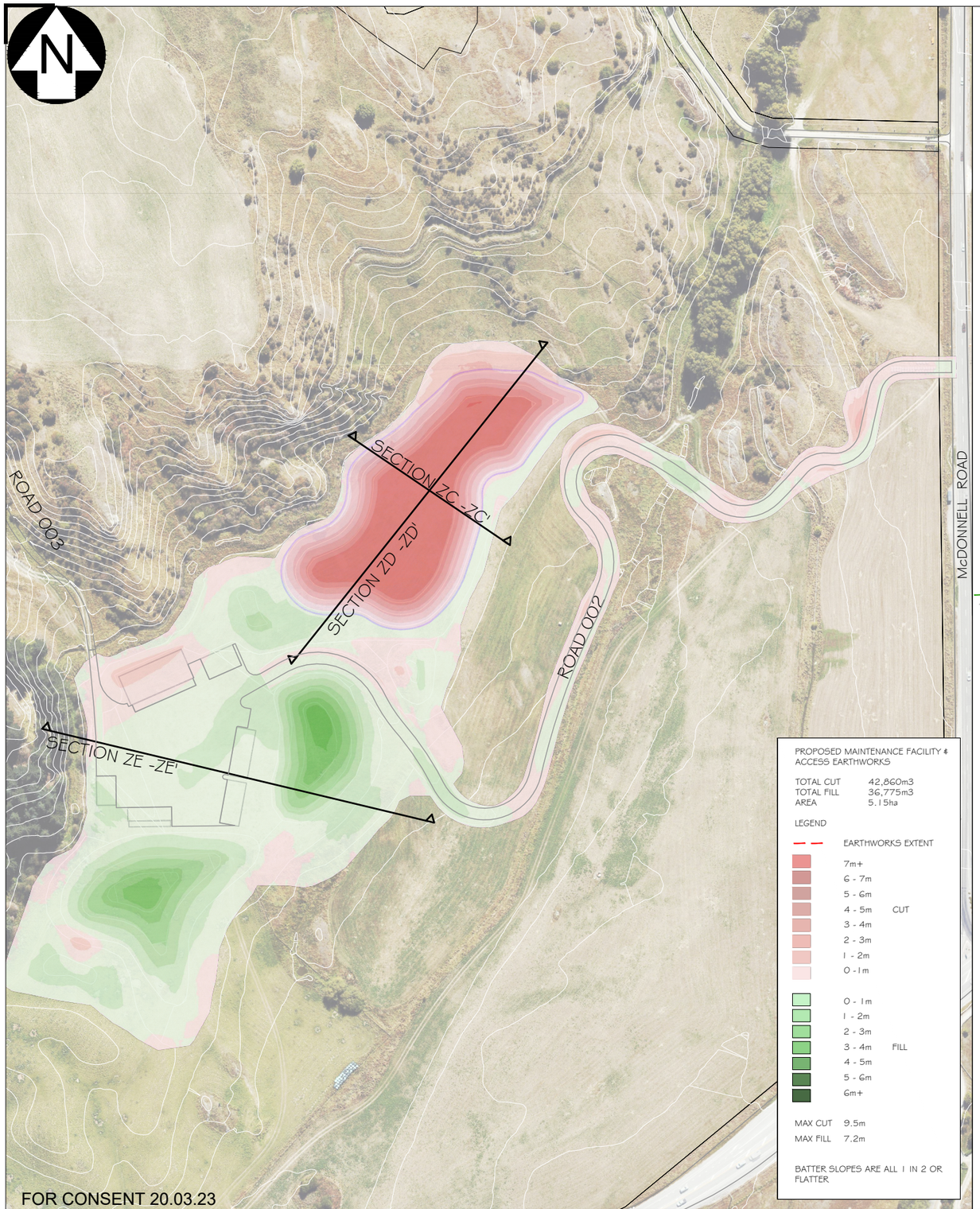
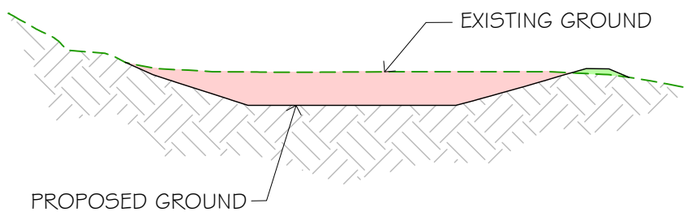
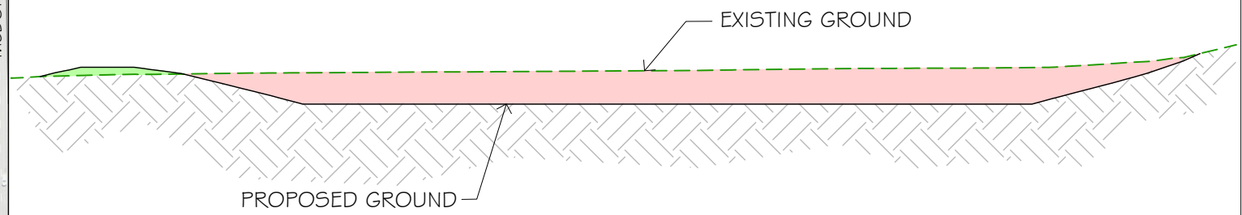


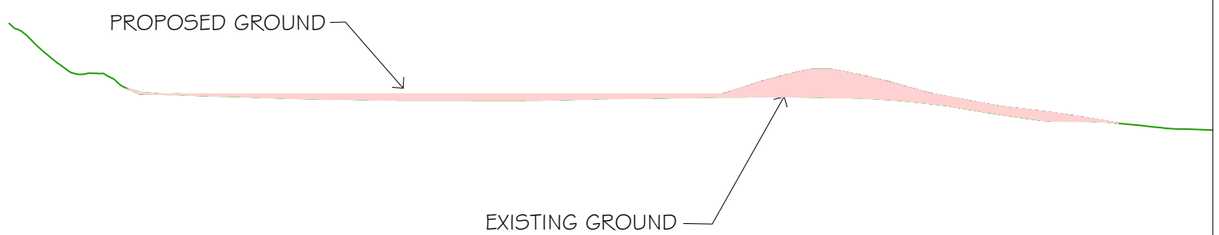
FOR CONSENT 20.03.23



SECTION ZC -ZC'



SECTION ZD -ZD'



SECTION ZE -ZE'

SCALE 1:1000 @A3

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Rev.	Date	Revision Details	By
-	-	-	-

HOGAN'S GULLY FARM
PROPOSED MAINTENANCE FACILITY & ACCESS EARTHWORKS

Client	Surveyed	Signed	Date	Job No.	Drawing No.	
HOGANS GULLY FARMING LTD	-		-	12865	022 Sheet 002	
Notes: All dimensions shown are in meters unless shown otherwise. Any person using Clark Fortune McDonald drawings and other data accepts the risk of: - Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions. - Ensuring the information is the most recent issue. - Copyright on this drawing is reserved.	Drawn RWB	Signed	Date 06.12.17	Scale	1:1250 @ A1 1:2500 @ A3	
	Designed -	Signed	Date -	Datum & Level Mt Nic 2000 & MSL	Rev. -	

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LEGEND

CONTOUR MAJOR (2.0m interval)

CONTOUR MINOR (1.0m interval)

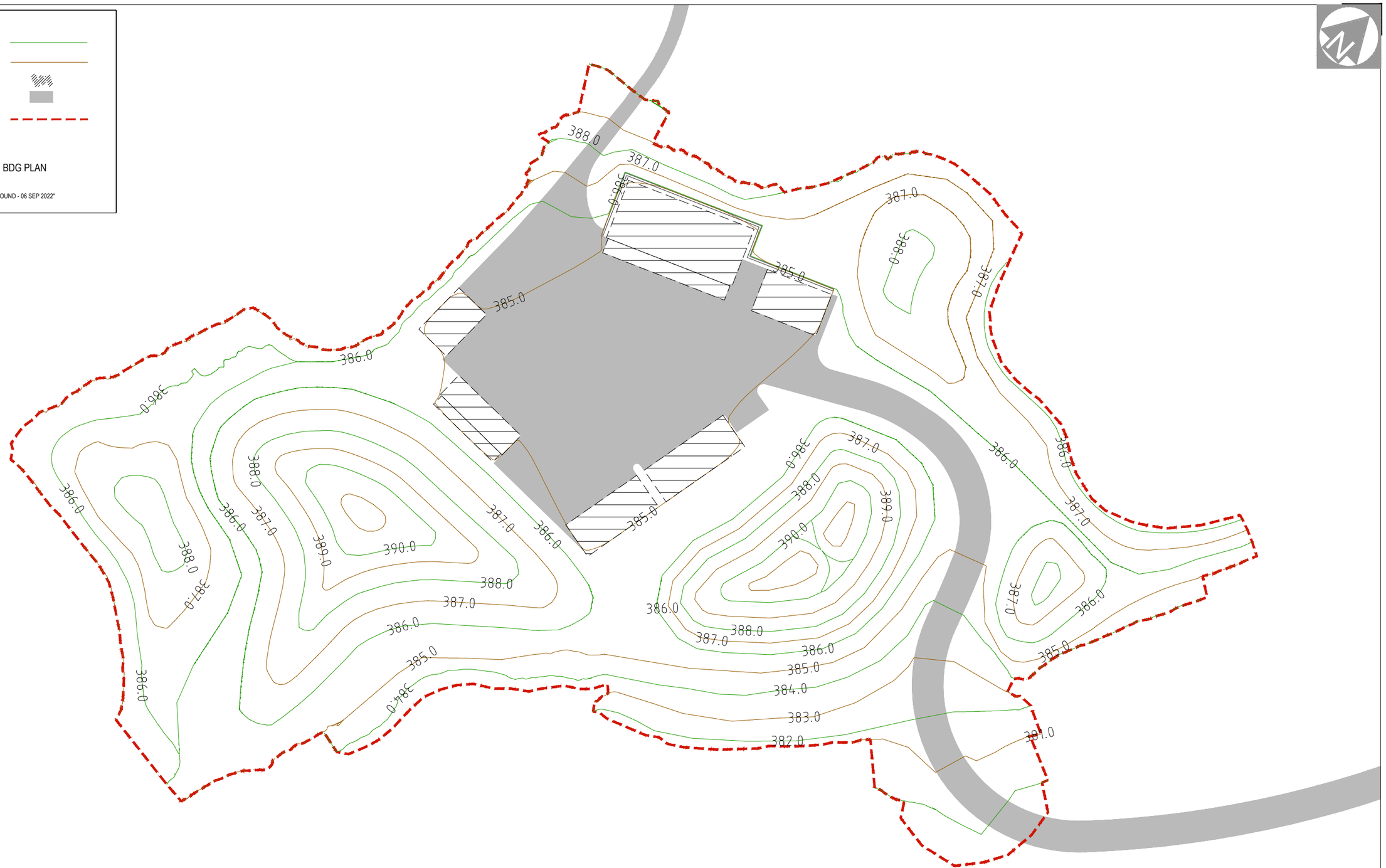
BUILDING PLATFORM

DRIVEWAY

EARTHWORKS EXTENT

DESIGN INFORMATION BASED ON BDG PLAN

"4341 - HGF - PROPOSED NEW MAINTENANCE COMPOUND - 06 SEP 2022"



ISSUED FOR RESOURCE CONSENT 08.09.22

Shotover Design Limited trading as
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309 Lower Shotover Road, P.O.Box 553 Queenstown
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Rev.	Date	Revision Details	By

PROPOSED EARTHWORKS ON SECTION 2 SO 440817

Client: HOGAN'S GULLY FARM	Surveyed: ----	Date: ----	Job No.: 12865	Drawing No.: 01 Sheet 001
Notes: All dimensions shown are in meters unless shown otherwise. Any person using Clark Fortune McDonald drawings and other data accepts the risk of: - Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions. - Ensuring the information is the most recent issue. - Copyright on this drawing is reserved.	Drawn: PT	Date: SEP 22	Scale: 1:500 @ A1 1:1000 @ A3	
	Checked: HK	Date: 08.09.22	Datum & Level: MT NIC 2000 MSL	Rev.: -

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LEGEND

EARTHWORKS

Fill Material
- 7m to 8m
- 6m to 7m
- 5m to 6m
- 4m to 5m
- 3m to 4m
- 2m to 3m
- 1m to 2m
- 0m to 1m

Cut Material
- -0m to -1m
- -1m to -2m
- -2m to -3m

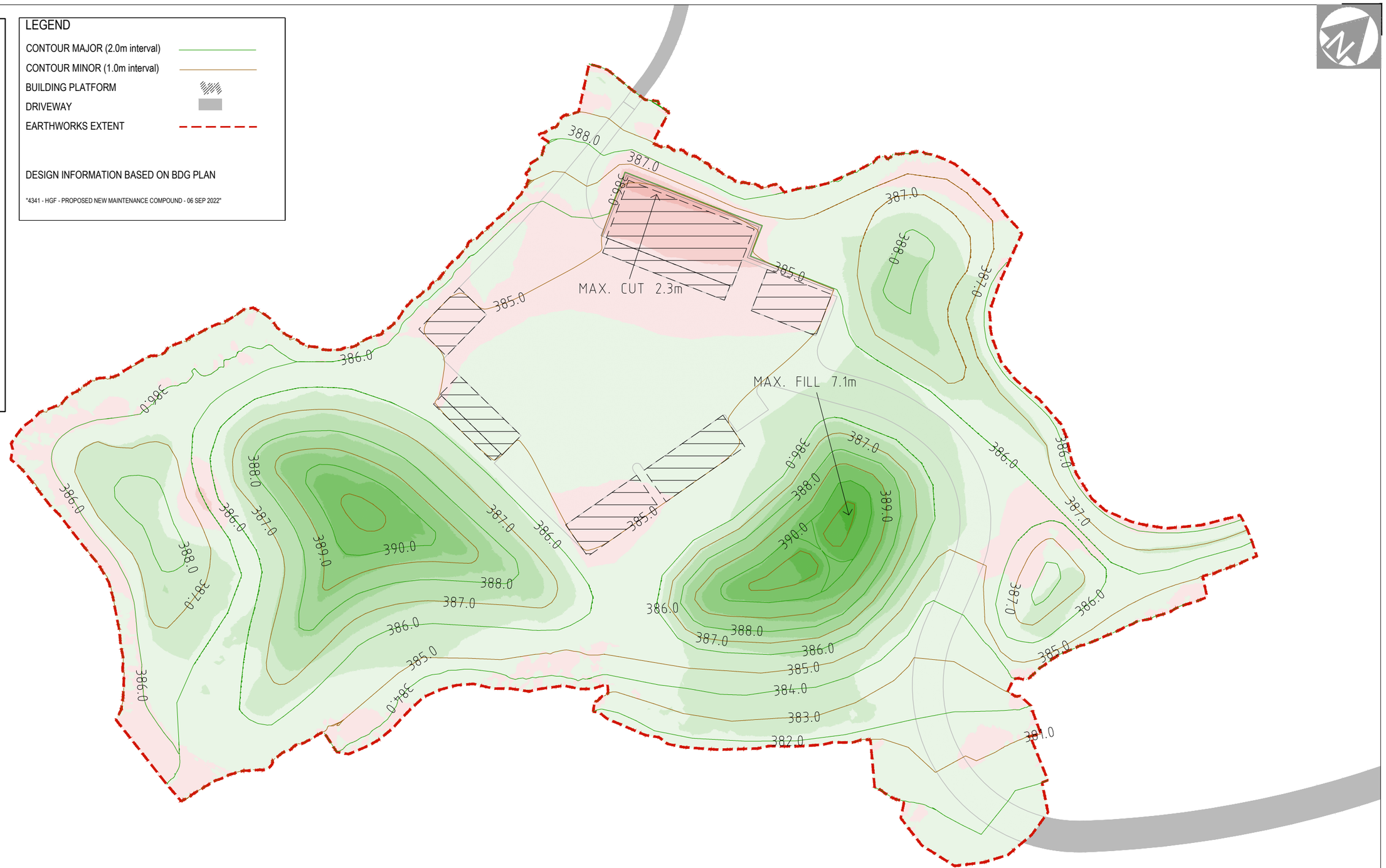
EARTHWORKS VOLUMES:
38165m³ FILL (SOLID)
2145m³ CUT (SOLID)
EARTHWORKS AREA = 35,000m²
MAX. FILL 7.1m
MAX. CUT 2.3m

LEGEND

CONTOUR MAJOR (2.0m interval)
CONTOUR MINOR (1.0m interval)
BUILDING PLATFORM
DRIVEWAY
EARTHWORKS EXTENT

DESIGN INFORMATION BASED ON BDG PLAN

"4341 - HGF - PROPOSED NEW MAINTENANCE COMPOUND - 06 SEP 2022"



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Rev.	Date	Revision Details	By

PROPOSED EARTHWORKS ON SECTION 2 SO 440817

Client: HOGAN'S GULLY FARM

Notes:
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Surveyed	Date	Job No.	Drawing No.
----	----	12865	01 Sheet 002
Drawn: PT	Date: SEP 22	Scale	1:500 @ A1, 1:1000 @ A3
Checked: HK	Date: 08.09.22	Datum & Level: MT NIC 2000 MSL	Rev. -

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AMALGAMATION CONDITION

"LOTS 2000 - 2012 HEREON SHALL BE HELD IN THE SAME COMPUTER FREEHOLD REGISTER"

"LOTS 4000 - 4003 SHALL BE HELD IN THE SAME COMPUTER FREEHOLD REGISTER"

LEGEND

- RESIDENTIAL BUILDING PLATFORM
- LANDSCAPE AREA LOTS
- GOLF COURSE LOTS
- LANDSCAPE PROTECTION AREA LOTS
- ROAD TO BE VESTED
- RIGHT OF WAY EASEMENTS
- TRAIL & SERVICES EASEMENTS
- LANDSCAPE PROTECTION CONSENT NOTICE AREA

SUBJECT TO FINAL LT SURVEY

ADDITIONAL SERVICE EASEMENTS WILL BE REQUIRED SUBJECT TO FINAL ENGINEERING DESIGN.

CLIENT REVIEW 27.09.2022

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Rev.	Date	Revision Details	By
F	25.02.19	Add consent notice area and staging details	RB
G	07.03.19	Adjust platform setbacks to 3m as per BDG plan	RB
H	22.07.20	Update lot layout	RB
I	13.05.21	Updates post mediation	RB
J	11.06.21	Adjust landscape protection area	RB
K	16.07.21	Add area B & rename residential lots.	RB
L	23.09.22	Road to be vested, lots and easements added	SL

PROPOSED SUBDIVISION HOGANS GULLY FARM

Client: HOGAN'S GULLY FARMING LTD	Surveyed: -	Signed:	Date: -	Job No.: 12865	Drawing No.: 06 Sheet 001
	Drawn: RWB	Signed:	Date: 17.11.17	Scale: 1:3000 @ A1, 1:6000 @ A3	
	Designed: -	Signed:	Date: -	Datum & Level: Mt Nic 2000 & MSL	Rev.: L

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AMALGAMATION CONDITION

"LOTS 2000 - 2012 HEREON SHALL BE HELD IN THE SAME COMPUTER FREEHOLD REGISTER"

"LOTS 4000 - 4003 SHALL BE HELD IN THE SAME COMPUTER FREEHOLD REGISTER"

LEGEND

- RESIDENTIAL BUILDING PLATFORM
- LANDSCAPE AREA LOTS
- GOLF COURSE LOTS
- LANDSCAPE PROTECTION AREA LOTS
- ROAD TO BE VESTED
- RIGHT OF WAY EASEMENTS
- TRAIL & SERVICES EASEMENTS
- LANDSCAPE PROTECTION CONSENT NOTICE AREA

SUBJECT TO FINAL LT SURVEY

ADDITIONAL SERVICE EASEMENTS WILL BE REQUIRED SUBJECT TO FINAL ENGINEERING DESIGN.

NORTH

LOT 4003
7.133HA

LOT 2008
2.919HA

LOT 210
1040m²

LOT 209
1040m²

LOT 208
1040m²

LOT 207
1160m²

LOT 206
1255m²

LOT 201
1285m²

LOT 202
1180m²

LOT 203
1180m²

LOT 204
1170m²

LOT 205
1200m²

LOT 2006
1.342HA

LOT 4000
17.239HA

LOT 5000 ROAD TO BE VESTED

LOT 3000
42.309HA

LOT 2004
1.625HA

LOT 302
1040m²

LOT 301
1060m²

LOT 2005
2845m²

LOT 3001
37.449HA

LOT 311
1015m²

LOT 312

TC

A

B

C

3

CLIENT REVIEW 27.09.2022

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Rev.	Date	Revision Details	By
A	23.02.18	Update lot layout	RB
G	07.03.19	Adjust platform setbacks to 3m as per BDG plan	RB
I	13.05.21	Post mediation updates	RB
K	16.07.21	Add area B & rename residential lots.	RB
L	23.09.22	Road to be vested, lots and easements added	SL

PROPOSED SUBDIVISION
HOGANS GULLY FARM

Client	Surveyed	Signed	Date	Job No.	Drawing No.
HOGAN'S GULLY FARMING LTD	-		-	12865	06 Sheet 002
	Drawn	Signed	Date	Scale	
	RWB		17.11.17		1:500 @ A1 1:1000 @ A3
	Designed	Signed	Date	Datum & Level	Rev.
	-		-	Mt Nic 2000 & MSL	L

Notes:
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NORTH

LOT 2008
2.919HA

A

LOT 101
1030m²

LOT 102
1010m²

LOT 103
945m²

LOT 104
925m²

LOT 105
890m²

3

N

CC

LOT 2013
2.638HA

O

LOT 1001
790m²

LOT 1002
760m²

LOT 1003
770m²

LOT 1004
795m²

3

LOT 2008
2.919HA

LOT 2013
2.638HA

N

P

LOT 3000
42.309HA

OT 304

LOT 308
1150m²

LOT 307
1030m²

EXISTING
HOUSE

01

AMALGAMATION CONDITION

"LOTS 2000 - 2012 HEREON SHALL BE HELD IN THE SAME COMPUTER FREEHOLD REGISTER"

"LOTS 4000 - 4003 SHALL BE HELD IN THE SAME COMPUTER FREEHOLD REGISTER"

LEGEND

- RESIDENTIAL BUILDING PLATFORM
- LANDSCAPE AREA LOTS
- GOLF COURSE LOTS
- LANDSCAPE PROTECTION AREA LOTS
- ROAD TO BE VESTED
- RIGHT OF WAY EASEMENTS
- TRAIL & SERVICES EASEMENTS
- LANDSCAPE PROTECTION CONSENT NOTICE AREA

SUBJECT TO FINAL LT SURVEY

ADDITIONAL SERVICE EASEMENTS WILL BE REQUIRED SUBJECT TO FINAL ENGINEERING DESIGN.

CLIENT REVIEW 27.09.2022

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Rev.	Date	Revision Details	By
A	23.02.18	Update lot layout	RB
G	07.03.19	Adjust platform setbacks to 3m as per BDG plan	RB
I	13.05.21	Updates post mediation	RB
K	16.07.21	Add area B & rename residential lots.	RB
L	23.09.22	Road to be vested, lots and easements added	SL

PROPOSED SUBDIVISION
HOGANS GULLY FARM

Client: HOGAN'S GULLY FARMING LTD	Surveyed: -	Signed	Date: -	Job No.: 12865	Drawing No.: 06 Sheet 003
Notes: All dimensions shown are in meters unless shown otherwise. Any person using Clark Fortune McDonald drawings and other data accepts the risk of: - Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions. - Ensuring the information is the most recent issue. - Copyright on this drawing is reserved.	Drawn: RWB	Signed	Date: 17.11.17	Scale: 1:500 @ A1, 1:1000 @ A3	
	Designed: -	Signed	Date: -	Datum & Level: Mt Nic 2000 & MSL	Rev.: L

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AMALGAMATION CONDITION

"LOTS 2000 - 2012 HEREON SHALL BE HELD IN THE SAME COMPUTER FREEHOLD REGISTER"

"LOTS 4000 - 4003 SHALL BE HELD IN THE SAME COMPUTER FREEHOLD REGISTER"

LEGEND

- RESIDENTIAL BUILDING PLATFORM
- LANDSCAPE AREA LOTS
- GOLF COURSE LOTS
- LANDSCAPE PROTECTION AREA LOTS
- ROAD TO BE VESTED
- RIGHT OF WAY EASEMENTS
- TRAIL & SERVICES EASEMENTS
- LANDSCAPE PROTECTION CONSENT NOTICE AREA

SUBJECT TO FINAL LT SURVEY

ADDITIONAL SERVICE EASEMENTS WILL BE REQUIRED SUBJECT TO FINAL ENGINEERING DESIGN.

CLIENT REVIEW 27.09.2022

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Rev.	Date	Revision Details	By
A	23.02.18	Update lot layout	RB
G	07.03.19	Adjust platform setbacks to 3m as per BDG plan	RB
I	13.05.21	Updates post mediation	RB
K	16.07.21	Add area B & rename residential lots.	RB
L	23.09.22	Road to be vested, lots and easements added	SL

PROPOSED SUBDIVISION
HOGANS GULLY FARM

Client: HOGAN'S GULLY FARMING LTD	Surveyed: -	Signed:	Date: -	Job No.: 12865	Drawing No.: 06 Sheet 004
	Drawn: RWB	Signed:	Date: 17.11.17	Scale: 1:500 @ A1, 1:1000 @ A3	
	Designed: -	Signed:	Date: -	Datum & Level: Mt Nic 2000 & MSL	Rev.: L

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AMALGAMATION CONDITION

"LOTS 2000 - 2012 HEREON SHALL BE HELD IN THE SAME COMPUTER FREEHOLD REGISTER"

"LOTS 4000 - 4003 SHALL BE HELD IN THE SAME COMPUTER FREEHOLD REGISTER"

LEGEND

- RESIDENTIAL BUILDING PLATFORM
- LANDSCAPE AREA LOTS
- GOLF COURSE LOTS
- LANDSCAPE PROTECTION AREA LOTS
- ROAD TO BE VESTED
- RIGHT OF WAY EASEMENTS
- TRAIL & SERVICES EASEMENTS
- LANDSCAPE PROTECTION CONSENT NOTICE AREA

SUBJECT TO FINAL LT SURVEY

ADDITIONAL SERVICE EASEMENTS WILL BE REQUIRED SUBJECT TO FINAL ENGINEERING DESIGN.

NORTH

LOT 3001
37.449HA

LOT 312
1190m²

1015m²

1180m²

D

LOT 313
1105m²

3

LOT 5000 ROAD TO BE VESTED

LOT 2004
1.625HA

LOT 4000
17.239HA

LOT 404
1070m²

3

LOT 403
990m²

3

LOT 2003
1.621ha

LOT 2003
1.621ha

F

LOT 401
900m²

LOT 402
1005m²

3

E

LOT 3001
37.449HA

CLIENT REVIEW 27.09.2022

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Rev.	Date	Revision Details	By
A	23.02.18	Update lot layout	RB
G	07.03.19	Adjust platform setbacks to 3m as per BDG plan	RB
I	13.05.21	Updates post mediation	RB
K	16.07.21	Add area B & rename residential lots.	RB
L	23.09.22	Road to be vested, lots and easements added	SL

PROPOSED SUBDIVISION
HOGANS GULLY FARM

Client: HOGAN'S GULLY FARMING LTD

Notes:
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Surveyed	Signed	Date	Job No.	Drawing No.
-		-	12865	06 Sheet 005
Drawn	**Signed**	**Date**	**Scale**	
RWB		17.11.17	1:500 @ A1 1:1000 @ A3	
Designed	**Signed**	**Date**	**Datum & Level**	**Rev.**
-		-	Mt Nic 2000 & MSL	L

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AMALGAMATION CONDITION

"LOTS 2000 - 2012 HEREON SHALL BE HELD IN THE SAME COMPUTER FREEHOLD REGISTER"

"LOTS 4000 - 4003 SHALL BE HELD IN THE SAME COMPUTER FREEHOLD REGISTER"

LEGEND

- RESIDENTIAL BUILDING PLATFORM
- LANDSCAPE AREA LOTS
- GOLF COURSE LOTS
- LANDSCAPE PROTECTION AREA LOTS
- ROAD TO BE VESTED
- RIGHT OF WAY EASEMENTS
- TRAIL & SERVICES EASEMENTS
- LANDSCAPE PROTECTION CONSENT NOTICE AREA

SUBJECT TO FINAL LT SURVEY

ADDITIONAL SERVICE EASEMENTS WILL BE REQUIRED SUBJECT TO FINAL ENGINEERING DESIGN.

