



DECISIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL

NOTIFICATION UNDER s95A AND s95B AND DETERMINATION UNDER s104

OF THE RESOURCE MANAGEMENT ACT 1991

Applicant:	Waterfall Park Development Limited
RM reference:	RM250242
Application:	Application under Section 88 of the Resource Management Act 1991 (RMA) for subdivision of future lot 6 (of RM240982) into three residential lots and establish a building platform (1000m ²) on each allotment and boundary adjustment between future lot 6 and lot 100; land use consent for internal setback breach created in future lot 8 and breach to transport standards for vehicle crossing design.
Location:	1 Ayr Avenue, Queenstown
Legal Description:	Lot 4 Deposited Plan 540788 held in Record of Title 929491
Zoning:	ODP: Rural General Zone PDP: Wakatipu Basin Rural Amenity Zone (Landscape Character Unit 8 – Speargrass Flat)
Protected Features:	#110 - Ayrburn Homestead and Stone Farm Buildings
Activity Status:	Restricted Discretionary
Decision Date	19 August 2025

SUMMARY OF DECISIONS

1. Pursuant to sections 95A-95F of the Resource Management Act 1991 (**RMA**) the application will be processed on a **non-notified** basis given the findings of Section 5 of the Section 95A and 95B report. This decision is made by Dr Lee Beattie, Independent Commissioner, on 19 August 2025 under delegated authority pursuant to Section 34A of the RMA.
2. Pursuant to Section 104 of the RMA, consent is **GRANTED SUBJECT TO CONDITIONS** outlined in **Appendix 1** of the Section 104 decision imposed pursuant to Section 108 and Section 220 of the RMA. This consent can only be implemented if the conditions in Appendix 1 are complied with by the consent holder. The decision to grant consent was considered (including the full and complete records available in Council’s electronic file and responses to any queries) by Dr Lee Beattie, Independent Commissioner, under delegated authority pursuant to Section 34A of the RMA.

1. SUMMARY OF PROPOSAL AND SITE DESCRIPTION

Subdivision Consent is sought to subdivide future lot 6, created under Subdivision consent RM240982, into three (3) residential lots, each with a 1000m² building platform established and for a boundary adjustment between future lot 6 and lot 100 of RM240982 at 1 Ayr Avenue, Queenstown. This will also create access for future lots 6, 7 & 8 from an existing right of way (ROW).

Land use Consent is also sought for an internal setback breach of the building platform on future lot 8 and for the construction of vehicle crossings that do not comply with diagram 8 of Chapter 27 (transport) of the Proposed District Plan (PDP).

The applicant has provided a detailed description of the proposal, the site and locality and the relevant site history in Sections 1 & 2 of the report entitled "*Application for Resource Consent*", prepared by Morgan Shepard of Brown & Company Planning Group, and submitted as part of the application (hereon referred to as the applicant's AEE and attached as Appendix 2). This description is considered accurate and is adopted for the purpose of this report with the following additions:

- Located within the subject site, the Heritage feature #100 Ayrburn Homestead and Stone Farm Buildings are not within close proximity of the subject area and are not considered part of this application.
- A resource consent application, RM25.239, with Otago Regional Council has been lodged but not approved at the time of granting this consent
- During the processing of this consent subdivision consent for Lot 4 DP 540788 as granted under RM240982 on 15 May 2025. Lots 6 & 100, of which this current application is looking to subdivide further, are part of stage 1 and have not yet been granted 223 and 224(c). No variation is sought by the applicant.
- The proposal seeks to undertake a total area of earthworks of 1.6 hectares (or 1,600m²), breaching rule 25.5.11, which is not exempt under 25.3.2.5 of the PDP. As such, this has been included in the application.
- On 30 July 2025, an updated landscaping plan was provided.
- Under Rule 27.7.32.2 of the PDP, there a control requirement (for example, no use of fertilisers, commercial livestock farming, etc). These conditions are part of the granted subdivision consent RM240982 which is yet to receive 224c of which the proposed Lot 6-8 of this application are to be subsequently created. As such these will carry down to lots proposed as part of this application.

2. ACTIVITY STATUS

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

- A. Provisions reviewed since August 2015 shown in the PDP ePlan and maps known as the PDP planning maps; and
- B. Unreviewed provisions referred to as the ODP, contained in the ODP ePlan and maps, which appear as white in the PDP maps.

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

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

2.1 OPERATIVE DISTRICT PLAN

There are no relevant rules under the ODP as the relevant rules of Section 5 (Rural Areas) are treated as inoperative, given the relevant rules under the PDP are treated as operative pursuant to section 86F.

2.2 PROPOSED DISTRICT PLAN

The subject site is zoned Wakatipu Basin Rural Amenity Zone by the PDP and the proposed activity requires resource consent under the PDP for the following reasons:

Rules that are treated as operative under s86F:

Chapter 24 – Wakatipu Basin

- A **Restricted Discretionary** activity pursuant to Rule 24.5.7.1 for a breach of the 10m internal setback for the building platform on future Lot 8.

Council's discretion is restricted to:

- Building location, character, scale and form;
- External appearance including materials and colours;
- Landform modification/planting (existing and proposed).

Chapter 27 – Subdivision & Development

- A **Restricted discretionary** activity pursuant to Rule 27.5.9 in regard to subdivision in the Wakatipu Basin Rural Amenity Zone.

Council's discretion is restricted to:

- Location of building platforms and vehicle access;
- Subdivision design and lot layout including the location of boundaries, lot shape and dimensions (but excluding lot area);
- Location, scale and extent of landform modification, and retaining structures;
- Property access and roading;
- Esplanade provision;
- Natural hazards;
- Firefighting water supply and access;
- Water supply;
- Network utility services, energy supply and telecommunications;
- Open space and recreation provision;
- Opportunities for nature conservation values, and natural landscape enhancement;
- Easements;
- Vegetation, and proposed planting;
- Fencing and gates;
- Wastewater and stormwater management;
- Connectivity of existing and proposed pedestrian networks, bridle paths, cycle networks;
- Where the site is located within the Lake Hayes Catchment as identified in Schedule 24.9, the contributions of, and methods adopted by, the proposal to improving water quality within the Lake Hayes Catchment.

Chapter 25 – Earthworks

- A **Restricted discretionary** activity pursuant to Rule 25.5.11 for earthworks over a contiguous area of land. It is proposed to expose 1.6 ha (or 1,600m²), breaching the 10,000m² permitted where the slope of the land is less than 10 degrees.

Council's discretion is restricted to:

- Soil erosion, generation and run-off of sediment.
- Landscape and visual amenity values.
- Effects on infrastructure, adjacent sites and public roads.
- Land stability.
- Effects on water bodies, ecosystem services and biodiversity.
- Cultural, heritage and archaeological sites.
- Nuisance effects.
- Natural Hazards.
- Functional aspects and positive effects.

Chapter 29 – Transport

- A **Restricted discretionary** activity pursuant to Rule 29.5.15 for proposed vehicle crossing designs that do not meet the required Diagram 8.

Council's discretion is restricted to:

- Effects on safety, efficiency, and amenity of the transport network, including the pedestrian and cycling environment.

2.3 NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH 2011 (“NES”)

A contaminated land assessment has been provided by ECOtago, dated 27 June 2025 titled 'Proposed Rural Residential Subdivision - Ayrburn Contaminated Site Considerations.'. The reports outlines that site was historically part of Ayrburn Farm, which contained activities listed on the Hazardous Activities and Industries List (HAIL), including a woolshed, sheep dip, and fuel storage. However, previous investigations (2016 Preliminary and 2018 Detailed Site Investigations) confirmed that no contamination is present within the proposed residential lots.

More recently, the site was used as a short-term vineyard (2023–2024). While not a HAIL activity, treated timber posts used in viticulture can leach arsenic and other metals into the surrounding soil. Targeted soil sampling was undertaken in June 2025 to assess potential contamination. All results were well below national soil acceptance criteria for rural residential land use and consistent with natural background levels. No risk to human health was identified.

Accordingly, there is no indication of contamination that would pose a risk to human health or the environment, and further investigation is not considered necessary.

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

2.5 ACTIVITY STATUS SUMMARY

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

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

3. SECTION 95A – PUBLIC NOTIFICATION

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

3.1 Step 1 – Mandatory public notification

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

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

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

Therefore, public notification is not required by Step 1.

3.2 Step 2 – Public notification precluded

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

The proposal is not:

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

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

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

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

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

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

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

Effects that must be disregarded:

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

Effects that may be disregarded:

- An adverse effect of the activity if a rule or national environmental standard permits an activity with that effect (s95D(b) – referred to as the “Effects permitted by the Plan”. The relevance of the effects permitted by the plan to this application is provided in section 3.3.2 below.

3.3.2 Effects permitted by the Plan (s95D(b))

The consent authority **may** disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect. In this case, all subdivision activities within the Wakatipu Basin Rural Amenity Zone require resource consent. For internal setbacks, there is a 10m minimum requirement and for vehicle crossings, they need to comply with diagram 8 and all relevant standards under Chapter 29 Transport to be permitted.

The effects permitted by the plan are considered to be of some relevance to the assessment below.

3.3.3 Assessment: Effects On The Environment

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

Receiving Environment

In addition to the site history outlined in section 4.2.2 of the applicant’s AEE, the following information outlines the receiving environment:

- RM171280, granted on 1 June 2018, included conditions relating to landscaping and mounding within the proposed future lots, as well as their certification and ongoing maintenance under Conditions 1, 10, and 22. Final plans were submitted and subsequently certified by Council on 23 August 2019.
- RM180584 (as varied by RM190278, RM230229, and RM230645), granted on 13 May 2019, approved landscaping and mounding plans consistent with those certified under RM171280. Compliance is required with Conditions 1, 52, and 67.ii.b). The northwest corner of future Lot 8 is conditioned to contain and maintain a ‘Native Shrub Mix’ and 20 Pin Oak trees (*Quercus palustris*) along Ayr Avenue. The associated mounding is to be grass-covered.
- RM220403, granted on 2 November 2023, sought land use consent to plant specific species of trees, shrubs, and grasses throughout the subject lot. The final landscaping plan was approved on 7 February 2023. This consent includes a Portuguese Laurel hedge (2.5–3m in height) along the southern boundary of the proposed residential lots, Pin Oaks along the southern edge of Ayr Avenue, Red Tussocks on the northern side of the mounding, and Norway Maples on the southern side.
- RM210609, granted on 10 November 2022, approved the establishment of a stormwater pond within future Lot 100, along with associated landscaping. Species approved include toetoe, red tussock, *Carex secta*, and Wwi rush.

Assessment

Location of building platforms and vehicle access

Council’s Land Development Engineer, Steve Hewland, has assessed the proposal (Appendix 3) and confirmed that the vehicle crossings comply with Council’s minimum separation standards. The recommendation by Carriageway Consulting Ltd (CCL) to remove the tussock prior to 224c is supported, with no safety concerns identified in the design. The proposed surrender of the Right of Way (ROW) is also accepted. This comprehensive assessment is relied upon for the purposes of this report.

Rough Milne Mitchell (RMM) Landscape Architects provided multiple reports/memorandums in support of this application and stated in the 21 May 2025 report the following regarding the internal setback breach:

“only be felt at a local scale and not impact the wider perceptions of development density.”

Council sought a peer review of the Landscape Assessment Report provided with the application, which was completed by Ms Bridget Gilbert on 30 July 2025. RMM supports the location of the platforms, and Ms Gilbert expressed no concerns as to their location or shape, noting compliance with the maximum permitted building platform size under the PDP and compliance with setback requirements other than that sought under the application.

Based on both assessments, the building platforms are considered to be appropriate, such that the effects are considered to be no more than minor.

Subdivision design and lot layout including the location of boundaries, lot shape and dimensions (but excluding lot area)

Whilst future buildings would be visible from the Arrowtown-Lake Hayes Road to the south, the structure plan provides for residential activity in this area, and the proposed development complies with lot size requirements and the shape of the lots is considered to be consistent with much development in the Wakatipu Basin and LCU8.

Ms Gilbert finds that the subdivision design was considered to align with the intentions of the PDP Chapter 24 and Chapter 27 provisions. With the post lodgement addition of a curtilage area by the applicant and supported by RMM, it is possible to anticipate the location of residential activity other than buildings within the future lots to mitigate potential adverse effects on the Wakatipu Basin Rural Amenity Zone (WBRAZ), Landscape Character Unit 8 (LCU8) and visual amenity in the wider area.

Apart from the proposed internal setback infringement on Lot 8, where future residential buildings would be located closer to Lot 7 than permitted by the PDP, all future development on the lots will be required to comply with the relevant provisions of the district plan. This includes, but is not limited to, the allowance for one residential unit (including one residential flat) per lot, a maximum building coverage of 500m², and compliance with standards relating to building height, materials and colours, and light spill. Any future development, whether fully complying with PDP standards or requiring further infringements, will be subject to resource consent, at which point consistency with the PDP can be fully assessed.

Relying on assessment by RMM and Ms Gilbert, the subdivision design and lot layout including the location of boundaries, lot shape and dimensions, is considered to have no more than a minor effect on the environment.

Location, scale and extent of landform modification, and retaining structures

The proposed earthworks look to undertake a maximum cut depth of 0.8m and fill height of 0.65m, and result in an increase in the ground level to between 0.2m – 0.6m above the original ground level. Given the relative level nature of the land and resulting level ground, the modification, once completed, is considered to be absorbed in the existing environment and further screened by landscaping and is consistent with that anticipated to provide for a building platform on which future development can occur. In addition to modifying ground levels, the proposed earthworks will enable future buildings to be constructed at a slightly higher finished building level relative to the existing ground. Any resulting change in perceived building height is expected to be minimal and not readily distinguishable within the context of anticipated residential development. Furthermore, RMM and Ms Gilbert have not expressed concerns relating to this matter.

Mr Hewland considers that no geotechnical assessment was required at this stage. Conditions are recommended requiring certification of earthworks through a Geotechnical Completion Report and Schedule 2A prior to 224c, including confirmation that minimum floor levels of 349.5m

have been achieved. The assessment is considered comprehensive and relied upon for the purposes of this report.

Overall, the effects are considered to be less than minor relating to landform modification.

Property access and roading

Access is via the existing private right of way (ROW) known as Ayr Avenue. This is considered appropriate for access for residential purposes, and the proposal is not considered to result in safety or transport network concerns.

Natural hazards

The subject site is identified as being within an area of potential liquefaction susceptibility, with mapped overlays extending into Lot 6. Mr Hewland recommends that a Schedule 2A and Geotechnical Completion Report be provided prior to 224c, including subsurface investigations to confirm liquefaction risk and identify any necessary mitigation. Any foundation design requirements or hazard-related constraints will be secured by way of a consent notice on the relevant titles.

While historic consents reference potential alluvial fan and flood risks in the wider area, Mr Hewland is satisfied that these hazards are sufficiently removed from the subject site and do not represent a constraint to development. Furthermore, the proposed finished floor levels will achieve a minimum of 500mm freeboard above the 1-in-100-year flood level, as established through previous flood modelling.

The assessment is considered comprehensive and relied upon for the purposes of this report, such that the effects are considered to be no more than minor.

Firefighting water supply and access

Mr Hewland is satisfied that it is feasible to provide firefighting water coverage in accordance with the necessary standards, with recommendations for review and acceptance and hydrant testing undertaken to confirm performance. The assessment is considered comprehensive and relied upon for the purposes of this report, such that the effects are considered less than minor.

Water supply

Mr Hewland confirms that, under RM240982, the underlying Lot 6 (of which the three residential lots will be created) is not serviced, and a consent notice is proposed that requires it to be serviced at the time of future residential development. Relying on the infrastructure assessment memo by CKL "3 Lot Subdivision – Water & Wastewater Assessment Waterfall Park, Queenstown" dated 26/3/25 and reference A20254, Mr Hewland considered the water and wastewater servicing to be feasible, with infrastructure to connect to existing mains. The assessment is considered comprehensive and relied upon for the purposes of this report, such that the effects are considered less than minor with the application of the volunteered condition to no commence works until and unless the RM240982 subdivision plan is deposited, which results in the creation of Lots 6 and 100 RM240982 and compliance with ongoing conditions under that consent.

Network utility services, energy supply and telecommunications

Whilst utilities have not been provided to the underlying Lot 6 boundary, Mr Hewland is satisfied that the Ayrburn development will have catered for the network capacity needed for this 4-lot subdivision. With the recommendation for evidence prior to 224c, this assessment is considered comprehensive and relied upon for the purposes of this report, such that the effects are considered less than minor.

Open space and recreation provision

No open space or recreation provisions are proposed as part of this application, and these are not considered necessary.

Opportunities for nature conservation values, and natural landscape enhancement

The Ecological Assessment (SLP Consulting NZ, 14 May 2025) identifies that while no significant indigenous vegetation or threatened species habitat exists on site, the proposal supports broader ecological values through integration with existing restoration works along Mill Creek. These include streambank stabilisation and riparian planting already undertaken within the wider Waterfall Park area.

The development incorporates grassed swales and vegetated filter strips using native wetland and riparian species, which provide both stormwater treatment and low-scale habitat enhancement. These features support invertebrates, improve water quality, and contribute to the ecological function and visual integration of the site within the surrounding natural landscape.

While modest in scale, the proposal is considered to complement existing conservation efforts and provide ongoing support for ecological and landscape enhancement within the Mill Creek and Lake Hayes catchments.

As such, the proposal is considered to have a less than minor effect on the environment in regard to opportunities for nature conservation values, and natural landscape enhancement.

Vegetation, and proposed planting

During the peer review process, the landscaping plan for the proposal was updated to capture that granted under existing resource consents, existing on-site and any additions proposed as mitigation. The proposed landscaping plan mostly outlines what has been previously consented under that outlined in the receiving environment, with additional trees in the lot corners and along the road boundary to Arrowtown-Lake Hayes Road. The applicant proposes that prior to 224c, any 'spindly' Portuguese laurel along the southern boundary shall be replaced to ensure a full hedge is supported by RMM and Ms Gilbert.

Regarding the Tree Protection Area, RMM does not anticipate the removal of trees within this area. Under 27.7.32.2 of the PDP, it is permitted to tree provided that these are replaced to achieve the same or similar visual screening effects. RMM outlines that there may be a need for removal of trees outside the TPA; however, these will be replaced with trees of like species. This is considered appropriate and supported by Ms Gilbert.

Based on support of the landscaping plan from RMM and Ms Gilbert, the effects of the proposed vegetation and planting are considered to be no more than minor.

Fencing and gates

The applicant volunteers the following condition relating to fencing:

Boundary treatment shall be limited to hedging no greater than 3m in height and / or wood and / or wire fencing which is no greater than 2m in height and at least 50% permeable, or a solid wooden fence no greater than 2m in height provided it is lined on both sides by hedging.

In the memorandum dated 07 July 2025, RMM consider this to be appropriate to manage potential landscape effects at this interface with neighbouring properties. Ms Gilbert, in response, find the proposed fencing and gates to be inappropriate for the local character and recommends:

'maximum 1.2m high, either post and rail, or post and 7 wire. A black permeable pool type fence or deer fence no greater than 2m in height is allowable provided it is lined on

both sides by Portugese Laurel hedging (minimum PB12 grade, planted at 1.0m centres).'

'All gates shall be of a rural style comprising timber rail or steel rail. Timber closeboard type gates are not permitted.'

Ms Gilbert's recommendation is considered to build upon that proposed by the applicant and provide more appropriate boundary conditioning for the landscape character, such that Ms. Gilberts recommendation is adopted for the purpose of this report. With conditioning for fencing and gates to be as outlined above, the effects are considered to be no more than minor.

Wastewater and stormwater management

Mr Hewland comments that the application does not detail stormwater disposal for future impermeable areas. While soakage rates are currently unknown, it is considered feasible that appropriate technical solutions can be achieved. A consent notice is recommended requiring an engineer-designed stormwater disposal system at the time of residential development.

Mr Hewland confirms that the application proposes for flows from the site will be directed to an existing grassed swale along the southern boundary, discharging into Mill Creek. This swale also conveys overflows from the Lot 100 stormwater pond. Mr Hewland concurs that a consent notice is recommended to ensure compliance with this plan, or any approved variation.

Conditions are also recommended requiring confirmation of secondary flow paths, protection from inundation, and evidence of treatment to mitigate potential effects on Mill Creek and Lake Hayes water quality, with final details to be reviewed and accepted prior to 224c.

