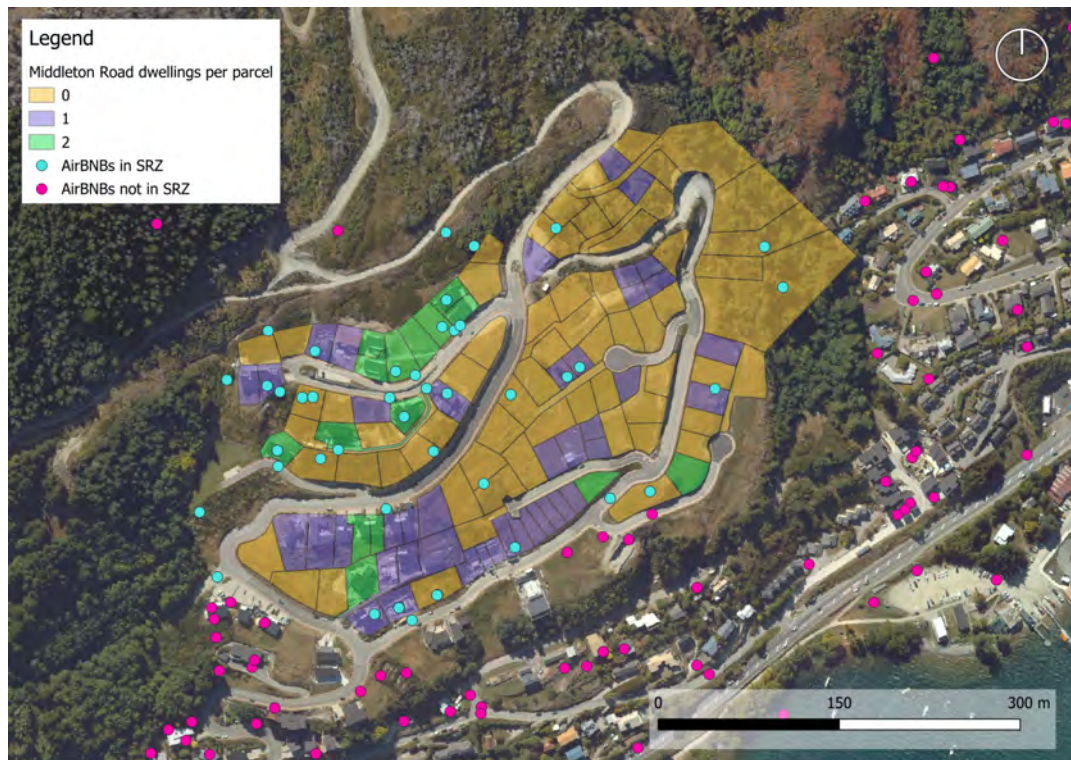
Figure 7: Prevalence of Airbnbs within QLDC's SRZ (from Inside Airbnb data)

Location	Primary parcels	Built primary parcels	Air BNBS			Share of primary parcels that are...			Share of built parcels that are...		
			Entire home/apt	Private room	Total	Entire home/apt	Private room	AirBNB	Entire home/apt	Private room	AirBNB
Middleton Road	122	73	31	4	35	25%	3%	29%	42%	5%	48%
Hensman Road	299	240	141	19	160	47%	6%	54%	59%	8%	67%
Sunshine Bay/Fernhill	775	675	263	57	320	34%	7%	41%	39%	8%	47%
Frankton	424	394	70	14	84	17%	3%	20%	18%	4%	21%
Kelvin Heights	507	456	56	6	62	11%	1%	12%	12%	1%	14%
Arthurs Point	382	338	76	11	87	20%	3%	23%	22%	3%	26%
Kawarau Falls	174	152	19	2	21	11%	1%	12%	13%	1%	14%
Arrowtown	819	764	98	8	106	12%	1%	13%	13%	1%	14%
Lake Hayes Estate	656	592	52	18	70	8%	3%	11%	9%	3%	12%
Lake Hayes	62	53	5	0	5	8%	0%	8%	9%	0%	9%
Luggate	42	40	0	0	0	0%	0%	0%	0%	0%	0%
Wanaka	4,511	3,991	681	45	726	15%	1%	16%	17%	1%	18%
Lake Hawea	1,392	922	127	20	147	9%	1%	11%	14%	2%	16%
Total	10,165	8,690	1,619	204	1,823	16%	2%	18%	19%	2%	21%