CLIENT REVIEW 27.09.2022

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Rev.	Date	Revision Details	By
A	23.02.18	Update lot layout	RB
G	07.03.19	Adjust platform setbacks to 3m as per BDG plan	RB
I	13.05.21	Updates post mediation	RB
K	16.07.21	Add area B & rename residential lots.	RB
L	23.09.22	Road to be vested, lots and easements added	SL

PROPOSED SUBDIVISION
HOGANS GULLY FARM

Client	Surveyed	Signed	Date	Job No.	Drawing No.
HOGAN'S GULLY FARMING LTD	-		-	12865	06 Sheet 006
	Drawn	Signed	Date	Scale	1:500 @ A1
	RWB		17.11.17		1:1000 @ A3
	Designed	Signed	Date	Datum & Level	Rev.
	-		-	Mt Nic 2000 & MSL	L

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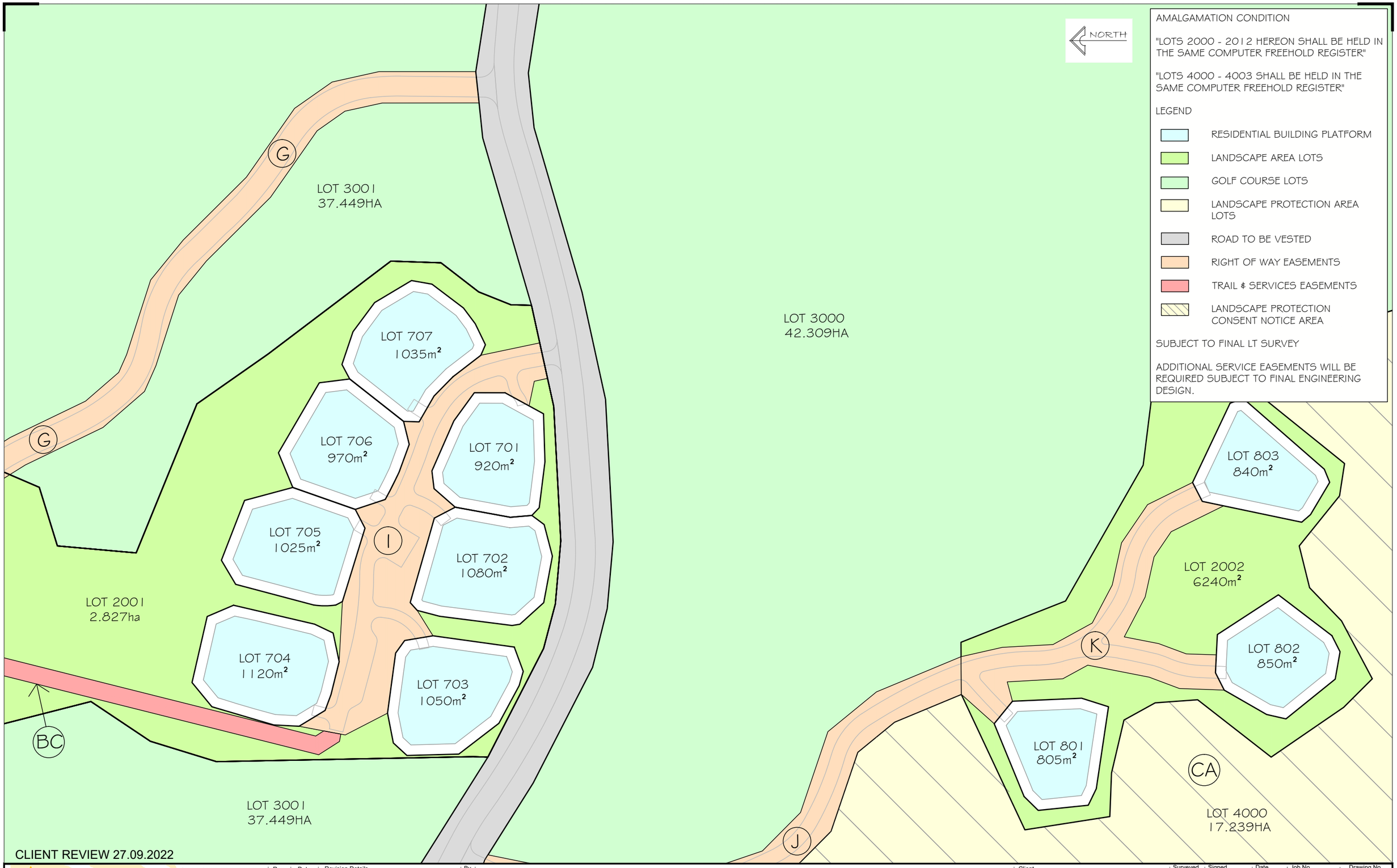

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Rev.	Date	Revision Details	By
A	23.02.18	Update lot layout	RB
E	1.02.19	Update lot layout	RB
G	07.03.19	Adjust platform setbacks to 3m as per BDG plan	RB
I	13.05.21	Updates post mediation	RB
K	16.07.21	Add area B & rename residential lots.	RB
L	23.09.22	Road to be vested, lots and easements added	SL

PROPOSED SUBDIVISION
HOGANS GULLY FARM

Client	Surveyed	Signed	Date	Job No.	Drawing No.
HOGAN'S GULLY FARMING LTD	-		-	12865	06 Sheet 007
	Drawn	Signed	Date	Scale	
	RWB		17.11.17		1:500 @ A1 1:1000 @ A3
	Designed	Signed	Date	Datum & Level	Rev.
	-		-	Mt Nic 2000 & MSL	L

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AMALGAMATION CONDITION

"LOTS 2000 - 2012 HEREON SHALL BE HELD IN THE SAME COMPUTER FREEHOLD REGISTER"

"LOTS 4000 - 4003 SHALL BE HELD IN THE SAME COMPUTER FREEHOLD REGISTER"

LEGEND

- RESIDENTIAL BUILDING PLATFORM
- LANDSCAPE AREA LOTS
- GOLF COURSE LOTS
- LANDSCAPE PROTECTION AREA LOTS
- ROAD TO BE VESTED
- RIGHT OF WAY EASEMENTS
- TRAIL & SERVICES EASEMENTS
- LANDSCAPE PROTECTION CONSENT NOTICE AREA

SUBJECT TO FINAL LT SURVEY

ADDITIONAL SERVICE EASEMENTS WILL BE REQUIRED SUBJECT TO FINAL ENGINEERING DESIGN.

NORTH

LOT 3001
37.449HA

LOT 901
1100m²

LOT 902
1120m²

LOT 903
1240m²

LOT 904
1140m²

LOT 905
1095m²

LOT 906
1235m²

LOT 907
1175m²

3

L

M

BD

LOT 2000
1.467ha

LOT 3001
37.449HA

BE

CA

LOT 4000
17.239HA

BF

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Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

Rev.	Date	Revision Details	By
A	23.02.18	Update lot layout	RB
D	07.01.19	Update lot layout R9	RB
I	13.05.21	Updates post mediation	RB
K	16.07.21	Add area B & rename residential lots.	RB
L	23.09.22	Road to be vested, lots and easements added	SL

PROPOSED SUBDIVISION
HOGANS GULLY FARM

Client	Surveyed	Signed	Date	Job No.	Drawing No.
HOGAN'S GULLY FARMING LTD	-		-	12865	06 Sheet 008
	Drawn	Signed	Date	Scale	1:500 @ A1 1:1000 @ A3
	RWB		17.11.17		
	Designed	Signed	Date	Datum & Level	Rev.
	-		-	Mt Nic 2000 & MSL	L

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MEMORANDUM OF EASEMENTS

Purpose	Shown	Burdened Land	Benefited Land
Right of Way	A	Lot 2007 hereon	Lots 1, 101-105, 201-210, 501-504 and 2013 hereon
	B	Lot 2006 hereon	Lots 201-205 hereon
	C	Lot 2004 hereon	Lots 301-308 hereon
	D	Lot 2004 hereon	Lots 305-313 hereon
	E	Lot 3001 hereon	Lots 401-404 and 2003 hereon
	F	Lot 2003 hereon	Lots 401-404 hereon
	G	Lot 3001 hereon	Lots 601-606 and 2001 hereon
	H	Lot 2001 hereon	Lots 601-606 hereon
	I	Lot 2001 hereon	Lots 701-707 hereon
	J	Lot 3000 hereon	Lots 801-803 and 2002 hereon
	K	Lot 2002 hereon	Lots 801-803 hereon
	L	Lot 3001 hereon	Lots 901-907 hereon
	M	Lot 2000 hereon	Lots 901-907 hereon
	N	Lot 2013 hereon	Lots 1, 501-504 hereon
	O	Lot 2013 hereon	Lots 501-504 hereon
	P	Lot 2013 hereon	Lot 1

MEMORANDUM OF EASEMENTS IN GROSS

Purpose	Shown	Burdened Land	Grantee
Right to convey Electricity	A	Lot 2007 hereon	Aurora Energy Limited
	B	Lot 2006 hereon	
	C	Lot 2004 hereon	
	D	Lot 2004 hereon	
	E	Lot 3001 hereon	
	F	Lot 2003 hereon	
	G	Lot 3001 hereon	
	H	Lot 2001 hereon	
	I	Lot 2001 hereon	
	J	Lot 3000 hereon	
	K	Lot 2002 hereon	
	L	Lot 3001 hereon	
	M	Lot 2000 hereon	
	N	Lot 2013 hereon	
	O	Lot 2013 hereon	
	P	Lot 2013 hereon	
	BA, TG	Lot 2010 hereon	

MEMORANDUM OF EASEMENTS IN GROSS *(CONTINUED)*

Purpose	Shown	Burdened Land	Grantee
Right to convey Water	A	Lot 2007 hereon	Queenstown Lakes District Council
	B	Lot 2006 hereon	
	C	Lot 2004 hereon	
	D	Lot 2004 hereon	
	E	Lot 3001 hereon	
	F	Lot 2003 hereon	
	G	Lot 3001 hereon	
	H	Lot 2001 hereon	
	I	Lot 2001 hereon	
	J	Lot 3000 hereon	
	K	Lot 2002 hereon	
	L	Lot 3001 hereon	
	M	Lot 2000 hereon	
	BA, TG	Lot 2010 hereon	

MEMORANDUM OF EASEMENTS IN GROSS *(CONTINUED)*

Purpose	Shown	Burdened Land	Grantee
Right to convey Telecommunications	A	Lot 2007 hereon	Chorus New Zealand Ltd
	B	Lot 2006 hereon	
	C	Lot 2004 hereon	
	D	Lot 2004 hereon	
	E	Lot 3001 hereon	
	F	Lot 2003 hereon	
	G	Lot 3001 hereon	
	H	Lot 2001 hereon	
	I	Lot 2001 hereon	
	J	Lot 3000 hereon	
	K	Lot 2002 hereon	
	L	Lot 3001 hereon	
	M	Lot 2000 hereon	
	BA, TG	Lot 2010 hereon	

MEMORANDUM OF EASEMENTS IN GROSS *(CONTINUED)*

Purpose	Shown	Burdened Land	Grantee
Right of way (Pedestrian)	TA, TC, TE	Lot 4000 hereon	Queenstown Lakes District Council
	TB	Lot 3001 hereon	
	TD	Lot 2009 hereon	
	TF, TG, TH	Lot 2010 hereon	
	TI, TK, TM	Lot 3002 hereon	
	TJ, TL, TN	Lot 4003 hereon	
	TO	Lot 4002 hereon	
	TP	Lot 3000 hereon	
	TQ	Lot 4001 hereon	

LANDSCAPE CONSENT NOTICE AREAS

Areas marked CA, CB, CC, CD are subject to a Landscape Protection Consent Notice

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Rev.	Date	Revision Details	By
F	25.02.19	Add consent notice area and staging details	RB
G	07.03.19	Adjust platform setbacks to 3m as per BDG plan	RB
H	22.07.20	Update lot layout	RB
I	13.05.21	Updates post mediation	RB
J	11.06.21	Adjust landscape protection area	RB
K	16.07.21	Add area B & rename residential lots.	RB
L	23.09.22	Road to be vested, lots and easements added	SL

PROPOSED SUBDIVISION HOGANS GULLY FARM EASEMENTS

Client: HOGAN'S GULLY FARMING LTD	Surveyed: -	Signed	Date: -	Job No.: 12865	Drawing No.: 06 Sheet 009
	Drawn: RWB	Signed	Date: 17.11.17	Scale: 1:3000 @ A1, 1:6000 @ A3	
	Designed: -	Signed	Date: -	Datum & Level: Mt Nic 2000 & MSL	Rev.: L

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AMALGAMATION CONDITION

"LOTS 2000 - 2012 HEREON SHALL BE HELD IN THE SAME COMPUTER FREEHOLD REGISTER"

"LOTS 4000 - 4003 SHALL BE HELD IN THE SAME COMPUTER FREEHOLD REGISTER"

LEGEND

- RESIDENTIAL BUILDING PLATFORM
- LANDSCAPE AREA LOTS
- GOLF COURSE LOTS
- LANDSCAPE PROTECTION AREA LOTS
- ROAD TO BE VESTED
- RIGHT OF WAY EASEMENTS
- TRAIL & SERVICES EASEMENTS
- LANDSCAPE PROTECTION CONSENT NOTICE AREA

SUBJECT TO FINAL LT SURVEY

ADDITIONAL SERVICE EASEMENTS WILL BE REQUIRED SUBJECT TO FINAL ENGINEERING DESIGN.

NORTH

SUPPLEMENTARY PLA… FOLLOWING MEDIATION

McDONNELL RD

(SH6)

HOGANS GULLY RD

SUPERCEDES EVIDENCE OF P.J. BAXTER FOR RM180497

CLIENT REVIEW 27.09.2022

baxter design

HOGAN'S GULLY FARM - SITE MASTERPLAN

REFERENCE : 2512-SK332 - SCALE - 1:3000 AT A3 - 11 MAY 2021

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Rev.	Date	Revision Details	By
C	18.04.18	Update maintenance location	RB
D	07.01.19	Update R9 lot layout	RB
E	01.02.19	Update lot layout to match revised masterplan	RB
F	25.02.19	Add consent notice area and staging details	RB
I	13.05.21	Updates post mediation	RB
K	16.07.21	Add area B & rename residential lots.	RB
L	23.09.22	Road to be vested, lots and easements added	SL

PROPOSED SUBDIVISION HOGANS GULLY FARM MASTER PLAN OVERLAY

Client: HOGAN'S GULLY FARMING LTD	Surveyed: -	Signed:	Date: -	Job No.: 12865	Drawing No.: 06 Sheet 010
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	Designed: -	Signed:	Date: -	Datum & Level: Mt Nic 2000 & MSL	Rev.: L

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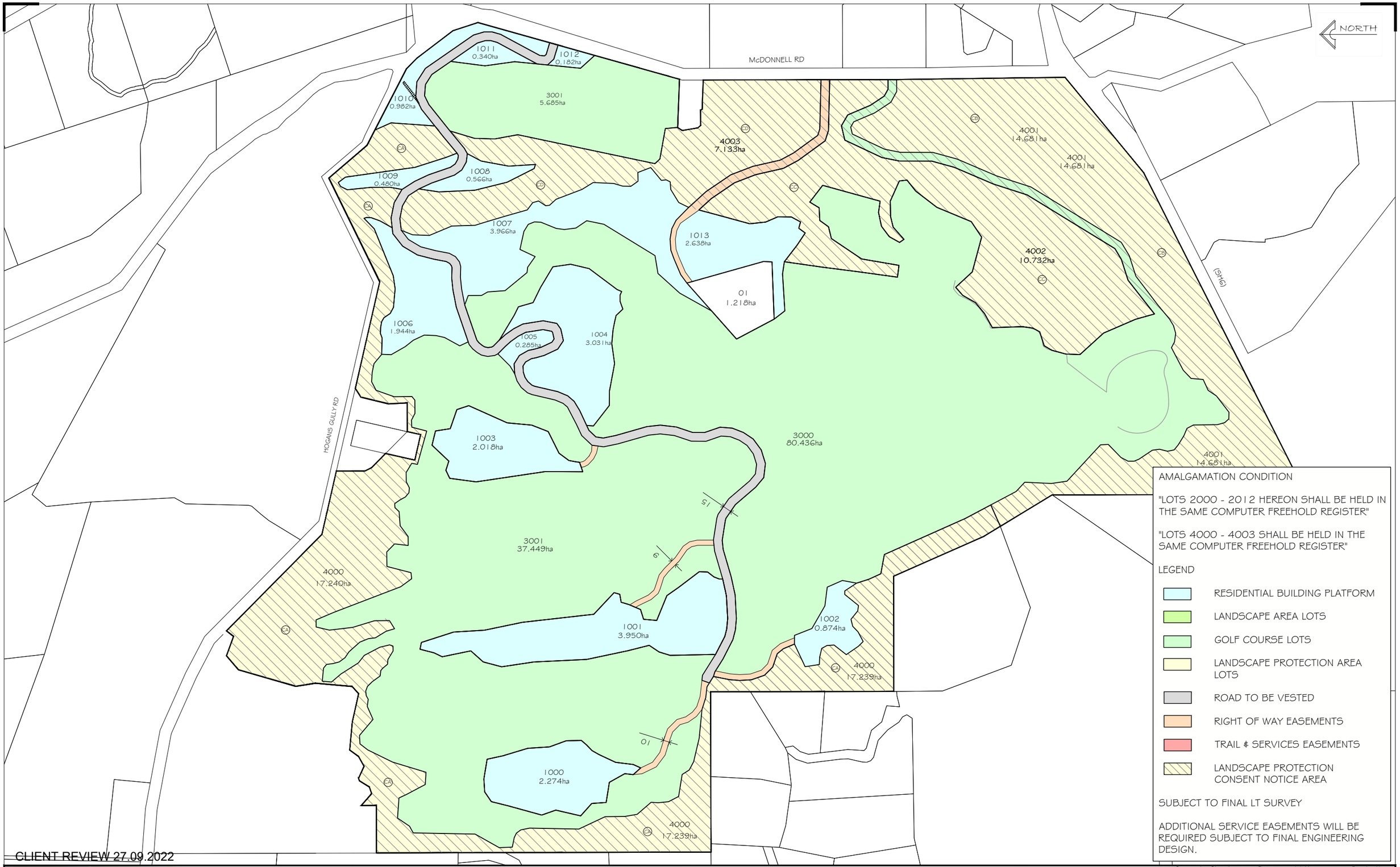

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Rev.	Date	Revision Details	By
F	25.02.19	Add staging details	RB
I	13.05.21	Updates post mediation	RB
K	16.07.21	Add area B & rename residential lots.	RB
L	23.09.22	Road to be vested, lots and easements added	SL

PROPOSED SUBDIVISION
HOGANS GULLY FARM
STAGE 1 - BULK TITLE LOTS

Client: HOGAN'S GULLY FARMING LTD

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Surveyed	Signed	Date	Job No.	Drawing No.	
-		-	12865	06 Sheet 011	
Drawn	Signed	Date	Scale	1:3000 @ A1	
RWB		17.11.17		1:6000 @ A3	
Designed	Signed	Date	Datum & Level	Rev.	
-		-	Mt Nic 2000 & MSL	L	

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NORTH

McDONNELL RD

SHG

HOGANS GULLY RD

3000 ROAD TO BE VESTED

STAGE 1OA

STAGE 1OB

STAGE 2A

STAGE 2B

STG 3A

STAGE 3B

STAGE 4

STAGE 6

STAGE 7

STAGE 8

STAGE 9

01

AMALGAMATION CONDITION - STAGE 1

"LOTS 1000 - 1005 HEREON SHALL BE HELD IN THE SAME COMPUTER FREEHOLD REGISTER"

"LOTS 4000 - 4003 SHALL BE HELD IN THE SAME COMPUTER FREEHOLD REGISTER"

LEGEND

- GOLF COURSE LOTS - 2 TITLES
- RURAL PROTECTION EDGE TITLE
- DEVELOPMENT LOTS TITLE
- RIGHT OF WAY EASEMENTS

SUBJECT TO RESOURCE CONSENT

SUBJECT TO FINAL LT SURVEY

ADDITIONAL SERVICE EASEMENTS MAY BE REQUIRED SUBJECT TO FINAL ENGINEERING DESIGN.

CLIENT REVIEW 27.09.2022

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Rev.	Date	Revision Details	By
F	25.02.19	Add staging	RB
I	13.05.21	Updates post mediation	RB
K	16.07.21	Add area B & rename residential lots.	RB
L	23.09.22	Road to be vested, lots and easements added	SL

PROPOSED SUBDIVISION
HOGANS GULLY FARM
STAGES 2 - 10

Client	Surveyed	Signed	Date	Job No.	Drawing No.
HOGAN'S GULLY FARMING LTD	-		-	12865	06 Sheet 012
	Drawn	Signed	Date	Scale	1:3000 @ A1
	RWB		17.11.17		1:6000 @ A3
	Designed	Signed	Date	Datum & Level	Rev.
	-		-	Mt Nic 2000 & MSL	L

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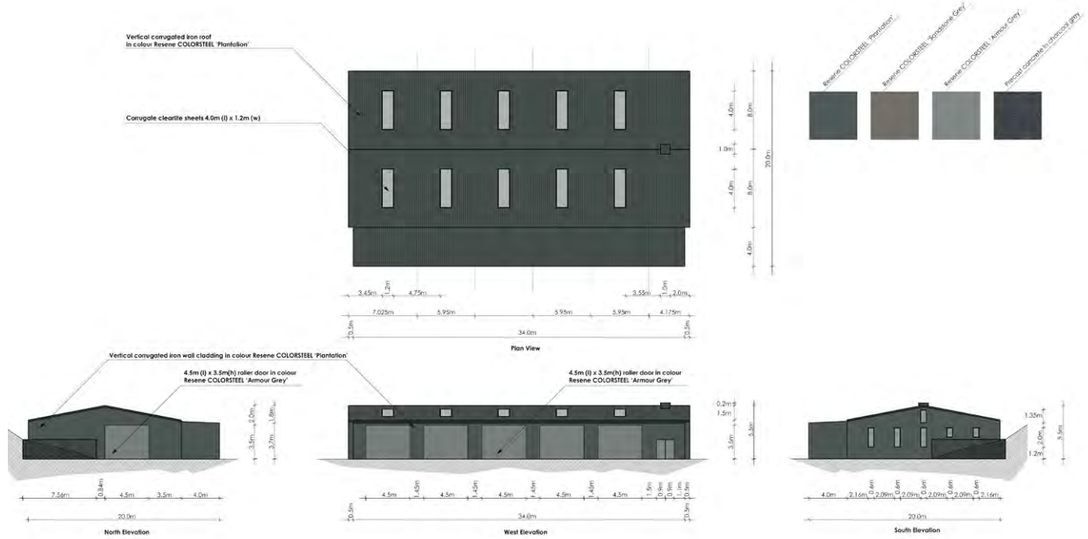
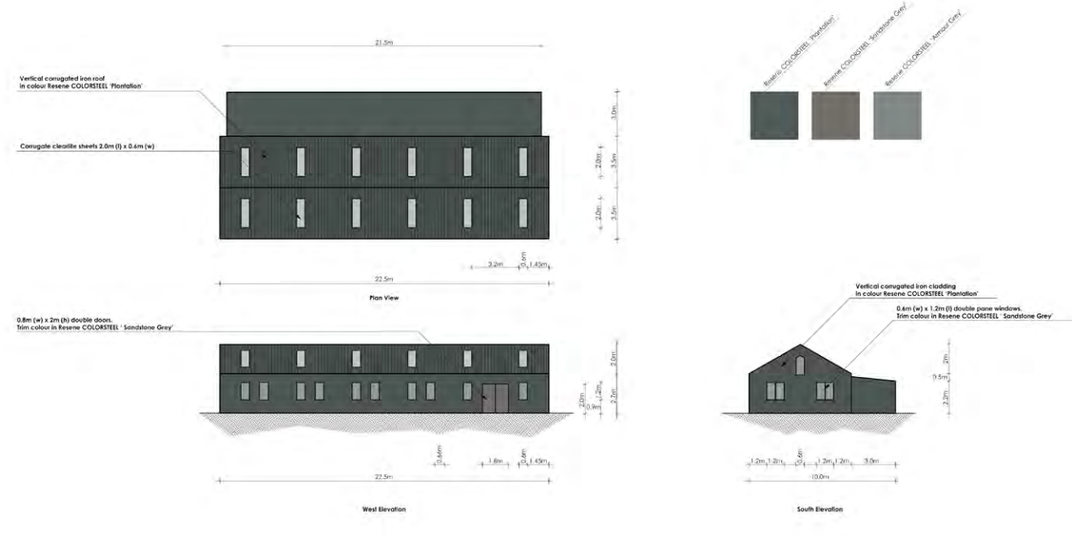
9.0 MAINTENANCE COMPOUND



OFFICE BUILDING ELEVATIONS

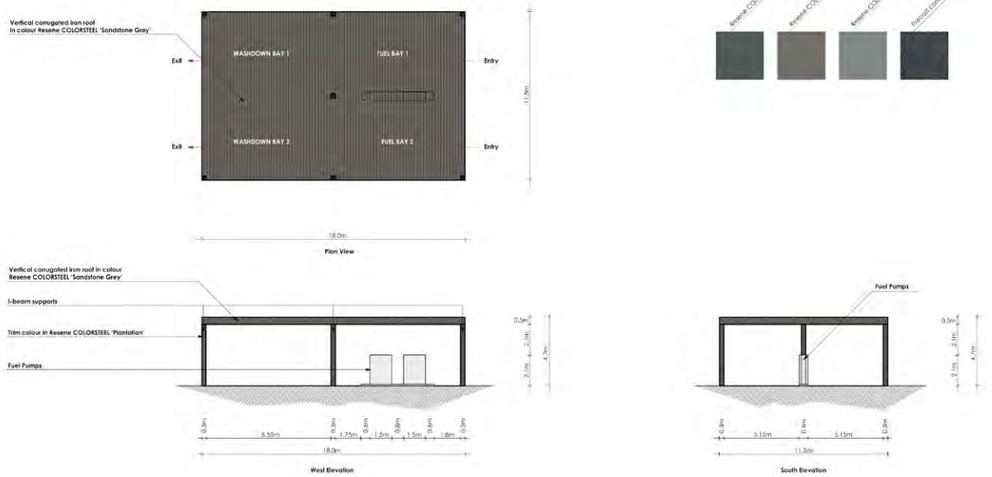


"THE SHED" MECHANICAL BUILDING ELEVATIONS

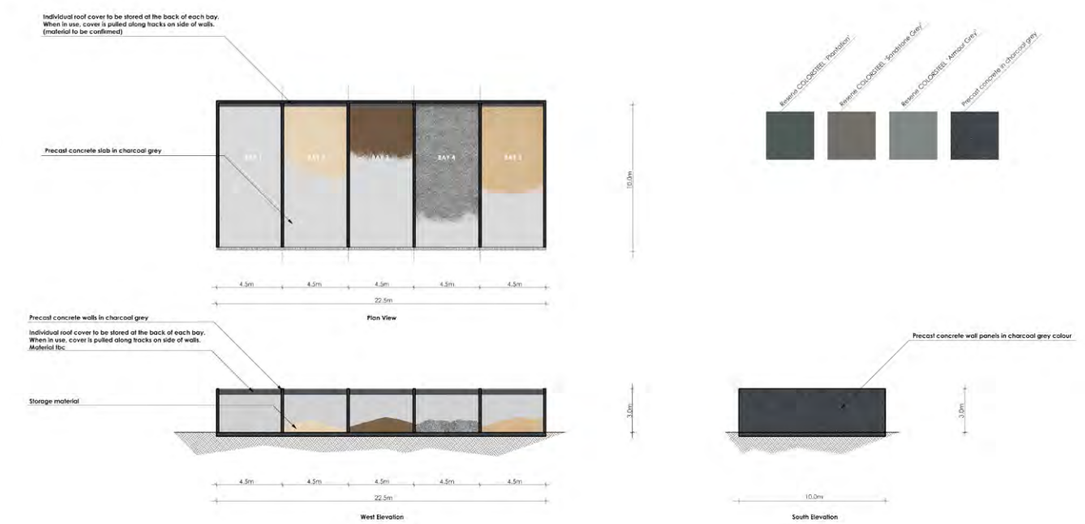
BULK STORAGE BUILDING ELEVATIONS

CHEMICAL / FETILISER MIXING BUILDING ELEVATIONS

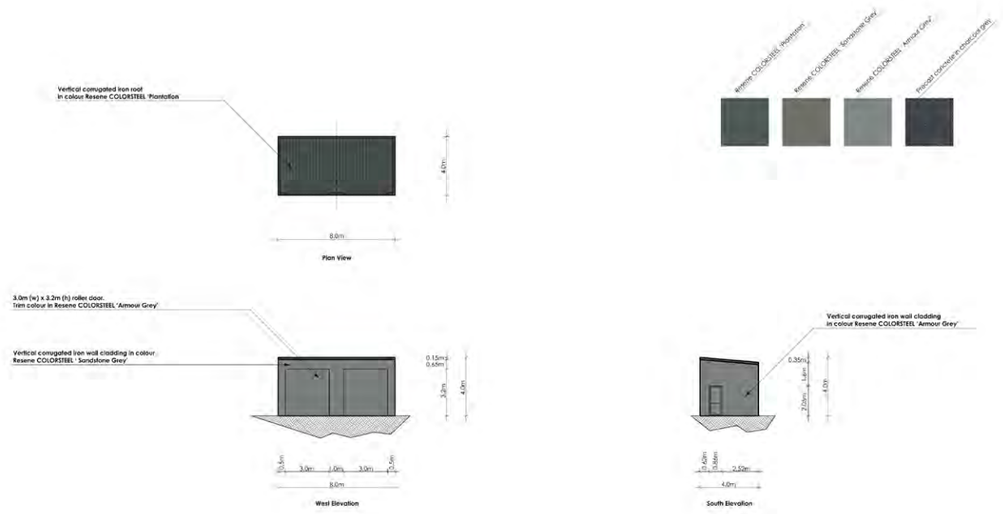
9.0 MAINTENANCE COMPOUND



FUEL STATION / WASHDOWN ELEVATIONS



MATERIAL BAY ELEVATIONS



PUMP STATION ELEVATIONS

Environmental Management Plan (Rev B)

Hogans Gully Farm –Maintenance Facility

March 2023

Document Control	
Title	Hogan's Gully – Environmental Management Plan for Maintenance Facility
Address	McDonnell Road, Wakatipu Basin
Consent Number	ENV-2019-CHC-105
Client	Hogan's Gully Farming Limited
Our Reference	22095
Prepared by	**Quinn McIntyre** (MSc, CEnvP) Principal Environmental Consultant
Reviewed by	**Tom Grandiek** (BAppSc, CEnvP) Senior Environmental Consultant

Document Control			
Revision	Revision Date	Revision Details	Prepared by
A	13.03.2023	For Client	QM
B	24.03.2023	For Consent	QM

Table of Contents

Appendices	
Appendix 1	Erosion and Sediment Control Plan Drawings
Appendix 2	Calculations for Erosion and Sediment Controls
Appendix 3	Environmental Site Induction Handout
Appendix 4	Environmental Site Induction Register
Appendix 5	Weekly Environmental Site Inspection Form
Appendix 6	Environmental Incident Form
Appendix 7	Environmental Complaints Register
Appendix 8	Environmental Management Plan Non-Conformance Register
Appendix 9	Water Quality Monitoring Results Form
Appendix 10	Archaeological Discovery Protocol

Disclaimer

Enviroscope has exercised due skill, care, and attention in preparing this EMP on the basis of their understanding of the subject site through their own site visits as well as information provided by the client and its consultants. Enviroscope has no control over the physical actions, detailed design, equipment, services, and methodologies undertaken by the client or other third parties tasked with implementing Enviroscope's instructions or recommendations. Enviroscope does not accept any responsibility for any environmental incidents or other defects of control measures if there is any departure or variance from the measures detailed in this EMP and any supporting documentation.

Emergency Contacts

Contact made with any of the following shall be undertaken with due consultation of the Environmental Representative or Project Manager.

Element	Emergency Contact	Details
Pollution incident	Otago Regional Council (ORC) Spill Hotline	0800 800 033 compliance@orc.govt.nz
Environmental complaint	Environmental Representative	TBC
Discovery of contaminated land	Environmental Representative	
Unexpected heritage finds	Environmental Representative	
Human remains	New Zealand Police	111
Fire including bushfire	Fire and Emergency New Zealand (FENZ)	111
Public utilities	Queenstown Lakes District Council (QLDC)	(03) 441 0499 rcmonitoring@qldc.govt.nz
Internal contacts	Project Manager	Shane Muir Trojan Holdings Limited 021 797 784
Internal contacts	Environmental Consultant	Quinn McIntyre Enviroscope 021 022 600 46

1.0 INTRODUCTION

1.1 Purpose and Scope

On behalf of Hogan's Gully Farming Limited, Enviroscope has prepared this Environmental Management Plan (EMP) to outline management measures for potential environmental effects associated with earthworks to establish the new location of the **Maintenance Facility** at Hogans Gully Farm. This EMP aims to reduce the effects of the project's construction activities on the environment and sensitive receptors.

This EMP is prepared according to the Queenstown Lakes District Council (QLDC) *QLDC Guidelines for Environmental Management Plans*, *June 2019* (EMP Guidelines). It is considered to have a 'High' environmental risk level as per the risk categories outlined in the EMP Guidelines.

This document will also ensure that the project aligns with the objectives and policies of the Otago Regional Council's (ORC) Plan Change 8, specifically *Topic 7: Part G: Sediment from earthworks for residential development*.

The purpose of this EMP is to be an effective and practical reference manual for construction personnel that applies to all project activities during the construction phase and includes the following:

- Strategies to manage environmental aspects and risks, based on associated best practice.
- Provides for contingency planning.
- Provides a framework for monitoring, reporting, review and continual improvement.
- Defines roles and responsibilities.
- Procedures to investigate and resolve environmental non-conformances and initiate corrective and preventative actions.