Connectivity of existing and proposed pedestrian networks, bridle paths, cycle networks

The proposal does not effect the connectivity of pedestrian networks, bridle paths or cycle networks such that there are no adverse effects on the environment in this regard.

Where the site is located within the Lake Hayes Catchment as identified in Schedule 24.9, the contributions of, and methods adopted by, the proposal to improving water quality within the Lake Hayes Catchment.

The 'Stormwater and Flood Risk Assessment' prepared by CKL NZ (26 March 2025) outlines a treatment train approach incorporating filter strips, grassed swales, and attenuation via a floodplain bund. Stormwater from roofs, driveways, and other impervious surfaces will be conveyed to a piped network for treatment prior to discharge into Mill Creek, which ultimately drains to Lake Hayes. Inert roofing materials are recommended to reduce contaminant loads, with additional treatment to be considered where alternative materials are used. Modelling confirms that the proposed system will achieve significant reductions in phosphorus, nitrogen, suspended solids, zinc, and copper compared to the existing vineyard use.

An Ecological Assessment by SLP Consulting NZ (14 May 2025) supports these findings and recommends erosion and sediment controls during bulk earthworks, particularly around forecasted rainfall. The report also concludes that the proposed land use change will result in a substantial improvement in stormwater quality, and notes additional positive effects from riparian planting and creek bank stabilisation works already undertaken along Mill Creek within the wider Waterfall Park area.

Relying on the expertise of those above and the inclusion of a management plan to ensure ongoing compliance with the Stormwater Devices Operation and Maintenance Plan, the proposal is considered appropriate and effective. Overall, it will result in a measurable improvement in water quality within the Lake Hayes Catchment and aligns with the outcomes sought under PDP.

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

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

3.4 Step 4 – Public Notification in Special Circumstances

There are no special circumstances in relation to this application.

4. LIMITED NOTIFICATION (s95B)

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

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

Determination under s95B(2)

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

Determination under s95B(3)

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

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

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

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

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

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

Boundary activity

The proposal is not a boundary activity.

Any other activity

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

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

- a) The consent authority **may** disregard an adverse effect of the activity on a person if a rule or national environmental standard permits an activity with that effect (a “permitted baseline”). Section 3.3.2 above sets out the relevance of the permitted baseline to this application.

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

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

No persons have provided written approval as part of this application.

4.3.2 Assessment: Effects on Persons

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

The following persons have been identified as potentially adversely affected (Figure 2) and assessed below:

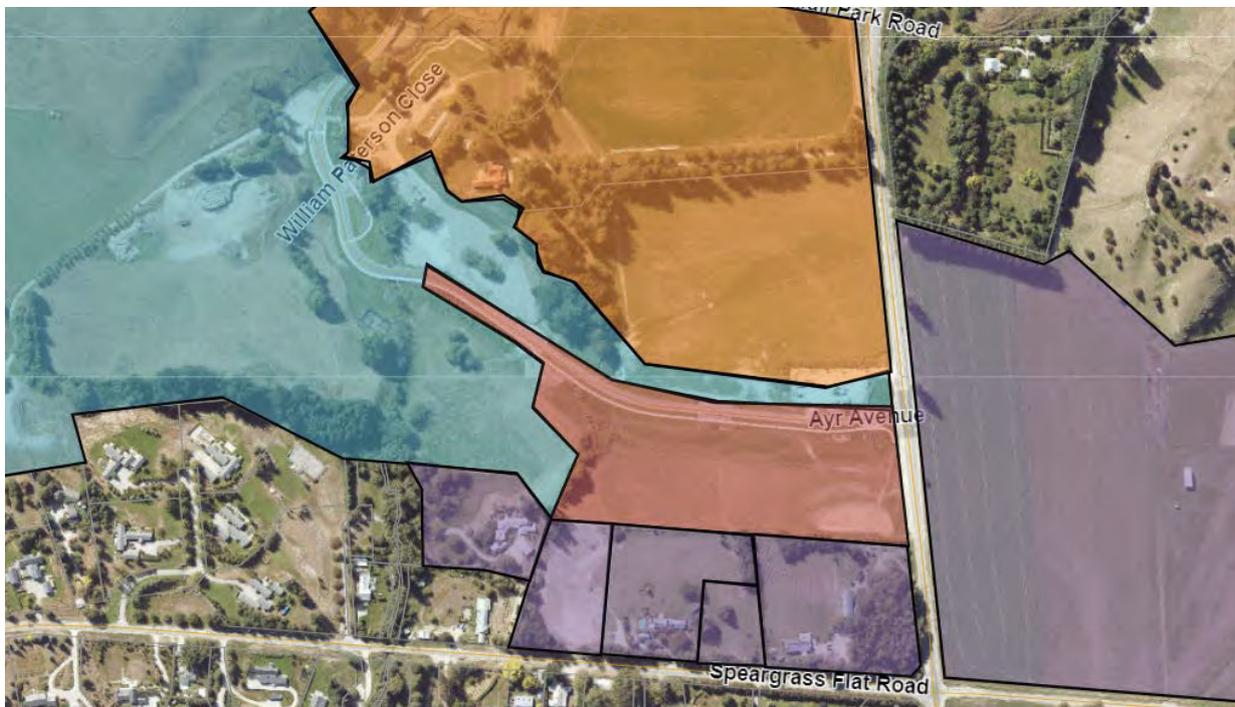


Figure 2. Location of the subject area (red) in relation to the subject site of which is within (blue), and location of adjoining lots owned by the applicant (orange) and persons assessed under section 4.3.2 (purple)

Lot to the east (37 Arrowtown-Lake Hayes Road)

Located to the east, the public road provides a physical and visual separation between the subject site and 37 Arrowtown-Lake Hayes Road, which at the time of this application is used for farming activity. As a result, there is no direct interface or shared boundary. Given this separation, the proposed permitted density, and the absence of shading or privacy concerns, the potential for adverse effects on properties to the east is minimal. Any future development that does not comply with the relevant PDP standards will be subject to further resource consent, at which point the associated effects can be appropriately assessed. Additionally, the use of Ayr Avenue as the sole vehicle access point ensures that traffic will remain on the formed road corridor and will not generate adverse effects on access, safety, or amenity for properties opposite the site.

Overall, effects on the owners and occupiers at 37 Arrowtown-Lake Hayes Road to the east are considered to be less than minor.

Lots to the west (547, 567, 575 & 589 Speargrass Flat Road)

The proposed subdivision is located within a Structure Plan area where residential development, including the creation of lots and building platforms, can be reasonably anticipated. The proposal complies with the minimum lot size, building platform size, and setback standards of the PDP, excluding a minor internal boundary infringement between Lots 7 and 8. The creation of three lots with one residential unit (including a residential flat) per lot falls within the density permitted by the PDP. While future buildings will require resource consent, the identification of building platforms provides a clear indication of the likely location of built form.

The generous lot sizes and flexibility within the building platforms provide opportunities for varied building placement, while complying with PDP standards for height, coverage (up to 500 m²), building materials, and light spill. No breaches to these standards are proposed at this stage. As a result, there are no shading concerns arising from the platform locations, and any future shading effects will be assessed through the resource consent process.

Traffic generated by the development will utilise the existing Ayr Avenue ROW, which is appropriate for residential use and avoids any adverse safety effects on neighbouring properties. All vehicle movements will be confined to this existing access, meaning there will be no traffic effects on properties to the south.

In terms of visual amenity, it is acknowledged that future buildings, particularly above 2.5 metres, are likely to be visible from properties to the south. However, ground-level visibility will be softened through existing and proposed landscaping. The retained planting, while not originally consented for residential purposes, is consistent with landscaping on neighbouring properties and will provide an appropriate level of visual integration. The proposal does not result in a stark contrast in the landscape or outlook and is compatible with the amenity values currently experienced in the area.

Furthermore, the proposed building platform locations are generally aligned with existing platforms within the residential block between the site and Lake Hayes. As such, the arrangement of development will not appear out of character or introduce an unexpected built form pattern. The recommended conditions of consent provided by Ms Guilbert are considered to effectively mitigate potential adverse effects arising from landscape and visual matters that can be addressed at this stage of the process, ensuring that the development remains consistent with the anticipated character and amenity values of the area.

Overall, the proposal is considered to result in effects on privacy, outlook, and visual amenity that are acceptable and consistent with what is anticipated under the PDP and LCU 8. The use of an established access, absence of shading or density-related effects, and retention of landscaping support the conclusion that adverse effects on owners and occupiers at 547, 567, 575 & 589 Speargrass Flat Road will be less than minor.

Other owners and occupiers in the vicinity

With regard to the wider vicinity, the site benefits from a degree of enclosure due to existing topography, vegetation, and the surrounding development pattern. As a result, there is little to no visibility of the site from public viewpoints or neighbouring properties beyond the immediate adjoining lots. The building platforms are located away from prominent ridgelines and recessed within the landscape, reducing their visual prominence. No elements of the proposal breach height or bulk and location standards, and no new access points or roading connections are proposed that would alter the existing visual character of the area. Given the site's limited visibility and the anticipated nature of residential development in this zone, the proposal is not expected to generate any adverse effects on the character, amenity, or outlook of the wider receiving environment. Any future development will be subject to resource consent, allowing further assessment of any site-specific visual or landscape effects if required.

In summary, the effects on owners and occupiers in the wider vicinity are considered to be less than minor.

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

In terms of section 95E of the RMA, and on the basis of the above assessment, no person is considered to be adversely affected.

Therefore, limited notification is not required under Step 3.

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

Special circumstances do not apply that require limited notification.

5. NOTIFICATION DETERMINATION

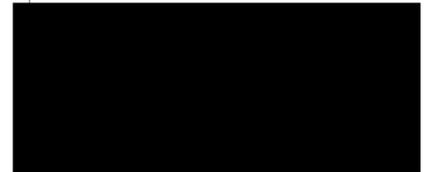
For the reasons set out in sections 3 and 4 of this notification decision report, under s95A and s95B of the RMA, the application is to be processed on a non-notified basis.

Prepared by

Decision made by



Megan Phillips
PLANNER



Dr Lee Beattie
INDEPENDENT COMMISSIONER

DECISION UNDER SECTION 104 OF THE RESOURCE MANAGEMENT ACT

6. S104 ASSESSMENT

This application must be considered in terms of Section 104 of the RMA.

Subject to Part 2 of the RMA, Section 104 sets out those matters to be considered by the consent authority when considering a resource consent application. Considerations of relevance to this application are:

- (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;*
 - (ii) *other regulations;*
 - (iii) *a national policy statement;*
 - (iv) *a New Zealand coastal policy statement;*
 - (v) *a regional policy statement or proposed regional policy statement;*
 - (vi) *a plan or proposed plan; and*
- (c) *any other matter the consent authority considers relevant and reasonably necessary to determine the application.*

6.1 EFFECTS ON THE ENVIRONMENT (s104(1)(a)&(ab))

Actual and potential effects on the environment have been outlined in the section 95 report. Conditions of consent can be imposed under s108 and s220 of the RMA as required to avoid, remedy or mitigate adverse effects (s104)(1)(a)).

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

Operative District Plan

The relevant operative objectives and policies are contained within sections 5 (Rural General), 14 (Transport) & 15 (Subdivision, Development and Financial Contributions) of the ODP.

Section 5 – Rural General

Objective 1 seeks to protect the character and landscape value of the rural area by promoting sustainable management of natural and physical resources and the control of adverse effects caused through inappropriate activities. Objective 3 seeks to avoid, remedy or mitigate adverse effects of activities on rural amenity. In this case, the proposal does not involve any significant physical changes to the landform or built environment. The residential use enabled through the subdivision is considered to be consistent with the existing development pattern in the surrounding area and will not introduce an intensity of use that is out of character.

There are considered to be no adverse effects on the life-supporting capacity of soils (Objective 2) or water (Objective 4) when undertaken as proposed.

Section 14 (Transport)

The proposed vehicle crossing and access arrangements are considered appropriate and capable of safely and efficiently servicing the site. Mr Hewland has confirmed that the access design complies with

relevant standards and provides for safe vehicle movements. As such, the proposal is considered to be consistent with the transport provisions of the ODP.

Section 15 - Subdivision, Development and Financial Contributions

Objective 1 of the Subdivision chapter seeks to ensure that necessary services are provided to newly created lots and developments, in anticipation of the likely effects of land use activities on those sites. Mr Hewland has confirmed that appropriate servicing and access can be achieved for the proposed lots, supporting their suitability for future residential activity. Furthermore, LINZ has confirmed that the proposed amalgamation is practical and can be implemented, addressing the requirements of Policy 1.12.

Objective 4 seeks to recognise and protect outstanding natural features, landscapes, and areas of nature conservation value. Objective 5 promotes the maintenance or enhancement of amenity values within the built environment through subdivision and development. In this instance, the subdivision is not anticipated to result in significant adverse effects on the character or visual amenity of the immediate or wider landscape. Expert recommendations have been incorporated into the proposal, including measures to protect and enhance existing landscaping, ensuring alignment with the intent of these provisions.

Overall, the proposal is considered to be consistent with the relevant objectives and policies of the ODP.

Proposed District Plan

The relevant operative objectives and policies are contained within Chapters 3 (Strategic Direction), 24 (Wakatipu Basin), 27 (Subdivision & Development) & 29 (Transport) of the PDP.

Chapter 3 – Strategic Direction

Policy 3.2.1.8 supports the diversification of land use in rural areas, provided that outstanding Natural Features and Outstanding Natural Landscapes are protected, the landscape character of Rural Character Landscapes is maintained, and their visual amenity values are maintained or enhanced; and significant nature conservation values and Ngāi Tahu values, interests and customary resources are maintained. Objective 3.2.5 seeks the retention of the district's distinctive landscapes.

The proposal seeks to provide for residential activity on a currently vacant lot. Whilst the subject site is within LCU8 and WBRAZ, residential activity is better provided for and anticipated within the Ayrburn Structure plan. As assessed above, the proposal is not considered to have significant adverse effects on the immediate and wider landscape character and visual amenity, with the protection of landscaping from previous resource consents and recommended ongoing conditions aiding in mitigating potential adverse effects at this stage of the land's development.

Objective 3.2.4 seeks to protect distinctive natural environments, including the life-supporting capacity of air, water, soil and ecosystems (policy 3.2.4.1). The proposal is not considered to be contrary to this.

Chapter 24 – Wakatipu Basin

The applicant's assessment under section 5.1 of the AEE is considered comprehensive and adopted for the purpose of this report with the following summary:

Relying on recommendations and reports from various professionals, the proposal is considered to be sufficiently absorbed into the receiving environment such that the effects on landscape character are mitigated, remedied and/or avoided.

Chapter 27 – Subdivision & Development

Relying on recommendations and reports from various professionals, the proposal is considered to be sufficiently absorbed into the receiving environment such that the effects on landscape character are mitigated, remedied and/or avoided. Furthermore, the proposal is not considered contrary to objectives specifically related to the Ayrburn Structure Plan.

Chapter 29 – Transport

The proposed access and vehicle crossing arrangements have been assessed against the objectives and policies of the Transport Chapter of the Proposed District Plan. The access is appropriately designed to support the anticipated residential activity, with Mr Hewland confirming compliance with relevant standards and performance criteria. The design ensures safe and efficient vehicle movements and does not compromise the transport network.

Overall, the proposal is considered consistent with the Objectives and policies of the PDP.

Weighing between Operative District Plan and Proposed District Plan

In this case, as the conclusions reached in the above assessment lead to the same conclusion under both the ODP and PDP, no weighting assessment is required.

6.3 SECTION 106 FOR SUBDIVISIONS

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

6.4 PART 2 OF THE RMA

The purpose of the RMA is to promote the sustainable management of natural and physical resources.

Under section 5, the proposal is considered to avoid adverse effects of activities on the environment and the life-supporting capacity of air, water, soil and ecosystems.

Under section 6, the subject lots are not within an Outstanding Natural Landscape (b) and are not considered to adversely affect those in the vicinity nor increase natural hazards (h). No other matters under section 6 are considered relevant.

Regarding section 7, the proposal does not seek to alter the environment past that permitted by the plan (c & f) and all others are not considered relevant.

The proposal is not considered to be contrary to Te Tiriti o Waitangi.

Overall, the proposal is considered to meet the purpose and principles of the RMA.

7.0 DECISION ON RESOURCE CONSENT PURSUANT TO SECTION 104 OF THE RMA

7.1 DECISION A ON SUBDIVISION RESOURCE CONSENT PURSUANT TO SECTION 104 OF THE RMA

Consent is granted for the subdivision of future lot 6 (of RM240982) into three residential lots and establish a building platform (1000m²) on each allotment and boundary adjustment between future lot 6 and lot 100 subject to the conditions outlined in Appendix 1 (Decision A) of this decision report imposed pursuant to Section 220 of the RMA.

7.2 DECISION B ON LAND USE RESOURCE CONSENT PURSUANT TO SECTION 104 OF THE RMA

Consent is granted for the internal setback breach subject to the conditions outlined in Appendix 1 (Decision B) of this decision report imposed pursuant to Section 108 of the RMA.

Prepared by



Megan Phillips
PLANNER

Decision made by



Dr Lee Beattie
INDEPENDENT COMMISSIONER

8.0 DEVELOPMENT CONTRIBUTIONS AND ADMINISTRATIVE MATTERS

Local Government Act 2002: Development Contributions

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

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

Administrative Matters

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

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

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

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

If you have any enquiries, please contact us at resourceconsent@qldc.govt.nz.

9.0 APPENDICES LIST

APPENDIX 1 – Consent Conditions

APPENDIX 2 – Applicant's AEE

APPENDIX 3 – Engineering Report

APPENDIX 4 – Stamped Plans

APPENDIX 1 – CONSENT CONDITIONS

For Your Information

Monitoring

The conditions in your decision will advise if monitoring is required. To assist with compliance of your resource consent, and to avoid your monitoring deposit being used before your development starts, please complete the “[Notice of Works Starting Form](#)” and submit it to the Monitoring Planners by email at RCMonitoring@qldc.govt.nz or via upload to the Community Portal using this [link](#).

Environmental Management Plan

Please be aware of your requirements to appropriately manage environmental effects associated with your activity. Site management means having adequate controls in place on your site. This will ensure compliance is achieved and harmful by-products of construction activities do not damage the environment or cause nuisance to neighbours. We’ve provided some [advice](#) to help you mitigate any possible adverse effects that may be generated on your site as a result of construction related activities.

Engineering Acceptance

You may also have conditions that require you to apply for Engineering Acceptance. To apply, please complete the Engineering Acceptance Application Form through the Community Portal, using this [link](#). Information to help you upload your forms and documents can be found [here](#). Further information regarding Engineering Acceptance can be found [here](#).

Development Contribution

If this decision requires a development contribution (DC) charge, we will be sending a notice in due course. To answer questions such as what is a DC charge, when a DC charge is triggered and timing of payments, this information is available [here](#). If you wish to make a DC estimate calculation yourself, please use this [link](#). Full details on current and past policies can be found [here](#).

DECISION A: SUBDIVISION CONSENT CONDITIONS

General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
 - ‘Lots 6-8 and 100 being a Proposed Subdivision of Proposed Lots 6 and 100 RM240982,’ Patersons, Project Q6388m, Revision I, Dated 04/07/2025
 - ‘Lots 6-8 and 100 being a Proposed Subdivision of Proposed Lots 6 and 100 RM240982,’ Patersons, Project Q6388m, Revision I, Dated 04/07/2025
 - ‘Proposed & Depth Contours Lots 6-8 and 100 being a Proposed Subdivision of Proposed Lots 6 and 100 RM240982,’ Patersons, Project Q6388m, Revision I, Dated 04/07/2025
 - ‘Stormwater Design Lots 6-8 and 100 being a Proposed Subdivision of Proposed Lots 6 and 100 RM240982,’ Patersons, Project Q6388m, Revision I, Dated 04/07/2025
 - ‘Crossing Detail Lots 6-8 and 100 Being a Proposed Subdivision of Proposed Lots 6 and 100 RM240982,’ Patersons, Project Q6388M, Revision D, dated 03/04/2025
 - ‘3 Lot Subdivision – Structural Planting’, Winton, Drawing No. AR-010, dated 30/07/2025

stamped as approved on 19 August 2025

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

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

3. This consent cannot be implemented until and unless the RM240982 subdivision plan is deposited which results in the creation of Lots 6 and 100 RM240982.

General

4. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 12th May 2025 and subsequent amendments to that document up to the date of issue of any resource consent.