The Inside Airbnb data identifies 44 ‘entire home’ (and a further 4 ‘private room’) Airbnb listings in the Middleton Road SRZ (Figure 8). The assessment was crosschecked those with actual listings on Airbnb, and ascertained that 13 of those 44 were duplicate listings for alternative configurations of the same dwelling, yielding 31 unique entire home/apartment dwellings listed on Airbnb. From my site visit and desktop assessment using current Cotality data,²⁴ my count is that there are 73 dwellings in the Middleton Road SRZ, which means that 42% of dwellings in the area are listed on Airbnb. That indicates that Airbnb dwellings make up a substantial portion of Middleton Road’s dwellings.

Figure 8: Middleton Road SRZ Location of Airbnbs and existing dwellings



It is not possible to ascertain from the Cotality categorisation how any rental is intended to be structured, and it may be that some of those home and income dwellings are intended to be used for long-term rentals to permanent residents. However, given the large number of Airbnb listing in the area, and the findings of the Census demographic data described earlier, it is a reasonable inference that many, and probably most of those home and income dwellings are being constructed with the intention that they could suitably be rented out as residential visitor accommodation. There are then also entire homes that can be rented out – that is, Airbnb rentals do not need to be categorised as “Residential: Home & income”, and can fall within Cotality’s “Residential: Dwelling” category as well.

My assessment of the available data shows that while Airbnbs are widespread throughout the district, particularly in urban areas, there are particular concentrations of Airbnbs, such as in Middleton Road,

²⁴ Formerly CoreLogic NZ



Hensman Road, and Sunshine Bay/Fernhill. Because Middleton Road is still being developed it is an interesting case study, and my observations and the available data indicate that many properties in the Middleton Road SRZ are being built specifically for the purpose of residential visitor accommodation.

The Cotality data and my site visit shows that of the 122 SRZ parcels in Middleton Road, 64 (52%) do not yet have a dwelling on them and remain as vacant land. Of the 58 (48%) that have been built on, 41% of the dwellings (30 out of 73) on those parcels are classified by Cotality as “Residential: Home & income”. That is a property use category indicating a single residential property that contains more than one self-contained living unit and one or more dwellings are capable of generating rental income alongside owner occupation. That shows that a high proportion of dwellings being built in the Middleton Road SRZ are being built specifically to enable them to be rented.



Memo

To: Richard Kemp, Principal Planner, Pragmatic Planning
From: Tom Worley, Associate
Date: 27 August 2026
Re: 88 Middleton Road, Queenstown - Residential Visitor Accommodation social effects assessment RFI response

This memo provides a response to the questions posed in the RFI from Queenstown Lakes District Council regarding the application for nine units to undertake RVA at 88 Middleton Road for 365 days a year. Each of the questions are responded to below.

Airbnb and other listing data

Please provide the raw data relied upon for the Airbnb analysis, preferably in excel spreadsheet format, including the extraction date, data source, and criteria used to establish “active” listings.

To understand the presence of RVA within the district and the Middleton Road area, I analysed data from Inside Airbnb.¹ Inside Airbnb is an independent, openly available dataset that compiles and republishes publicly visible information from Airbnb listings and calendars. In practice, it provides a snapshot of currently active Airbnb activity which is made available for research and public discussion. The data is collected from all of Airbnb’s publicly visible listings about once a quarter, and I have used the most recent data available for my assessment.²

A copy of the raw data used in my assessment is provided in Excel spreadsheet format. The data was extracted 26 March 2026 from <https://insideairbnb.com/get-the-data/>, using data updated by Inside Airbnb on 13 February 2026. All listings contained in the dataset are active listings, as explained above.

Percentage of the Airbnb listings that are permitted (meets the <90 days and other criteria), home occupation activities (private rooms) and consented RVA activities.

As explained, the data from Airbnb is anonymised by providing approximate (to within about 150m) spatial locations for each listing. Due to the absence of accurate point information in the Inside Airbnb dataset, it is not possible to undertake a comprehensive spatial comparison of that data with QLDC’s RVA consent information. It may be possible for small geographic areas to look at each listing, and

¹ Website: <https://insideairbnb.com/get-the-data/>, accessed 25 March 2026, using data updated on 13 February 2026

² Inside Airbnb data, February 13 2026



establish an address for that listing, and then to compare that with the RVA consents, but that can only be done by individually viewing every listing, and visually establishing the address of that property based on distinctive visual characteristics provided in the listing's photos and matching those with property photos from Google Streetview. That process was used for the duplication analysis described to answer the next question below.