An overview of the project and sequencing can be found in the construction methodology at Section 2.0.

1.2 Site Overview

The maintenance facility is situated at the southern end of the encompassing 158 ha site located between Hogan's Gully Road to the north, State Highway 6 to the south and McDonnell Road to the east. This is shown in **Figure 1** below. The site is currently a working farm with multiple access points. During construction the maintenance site will be accessed on the eastern boundary off McDonnell Road.

The western boundary of the site sits at the base of a slope. The site then flattens onto an undulating terrace before descending in an easterly direction again onto a second lower terrace. An open water race runs along the western boundary of the site. A further two open water races dissect the site, flowing from north to south bisecting the proposed driveway alignment and flowing towards State Highway 6. East of the earthworks area is a wetland area identified in the e3 Scientific hydrological assessment. This is discussed further in Section 5.

A geotechnical report regarding the site was published by GeoSolve in December 2017. No specific soil investigation was made however, it is understood that the soil profile is likely comprised of loess, swap deposits, glacial outwash, glacial till and schist bedrock. The ground cover on site is predominately pasture grass.

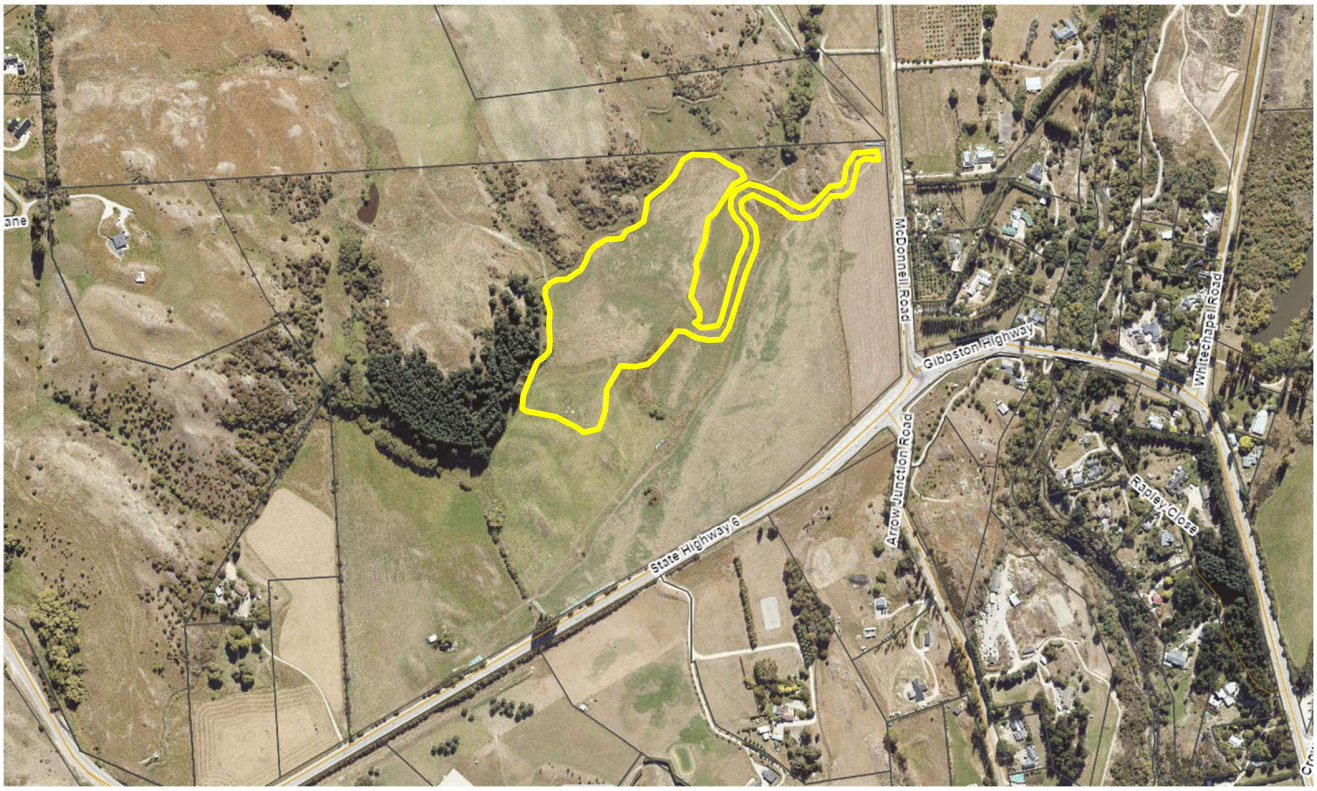


Figure 1: Location of the site (Source: QLDC GIS)

1.2.2 Summary of Earthworks

A total of approximately 42,860 m^3 of material will be excavated with 36,775 m^3 of fill. The remaining material will be utilised during earthworks associated with the overarching consent and will be stockpiled in the meantime. The maximum area exposed at any one time will be 5.15 ha. The extent of earthworks is depicted on the Erosion and Sediment Control (ESCP) drawing in **Appendix 1**.

1.3 Associated Resource Consents

This EMP has been prepared to ensure that all relevant conditions of associated resource consents are addressed. Provided the project undertakes its operations in accordance with this EMP, it will comply with the relevant conditions. The resource consents associated with this project are given in **Table 1**.

Table 1: Associated resource consents

Resource Consent Number	Related Council	Activity Description	Date of Decision Issue
Consent Order ENV-2019-CHC-105	Environment Court and QLDC	Land use consent application and subdivision consent to establish an 18-hole championship golf course with associated club house, driving range and maintenance facilities; 96 residential and visitor accommodation units and an earthworks consent to construct the golf course with up to a total volume of approximately 500,000 m^3.	15.09.2021

1.4 Suitably Qualified and Experienced Professional

This EMP has been prepared by Quinn McIntyre of Enviroscope Limited. Quinn is a Certified Environmental Practitioner (CEnvP) and holds a Master of Science. Quinn has worked in various environmental roles on a range of construction projects, including bulk earthworks in New Zealand and Australia. Quinn has extensive experience in the preparation and monitoring of EMPs and ESCPs.

This EMP has been reviewed by Tom Grandiek of Enviroscope Limited. Tom is a certified Environmental Professional (CEnvP) and holds a Bachelor of Applied Sciences degree, majoring in Environmental Management. He spent five years working in RMA compliance with local government. Tom has extensive experience in the preparation and monitoring of EMPs and ESCPs.

2.0 CONSTRUCTION METHODOLOGY

2.1 Sequencing of Works

Construction will be undertaken according to the following steps which will ensure that the Project is constructed as efficiently as possible whilst achieving the environmental objectives outlined in this EMP. The sequencing order has been selected to ensure the earthworks undertaken onsite do not cause adverse environmental effects. This is a preliminary staging methodology and may be subject to change based on the site's conditions and performance during construction. Occasional overlaps of staging will occur noting that multiple work crews will be deployed.

This methodology shall be read in conjunction with the Erosion and Sediment Control Plan (ESCP) attached as **Appendix 1**.

Preliminary works and site establishment

- Print off or have an online version of the current EMP available on-site.
- Complete site induction for key staff with Environmental Consultant.
- Establish stabilised access off McDonnell Road to mobilise plant to site.
- Establish Laydown area and staff parking.
- Construct the McDonnell Road crossings and form entrances to GD05 entrance specification.

Bulk Earthworks

Road 1.1

- Install clean water diversion channels (CWDC) and silt fences along the alignment of Road 1.1 (i.e. access road to maintenance facility).
- Bulk earthworks for Road 1.1 including installation of engineer designed culverts.

Irrigation Pond and Maintenance Facility Bulk Earthworks

- Install CWDC at northern end of irrigation pond from water race to culvert in haul road.
- Install super silt fences below irrigation pond and around the location of Maintenance Facility platform as indicated on ESCP-001, **Appendix 1**.
- Construct irrigation pond utilising fill won for the construction of maintenance facility fill/mounding. Install central DWDC to irrigation pond to prevent any water from pad running down Road 1.1.
- Topsoil and vegetate mounding around Maintenance Facility immediately following completion of bunds.
- Apply AP65 aggregate over maintenance facility building platform.

Construction of maintenance facility civils and buildings

- Install all civils and construct buildings on maintenance facility.

Final landscaping and revegetation

- Undertake final landscaping and revegetation of any remaining exposed areas around maintenance facility.

Decommissioning

- Remove erosion and sediment control devices once stabilisation has occurred across the entire site (i.e., 80% vegetative cover). Revegetate any exposed areas.
- Irrigation pond to remain as is for later use as sediment retention device during later phases of the Hogans Gully Farm project.

2.2 Hours of Operation

Construction activities and the associated hours of operation shall comply with *NZS 6803:1999 Acoustics - Construction Noise Guidelines*. Site works may be undertaken between 0730 and 1800 hours, Monday to Saturday. No works are to be undertaken on Sundays or Public Holidays. However, this does not preclude any emergency works or works required for incident investigation or response. Additional detail relating to noise-producing activities are to be undertaken in accordance with Section 7.0 of this EMP.

3.0 EMP IMPLEMENTATION

3.1 Environmental Roles and Responsibilities

3.1.1 Project Manager

The Project Manager is responsible for the effective implementation of the EMP and has overall responsibility for the environmental performance of the project. Duties include:

- Ensuring adequate resources are in place to implement the EMP.
- Ensuring all staff and sub-contractors operate within the guidelines of the EMP.
- Ensuring that an EMP is prepared and that environmental standards, processes and procedures meet relevant resource consent conditions.
- Overseeing the successful implementation, monitoring and review of the EMP.
- Ensuring that inspections are carried out in accordance with the relevant EMP.
- Restricting or stopping any activity that has the potential to or has caused adverse environmental effects.
- Providing notification and reporting of Environmental Incidents to Council and other environmental reports as required by The Guidelines.
- Delegating authority of the above responsibilities.

3.1.2 Environmental Representative

The Environmental Representative supports the Project Manager in the day-to-day implementation of the EMP. Duties include:

- Ensuring the installation of environmental controls as per the EMP.
- Undertaking environmental site inspections.
- Overseeing the maintenance and improvement of defective environmental controls.
- Providing environmental inductions to all staff and sub-contractors.
- Assisting the project leadership in attending to Environmental Incidents and Complaints.

The Environmental Representative shall be familiar with environmental risks associated with the project, the EMP and best practice erosion and sediment control principles and practices.

3.1.3 Environmental Consultant

The Environmental Consultant (SQEP) will provide technical environmental management advice as required. Key tasks include delivering the Site Environmental Induction to core staff and providing as-built confirmation of erosion and sediment controls to Council. The Environmental Consultant shall undertake monthly monitoring of the site and submit Monthly Environmental Reports to QLDC and ORC.

3.1.4 All Staff and Sub-Contractors

All staff and sub-contractors have a responsibility to undertake all activities in accordance with the requirements of this EMP. This includes reporting any activity that has the potential to or has resulted in an Environmental Incident to the Project Manager or Environmental Representative.

3.2 Site Environmental Induction

All staff and subcontractors shall attend an Environmental Induction to ensure they are aware of the project's environmental risks as well as their responsibilities to help manage these risks. Prior to ground-disturbing activities, the Environmental Consultant will deliver the induction to core staff. During the project, the Environmental Representative will induct sub-contractors and new staff.

The site induction handout is attached as **Appendix 3** and all persons inducted will be recorded on the Induction Register attached as **Appendix 4**.

3.3 Environmental Inspections

Table 2 outlines the regular environmental inspections to be undertaken.

Table 2: Environmental inspections

Environmental Inspection	Timing	Purpose
Weekly Inspection	Every seven days	A comprehensive environmental inspection will: • Confirm that all environmental controls are present, functional, and adequate. • Identify any activities that may cause an environmental incident or actual or potential environmental effects. • Identify maintenance requirements for implemented management measures. All weekly inspections shall be recorded on the Weekly Site Inspection form attached as **Appendix 5**.
Pre-Event Inspection	Prior to a significant rain event[1]	To ensure that erosion and sediment controls are present, functional, and adequate for forecast rain event. This inspection will inform any preventative work required and may result in the Rapid Response Procedure being implemented (see Section 4.6).

[1] A significant rain event is defined as any rain event that can generate overland flow, noting that this varies seasonally.

Environmental Inspection	Timing	Purpose
Rain Event Monitoring	During a significant rain event	To ensure that: • Erosion and sediment control devices continue to function correctly and inform any necessary emergency responses. • Sediment retention devices are functioning effectively and have capacity available. • No dirty[2] water is crossing the boundary of the site. Observations and remediation measures taken will be recorded in a daily job diary.
Post-Event Inspection	Immediately following a significant rain event	Any observations and corrective actions should be recorded in a daily job diary.

3.4 Monthly Environmental Inspection and Reporting by SQEP

The Environmental Consultant (SQEP) will monitor the site monthly to ensure that the EMP is correctly implemented, identify any unforeseen issues arising and advise on alternative environmental solutions.

The Environmental Consultant (SQEP) will also submit a Monthly Environmental Report to QLDC and ORC within five working days of the end of each month. The report will include the following information:

- Updates to the EMP and the Erosion and Sediment Control Plan (ESCP) during the month.
- Number of weekly and pre and post-rain event site inspections completed.
- Summary of corrective actions undertaken.
- Positive environmental outcomes achieved and opportunities.

3.5 Environmental Incident Management

Environmental incidents shall be responded to as soon as the project team becomes aware of them occurring. The response will generally involve oversight by the Environmental Consultant and will involve:

- Immediate cessation of the activity that caused the incident.
- Investigation into the cause of the incident.
- Initial response to bring the incident under control.
- Implement any remediation works.

[2] 'Dirty water' is defined as water that exceeds the maximum allowable water quality value outlined in the Discharge Criteria at Section 5.2.

The Project Manager shall notify QLDC and ORC of the details of any Environmental Incident within 12 hours of becoming aware of the incident. Notification will be through a phone call to Council monitoring staff (see Emergency Contacts on page four).

The Project Team shall provide an Environmental Incident Report within ten working days of the incident occurring. The Incident Report form is attached as **Appendix 5**.

3.6 Records and Registers

The records listed below will be collated onsite. If a request is made by a QLDC and ORC official, the records shall be made available to the official within 24 hours of the request being made.

- Environmental Induction Register - **Appendix 4**.
- Weekly Environmental Inspection Form - **Appendix 5**.
- Environmental Incident Reports - **Appendix 6**.
- Complaints Register - **Appendix 7**.
- EMP Non-Conformance Register - **Appendix 8**.
- Water Quality Monitoring Results - **Appendix 8**.
- Rain event inspection observations.

3.7 Complaints Procedure

Any complaint received will be recorded and an investigation will be carried out. The complainant will be provided with a response acknowledging receipt of the complaint and outlining corrective actions to be implemented. After the investigation, any necessary corrective actions will be carried out and a follow-up of the original complaint is to be conducted to ensure the actions implemented have been effective.

All complaints will be recorded on the Complaints Register attached as **Appendix 7**.

3.8 EMP Non-Conformance and Corrective Actions

EMP non-conformances found during site inspections, monitoring or as a result of environmental incidents or complaints shall be recorded in the EMP Non-Conformance Register. The non-conformance register attached as **Appendix 8** will detail when corrective actions are due, how they are to be carried out and the close out date.

The non-conformance register ensures that issues do not escalate or are missed, as well as, providing a clear record of evidence that can be used to defend any potential complaint or formal enforcement action.

3.9 EMP Updates

The EMP will be regularly reviewed throughout the project to ensure the document remains fit for purpose and to drive continual improvement. This may be initiated by:

- Significant changes to the construction methodology.

- Improvements identified as a result of an Environmental Incident or Corrective Action.
- Where directed by QLDC and/or ORC's Monitoring and Enforcement team.

All EMP updates will be managed through the document control table on page one and shall be submitted to QLDC and ORC for acceptance.

4.0 EROSION AND SEDIMENT CONTROL MEASURES

4.1 Performance Criteria

Design, install and maintain erosion and sediment controls in accordance with industry best practices. Generally, *Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016* (Auckland Council Guideline Document GD2016/005).

4.2 Erosion and Sediment Control Principles

Erosion and sediment control ('ESC') devices shall be installed, maintained and decommissioned in accordance with the following principles:

- Erosion and sediment controls are integrated with construction planning.
- Construction is staged to minimise the duration and area of exposed soil open at any one time.
- A 'treatment train' approach so that the sediment retention devices operate as efficiently and effectively as possible.
- Separation of 'clean' and 'dirty' water with clean water to be diverted around the site to minimise the volume of dirty water needing management onsite.
- The extent and duration of soil exposure is minimised.
- Controls are always maintained in proper working order.
- Progressively stabilise and revegetate disturbed or completed areas.
- The site is monitored, and erosion and sediment control practices are adjusted to maintain the required performance standard.
- Soil erosion is minimised as far as reasonable and practical.
- Avoidance of sediment discharge off-site and protection of receiving environments.

4.3 Guidance on Erosion and Sediment Control Devices

The effective control of surface water shall be achieved through the utilisation of carefully selected erosion and sediment control devices to achieve a specific purpose. These guidelines for the devices employed on this project shall be read in conjunction with the ESCP attached as **Appendix 1** of this document.

4.3.1 Site Definition

At the commencement of the project, the following components onsite will be clearly defined as detailed in **Table 3**.

Table 3: Site definition specifications

Site component	Method of Demarcation
Site boundaries	Existing fencing
Internal 'no-go' areas (protected or sensitive areas)	Bunting or flagging tape with waratahs

4.3.2 Stabilised Entranceway

A stabilised access will be formed off McDonnell Road on the eastern boundary of the site as indicated on ESCP-001 attached as **Appendix 1**. The stabilised entranceway will be constructed in accordance with the schematic diagram in ESCP-002, **Appendix 1** (complete guidelines on pages 60-65 of GD05).

4.3.3 "Clean Water" Diversion Channels

Clean water diversion channels will be used to capture and divert clean water from the undisturbed surfaces above the exposed works site. The purpose of these devices is to minimise the size of the contributing catchments. These devices shall be constructed in accordance with the specifications noted in the schematic diagram in ESCP-003, **Appendix 1** (complete guidelines on pages 38-42 of GD05). Full calculations are included in **Appendix 2**. Multiple existing open water races also act to capture and divert clean water away from the earthworks area.

4.3.4 "Dirty Water" Diversion Channels

Dirty water diversion channels (DWDC) will be installed to capture and carry sediment-laden stormwater to the irrigation pond or silt fences**.** DWDCs will be constructed in accordance with the schematic diagram in ESCP-003, **Appendix 1** (complete guidelines on pages 43-46 of GD05). Full calculations are included in **Appendix 2** for the DWDCs which will all be the same design based on the largest DWDC profile required to cater for the worst-case scenario.

4.3.6 Temporary Culvert

150 mm culverts shall be used on-site to transport dirty or clean water from one side of the haul road alignment to the other. Culverts shall consist of a PVC, farm-grade or concrete culvert depending on the diameter required to allow for heavy haul vehicles to traffic over.

Full calculations are included in **Appendix 2** to demonstrate the culverts can accommodate the upslope run-on water in the worst-case scenario. All culverts will therefore be the same design. Geofabric and rock shall be placed at the outlet to prevent scour from the higher velocity water exiting the culvert. Culverts shall be constructed in accordance with the schematic diagram in ESCP-004, **Appendix 1.**

4.3.7 Trafficable Swale

Trafficable swales will be used across the site to allow dirty water overland flows to cross haul roads without the need for culvert installation. Trafficable swales shall be constructed in accordance with the reference image in ESCP-004, **Appendix 1.**

4.3.8 Level Spreader

Level spreaders will be at the end of DWDCs to convert concentrated flows into sheet flows before they flow into super silt fences. These shall be constructed in accordance with the schematic diagram in ESCP-007, **Appendix 1.**

4.3.9 Irrigation Pond

As part of the project an irrigation pond is to be constructed. This will be a dual use device. During the construction phase the significantly sized pond will capture and impound dirty water. At 33,045 m^3, this can easily accommodate a 6-hr 5% rain event which would be the equivalent of 1,607 m^3 from the 3.5 ha contributing catchment with no infiltration conservation factor. Therefore, the pond when finished will have 20 times the capacity of the design event for this catchment.

Any water in the pond can be left to soak away through the floor of the pond or pumped to the super silt fence below as appropriate between storm events.

4.3.10 Standard Silt Fence

Standard silt fences will be used onsite to capture sheet flows of dirty water where appropriate. The silt fence will be installed in accordance with the schematic diagram in ESCP-005, **Appendix 1** (complete guidelines on pages 112-119 of GD05).

4.3.11 Super Silt Fence

Super silt fences will also be used to impound and allow dirty water to drop out of suspension. Super silt fence will capture low level concentrated flows off the road swales and will be installed in accordance with the schematic diagram in ESCP-006, **Appendix 1** (complete guidelines on pages 120-125 of GD05).

4.3.12 Temporary Stockpiles

Stockpiles may be formed as part of earthworks. It is recognised that the location of stockpiles will change with the progress of the earthworks. Stockpiles shall be constructed in accordance with the schematic diagram in ESCP-004, **Appendix 1.**

4.3.13 Progressive Rehabilitation

Progressive stabilisation of earthworks is to occur promptly as areas are finished to minimise the area of exposed soil and thus the generation of sediment-laden water. Prior to final landscaping, this can comprise temporary grassing, turfing or clean aggregate.

4.4 As-Built Verification

The Environmental Consultant will provide the Council with as-built confirmation to verify that the erosion and sediment controls have been installed in accordance with the approved ESCP.

4.5 Maintenance of Erosion and Sediment Control Devices

Ongoing maintenance of the site shall be undertaken as follows:

- Clean out sediment of all erosion and sediment control devices (e.g., sediment retention devices, drop-out pits and check dams) as soon as 20% capacity has been reached and prior to any forecast rain event.
- Any mucked-out sediment shall be stockpiled and reused.
- Brush down sediment stains on silt fencing material.

- RADS units will be checked after each rain event and will be kept topped up with PAC. Water within the RADS unit reservoirs will be emptied.

4.6 Rapid Response Procedure for Significant Rain Events

The Environmental Representative will stay vigilant of weather forecasts. If a significant rain event is imminent, all works will cease in sufficient time for staff to inspect and maintain erosion and sediment control devices and undertake any stabilisation required. Observations will continue through the rain event to ensure the functioning of erosion and sediment control devices.

4.7 Decommissioning and Removal

Erosion and sediment control devices will remain in place until 'stabilisation' of the site has been achieved. This is generally defined as 80% vegetative cover as depicted in **Figure 2**.

It is noted that the removal of controls may result in minor soil exposure. Any soils exposed during decommissioning will be stabilised with either grass, mulch or other appropriate erosion control.

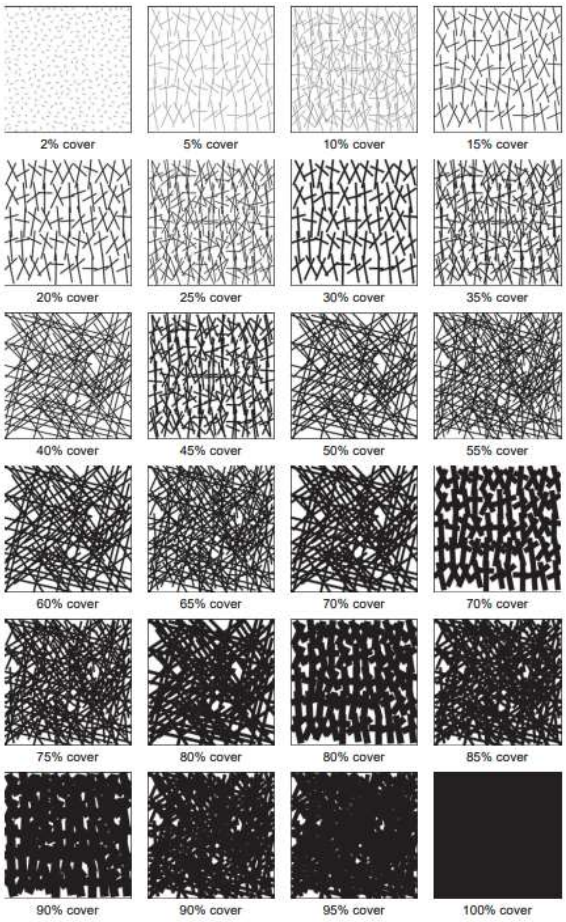


Figure 2: Visual cover estimation (Source: Catchments and Creeks Pty Ltd)

4.8 Inspections and Monitoring

Details of inspections and monitoring are stated in Section 3.3.

4.9 Contingency Measures

The following contingency measures in **Table 4** shall be deployed as required.

Table 4: Erosion and sediment control contingency measures

Issue	Contingency Measure
Sediment-laden stormwater flowing across the site boundary	Undertake measures to stop the flow immediately. Ensure controls are installed according to the ESCP. Contact the Environmental Consultant (SQEP) who will initiate the incident response.
Controls do not appear to be working as intended	Contact Environmental Consultant (SQEP) to inspect, advise and revise ESCP as required.
The site is inappropriately exposed prior to imminent rain event	Cease works and shift effort to checking erosion and sediment controls and stabilisation via the Rapid Response Procedure outlined in Section 4.6.
Sediment retention devices are near capacity and more rain is forecast	Contact the Environmental Consultant (SQEP) immediately for advice.
Abatement notice issued by Council	Contact the Environmental Consultant (SQEP) immediately to advise on methods to meeting abatement notice requirements within the time stated by the abatement notice.

4.10 Erosion and Sediment Control Incident

An erosion or sediment control incident is considered to have occurred where performance criteria outlined in Section 4.1 is not met. The incident procedures outlined in Section 3.5 shall commence.

5.0 WATER QUALITY MANAGEMENT

Surface water bodies (rivers, streams, lakes and wetlands) provide important habitats for many species of plants, fish, birds and animals, some of which are endemic and/or threatened. To protect these values, water quality must be safeguarded, and the natural flow of the watercourse maintained to the greatest possible extent. Where flow must be reduced or diverted, mitigation is required to ensure the values of the watercourse are not degraded.

5.1 Receiving Waterbodies

A hydrological assessment was completed by e3 Scientific regarding the site in August 2022. The e3 Scientific report identified a natural inland wetland area to the east of the earthworks area. This is shown in **Figure 3**. This satisfied the three wetland indicators used in the New Zealand Wetland Delineation Data Forms. There is no earthworks within 10 m of its boundary.

The Arrowtown Irrigation Company race runs immediately north of the maintenance facility and irrigation pond. Two existing farm drains are located onsite and are bisected by Road 1.1. These water features flow to the south, towards State Highway 6 and are indicated on the ESCP-001, **Appendix 1**.

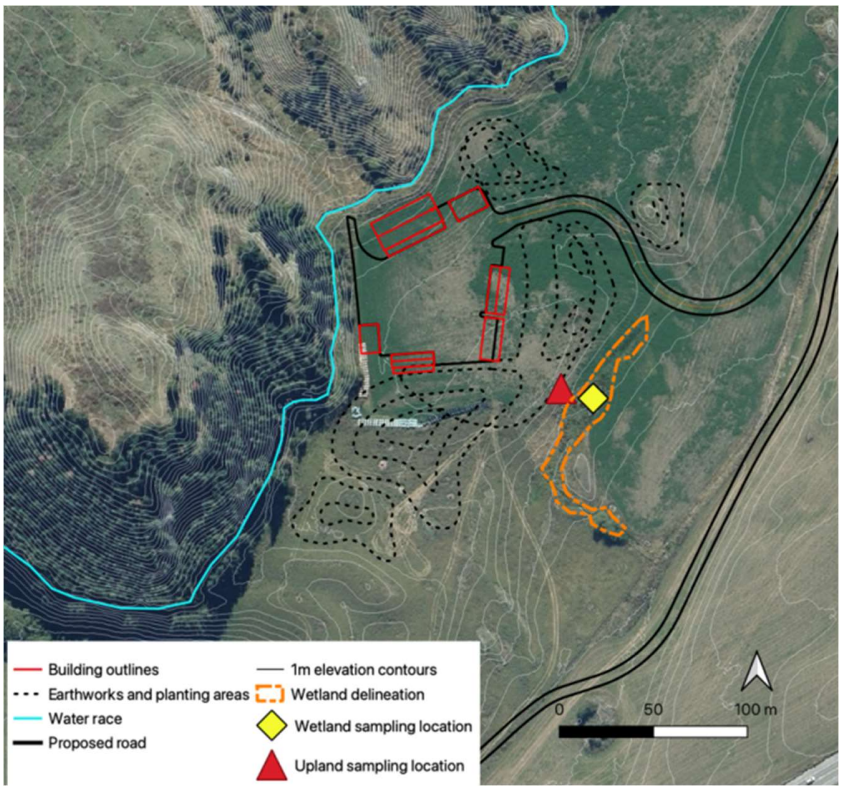


Figure 3: Wetland location (Source: e3 Scientific).

5.2 Performance Criteria

Any waters flowing across the site boundaries will meet the criteria in **Table 5**.

Table 5: Water quality discharge criteria

Parameter	Discharge Criteria
Turbidity	≤ 100 NTU[3]
Or…	
Comparative Visual Clarity (mm)[4]	TBC
If turbidity or visual clarity is exceeded, test for…	
Total Suspended Sediment (TSS)	≤ 50 mg/L
pH[5]	5.5 – 8.5
Hydrocarbons or tannins	No visible trace
Waste	No waste or litter is visible

5.3 Management Measures

The following measures will be deployed to ensure the protection of water quality:

- Erosion and sediment controls will be implemented and maintained in accordance with the Erosion and Sediment Control Measures in Section 4.0.
- Refuelling, servicing and storage of hydrocarbons will be in accordance with the relevant procedures in the Chemicals and Fuels Management in Section 10.0.
- All concrete washing is to be undertaken in the designated concrete wash-out pit as per the design specifications in ESCP-007, **Appendix 1**.
- All plant and equipment onsite will be inspected regularly to ensure they are of an acceptable standard.
- Stockpiling of any organic, erodible or hazardous material onsite is not to be placed within close proximity of a watercourse/major drainage line, unless appropriate controls are in place.

[3] Turbidity can be instantly measured using a nephelometer. This is considered desirable as opposed to testing TSS which requires laboratory testing and can take several days. Turbidity can be inferred from the relationship with TSS via linear regression. If the specified turbidity value is not met, a water sample will be collected and sent for TSS laboratory testing.

[4] In the absence of a turbidity measure, visual clarity can be inferred from the relationship with turbidity via linear regression. If the specified visual clarity value is not met, a water sample will be collected and sent for TSS laboratory testing.

[5] pH to be tested only when chemical treatment is undertaken.

- All chemical treatment of sediment-laden water will be undertaken in accordance with an approved Chemical Treatment Management Plan.

5.4 Monitoring

Water quality will be monitored in accordance with **Table 6**.