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

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

5. At least 15 working days prior to any works commencing on site the Consent Holder shall submit the finalised Environmental Management Plan (EMP) to Council's Monitoring and Enforcement Team for review and acceptance **HOLD POINT 1**. This document must be prepared by a Suitably Qualified and Experienced Person. The EMP shall be in accordance with the principles and requirements of the Queenstown Lakes District Council's Guidelines for Environmental Management Plans and specifically shall address the following environmental elements as specified in the guidelines:
 - a. Administrative Requirements
 - i. Weekly site inspections
 - ii. Notification and management of environmental incidents
 - iii. Records and registers
 - iv. Environmental roles and responsibilities of personnel (including nomination of Principal Contractor)
 - v. Site induction
 - b. Operational Requirements
 - i. Erosion and sedimentation (including Erosion and Sediment Control Plan) to be prepared by a Suitably Qualified and Experienced Person
 - ii. Water quality
 - iii. Dust
 - iv. Cultural heritage
 - v. Indigenous vegetation clearance
 - vi. Chemical and fuel management
 - vii. Waste management

The EMP (and any sub-plans e.g. ESCP described below) shall also be consistent with any recommendations outlined in the Enviroscope report titled 'Environment Management Plan (Revision B)' dated 01 May 2025.

6. Prior to ground-disturbing activities on the initial stage of works or any subsequent new stage of works, the Consent Holder shall engage an Appropriately Qualified Person to prepare and submit an Erosion and Sediment Control Plan (ESCP) to Council's Monitoring and Enforcement Team for review and acceptance. This plan shall be a sub-plan of the overarching EMP and must be prepared in accordance with the requirements outlined on pages 13 – 18 in Queenstown Lakes District Council's Guidelines for Environmental Management Plans. These plans must be updated when:
 - a. The construction program moves from one Stage to another; or
 - b. Any significant changes have been made to the construction methodology since the original plan was accepted for that Stage; or
 - c. There has been an Environmental Incident and investigations have found that the management measures are inadequate.

7. Prior to commencing ground-disturbing activities, the Consent Holder shall nominate an Environmental Representative for the works program in accordance with the requirements detailed on pages 9 and 10 of the Queenstown Lakes District Council's Guidelines for Environmental Management Plans.
8. Prior to commencing ground disturbing activities, the Consent Holder shall ensure that all staff (including all sub-contractors) involved in, or supervising, works onsite have attended an Environmental Site Induction in accordance with the requirements detailed on page 8 of the Queenstown Lakes District Council's Guidelines for Environmental Management Plans.
9. The owner of the land being developed shall provide a letter to the Manager of Resource Management Engineering at Council advising who their representative is for the design and execution of the engineering works and construction works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under Sections 1.7 & 1.8 of QLDC's Land Development and Subdivision Code of Practice, in relation to this development.
10. At least 7 days prior to commencing earthworks the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified geo-professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who shall supervise the earthworks and undertake inspection and assessment as necessary to provide a Schedule 2A certificate and geotechnical completion report as required under Condition (10f). This shall include subsurface investigations as necessary to determine the liquefaction risk and any necessary mitigation.
11. The consent holder shall obtain and implement a traffic management plan approved by Council prior to undertaking any works within or adjacent to Council's Road reserve that affects the normal operating conditions of the road reserve through disruption, inconvenience or delay. The Traffic Management Plan shall be prepared by a certified Temporary Traffic Management Planner (TTMP) as validated either by a current CoPTTM certification or a relevant NZQA framework registered qualification, unit standard or micro credential. All contractors obligated to implement temporary traffic management plans shall employ a qualified Site Traffic Management Supervisor (STMS) to manage the site in accordance with the requirements of the NZTA's "Traffic Control Devices Manual Part 8: Code of practice for temporary traffic management". The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering prior to works commencing.
12. Prior to commencing works on the site, with the exception of earthworks including associated controls approved through the Environmental Management Plan (EMP) process within this consent, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application shall include all development items listed below unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council for review, prior to acceptance being issued. At Council's discretion, specific designs may be subject to a Peer Review, organised by the Council at the applicant's cost. The 'Engineering Review and Acceptance' application(s) shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition (1), to detail the following requirements:
 - a. The provision of a water supply to Lots 6-8 in terms of Council's standards and connection policy. This shall include an Acuflo GM900 as the toby valve and an approved water meter as detailed in QLDC Water Meter Policy (Appendix A), dated June 2017. The costs of the connections shall be borne by the consent holder.
 - b. The provision of fire hydrants with adequate pressure and flow to service and maintain the subdivision with a Class FW2 fire risk in accordance with the NZ Fire Service Code of Practice for Firefighting Water Supplies 2008. Any lesser risk must be approved in writing by Fire &

Emergency NZ, Queenstown Office. Evidence of adequate flow testing to hydrants shall be submitted to Council prior to subdivision completion.

- c. The provision of a low pressure foul sewer connection from the boundary of Lots 6-8 to Ayrburn's reticulated sewerage system in accordance with Council's standards and connection policy.. This shall include a boundary kit for each lot including non-return valve, isolating valve, and flush point.
- d. The provision of stormwater management and secondary flow paths to contain overland flows in the critical 1% AEP storm event so that there is no inundation of any buildable areas on Lots 6-8, and no increase in run-off onto land beyond the site from the pre-development situation.
- e. The provision of Design Certificates for all engineering works associated with this subdivision submitted by a suitably qualified design professional (for clarification this shall include, but not limited to, all Roads, Water, Wastewater and Stormwater Infrastructure). The certificates shall be in the format of the QLDC's Land Development and Subdivision Code of Practice Schedule 1A Certificate.

To be monitored throughout earthworks

13. No permanent batter slope within the site shall be formed at a gradient that exceeds 1(V):2(H).
14. No earthworks, temporary or permanent, are to breach the boundaries of the site.

During construction:

15. All works shall be undertaken in accordance with the most current version of the EMP as accepted as suitable by Council.
16. The EMP shall be accessible on site at all times during work under this consent.
17. The Consent Holder shall establish and implement document version control. Council shall be provided with an electronic copy of the most current and complete version of the EMP at all times.
18. The Consent Holder shall develop and document a process of periodically reviewing the EMP as outlined on page 6 of the Queenstown Lakes District Council's Guidelines for Environmental Management Plans. No ground disturbing activities shall commence in any subsequent stage of development until an EMP has been submitted and deemed suitable by Council's Monitoring and Enforcement Team.
19. The Consent Holder shall undertake and document weekly and Pre and Post-Rain Event site inspections as detailed on pages 10 and 11 of the Queenstown Lakes District Council's Guidelines for Environmental Management Plans.
20. A SQEP shall monitor the site monthly to ensure that the site is complying with its EMP, identify any new environmental risks arising that could cause an environmental effect and suggest alternative solutions that will result in more effective and efficient management. This must include a specific audit by the SQEP of the effectiveness of the ESCP. The outcome of these inspections should be included in the Monthly Environmental Report referred to Condition 12 below.
21. Consent Holder shall complete and submit exception reporting to QLDC in the form of a monthly environmental report. The monthly environmental report shall be submitted to QLDC's Regulatory Department within five (5) working days of the end of each month.
22. In accordance with page 9 of the Queenstown Lakes District Council's Guidelines for Environmental Management Plans, where any Environmental Incident where the EMP has failed leading to any adverse environmental effects offsite occurs, the Consent Holder shall:

- a. Report to QLDC details of any Environmental Incident within 12 hours of becoming aware of the incident.
 - b. Provide an Environmental Incident Report to QLDC within 10 working days of the incident occurring as per the requirements outlined on page 9 of Queenstown Lakes District Council's Guidelines for Environmental Management Plans.
23. Environmental records are to be collated onsite and shall be made available to QLDC upon request; immediately if the request is made by a QLDC official onsite and within 24 hours if requested by a QLDC officer offsite. Records and registers to be managed onsite shall be in accordance with the requirements outlined on page 14 of the Queenstown Lakes District Council's Guidelines for Environmental Management Plans.
24. Any Discharge (refer definition in the Queenstown Lakes District Council's Guidelines for Environmental Management Plans) that leaves the site shall comply with the Water Quality Discharge Criteria outlined on page 19 of the Guideline.
25. No earthworks, temporary or permanent, are to breach the boundaries of the site.

To be completed before Council approval of the Survey Plan

26. Prior to the Council signing the Survey Plan pursuant to Section 223 of the Resource Management Act 1991, the consent holder shall complete the following:
- a. All necessary easements shall be shown in the Memorandum of Easements attached to the Survey Plan and shall be duly granted or reserved.
 - b. A 243e certificate is to be provided for signing and noted on the title plan that the right of way created by EC 585936.1 over Area Y DP 540788 on Lot 2 DP 540788 (formerly Area A DP 18109 on Lot 1 DP 18109) shall be partially surrendered in so far as it relates to Lots 6-8 hereon.

Amalgamation Condition

27. The following shall be registered with Land Information New Zealand:

A. If Stage 1 RM240982 has occurred, then the following amalgamation conditions shall be registered with Land Information New Zealand (CSN 1951446):

- a. Lots 1000,101, and one undivided 1/3 share in Lot 102, all on DP 617798, and one undivided 1/3 share in Lot 100 hereon shall be held in the same Record of Title
- b. Lots 4000, 5, and two undivided 1/3 shares in Lot 102, all on DP 617798 and two undivided 1/3 shares in Lot 100 hereon shall be held in the same Record of Title

Note: Stage 1 of RM240982 now has an allocated Land Transfer number of LT 617798

OR

B. If Stages 2 and/or 3, or no staging of RM240982 has occurred then the following amalgamation conditions shall be registered with Land Information New Zealand, as relevant (CSN 1951446):

- a. Lots 1, 101, 103, and one undivided 1/3 share in Lot 102, all on RM240982, and one undivided 1/3 share in Lot 100 hereon shall be held in the same Record of Title
- b. Lots 4, 5 and two undivided 1/3 shares in Lot 102, all on RM240982, and two undivided 1/3 shares in Lot 100 hereon shall be held in the same Record of Title

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

28. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
- a. The submission of 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this subdivision at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include as applicable all Roads (including rights of way and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
 - b. The completion and implementation of all works detailed in Condition (12) above.
 - c. Sealed vehicle Crossings/access to each residential lot from Ayr Avenue as per application plans.
 - d. The provision of a commercial backflow prevention assembly on the 315mm diameter watermain which services the site. The assembly shall include approved isolation valves, a strainer and high risk backflow prevention with provision for water metering and shall be located within private property adjacent to the Arrowtown Lake Hayes Road Reserve boundary. The system shall be designed and installed in accordance with Council Standards, QLDC Back Flow Prevention Policy and relevant manufacturers standards to the satisfaction of the QLDC subdivision inspector and be assessed under EA (RM180584). The costs of the system shall be borne by the consent holder.
 - e. Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kVA capacity) to the boundary of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
 - f. Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the boundary of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met or confirmation shall be provided by the consent holder that an alternative, wireless means of telecommunications, such as satellite is to be provided.
 - g. All works, geotechnical investigations and fill certification shall be carried out under the guidance of a suitably qualified and experienced geotechnical professional as described in Section 2 of the Queenstown Lakes District Council's Land Development and Subdivision Code of Practice. At the completion of onsite works, the geo-professional shall incorporate the results of ground bearing test results for each residential allotment within the subdivision regardless of whether affected by development cut and fill earthworks and include the issue of a Geotechnical Completion Report and Schedule 2A certificate covering all lots within the subdivision.
 - h. The Schedule 2A certification shall include a statement under Clause 3(e) covering Section 106 of the Resource Management Act 1991. In the event the Schedule 2A includes limitations or remedial works against any lot(s), the Schedule 2A shall include a geotechnical summary table identifying requirements against each relevant lot in the subdivision for reference by future lot owners. Any remedial works outlined on the Schedule 2A that requires works across lot boundaries shall be undertaken by the consent holder prior to 224(c) certification being issued.
 - i. The submission of Completion Certificates from the Contractor and the Engineer advised in Condition 2 for all engineering works completed in relation to or in association with this subdivision (for clarification this shall include as applicable, but not be limited to, all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of a

Producer Statement, or the QLDC's Land Development and Subdivision Code of Practice Schedule 1B and 1C Certificate.

- j. The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- k. Hydrant testing shall be carried out during the peak period of an average day (7:30 – 9:30am 4pm – 6:00pm) to confirm that there are sufficient hydrants with adequate pressure and flow to service the development with a Class FW2 fire risk in accordance with Appendix G of SNZ PAS 4509:2008 NZ Fire Service Code of Practice for Firefighting Water Supplies. Any lesser risk must be approved in writing by Fire & Emergency NZ, Queenstown Office. The testing shall be carried out by a suitably qualified and experienced person (SQEP) as defined in section 1.8 of QLDC's Land Development and Subdivision Code of Practice and evidence of the SQEP suitability to undertake or oversee such testing shall be submitted with the hydrant testing results. The results shall be submitted to Council and all related costs shall be borne by the consent holder.
- l. All earthworked areas shall be top-soiled and revegetated or otherwise permanently stabilised.
- m. The consent holder shall remove all spindly laurel plants from the southern boundary hedge and replace with a grade that matches the height and width of the adjacent healthy hedge plants.
- n. The consent holder shall replace any trees within the Tree Protection Area that have been removed as part of the subdivision works on a like for like basis.

Landscaping

- 29. The approved planting shall be implemented in the first planting season following the issue of Section 224(c) certification and thereafter maintained to ensure healthy and continuous vegetation cover.

Ongoing conditions/consent notice conditions

- 30. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to s.221 of the Act.
 - a. All residential buildings and accessory buildings shall be contained within the approved residential building platform
 - b. All residential curtilage activities, including but not limited to vehicle parking, outdoor living areas, landscaping and all residential structures or features not forming part of a building, shall be contained within the approved curtilage area.
 - c. All landscaping granted under the landscape plan titled '*3 Lot Subdivision – Structural Planting*', prepared by Winton, dated 30 July 2025, and RM210609 shall be maintained in accordance with those plans. If any tree, plant or landscaping feature shall decay, die or become diseased, it shall be replaced within 12 months as per the plan.
 - d. External lighting (attached to buildings or otherwise) shall be fitted with covers and be oriented downwards to minimise external light spill
 - e. All water tanks, gas bottles, rubbish storage, and other onsite infrastructure shall be screened to prevent them from being visible from outside the Lots.
 - f. Any fencing shall be limited to hedging no greater than 3m in height and / or post and rail or post and wire no greater than 1.2m high, or a solid wooden fence no greater than 2m in height provided it is lined on both sides by Portuguese Laurel hedging (minimum PB12 grade, planted at 1.0m centres).

- g. All gates shall be of a rural style comprising timber rail or steel rail. Timber closeboard type gates are not permitted.
- h. Any buildings constructed shall use inert roofing materials. If non-inert roofing materials are proposed, a site-specific stormwater contaminant treatment plan must be submitted and approved by Council prior to building consent being granted.
- i. All driveways to be finished in asphalt, chipseal, exposed aggregate concrete with charcoal oxide, or a gravel surface.
- j. Any stormwater management of driveways shall be rock-lined, grassed, or planted swales and rain gardens.
- k. The landowner is responsible for the ongoing implementation of the '*Ayr Residence, Lots 6, 7, & 8 Stormwater Devices Operation and Maintenance Plan*,' prepared by CKL as part of the report titled '*3 Lot Subdivision Ayrburn, Arrowtown Stormwater and Flood Risk Assessment*,' dated 26 March 2025
- l. A consent notice pursuant to s.221 of the Resource Management Act 1991 shall be registered on the Records of Title for the relevant lots providing for the performance of any ongoing requirements for protection of secondary flow paths, where deemed necessary by Council to satisfy Condition 12(d) above whilst maintaining a minimum ground floor building foundation level requirement to underside of floor slab/joists of 349.5m or greater (Dunedin 1958 vertical datum). The final wording of the consent notice instrument shall be checked and approved by the Council's solicitors at the consent holder's expense prior to registration to ensure that all of the Council's interests and liabilities are adequately protected.
- m. In the event that the Schedule 2A certificate and Geotechnical Completion Report issued under Condition (28f) contains limitations, such as specific foundation requirements for each lot that does not meet NZS3604 foundation conditions, or remedial works required on particular lots, then a consent notice shall be registered on the Records of Title for the affected lots detailing requirements for the lot owner(s).
- n. Any vehicle crossing/access link with Ayr Avenue that is constructed at the time of subdivision shall not be moved, realigned or widened, unless otherwise approved via a resource consent.
- o. The owners of Lots 6-8 are advised that the property is serviced via a Pressure Sewer System as defined in the Queenstown Lakes District Council Pressure Sewer Policy. At the time a residential unit is constructed on the lots, the owners for the time being shall:
 - i. Arrange for a suitably qualified person (Approved Supplier) to design and install all private pressure sewer system components (On-property Equipment) to connect with the existing pressure sewer lateral and boundary kit installed at the boundary of the lot. Telemetry shall be included to control pump timing to avoid peak flow times. The On-property Equipment (including the grinder pump, collection tank, electrical and control system and related pipework) shall be installed and commissioned by an Approved Supplier in accordance with the requirements of the Queenstown Lakes District Council Pressure Sewer Policy and the detailed installation, maintenance and operation guidelines (Home Owners Manual) associated with the pressure sewer system components.
 - ii. The individual lot owners shall be responsible for the ongoing operation, monitoring and maintenance of all On-property Equipment within each lot in accordance with the Home Owners Manual and the requirements of the Queenstown Lakes District Council Pressure Sewer Policy.
- p. At the time a building is erected on the lot, the owner for the time being shall engage a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice to design a stormwater disposal system that is to provide stormwater disposal from all impervious areas within the site for the critical 5% AEP storm event. The

proposed stormwater system shall be subject to the review of Council prior to implementation and shall be installed prior to occupation of the residential unit. This shall include:

- i. Percolation testing shall be undertaken at the individual soak pit locations to confirm soakage. A copy of the test results shall be provided to Council and shall be in general accordance with the 'Acceptable Solutions and Verification Methods for New Zealand Building Code Clause: E1 Surface Water'.
 - ii. The final design and sizing of each soak pit shall be based on the individual percolation test results and provided to Council for acceptance prior to installation of the individual soak pit infrastructure
 - iii. The lot owner for the time being shall be responsible for the ongoing monitoring and maintenance of the stormwater disposal system in perpetuity to ensure the soak pits continue to provide adequate soakage and do not become blocked or damaged.
- q. If during development no hardwired telecommunication connection (wire or fibre optic) has been provided to the allotment, any telecommunication reticulation that is subsequently installed shall be at the cost of the lot owner for time being and protected with any necessary easements. The services shall be underground and in accordance with the telecommunication network provider's requirements.
31. In the event that the Engineering Acceptance issued under Condition (10) contains ongoing conditions or requirements associated with the installation, ownership, monitoring and/or maintenance of any infrastructure subject to Engineering Acceptance, then at Council's discretion, a consent notice (or other alternative legal instrument acceptable to Council) shall be registered on the relevant Records of Title detailing these requirements for the lot owner(s). The final form and wording of the document shall be checked and approved by Council's solicitors at the consent holder's expense prior to registration to ensure that all of the Council's interests and liabilities are adequately protected. The applicant shall liaise with the Subdivision Officer and/or Manager of Resource Management Engineering at Council in respect of the above. All costs, including costs that relate to the checking of the legal instrument by Council's solicitors and registration of the document, shall be borne by the applicant.

Note: This condition is intended to provide for the imposition of a legal instrument for the performance of any ongoing requirements associated with the ownership, monitoring and maintenance of any infrastructure within this development that have arisen through the detailed engineering design and acceptance process, to avoid the need for a consent variation pursuant to s.127 of the Resource Management Act

Advice notes

- a) This site may contain archaeological material. Under the Heritage New Zealand Pouhere Taonga Act 2014, the permission of the Heritage New Zealand Pouhere Taonga must be sought prior to the modification, damage or destruction of any archaeological site, whether the site is unrecorded or has been previously recorded. An archaeological site is described in the Act as a place associated with pre-1900 human activity, which may provide evidence relating to the history of New Zealand. These provisions apply regardless of whether a resource consent or building consent has been granted by Council. Should archaeological material be discovered during site works, any work affecting the material must cease and the Heritage New Zealand Pouhere Taonga must be contacted (Dunedin office phone 03 477 9871).
- b) The consent holder is advised to obtain any necessary consents from the Otago Regional Council for the Earthworks.
- c) The consent holder is advised of their obligations under Section 114 Building Act 2004 which requires the owner to give written notice to Council's Building Department of any subdivision of land which may affect buildings on the site. It is the consent holder's responsibility to ensure that the subdivision does not result in any non-compliances with the building regulations.