How duplicate listings were identified prior to removal (for example, by property name or address), and whether it is appropriate to compare the Middleton Road area with other suburbs where duplicate listings have not been removed.

Importantly, the Inside Airbnb data is anonymised at source: Airbnb obscures listing locations by up to about 150m, so mapped points are approximate only, and are not exact addresses. This means that while the data is a useful source for understanding the scale and spatial pattern of Airbnb-listed accommodation, there are some limitations to the utility of the data.

One limitation that is acknowledged in the report is that some dwellings may have more than one Airbnb listing attached, including those that are available in multiple configurations (such as a five bedroom house being separately available as two-bed, three-bed, and five-bed formats). That multiple listing issue will tend to overstate the actual number of dwellings used as Airbnb rentals. To account for these duplicate listings, I manually reviewed all of the Airbnb listings by looking at listing photographs and comparing those to photography from Google Streetview and from my site visit to match each listing to a physical street address. That process was time consuming, because some listings have few exterior photos and those may not be of parts of the property visible from public places (such as the street). Nevertheless, I identified with a high level of confidence the number of dwellings (not listings) in the Middleton Road area net of duplicate listings.

While I have assessed individual Airbnb listings in the Middleton Road area to avoid duplicates, I have not done so for other places in Queenstown, as the number of those listings makes the task time-prohibitive. That caveat was noted in the report, in which I also noted that double counting from possible duplication will be counteracted to some extent by not including listings from other platforms, so overall is unlikely to have a material impact on the analysis. In any case, comparison with other parts of Queenstown is not the primary concern of this assessment – the primary concern is that there is a very extensive presence of RVA (in the form of Airbnbs at least) in the Middleton Road area. That extensive presence is not changed by unresolved duplication of Airbnb properties in other parts of Queenstown.



Please identify or estimate the number of additional RVA listings advertised through other platforms such as Bookabach, Booking.com, etc. Please explain the methodology, assumption and limitations associated with that estimate (if available), including how potential duplicates have been addressed.

As stated above, data sourced from the Inside Airbnb website is publicly available. There is not, as far as I am aware, any comparable data collated from other visitor accommodation booking platform websites such as Bookabach, Booking.com, etc. That is, the data to undertake a comparison between Airbnb and other platforms does not exist and would have to be created by collating data from thousands of individual listings across multiple websites. That exercise would require the type of coding resources available to Inside Airbnb and is not practical for the purposes of this assessment. Further, even if data were to be collated there would be significant cross-platform duplication issues which would be difficult or impossible to resolve.

As stated above, the Inside Airbnb dataset is a useful snapshot of one part of the RVA market and shows that there is a very extensive presence of RVA (in the form of Airbnbs at least) in the Middleton Road area.

Evidence of key conclusions

Please explain the basis for concluding that the design of dwellings within the Middleton Road neighbourhood is “sympathetic” to RVA, including the specific design characteristics that distinguish these dwellings from typical modern residential units.

The term sympathetic was used on the basis that the units would be indistinguishable from other typical residential units in the area. The expected aesthetic look of the units, once developed, will be consistent with other dwellings in the area, meaning that from the outside and for a casual observer there will not be anything in particular that stands out to identify RVA consented dwellings with those that are residential only, for example signage like would be expected other tourist accommodation.

Additionally, off-street parking is provided at the street level outside each unit on Middleton Road, meaning guests only need to move directly in front of the properties during arrival/departure events. On street parking space is available for any additional cars that may be associated with RVA. It is not anticipated that RVA or individual units will often exceed the number of cars associated with residential households in Queenstown, approx. 2.1 per household.³

³ <https://figure.nz/chart/y0f729e0hCn5ZoRo>



Existing RVA has limited overflow into public areas – please clarify how this conclusion was reached and whether it's supported by site observations, or other data.

This was supported through observations of RVA households and activities in the Middleton Road area at various times of day during the site visit associated with the 62 Middleton Road submission, as well as RVA in other suburban zones. Any overflow was brief and associated with arrival/departure events, just like residential activity.

Additionally, the off-street parking provision and other features such as allocated rubbish areas also means overflow onto the street is limited. Compared to more established suburban areas in Queenstown this is a considered and practical feature of the dwellings in the Middleton Road area.