Table 6: Water quality monitoring measures

Sampling Scope	
Objective	To confirm that all controlled and uncontrolled water flowing from the site meets the Discharge Criteria referred to in Section 5.2.
Spatial boundaries	All water that enters and exits the site from rainfall or overland flow.
Frequency	At the time water flows cross the boundary of the site. Where a Significant Rain Event occurs through the night, monitoring shall be undertaken the following morning.
Sampling Design	
Water Quality Criteria	As outlined in the Discharge Criteria referred to in Section 5.2.
Sampling Locations	At boundaries of the site where any water is flowing or into wetlands/water race within the site.
Sampling Method	• TSS – Registered laboratory • Turbidity (NTU) – Nephelometer • pH – pH meter – only if utilising chemical treatment • Gross pollutants – visual observations • Tannins – visual observations (any unusual darkening of waters?) • Hydrocarbons – visual observations (is there any oily film on surface or smell?)
Quality Control	Any water quality meter will be calibrated according to manufacturer instructions. All observations will be recorded and analysed.
Recording	
Recording Results	All results will be entered into a spreadsheet and kept onsite (form attached as **Appendix 9**).
Actions	
Non-conformances	Any exceedances observed will be reported to the Project Manager/ Environmental Consultant who will investigate and ensure appropriate corrective actions are implemented immediately.

5.5 Contingency Measures

The following contingency measures in **Table 7** shall be adopted if required.

Table 7: Water quality contingency measures

Issue	Contingency Measure
Exceedance of water quality criteria	• Contact the Project Manager and Environmental Consultant (SQEP) immediately. • Works will cease or be modified to remove further risk of contamination. • QLDC and ORC will be verbally notified. • The Environmental Incident procedure will commence. • Remedial measures will be implemented and the Environmental Incident will be closed out by the Environmental Consultant (SQEP), with a copy of an Environmental Incident report to the Project Manager, QLDC and ORC.

5.6 Water Quality Incidents

A water quality incident is considered to have occurred where the water quality performance criteria outlined in Section 5.2 is breached. The incident procedures outlined at Section 3.5 shall commence.

6.0 DUST MANAGEMENT

Dust from construction activities, vehicle movements and stockpiles can contribute to sediment runoff and create a nuisance to the public, neighbouring properties, adjoining roads and service infrastructure. The key risks associated with dust occur during the bulk earthworks phase of the project.

There are a range of activities that may produce dust onsite including:

- General disturbance of soil (particularly during drier months).
- Inappropriate staging that does not seek to minimise the extent of exposed soil.
- Vehicle movements along haul roads.
- Mud-tracking onto surrounding roads.
- Stockpiling of topsoil or subsoil.
- Slow or ineffective revegetation procedures.

6.1 Sensitive Receptors

Key sensitive receptors to protect from the effects of dust include neighbouring residential sites, in particular those properties adjoining the site located at:

- 427 McDonnell Road (Lot 1 DP 24969)
- 433 McDonnell Road (Lot 2 DP 443978)
- 433A McDonnell Road (Lot 1 DP 443978)

Wind direction within the Wakatipu Basin can change direction and intensity quickly. The project shall ensure the site is prepared appropriately to manage potential dust effects.

6.2 Performance Criteria

The project must ensure that reasonable and practical measures are taken to avoid dust moving across the boundaries of the site at all times.

6.3 Management Measures

The following measures will be deployed to ensure dust generation onsite is minimised:

- Revegetate disturbed areas progressively throughout construction.
- Dust suppression of exposed areas and stockpiles by water trucks or other methods (e.g., k-lines) approved by the Environmental Representative.[6]
- If dust activities cannot be controlled during high winds, works will cease until favourable conditions return.

[6] Ensure a consented water take permit is approved by the local authority. If taking water from lakes and or rivers, ensure that the permitted volume of water is taken.

- Only designated access points and haul routes are to be used.
- Site access to be constructed in accordance with GD05 (detail at Section 4.3.2).
- A suitably resourced contractor shall regularly mechanically sweep and clean the site entrance and the road 100 m in each direction of the site entrance during works.
- A speed limit will be posted as 20 km/hr, unless deemed otherwise by the Project Manager.
- To avoid spillage risks, trucks will not be overloaded.
- All trucks must have tail gates up and swept or cleaned prior to entering external roads.
- Stockpile heights are to be minimised where possible (< four metres) unless they are covered (e.g. an erosion blanket, chemical sealant, temporary cover crop or mulched).
- Long-standing stockpiles (greater than six weeks) shall be appropriately stabilised to provide both wind and erosion protection.
- Within two weeks of completion, all earth worked areas will be sown out with grass, landscaped or otherwise stabilised by an appropriate erosion control.

6.4 Monitoring

Site staff will maintain continual vigilance for any increases in wind to ensure measures are deployed prior to dust crossing site boundaries. Weekly Environmental Inspections and the Monthly SQEP Environmental Inspections will also ensure that the management measures described above are sufficient and performing effectively.

6.5 Contingency Measures

The contingency measures in **Table 8** shall be adopted if required.

Table 8: Dust contingency measures

Issue	Contingency Measure
Excessive dust creation from soil disturbance	• Increase frequency of water truck spraying or increase irrigation. • Spray down excavation areas and activities where excavator bucket is operating. • Cease excavation during high winds, particularly if wind direction is likely to impact sensitive receivers.
Excessive dust creation from hauling operations	• Reduce truck speeds. • Cover or spray down loads causing dust impacts. • Apply skim of aggregate over the haul road surface. • Install shakedown devices at entry and exit points.
Excessive dust creation from stockpiles	• Spray stockpiles with water or apply a temporary polymer. • Hydro-mulch, seed or stabilise stockpiles, cover stockpiles with geofabric. • Locate stockpiles further away from sensitive receptors.
Abatement notice issued by Council	Contact the Environmental Consultant (SQEP) immediately to advise on methods to meeting abatement notice requirements within the time stated by the abatement notice.

6.6 Dust Incident

A dust incident is considered to have occurred where:

- Dust is observed crossing the boundary into sensitive receptors or,
- A justified complaint is received regarding dust emissions across the boundary of the site.

The incident procedures outlined at Section 3.5 shall commence.

7.0 NOISE AND VIBRATION MANAGEMENT

The following assessment and management measures are intended for standard construction equipment that is not expected to induce noise or vibration beyond the maximum limits in the QLDC District Plan. Where upper noise and vibration levels of district plans will be breached, an Acoustic Specialist may need to be engaged to assist with the management of these nuisance effects.

Potential noise and/or vibration effects may be generated by the following:

- Excavation and earth moving plant (e.g. trucks and moxies)
- Bulldozers or site scrappers
- Light vehicles near sensitive receptors
- Piling equipment
- Compaction equipment (e.g. rollers)
- Ancillary plant and equipment (e.g. generators)
- Reversing alarms/beepers

7.1 Sensitive Receptors

Key sensitive receptors to protect from the effects of dust include neighbouring residential sites, in particular those properties adjoining the site located at:

- 427 McDonnell Road (Lot 1 DP 24969)
- 433 McDonnell Road (Lot 2 DP 443978)
- 433A McDonnell Road (Lot 1 DP 443978)

7.2 Performance Criteria

1. Construction activities shall meet relevant noise limits specified under Rule 36.5.13 of the Queenstown Lakes Proposed District Plan. This rule requires Construction sound at any point within the site must comply with the limits specified in Tables 2 and 3 of *NZS 6803:1999 Acoustics - Construction Noise*, when measured and assessed in accordance with that standard (see **Table 9** below).
2. Construction activities shall meet relevant vibration limits specified under Rule 36.5.10 of the Queenstown Lakes Proposed District Plan. This rule requires vibration from any activity must not exceed the guideline values given in *DIN 4150-3:1999 Effects of vibration on structures* on any structures or buildings on any other site.
3. Construction activities shall be undertaken in accordance with the permitted hours of operation outlined at Section 2.2 above.

Table 9: Upper limits in dB(A) for construction work noise in residential areas for more than 20 weeks

Time of Week	Time Period	$L_{Aeq(t)}$	L_{Afmax}
Weekdays	0630 – 0730	55 dB	75 dB
	0730 – 1800	70 dB	85 dB
	1800 – 2000	65 dB	80 dB
Saturdays	0630 – 0730	45 dB	75 dB
	0730 – 1800	70 dB	85 dB

Table 10: Vibration Thresholds for Structural Damage (PPV mm/s)

	Short Term				Long-Term
	At Foundation			Uppermost Floor	Uppermost Floor
Types of Structures	0 to 10 HZ	10 to 50 Hz	50 to 100 HZ	All Frequencies	All Frequencies
Commercial/Industrial	20	20 to 40	40 to 50	40	10
Residential	5	5 to 15	15 to 20	15	5
Sensitive/Historic	3	3 to 8	8 to 10	8	2.5

Note: When a range of velocities is given, the limit increases linearly over the frequency range.

7.3 Management Measures

The following measures will be deployed to ensure noise and/or vibration associated with the project are appropriately mitigated:

- Notify surrounding sensitive receptors prior to commencing particularly noisy or vibration inducing activities.
- Where practicable, select lower noise producing equipment or use lower noise generating alternatives.
- Regularly service equipment to ensure plant is running optimally.
- Plant and equipment to be fitted with noise control/attenuation devices as appropriate and maintained and operated in accordance with manufacturer's specifications.
- Revving of engines will be limited. All plant and vehicles will be turned off when not in use and if safe to do so.
- The use of audible alarms on mobile equipment will be limited, and two-way communication will be used.
- Undertake activities that may lead to noise or vibration effects, during reasonable and practical hours.

7.4 Monitoring

All earthworks activity will be closely monitored by the operator to ensure that noise and vibration remains within the required limits. If monitoring finds the activity cannot comply with performance criteria, an Acoustic Specialist may need to be engaged to assess the project and provide appropriate mitigation measures and monitoring. Weekly Environmental Inspections and Monthly SQEP Environmental Inspections shall include an assessment of the site to determine the effectiveness of noise and vibration management controls.

7.5 Contingency Measures

The following contingency measures in **Table 11** shall be adopted if required.

Table 11: Noise and vibration contingency measures

Issue	Contingency Measure
Noise and/or vibration complaint received	Manage the complaint in accordance with the Environmental Complaints procedure in Section 3.7.
Exceedance of performance requirement criteria	The Environmental Consultant (SQEP), in consultation with the Environmental Representative, will investigate and implement actions to reduce noise and/or vibration levels to below criteria levels.
Ongoing noise and/or vibration issues	Where noise or vibration emissions consistently exceed the performance criteria despite the site staff's best efforts, an Acoustic Specialist will be engaged to assist.
Abatement notice issued by Council	Contact the Environmental Consultant (SQEP) immediately to advise on methods to meeting abatement notice requirements within the time stated by the abatement notice.

7.6 Noise and Vibration Incident

A noise or vibration incident is considered to have occurred when a justified complaint is received and on investigation is found to exceed the performance criteria. The environmental incident procedures outlined in Section 3.5 shall commence.

8.0 CULTURAL HERITAGE MANAGEMENT

The loss or damage of cultural heritage items could be caused by construction activities. The damage or loss of artefacts can lead to the loss of culturally or historically significant items and information.

Examples of cultural heritage items include:

- Koiwi tangata (human skeletal remains).
- Waahi taoka (resources of importance).
- Waahi tapu (places or features of special significance).
- Māori artefact material.
- A feature or archaeological material predating 1900.
- Unidentified archaeological or heritage site.

8.1 Location of Known Cultural Heritage Significance

A search of QLDC's database indicates there are no known items of cultural or heritage significance on the site.

8.2 Performance Criteria

- The protection of cultural heritage artefacts and places in accordance with the *Heritage New Zealand Pouhere Taonga Act, 2014*.
- Strict adherence to Heritage New Zealand's *Archaeological Discovery Protocol* (attached as **Appendix 10**) in the case of unexpected finds.

8.3 Management Measures

All works on this project will be undertaken in accordance with the obligations of the *Heritage New Zealand Pouhere Taonga Act*, 2014.

8.4 Monitoring

Weekly inspections shall include a visual assessment of the site to ensure that no new significant artefacts have been encountered. However, operators must remain vigilant for such encounters as they occur.

8.5 Accidental Finds

If any unknown artefacts are uncovered, the project will work to Heritage New Zealand's *Archaeological Discovery Protocol* (attached as **Appendix 10**).

9.0 CONTAMINATED SITE MANAGEMENT

9.1 Preliminary Site Investigation

There are no past HAIL activities identified within the earthworks area. This is confirmed in the preliminary site investigation (PSI) undertaken by e3 Scientific who published in December 2017.

9.2 Contingency Measures

It is not expected that contaminated material will be encountered, however this cannot be ruled out. If a potential contaminated site is identified (e.g., by landfilled waste, odour) during construction works, the following contingency measures will be undertaken:

- Immediately notify the Project Manager.
- Prevent spread of contamination by installation of silt fencing, covering material with plastic or geofabric material. This will be done wearing appropriate PPE as outlined in the Health and Safety Management Plan.
- Engage the Environmental Consultant who will advise on the engagement of a Contaminated Soil expert.
- EMP to be amended to manage any new contaminated soil encountered in coordination with the contaminated soil expert (if engaged).

9.3 Contamination Incident

An environmental incident is considered to have occurred where inspection finds that excavation or other work continues within contaminated soil without report or remedial action.

The environmental incident procedures outlined in Section 3.5 shall be followed.

10.0 CHEMICALS AND FUELS MANAGEMENT

Hazardous substances can endanger both human health and the environment. Used incorrectly they can cause catastrophic accidents, such as fires and explosions, and serious harm to people who are exposed to them.

10.1 Sensitive Receptors

Key sensitive environmental receptors include staff members working on the site and neighbouring properties.

10.2 Performance Criteria

- Chemicals and fuels are stored and used in a manner that avoids contamination of site and surrounding environment.
- All spills are cleaned up immediately and the contaminated soils/waters disposed of appropriately.

10.3 Management Measures

The following measures will be deployed to ensure chemicals and fuels associated with the project are appropriately managed.

- All hazardous substances to be stored, transported and used according to the safety data sheet requirements.
- Storage of chemicals and fuels shall be located as far as practicably possible from waterways and concentrated flows.
- Refuelling of vehicles and plant onsite will occur in the designated refuelling bay as shown in ESCP-008, **Appendix 1**.
- All concrete washing is to be undertaken in the designated concrete wash-out pit as per the design specifications in ESCP-008, **Appendix 1**.
- One 240 L Oil and Hydrocarbon spill kit will be located in close proximity to the location of liquid hazardous materials storage and refuelling areas.
- The volumes of the hazardous substances listed in **Table 12** will not be exceeded.

Table 12: Maximum volumes of chemicals and fuels

Chemicals and Fuels	Maximum Volume	Storage Location
Diesel	5,000 L	Fuel tank (bunded)
Unleaded Fuel	200 L	Jerry cans in lockable container
Oil	200 L	Packaging in lockable container
Lubricant (WD40 or similar)	24 Cans	Packaging in lockable container
Grease	100 L	Packaging in lockable container
Spot marking paint	10 L	Packaging in lockable container

10.4 Monitoring

Weekly Environmental Inspections and Monthly SQEP Environmental Inspections shall include a visual assessment of the site to determine the effectiveness of chemicals and fuels management.

10.5 Contingency Measures

The following contingency measures in **Table 13** shall be adopted if required.

Table 13: Chemicals and fuels contingency measures

Issue	Contingency Measure
Spills response	• Stop works in proximity to the spill and assess the safety of all personnel. • Take immediate action to contain the spill to prevent discharge into stormwater drains or natural waterways. • Use spill kits to contain and treat the spill. • Notify Environmental Consultant to advise on next steps. • If necessary, notify the Regional Council spill response unit. • Remove contaminated material to a suitable contained location for remediation/disposal (require any necessary approvals/permits from ORC). • The spill kits shall be replaced by an approved supplier.
Inappropriate storage	• Upgrade facility. • Clean-up of storage area. • Notify and train staff.
Inappropriate handling/transport	• Notify and train staff through toolbox meetings on the appropriate handling and transport methods.
Inadequate spill kit materials	• Order more materials. • Investigate types of chemicals onsite and consult a supplier for advice on appropriate equipment. • Develop or revise spill material monitoring and ordering system.
Inappropriate disposal of chemicals or fuels	• Provide appropriate disposal facilities or service providers. • Notify and train staff.
Inaccurate or insufficient records	• Advise staff and update records. • Monitor through inspections.

10.6 Chemicals and Fuels Incident

A chemicals and fuels incident is considered to have occurred where:

- A spill more than five litres has occurred.
- A situation is discovered where a spill of more than five litres would likely have occurred before it happens where the management measures listed above have not been followed.

The environmental incident procedures outlined at Section 3.5 shall commence.

11.0 WASTE MANAGEMENT

Waste from construction activities can create a nuisance to the public, neighbouring properties, and adversely affect flora and fauna.

11.1 Sensitive Receptors

Key sensitive environmental receptors include staff members working on the site and neighbouring properties.

11.2 Performance Criteria

- Non-recyclable waste generation is minimised, and the site and surrounds are kept free from waste at all times.
- Wastes shall be stored safely and in an organised manner until recycling, reuse, or disposal.

11.3 Management Measures

The following measures will be deployed to ensure waste management associated with the project is appropriately mitigated:

- The Waste Management Hierarchy philosophy will be implemented, as illustrated in **Figure 4**.

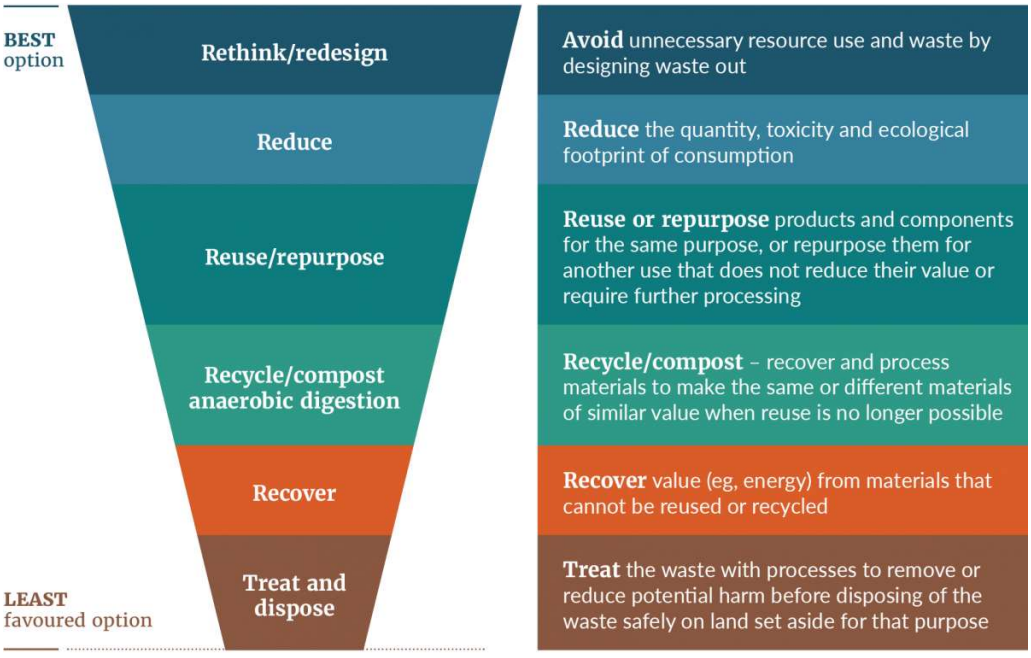


Figure 4: The Waste Hierarchy (Source: Ministry for the Environment).

- Measures will be implemented to ensure the site is maintained in a safe, clean and tidy state.
- Where possible, waste shall be segregated into labelled bins with lids: General, Hazardous and Recyclables.
- Wastes onsite shall be suitably contained and prevented from migrating offsite.

- The waste is to be contained so it doesn't contaminate soil, surface or ground water, create unpleasant odours or attract vermin.
- Any material dropped in or adjacent to open drains shall be recovered immediately after it occurs.
- Waste storage is not permitted in or near drainage paths.
- The burning of waste is strictly prohibited.
- No wastes shall be disposed of onsite.
- Wastes shall be removed from site regularly and at completion of works.

11.4 Monitoring

Site staff will be briefed on waste processes prior to works commencing and shall maintain continual vigilance for excess waste around the site and following appropriate disposal procedures. Weekly Environmental Inspections and Monthly SQEP Environmental Inspections shall include a visual assessment of the site to determine the effectiveness of waste management controls.

11.5 Contingency Measures

If waste items are accumulating or are stockpiled, the following contingency measures will be adopted:

- Arrange for collection by approved licensed contractor.
- Provide additional bins with lids if available.
- Remove waste offsite as soon as possible.

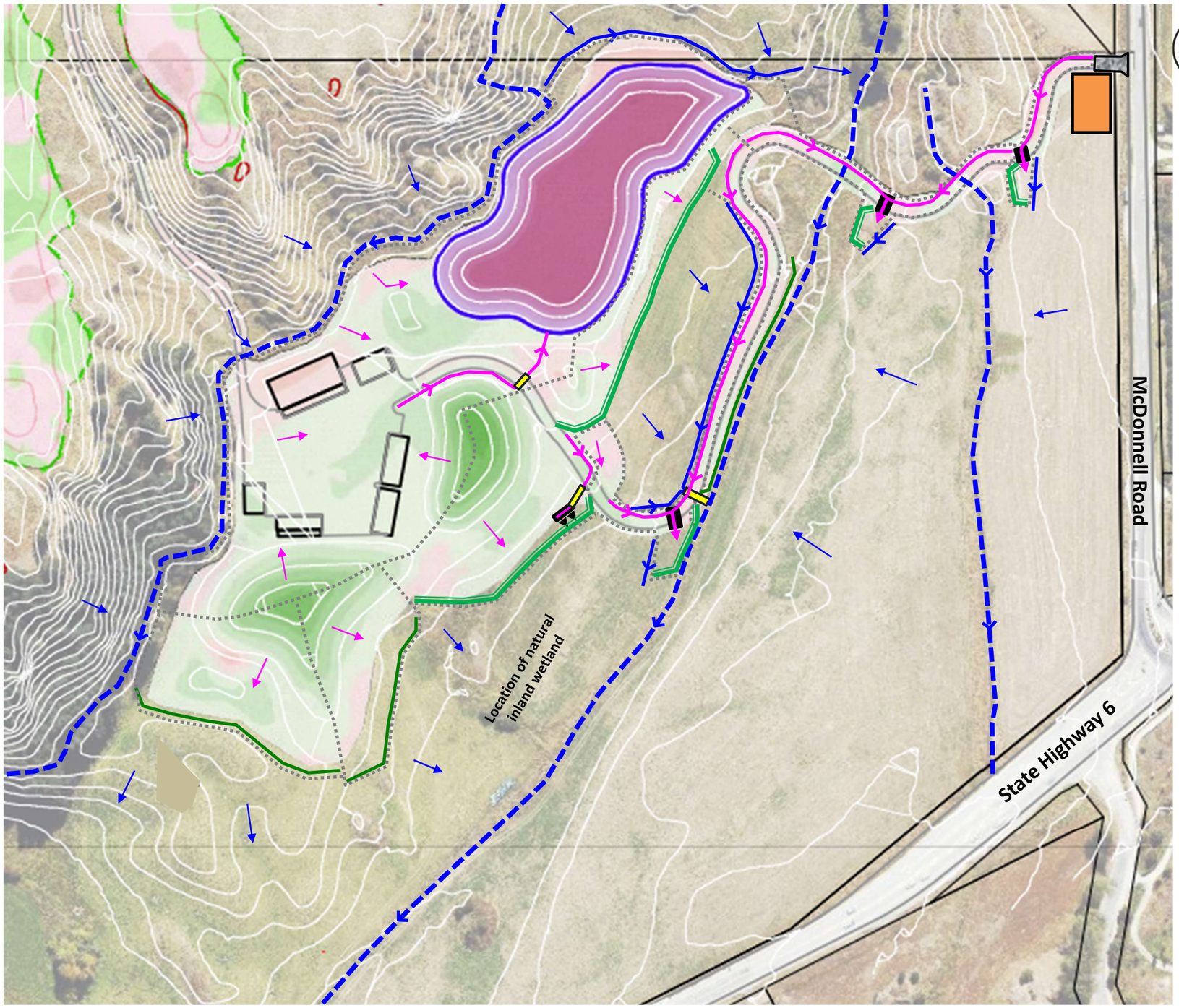
11.6 Waste Incident

A waste incident is considered to have occurred where:

- Waste from the site is found within a sensitive environment or where it may reasonably migrate to a sensitive environment,
- A complaint is received regarding inappropriate management of waste and on investigation is warranted.

The environmental incident procedures outlined at Section 3.5 shall commence.

APPENDIX 1 Erosion and Sediment Control Plan Drawing



Legend

	Stabilised access
	Laydown area
	Clean water overland flow
	Dirty water overland flow
	Clean water diversion channel
	Dirty water diversion channel
	Existing overland flow path
	Existing open water race
	Trafficable swale
	Culvert
	Level spreader
	Silt Fence
	Super silt fence

Notes

1. This plan is to be read in conjunction with the Environmental Management Plan document prepared by Enviroscope.
2. All locations of erosion and sediment control (ESC) devices are indicative and exact placement to be confirmed onsite.
3. ESC devices to be installed and maintained in accordance with Auckland Council's 'Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05) and manufacturer's instructions where relevant.
4. All devices are to be inspected daily and pre and post-rain event to ensure they are fully functional.

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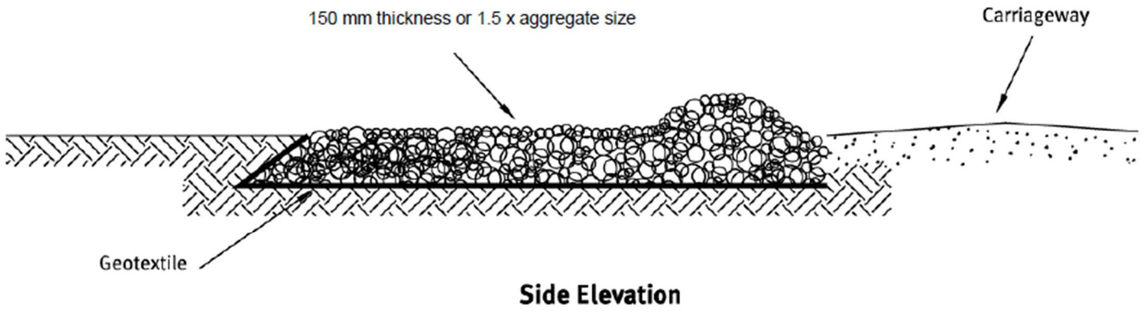
Project: Hogans Gully Farm – Maintenance Facility + Driveway

Description: Erosion and Sediment Control Plan Drawing

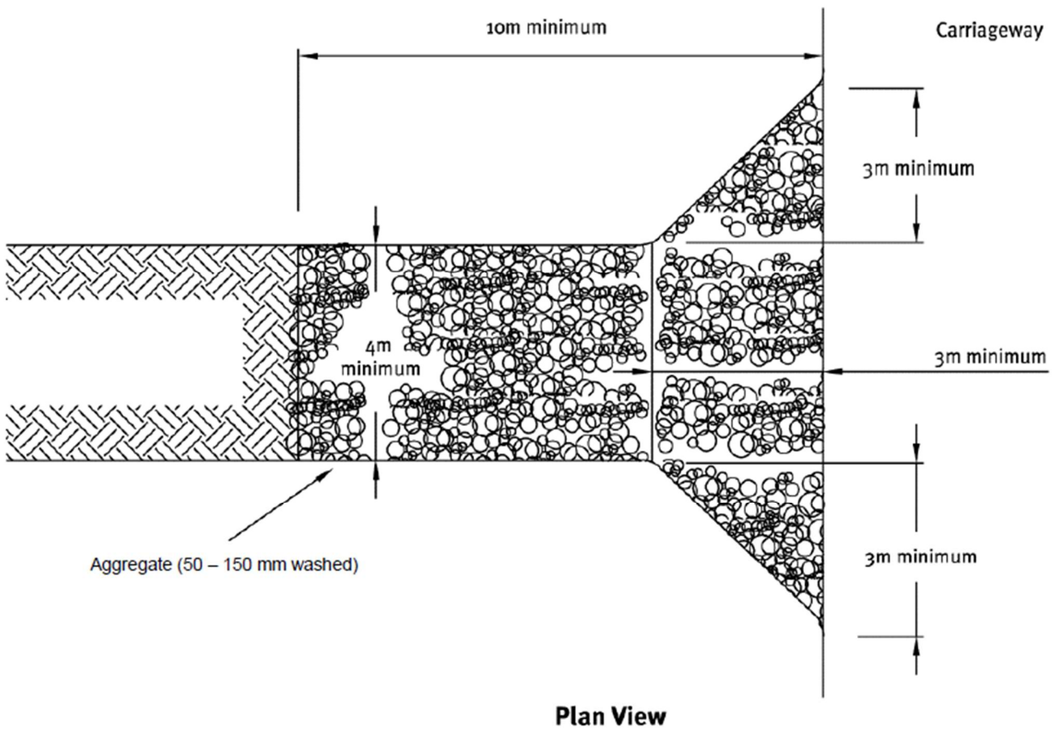
Drawn	Approved	Date	Drawing No.	Revision
QM	TG	24/03/2023	ECSP - 001	B

STABALISED ACCESS

(Page 60 from GD05)



Side Elevation



Plan View

Design Parameter	Specification
Aggregate size	50-150 mm washed aggregate
Minimum thickness	150 mm
Minimum length	10 m
Minimum width	4 m

- Additional aggregate may need to be added to the stabilised entranceway throughout the project to maintain the thickness.
- Any sediment that has been tracked onto the surrounding roads must be swept away at regular intervals.

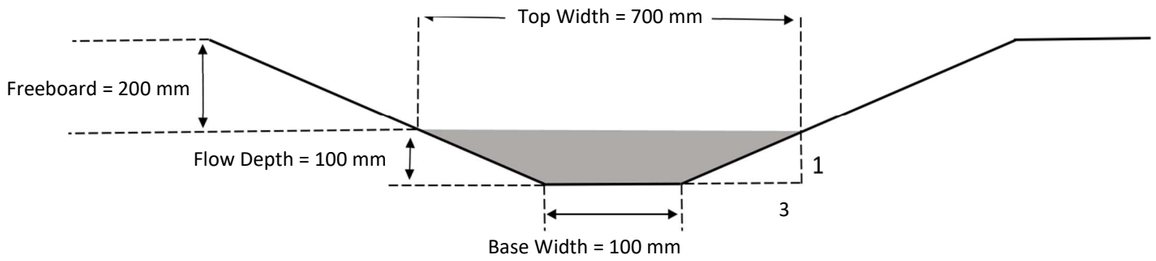
Project: Hogans Gully Farm – Maintenance Facility + Driveway

Description: Erosion and Sediment Control Plan - Schematics

Drawn	Approved	Date	Drawing Number	Revision
QM	TG	24/03/2023	ECSP - 002	B

DIRTY WATER DIVERSION CHANNEL

(Pages 43-46 from GD05)

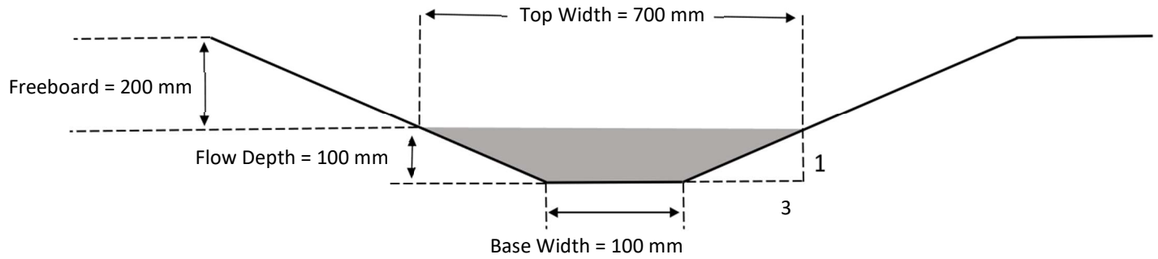


- This has been designed to comfortably carry a 5% AEP design event.
- Trapezoidal shape
- Full calculations are included in **Appendix 2**.