- d) If this consent triggers a requirement for Development Contributions, please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information, please contact the DCN Officer at Council.

DECISION B: LAND USE CONSENT CONDITIONSGeneral Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
 - 'Lots 6-8 and 100 being a Proposed Subdivision of Proposed Lots 6 and 100 RM240982,' Patersons, Project Q6388m, Revision I, Dated 04/07/2025
 - 'Lots 6-8 and 100 being a Proposed Subdivision of Proposed Lots 6 and 100 RM240982,' Patersons, Project Q6388m, Revision I, Dated 04/07/2025
 - 'Proposed & Depth Contours Lots 6-8 and 100 being a Proposed Subdivision of Proposed Lots 6 and 100 RM240982,' Patersons, Project Q6388m, Revision I, Dated 04/07/2025
 - '3 Lot Subdivision – Structural Planting', Winton, Drawing No. AR-010, dated 30/07/2025

stamped as approved on 19 August 2025

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

2. This consent shall not be exercised and no work or activity associated with it may be commenced or continued until the following charges have been paid in full: all charges fixed in accordance with section 36(1) of the Resource Management Act 1991 and any finalised, additional charges under section 36(3) of the Act.
3. The consent holder is liable for costs associated with the monitoring of this resource consent under Section 35 of the Resource Management Act 1991.

APPENDIX 2 – APPLICANT’S AEE



APPLICATION FOR RESOURCE CONSENT

To undertake a 4 lot subdivision at
Ayrburn

11 April 2025

Updated 21 May 2025

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



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

APPLICANT AND PROPERTY DETAILS

Applicant's name:	Waterfall Park Developments Limited (WPDL)
Address for Service:	C/- Lauren Christie Ayrburn [REDACTED]
Address for invoicing:	As above
Site Address:	1 Ayr Avenue, Arrowtown
Legal Description:	Currently part of Lot 4 DP 540788 (Future Lot 6 & Lot 100, RM240982) ¹
Plan Zone:	Wakatipu Basin Rural Amenity Zone Waterfall Park Zone
Activity Status:	Restricted Discretionary

¹ The land subject to this application is currently part of Lot 4 DP540788. However, RM240982, which is currently being processed by Council, is a nine-lot subdivision which, when approved, will create Lot 6 and Lot 100 RM240982. This proposal seeks consent to subdivide Lot 6 and Lot 100 RM240982. The applicant volunteers a condition of consent that this consent cannot be implemented until and unless the RM240982 scheme plan of subdivision is deposited which results in the creation of Lots 6 and 100 RM240982.

Prepared for:	<i>Waterfall Park Developments Limited (WPDL)</i>
Date:	<i>11 April 2025 (Updated 21 May 2025)</i>
Prepared by:	<i>Morgan Shepherd</i>
Reviewed by:	<i>Christine Edgely</i>

Declaration

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

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

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

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



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

Waterfall Park Developments Limited

11 April 2025

(Updated 21 May 2025)

ATTACHMENTS

- A** An assessment of effects on the environment in accordance with the Fourth Schedule to the Act.
- B** Record of Title
- C** Subdivision Scheme Plan
- D** Landscape Assessment
- E** Water & Wastewater Memo
- F** Stormwater Management Plan
- G** Environmental Management Plan
- H** Transport Assessment
- I** Draft Conditions of Consent
- J** Written Approval
- K** Form 9

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FOURTH SCHEDULE ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

1. A DESCRIPTION OF THE PROPOSAL

1.1. Scope of this Document

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

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

- A description of the site and surrounding locality;
- Consent history;
- A description of the proposal;
- Relevant provisions of the QLDC's Proposed District Plan (**PDP**);
- An assessment of effects on the environment;
- Part 2 RMA considerations;
- Section 95A Assessment.

1.2. The site and locality

The site is located adjoining Arrowtown-Lake Hayes Road and Ayr Avenue in the Wakatipu Basin.

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



Figure 1. Aerial photograph identifying general location and extent of subject site (outlined in red)

The site is subject to a subdivision consent application (RM240982) seeking to create bulk titles for the Residential Activity Areas of the Ayrburn Structure Plan.

This application relates to proposed Lot 6 and proposed Lot 100 of RM240982 which is shown in Figure 2 below.

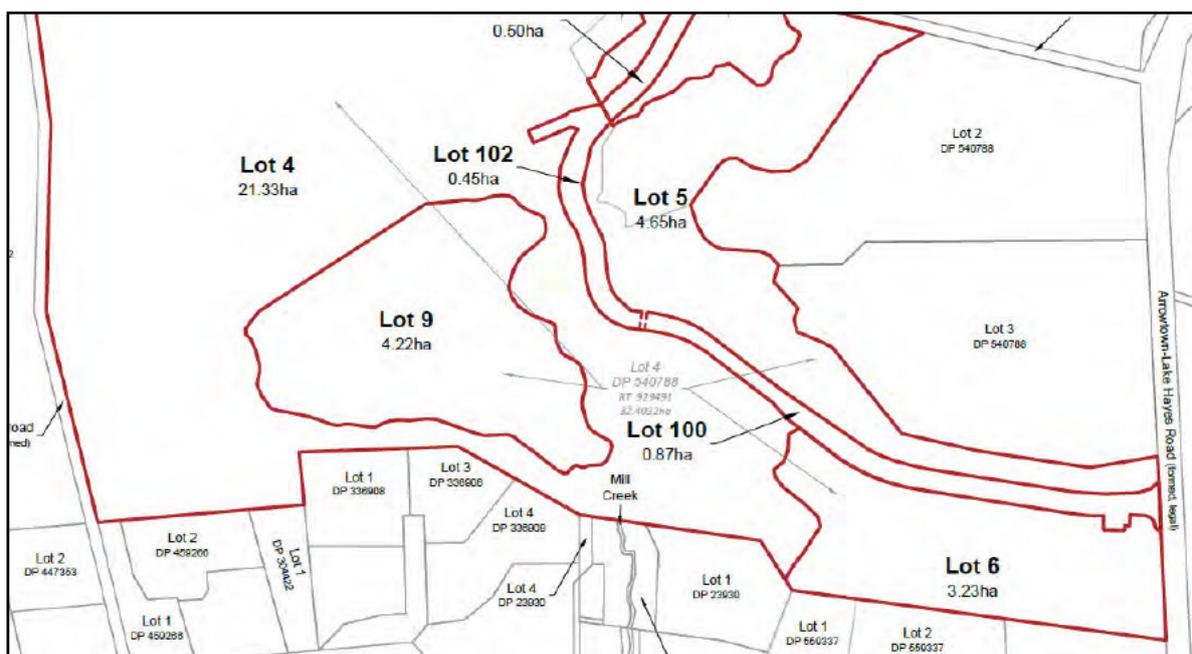


Figure 2. Proposed subdivision scheme plan (RM240982)

1.3. Development and Consent History

The following resource consents have been granted and are of relevance to the site and the proposal:

- RM171280** Consent to build a road and bridge to access the Waterfall Park Zone.
- RM180584** A comprehensive consent for a hotel (with 380 guest rooms), including two restaurants, a bar, conference centre/large event facilities within the reception building. This consent also includes restoration and repurposing of existing heritage farm buildings, two new storage buildings, wellness centre, wedding chapel, bridges, culverts and crossings for vehicles and pedestrians over Mill Creek and extensive revegetation and ecological enhancement.
- RM181608** Boundary adjustment between Millbrook and Waterfall Park land.
- RM200290** Application to undertake a 6 lot subdivision to separate the historic farm buildings from the site of the proposed hotel development approved under RM180584. The subdivision included amalgamations, the creation of roading lots and the creation of an esplanade strip on Lot 5. Land use consent for a parking shortfall associated with the proposed activity on Lot 5 (approved under RM180584) was also sought. This consent was refused and that decision was appealed. The appeal has been withdrawn.
- RM210591** Consent to vary the consented use of two of the Ayrburn stone farm buildings (RM180584) to enable a broader range of commercial activity to be undertaken, and an extension to the existing carparking area for an additional six spaces.
- RM211193** Consent for the extension of the hospitality activities in existing historic buildings and within new buildings. This consent also included the use of the outdoor “Dell” area for up to 12 temporary events per year and associated parking.
- RM220829** Consent to construct and operate the Barrel Room, including for use as a restaurant / bar.
- RM220874** Consent to vary RM211193, and for commercial activity in the Bakehouse with service access.

- RM220926** Consent for the construction and operation of a village for later living (to be known as Northbrook) and a hotel within the Waterfall Park Zone, comprising of six principal buildings, sheds, landscaping, access, parking and loading, and related earthworks.
- RM230163** Consent to carry out earthworks to construct Frost Fighting Ponds.
- RM230229** Application for Rights of Way under Section 348 of the Local Government Act 1974 to create easements in favour of Council for achieving legal access to Ayrburn Domain and to ensure public pedestrian access through the site from the southern boundary to the northern waterfall.
- RM230425** Consent for a function venue known as the “Haybarn”, an overflow carpark and bus stop, and service access.
- RM230645** Consent to vary RM180584 to allow commencement of commercial activities at Ayrburn Domain and allow public access via Ayr Avenue.
- RM230909** Certificate of compliance for freshwater farming of Kōura in ponds, their commercial harvesting, and commercial recreational harvesting by the public.
- RM240135** Consent to vary RM211193 for design amendments to the Bakehouse and for a new chiller/storage building.
- RM240314** Consent for a one-off temporary event (Synthony) at the Dell for three consecutive days from 1 February – 31 May 2025.
- RM240982** Application to undertake a 9-lot subdivision, including proposed esplanade strips, to reflect the approved and constructed development across Ayrburn and the future development enabled by the Ayrburn Structure Plan. This application is currently being processed.

1.4. The proposal

The applicant proposes to subdivide future Lot 6 (RM240982) into three residential lots and establish a building platform (1000m²) on each allotment as seen below in *Figure 3* and the Subdivision Scheme Plan (**Attachment C**). It is also proposed to adjust the boundaries between future Lot 6 and Lot 100 (RM240982).

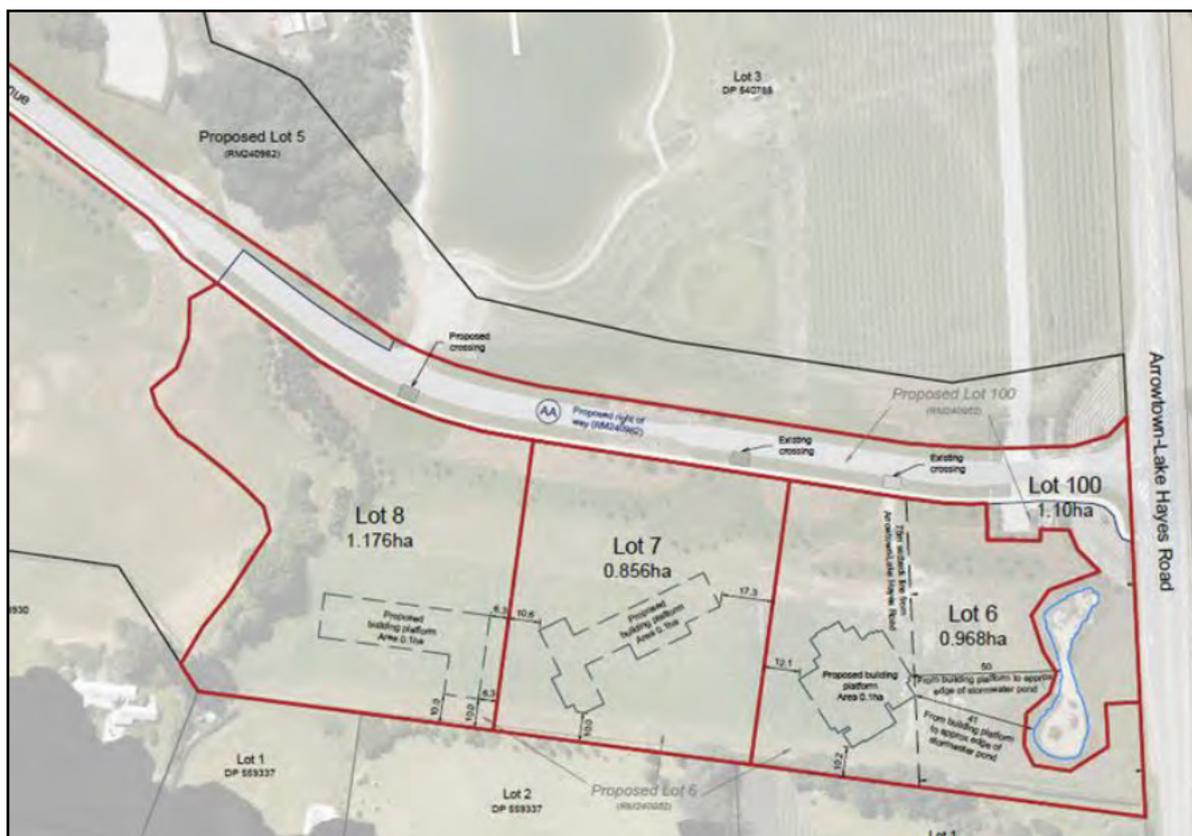


Figure 2. Proposed subdivision plan

Proposed Lot 6 is closest to Arrowtown-Lake Hayes Road, has a total area of 0.968 hectares and an existing vehicle crossing onto Ayr Avenue.

Proposed Lot 7 has a total area of 0.856 hectares and an existing vehicle crossing onto Ayr Avenue.

Proposed Lot 8 has a total area of 1.176 hectares and a proposed vehicle crossing will be constructed to provide access from Ayr Avenue.

Proposed Lot 100 will contain the existing stormwater pond located adjacent to the Arrowtown – Lake Hayes Road, which has been created to take stormwater from Ayr Avenue and is therefore more appropriately part of Lot 100 which contains Ayr Avenue.

There is sufficient capacity within the existing water supply which connects to the Council water main at the intersection of Speargrass Flat Road and Arrowtown-Lake Hayes Road, as discussed in the Water & Wastewater Assessment (**Attachment E**). The wastewater solution for the proposal involves connecting to the existing wastewater infrastructure on Ayr Avenue.

With respect to stormwater, it is proposed to provide a treatment train approach to treat stormwater run off from the sites as set out in the Stormwater Management Plan (**Attachment F**). All runoff from the proposed lots will be piped along the southern boundary and then conveyed through a grassed swale along the floodplain through the flood bund and ultimately to Mill Creek.

The proposal also includes the following earthworks to achieve required finished floor levels (minimum freeboard requirement of RL 349.5m) and create level building platform and surrounding areas:

- Total cut: 980³
- Total fill: 1,750m³
- Total volume: 2,750m³
- Maximum cut: 0.8m

- Maximum fill: 0.7m
- Total area: 16,000m²

All erosion and sediment controls will be established in accordance with Auckland Council's Guide for Land Disturbing Activities (GD05) and earthworks will be undertaken in accordance with an Environmental Management Plan (EMP) prepared by a suitably qualified and experienced person.

2. RESOURCE MANAGEMENT MATTERS

The subject site is zoned Wakatipu Basin Rural Amenity Zone (**WBRAZ**) under the Proposed District Plan (**PDP**).



Figure 3. PDP zoning of site (light blue illustrates Wakatipu Basin Rural Amenity Zone)

The site subject to this application is currently part of Lot 4 DP540788. However RM240982, which is currently being processed by Council, is a nine lot subdivision which, when approved, will create Lot 6 and Lot 100 RM240982 which this application relates to. The site is located within one Residential Activity Area of the Ayrburn Structure Plan as seen in *Figure 4* below.

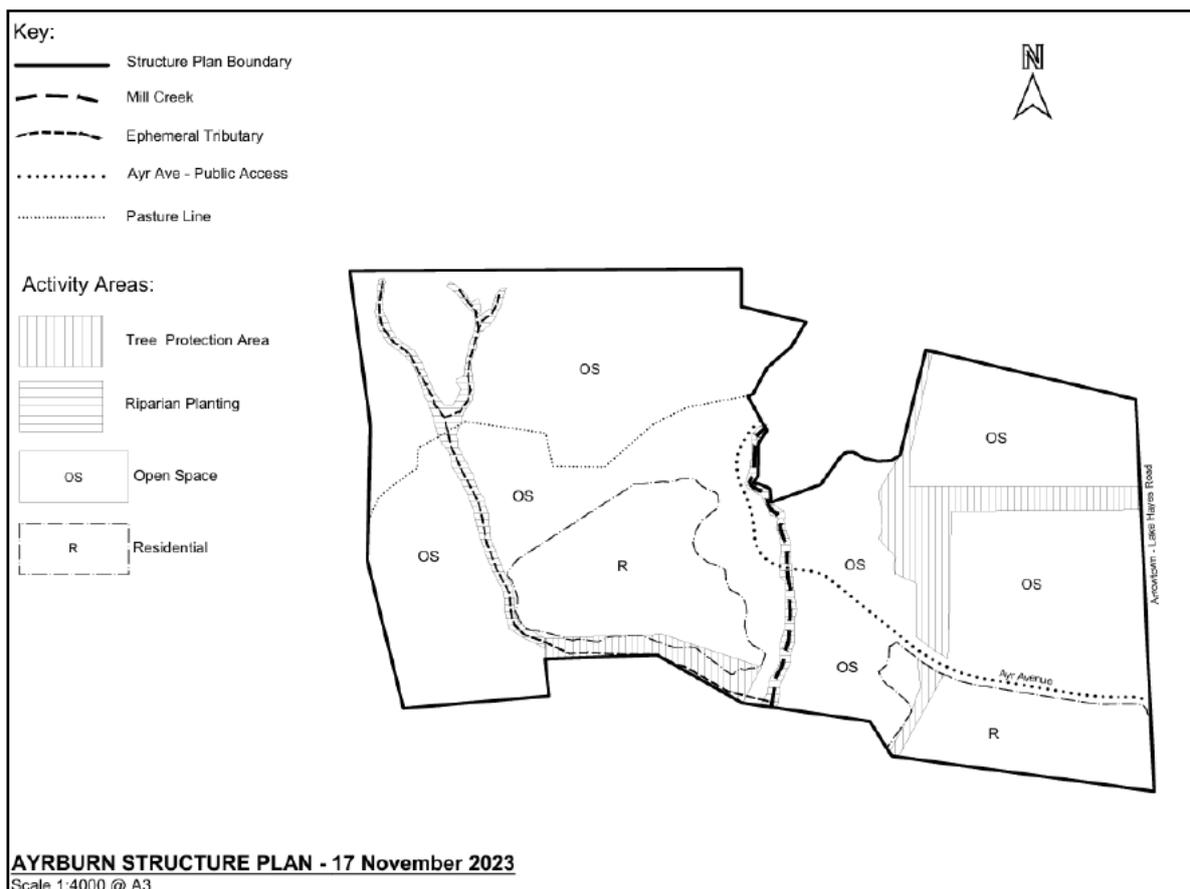


Figure 4. Ayrburn Structure Plan

The relevant provisions are assessed in the following tables.

Table 1. Chapter 27 – Subdivision and Development Activity Rules

Rule	For	Activity Status / Consent required?
Chapter 27 – Subdivision and Development Activity Rules		
27.5.9	All subdivision, unless otherwise provided for, in the Wakatipu Basin Rural Amenity Zone or the Wakatipu Basin Lifestyle Precinct. <u>Advice Note:</u> Refer to the Wakatipu Basin Rural Amenity Zone location specific rules in 27.7.18 – 27.21	Yes – Restricted Discretionary activity consent is required for the proposed subdivision.
27.5.22	Subdivision that does not comply with the minimum lot areas specified in Part 27.6 with the exception of the Jacks Point Zone which is assessed pursuant to Rule 27.5.18 and Coneburn Industrial Zone Activity Area 2a which is assessed pursuant to Rule 27.5.19 and Wakatipu Basin Lifestyle Precinct Rules 27.5.20 and Cardrona Settlement Zone which is assessed pursuant to Rules 27.5.31 and 27.5.32.	No – Non-Complying activity consent is not required as the proposed subdivision complies with the minimum lot areas specified in Part 27.6.