Sufficient on-street parking is available for vehicles that cannot be accommodated on-site – please explain this conclusion, especially for McGregor Lane, which is more physically constrained than Middleton Road and other public roads.

Street level issues such as parking and rubbish are managed firstly through the design of the dwellings on the property, with provision for off-street parking and rubbish bin storage areas. Each dwelling has a dedicated off-street carpark. Data is not readily available on the number of cars Airbnb guests typically have, however the size of the dwellings means that it is unlikely more cars than the average Queenstown household will need to be supported. The natural separation of the neighbouring sections as a result of the topography also means that overflow impacts between neighbours are naturally mitigated, and there is more than likely enough space in the area to accommodate multiple cars if required, even if they are unable to be parked directly outside of the property.

The proposal would not move the locality materially closer to a cumulative effects tipping point – what is the basis of this conclusion, including how the cumulative effects tipping point was determined in this study.

Firstly, at this stage it needs to be noted that the tipping point in discussion is theoretical, without a defined metric by Council. From a social impact perspective, the tipping point would be considered to be met when the overflow of activities associated with RVA have an adverse impact on how the Middleton Road area is able to support the needs and accessibility of residents and general visitors to the area, as it has been developed to do.

The presence of Airbnb assessment (used as a proxy for the percentage of properties actively offering RVA availability), as referenced in the memo, in combination with on-the-ground observations from the site visit, indicated that while the Middleton Road area is operating at the upper end of suburbs



currently offering Airbnb accommodation (lower than Hensman Road and similar to Sunshine Bay/Fernhill), the nature of the suburb's geographic context and operational set up, along with sympathetic housing designs means that this activity is readily absorbed.

In terms of impacts at a community level it is considered that additional RVA activity here is appropriate in this context, and will have less of an impact or contribution toward a tipping point than it would if located in other suburban zones around Queenstown.

If set up and designed appropriately, as is considered to be the case here, and managed well at the individual property level once operational, impacts on the surrounding physical and social environment will be appropriately mitigated. The design of the homes, visitor accommodation management plans and surrounding physical environment and topography mean that additional RVA could be easily absorbed into the area, without bringing the area closer to a 'tipping point' of not being able to support additional RVA without disrupting existing social cohesion. Without evidence that there is ongoing anti-social behaviour issues associated with the activity, it is difficult to assess the level of inconvenience and degree to which social cohesion is currently being adversely affected and how the new additions would impact the suburb.

The locality has limited potential for community cohesion or residential amenity to develop – how is this the case, given that the surrounding neighbourhood has not yet fully developed and has not yet had a chance to establish meaningful residential amenity, cohesion and character.

The Middleton Road area, as it has been planned and developed, is absent of any meaningful community spaces or facilities that enhance community or personal connection with others. A small community open space close to Frankton Road is not in a location, or of a scale or design that makes it readily accessible to residents/visitors that are staying further up Middleton Road. The recreation area, Jetty Park, midway up Middleton Road also appears to be a function of zoning space that isn't practical for building, rather than acting as a potential community focal point.

Additionally, there are no local schools, cafes or shops within the Middleton Road area that facilitate further community connection, nor is there any zoning that supports this. The lack of community spaces, or opportunity for future spaces, means that unless people are passing by each other on the street, there are limited opportunities or locations where residents or visitors would be drawn together for connection or have the chance for passive interactions and build a greater sense of community over time.

Neighbours can of course facilitate this themselves through reaching out and personally connecting with other community members in their respective homes. The permanence of residents may have an impact on this. Statistics from the demographic data indicate a relatively high presence of young



working aged people, with a high share of multi-family households (likely flatting arrangements) and approximately 65% of dwellings were not owned by the residents. This implies a high level of transient residents already, which means that adding more capacity for RVA into the area is unlikely to disrupt any underlying social fabric.

While most houses in the area will have a high-value view that will be enjoyed by residents and visitors, the baseline culture for the area is limited in terms of social cohesion and connectedness. The suburb set up requires that people move out of the area in order to actively be part of the broader Queenstown community and have access to facilities that enhance social wellbeing and connectedness, which does not easily support community cohesion to develop organically in place. The existing residential amenity is one of a satellite suburb that is currently being developed in isolation from community facilities and public spaces which would typically make the suburb a desirable location for less transient residents, such as families and older couples, to live in. The physical set up and zoning of the suburb makes this the case, rather than the timeline of development.

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