Base Width	Top Width	Flow Depth	Freeboard Height	Batter ratio	Channel slope
100 mm	700 mm	100 mm	200 mm	3:1	3%

CLEAN WATER DIVERSION CHANNEL

(Pages 38-43 from GD05)



- This has been designed to convey up to a 5% AEP design event.
- Trapezoidal shape
- Full calculations are included in **Appendix 2**.

Base Width	Top Width	Flow Depth	Freeboard Height	Batter ratio	Channel slope
100 mm	700 mm	100 mm	200 mm	3:1	3%

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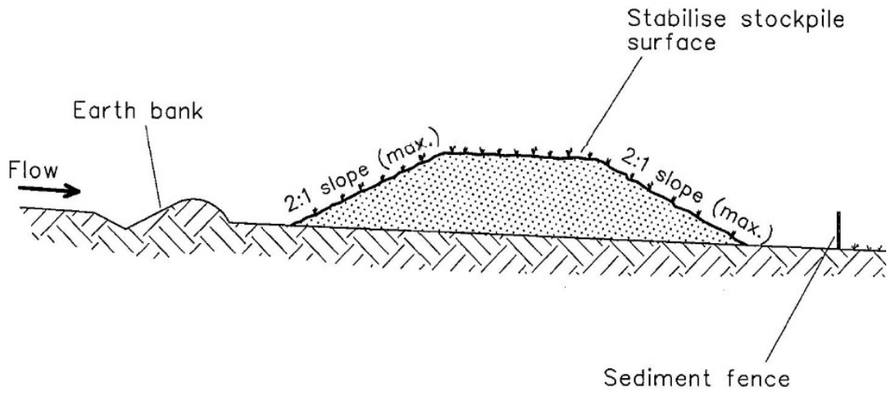
Project: Hogans Gully Farm – Maintenance Facility + Driveway

Description: Erosion and Sediment Control Plan - Schematics

Drawn	Approved	Date	Drawing Number	Revision
QM	TG	24/03/2023	ECSP - 003	B

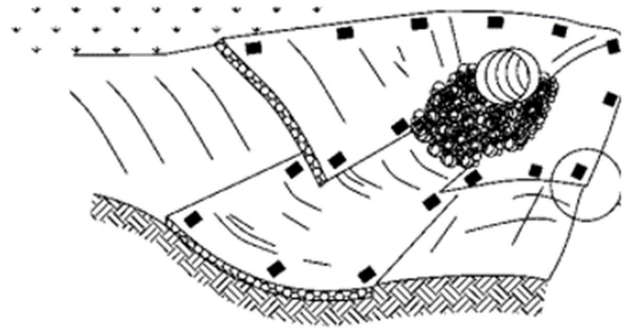
TEMPORARY STOCKPILES



- Temporary stockpiles should be a maximum height of two metres to mitigate wind effects and to preserve the quality of the topsoil as future planting media for revegetation.
- If the stockpile is to be left insitu for a period of 12 weeks or more it shall be seeded with grass or erosion control matting to provide erosion and dust protection.

TEMPORARY CULVERT

(Diagram from TP90 – now GD05)



- To be non-perforated 150 mm concrete, PVC or plastic drainage coil.
- Geofabric and rock should be placed at the outlet to prevent scour from the higher velocity water exiting the culvert.

TRAFFICABLE SWALE

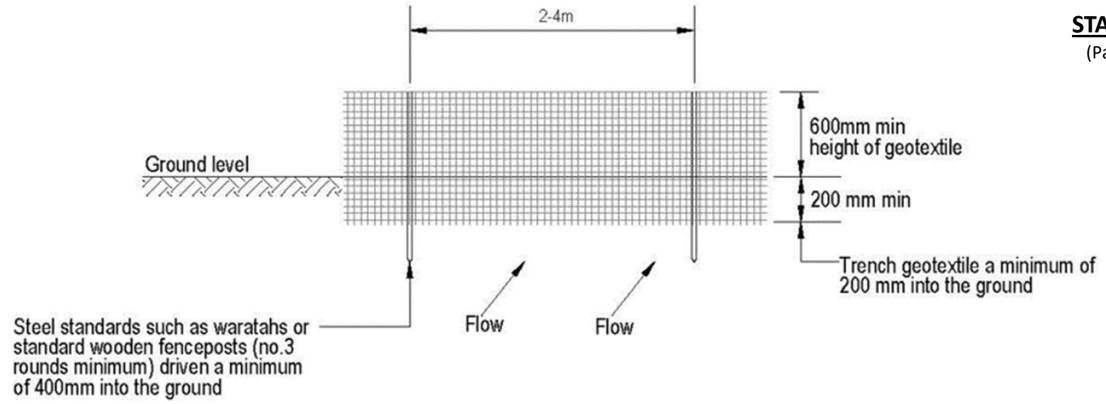
Image from Enviroscope

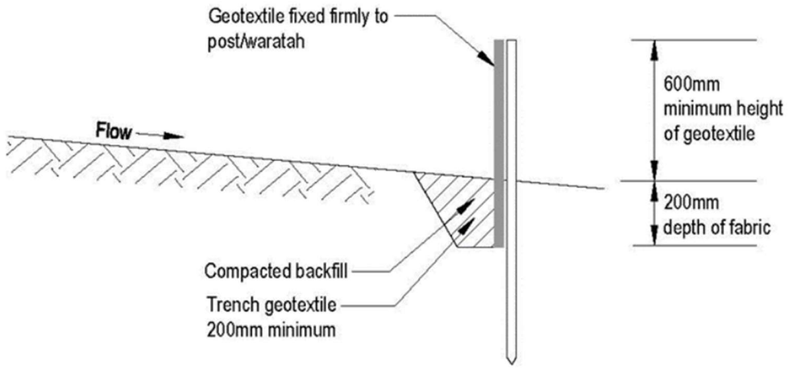
- Trafficable swales should be constructed by mounding and compacting soil diagonally across the road to direct water in the direction required.
- Vehicles should be able to cross trafficable swales often.
- Rock-lining may need to be added if the swale structure is continuing to degrade by trafficking.

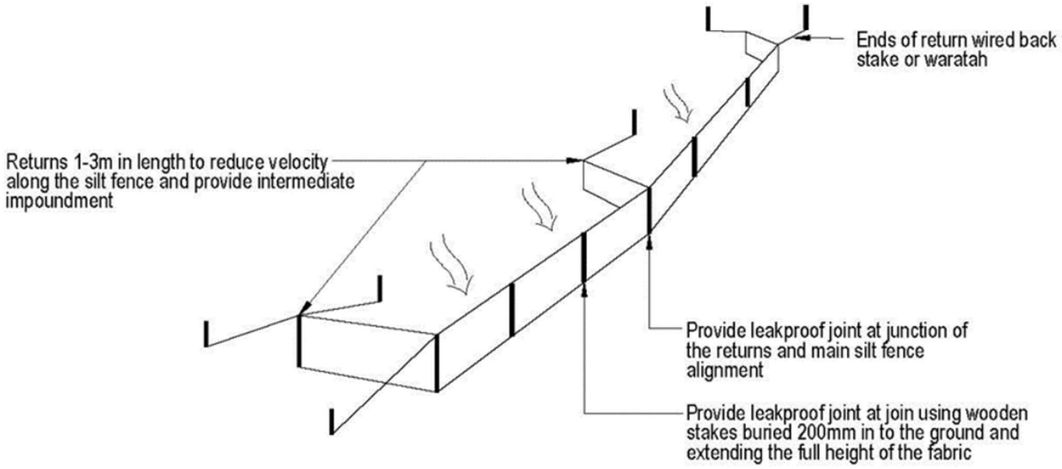
enviroscope	**Project:** Hogans Gully Farm – Maintenance Facility + Driveway **Description:** Erosion and Sediment Control Plan - Schematics				
	Drawn	**Approved**	**Date**	**Drawing Number**	**Revision**
	QM	TG	24/03/2023	ECSP - 004	B

STANDARD SILT FENCE

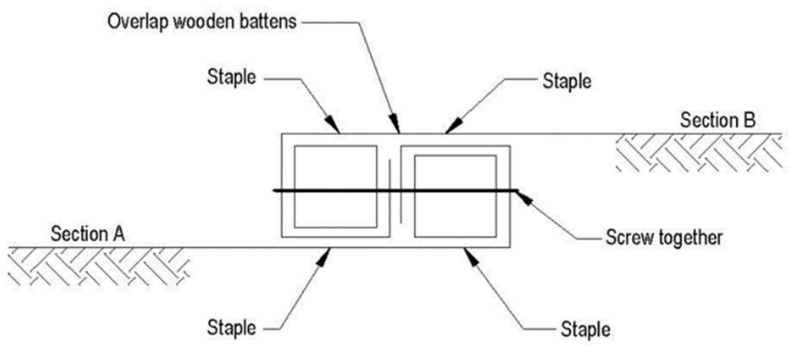
(Page 112-119 from GD05)







Slope steepness (%)	Slope length (m) (maximum)	Spacing of returns (m)	Silt fence length (m) (maximum)
Less than 2%	Unlimited	N/A	Unlimited
2- 10%	40	60	300
10- 20%	30	50	230
20- 33%	20	40	150
33- 50%	15	30	75
Greater than 50%	6	20	40



- Ensure the silt fence is ‘keyed’ into the ground to form a good seal at ground level to capture water and avoid undermining.
- Silt fences should be 600 mm above ground level and 200 mm below ground level.
- Supporting waratahs should be placed at 2-4 m intervals.
- Returns should be formed at either end facing upslope to contain flows.
- It is also important that silt fences are installed along the contour of the slope to prevent ponding of water in a concentrated area of the fence.
- To be mucked out once 20% capacity reached.

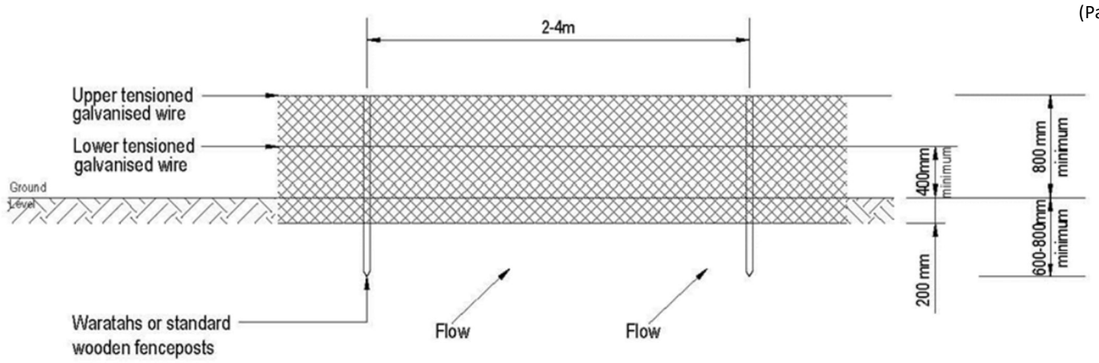
Project: Hogans Gully Farm – Maintenance Facility + Driveway

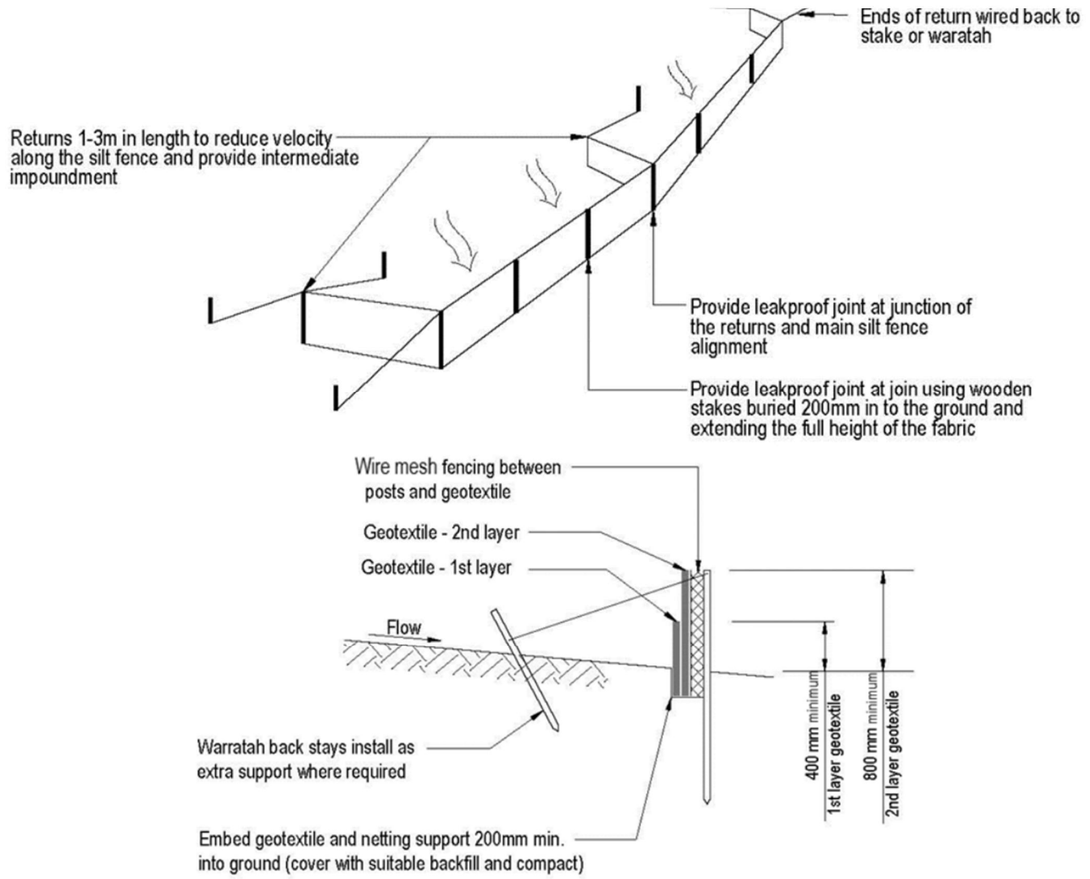
Description: Erosion and Sediment Control Plan - Schematics

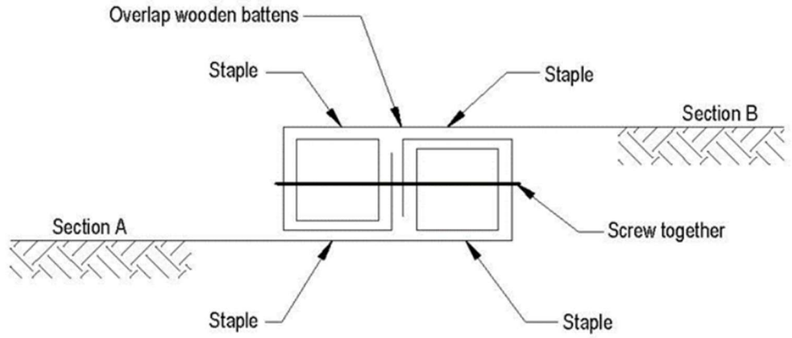
Drawn	Approved	Date	Drawing Number	Revision
QM	TG	24/03/2023	ECSP - 005	B

SUPER SILT FENCE

(Page 120-125 from GD05)







Slope steepness (%)	Slope length (m) (maximum)	Spacing of returns (m)	Silt fence length (m) (maximum)
0- 10%	Unlimited	60	Unlimited
10- 20%	60	50	450
20- 33%	30	40	300
33- 50%	30	30	150
Greater than 50%	15	20	75

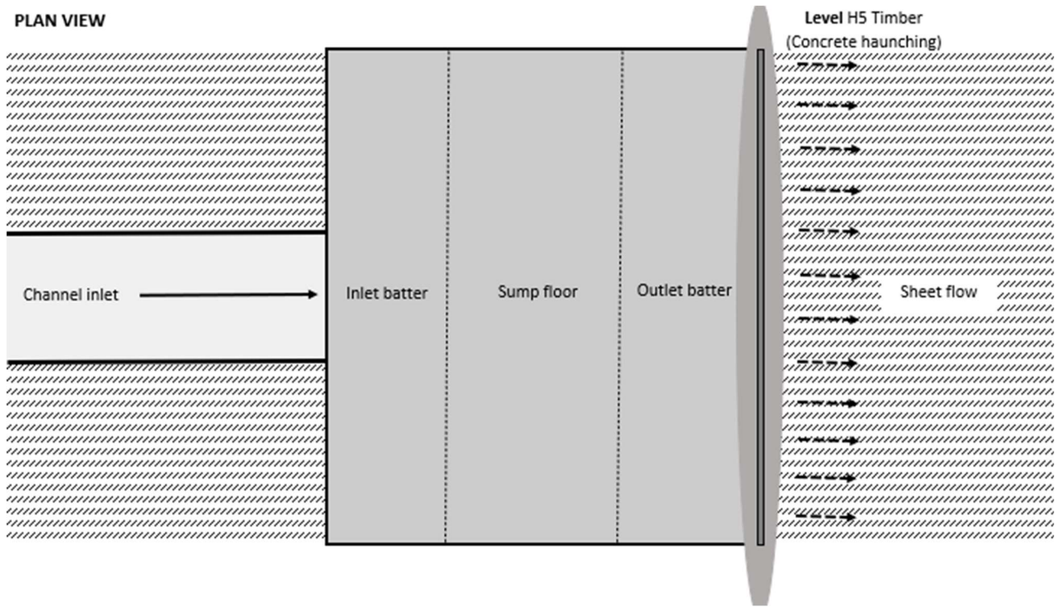
- The super silt fence should be 800 mm above ground level and a minimum of 200 mm below ground level.
- The anchoring of the silt fence should ensure stability and the double layered geotextile should provide for drop-out prior to any water filtering through the upper portions of the fabric.
- It is imperative that the front face of the fence follows the contour as close as possible to ensure the designed holding capacity is achieved and to avoid creating pressure points on the fence.
- Supporting waratahs should be placed at 2-4 m intervals.
- Stays to be installed with silt fence to provide additional structural support.

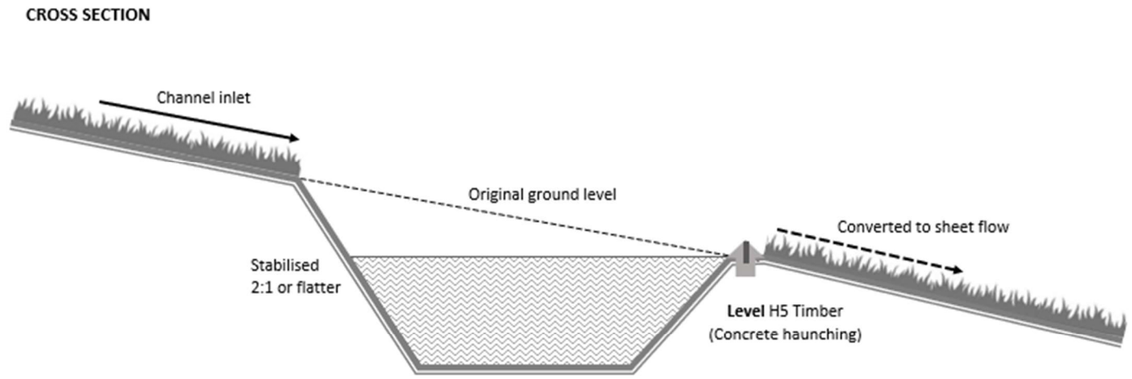
Project: Hogans Gully Farm – Maintenance Facility + Driveway

Description: Erosion and Sediment Control Plan - Schematics

Drawn	Approved	Date	Drawing Number	Revision
QM	TG	24/03/2023	ECSP - 006	B

LEVEL SPREADER





Project: Hogans Gully Farm – Maintenance Facility + Driveway

Description: Erosion and Sediment Control Plan - Schematics

Drawn	Approved	Date	Drawing Number	Revision
QM	TG	24/03/2023	ECSP - 007	B

REFUELLING BAY

- Locate the hardstand as far as practicably possible from waterways and concentrated flows.
- Ensure spill kit is located nearby.

SPILL KITS

- One 240 L Oil and Hydrocarbon spill kit will be located in close proximity to the location of liquid hazardous materials storage and refuelling areas.

CONCRETE WASHOUT PIT

- The concrete wash out pit consists of a plastic-lined bunded pit constructed with fill or straw bales.
- After concrete washout any water shall be left to evaporate.
- Cured concrete is to be disposed of within the plastic sheet to a licensed facility.

WASTE

- Where possible, waste shall be segregated into labelled bins.
- Wastes on site will be suitably contained and prevented from escaping off site. This may include covering skip bins during high winds.
- Waste storage is not permitted in or near drainage paths.
- Wastes will be removed from site when bin is full.

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Project: Hogans Gully Farm – Maintenance Facility + Driveway

Description: Erosion and Sediment Control Plan - Schematics

Drawn	Approved	Date	Drawing Number	Revision
QM	TG	24/03/2023	ECSP - 008	B

APPENDIX 2 Calculations for Erosion and Sediment Controls

DEPRESSION 1 CALCULATIONS - 156 Hogans Gully Road - REVISION A

Specification	Value1	Value2	Units	Source / Notes / Reference
Site details				
Contributing catchment		0.44	ha	QLDC GIS
Project duration		1.0	years	
NZTA Sizing Storage Requirments				Section 6.7 of NZTA ESC Guidelines, Peak runoff (Rational Method Q = 0.00278CiA)
Area groundcover	Grass	Subsoil		
Proportion of subcatchment	0.00	1.00	Proportion	
C (Runoff Coefficient)*	0.55	0.80		C values from tables below
I (Rainfall Intensity)	18.6	18.6	mm/hr	NIWA HIRDS 1-hr, 5% AEP
A (Catchment Area)	0.00	0.44	ha	
Qp (Peak runoff flow)	0.0000	0.0182	m/s	
Storage volume required	0.00	65.52	m3	
Total Storage required volume		65.52	m3	
Sediment Basin Design Specifications				
Depression type		Depression 1		Irregular shape dimensions are averages.
Length		50.00	m	
Length semi-axis (A)		25.00	m	
Width		28.00	m	
Width semi-axis (B)		14.00	m	
Depth (C)		1.00	m	
Volume		733.04	m3	Volume = 4/3 × π × A × B × C
Total volume		733.04	m3	

DEPRESSION 2 CALCULATIONS - 156 Hogans Gully Road - REVISION A

Specification	Value1	Value2	Units	Source / Notes / Reference
Site details				
Contributing catchment		0.65	ha	QLDC GIS
Project duration		1.0	years	
NZTA Sizing Storage Requirments				Section 6.7 of NZTA ESC Guidelines, Peak runoff (Rational Method Q = 0.00278CiA)
Area groundcover	Grass	Subsoil		
Proportion of subcatchment	0.20	0.80	Proportion	
C (Runoff Coefficient)*	0.55	0.80		C values from tables below
I (Rainfall Intensity)	18.6	18.6	mm/hr	NIWA HIRDS 1-hr, 5% AEP
A (Catchment Area)	0.13	0.52	ha	
Qp (Peak runoff flow)	0.0037	0.0215	m/s	
Storage volume required	13.31	77.44	m3	
Total Storage required volume		90.75	m3	
Sediment Basin Design Specifications				
Depression type		Depression 2		Irregular shape dimensions are averages.
Length		48.00	m	
Length semi-axis (A)		24.00	m	
Width		28.00	m	
Width semi-axis (B)		14.00	m	
Depth (C)		0.50	m	
Volume		351.86	m3	Volume = 4/3 × π × A × B × C
Total volume		351.86	m3	

DIRTY WATER DIVERSION CHANNEL CALCULATIONS (worst case senario) - 156 Hogans Gully Road - REVISION A

Specifications	Value 5	Units	Reference/Notes
Site Details			
Contributing catchment	0.96	ha	QLDC GIS + Google Earth
Design rainfall event	0.05	AEP	5% AEP as required by GD05
Time of Concentration			
Overland sheet flow path length (L)	390	m	Google Earth
Hortons roughness value (n)	0.012		
Slope of surface (S)	4.0	%	
Time of Concentration (Tc)	5.8	minutes	
Rounded Tc to allign with HIRDS	10	minutes	10 minute minimum required if Tc <10
Rational Method: Q = (C*I*A)/360			
Area ground cover	Bare soil		
Proportion of catchment	1		
Runoff coefficent (C)	0.8		Mannings Rounghness Coefficent (n)
Rainfall intensity (I)	39.7	mm	NIWA HIRDS, 10 min (Tc), 5% AEP
Catchment Area (A)	0.96	ha	
Qp (Peak runoff flow)	0.0843	m3/s	Rational Method: Q = CIA
Total Qp (Peak runoff flow)	0.0843		
Channel Design			Mannings Formula Uniform Trapezoidal Channel Flow
Bottom Width	100	mm	
Batter ratio= 1 to	3	ratio	
Manning's roughness coefficient of channel (n)	0.025		Gravelly earth channel
Channel slope	3	%	Slope=rise/run
Flow depth	150	mm	
Channel depth	350	mm	200 mm freeboard selected rather than 300 mm as per GD05 to reflect the significantly less intensive rain in Central Otago (approx 50% as intense as Auckland)
Flow (Q)	0.1049	m3/s	
Buffer	25	%	
Top width	1000	mm	
Additional Controls			
Drop out pit	No		
Check dams	Yes		To be placed every 24 m
Geofabric lining	No		

APPENDIX 3 Environmental Site Induction Handout

ENVIRONMENTAL SITE INDUCTION HANDOUT

Key Roles and Responsibilities

Role	Responsibilities
Project Manager	The Project Manager is responsible for the effective implementation of the EMP and has overall responsibility for the environmental performance of the project. Duties include: • Ensuring adequate resources are in place to implement the EMP. • Ensuring all staff and sub-contractors operate within the guidelines of the EMP. • Ensuring that an EMP is prepared and that environmental standards, processes and procedures meet relevant resource consent conditions. • Overseeing the successful implementation, monitoring and review of the EMP. • Ensuring that inspections are carried out in accordance with the relevant EMP. • Restricting or stopping any activity that has the potential to or has caused adverse environmental effects. • Providing notification and reporting of Environmental Incidents to Council and other environmental reports as required by The Guidelines. • Delegating authority of the above responsibilities.
Environmental Representative	The Environmental Representative supports the Project Manager in the day-to-day implementation of the EMP. Duties include: • Ensuring the installation of environmental controls as per the EMP. • Undertaking environmental site inspections. • Overseeing the maintenance and improvement of defective environmental controls. • Providing environmental inductions to all staff and sub-contractors. • Assisting the project leadership in attending to Environmental Incidents and Complaints. The Environmental Representative shall be familiar with environmental risks associated with the project, the EMP and best practice erosion and sediment control principles and practices.
All staff and sub-contractors	All staff and sub-contractors have a responsibility to undertake all activities in accordance with the requirements of this EMP. This includes reporting any activity that has the potential to or has resulted in an Environmental Incident to the Project Manager or Environmental Representative.

Key Environmental Locations

Key sensitive receptors to protect include residential dwellings to the north and west. 131 Hogans Gully Road is 45m from the northern boundary of the site. The land to the north, east and south is rural pasture.

Key Resource Consent Conditions

To be confirmed.

Limits of Clearing and Importance of Sequencing

The sequencing of works is a key component to ensure that environmental effects of construction are appropriately managed. It is imperative that the sequencing outlined in Section 2.1 of the EMP is followed so that the site is stabilised in the most efficient manner.

All staff should be familiar with this sequence. Any potential changes to that sequence need to be approved by the Project Manager which will be discussed first with the Environmental Consultant.

Key Environmental Management Measures in EMP

Erosion and Sediment Control (Section 4 of EMP)

- Direction provided in Erosion and Sediment Control Plan (ESCP) in Appendix 1 of EMP.
- Separation of clean and dirty water is the most important principle to ensure that the contributing catchment of dirty water that needs to be treated is as small as possible.
- Progressive stabilisation (revegetation) of disturbed areas will ensure that the extent and duration of exposed soil is minimised. Keep it covered!
- All controls to be checked immediately before storm events to ensure they are in good-working order.
- Erosion and sediment control devices to remain in place until site is stabilised (defined as 80% vegetative cover).

Any works that disturb the controls outlined on the ESCP must be reinstated before moving to the next task.

Water Quality Management (Section 5 of EMP)

- Any water caught in the sediment devices to be re-used in dust suppression where possible and if required.
- Any observations of dirty water running offsite to be reported directly to the Site Supervisor.

Dust Management (Section 6 of EMP)

- Dust suppression should occur on any exposed soil on unsealed roads, this can be done using the water caught in the retention basin.
- Avoid all unnecessary vegetation clearing that exposes soil and work should be conducted in stages as this can increase the impact from dust in the event of strong winds.
- During high wind events and dust suppression is becoming difficult works must cease until more favourable weather conditions.
- Constant vigilance should be maintained onsite to ensure that dust is appropriately managed and weekly monitoring should be completed to ensure that management measures are effective.

Noise and Vibration Management (Section 7 of EMP)

- Noise producing works only be undertaken during the hours of 0730-1800 from Monday-Saturday and no works to be completed on Sundays or public holidays.
- Particularly noisy work should be completed during the middle of the day during business hours.
- Noise dampening should occur when possible.

- Weekly site inspections should be undertaken by the Environmental Representative to ensure the strategies in place are effective.

Historic Heritage Management (Section 8 of EMP)

- If any artefacts are found works must stop within 20 meters of the discovery and the site manager notified immediately.
- The site manager must then secure the area and notify the Heritage New Zealand Regional Archaeologist, who will advise when works can begin again.

Chemicals and Fuel Management (Section 9 of EMP)

- Chemicals and fuels are stored and used so not to cause contamination of works areas and surrounding environment.

Waste Management (Section 10 of EMP)

- Waste management on site will ensure wastes are stored safely and in an organised manner until recycling, reuse or disposal.

Environmental Incidents

The procedure for managing environmental incidents is outlined in Section 3.5 of the EMP, however these can be summarised as follows:

- Environmental incidents must be reported as soon as they occur, and the Project team must respond immediately to mitigate further environmental impacts.
- Investigation into the cause of the incident should be completed and a solution should be constructed to remediate the Environmental damage.
- The Project Manager must then notify the QLDC and/or the ORC of the details of the incident within 12 hours of being made aware of the incident.

Rapid Response for Storm Events

The procedure for rapid response to storm events is outlined in Section 4.6 of the EMP, however these can be summarised as follows:

- The Project Manager will observe and understand the **weather forecast** throughout the project to ensure appropriate preparation onsite.
- If a **significant storm** event is forecast all works should stop within an appropriate amount of time to inspect ESC devices and undertake any maintenance or site stabilisation required.
- The sediment controls should be in operating condition and fully functional.
- During the storm event the site should be monitored to sure the functioning of the ESC devices and maintained if required.