Rule	For	Activity Status / Consent required?
27.5.28	Subdivision that does not comply with the standards related to servicing and infrastructure under Rule 27.7.39 ² .	No – Non-Complying activity consent is not required as the proposed lots will comply with the servicing and infrastructure standards.
27.6.2	Lots created for access, utilities and reserves shall have no minimum size.	Proposed Lot 100 contains access and utilities (stormwater pond) and therefore no minimum lot size applies.
27.7.1	Subdivision consistent with a Structure Plan that is included in the District Plan (except Structure Plans 27.13.7 Criffel Station, 27.13.9 Frankton North, 27.13.13 Connell Terrace, 27.13.14 Ballantyne Road, 27.13.19 Lake Hawea South and 27.13.20 Wharehuanui Hills East Structure Plan, 27.13.21. Te Putahi Ladies Mile Zone, 27.13.22 Ayrburn and 27.13.23 Hawea / Wanaka Sticky Forest).	No – Controlled activity consent is not required under this rule as Ayrburn is exempt.
27.7.31	<p>Ayrburn Structure Plan</p> <p>1. Any subdivision which is not consistent with the Ayrburn Structure Plan contained in Section 27.13 or which does not require the following works to be completed prior to the issue of s224(c) certification:</p> <p>(a) The margins and banks along both sides of the full length of Mill Creek and the Ephemeral Tributary as shown on the Ayrburn Structure Plan shall be planted in indigenous riparian species (excluding vehicle and pedestrian / cycle crossings). The planting shall have a minimum width of 2m and a minimum average width of 3m, including the upper and lower bank zones;</p> <p>(b) Works, including fencing and/or planting, shall ensure that stock is prevented from accessing Mill Creek and the Ephemeral Tributary;</p> <p>(c) A grass strip of minimum width 1m shall be provided between the riparian planting and any stock fencing.</p>	No – Non-Complying activity consent is not required under this rule as the proposed subdivision is consistent with the Ayrburn Structure Plan and the works listed in (a) – (c) will be completed prior to the issue of 224(c) certification.
	<p>2. Any subdivision which does not impose the following controls as conditions in a registered Consent Notice:</p> <p>(a) No vegetation other than pasture grass, crops or grapevines shall be planted within any Activity Area OS provided that this control does not apply to planting to maintain or replace trees and landscaping along Ayr Avenue.</p> <p>(b) No vegetation other than pasture grass shall be planted within Activity Area OS adjoining the northern boundary of Ayrburn which adjoins the Millbrook Zone (Christine's Hill) above the Pasture Line shown on the Ayrburn Structure Plan.</p> <p>(c) Trees and all other vegetation over 2m in height located within a TPA shown on the Structure Plan</p>	No – Non-Complying activity consent is not required under this rule as the Consent Notice conditions will have been imposed and implemented under RM240982.

² Standards related to servicing and infrastructure.

Rule	For	Activity Status / Consent required?
	<p>("Trees") cannot be removed or trimmed, except as authorised under (aa), (bb) or (cc) below.</p> <p>(aa) the landowner may remove some or all Trees provided that:</p> <ol style="list-style-type: none"> the landowner has first planted replacement Trees which will achieve the same or similar visual screening effect; and existing evergreen Trees are replaced by evergreen Trees; and the replacement Trees have reached a height of 4m above ground level. <p>(bb) this standard does not apply to, or restrict the trimming of:</p> <ol style="list-style-type: none"> branches of Trees within the TPA which extend beyond the boundaries of the TPA; trees which, in the opinion of an experienced arborist, need to be removed or trimmed for safety reasons. <p>(cc) Trees within the TPA west of Mill Creek identified in a Written Approval provided by the adjoining landowner directly south of the trees to be removed or trimmed.</p> <p>(d) No building shall be located within Activity Area OS.</p> <p>(e) No wastewater shall be discharged to land within Ayrburn.</p> <p>(f) No fertiliser containing nitrogen or phosphorous shall be applied within Ayrburn provided this restriction does not apply to the initial establishment of hydroseed grass areas and other plants or to the use of organic fertiliser such as compost, manure or seaweed.</p> <p>(g) There shall be no commercial livestock farming within Ayrburn.</p> <p>(h) There shall be no motor vehicle access into Ayrburn from the legal road adjoining the western boundary of Ayrburn, provided that this restriction does not apply to electric bicycles, mobility scooters or golf buggies.</p>	
	<p>3. Any subdivision which is not subject to a registered Consent Notice condition requiring that the planting carried out under Rule 27.7.31.1 is maintained in perpetuity and that, if any plant dies or becomes diseased, it shall be replaced as soon as practicable. Maintenance shall include weed and pest control.</p>	<p>No – Non-Complying activity consent is not required under this rule as the proposal is subject to the Consent Notice condition referred to above.</p>

Table 2. Activity Standards

Rule	For	Consent required
Chapter 24 – Wakatipu Basin		
24.5.7	<p>Setback from internal boundaries</p> <ol style="list-style-type: none"> The minimum setback of any building from internal boundaries shall be 10m 	<p>Yes – Restricted Discretionary activity consent is required as the proposed building platform on proposed</p>

Rule	For	Consent required
		Lot 8 is located within the 10m (being 6.3m) boundary with proposed Lot 7.
Chapter 27 – Subdivision and Development		
27.7.18	<p>Wakatipu Basin Rural Amenity Zone Setback from Roads</p> <ol style="list-style-type: none"> The minimum setback of any building platform identified through subdivision from any road boundary (other than an unformed road or as specified in Rule 27.7.18.3) shall be: <ol style="list-style-type: none"> 75m in the Lifestyle Precinct; and 20m in the Rural Amenity Zone. The minimum setback of any building platform identified through subdivision from any unformed road shall be 20m in the Rural Amenity Zone and Lifestyle Precinct. 	No – Restricted Discretionary activity consent is not required as the proposal complies with this standard.
27.7.20	<p>Wakatipu Basin Rural Amenity Zone Setback from waterbodies</p> <ol style="list-style-type: none"> The minimum setback of any building platform identified through subdivision from the bed of a wetland, river or lake shall be 30m. <p>This rule shall not apply to waterbodies that have been built or are proposed as part of a subdivision or development for the primary purpose of treating and disposing of stormwater.</p>	No – Restricted Discretionary activity consent is not required as the pond adjoining Arrowtown Lake Hayes Road has been built for the primary purpose of treating and disposing of stormwater. In any case, the proposed building platform on Lot 6 is setback at least 41m from the stormwater pond.
27.7.21	<p>Wakatipu Basin Rural Amenity Zone Size of Building Platforms</p> <ol style="list-style-type: none"> Any building platform identified shall be not less than 70m² in area and not greater than 1000m² in area 	No – Non-Complying activity consent is not required as the proposed building platforms are 1000m ² .
27.7.36.1	<p>Subject to Rule 27.7.36.3, all lots, other than lots for access, roads, utilities and reserves except where irrigation is required, shall be provided with a connection to a reticulated water supply laid to the boundary of the net area of the lot, as follows:</p> <p>To a Council or community owned and operated reticulated water supply:</p> <ol style="list-style-type: none"> all Residential, Business, Town Centre, Local Shopping Centre Zones, and Airport Zone – Queenstown; Rural Residential Zones at Wanaka, Lake Hawea, Albert Town, Luggate and Lake Hayes; Millbrook Resort Zone and Waterfall Park Zone; Settlement Zone at Luggate, Glenorchy, Cardrona and Kingston. 	No – Restricted Discretionary activity consent is not required as this rule does not apply in the WBRAZ and, in any event, the proposed lots will have a connection to a reticulated water supply.
27.7.36.2	Where any reticulation for any of the above water supplies crosses private land, it shall be accessible by way of easement to the nearest point of supply.	No – Restricted Discretionary activity consent is not required as easements will be created over Lot 100 for water.

- A **Restricted Discretionary** activity resource consent pursuant to Rule 24.5.7.1 to breach the 10m internal boundary setback on proposed Lot 8; and
- A **Restricted Discretionary** activity resource consent pursuant to Rule 29.5.15 for vehicle crossing designs that do not meet the required Diagram 8.

Other consents:

- The applicant applies for any other consents necessary to enable the proposal.

Overall, resource consent is required for a **Restricted Discretionary** activity.

3. WHERE IT IS LIKELY THAT AN ACTIVITY WILL RESULT IN ANY SIGNIFICANT ADVERSE EFFECT ON THE ENVIRONMENT, A DESCRIPTION OF ANY POSSIBLE ALTERNATIVE LOCATIONS OR METHODS FOR UNDERTAKING THE ACTIVITY:

No significant adverse effects on the environment will arise, and no other alternatives were considered.

4. AN ASSESSMENT OF THE ACTUAL OR POTENTIAL EFFECT ON THE ENVIRONMENT OF THE PROPOSED ACTIVITY:

4.1. Introduction

This assessment of effects on the environment addresses:

- The permitted baseline and existing environment;
- Effects on landscape and visual amenity values;
- Effects relating to setback breach;
- Servicing effects;
- Effects on water quality within the Lake Hayes Catchment; and
- Summary of effects on the environment.

4.2. Permitted baseline and existing environment

When determining the actual and potential effects of an application for resource consent, the permitted baseline allows a comparison of the potential adverse effects of the proposal against what is permitted as of right under the District Plan (the permitted baseline) and what could lawfully be undertaken on the land by way of any existing consents (the existing environment).

4.2.1. Permitted baseline

Section 104(2) of the Resource Management Act states that when forming an opinion on whether there are adverse effects from an activity on the environment, the consent authority may disregard adverse effects if the plan explicitly permits that activity.

Subdivision requires resource consent and therefore there is no permitted baseline in this regard.

4.2.2. Existing environment

As detailed in Section 2 above there are a number of relevant resource consents which relate to the site and the existing activities. RM171280 consented Ayr Avenue which has been constructed. For the purposes of this application, RM180584 provided for the hotel development, restoration and repurposing of the heritage farm buildings at Ayrburn Domain for commercial activities, extensive revegetation and ecological enhancement, and the construction of bridges, culverts, weirs and crossings over Mill Creek. This consent has been partially implemented in that infrastructure has been installed, the restoration of Ayrburn Domain buildings has been completed and the commercial activities are operating (also under RM211193).

RM220926 and subsequent variation (RM240252) provides for the construction and operation of a village for later living and a hotel within the Waterfall Park Zone.

The receiving environment therefore includes implemented Mill Creek works, Ayr Avenue, Ayrburn Domain buildings and activities, the hotel or village for later living, ponds and some activities that are being undertaken as permitted activities (such as the vineyard on proposed Lot 4 RM240982).

4.3. Effects on landscape character and visual amenity values

RMM have undertaken an assessment (contained at **Attachment D**) in relation to the potential effects on landscape character and visual amenity values of the site and wider surroundings.

The Ayrburn Structure Plan provides for residential development within this area and the proposed subdivision complies with the minimum and average lot sizes, and therefore represents a subdivision anticipated by the PDP.

As discussed in the Landscape Assessment (**Attachment D**), the proposal is consistent with the settlement pattern identified within LCU 8 and will maintain the landscape character and visual amenity values of that. The proposal does not involve inappropriate modification to the landform, rather sites building platforms within a well contained area of Ayrburn and LCU 8.

Overall, the proposal will maintain the landscape character and visual amenity values, and will result in less than minor adverse effects on the environment.

4.4. Effects of setback breach

As discussed in Section 1.4 above, the proposed building platform on Lot 8 will be located 6.3m (rather than at least 10m as required by the PDP) from the internal boundary with Lot 7. This results in the potential for a future dwelling to be located 3.7m closer to the boundary than anticipated. This will not result in any adverse building bulk or dominance effects due to the PDP standards that will be required to be complied with (height, external colours and materials, etc).

In any case, the applicant has provided written approval and therefore all potential adverse effects relating to the setback breach can be disregarded under Section 95E(3)(b) of the Act.

4.5. Servicing effects

The proposed allotments will be adequately serviced as discussed in the Water & Wastewater Memo (**Attachment E**) and Stormwater Management Plan (**Attachment F**).

The existing wastewater network has sufficient capacity to cater for the proposed three lots and will not result in any changes to the consented design. The proposed connection will not result in any adverse effects.

As set out in the Stormwater Management Plan (**Attachment F**), the proposed treatment train approach, which includes attenuation, will ensure the water quality of the runoff is better than the existing scenario.

The proposed access and parking have been assessed by Carriageway as detailed in the Transport Assessment (**Attachment G**) and the proposed lots are able to be appropriately serviced and are therefore supportable³ from a transportation perspective.

Overall, the proposal can be serviced without giving rise to any adverse effects on the surrounding environment.

4.6. Effects on water quality within the Lake Hayes Catchment

Contaminant load modelling (refer **Attachment F**) for the site under pre-development and post-development conditions was prepared to ensure the proposal results in an improvement to the water quality of the runoff. This modelling confirms that the proposal reduces contaminant runoff as the swale has a long enough residence time to effectively treat water twice in succession. As discussed above, the proposed stormwater treatment train approach will ensure the water quality of the runoff is better than the existing scenario.

The proposed earthworks will be undertaken in accordance with the EMP (**Attachment G**, which will be updated and remain a live document as required by conditions of consent.

All erosion and sediment controls will be established in accordance with Auckland Council's Guide for Land Disturbing Activities (GD05) to mitigate any potential effect of erosion and sedimentation impact on the water quality within Mill Creek and Lake Hayes.

Overall, the proposal will result in positive effects on water quality within the Lake Hayes Catchment.

4.7. Summary of effects on the environment

When considered overall, effects from the proposal will be less than minor, and will be positive in relation to water quality within the Lake Hayes Catchment.

5. ASSESSMENT UNDER THE RELEVANT OBJECTIVES AND POLICIES

5.1. Proposed District Plan

The relevant provisions are assessed in the following tables.

Table 3. Objectives and Policies

Provision	Provision Detail	Assessment
Chapter 24 – Wakatipu Basin		
Objective 24.2.1	<i>Landscape character and visual amenity values in the Wakatipu Basin are maintained or enhanced.</i>	The proposal maintains landscape character and visual amenity values of the Wakatipu Basin. The proposal achieves this objective.
Policy 24.2.1.3	<i>Subdivision or residential development in all areas of the Wakatipu Basin Rural Amenity Zone outside of the Precinct that are identified in Schedule 24.8 to have</i>	As discussed in the Landscape Assessment (Attachment D) the site has a Moderate capacity to absorb development and the proposal maintains the landscape character

³ Subject to the tussock at the eastern end of the build-out being reduced in height or removed to ensure suitable sight distance is achieved at Lot 7.

Provision	Provision Detail	Assessment
	<p><i>Moderate capacity must be of a scale, nature and design that:</i></p> <ol style="list-style-type: none"> <i>is not inconsistent with any of the policies that serve to assist to achieve objective 24.2.1; and</i> <i>ensures that the landscape character and visual amenity values of each relevant LCU as identified in Schedule 24.8 is maintained or enhanced by ensuring that landscape capacity is not exceeded.</i> 	<p>and visual amenity values of the LCU. The proposal does not exceed the landscape capacity and is not inconsistent with any of the policies that serve to assist to achieve Objective 24.2.1.</p> <p>The proposal achieves this policy.</p>
Policy 24.2.1.4	<p><i>Within those areas identified as having a landscape capacity rating of Moderate, do not allow any new residential development and subdivision for residential activity that is not located and designed so as to:</i></p> <ol style="list-style-type: none"> <i>avoid sprawl along roads;</i> <i>maintain a defensible edge to and not encroach into any area identified as having Moderate-low, Low or Very Low landscape capacity rating;</i> <i>minimise incremental changes to landform and vegetation patterns associated with mitigation such as screen planting and earthworks which adversely affect important views of the landform and vegetation character identified for the relevant Landscape Character Units in Schedule 24.8; and</i> <i>not degrade openness when viewed from public places if that is identified in Schedule 24.8 as an important part of the landscape character of the relevant area, including as a result of any planting or screening along roads or boundaries.</i> 	<p>The proposal does not constitute sprawl along roads as it is provided for by the Ayrburn Structure Plan. The proposal is well contained and does not encroach into an area with a lower landscape capacity rating.</p> <p>The proposal does not degrade openness when viewed from public places for the reasons discussed in the Landscape Assessment (Attachment D).</p> <p>The proposal achieves this policy.</p>
Policy 24.2.1.6	<p><i>Ensure subdivision and development is designed (including accessways, services, utilities and building platforms) to minimise inappropriate modification to the natural landform.</i></p>	<p>The proposal requires 2750m³ of earthworks across 1.6 hectares to provide for appropriate finished floor levels of future dwellings and flat building platform areas. The proposed earthworks do not give rise to inappropriate modification to the natural landform.</p> <p>The proposal achieves this policy.</p>
Policy 24.2.1.7	<p><i>Ensure that subdivision and development maintains or enhances the landscape character and visual amenity values identified in Schedule 24.8 - Landscape Character Units.</i></p>	<p>The proposal maintains the landscape character and visual amenity values of the LCU as discussed in the Landscape Assessment (Attachment D).</p> <p>The proposal achieves this policy.</p>
Policy 24.2.1.8	<p><i>Maintain or enhance the landscape character and visual amenity values of the Rural Amenity Zone including the</i></p>	<p>The colour, scale, form and height of any future building within the proposed building platforms is restricted by the PDP standards.</p>

Provision	Provision Detail	Assessment
	<p><i>Precinct and surrounding landscape context by:</i></p> <p>a. <i>controlling the colour, scale, form, coverage, location (including setbacks) and height of buildings and associated infrastructure, vegetation and landscape elements.</i></p>	<p>All infrastructure connections will be underground, and existing landscaping will be maintained. The proposal maintains the landscape character and visual amenity values of the Rural Amenity Zone as discussed in the Landscape Assessment (Attachment D).</p> <p>The proposal achieves this policy.</p>
Policy 24.2.1.18	<p><i>Ensure subdivision and development maintains a defensible edge between areas of rural living in the Precinct and the balance of the Rural Amenity Zone.</i></p>	<p>The proposal adjoins the Lifestyle Precinct to the south. The proposed subdivision is provided for by the Ayrburn Structure Plan and can therefore be considered to maintain the defensible edge between the existing rural living and the WBRAZ, acknowledging the Structure Plan.</p> <p>The proposal achieves this policy.</p>
Policy 24.2.1.19	<p><i>Require buildings, or building platforms identified through subdivision, to maintain views from roads to Outstanding Natural Features and the surrounding mountain Outstanding Natural Landscape context, where such views exist; including by:</i></p> <p>a. <i>implementing road setback standards; and</i></p> <p>b. <i>ensuring that earthworks and mounding, and vegetation planting within any road setback, particularly where these are for building mitigation and/or privacy, do not detract from views to Outstanding Natural Features or Outstanding Natural Landscapes; while</i></p> <p>c. <i>recognising that for some sites, compliance with a prescribed road setback standard is not practicable due to the site size and dimensions, or the application of other setback requirements to the site.</i></p>	<p>The proposal maintains view from roads to the surrounding ONL and ONF's through the placement of building platforms which are set back considerably from any public viewpoints, as discussed in the Landscape Assessment (Attachment D).</p> <p>The proposal achieves this policy.</p>
Objective 24.2.4	<p><i>Subdivision and development, and use of land, maintains or enhances water quality, ecological quality, and recreation values while ensuring the efficient provision of infrastructure.</i></p>	<p>The proposal maintains the existing stormwater treatment train approach and management and will therefore at least maintain water and ecological qualities. There are no recreation values.</p> <p>The proposal achieves this objective.</p>
Policy 24.2.4.1	<p><i>Avoid adverse cumulative impacts on ecosystem services and nature conservation values.</i></p>	<p>The proposal does not result in any adverse cumulative impacts on ecosystem services and nature conservation values.</p> <p>The proposal achieves this policy.</p>
Policy 24.2.4.2	<p><i>Restrict the subdivision, development and use of land in the Lake Hayes Catchment, unless it can contribute to water quality improvement in the catchment commensurate with the</i></p>	<p>The proposed subdivision is anticipated by the Ayrburn Structure Plan. The proposal will result in an improvement to water quality in the Lake Hayes Catchment as discussed in Section 4.6 above. This is considered</p>

Provision	Provision Detail	Assessment
	<i>nature, scale and location of the proposal.</i>	commensurate with the proposal (being a subdivision only). The proposal achieves this policy.
<i>Policy 24.2.4.3</i>	<i>Provide for improved public access to, and the maintenance and enhancement of, the margins of waterbodies including Mill Creek and Lake Hayes.</i>	The proposal does not present opportunities to provide for improved public access to margins of Mill Creek, as these already exist.
<i>Policy 24.2.4.4</i>	<i>Provide adequate firefighting water and emergency vehicle access to ensure an efficient and effective emergency response.</i>	Adequate firefighting water and vehicular access will be provided at the time land use consent is obtained for residential units.
<i>Policy 24.2.4.5</i>	<i>Ensure development has regard to servicing and infrastructure costs that are not met by the developer.</i>	The proposed servicing and infrastructure costs will be covered by the applicant.
<i>Policy 24.2.4.6</i>	<i>Facilitate the provision of walkway and cycleway networks and consider opportunities for the provision of bridle path networks.</i>	Walkway and cycleway networks have been provided within the wider Ayrburn site.
<i>Policy 24.2.4.9</i>	<i>Encourage the planting, retention and enhancement of indigenous vegetation that is appropriate to the area and planted at a scale, density, pattern and composition that enhances indigenous biodiversity values, particularly in locations such as gullies and riparian areas, or to provide stability.</i>	The proposal does not seek to remove any indigenous vegetation or riparian planting. To the extent relevant, the proposal achieves this policy.
Chapter 27 – Subdivision and Development		
Objective 27.2.1	Subdivision that will enable quality environments to ensure the District is a desirable place to live, visit, work and play.	The proposal will enable development of the residential activity area as provided for in the Ayrburn Structure Plan. The proposal will provide for additional rural lifestyle lots, which will contribute to ensuring the District is a desirable place to live, visit, work and play. The proposal achieves this objective.
<i>Policy 27.2.1.1</i>	<i>Require subdivision infrastructure to be constructed and designed so that it is fit for purpose, while recognizing opportunities for innovative design.</i>	The proposal will be adequately serviced by existing infrastructure as discussed in the Water & Wastewater Memo (Attachment E) and the Stormwater Management Plan (Attachment F). The proposal achieves this policy.
<i>Policy 27.2.1.3</i>	<i>Require that allotments are a suitable size and shape, and are able to be serviced and developed for the anticipated land use under the applicable zone provisions.</i>	The proposed subdivision design reflects the existing environment and the residential development enabled by the Ayrburn Structure Plan. The proposal achieves this policy.
<i>Policy 27.2.1.4</i>	<i>Discourage non-compliance with minimum allotment sizes. However, where minimum allotment sizes are not achieved in urban areas, consideration will be given to whether any adverse</i>	The proposal complies with the minimum allotment sizes required in the Ayrburn Structure Plan Residential Activity Area. The proposal achieves this policy.

Provision	Provision Detail	Assessment
	<p><i>effects are mitigated or compensated by providing:</i></p> <ul style="list-style-type: none"> <i>a. desirable urban design outcomes;</i> <i>b. greater efficiency in the development and use of the land resource;</i> <i>c. affordable or community housing.</i> 	
<i>Policy 27.2.1.5</i>	<i>Recognise that there is an expectation by future landowners that the key effects of and resources required by anticipated land uses will have been resolved through the subdivision approval process.</i>	<p>The proposed subdivision does not create any effects for future landowners.</p> <p>The proposal achieves this policy.</p>
<i>Policy 27.2.1.7</i>	<i>Recognise there will be certain subdivision activities, such as boundary adjustments, that will not require the provision of services.</i>	<p>The proposal is not a boundary adjustment and does require provision of servicing.</p> <p>To the extent relevant, the proposal achieves this policy.</p>
Objective 27.2.4	<i>Natural features, indigenous biodiversity and heritage values are identified, incorporated and enhanced within subdivision design.</i>	<p>The proposal does not result in any impacts on natural features, indigenous biodiversity and heritage values, given its distance from such features on the wider Ayrburn site.</p> <p>The proposal achieves this policy.</p>
<i>Policy 27.2.4.1</i>	<i>Incorporate existing and planned waterways and vegetation into the design of subdivision, transport corridors and open spaces where that will maintain or enhance biodiversity, riparian and amenity values.</i>	<p>The proposal does not involve any existing or planned waterways. There is existing vegetation within the site that will be maintained by the proposal.</p> <p>The proposal achieves this policy.</p>
<i>Policy 27.2.4.3</i>	<i>Encourage subdivision design to protect and incorporate archaeological sites or cultural features, recognising these features can contribute to and create a sense of place. Where applicable, have regard to Maori culture and traditions in relation to ancestral lands, water, sites, wāhi tapu and other taonga.</i>	<p>There are no archaeological sites or cultural features on the site.</p>
Objective 27.2.5	<i>Infrastructure and services are provided to new subdivisions and developments.</i>	<p>As discussed above, the proposal involves adequate servicing and infrastructure.</p> <p>The proposal achieves this objective.</p>
<i>Policy 27.2.5.1</i>	<p><i>Integrate subdivision roading with the existing road networks in a safe and efficient manner that reflects expected traffic levels and the provision for safe and convenient walking and cycling.</i></p> <p><i>For the purposes of this policy, reference to 'expected traffic levels' refers to those traffic levels anticipated as a result of the zoning of the area in the District Plan.</i></p>	<p>No new roading is proposed. Access to the proposed lots is obtained from Ayr Avenue, and existing road network. The provision of safe and convenient walking and cycling will be maintained.</p> <p>The proposal achieves this policy.</p>
<i>Policy 27.2.5.2</i>	<i>Ensure safe and efficient pedestrian, cycle and vehicular access is provided to all lots created by subdivision and to all developments.</i>	<p>Safe and efficient pedestrian, cycle and vehicular access is provided to all lots.</p> <p>The proposal achieves this policy.</p>

Provision	Provision Detail	Assessment
<i>Policy 27.2.5.3</i>	<i>Provide linkages to public transport networks, and to trail, walking and cycling networks, where useful linkages can be developed.</i>	The proposal does not result in any change to the consented and existing linkages. No useful linkages could be developed.
<i>Policy 27.2.5.4</i>	<i>Ensure the physical and visual effects of subdivision and roading are minimised by utilising existing topographical features.</i>	The proposal will not give rise to any adverse visual effects. To the extent relevant, the proposal achieves this policy.
<i>Policy 27.2.5.5</i>	<i>Ensure appropriate design and amenity associated with roading, vehicle access ways, trails and trail connections, walkways and cycle ways are provided for within subdivisions by having regard to:</i> <i>a. the location, alignment, gradients and pattern of roading, vehicle parking, service lanes, access to lots, trails, walkways and cycle ways, and their safety and efficiency;</i> <i>b. the number, location, provision and gradients of access ways and crossings from roads to lots for vehicles, cycles and pedestrians, and their safety and efficiency;</i> <i>c. the standard of construction and formation of roads, private access ways, vehicle crossings, service lanes, walkways, cycle ways and trails;</i> <i>d. the provision and vesting of corner splays or rounding at road intersections;</i> <i>e. the provision for and standard of street lighting, having particular regard to siting and location, the provision for public safety and the avoidance of upward light spill adversely affecting views of the night sky;</i> <i>f. the provision of appropriate tree planting within roads;</i> <i>g. any requirements for widening, formation or upgrading of existing roads;</i> <i>h. any provisions relating to access for future subdivision on adjoining land;</i> <i>i. the provision and location of public transport routes and bus shelters.</i>	Appropriate design and amenity have been provided for through previous consents and therefore exist on site. The proposal does not result in any changes to design and amenity associated with the existing roading, vehicle access ways, trails, walkways and cycleways. To the extent relevant, the proposal achieves this policy.
<i>Policy 27.2.5.6</i>	<i>All new lots shall be provided with connections to a reticulated water supply, stormwater disposal and/or sewage treatment and disposal system,</i>	As discussed above, the proposal involves adequate servicing and infrastructure connections to the existing systems.

Provision	Provision Detail	Assessment
	<i>where such systems are available or should be provided for.</i>	The proposal achieves these policies.
<i>Policy 27.2.5.7</i>	<i>Ensure water supplies are of a sufficient capacity, including fire fighting requirements, and of a potable standard, for the anticipated land uses on each lot or development.</i>	
<i>Policy 27.2.5.8</i>	<i>Encourage the efficient and sustainable use of potable water by acknowledging that the Council's reticulated potable water supply may be restricted to provide primarily for households' living and sanitation needs and that water supply for activities such as irrigation and gardening may be expected to be obtained from other sources.</i>	
<i>Policy 27.2.5.9</i>	<i>Encourage initiatives to reduce water demand and water use, such as roof rain water capture and use and greywater recycling.</i>	
<i>Policy 27.2.5.10</i>	<i>Ensure appropriate water supply, design and installation by having regard to:</i> <i>a. the availability, quantity, quality and security of the supply of water to the lots being created;</i> <i>b. water supplies for fire fighting purposes;</i> <i>c. the standard of water supply systems installed in subdivisions, and the adequacy of existing supply systems outside the subdivision;</i> <i>d. any initiatives proposed to reduce water demand and water use.</i>	
<i>Policy 27.2.5.11</i>	<i>Ensure appropriate stormwater design and management by having regard to:</i> <i>a. any viable alternative designs for stormwater management that minimise run-off and recognises stormwater as a resource through re-use in open space and landscape areas;</i> <i>b. the capacity of existing and proposed stormwater systems;</i> <i>c. the method, design and construction of the stormwater collection, reticulation and disposal systems, including connections to public reticulated stormwater systems;</i> <i>d. the location, scale and construction of stormwater infrastructure;</i> <i>e. the effectiveness of any methods proposed for the collection, reticulation and disposal of</i>	The proposal results in no overall change to the stormwater design and management consented and constructed on the site. To the extent relevant, the proposal achieves this policy.

Provision	Provision Detail	Assessment
	<p><i>stormwater run-off, including opportunities to maintain and enhance water quality through the control of water-borne contaminants, litter and sediments, and the control of peak flow.</i></p>	
<p><i>Policy 27.2.5.12</i></p>	<p><i>Encourage subdivision design that includes the joint use of stormwater and flood management networks with open spaces and pedestrian/cycling transport corridors and recreational opportunities where these opportunities arise and will maintain the natural character and ecological values of wetlands and waterways.</i></p>	<p>As discussed above, the proposal maintains the existing treatment train stormwater approach. The natural character and ecological values of Mill Creek will be maintained and enhanced.</p> <p>To the extent relevant, the proposal achieves this policy.</p>
<p><i>Policy 27.2.5.13</i></p>	<p><i>Treat and dispose of sewage in a manner that:</i></p> <ol style="list-style-type: none"> <i>a. maintain public health;</i> <i>b. avoids adverse effects on the environment in the first instance; and</i> <i>c. where adverse effects on the environment cannot be reasonably avoided, mitigates those effects to the extent practicable.</i> 	<p>As discussed above, the proposed lots will be connected to the existing reticulated wastewater infrastructure, therefore maintaining public health and avoiding adverse effects on the environment.</p> <p>The proposal achieves these policies.</p>
<p><i>Policy 27.2.5.14</i></p>	<p><i>Ensure appropriate sewage treatment and disposal by having regard to:</i></p> <ol style="list-style-type: none"> <i>a. the method of sewage treatment and disposal;</i> <i>b. the capacity of, and impacts on, the existing reticulated sewage treatment and disposal system;</i> <i>c. the location, capacity, construction and environmental effects of the proposed sewage treatment and disposal system.</i> 	
<p><i>Policy 27.2.5.15</i></p>	<p><i>Ensure that the design and provision of any necessary infrastructure at the time of subdivision takes into account the requirements of future development on land in the vicinity.</i></p>	<p>The proposal has been designed to accommodate the addition of three future dwellings, and in any case the future development will be subject to a resource consent.</p> <p>To the extent relevant, the proposal achieves this proposal.</p>
<p><i>Policy 27.2.5.16</i></p>	<p><i>Ensure adequate provision is made for the supply and installation of reticulated energy, including street lighting, and communication facilities for the anticipated land uses while:</i></p> <ol style="list-style-type: none"> <i>a. providing flexibility to cater for advances in telecommunication and computer media technology, particularly in remote locations;</i> <i>b. ensure the method of reticulation is appropriate for the visual amenity</i> 	<p>Adequate provision for reticulated energy, lighting and communications is provided for and is located underground. There will be no adverse effects on visual amenity and landscape values with respect to underground servicing.</p> <p>To the extent relevant, the proposal achieves this policy.</p>

Provision	Provision Detail	Assessment
	<p><i>and landscape values of the area by generally requiring services are underground, and in the context of rural environments where this may not be practicable, infrastructure is sited in a manner that minimises visual effects on the receiving environment;</i></p> <p><i>c. generally require connections to electricity supply and telecommunications systems to the boundary of the net area of the lot, other than lots for access, roads, utilities and reserves.</i></p>	
<p><i>Policy 27.2.5.17</i></p>	<p><i>Ensure that services, shared access and public access is identified and managed by the appropriate easement provisions.</i></p>	<p>All easements are provided for as shown on the Subdivision Scheme Plan (Attachment C).</p>
<p><i>Policy 27.2.5.18</i></p>	<p><i>Ensure that easements are of an appropriate size, location and length for the intended use of both the land and easement.</i></p>	<p>All easements are provided for as shown on the Subdivision Scheme Plan (Attachment C).</p>
<p>Objective 27.2.6</p>	<p>Esplanades created where opportunities arise.</p>	<p>The proposal does not include the creation of any esplanade strips or reserves.</p>
<p><i>Policy 27.2.6.1</i></p>	<p><i>Create esplanade reserves or strips where they would provide nature conservation, natural character, natural hazard mitigation, infrastructural or recreational benefits. In particular, Council will encourage esplanades where they:</i></p> <ul style="list-style-type: none"> <i>a. are important for public access or recreation, would link with existing or planned trails, walkways or cycleways, or would create an opportunity for public access;</i> <i>b. have high actual or potential value with regard to the maintenance of indigenous biodiversity;</i> <i>c. comprise significant indigenous vegetation or significant habitats of indigenous fauna;</i> <i>d. are considered to comprise an integral part of an outstanding natural feature or outstanding natural landscape;</i> <i>e. would benefit from protection, in order to safeguard the life supporting capacity of the adjacent lake and river;</i> <i>f. would not put an inappropriate burden on Council, in terms of future maintenance costs or issues relating to natural hazards affecting the land.</i> 	

Provision	Provision Detail	Assessment
Objective 27.3.27	Subdivision that provides for limited rural living while having particular regard to maintaining or enhancing landscape, ecological and water quality values.	The proposal provides for rural living subdivision as enabled by the Residential Activity Area of the Ayrburn Structure Plan. The proposal maintains the landscape, ecological and water quality values. The proposal achieves this objective.
<i>Policy 27.3.27.1</i>	<i>Enable subdivision which is consistent with the Ayrburn Structure Plan located in Section 27.13.</i>	The proposal is consistent with the Ayrburn Structure Plan. The proposal achieves this policy.
<i>Policy 27.3.27.2</i>	<i>Protect the open space value of Christine's Hill and the rural values of the paddocks adjoining Arrowtown-Lake Hayes Road.</i>	The proposal does not impact the open space value of Christine's Hill or the rural values of the paddocks adjoining Arrowtown-Lake Hayes Road. The proposal achieves this policy.
<i>Policy 27.3.27.3</i>	<i>Avoid buildings within the OS areas identified on the Ayrburn Structure Plan.</i>	The proposal does not involve any buildings within the OS areas on the Ayrburn Structure Plan. The proposal achieves this policy.
<i>Policy 27.3.27.4</i>	<i>Ensure retention or replacement of trees within the TPA areas shown on the Ayrburn Structure Plan.</i>	The proposal does not involve changes to any trees within the TPA areas on the Ayrburn Structure Plan.
<i>Policy 27.3.27.5</i>	<i>Provide for vehicle access by way of Ayr Avenue, as shown on the Ayrburn Structure Plan, to enable development of the land within the Ayrburn Structure Plan and the adjoining Waterfall Park Zone, but excluding vehicle access off Speargrass Flat Road.</i>	Vehicle access is achieved via Ayr Avenue. The proposal does not involve any new vehicle access off Speargrass Flat Road. To the extent relevant, the proposal achieves this policy.
<i>Policy 27.3.27.6</i>	<i>Avoid on-site wastewater disposal within Ayrburn.</i>	As discussed above, connection to the existing reticulated wastewater network is provided for and therefore onsite disposal is not proposed. The proposal achieves this policy.
<i>Policy 27.3.27.7</i>	<i>Ensure that stormwater discharges (including contaminants and sediment) avoid adverse effects on water quality in Lake Hayes.</i>	The proposal maintains the existing stormwater treatment train approach and management, therefore will not result in any adverse effects on water quality in Lake Hayes. Water quality in Lake Hayes will be improved. The proposal achieves this policy.
<i>Policy 27.3.27.8</i>	<i>Ensure indigenous riparian vegetation along the banks of Mill Creek and the Ephemeral Tributary within Ayrburn as shown on the Ayrburn Structure Plan.</i>	This has been achieved through previous consents and is not relevant to the proposal as the site does not contain the banks of Mill Creek of the Ephemeral Tributary.
<i>Policy 27.3.27.9</i>	<i>Prevent commercial stock farming and application of fertiliser containing nitrogen or phosphorous.</i>	This policy is achieved through a Consent Notice condition which will be imposed under RM240982.
<i>Policy 27.3.27.10</i>	<i>Avoid adverse effects on developed properties caused by flood hazard.</i>	The Stormwater Management Plan (Attachment F) contains a flood risk assessment. This concludes that the peak flow entering Mill Creek from the site will not adversely affect the flow regime in Mill Creek

Provision	Provision Detail	Assessment
		<p>or increase the post-development 100 year peak flow from the wider upstream catchment at the southern boundary compared to pre-development conditions. The earthworks proposed ensure appropriate freeboard is achieved to avoid flood risk.</p> <p>The proposal achieves this policy.</p>

Conclusion – Objectives and Policies of the PDP

The proposal is consistent with the relevant objectives and policies from Chapters 24, 27 and 29 of the PDP.

5.2. Regional Policy Statement, Regional Plans and other planning instruments

The Otago Regional Policy Statement (RPS) sets the direction for future management and promotion of the sustainable management of the region's natural and physical resources, as well as providing the policy context for regional plans and establishing the framework for district plans.

The PRPS2021 identifies eleven significant resource management issues for the region and explains how national direction will be applied in the Otago context. The eleven issues can be broken down into natural asset-based issues, place-based issues, and those issues relating to economic and domestic pressures, cumulative impacts and resilience.

The proposed development has been considered against the objectives and policies of the PORPS2019 and the PRPS2021. The proposal is consistent with the broad policy direction of both Regional Policy Statements, noting that the more detailed and mostly settled provisions of the PDP, and the WBRAZ, give effect to the regional instruments.

The proposal is, therefore, overall consistent with the regional instruments.

5.3. National Environmental Standard

In accordance with the National Standard for Assessing and Managing Contaminants in the Soil, all applications for resource consent need to be determined if they apply under this National Environmental Standard (NES).

The regulations apply if any of the following activities are undertaken:

- (a) *remove or replace an underground fuel storage system or any of its parts*
- (b) *sample the soil to determine contamination*
- (c) *disturb the soil (earthworks)*
- (d) *subdivide the land*
- (e) *change the use of the land.*

The proposal is to subdivide the land and includes disturbance of the soil.

The site has been previously investigated as part of existing consents. Preliminary Site Investigations and Detailed Site Investigations have been undertaken and provided to Council.

No consents are required under the NES and no further assessment is required.

6. PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

6.1. Section 5 – Purpose

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

... managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while –

- (a) *Sustaining the potential of natural and physical resources ... to meet the reasonably foreseeable needs of future generations; and*
- (b) *Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The proposal addresses the matters in section 5(2)(a)-(c) of the Act.

All potential adverse effects on the environment have been avoided, or are proposed to be appropriately mitigated.

6.2. Section 6 – Matters of national importance

Section 6 of the Act identifies the following matters of national importance that must be recognised and provided for:

- a. *the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- b. *the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development:*
- c. *the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- d. *the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- e. *the relationship of Maori and their culture and traditions to and along the coastal marine area, lakes, and rivers:*
- f. *the protection of historic heritage from inappropriate subdivision, use, and development:*
- g. *the protection of protected customary rights:*
- h. *the management of significant risks from natural hazards.*

The proposal does not give rise to adverse effects on any matters of national importance as it does not impact the margins of Mill Creek, maintains public access, does not result in any effects on historic heritage and manages any potential flood risk.

The proposal recognises and provides for the relevant matters of national importance.