When storms are forecast it is crucial that tools are downed in time for the rapid response procedure to be implemented. This will help avoid environmental incidents, potential enforcement action and site shutdown.

APPENDIX 4 Environmental Site Induction Register

156 Hogans Gully Road

ENVIRONMENTAL SITE INDUCTION REGISTER

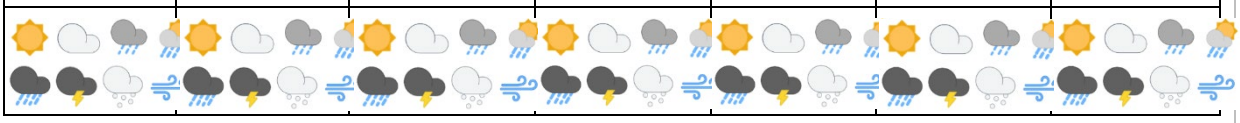
Name	Organisation	Date Inducted	Induction Delivered by	Signature

APPENDIX 5 Weekly Environmental Site Inspection Form

156 Hogans Gully Road

WEEKLY ENVIRONMENTAL SITE INSPECTION FORM

Environmental Representative: Date:

Item	Yes	No	Comment
General			
Is the EMP available onsite?	☐	☐	
Have any environmental incidents occurred during the week? If so, provide details	☐	☐	*If yes, complete environmental incident report.
Complete description of weather for upcoming week – circle applicable			
Monday / Tuesday / Wednesday / Thursday / Friday / Saturday / Sunday 			
Are there any rain events forecasted for the coming week?	☐	☐	
Have pre rain event inspections been completed?	☐	☐	
Have post rain event inspections been completed?	☐	☐	
Water Quality			
Is water quality monitoring occurring when water is flowing across the site boundaries?	☐	☐	*If yes, complete water quality monitoring form
Is there visual evidence of sediment from the construction site entering waterways/drainage lines?	☐	☐	
Does water in sediment retention devices meet water quality criteria before being discharged?	☐	☐	
Erosion and Sediment Control			
Are works contained within the site boundaries?	☐	☐	
Are completed areas being progressively stabilised?	☐	☐	
Is there any new evidence of erosion?	☐	☐	
Are erosion and sediment controls installed as per the ESCP?	☐	☐	
Is dirty water entering dirty water diversion channels during rain events?	☐	☐	
Do sediment controls have over 80% capacity?	☐	☐	

Item	Yes	No	Comment
Cultural Heritage			
Have any finds of cultural significance been found throughout the week?	☐	☐	
Noise and Vibration			
Have any complaints been received during the week?	☐	☐	*If yes, complete Complaints Register
Are nearby sensitive receptors being notified before significant noise and/or vibration causing activities?	☐	☐	
Are works only occurring within the hours of operation?	☐	☐	
Dust			
Have any complaints been received during the week?	☐	☐	*If yes, complete Complaints Register
Have completed areas been revegetated or stabilised?	☐	☐	
Is dust suppression of disturbed work areas and stockpiles occurring?	☐	☐	
Are works ceasing during high winds?	☐	☐	
Are only designated access points and haul routes being used?	☐	☐	
Is the site access and surrounding roads swept clean of sediment?	☐	☐	
Chemicals and Fuels			
Are all hazardous substances on site stored, transported and used according to the safety data sheet requirements?	☐	☐	
Is refuelling of vehicles and plant on site occurring in the designated refuelling bay?	☐	☐	
Is concrete washing being undertaken in the designated concrete wash-out pit?	☐	☐	
Is there an adequate supply of spill kits onsite? Have any used materials been replaced?	☐	☐	
Waste			
Is the site in a safe, clean and tidy state?	☐	☐	

Item	Yes	No	Comment
Are wastes segregated into labelled bins with lids?	☐	☐	
Are skip bins not overfilled?	☐	☐	
Is waste removed from open drains and drainage paths?	☐	☐	

Actions resulting from this inspection must be forwarded to the Project Manager any actions should be recorded in the Non-Conformance Register – Appendix 8.

Additional Comments:

Names and Signatures of inspection attendees:

APPENDIX 6 Environmental Incident Report Form

156 Hogans Gully Road

ENVIRONMENTAL INCIDENT REPORT FORM

Project Address: 156 Hogans Gully Road	**Consent Number: TBC**
Brief Project Description: Earthworks to form a residential subdivision.	

Instructions- Complete this form for all environmental incident that cause contaminants (including sediment) or environmental nuisance to leave the site. Be succinct, stick to known facts and do not make assumptions. Once completed submit to the Regulatory team at Queenstown Lakes District Council at RCMonitoring@qldc.govt.nz. Call the Regulatory team immediately on 03 441 0499 for any serious or ongoing incidents that cannot be brought under immediate control.

Date and Time	Date: XX/XX/XXX Time: XX:XX hours
Description? Provide a brief and factual description of what happened during the incident, include relevant details such as: - The activity being undertaken when the incident occurred - The estimated distance to nearest waterway (include stormwater and dry courses) - The estimated distance to the nearest sensitive receiver Sketches/diagrams/photos may be referenced and appended to this report to aid in the description of the incident.	
Exact Location of the incident? Include address, landmarks, features, nearest tree, etc. Maps and plans can be attached.	
Quantity or volume of material escaped or causing incident? (provide and estimate quantity)	
Who identified the incident?	Contractor ☐ Council ☐ Community ☐ Other ☐

What immediate actions/control measures were taken to rectify or contain the incident?
What initial corrective action will be taken to prevent similar incidents recurring in the near future?
Has the Otago Regional Council been notified? Yes ☐ No ☐ Will be notified ☐

Environmental Representative/person making report:	
Name……	Signature……
Organisation……	Date……
Mobile phone number……	
Project Manager:	
Name……	Signature……
Organisation……	Date……
Mobile phone number……	

APPENDIX 7 Environmental Complaints Register

156 Hogans Gully Road

ENVIRONMENTAL COMPLAINTS REGISTER

Complaint #	Date and Time Received	Complainant details (name, address, phone number)	Details of Complaint	Investigation and Findings	Outcome	Close out Date

APPENDIX 8 Environmental Non-Conformance Register

156 Hogans Gully Road

ENVIRONMENTAL NON-CONFORMANCE REGISTER

Ref Number	Date Observed	Found via (e.g., inspection, monitoring, complaint?)	Details of Non-conformance	Corrective Actions	Updated by	Close out Date

APPENDIX 9 Water Quality Monitoring Results Form

156 Hogans Gully Road

WATER QUALITY MONITORING RESULTS FORM

Date		Monitoring Trigger		Location Description	
			Yes	No	Measurement
Is turbidity less than 100 NTU?*			☐	☐	____ NTU
Is the pH of the water between 5.5-8.5?*			☐	☐	pH ____
Are total suspended solids less than 50 mg/L?*			☐	☐	____ mg/L
Are hydrocarbons visible?			☐	☐	
Are tannins visible in the water?			☐	☐	
Is there any waste in the water?			☐	☐	
Description of any non-conformance and actions required: •					
Include images of sampling location:					

*Enviroscope can provide Water Quality Monitoring services to measure turbidity and pH. If 100 NTU is exceeded, collect a water sample to send to laboratory for TSS measurement.

APPENDIX 10 Archaeological Discovery Protocol

HERITAGE NEW ZEALAND
POUHERE TAONGA

Heritage New Zealand Pouhere Taonga Archaeological Discovery Protocol

Under the Heritage New Zealand Pouhere Taonga Act (2014) an archaeological site is defined as any place in New Zealand that was associated with human activity that occurred before 1900 and provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand. For pre-contact Maori sites this evidence may be in the form of bones, shells, charcoal, stones etc. In later sites of European/Chinese origin, artefacts such as bottle glass, crockery etc. may be found, or evidence of old foundations, wells, drains or similar structures. Burials/koiwi tangata may be found from any historic period.

In the event that an unidentified archaeological site is located during works, the following applies;

1. Work shall cease immediately at that place and within 20m around the site.

2. The contractor must shut down all machinery, secure the area, and advise the Site Manager.

3. The Site Manager shall secure the site and notify the Heritage New Zealand Regional Archaeologist. Further assessment by an archaeologist may be required.

4 If the site is of Maori origin, the Site Manager shall notify the Heritage New Zealand Regional Archaeologist and the appropriate iwi groups or kaitiaki representative of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (*Heritage New Zealand Pouhere Taonga Act*, *Protected Objects Act*).

5. If human remains (koiwi tangata) are uncovered the Site Manager shall advise the Heritage New Zealand Regional Archaeologist, NZ Police and the appropriate iwi groups or kaitiaki representative and the above process under 4 shall apply. Remains are not to be moved until such time as iwi and Heritage New Zealand have responded.

6. Works affecting the archaeological site and any human remains (koiwi tangata) shall not resume until Heritage New Zealand gives written approval for work to continue. Further assessment by an archaeologist may be required.

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

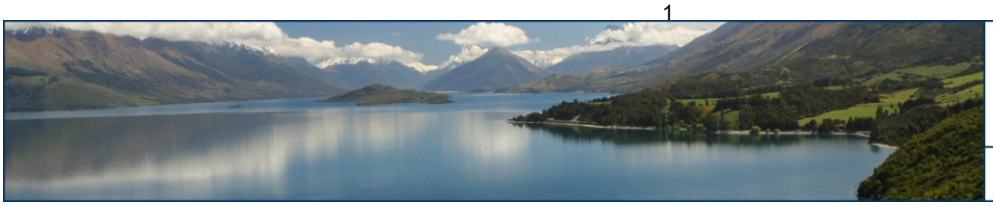
8. Heritage New Zealand will determine if an archaeological authority under the *Heritage New Zealand Pouhere Taonga Act* 2014 is required for works to continue.

It is an offence under S87 of the *Heritage New Zealand Pouhere Taonga Act 2014* to modify or destroy an archaeological site without an authority from Heritage New Zealand irrespective of

whether the works are permitted or a consent has been issued under the Resource Management Act.

Heritage New Zealand Regional archaeologist contact details:

Dr Matthew Schmidt
Regional Archaeologist Otago/Southland
Heritage New Zealand
PO Box 5467
Dunedin
Ph. +64 3 470 2364, mobile 027 240 8715
Fax. +64 3 4773893
mschmidt@heritage.org.nz



QUEENSTOWN LAKES DISTRICT COUNCIL

www.qldc.govt.nz

DECISION OF THE QUEENSTOWN LAKES DISTRICT COUNCIL

RESOURCE MANAGEMENT ACT 1991

Applicant:	**Hogan's Gully Farming Limited**
RM reference:	RM180497
Location:	The 158.8 hectares property is located west of McDonnell Road, north of State Highway 6, east of the Bendemeer Special Zone, and south of Hogan's Gully Road, near Arrowtown
Proposal:	Subdivision and land use consent is sought to establish an 18-hole championship golf course with associated clubhouse, driving range and maintenance facilities, and 96 residential (and associated residential building platforms) and visitor accommodation units, and land use consent to undertake over 50,000m^3 to construct the golf course
Type of Consent:	Land Use Consent and Subdivision Consent
Legal Description:	Lots 1-2 DP 356270, Lot 3 DP 18290 and Lot 3-4 DP 356270, Section 2 Survey Office Plan 440817, Section 25B and Section 25C Block VII Shotover Survey District, Section 99-100 Block VII Shotover Survey District, Lot 2 DP 18290, Lot 4 DP 1829, Lot 1 DP 25533, Lot 1 DP 1829, Lot 5 DP 18290
Zoning:	Rural General Zone: Operative District Plan Wakatipu Basin Rural Amenity Zone: Proposed District Plan
Activity Status:	Discretionary Activity
Notification:	23 August 2019
Commissioners:	Gina Sweetman, Calum MacLeod and Dr Lee Beattie
Date Issued:	**15 May 2019**
Decision:	**CONSENT REFUSED**

IN THE MATTER	of the Resource Management Act 1991
AND	
IN THE MATTER	Of an Application to **QUEENSTOWN LAKES DISTRICT COUNCIL by HOGAN'S GULLY FARMING LIMITED (RM180497)**

DECISION OF COMMISSIONERS GINA SWEETMAN, CALUM MACLEOD AND DR LEE BEATTIE APPOINTED BY QUEENSTOWN LAKES DISTRICT COUNCIL

The Proposal

1. We have been given delegated authority to hear and determine this application by the Queenstown Lakes District Council ("Council") under section 34 of the Resource Management Act 1991 ("the Act") and, if granted, to impose conditions of consent.

2. This decision contains the findings on the application for resource consent and has been prepared in accordance with section 113 of the Act.

3. Hogan's Gully Farming Limited has sought consent to establish and operate an 18-hole championship golf course with associated clubhouse, driving range and maintenance facilities, and to establish 96 residential (and associated residential building platforms) and visitor accommodation units, and to undertake over 50,000m^3 of earthworks to construct the golf course.

4. Section 1 of the AEE includes a detailed description of the proposal and further information was also obtained through a series of further information subsequently provided in response to a section 92 request. Section 2.1 of Council's s42A report includes an accurate summary of the proposal as follows:

> *In summary, the application seeks to establish an 18-hole golf course on the site, with associative golf facilities, and pockets of residential clusters. The development comprises: subdivision, including earthworks and related works; the golf course construction and use, and related facilities and activities including the club house, driving range, the golf maintenance facilities; and units for residential and visitor accommodation use.*

5. Mr Brown, planning consultant for the applicant, advised that the residential units would all be owned by individual owners who may live in the units permanently or temporarily, and/or may lease the unit to a visitor accommodation management company[1].

6. The applicant presented updated information and amended plans as part of their evidence provided in advance of the hearing. The applicant also presented additional controls amended plans after the hearing was adjourned, showing further amendments. These amendments are summarised below:

   (a) Residential cluster 8

   - Lots 801 and 803 relocated further away from the Bendemeer boundary
   - Access driveway to Lots 801, 802 and 803 relocated to the east of the dwellings and existing hillocks
   - Tree planting for further screening in gullies east of Bendemeer Lots 15 and 16.

   (b) In respect of Bendemeer Lot 17:

   - Closest edge of proposed access road relocated out to 10m from north-western corner
   - Access road to be cut down into the land to reduce visibility from Lot 17
   - Existing mounding in north-eastern corner of Lot 17 to be extended into site
   - Lot 17 boundary fencing extended around mound

[1] Paragraph 3.9 of Mr Brown's evidence in chief.

- Fairway 12 tees moved further from boundary and down slope

(c) In respect to Bendemeer Lot 18:

- Relocation of 7 lots in R9.

(d) In respect to Bendemeer Lots 17 – 23:

- Second fence line directly north of lots 17 and 18 removed; existing fence slid down 3 to 4m to the north
- Young conifer shelterbelt and potentially part of poplar shelterbelt on western site boundary removed
- 7 lots in R9 and Fairway 13 relocated to the east
- Additional mounding to the east of Lots 22 and 23
- Access road to R9 moved east away from boundary.

(e) Residential Cluster 2:

- Lots 209 and 211 lowered by 1m
- Lots 212 – 218 lowered by 2m
- Additional mitigation mounding and planting to north of Lot 212
- Pond water levels changed

(f) Road link between R10 and R2 to be the only access for R10.

(g) Maintenance compound:

- Defined hours of operation, being 6:00am to 8:00pm daily
- Changes to landform and screening, to be completed prior to operation of the compound
- Compound available for maintenance of golf course and resort grounds only

(h) Golf course and driving range hours of operation being 7:00am to 9:30pm

(i) Clubhouse hours of operation being 6:30am to 7:00, except for functions or events, when 12am would apply.

The Site

7. A description of the site and receiving environment within which the application will operate can be found within section 1.2 of the applicant's AEE. This description accords with our impressions from our visits to the site and surrounding area, and this is therefore adopted for this decision.

8. We undertook two site visits; one before the hearing, and one after hearing from submitters. During these site visits we visited the site, the nearby Hills golf course, sites in the adjacent Bendemeer Zone and the Sturt property. We also observed the site from the surrounding road network and from the lookout on the Crown Range zigzag and Tobins Track. We noted that the two outlooks provided different experiences. The outlook from the Crown Range zigzag was more rural and open in nature, with the site in the forefront of the view; while the outlook from Tobins Track included more of Arrowtown, the Arrowtown and Hills golf courses,

Millbrook, with Frankton and Lake Wakatipu beyond, with the site located within the foreground of Morvern Hill. From both vistas, the mountains frame the Wakatipu Basin.

9. We note that the site is traversed by the Arrow Irrigation Company race and is also in part bisected by a paper road.

Notification, Submissions and Affected Party Approvals

10. The application was publicly notified on 23 August 2018 and 28 submissions were received.

11. Of these submissions, 10 opposed the application, three supported the application, and 15 neither opposed nor supported the application. Of the 28 submissions received, one was received following the close of the submissions period.

12. The applicant provided written approval from Roger Norman Macassey and Douglas James Harvie as trustees of the W R Jackson Family Trust, who are the landowners of the property comprising Lot 1 and Lot 2 DP 356270.

13. The Council's section 42A report provided a comprehensive summary of the submissions, which we have not repeated. The main points raised through the submissions can be summarised as:

    (a) Adverse traffic effects, including safety and capacity, including on Hogan's Gully Road, the McDonnell Road and Centennial Avenue intersection, the SH6 and McDonnell Road intersection.

    (b) Insufficient transport information, including traffic generation and impacts on cycling and walking.

    (c) Provides an opportunity for a new trail, to benefit the wider community.

    (d) The development does not address effects on the unformed legal road

    (e) A positive contribution to protecting rural values of the area, by ensuring there is not high density development in the future

    (f) A logical extension of the golf course development in Arrowtown and will strengthen Queenstown and Arrowtown as a golf tourism operation.

    (g) Preferable form of development to potential alternatives.

    (h) Development is well suited to the site topography, is well designed, will be of excellent quality and the ecological framework will have ecological benefits.

    (i) Unacceptable construction and operation effects from the golf course layout, including adverse noise, privacy and amenity effects

    (j) Adverse visual amenity effects from the residential development, including roof line visibility and light pollution, and from the driving range.

    (k) Overall scale of the development is adverse.

    (l) Safety issues arising from the operation of the golf course

    (m) The AEE doesn't adequately address effects arising from the earthworks, golf course operation, location of cart paths or landscaping

(n) Significant adverse effects on the values and amenities of residents in the Bendemeer Zone.

(o) Impacts on water supply (conservation); Potential impact on the existing Arrowtown water supply scheme.

(p) Impacts on SH6 from any increased use of the two existing authorised crossing places

(q) Adverse visual amenity, noise, light, glare and dust effects from the proposed compound

(r) Potential impacts on rural activities, such as rabbit control

(s) Potential impact on irrigation water available for future residential or lifestyle development if the Otago Regional Council consents irrigation allocation for the golf course.

(t) No clear demonstration the Arrow Irrigation supply is adequate to serve the golf course; concern about the burying and piping of some of the race; impacts on the continued operation of the race.

(u) Potential adverse quantity and quality effects on the Morvern aquifer.

(v) The ecological enhancement package is unambitious and certification under the Audubon scheme should be required.

(w) The proposal does not promote sustainable management; the area is already well served by golf courses.

(x) No need for a further loss of rural character in the Wakatipu Basin.

(y) Uncertainty about the length of the construction period.

(z) A thorough and extensive professional product.

(aa) Will retain rural character and sit comfortably within the surroundings.

14. In the right of reply, the applicant also provided written approvals from:

(a) Kenneth Edkins, Linda McBride and Peter McBride, Title 767706

(b) Shire Arrowtown Ltd, Michael Almquist and Sook Mee Hahm Almquist, Titles 767709, 767710 and 767711[2]

(c) Edwin Murray Richard Lamont and Carol Mary Lamont, Titles 767707 and 767708.

15. None of these parties were submitters on the application.

The Hearing

16. A hearing to consider the application was convened on 25 February 2019, in Queenstown. The Commission undertook two site visits; one on the morning of the 25th February 2019 prior to the hearing and the second mid-morning on the 26th February 2019, after hearing from submitters.

[2] This included a note “bound by covenant to sign”.

17. The Council's consultant planner, Nigel Bryce, who had prepared a section 42A report was in attendance. Also appearing for the Queenstown Lakes District Council were:

    (a) Helen Mellsop, Consultant Landscape Architect

    (b) Alan Hopkins, Consultant Engineer

    (c) Keren Bennett, Consultant Ecologist

18. The applicant was represented by Graeme Todd and Ben Gresson, Counsel for Hogans Gully Farming Ltd. Attendances for the applicant included:

    (a) Michael Davies, for the applicant

    (b) Jason Blair, visual simulations

    (c) Paddy Baxter, Landscape Architect

    (d) Andrew Patterson, Architect

    (e) Greg Turner, Golf Course Designer

    (f) Ryan Brandeburg, Golf Tourism

    (g) Chris Hansen, Engineer

    (h) Glenn Davis, Ecologist

    (i) Adam Vail, Infrastructure

    (j) Jason Bartlett, Transport

    (k) Paul Faulkner, Geotechnical Engineering

    (l) Jeff Brown, Planner.

19. Several submitters were in attendance including:

    (a) Warwick Goldsmith, trustee for the Queenstown Trails Trust

    (b) Sheralyn Sturt, and Counsel, Maree Baker-Galloway and Roisin Giles

    (c) Maggie Drummond

    (d) Edward Guy

    (e) Stan Jones

    (f) Dave Gibson

20. We also received tabled emails and correspondence, before and during the hearing, from:

(a) M & J Halliday, T Miles and J Jeffries, A Jeffery, M Harris and W Bailey, D Gribble, R and S Berry, C Thompson and M Wood, C Strang, L, L and J Lockwood, P and R Ireland, N Thomson, R and G Harp and T McLeod, C Rhodes, through Morgan Slyfield, Counsel

(b) Rita Teele, who attended the hearing on the first day

(c) Jonathan Gurnsey

(d) The New Zealand Transport Agency (NZTA)

(e) The Arrow Irrigation Company Ltd (AIC)

21. The hearing was adjourned on 26 February 2019 to allow for points of clarification to be addressed, revised conditions to be circulated and for the applicant to provide its right of reply. These were received on 17 April 2019 and the hearing was closed on 26 April 2019.

The District Plan and Resource Consents Required

22. Full details of the resource consents required, and the status of the activity are set out in the application and Council's section 42A report.

Queenstown Lakes Operative District Plan

23. The application relates to a 158.8-hectare property zoned Rural General in the Queenstown Lakes Operative District Plan (the ODP):

(a) A discretionary activity resource consent is required for:

- the proposed subdivision and location of residential building platforms, pursuant to Rule 15.2.3.3(vi);
- the proposed earthworks, pursuant to Rule 22.3.2.4(b);
- the proposed earthworks within 7m of the bed of any waterway, pursuant to Rule 22.3.3(v);[3]
- the proposed clubhouse, golf maintenance buildings and the driving range buildings, under Rule 5.3.3.3(i)(a);
- the proposed Commercial Activity being on the same site as a Recreational Activity, under Rule 5.3.3.3(ii);
- the construction of a single residential unit within each of the residential lots, pursuant to Rule 5.3.3.3(i)(a); and
- the use of each residential unit for visitor accommodation purposes, under Rule 5.3.3.3(iii).

[3] Paragraph 3.15 of Mr Brown's evidence in chief.

(b) A restricted discretionary activity resource consent, pursuant to Rule 5.3.3.3(xi), is also required for breaches to site standards 5.3.4.i(iii) and 5.3.3.3(xi) relating to:

- The collective ground floor area of the clubhouse, driving range and maintenance facilities exceeding 100m^2;
- The residential buildings being located closer than 15m from proposed internal boundaries; and
- The commercial recreation activity (golf) being partially undertaken indoors (within the clubhouse).

24. Overall, the application is a discretionary activity under the ODP.

Queenstown Lakes Proposed District Plan

25. The site is zoned Wakatipu Basin Rural Amenity zone under Stage 2 of the Queenstown Lakes Proposed District Plan (or the PDP). At the time of the hearing, decisions on Stage 2 of the PDP had not yet been made and the rules did not have legal effect.

26. On the 19 February 2019 the Panel hearing submissions on Stage 2 of the Proposed District Plan released their recommendations. These were to be taken to full Council on 7 March 2019 for ratification and subsequently the Council's decision was publicly notified on 21 March 2019. The release of the Council's decisions on submissions means that the rules contained in Stage 2 will have legal effect. It also means that some further weight needs to be given the PDP provisions, however, until the appeal period is over, any Stage 2 provisions that have not been appealed cannot be deemed operative.

27. The recommendations have two implications for this decision, should they be adopted and subsequently notified by the Council.

28. The first is that the site would remain zoned Wakatipu Basin Rural Amenity Zone, rather than Hogans Gully Zone as sought through submission by the applicant. The second is that a non-complying activity consent is required under Rule 24.5.1.5 for more than one dwelling per 80 hectares net site area.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (the NESCS)

29. We concur with the reporting officer's assessment that the proposal is a permitted activity pursuant to Clause 8(4) of the NESCS, and do not address it further.

Overall consent status

30. The overall activity status is a discretionary activity. We note that while a non-complying activity status applies under the PDP, the overall status as a discretionary activity remains, pursuant to s.88A of the Act.

Summary of the Evidence Heard

31. As evidence for this hearing was pre-circulated, the applicant's witnesses generally provided a summary of their evidence and responded to questions. The Council officers provided us an

update on their advice and recommendations after we had heard from the applicant and submitters. The following is a brief outline of the submissions and evidence presented and the material tabled at the hearing. This summary does not detail everything that was advanced at the hearing but captures key elements.

Tabled correspondence

32. The NZTA tabled a letter advising that they were satisfied that the conditions of consent offered by the applicant in a letter from Jason Bartlett dated 14 February 2019 met their concerns and that the revised access arrangements were acceptable.

33. The AIC confirmed by email that they were happy with a marked-up plan provided to them by Shane Muir, to be referenced in condition 10(s).

34. Mr Gurnsey's tabled correspondence set out that he had altered his view of the proposal and was excited about the development proceeding, subject to specific matters being addressed in the masterplanning. He sought that:

    (a) no stormwater runoff be allowed to discharge into the race;

    (b) the golf course meets Audubon Cooperative Sanctuary for golf standards, with associated ecological, water quality and pest management benefits;

    (c) there be a sinking maintenance fund that ensures long term maintenance/plantings of the course;

    (d) the paper road exchange be completed before giving effect to the consent;

    (e) the applicant and Queenstown Trails Trust agree to a pedestrian and cycle trail within the site, to get both off the road and improve safety; and

    (f) construction traffic and heavy vehicles/people moving vans once the golf course is operating be absolutely restricted from using Hogans Gully Road.

35. Ms Teele's tabled statement expressed that a golf resort was preferable to multiple small house lots. She:

    (a) supported the potable water supply being from the Arrowtown bore rather than the Morvern aquifer;

    (b) sought assurance that she would not lose her connection to the Arrow Irrigation Scheme race and that the development would not result in the scheme not being able to meet demand;

    (c) considered that lawns for each residential unit was an unnecessary extravagance, when ecologic concerns are paramount; and

    (d) sought that the access be from Hogan's Gully Road, that any traffic that can avoid the SH6/McDonnell Road intersection should be encouraged and further options should be considered in respect of access.

36. Mr Slyfield submitted a statement on behalf of a number of Bendemeer submitters, setting out their support for proposed changes, including the reorganisation of clusters R8 and R9 and the realignment of golf holes 11 and 13 as being a significant improvement. However, they advised that they still could not support the application as there remained uncertainty over details of some of the components of the proposal and legal mechanisms to address submitter concerns.

Evidence for the applicant

37. As evidence for this hearing was pre-circulated and pre-read, for the most part the applicant's witnesses responded to questions.

38. Mr Todd, legal counsel, provided submission in support of the proposal, covering the following matters:

    (a) The amendments made to the application in response to submissions.

    (b) The applicability of the permitted baseline

    (c) The different views in respect to landscape and visual amenity effects

    (d) The requirement to consider positive effects and environmental offsets

    (e) Provisions of the ODP, PDP and Stage 2 PDP

    (f) Part 2.

39. In respect of (a), he submitted that submitters concerns had been addressed; with the exception of Mr Guy, Mr Jones and Ms Teele's concerns about the location of the main entrance and the Sturt's concerns about the maintenance compound. He noted the statement filed by some of the Bendemeer residents and advised they had been unable to clarify the uncertainties expressed in that statement.

40. In terms of (b), Mr Todd submitted that ecological restoration forms part of the baseline. He disagreed with Mr Bryce in his non-inclusion of viticulture as part of the permitted baseline, on the basis that there was no expert evidence that demonstrated viticulture would not be able to be carried out on the site nor that other non-permitted activities such as earthworks would be required to carry out viticulture. He also accepted that there was no expert evidence that demonstrated it could be. Irrespective, he submitted that even if viticulture was not part of the permitted baseline, granting consent is justified.

41. In terms of (c), Mr Todd submitted that the visibility of the development must be looked at in the context of the wider, expansive views of the majority of the Wakatipu Basin and the surrounding outstanding natural landscapes and features. For a proposal to have an adverse visual effect in terms of views from elevated areas of the district, it must be more than simply visible from such areas.

42. In terms of (d), his view that s104(1)(ab) now specifically requires decision makers to consider positive effects and weigh them against potential adverse effects, rather than only as a mitigation measure. He cited the ecological enhancement programme and golf tourism as being positive effects.

43. In terms of (e), he submitted that regardless of whether or not the proposal constitutes urban development under the ODP, the proposal is consistent with the relevant urban development objectives and policies and that the definition of urban development under the PDP is now beyond challenge and can be given full weight. In terms of the PDP, he submitted that the proposal is consistent with the strategic directions chapter of the PDP and that the proposal is a 'resort' and not 'urban development' as defined under the PDP.

44. Mr Todd also talked through the Hearing Panel for Stage 2's recommendations on submissions to the Council. This included recommending rejecting the proposed Hogans Gully Resort Zone on the basis of adverse effects of the landscape and the visibility of the residential dwellings. He was of the view that the Panel had given undue weight to the visual effects from the Crown Range Road and disagreed with their interpretation that the proposal does not meet the definition of resort. However, at this point, it is appropriate to say that on our reading of the relevant definition of resort we agree with the Hearing Panel determination on the matter and find that the proposal, as proposed would not meet this definition either. A point we shall expand in greater detail below in our decision.

45. He submitted the proposal is consistent with Part 2.

46. During the hearing and after hearing from submitters, Mr Todd presented additional submissions, which included providing more details on the construction, management and use of the golf course. He also provided a plan showing where the Arrow Irrigation Race was proposed to be piped.

47. In response to questions, Mr Todd submitted that:

    (a) The residential units would be available for visitor accommodation when not used for residential purposes.

    (b) The landscape protection areas would be available for continued farming activities. The golf course and driving range would be open to the public, with the private road access by invitation only.

    (c) The earthworks for the golf course was included within the application.

    (d) While we should adopt the PDP definitions for urban development and resort, little to no weight should be given to the PDP.

    (e) Any noise effects can be internalised.

    (f) Construction of dwellings would not commence until planting had occurred around housing clusters.

    (g) Any bonding condition should cover maintenance only.

    (h) That it was not intended that there would be a link between R2A and R10 and that bores would provide irrigation.

    (i) A 10-year consent was sought.

48. In response to questions we raised after adjourning the hearing, Mr Todd[4] submitted:

(a) That once the recommendations of the hearings panel for Stage 2 are adopted, the rules will have legal effect upon public notification of the Council's decision[5]. The proposal would be non-complying under the rules in Stage 2; however, it still needs to be assessed as a discretionary activity pursuant to s 88A of the Act. There are no additional matters of control or discretion not already addressed under the ODP. It is likely that there will be a number of appeals to the Council's decisions. The ODP should be afforded more weight.

(b) A suggested route for a future trail to be constructed within the application site.

(c) That the road stopping cannot be concluded until a Council resolution has been passed, and the applicant has yet to request such a resolution and will not do so until if and when consent is granted. A suitable condition has been recommended.

(d) The condition recommended by Mr Bryce is sufficient to address the proposed golf course earthworks.

(e) The applicant does not propose to remove the Douglas Fir and replant it with evergreen planting. There is minimal risk of wilding pines spreading.

(f) Additional controls would be placed on the maintenance compound, which would include hours of operation, minimum distance from the Sturt water supply bore, requiring mounding and landscaping to be in place before operation commences, restrictions on vehicles from accessing the compound other than for maintenance of the course and resort grounds, restricting use to course and resort only.

(g) An updated plan showing the ecological planting staging.

(h) The only access from Lots R10 would be from the road link between R10 and R2, with no access being provided from the existing access off McDonnell Road to the homestead. The access would be closed if the homestead is no longer in existence.

(i) Updated plans showing access to the driving range.

(j) Advice that Mr Hopkins had relied on Mr Faulkner's expertise on geotechnical testing, and no further testing was required.

(k) That there is scope to relocate the maintenance compound as sought by the Sturt's, as it would be in response to the relief sought by them. No other would-be submitters would be prejudiced as no other properties are directly affected and no submitters potentially affected[6] raised any issues on the position sought by the Sturt's. No other persons submitted the location of the compound (or development) in terms of views from SH6A, the Crown Range or Tobins Track.

49. At this point we believe it is appropriate for us to address the relocation of the maintenance compound and we find that such amendments to the application would be out of scope of the

[4] Memorandum of Counsel dated 8 March 2019
[5] Pursuant to s86B of the RMA
[6] Mr Guy, Mr Jones and Ms Teele

application. In particular, the movement of the maintenance compound areas, as suggested by Mr Todd, to a new location could generate effects on persons beyond the Sturt's, who have not had the opportunity to review or provide comment on the proposal based on the amended location.

50. Mr Davies talked about his long association with both the Queenstown District and the site itself. The site is family owned and he has lived on it since 2006. It has been previously used to farm deer and was also previously part of what is now the Bendemeer land. In his opinion, it is now uneconomic to remain farmed and it is overrun with rabbits. It is the right time to convert it to a golf-course and it would blend in favourably to the area. He explained that the residential and visitor accommodation is necessary to cover the costs of running a golf course. Mr Davies thought there were two working farms left in the Basin, noting there are only five remaining woolsheds.

51. Mr Blair explained how the photo simulations had been prepared.

52. Mr Baxter presented supplementary evidence. He provided an overview of the development. He reiterated his views in respect of the impact of the proposed development from the Brown Range Lookout, that there is no comparable development within the District, that the residential clusters would be recessive forms, any earthworks effects would be temporary, the site would not have a manicured appearance and that fairways are indistinguishable from rural open space when viewed from a distance. Mr Baxter then talked through the amendments made to the proposal in response to the application, and how these addressed submitter concerns.

53. Mr Baxter responded to several questions from the Panel, as follows:

    (a) That the Bendemeer residents had sought an access be provided through to the site, which is shown on the plans;

    (b) Lot 801 would be located within the 75m setback shown;

    (c) That the landowners would need to ensure ongoing adherence to the design controls after construction; which would be reinforced through a covenant on the title. Jacks Point have a residents Committee who do this. He sits on the Millbrook design committee who oversees new development in that area;

    (d) The development once constructed would look like big baches in a planted ecological setting, but with an urban density;

    (e) That the newer areas of Millbrook are still raw; but the original Millbrook is now well established;

    (f) That the most contentious block is R3. He considers it will have an urban feel to it, but it is not urban as compared to Sunshine Bay or Shotover Country;

    (g) It is difficult to compare the development to any residential development;

    (h) No trampolines would be allowed;

    (i) The driving range would not be fenced, and its location some 75 to 80m from the road conforms with industry separation standards.

54. Mr Patterson talked through how he saw the clubhouse as setting an example for future development in the area. He supported Mr Baxter's opinion that this is unlike any other residential development. It would be a unique concept in the Valley, of a deeply rural nature, not domesticated and low key, especially with the 3.8m height limits. There would be no lawns, no fencing and no curtilage areas. They would appear as small cribs or baches set into the property, clustered like cribs are. He said that old New Zealand has landscapes like this. He mentioned Hatipi, Mahia and Kawhia which he was familiar with. It would be the least dense development in the Valley.

55. Mr Patterson advised us that he is an owner within Bendemeer, but his property would not be affected by this development given its location. He talked of the comparisons between Bendemeer and this proposal. Bendemeer is a giant scale subdivision with quite a different concept. Submitters to this application enjoy views over the site, while other properties have lesser views.

56. In terms of the wider landscape, Mr Patterson disagreed that it is a rural, natural and pastoral one; considering it rather to be a rural picturesque one. He considered that there is a changing planning environment and this proposal is a perfect opportunity to lock in a tourism and recreational use on the site. The target market would be a younger more environmentally-focused one, with solar energy and rainwater collection encouraged.

57. Mr Turner presented a summary of his evidence. He talked about his long association with the development, since 2007. He explained that the application philosophy is to take a minimalist approach and retain and use the natural terrain, with minimal earthworks for modifying the natural terrain. Earthworks information for the golf course itself was not yet available so that the course can be used for excess material from the civil works on the site. Turf grasses will have low inputs and provide a natural tawny environment, with inputs being lower than a normal agricultural operation. The fescue grass being used, and the approach taken, would mean there was no change between tees, the fairways and the greens. The drainage system will capture and recirculate runoff. Buffer zones will be used for where the course interacts with wetlands or ponds. Cart paths will be kept to a minimum, with a focus on attracting and serving the travelling golfer. He explained that the course routing had been amended to take into account submitter concerns. The course would be a public facility, unlike the Hills which is private.

58. Mr Brandeburg presented on the topic of golf, golf tourism tourism and its place within New Zealand. He advised us that golf is the highest participation sport in New Zealand and has the second highest number of golf courses per capita in the world. He articulated that there are many benefits from golf, from individual health benefits, to family benefits, to socio-economic benefits. Mr Brandeburg also talked about the golf course design; that it would blend with its rugged rural site, use fescue grasses with lesser inputs than other species, and present a firm, fast and less verdant course. He explained the slower growing fescue grasses occur naturally on the site. Sprays would not be used around water edges. There would be targeted, controllable water meters used, including moisture level monitoring. He noted that the golf carts to be used rely more on battery technology.

59. Mr Brandeburg was of the view that the course would become an important tourism asset for Queenstown and New Zealand. He spoke of golf as providing a significant impact to our economy. He expects the course to join a group of 14 Marquee courses, which includes The Hills, Jack's Point and Millbrook courses. He said that the growth in golf tourism in Queenstown, coupled with the reduction in tee time available at The Hills has put pressure on

tee times available for the visitor market. Mr Brandeburg was of the view there was not enough supply currently.

60. When questioned on the issue of financial viability, and why The Hills had not yet constructed any of the consented residential accommodation, Mr Brandeburg said that The Hills is a private project. He questioned the financial viability of The Hills as a standalone golf courses, noting the reduction in tee times and the $1,000 green fee. He talked about the Kauri Cliffs and Cape Kidnappers courses, which he described as vanity projects and require residential development to back them up. In his view, there is a demand for a new course, and that clusters of golf courses in proximity to each other works well.

61. Mr Hansen explained that the paper road process was underway. He was satisfied with the recommended conditions. He explained that the maintenance compound would be established first, with mounding and landscaping happening at the same time. He was confident that sediment could be contained on site.

62. Mr Davis presented a summary of his evidence. He advised that a lizard study undertaken in January 2019 identified habitat for two lizard species; and that there would be significant benefits to the skinks present through the new vegetation cover and a large increase in food supply. In his view, all the remaining native vegetation on site is highly degraded, isolated, small in scale and there are unlikely to be threatened species on site; however, it is highly likely to be utilised by the At-Risk eastern falcon and the South Island pied oystercatcher. Mr Davis agreed with the Council's recommendation of nesting bird surveys and an environmental management and operational plan, which would formalise measures to mitigate wider environmental golf course effects.

63. Mr Davis talked of the ecological restoration proposed, and how this would occur over a three-year period. He estimated that the cost of the restoration, including maintenance and irrigation, would come to over $2million, and we asked him whether we should set the Bond as this value, if we granted consent. The estimated cost of forming the golf course would be between $9 and $12million. The planting maintenance plan would cover a period of 12 years, with the level of maintenance required being dependent on how restoration progresses. He considered that it would take around 10 years to establish.

64. Mr Vail presented a summary of his evidence. He confirmed the applicant proposed to use a low-pressure wastewater system discharging to the Council's network during off-peak times. Stormwater would be managed on site, with no runoff into the Arrow Irrigation Race. The domestic and firefighting water supply would be from the Arrowtown Water Supply scheme. Domestic water supply for the maintenance compound would be from a new bore and its firefighting supply would be from the irrigation pond. A second bore would also be installed to ensure pond volume is maintained. Irrigation demands would be provided from the Arrow Irrigation Race. Irrigation demand would coincide with the typical seasonal operations of the Race. The development can be serviced by utilities. Mr Vail acknowledged that the applicant would need to pay development contributions for connections to the network. He advised that the applicant had not explored using more green techniques, as the Council had put barriers up for this type of innovation.

65. Mr Bartlett presented a summary of evidence, which included addressing matters arising since preparing his evidence in chief. He advised that he had gained agreement with NZTA over the existing State Highway accesses, which included agreement to conditions included in the conditions presented by Mr Brown. He also advised he had met with Mr Hopkins to discuss

outstanding concerns. He was of the view that these outstanding matters could be addressed through the master plan or by specific consent conditions. Mr Bartlett expected that the proposed main intersection capacity would be significantly greater than that required to accommodate construction works.

66. Mr Bartlett advised that golf is more likely to result in a pm rather than am peak. The speed limits within the site may need to be changed once operational, but a 30km/hr speed limit was likely in the smaller cluster areas. He confirmed that the SH6/McDonnell Road intersection does not have a good safety record, but the proposal would only result in an increased delay of 1 second and it could accommodate 500 more vehicle movements per day. In terms of Hogans Gully Road, an upgrade would increase speed and safety. However, the development in itself would not require the upgrading of Hogans Gully Road. He maintained that it would generally not be used to access the site and was comfortable in preventing heavy vehicles from using it.

67. Mr Faulkner appeared but we had no questions of him.

68. Mr Brown presented a summary and supplementary statement. This included supplementary evidence on Objective 3.1 and policies 3.2.6 and 3.2.16 of the Proposed Regional Policy Statement and an updated suite of conditions. He addressed the Hearing Panel's recommendation on Stage 2 of the PDP, stating he maintained his views expressed to the Panel that:

    (a) The potential adverse effects are adequately avoided or mitigated, and positive environmental outcomes are achieved;

    (b) The proposal is consistent with all relevant objectives and policies of the relevant planning instruments; and

    (c) The proposal is consistent with and achieves the relevant principles of sections 6 and 7 and achieves the purpose of the Act.

69. Mr Brown was of the view that the proposed mitigation of the maintenance compound would significantly mitigate the perceived effects; noting that he would like to see this mitigation to be in place before the buildings were constructed.

70. Mr Brown supported Mr Todd's opinion that the proposal falls into the definition of 'resort'. The availability of the residential units for visitor accommodation when not used by residents would be reinforced by a covenant to be registered on top of the consent notice. When asked about the difference between a residential development and a resort development, he was of the view that there may be more traffic movements if all the units were permanently owned, but that visitors may not arrive so much by car. His view on the applicability of Part 2 was, given the status of the ODP and PDP, that it needed to be considered.

Submitters

71. Mr Goldsmith appeared in his role as trustee of the Queenstown Trails Trust (Trust). The Trust neither supported or opposed the proposal but sought the opportunity for and potential of off-road trail links. Mr Goldsmith advised that the Trust and the applicant had so far had unsuccessful discussions on a potential route. He was of the view that a public trail link would achieve a number of relevant ODP, PDP and Partially Operative Regional Policy Statement

objectives and policies. However, the Trust did not seek a condition be imposed requiring a trail to be provided, and rather that the Trust remained open to discussions with the applicant and the paper road closure may be a means to achieve its objectives.

72. Mrs Sturt talked through her appreciation of her rural property and its surroundings and her concerns about the impact the proposed maintenance compound would have. She was concerned that her drinking water, sourced from a bore located close to the maintenance compound, would become unsafe to drink, as a result of activities occurring on and around the compound. She was also concerned that the compound would rely on a bore that may affect her water take. In terms of the operation of the compound, her concerns included the hours of operation and whether trucks would access the site overnight, where heavy machinery would be stored and repaired, that the field surrounding the block might be used for 100 to 200 vehicles and of the future use of the site.

73. Mrs Sturt considered that her amenity would be affected through the impact on her view, noise and lights from vehicles, dust, odour and water quality and quantity. The mitigation bank and planting would take years to grow and would still not hide it or replace what was being lost. In her view, the development would impact on the peacefulness she enjoys, and that extra traffic would exacerbate existing traffic delays. There was no need for another golf course development in the area, in such close proximity to other courses; and that there was no need for one, only want.

74. Ms Baker-Galloway provided legal submissions for Mrs Sturt. She summarised her client's position as being opposed to the proposal in its entirety, but particularly in respect of the maintenance compound. She submitted that the adverse effects arising from the compound, being landscape and visual amenity, nuisance, reverse sensitivity and water quality, on her client's property as not being effectively avoided, remedied or mitigated. In particular:

    (a) The existing rural character of the site would be significantly altered.

    (b) The compound would not resemble farm buildings, but would rather create an industrial character, with no clear constraints on hours of operation and the storage of vehicles.

    (c) The compound would dominate an otherwise rural piece of land.

    (d) The mitigation proposed may not be sufficient due to the length of time it would take for plants to grow, lack of specificity of vegetation type, no requirement for ongoing maintenance, the existing poplars may not be retained, views from the second storey of the dwelling not being considered, the unnatural clustering of mounds, and other effects not being addressed.

    (e) The use and disposal of the three-waters may impact on the viability of the Sturt bore.

    (f) The road to the compound would also impact on rural amenity and may impact on safety and traffic along McDonnell Road.

    (g) The existing access off SH6 may be used by construction vehicles, which would impact on rural land and may affect water quality, ecology and the Sturt's amenity.

(h) Nuisance effects, such as noise, lights, dust and vibration may arise.

75. In terms of the planning framework, Ms Baker-Galloway submitted that the proposal is contrary to the ODP and PDP, including the recommendations of the Independent Commission on PDP Stage 2 and Part 2 of the RMA, including for the reasons that:

(a) Landscape and rural character and amenity values would not be maintained and enhanced;

(b) The proposal is not consistent with the direction of the Independent Commission given it involves subdivision well below the 80ha minimum lot density and significant modification of the landscape from rural character; and

(c) Impacts on the Sturt's amenity from the compound.

76. Ms Baker-Galloway also submitted that approving the proposal would be contrary to the recommendations and reasons of the Independent Commission to not rezone the site to a bespoke Hogan's Gully Resort Zone or Wakatipu Basin Lifestyle Precinct, as sought by the applicant. She submitted that granting consent would raise concerns regarding the precedent for future subdivision and development in this part of the Wakatipu Basin, particularly where the proposal is contrary to the planning framework and may also result in cumulative adverse effects on rural character and landscape and amenity values. Finally, she also submitted that the applicant had failed to consider alternative locations to the compound, given that significant adverse effects may arise.

Council response

77. Mr Hopkins advised that all irrigation proposed for the site would be from the Arrow Irrigation supply. He noted that the ORC recommending report appended to Mr Vail's report was for the formation of 10 bores and did not approve any water takes. The applicant would just be relying on the permitted take. In his opinion, the baseline testing sought by Mr Guy was outside of the jurisdiction of the Council. In respect to the Sturt's concerns about contamination, he considered that correctly constructed bore holes should be safe. He agreed a minimum separation distance of 50 metres would be appropriate. He considered that the stormwater and wastewater collection for the maintenance compound would be treated appropriately, noting it would be disposed to the Council's network rather than to ground. Mr Hopkins still had outstanding concerns about irrigation sustainability. He noted that a condition could be imposed to limit bore take volume but agreed this would need to be volunteered by the applicant.

78. In respect to transport, he noted that R10 and R2 would be linked by a minor road. He also identified that there were outstanding matters set out in section 11 of the s.42A report that had not been addressed. In respect of the SH6 intersection, he noted that NZTA had not raised any safety concerns in their submission and that there is no increased risk through delay. He advised we had to deal with what is in front of us. In terms of the split of traffic direction, he said there was not a significant difference in result irrespective of which split was used. In terms of the request for a roundabout at Hogan's Gully Road, he considered that this was not a suitable location and may result in increased use of the Road itself. Also, in terms of Hogan's Gully Road, the Council had no plans to widen it, but the widening would provide options. The access which My Guy was concerned about meets best practice.

79. Mr Hopkins advised he had some concerns that the geotechnical investigations had not included any pit drilling meaning there was still unknowns. He also sought greater information and controls around the proposed earthworks, particularly if there would be limits on open space. The site could accommodate a cut/fill balance and the ideal would be no material would leave the site. Most of his concerns about the earthworks could be dealt with through conditions. He noted that the finished lot levels of Lots 212-215 did not meet required freeboard.

80. Ms Mellsop addressed the applicant's amendments to R2, R8, R9 and the maintenance compound. In respect of R2, she advised that these would be screened but that will take some time. She noted the proposed planting of mountain beech within 5 metres of the dwellings for screening would result in shading effects. In respect of R8, it would address the visual effects for adjacent properties, but there would be no benefit on the overall effect of the development. Similarly, the changes to R9 would reduce effects on the Bendemeer properties but those properties would still have views of more distant development, including R3 and R4, roads, fairways and lighting. She considered that there would be a moderate adverse effect on rural character.

81. In terms of the maintenance compound, Ms Mellsop advised that if it was used for construction prior to the mounding and screening and buildings, it could have significant high adverse effects. She was of the view that even with the screening, most of the buildings would remain visible; this reducing as planting matures. She noted that this would be over 7 to 10 years. She also noted that the landscaping proposed had spread the compound over a broader area. The alternative location mooted by the applicant would interrupt the open pastoral view which is an important part of the SH6 experience. In her view, it would be better located on McDonnell Road where there is more visual absorption capacity.

82. In respect of planting overall, Ms Mellsop sought provision of a separate plan showing the planting required for visual mitigation and that this should be implemented in the first year, including planting for buffering in between the golf course and residential areas. She queried whether the Douglas Fir plantation next to the compound would be retained.

83. Ms Mellsop considered the amendments proposed by the applicant did not change the Crown Range view. The pattern of revegetation around the entry road would emphasise it. In terms of Mr Baxter's evidence, she advised:

    (a) She disagreed with his opinion in 1.2.6 and considers that the ODP and PDP do encourage clustering; but the clusters proposed are out of scale. The larger clusters of up to 29 dwellings are more an urban style of development and closely located. The clusters merge together when viewed from the Crown Range.

    (b) She remained of the view that the proposal would result in cumulative adverse effects. Her understanding of the study that resulted in Chapter 24 changes was commissioned as the Basin was seen as being at capacity and could not absorb more change.

    (c) The development is more than what is envisaged in the Rural Lifestyle Zone; however, she acknowledged it is a better outcome than 1 dwelling per 2 hectares.

    (d) There was not sufficient information on how R5 around the 17th fairway would be addressed.

84. Ms Bennett considered that the proposal would result in a positive outcome from the ecological enhancement. She was generally satisfied with the amendments proposed by the applicant. However, there were some remaining areas of concern:

(a) How earthworks near intermittent watercourses and wetlands would be managed.

(b) Drainage under the fairways.

(c) Insufficient detail of the impact of access tracks and golf carts, particularly on fairway 17.

(d) There needed to be stricter control on ensuring that the planting around dwellings occurs.

85. Ms Bennett sought more information on staging and noted her preference that the Douglas Fir plantation be replaced.

86. Mr Bryce remained of the view that consent should be refused on landscape and visual amenity reasons. Mr Bryce responded to a number of matters that had arisen during the hearing.

87. In the matter of scope to make amendments, he was satisfied that the amendments to the maintenance compound and Residential clusters 2, 8 and 9 were within the scope of the application. However, he was of the view that re-siting the maintenance compound to further away from the Sturt property was not.

88. He advised that the objectives, policies and rules to be considered were those applicable at the time of lodgement and determination of the application. He differed in opinion to Mr Todd and Mr Brown on the relevance of Policy 6 of the Objective 4.2.5 of the ODP, and considered it is relevant as it discourages urban subdivision and development in visual amenity landscapes. He considered that the ODP policy framework remains relevant to the proposal and should be given more weight than that of the PDP, given the extent of appeals to PDP Chapters 3 and 4. He disagreed with Mr Brown that the development is not ‘urban development’ in the context of the PDP Stage 1 definition. This was because he did not consider the development fell into the definition of a ‘resort’ and while in a rural zone, still proposed residential development to an ‘urban type development’; noting that both landscape witnesses concurred that parts of the development introduce urban type densities.

89. In respect of the ‘resort’ definition under the PDP, his view was that while it does provide for an integrated and planned development involving low densities overall; he disagreed that the development is principally providing visitor accommodation that form parts of an overall development focused on onsite visitor activities. He considered that the proposal is clearly for a residential led golf course, with an ability for the units to be used for visitor accommodation. He considered that there was no compelling evidence that the residential units would not be utilised for residential purposes the majority of the time. He also noted that there is no rule or specific policy construct under either Stages 1 or 2 relevant to ‘resort’ developments. He also disagreed with Mr Todd’s interpretation that the definition of ‘urban development’ replaces the policy context of ‘urban development’ under the ODP (that is, the PDP definition should be used to interpret the ODP policy framework). While he agreed both the ‘urban development’ and ‘resort’ definitions are beyond appeal, the PDP policy context is not.

90. In respect to landscaping and ecology, he considered these could be broken down into three components:

    (a) Structure planting to mitigate the visual effects.

    (b) Ecological enhancement planting.

    (c) Curtilage planting of residential dwellings.

91. He recommended amendments to conditions to address this, and that all mitigation landscaping needed to be integrated into the land use consents; including the need for curtilage landscaping of each unit. He also sought clarity on the staging of planting.

92. In respect of Council officers' ongoing concerns about earthworks for the golf course, he recommended a condition to ensure that protection of intermittently flowing watercourses and wetland features.

93. He agreed that section 104(1)(ab) was a relevant consideration and noted he had considered positive effects. He remained of the review that the positive effects of the proposal do not outweigh the adverse effects on landscape and visual amenity values of this part of the Wakatipu Basin.

94. In terms of the Sturt's concerns, he considered that:

    (a) The applicant should provide more information on the operational matters;

    (b) The bore concern could be addressed through a setback; and

    (c) While the visual amenity considerations had been addressed, it would still result in a moderate visual impact for approximately 7 to 10 years.

95. Mr Bryce also advised that while he thought the proposed changes to draft conditions proposed by the applicant were acceptable, there remained a number of areas where he thought further amendments were necessary. He also noted that he could not see any reference to a 10 year lapse period, as mentioned by Mr Todd.

96. In responding to questions, he advised:

    (a) That farm buildings are a controlled activity under the ODP, limited to one building per 50 hectares. He noted that there is already a farm building on site, meaning any additional farm buildings are a restricted discretionary activity.

    (b) That he is satisfied that temporary events on site can be addressed through a separate resource consent application.

    (c) That little weight overall should be given to the PDP, noting that there are some policies that may not be under appeal.

    (d) Our determination needs to be the application before us, rather than requiring removal of particular units or clusters.

(e) If the density of clusters was reduced, the proposal may be looked at more favourably.

(f) He agreed that there was scope to move the compound, but it raised the issue of whether other parties would then be affected and had not had the opportunity to submit on it.

(g) That s104(6) could be considered in respect of earthwork matters; however, it would be preferable to address this with the applicant. While he could understand why the applicant did not want to be constrained around volume, to not provide information at this stage does not reflect good planning practice.

Commissioners Minutes

97. On the 1 March 2019 we issued a minute seeking further information from the applicant to address a number of issues we had raised at the hearing and to ensure we had sufficient and reliable information to base our decision upon. This included details of the earthworks required for the golf course and information regarding the access to the golf driving range.

98. To this we received responses from both the applicant and the Council. In essence the Council still had concerns of these matters and the potential traffic implications of residents' vehicles using the link between R1 and R2 as a potential 'rat run'. The applicant was of the view that these issues could be addressed through the appropriate conditions of consent, a view not shared by the Council.

99. To give the applicant the opportunity to address these matters we issued another minute on 19 March 2019. In essence, we received a similar response from the applicant. To which we directed that the applicant be given the opportunity to address these and any other matters they wanted to address through their right of reply.

Applicant's right of reply

100. Mr Todd's reply was received on 17 April 2019 and addressed:

- The outstanding matters raised by the Council officers;
- Matters raised by the submitters, including those in Bendemeer;
- Views from the Crown range;
- The SH6/McDonnell Road corner;
- The definition of resort and Stage 2 of the Proposed District Plan; and
- His client's overall assessment of the proposal.

101. With regards to the Council officers outstanding concerns, which included their view that the applicant had not provided adequate information to address the levels of earthwork required for the golf course, vehicle access to the proposed driving range and the access arrangements to Lot R10 from Mc Donnell Road, Mr Todd submitted that his client did not agree with this position. Mr Todd was of the view that these issues had been addressed through the conditions process and that the potential adverse effects could appropriately

avoided, mitigated or remedied through the draft set of conditions of consent proposed. This included a suite of conditions offered by the applicant. He noted that the applicant (as we have outlined above) had amended their proposal through the application and hearing process to address the Officers' concerns. His response included email correspondence with the Council dated 9 April 2019, which stated general acceptance of the applicant's offered condition. This condition would require more detailed information particularly in respect to the more sensitive fairways, as part of a pre-commencement condition.

102. In doing so, Mr Todd acknowledged that the applicant had not provided the same level of details regarding the earthworks required for the golf course as they had for the residential elements of the proposal. In essence though, he submitted this could not be provided at this stage until the actual golf course design had been formalised. However, he submitted that the location and extent of the earthworks was known and that any adverse effects, including the earthworks surrounding hole 17 and its impacts on the adjacent wetland area could be addressed with the draft conditions proposed by the applicant. Finally, on this matter Mr Todd stated that no fill will either be exported or imported to/from the site.

103. In terms of the vehicle access to the driving range, again Mr Todd did not agree with the Council officers over this issue and was of the view that it was not appropriate to enforce a speed limit on this road. However, in any event the applicant had agreed to amend the proposal to limit access to 30km/h limit.

104. With regards to the issue of linking Lot 10 (the existing homestead) and R1 with the rest of the development. Mr Todd submitted that this was not the case and that access, via the existing homestead accessway would only provide access to R1 and the Homestead and the link between these and the rest of the development would only be constructed when the existing homestead was removed and that accessway was closed.

105. With regards to the submitters, dealing with the Sturt's firstly, Mr Todd offered two responses. Firstly, if we agreed a relocation of maintenance compound was within scope, the applicant was willing to relocate this as discussed above. However, as we have found this would not be within the scope of the application. In this event, Mr Todd submitted that the effects associated with the maintenance compound would be no greater than that the Sturt's currently face in terms of noise and light effects associated from SH6. At this point in time, we would like to note that we find this proposition very difficult to accept and that we had no expert evidence from the applicant specifically addressing what any difference would be.

106. In terms of the submissions, beginning with McDonnell Road Residents, Mr Todd reinforced his submission that these residents would not be affected by the proposal. With regards to the Hogans Gully residents, Mr Todd submitted that the applicant has offered conditions of consent which could address their concerns, including road widening conditions. In terms of the Queenstown Trails Trust, the applicant was willing to offer a trail around the edge of the site, which would provide a suitable cycle trail which could form part of their network.

107. Finally, in terms of the Bendemeer residents, Mr Todd advised that discussions had been ongoing, and a number of these issues have been addressed and were reflected in the amended plans. Moreover, some of the other issues of concern could be addressed through private covenant between the parties. The reply included a letter from Counsel for the Bendemeer submitters referred to earlier, advising that the outstanding matters would be possible to resolve through further discussions.

108. Mr Todd submitted that the applicant's evidence has shown that the development would not result in adverse effects from the elevated positions along the Crown Range. He submitted, based on Mr Turner's view that the golf course fairways will almost be indeterminable from the elevated views due to the use of fescue grass.

109. We note that the issue of resort definition has been considered above, while noting Mr Todd's submission on this matter and his submissions on the relevance of the PDP.

110. Overall Mr Todd submitted, based on the evidence, amendments undertaken through the hearing process and the proposed conditions of consent offered by the applicant that the proposal was appropriate in effects and district plan policy terms, noting the positive benefits, the proposal would bring to the district.

The Principal Issues in Contention

111. Section 113 of the RMA requires the Commissioner's to identify the principal issues in contention and to record their findings on these matters.

112. After analysis of the application, the legal submissions and supporting evidence (including proposed mitigation measures and volunteered conditions offered by the applicant), the submissions on the application and a full review of the section 42A report and responses to minutes, the proposed activity raises the following issues in contention:

(a) Nature of the activity;

(b) Landscape and visual effects, including cumulative effects;

(c) Ecological effects;

(d) Earthworks effects;

(e) Transport and traffic effects, including the paper road;

(f) Productive use of the land; and

(g) Positive effects.

Main Findings on the Principal Issues in Contention

113. We record that matters relating to geotechnical, natural hazards and infrastructure, including the water race effects, were not in contention between the parties and could be addressed through the appropriate use of conditions of consent. We agree and will concentrate on the matters in contention between the parties below.

114. Finally, before considering the matters in contention we would like to note that in terms of the architecture of the club house and the residential units, we agree with Mr Patterson on this matter, save for his views on the urban versus rural nature of the overall subdivision, where we do not accept his position on that matter.

Nature of the activity

115. One of the primary matters in contention was the nature of the activity. In particular, whether it constituted urban development and whether it fell into the definition of a resort. If it fell into the definition of a resort, it was the applicant's position that the urban growth and urban development related provisions in the ODP[7] and the PDP[8] did not apply.

116. The definition of urban development within the ODP is:

"any development/activity within any zone other than the Rural Zones, including any development/activity which in terms of its characteristics (such as density) and its effects (apart from bulk and location) could be established as of right in any such zone; or any activity within an urban boundary as shown on the District Planning Maps."