6.3. Section 7 – Other matters

The relevant matters of Section 7 of the Act that should be considered as follows:

- b. *the efficient use and development of natural and physical resources:*

- c. *the maintenance and enhancement of amenity values:*
- f. *maintenance and enhancement of the quality of the environment:*
- g. *any finite characteristics of natural and physical resources:*

The proposal is an efficient use of the land zoned for residential development (as per the Ayrburn Structure Plan) and does not otherwise adversely affect any matters under Section 7.

7. WHERE THE ACTIVITY INCLUDES THE USE OF HAZARDOUS SUBSTANCES AND INSTALLATIONS, AN ASSESSMENT OF ANY RISKS TO THE ENVIRONMENT WHICH ARE LIKELY TO ARISE FROM SUCH USE:

Not applicable.

8. A DESCRIPTION OF THE MITIGATION MEASURES (SAFEGUARDS AND CONTINGENCY PLANS WHERE RELEVANT) TO BE UNDERTAKEN TO HELP PREVENT OR REDUCE THE ACTUAL AND POTENTIAL EFFECT:

No mitigation measures are necessary.

9. IDENTIFICATION OF AFFECTED PERSONS AND SECTION 95A ASSESSMENT

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

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

Step 1 – Mandatory public notification

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

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

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

Therefore, public notification is not required by Step 1.

Step 2 – Public notification precluded

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

The proposal is not:

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

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

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

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

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

An assessment in this respect is therefore undertaken as follows:

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

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

On the basis of the assessment set out in Section 3 above, the proposed activities will not have adverse effects on the environment that are more than minor. Therefore, public notification is not required under Step 3.

Step 4 – public notification in special circumstances

There are no special circumstances in relation to this application.

10. LIMITED NOTIFICATION (S95B)

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

There are no affected groups or persons under section 95B(2) or 95B(3), and limited notification is not precluded as it is not subject to a rule or standards precluding notification and it is not a controlled activity (s95B(6)).

Therefore, the assessment of affected persons must be undertaken in accordance with section 95E. The proposed subdivision complies with the minimum and average lots sizes and all proposed building platforms are located at least 10m from the southern boundary, as required by the PDP.

Overall, any effects from the proposal are less than minor and limited notification to any neighbouring property owner is therefore not required.

11. WHERE THE SCALE OR SIGNIFICANCE OF THE ACTIVITY'S EFFECT ARE SUCH THAT MONITORING IS REQUIRED, A DESCRIPTION OF HOW, ONCE THE PROPOSAL IS APPROVED, EFFECTS WILL BE MONITORED AND BY WHOM.

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

APPENDIX 3 – ENGINEERING REPORT



ENGINEERING REPORT

TO: Megan Philips
FROM: Steve Hewland
DATE: 31/07/2025

APPLICATION DETAILS	
REFERENCE	RM250242
APPLICANT	Waterfall Park Developments Limited
APPLICATION TYPE & DESCRIPTION	Subdivision and land use consent (for internal setback breach for future building platform). Subdivision of future Lot 6 (of RM240982) into three residential lots and establish a building platform (1000m ²) on each allotment and boundary adjustment between future Lot 6 and Lot 100; land use consent for internal setback breach created in future lot 8.
ADDRESS	1 Ayr Avenue, Queenstown
ZONING	Wakatipu Basin Rural Amenity
SITE AREA	
ACTIVITY STATUS	Restricted Discretionary

Application	Reference Documents	Documents provided with consent application.
	Previous Relevant Consents	RM240982, which is currently being processed by Council, is a nine-lot subdivision which, when approved, will create the subject Lot 6 and Lot 100. This proposal seeks consent to subdivide Lot 6 and Lot 100. The applicant volunteers a condition of consent that this consent cannot be implemented until and unless the RM240982 scheme plan of subdivision is deposited which results in the creation of Lots 6 and 100 RM240982.
	Date of site visit	25/7/25

Location Diagram



Scheme Plan



Comments	
Existing Use	Site partially undeveloped/partially under construction/partially used for commercial activities as part of the Ayrburn Domain.
Neighbours	Millbrook Resort Zone, Waterfall Park Resort Zone and Wakatipu Basin Rural Amenity Zone (WBRA) land borders to the north. Arrowtown – Lake Hayes Road, road reserve land borders to the east while Wakatipu Basin Lifestyle Precinct zone borders to the south and WBRA zone borders to west.
Topography/Aspect	The subject site extends north from Ayrburn Domain up the Waterfall Creek valley towards the waterfall alongside Mill Creek.
Water Bodies	Mill Creek is located within close proximity to the subject site and a pond is located within Lot 6

Transport

Each lot will be accessed directly off Ayrburn Avenue. Lots 6 and 7 have existing vehicle crossings that will be utilised and a new crossing is proposed to Lot 8. I am satisfied they are located in accordance with Councils minimum standards for distance to an intersection. An assessment by Carriageway Consulting Ltd (CCL) identified that at Lot 7 the minimum sight distance of 45m is constrained by a tussock so I recommend a condition that this is removed prior to 224c.



The crossing design is slightly different to Councils standard Diagram 8 in the way it connects to the carriageway. I am satisfied there are no safety or other issues with the proposed design and recommend a condition they are provisioned prior to 224c. The distance from the crossing to the building platforms is short so I am satisfied that a driveway can be extended at the time of residential development to suit the proposed layout at that time.

RoW Surrender

The application includes a partial Right of Way surrender. Lot 4 DP 540788 has an appurtenant right to a right of way over Area Y DP 540788 on Lot 2 DP 540788 (formerly Area A DP 18109 on Lot 1 DP 18109). This is a historic right of way as part of a previous subdivision on DP 18109 to allow the former balance land (now part of Lot 4 DP 540788) to access over the former driveway area of Lot 1 DP 18109. I am satisfied that this right of way is not required and serves no purpose for the proposed Lots 6-8 and have included a related condition.

Services

RM240982 is currently being processed by Council and is a nine-lot subdivision which, when approved will create the subject lots Lot 6 and Lot 100. This application seeks consent to subdivide Lot 6 and Lot 100. The applicant volunteers a condition of consent that this consent cannot be implemented until and unless the RM240982 scheme plan of subdivision is deposited which results in the creation of Lots 6 and 100 RM240982. **I leave it to the QLDC planner to consider this and include any related consent condition.**

Under RM240982 the underlying Lot 6 is not serviced and a consent notice is proposed that requires it to be serviced at the time of future residential development.

The application is supported by an infrastructure assessment memo by CKL "3 Lot Subdivision – Water & Wastewater Assessment Waterfall Park, Queenstown" dated 26/3/25 and reference A20254.

Potable Water and Firefighting

The lots will be serviced from the existing 315mm main on Ayrburn Avenue. CKL recommend that a pressure reducing valve is included in this connection. CKL have provided an analysis that demonstrates the Ayrburn developments Council connection allowance is not exceeded by this subdivision. A 150mm main is proposed which will include fire hydrants, with toby boxes and laterals to each lot in accordance with Code of Practice requirements. I am satisfied that it is feasible to service the lots with potable water and firefighting water coverage in accordance with the necessary standards, and I recommend a condition that details of this are provided for review and acceptance prior to commencing on site, and that the infrastructure is installed prior to 224c. I also recommend hydrant testing is undertaken to confirm their performance.

Wastewater

The lots will be serviced from the existing 63mm pressure main on Ayrburn Avenue. CKL have provided an analysis that demonstrates the Ayrburn developments Council connection allowance is not exceeded by this subdivision. This will be achieved by avoiding Ayrburns main pump station operation timing using telemetry. Each lot will be provided a boundary kit including non-return valve, isolating valve, and flush point. I am satisfied that it is feasible to service the lots with wastewater connections in accordance with Councils standards, and I recommend a condition that details of this are provided for review and acceptance prior to commencing on site, and that the infrastructure is installed prior to 224c. I also recommend consent notices are registered on each lot title regarding the requirement to supply a grinder pump and the ongoing obligations for pressure sewer boundary kits.

Stormwater

The application is silent on how stormwater from future impermeable areas will be disposed of. I assume that disposal to ground will be necessary and whilst soakage rates are unknown I am satisfied there will be technical solutions to this. Given there is some risk around this and an attenuation system may be required I recommend a consent notice is registered on each lot that requires an engineer to design the onsite stormwater disposal system for the residential development.

Flows off the site are directed to an existing grassed swale along the southern boundary that discharges into Mill Creek. This also conveys overflows from the Lot 100 stormwater pond. A "Stormwater Devices Operation and Maintenance Plan" is included in the application. This includes maintenance requirements for each lot owner to ensure it has capacity for uninterrupted flow at all times and continues to provide a level of stormwater treatment. As these are ongoing requirements I recommend the requirement to comply with it (or QLDC accepted variations to it) is registered on the titles via a consent notice. If this maintenance is necessary to prevent inundation of the buildable areas then this consent notice should be reflected in the Schedule 2A and Geotechnical Completion Report as well. I also recommend a condition that requires details

of stormwater management and secondary flows (including evidence of treatment to mitigate risks to Mill Creek and Lake Hayes water quality) to be provided for review and acceptance prior to commencing on site, and that the infrastructure is installed prior to 224c. **I defer to the Council Planner to assess the appropriateness or otherwise of the sites level of water treatment, for the proposed application and compliance with Consent Order 24.2.4.2.**

Utilities

These have not been provided to the underlying Lot 6 boundary so new connections to mains are required. I am satisfied the Ayrburn development will have catered for the network capacity needed for this 4 lot subdivision. I recommend a condition that requires evidence each lot is provided independent utilities prior to 224c.

Earthworks

Earthworks are proposed to achieve required finished floor levels (minimum freeboard requirement of RL 349.5m), create level building platforms and surrounding areas, and for the construction of access and provision of services.

- Total cut: 980³
- Total fill: 1,750m³
- Total volume: 2,750m³
- Maximum cut: 0.8m
- Maximum fill: 0.7m
- Total area: 16,000m²

No geotechnical assessment is included in the application, given there is no breaches of the earthworks standards regarding land stability and no retaining is necessary I am satisfied one is not necessary. The earthworks include raising the ground to provide a minimum FFL of 349.5m. Flood modelling was carried out and submitted as part of the engineering acceptance application for the adjacent pond under RM171280.EA00.VA03. The 100yr ARI flood level was determined just below 349.0m, the FFL of 349.5m has been set to provide a minimum freeboard of 500mm.

To certify that the sites are suitable for residential development including meeting minimum freeboard requirements following the earthworks I recommend that a Schedule 2A and Geotechnical Completion report is provided prior to 224c, and that any ongoing performance requirements relating to foundation design or other hazard mitigation are recorded as consent notices on each title.

The works are within a private road network so there is no requirement to comply with Councils traffic management standards. An appropriate condition is recommended to ensure all exposed areas are stabilised or re-vegetated at the completion of earthworks.

Natural Hazards

RM240982 decision notes:

“Liquefaction Susceptibility (2012) LIC 2 (P) – This overlay applies to the lower portion of the site adjacent to Mill Creek, partially within Lot 5, Lot 4 and Lot 6. This area is noted as possibly having moderate risk to Liquefaction susceptibility, however it is noted that further subsurface

investigations are required.” I am satisfied that the investigations and reporting required for the Schedule 2A certification will include a detailed analysis of the liquefaction risk and any necessary foundation requirements will be registered as a consent notice on the relevant titles.

Directly adjacent to proposed Lot 6 and within a proposed new Lot 100 boundary is a stormwater detention pond that forms part of the wider sites stormwater management. This was constructed under land use consent decision RM210609 and the application includes evidence that this has been appropriately certified by the contractor and engineer. As noted above the proposed lots will be raised to have a minimum FFL that provides a minimum of 500mm of freeboard above the 1 in 100 year flood event level.

Consent Notice 11494440.1 condition (a) details that, "Lots 1-4 DP 532417 (RT 874551) are located within an identified alluvial fan/flood plain with areas of potentially active hill slopes (land features). At the time of future development the owner(s) for the time being shall engage a suitably qualified professional(s) to undertake expert investigations with report(s) demonstrating any proposed development can mitigate against natural hazard effects.". The Council engineer for the underlying and not yet completed subdivision noted in his report "In regards to Lots 6 and 9 should this subdivision consent be granted additional consent will be required for any future development proposed. Based on this information, I am satisfied that the above referenced consent notice still applies to Lots 6 and 9 and detailed alluvial fan/flood assessment can occur at this future time of development." I have reviewed Councils GIS hazard register and am satisfied that the potential alluvial fan risk is sufficiently distanced from the subject site not to be a risk.

ENGINEERING		COMMENTS	Condition
PROJECT INFORMATION	Staging	Not proposed.	
	Developers Engineering Representative	Required.	X
	Notice of commencement	Not required.	
	Traffic Management Plan	Private Road.	
	Design Certificates	Required.	X
	Completion Certificates	Required.	X
	As built	Required.	X

ENGINEERING		COMMENTS	Condition
TITLE	Covenants/consent notices	As noted above under RM240982 the underlying Lot 6 is not serviced and a consent notice is proposed that requires it to be serviced at the time of future residential development.	
	Easements	A condition is recommended to ensure all necessary easements are granted or reserved.	X
	Road Names on Title Plan	Not required.	
	Building Platforms	Digital location on survey plan required.	X
	Amalgamation Condition	The roading Lot 100 has shared ownership. RM240982 is a subdivision of lots that use the Lot 100 currently underway, this presents 2 options for the Lot 100 amalgamation depending on the progress of the RM240982 subdivision. To address this the applicant has proposed an amalgamation condition that provides two options. I am satisfied this is appropriate and I have included the proposed conditions in my recommended set below.	X

1.0 RECOMMENDED CONDITIONS

It is recommended that the following conditions are included in the consent decision:

General

- All physical development works, documentation and other consent obligations shall be carried out in accordance with the requirements of the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 17th April 2025 and subsequent amendments to that document up to the date of issue of any resource consent.

Note: The current standards are available on Council's website via the following link:

<https://www.qldc.govt.nz>

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

2. The owner of the land being developed shall provide a letter to the Manager of Resource Management Engineering at Council advising who their representative is for the design and execution of the engineering works and construction works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under Sections 1.7 & 1.8 of QLDC's Land Development and Subdivision Code of Practice, in relation to this development.
3. At least 7 days prior to commencing earthworks the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified geo-professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who shall supervise the earthworks and undertake inspection and assessment as necessary to provide a Schedule 2A certificate and geotechnical completion report as required under Condition (10f). This shall include subsurface investigations as necessary to determine the liquefaction risk and any necessary mitigation.
4. The consent holder shall obtain and implement a traffic management plan approved by Council prior to undertaking any works within or adjacent to Council's Road reserve that affects the normal operating conditions of the road reserve through disruption, inconvenience or delay. The Traffic Management Plan shall be prepared by a certified Temporary Traffic Management Planner (TTMP) as validated either by a current CoPTTM certification or a relevant NZQA framework registered qualification, unit standard or micro credential. All contractors obligated to implement temporary traffic management plans shall employ a qualified Site Traffic Management Supervisor (STMS) to manage the site in accordance with the requirements of the NZTA's "*Traffic Control Devices Manual Part 8: Code of practice for temporary traffic management*". The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering prior to works commencing.
5. Prior to commencing works on the site, with the exception of earthworks including associated controls approved through the Environmental Management Plan (EMP) process within this consent, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application shall include all development items listed below unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council for review, prior to acceptance being issued. At Council's discretion, specific designs may be subject to a Peer Review, organised by the Council at the applicant's cost. The 'Engineering Review and Acceptance' application(s) shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition (1), to detail the following requirements:
 - a) The provision of a water supply to Lots 6-8 in terms of Council's standards and connection policy. This shall include an Acuflo GM900 as the toby valve and an approved water meter as detailed in QLDC Water Meter Policy (Appendix A), dated June 2017. The costs of the connections shall be borne by the consent holder.
 - b) The provision of fire hydrants with adequate pressure and flow to service and maintain the subdivision with a Class FW2 fire risk in accordance with the NZ Fire Service Code of Practice for Firefighting Water Supplies 2008. Any lesser risk must be approved in writing by Fire & Emergency NZ, Queenstown Office. Evidence of adequate flow testing to hydrants shall be submitted to Council prior to subdivision completion.
 - c) The provision of a low pressure foul sewer connection from Lots 6-8 to Ayrburns reticulated sewerage system in accordance with Council's standards and connection policy, which shall be able to drain the buildable area within each lot. This shall include a boundary kit for each lot

including non-return valve, isolating valve, and flush point. Telemetry shall be included to control pump timing to avoid peak flow times.

- d) The provision of stormwater management and secondary flow paths to contain overland flows in the critical 1% AEP storm event so that there is no inundation of any buildable areas on Lots 6-8, and no increase in run-off onto land beyond the site from the pre-development situation.
- e) The provision of Design Certificates for all engineering works associated with this subdivision submitted by a suitably qualified design professional (for clarification this shall include, but not limited to, all Roads, Water, Wastewater and Stormwater Infrastructure). The certificates shall be in the format of the QLDC's Land Development and Subdivision Code of Practice Schedule 1A Certificate.

To be monitored throughout earthworks

- 6. No permanent batter slope within the site shall be formed at a gradient that exceeds 1(V):2(H).
- 7. No earthworks, temporary or permanent, are to breach the boundaries of the site.

To be completed before Council approval of the Survey Plan

- 8. Prior to the Council signing the Survey Plan pursuant to Section 223 of the Resource Management Act 1991, the consent holder shall complete the following:
 - a) All necessary easements shall be shown in the Memorandum of Easements attached to the Survey Plan and shall be duly granted or reserved.
 - b) The right of way created by EC 585936.1 over Area Y DP 540788 on Lot 2 DP 540788 (formerly Area A DP 18109 on Lot 1 DP 18109) shall be partially surrendered in so far as it relates to Lots 6-8 hereon.

Amalgamation Condition

- 9. The following shall be registered with Land Information New Zealand:

A. If Stage 1 RM240982 has occurred, then the following amalgamation conditions shall be registered with Land Information New Zealand (CSN **XXXXXX**):

- a) Lots 1000,101, and one undivided 1/3 share in Lot 102, all on DP 617798, and one undivided 1/3 share in Lot 100 hereon shall be held in the same Record of Title
- b) Lots 4000, 5, and two undivided 1/3 shares in Lot 102, all on DP 617798 and two undivided 1/3 shares in Lot 100 hereon shall be held in the same Record of Title

Note: Stage 1 of RM240982 now has an allocated Land Transfer number of LT 617798

OR

B. If Stages 2 and/or 3, or no staging of RM240982 has occurred then the following amalgamation conditions shall be registered with Land Information New Zealand, as relevant (CSN **XXXXXXXX**):

- a) Lots 1, 101, 103, and one undivided 1/3 share in Lot 102, all on RM240982, and one undivided 1/3 share in Lot 100 hereon shall be held in the same Record of Title
- b) Lots 4, 5 and two undivided 1/3 shares in Lot 102, all on RM240982, and two undivided 1/3 shares in Lot 100 hereon shall be held in the same Record of Title

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

- 10. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
 - a) The submission of 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this subdivision at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include

all Roads (including rights of way and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).

- b) The completion and implementation of all works detailed in Condition (5) above.
- c) Sealed vehicle Crossings/access to each residential lot from Ayr Avenue as per application plans.
- d) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kVA capacity) to the boundary of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- e) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the boundary of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- f) All works, geotechnical investigations and fill certification shall be carried out under the guidance of suitably qualified and experienced geotechnical professional as described in Section 2 of the Queenstown Lakes District Council's Land Development and Subdivision Code of Practice. At the completion of onsite works, the geo-professional shall incorporate the results of ground bearing test results for each residential allotment within the subdivision regardless of whether affected by development cut and fill earthworks and include the issue of a Geotechnical Completion Report and Schedule 2A certificate covering all lots within the subdivision.

The Schedule 2A certification shall include a statement under Clause 3(e) covering Section 106 of the Resource Management Act 1991. In the event the Schedule 2A includes limitations or remedial works against any lot(s) the Schedule 2A shall include a geotechnical summary table identifying requirements against each relevant lot in the subdivision for reference by future lot owners. Any remedial works outlined on the Schedule 2A that requires works across lot boundaries shall be undertaken by the consent holder prior to 224(c) certification being issued.