117. The definition of urban development within the PDP is:

"means development which is not of a rural character and is differentiated from rural development by its scale, intensity, visual character and the dominance of built structures. Urban development may also be characterised by a reliance on reticulated services such as water supply, wastewater and stormwater and by its cumulative generation of traffic. For the avoidance of doubt, a resort development in an otherwise rural area does not constitute urban development."

118. The definition of a resort within the PDP is:

"means an integrated and planned development involving low average density of residential development (as a proportion of the developed area) principally providing temporary visitor accommodation and forming part of an overall development focused on onsite visitor activities."

119. As outlined earlier, Mr Brown's position was that the proposal constituted a resort development because it is an integrated and planned development with low average net density of residential development, and it met the requirement of principal use for temporary visitor accommodation as the residential units would be available for visitor accommodation when they were not being used for residential purposes. The applicant proposed a condition which would require this to occur. And because the proposal was a resort, it was excluded from the definition of urban development.

120. Mr Bryce disagreed with this interpretation, for the reason that the proposal as notified was clearly a residential led golf course with the ability for the residential units to be used for visitor accommodation purposes, and not the other way. The only way he could see that it could fall within the definition of resort was if the majority of the development was used for visitor accommodation purposes, with a low average density of residential activity. He did not consider that the condition adequately responded to this, and that there was no evidence that the residential lots would not be used as residential units for the majority of the time. He also noted that while the definition of resort may have operative status, there is no rule or specific policy construct in the PDP that specifically refers to a resort. For that reason, the ODP contains the applicable rule framework.

121. In terms of how the policy documents are to be interpreted, Mr Bryce also advised us that the definition of urban development in the ODP must be used for interpreting the ODP objectives and policies and the definition of urban development in the PDP must be used for interpreting

[7] In particular ODP Chapter 4.9, policies 1.1, 3.2, 7.2, 7.4, 7.5
[8] In particular PDP objective 3.2.2 and policy 3.2.2.1, policies 3.3.13 – 3.3.15,

the PDP objectives and policies. This is irrespective if the definition of urban development in the PDP is now beyond challenge, as the PDP objectives and policies are not.

122. We noted the findings of the Hearings Panel for Chapter 24 PDP, who stated in respect of the applicant's submission on that Chapter:

"The objectives and policies in Chapters 3 and 4 of the PDP seek to avoid urban development outside the urban development boundaries shown on the planning maps. The definition of "urban development" states that a resort development in an otherwise rural area is not urban development. The definition of resort is:

> *"Means an integrated and planned development involving low average density of residential development (as a proportion of the developed area) principally providing temporary visitor accommodation and forming part of an overall development focused on onsite visitor activities."*

While The Hills Resort Zone would satisfy the first part of the definition, we heard no evidence that it would principally provide visitor accommodation, although we note that Mr Colegrave's evidence was based on visitor accommodation being a principal component. Rather the contrary; the impression we had was that the intention was that this would be a gated residential community surrounding a golf course.

The same is the case with Hogans Gully. Mr Todd, however, sought to argue that it would meet the definition of "resort", because the residential units constructed as part of the development were able to be used for visitor accommodation. We do not think this is sufficient and note that the same applies to development in the residential zones throughout the District. The definition quoted above focusses on what is actually occurring as a matter of fact; whether the development is principally providing visitor accommodation, not whether it might do so. The importance of this being 'locked in' was emphasized by evidence we heard that the character of Millbrook 'Resort' has changed over time as it has grown in size, such that it would probably not be considered a resort if constructed today.

We contemplated the possibility of amending The Hills Resort Zone provisions to express them in terms that would ensure the development met the requirements of a resort (as well as addressing the other issues identified above), but concluded that this is such a fundamental element of the development that we ought not to undertake the redrafting required in the absence of clear evidence that the submitter actually sought to undertake a development within the definition set out above.

We have concluded, therefore, that what is proposed is urban development that the strategic chapters of the PDP seek to avoid. In our view, that is decisive, and leads us inexorably to the conclusion that the submission should not be accepted. We considered whether this conclusion puts too much weight on Stage 1 provisions that are the subject of appeal. The key definitions we have relied on are not the subject of appeal, and while the policy approach of avoiding urban development outside urban development boundaries is challenged, it is fundamental to the approach the strategic chapters take to management of urban development. It would be inconsistent for us to take an alternative approach unless and until the Environment Court directs that course.

The same conclusion follows for Hogans Gully, although there we have identified additional reasons supporting rejection of the proposed zone. Those additional reasons are important because Hogans Gully sought, in the alternative, imposition of Precinct zoning on the elevated terraces identified for residential development in its proposed zone. The alternative proposal was not fully fleshed out and we were left unclear how it could be reconciled with the information Mr Baxter provided to us on the pattern of residential development. Be that as it may, high density Precinct development (down to 2500m^2) would, in our view, have unsatisfactory results. It would not, in particular, maintain or enhance landscape character and

visual amenity values in the eastern part of the Basin."

123. We agree with Mr Bryce that the appropriate approach is that the definitions contained in the ODP must be used for evaluating the objectives and policies in that Plan, and similarly, the definitions contained in the PDP must be used for evaluating the objectives and policies in that Plan.

124. In terms of whether the proposal constitutes a resort; we agree with Mr Bryce and the Hearings Panel for Chapter 24, that find that it does not. We also agree with the Hearings Panel for Chapter 24 that the proposed development falls within the definition of urban development in the PDP, and therefore approach our consideration of this application in terms of the PDP in that regard. We agree with the applicant that the proposal does not fall within the definition of urban development as defined in the ODP.

Landscape and visual effects, including cumulative effects

125. We were faced with conflicting evidence from the applicant's and Council's Landscape Architects and it is clear to us that the two landscape experts disagree over the landscape issues and effects that the application could generate. In saying that, there was common ground between the parties that this is one of the last pieces of rural-zoned land of this size within the Wakatipu Basin. We agree with Ms Mellsop that that the overall eastern part of the Wakatipu Basin has high aesthetic values with a scenic quality to its rural landscape.

126. As we have set out above, Mr Baxter is of the view that the application, as amended, is appropriate in landscape terms and Ms Mellsop does not. The rationale for their views has been set out in their evidence/reports. We note that there is nothing inappropriate with disagreement between professionals and making a finding in this regard does not imply inappropriate behaviour on any party. However, for the reasons we will discuss below, we favour Ms Mellsop's evidence and find that the proposal will generate adverse landscape effects, including cumulative effects on the local and wider landscape environment, which are inappropriate to this context. We note for completeness that we are of a view that these adverse landscape effects cannot be mitigated or avoided through the use of appropriately designed conditions of consent, including through planting, even in the long term.

127. In coming to this position, we agree with Ms Mellsop's view that the introduction of the residential elements as proposed would introduce (especially residential clusters R3, R2 and R7 and to a lesser extent in-conjunction with other clusters) residential densities of an urban character into a rural landscape with high aesthetic values. We agree with Ms Mellsop's assessment of these landscape impacts and their effects when considered from the different locations adjacent to, and around the site, including from McDonnell Road, Hogan's Gully Road and SH6, save for the Sturt's property which we shall consider below. We acknowledge that the landscape impacts have been reduced when viewed from the adjacent Bendemeer properties. However, we still have significant concerns about adverse cumulative landscape effects that the introduction of an urban element such as proposed would have from these properties against the wider views towards Arrowtown across this section of the Basin.

128. We agree with Ms Mellsop and Mr Bryce that the introduction of urban elements such as proposal, and at the level proposed, would result in a substantial change in landscape values when viewed from the different viewing opportunities along and from the Crown Range. In saying this, we do accept that these adverse impacts are different when viewed from the differing viewing locations along the Crown Range. At this point we should also acknowledge

that we do not accept Mr Baxter's view or Mr Todd's submission that the golf course would be indeterminable in these views. It was clear to us from our site visits (we visited a number of locations along the Range on a number of occasions) that this was not the case. The existing golf courses (The Hills, Millbrook and to a lesser extent the Arrowtown Golf course) had a significant presence in the landscape by the inherent design, that changing the type of grass would not address. A point Ms Mellsop also brought to our attention. This, in-conjunction with the residential units, would significantly affect the landscape views from the Crown Range.

129. We concur with Ms Mellsop that the scale, form and density of development would appear as sporadic urban development within the landscape. The densities proposed for the different clusters are those that would be anticipated in a residential environment and will appear incongruous with the surrounding environment.

130. Finally, turning to the effects of the maintenance compound and its impact from the Sturt's property. In part, we agree with Mr Baxter that these structures could read as part of a functioning farm operation, which could be anticipated in the Rural Zone, noting that the number required would require consent at least as a restricted discretionary activity under the ODP. However, we are of the view that their size and scale will have an adverse impact on the Sturt's property. As we have considered above, we found that the relocation of the maintenance compound as suggested by Mr Todd is not within the scope of the application as notified and this option is not available to the applicant. As a result, we find that the scale and size of these structures will have an adverse impact on the Sturt's enjoyment of their property.

131. As a result, we find that the application would generate significant adverse landscape effects through the introduction of strong urban elements, especially from the Crown Range, which would warrant the application being declined consent on landscape grounds. In reaching this view, we have considered the potential for the use of conditions to mitigate these adverse effects, and the positive effects to the applicant and those brought to our attention by Mr Turner and Mr Brandeburg to the local, national and potentially international golfing community. However, as we have set out above, these effects cannot be avoided or mitigated to a level we find would make the impact acceptable.

132. Finally, for completeness, while we have reached our determination on the landscape and visual amenity effects, based on the evidence we received, we note that the Hearing Panel for Stage 2 to the PDP reached the same conclusion on the applicant's submission to the PDP, seeking a very similar outcome through the plan making process, as bought to our attention by the applicant.

Firstly, considering the Hogans Gully Zone, we find that this would not be the most appropriate zone for the site. We think that the landscaping proposed will stand out because it is not where it would naturally be (i.e. in the gullies). We also find that the view from zig-zag is important. The simulations provided by the submitter support both Ms Gilbert's comments in her reply evidence, that it is an artificial configuration driven primarily by the golf course layout, and Ms Mellsop's view that the density of the visible built development would result in a visible spread of intensive rural living. In our view, the development enabled by the zone would be obtrusively visible.

We agree with Mr Todd that the 55ha of indigenous planting proposed is a potentially significant ecological benefit that we should take into account. However, in our view, it will not in this instance counter the adverse effects of the proposal. We also think that the benefit is lessened by the way it fails to follow natural patterning, by being located on higher points rather than in the gullies. Even if the restoration had been more well-conceived, we do not think it sufficient to counter the intensive level of rural living that will be clearly visible from a

significant viewpoint. Had the development not been concentrated on the ridgelines and been coupled with revegetation in the gullies we may have reached a different view.

Ecological effects

133. By the conclusion of the hearing it had become clear to us that the issues surrounding ecological effects were no longer a major area of contention between the applicant and the Council. In our view, the effects generated (save for the impact on the wetland adjacent to proposed hole 17 of the golf course), which we will address in detail below, could be addressed through the appropriate use of conditions of consent. Moreover, these had been addressed through the conditions of consent offered as part of Mr Todd's right of reply. We also acknowledge the enhancement that the applicant proposes, which would result in positive ecological outcomes both on and beyond the site.

134. We note for completeness the significant level and cost of the ecological works proposed, which, in our minds raised the appropriate level of bond for these works. To that end, we asked Mr Davis this question to which he advised the works were around the $2million mark for the cost of the restoration, including maintenance and irrigation. The role and purpose of a bond are well known, and it is common practice throughout New Zealand to seek a bond value up to or representing a significant proportion of the value of the works. Mr Todd submitted that this would not be appropriate in this case and submitted that in some previous examples from around the district this was not the case. In doing so, he did not provide us with any evidence or context as to why this was appropriate to this application. Given the position we have reached on the application we did not pursue this matter further, but we note, for completeness, that we found Mr Todd's approach unhelpful in this regard.

Earthworks effects

135. Earthworks were proposed for both the residential elements as well as for the golf course, noting the earthworks required for the proposed roading issues were included in the residential elements. However, given the nature of the evidence provided and how this was addressed as part of the hearing process we shall deal with the earthworks proposed in two parts. The first part shall address the areas still in contention which related to the level and nature of the earthworks proposed for the actual golf course.

136. At the time of the hearing, the applicant had not yet determined the volume and nature of the earthworks that would be required for the shaping of the golf course. In essence, this position has not fundamentally changed, even though we sought this information from the applicant through our minutes post-hearing. This point was also brought to our attention by Mr Bryce and Mr Hopkins who suggested that figure could be another 500,000m^3 on top of the earthworks required for the residential and roading elements. However, without the actual details this figure could not be confirmed. Mr Todd submitted that the actual level, volume and location of the earthworks could not be confirmed until the actual design of the golf course was completed. He also suggested that this could be adequately addressed through the appropriate use of conditions of consent with a confirmation that there would be an onsite cut to fill ratio and that this approach has been used in other locations in the district. However, again he did not provide us with the evidence and or details of these situations to determine whether or not they were relevant to our consideration of this application. We acknowledge the Council's email to the applicant dated 9 April 2019, which agreed to a condition led approach. However, we also note the concerns raised by the Council in its response and its highlighting of the importance of addressing more sensitive fairways. This being said, we find

it hard to understand how this information and detail would not be provided for at a resource consent hearing, especially given the level of earthworks potentially involved and their location in respect to sensitive ecological environments. In our view, while this level of information may not be necessary as part of a submission to a proposed plan or to a plan change, this is not the case for a resource consent hearing where we are seeking to understand the actual and potential effects of the proposal and to determine whether this is appropriate in policy terms. We do not accept that these are matters that can be appropriately addressed through conditions which will require detailed assessment.

137. As a result, we are not in a position to come to a view on the earthworks required for the golf course and do not agree that this can simply be addressed through the use of conditions of consent. Consequently, we find that, in the absence of sufficient information, that the earthworks required for the golf course are unacceptable in this context. We also consider that s104(6) is relevant to this matter. We simply have inadequate information to determine the effects of these earthworks.

138. Finally, we note for completeness in this section on earthworks that the same issues arose with the potential impact of the 17th hole of the golf course on the existing wetland. A point that Mr Bryce highlighted in his responses to our post hearing minutes. As a result, again we cannot come to a view on the impact of the earthworks on this wetland and s104(6) similarly applies.

139. In terms of the impacts of the earthworks required for the residential elements, roads and accessways, golf driving range, maintenance compound and club house, we agree with the evidence of Mr Hansen, Mr Faulkner (for geo-technical) and Mr Hopkins that the physical impacts and effects of the earthworks proposed for these activities, as part of the overall proposal are appropriate and the potential and actual adverse effects can be adequately addressed through the use of appropriate conditions of consent. However, in our view, this level of earthworks is only required to give effect to a design proposition which, as we have found above, seeks to introduce urban elements into a rural landscape with high aesthetic values. With this comes the visual impacts of the earthworks required for the level of roading and access ways which would not be present for the rural use of the land.

Transport and traffic effects

140. At the close of the hearing there were still a number of outstanding issues between the applicant and Council officers, including the linkages between R1 and R2, access to the golf driving range (sightlines etc) and access arrangements to and from the site onto McDonnell Road, noting issues around the access point were also raised by the McDonnell Road submitters as well. Finally, it should be acknowledged that concerns were also raised during the hearing about the impact of the SH6/McDonnell Road intersection.

141. In terms impact of the SH6/McDonnell Road intersection we received confirmation from NZTA that they, as the road controlling authority had no concerns with the potential traffic impacts this proposal could generate at this intersection. This view as also supported Mr Bartlett and Mr Hopkins. As a result, based in this evidence, we have not taken this issue any further.

142. Mr Hopkins at the end of the hearing still had concerns about

- The potential for traffic using the linkage between R1 and R2;

- The access arrangement to the golf driving range for the main access road through the development; and

- The design of the arrangements to and from the site onto McDonnell Road.

143. We address these issues in turn. We understand and agree with Mr Hopkins' concerns about the potential issues a connection between R1 and R2 could create. However, we support Mr Todd's proposition that this could, and should, be controlled by a condition of consent. Should we be of a view to grant consent, a condition to this effect must be included limited access between these two clusters for residents' vehicles.

144. Again, we understand and agree with Mr Hopkins' concerns regarding the potential traffic safety issues regarding the access point, and also agree with Mr Hopkins that a reduced traffic speed environment and an amended intersection design which addressed the sightline issue would be appropriate in this regard. It now appears that the applicant has agreed to this request, noting Mr Todd's concerns, for a 30km/h environment in this location and an amended intersection design. Again, this issue could be addressed through an appropriate condition of consent.

145. This leaves the design of the access to and from McDonnell to which we now understand agreement has been reached on how this issue could and should be addressed and this is now reflected in the agreed set of conditions. This, however, does not address the McDonnell Road residents' concerns. We acknowledge that the proposal would increase the level of traffic using both Mc Donnell and Hogans Gully Road. However, we are of the view that subject to the appropriately safe access arrangement been delivered these impacts are acceptable in terms of residential amenity.

146. We note for completeness that the Queenstown Trail Trust sought through their submission to ensure that there was the sufficient opportunity for cycle way to be incorporated on site which would then form part of their overall cycleway network. We support this approach by the Trust and accept the advice of Mr Bartlett and Mr Hopkins sufficient opportunity has now been provided for to meet the Queenstown Trail Trust outcomes. However, this is an issue best addressed between the Trust and the applicant, as acknowledged by Mr Goldsmith in presenting the Trust's submission.

147. Finally, we acknowledge of the paper road closure is at the Council's discretion and beyond our scope to make a determination on, and we accept Mr Todd's submissions on this matter that this is at the applicant's risk.

Productive use of the land

148. Loss of rural productive land was not raised as an effects issue directly and was more of an issue in contention over the district policy implications of the loss of rural land to a golf course and residential activity, which we will consider in greater detail below. We do acknowledge that the applicant proposed to retain parts of the land for rural production purposes, which it currently is now. We note the applicant's submission that it is uneconomic to retain all of the land for rural production. We find, which may on the surface seems self-evident, that the proposal will result in the loss of the majority of the site to rural and productive purposes as we find that a golf course is not a rural productive purpose.

Positive effects

149. We acknowledge and accepted that the proposal will result in positive benefits to the applicant and the wider district through the provision of further housing stock, whether that is short term or long-term occupation. We also accepted the evidence of Mr Turner and Mr Brandeburg that the proposal will bring positive benefits to the local, national and potentially international golfing community. The construction period would result in economic benefits and there would be employment opportunities created by staff and through golf course users and those renting the accommodation when not used by residents.

Statutory Assessment

150. Subject to Part 2 of the Act, Section 104 sets out those matters to be addressed by the consent authority when considering a resource consent application, as follows:

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

(a) any actual and potential effects on the environment of allowing the activity; and

(ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and

(b) any relevant provisions of –

(i) a national environmental standard [not applicable]:

(ii) other regulations [not applicable]:

(iii) a national policy statement:

(iv) a New Zealand coastal policy statement [not applicable]*:*

(v) a regional policy statement or proposed regional policy statement;

(vi) a plan or proposed plan; and

(c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.'

(2) When forming an opinion for the purposes of subsection (1)(a), a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect.

(3) A consent authority must not –

(a) when considering an application, have regard to –

…

(ii) any effect on a person who has given written approval to the application

…

(6) A consent authority may decline an application for a resource consent on the grounds that it has inadequate information to determine the application.

Section 104B

151. Section 104B sets out the following in respect to determining discretionary activities:

After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority—
(a) may grant or refuse the application; and
(b) if it grants the application, may impose conditions under section 108.

Section 104(1)(a) Effects on the Environment Assessment

152. Section 104(1)(a) requires consideration of the effects of the activity. We have addressed this through our consideration of the principal issues in contention. In summary, we found in that assessment that:

(a) There would be significant adverse landscape and visual effects, that could not be avoided or mitigated;

(b) Any ecological effects would be acceptable, with the exception of the impact on the wetland adjacent to proposed hole 17 of the golf course, which we had inadequate information on;

(c) We had inadequate information to make a determination on the effects arising from the earthworks to create the golf course. The earthworks to create the residential component of the development could be appropriately addressed through conditions of consent;

(d) Any traffic effects would be acceptable, and any adverse effects could be appropriately addressed through conditions of consent;

(e) There would be a loss of productive land within the District, an adverse effect, albeit reduced because of the retention of some productive land; and

(f) The proposal would result in positive effects associated with additional housing stock, employment opportunities, tourism and golfing.

153. Overall, we find that the effects on the environment are unacceptable, primarily due to the size and scale of the proposed development and the lack of adequate information on which to make a determination.

Section 104D(1)(ab) Positive Effects to Offset or Compensate Assessment

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

155. The applicant proposed significant environmental replanting and enhancement as part of the proposal. We acknowledge the positive effects that such planting would bring. However, we concur with the Council that this planting does not mitigate the significant adverse landscape and visual amenity effects and neither does it offset them. The applicant did not propose any compensation measures.

Section 104(1)(b) Relevant planning documents

Operative and Proposed District Plans

156. Given the "state of flux" of the district plans, as described by Mr Bryce, we have considered both the ODP and PDP. We agree that at this point of time, given the number of appeals on Stage 1 and the timing of decisions on submissions on Stage 2, that lesser weight should be given to the PDP. However, rather than addressing the ODP and the PDP sequentially, we have rather considered the objectives and policies of both by theme; with a focus on the areas of disagreement between the applicant, the Council and submitters.

157. In doing so, we have considered the assessments of the objectives and policies of the ODP and PDP as set out in the application, the s.42A report and the evidence presented before and at the hearing. Given the comprehensive coverage of the objectives and policies in those documents, we have not set them out in detail in this decision.

158. By the conclusion of the hearing, there was general agreement between the Council and the applicant that the proposal would generally be consistent with the objectives and policies relating to:

(a) The natural environment, ecological outcomes and earthworks, except in relation to the earthworks for the golf course and treatment of the wetland in respect to hole 17; where there was insufficient information to assess the effects and therefore the consistency with the Plan provisions;

(b) The proposal would not significantly compromise the land for rural productive activities; while noting that there will be loss of some rural land, it is more marginal land that would be lost;

(c) Noise and lighting, albeit, we have concerns about the overall amenity of the proposed maintenance compound. On this point we also note that the Mr Todd provided us with an operational management plan setting out the hours of operation etc for the proposed golf course and maintenance compound.

(d) Providing recreational activities that meet the recreational needs of the District's residents and visitors;

(e) Servicing and infrastructure provision; and

(f) Transport.

159. The fundamental differences between the applicant and Council's positions were in respect of:

(a) Whether the proposal was an appropriate activity in the Rural Zone, in respect to its scale, form, location and density; and

(b) The impact on the visual amenity landscape and rural amenity.

160. In essence, Mr Brown (for the applicant) was of the view that the application was appropriate in policy terms (objectives and policies) for both the ODP and PDP and Mr Bryce (for the Council) was not. This includes their position on the two major areas still in contention as listed above. The rationale for their positions as been summarised above and set out in detail within their evidence and s.42A reports respectively. For the reasons set out below, in conjunction with Mr Bryce's evidence, we favour Mr Bryce's view and find that the proposal is inconsistent with the objectives and policies in both the ODP and PDP in terms of the proposal's impact on visual amenity, landscape and rural amenity. We also find that the level of residential activity is inappropriate in the General Rural Zone.

161. As we have set out above, both the ODP and PDP address these two matters. In our assessment of the objectives and policies we acknowledge that the proposal does not constitute urban development under the ODP; however, as while it may not under the ODP we do note that the ODP seeks to provide for a form of development in manner which avoids, remedies and mitigates adverse effects on landscape and visual amenity values[9].

162. This objective in Part 4 of the ODP is supported by range of policies, including policy 2a (Visual amenity landscapes) which we believe is particularly relevant to our consideration of this application (not to undermine the others):

To avoid, remedy and mitigates the adverse effects of subdivision and development visual amenity landscapes which are:

> *Highly visible from public places and other places which are frequented by members of members of the public generally (except any trail as defined in the Plan) and visible from public roads*.

163. It is clear to us, based on our assessment of landscape and amenity effects above that the proposal does not maintain the quality of the visual amenity landscape when viewed from public places and will introduce an element of residential development which, while providing for cluster residential development, will appear as clustered sporadic urban development, when viewed from beyond the site. We consider this will represent an over-domestication of the landscape in this part of the Wakatipu Basin. While acknowledging Policy 4.2.5.8 and the extensive ecological planting proposed, this does not outweigh the adverse cumulative effects and development of this form, scale and density in this location.

164. We note for completeness, based on Mr Bryce's evidence that we find that the proposal is also inconsistent with policies 1, 2 and 8 under this objective as well.

165. We accept that limited weighting should be awarded to the PDP. As we have discussed above, we have found that the proposal would constitute urban development and that it does not fall within the definition of a resort. We find, for the same rationale consideration under the ODP, that the proposal would be inconsistent with Objective 3.2.1 and its associated policies.

166. In turning to Part 5 (General Rural Zone) of the ODP we note that the objective 1 seeks to protect the character and landscape values of the rural area. Objective 3 seeks to avoids, remedy and mitigate adverse effects of activities on rural amenity. In our view, the proposal

[9] Objective 4.2: Landscape and visual amenity

will result in a significant change to the rural environment, which would normally be anticipated through a zone change, rather than through a resource consent process. Again, while coming to our own conclusions of the application we were mindful of the Stage 2 Panel's conclusion, which rejected the applicant's submission to rezone the site.

167. As a result, we find that the proposal is inconsistent with the rural character of the area; which at the moment is generally an open rolling pasture. It will result in a significant change, while will not protect the existing rural amenity values of the site. It will also result in significantly changing the rural outlook as viewed from the Bendemeer properties, while acknowledging the changes the applicant has made to properties near the Bendemeer boundary; the outlook across the site will alter from a rural outlook towards Arrowtown.

168. In terms of the PDP, again we find that the proposal is inconsistent with the policy outcomes sought for the Wakatipu Basin rural Amenity Zone.

169. Finally, we note that the proposal seeks to introduce a form of residential development outside the Arrowtown Growth Management Boundary which has the potential to undermine the Council's approaches to urban growth management in the district.

Operative and Proposed Regional Policy Statements

170. Both planners addressed the Operative Regional Policy Statement for the Otago Region 1998 (ORPS) and the Partially Operative Regional Policy Statement for the Otago Region 2019 (PORPS). We note that the changing status of both documents and how the planners referenced them caused us some confusion. We consider it relevant to consider these documents, given the current status of both the ODP and PDP and their timing relevant to the PORPS in particular.

171. In the AEE, Mr Brown set out his view that the proposal is consistent with and achieve the relevant provisions of the Operative Regional Policy Statement for the Otago Region 1998 (ORPS).

172. While he did not address the Partially Operative Regional Policy Statement for the Otago Region (PORPS) in the AEE given issues of timing and appeals at the time, in his evidence, Mr Brown was of the view that the proposal is broadly consistent with its policy direction. He disagreed with Mr Bryce that the proposal was inconsistent with Objective 9.4.3 and Policies 9.5.4 and 9.5.5 in relation to the character values of the visual amenity landscape, based on Mr Baxter's view.

173. In respect of the ORPS, Mr Bryce considered the proposal to be generally consistent with those objectives and policies that seek to provide for ongoing primary productive use of the region's soil resource. He considered it inconsistent with Objective 9.4.3 and Policies 9.5.4 and 9.5.5 relating to the adverse effects of built environment on the region's natural and physical resources, including visual intrusion and a reduction in landscape qualities. He considered the proposal to be overall consistent with the objectives and policies of the PORPS, while identifying he considered it to be inconsistent with Policy 5.3.1, as the proposal is of a scale and density that promotes development close to, and is incompatible with, adjoining rural properties.

174. We prefer Mr Bryce's evidence in this regard and find that the proposal is generally consistent with the ORPS and PORPS rural resource objectives and policies but is inconsistent with

those relating to impacts on landscape and character values (ORPS) and compatibility of the proposal with a rural environment (PORPS).

National Policy Statements

175. Mr Bryce did not address whether there were any relevant national policy statements.

176. Mr Brown was of the view that there are no particularly relevant national policy statements; with any issues in a national policy statement (such as for freshwater) captured by the lower order planning documents.

177. We accept their evidence in this regard. We note that the National Policy Statement on Urban Development Capacity 2016 relates to urban environments and the need to provide sufficient development capacity in these environments. Given the site is not identified as an urban environment in either the ODP or the PDP, we agree it is not relevant.

Section 104(1)(c) Other Matters

178. Mr Bryce considered that precedent effects and Plan integrity were relevant other matters to this application. In short, he was of the view that the overall scale and density of the development, if approved, could be seen to undermine the relevant statutory planning instruments if other similar applications were applied for; resulting in a precedent effect.

179. Mr Brown, conversely, considered that there were not many, if any, other locations where the attributes (golf experience, environmental protection and enhancement, protection of active production, lack of visibility from roads, mitigation measures from elevated views, master-planning and architecture) of the proposal could be replicated. He was of the view that any precedent, if the proposal was replicated, was positive.

180. We agree that precedent effects are relevant. While we acknowledge the positive aspects of the proposal, we find that the proposal would result in adverse precedent effects, arising from the scale of urban development proposed and its resulting adverse landscape and visual amenity effects.

181. There were no other relevant matters bought to our attention.

Part 2

182. Given the relative state of flux of the planning documents, which are at different stages and subject to review and appeal, we consider it appropriate to turn our mind to Part 2.

183. It is clear to us, based on our consideration above, that the application does not promote the sustainable use of natural and physical resources. We agree that the relevant s.6 matters are appropriately recognised and provided for and that s.7(b) and (g) have been had particular regard to and are satisfactory. However, we consider that the significant adverse landscape and visual amenity effects resulting from the proposal would neither maintain nor enhance amenity values or the rural environment. While the proposal would benefit some people and provide for their health and wellbeing; those benefits would be limited and do not outweigh and significant landscape and visual amenity effects arising, which have been identified as being important to the Queenstown Lakes community through its planning documents.

184. As a result, we find that the proposal does meet the purpose of the Act.

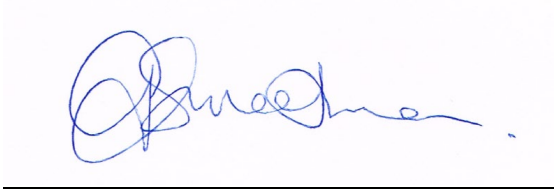
Determination

185. In exercising our delegation under section 37 of the Act, and having considered the matters contained within section 37A(i), we have determined that:

    (a) The late submission by Arrow Irrigation Company Limited which was received by Council one day following close of the submission period, be accepted.

186. In exercising our delegation under sections 34 and 34A of the Act, and having regard to the matters discussed above under sections 104 and Part 2 of the Act, we have determined that resource consent to the discretionary activity application by Hogans Gully Farming Limited for subdivision and land use consent to establish an 18-hole championship golf course with associated clubhouse, driving range and maintenance facilities, and 96 residential (and associated residential building platforms) and visitor accommodation units, and to undertake approximately 500,000m^3 (volume) of earthworks to construct the golf course, be refused consent.

187. The reasons for our decision have been set out in the sections above.



Gina Sweetman (Chair)

For the Hearings Commissioners: Gina Sweetman, Calum Macleod and Dr Lee Beattie

15 May 2019