- g) A surveyor's certificate shall be provided to demonstrate that the three rural building platform levels have been elevated to 349.5m (Dunedin 1958 vertical datum) or greater elevation to avoid inundation.
- h) The submission of Completion Certificates from the Contractor and the Engineer advised in Condition (2) for all engineering works completed in relation to or in association with this subdivision (for clarification this shall include, but not be limited to, all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of a Producer Statement, or the QLDC's Land Development and Subdivision Code of Practice Schedule 1B and 1C Certificate.
- i) All earthworked areas shall be top-soiled and revegetated or otherwise permanently stabilised.
- j) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- k) Hydrant testing shall be carried out during the peak period of an average day (7:30 – 9:30am 4pm – 6:00pm) to confirm that there are sufficient hydrants with adequate pressure and flow to service the development with a Class FW2 fire risk in accordance with Appendix G of SNZ PAS 4509:2008 NZ Fire Service Code of Practice for Firefighting Water Supplies. Any lesser risk must be approved in writing by Fire & Emergency NZ, Queenstown Office. The testing shall be carried out by a suitably qualified and experienced person (SQEP) as defined in section 1.8 of QLDC's Land Development and Subdivision Code of Practice and evidence of the SQEP suitability to undertake or oversee such testing shall be submitted with the hydrant testing results. The results shall be submitted to Council and all related costs shall be borne by the consent holder.

Ongoing Conditions/Consent Notices

11. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to s.221 of the Act.
- a) A consent notice condition pursuant to s.221 of the Resource Management Act 1991 shall be registered on the Records of Title for the relevant lots providing for the performance of any ongoing requirements for protection of secondary flow paths, where deemed necessary by Council to satisfy **Condition 5(d)** above whilst maintaining a minimum building foundation level requirement to underside of floor slab/joists of 349.5m or greater (Dunedin 1958 vertical datum). The final wording of the consent notice instrument shall be checked and approved by the Council's solicitors at the consent holder's expense prior to registration to ensure that all of the Council's interests and liabilities are adequately protected.
 - b) In the event that the Schedule 2A certificate and Geotechnical Completion Report issued under Condition **(10f)** contains limitations, such as specific foundation requirements for each lot that does not meet NZS3604 foundation conditions, or remedial works required on particular lots, then a consent notice shall be registered on the Records of Title for the affected lots detailing requirements for the lot owner(s).
 - c) Any vehicle crossing/access link with Ayr Avenue that is constructed at the time of subdivision shall not be moved, realigned or widened, unless otherwise approved via a resource consent.
 - d) The owners of Lots 6-8 are advised that the property is serviced via a Pressure Sewer System as defined in the Queenstown Lakes District Council Pressure Sewer Policy. At the time a residential unit is constructed on the lots, the owners for the time being shall:
 - i) Arrange for a suitably qualified person (Approved Supplier) to design and install all private pressure sewer system components (On-property Equipment) to connect with the existing pressure sewer lateral and boundary kit installed at the boundary of the lot. The On-property Equipment (including the grinder pump, collection tank, electrical and control system and related pipework) shall be installed and commissioned by an Approved Supplier in accordance with the requirements of the Queenstown Lakes District Council Pressure Sewer Policy and the detailed installation, maintenance and operation guidelines (Home Owners Manual) associated with the pressure sewer system components.
 - ii) The individual lot owners shall be responsible for the ongoing operation, monitoring and maintenance of all On-property Equipment within each lot in accordance with the Home Owners Manual and the requirements of the Queenstown Lakes District Council Pressure Sewer Policy.
 - e) At the time a building is erected on the lot, the owner for the time being shall engage a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice to design a stormwater disposal system that is to provide stormwater disposal from all impervious areas within the site for the critical 5% AEP storm event. The proposed stormwater system shall be subject to the review of Council prior to implementation and shall be installed prior to occupation of the residential unit. This shall include:
 - (i) Percolation testing shall be undertaken at the individual soak pit locations to confirm soakage. A copy of the test results shall be provided to Council and shall be in general accordance with the *'Acceptable Solutions and Verification Methods for New Zealand Building Code Clause: E1 Surface Water'*.
 - (ii) The final design and sizing of each soak pit shall be based on the individual percolation test results and provided to Council for acceptance prior to installation of the individual soak pit infrastructure
 - (iii) The lot owner for the time being shall be responsible for the ongoing monitoring and maintenance of the stormwater disposal system in perpetuity to ensure the soak pits continue to provide adequate soakage and do not become blocked or damaged.

12. In the event that the Engineering Acceptance issued under Condition (5) contains ongoing conditions or requirements associated with the installation, ownership, monitoring and/or maintenance of any infrastructure subject to Engineering Acceptance, then at Council's discretion, a consent notice (or other alternative legal instrument acceptable to Council) shall be registered on the relevant Records of Title detailing these requirements for the lot owner(s). The final form and wording of the document shall be checked and approved by Council's solicitors at the consent holder's expense prior to registration to ensure that all of the Council's interests and liabilities are adequately protected. The applicant shall liaise with the Subdivision Officer and/or Manager of Resource Management Engineering at Council in respect of the above. All costs, including costs that relate to the checking of the legal instrument by Council's solicitors and registration of the document, shall be borne by the applicant.

[Note: This condition is intended to provide for the imposition of a legal instrument for the performance of any ongoing requirements associated with the ownership, monitoring and maintenance of any infrastructure within this development that have arisen through the detailed engineering design and acceptance process, to avoid the need for a consent variation pursuant to s.127 of the Resource Management Act].

Advice Note:

1. This consent triggers a requirement for Development Contributions, please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information, please contact the DCN Officer at QLDC.

Prepared by:



Steve Hewland

LAND DEVELOPMENT ENGINEER

Reviewed by:



Mike Wardill

Team Leader RM ENGINEERING

APPENDIX 4 – STAMPED PLANS



QUEENSTOWN LAKES DISTRICT COUNCIL
APPROVED PLAN:
RM250242
Tuesday, 19 August 2025

- NOTES:**
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- Proposed Easements**
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- Coordinates and Orientation**
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Legend

	Adjacent boundary
	Proposed boundary
	RM240982 boundary
	Proposed easement
	Proposed building platform
	Existing contours (0.5m interval)
	Crossing

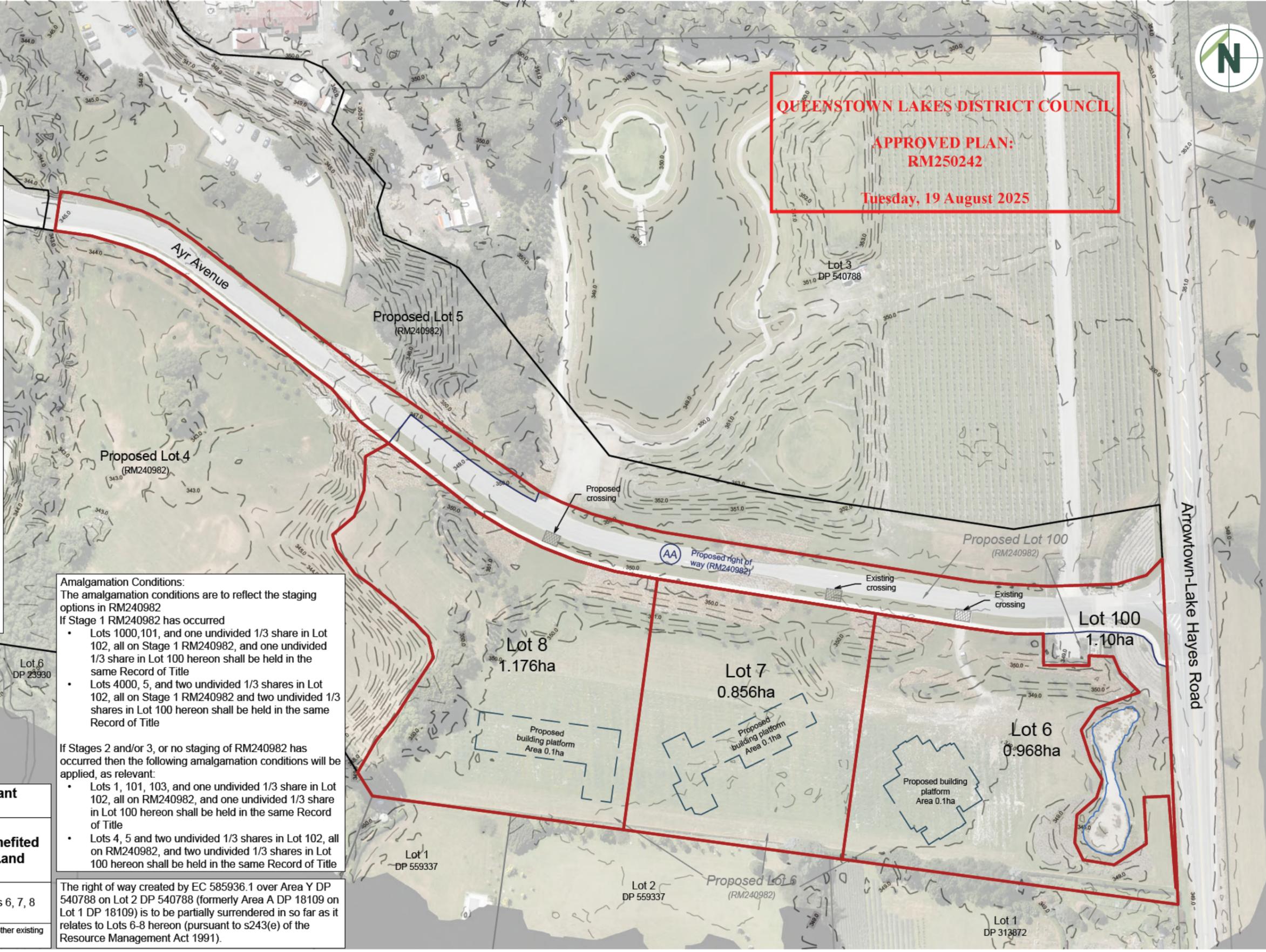
Schedule of Existing Appurtenant Easements from RM240982

Purpose	Shown	Burdened Land	Benefited Land
Right of way	AA RM240982	Lot 100 RM240982	Lots 6, 7, 8

Note: only relevant right of way easement shown. There may be other existing appurtenant easements as part of RM240982

- Amalgamation Conditions:**
 The amalgamation conditions are to reflect the staging options in RM240982
- If Stage 1 RM240982 has occurred
- Lots 1000, 101, and one undivided 1/3 share in Lot 102, all on Stage 1 RM240982, and one undivided 1/3 share in Lot 100 hereon shall be held in the same Record of Title
 - Lots 4000, 5, and two undivided 1/3 shares in Lot 102, all on Stage 1 RM240982 and two undivided 1/3 shares in Lot 100 hereon shall be held in the same Record of Title
- If Stages 2 and/or 3, or no staging of RM240982 has occurred then the following amalgamation conditions will be applied, as relevant:
- Lots 1, 101, 103, and one undivided 1/3 share in Lot 102, all on RM240982, and one undivided 1/3 share in Lot 100 hereon shall be held in the same Record of Title
 - Lots 4, 5 and two undivided 1/3 shares in Lot 102, all on RM240982, and two undivided 1/3 shares in Lot 100 hereon shall be held in the same Record of Title

The right of way created by EC 585936.1 over Area Y DP 540788 on Lot 2 DP 540788 (formerly Area A DP 18109 on Lot 1 DP 18109) is to be partially surrendered in so far as it relates to Lots 6-8 hereon (pursuant to s243(e) of the Resource Management Act 1991).



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WATERFALL PARK DEVELOPMENTS LTD
 AYRBURN FARM SUBDIVISION

DRAWING TITLE
LOTS 6-8 AND 100 BEING A PROPOSED SUBDIVISION OF PROPOSED LOTS 6 AND 100 RM240982

DATUM INFORMATION
 COORDINATE SYSTEM NZGD2000
 MOUNT NICHOLAS CIRCUIT
 DATUM DUNEHT1958
 ORIGIN OF COORDINATES IT X DP 23038
 ORIGIN OF LEVELS IT X DP 23038 : 358.566m

REV DRAWN DATE NOTE
 D SR 03.04.25 PROPOSED LEVELS UPDATE
 E SR 13.05.25 BUILDING PLATFORMS
 H HR 01.07.25 LOT 6 / LOT 100 BOUNDARY
 I HR 04.07.25 LABELS
 STATUS **FOR CONSENT**

SURVEYED -
 DESIGNED -
 DRAWN HR 18.03.25
 REVIEWED SR 27.03.25
 APPROVED SR 27.03.25
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PROJECT **Q6388M**
 DRAWING NO **22**
 SHEET **001**
 REVISION **1**
 SCALE (A3) **1:1500**





QUEENSTOWN LAKES DISTRICT COUNCIL
APPROVED PLAN:
RM250242
Tuesday, 19 August 2025

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Legend

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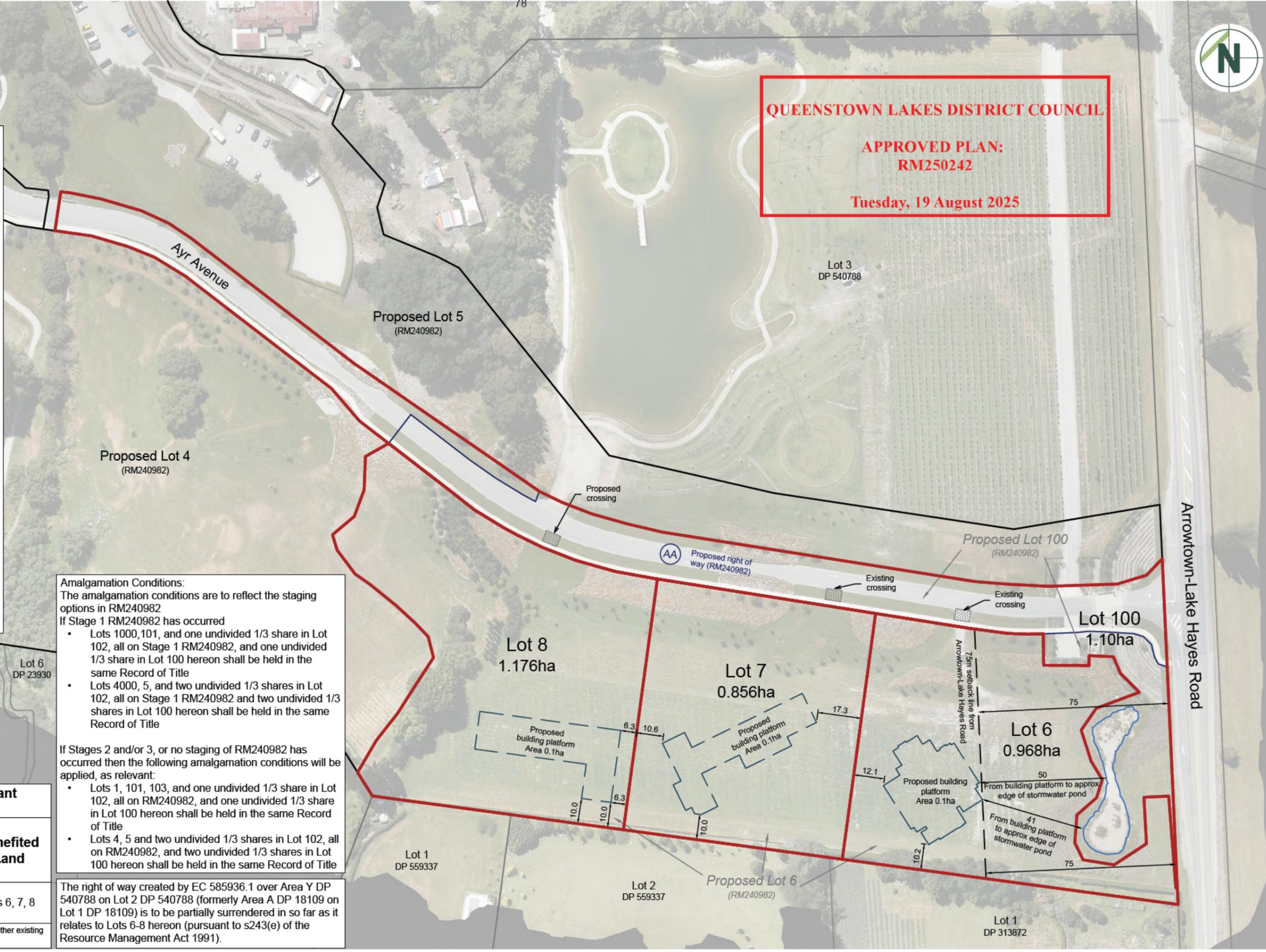
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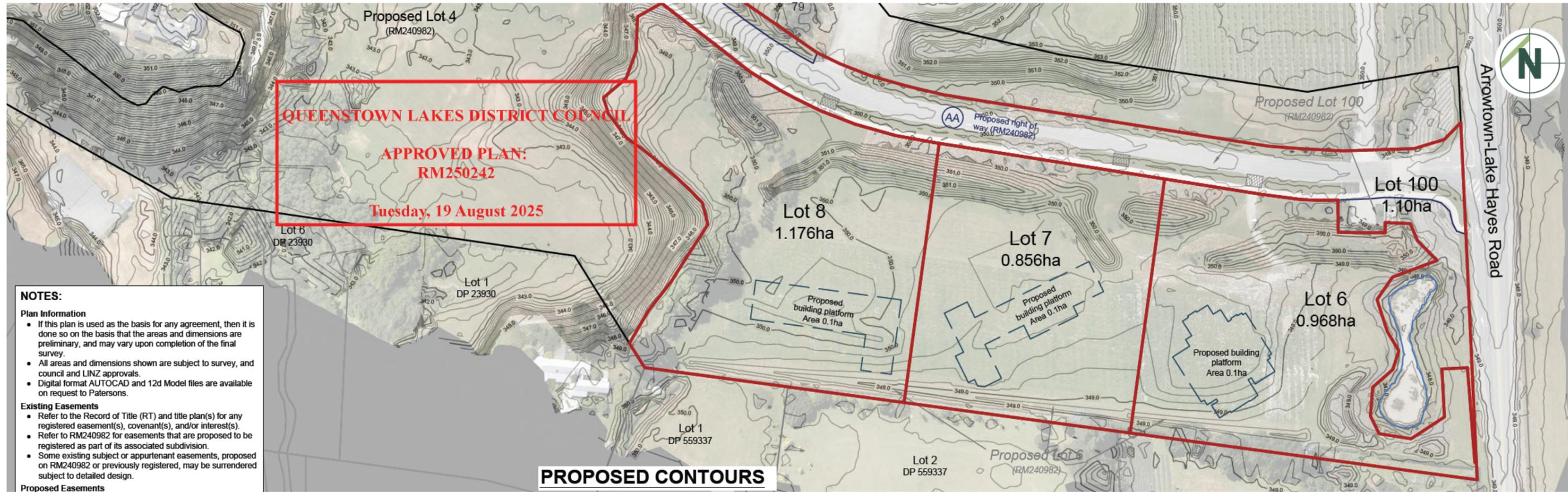
DATUM INFORMATION
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D	SR	03.04.25	PROPOSED LEVELS UPDATE
E	SR	13.05.25	BUILDING PLATFORMS
H	HR	01.07.25	LOT 6 / LOT 100 BOUNDARY
I	HR	04.07.25	LABELS
STATUS		FOR CONSENT	

SURVEYED	DESIGNED	DRAWN	REVIEWED	APPROVED
-	-	HR	SR	SR
		18.03.25	27.03.25	27.03.25

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PROJECT **Q6388M**
 DRAWING NO **22**
 SHEET **001**
 REVISION **I**
 SCALE (A3) **1:1500**



NOTES:

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EARTHWORKS

1. EARTHWORKS	
2.1 TOTAL CUT	980 m ³
2.2 TOTAL FILL	1,750 m ³
2.3 TOTAL VOLUME	2,750 m ³
3. MAX CUT/FILL DEPTH	-0.80m / +0.70m
3. AREA OF EARTHWORKS	1.6 Ha

NOTES

- ALL SEDIMENT AND EROSION CONTROLS TO BE ESTABLISHED IN ACCORDANCE WITH AUCKLAND CITY COUNCIL GD05. REFER SHEETS 250-252 FOR FURTHER DETAIL.
- CONTRACTOR TO ESTABLISH SEDIMENT AND EROSION CONTROLS PRIOR TO COMMENCING EARTHWORKS.
- CONTRACTOR TO LOCATE ALL EXISTING UTILITIES PRIOR TO COMMENCING EXCAVATION.
- ALL FILL TO BE PLACE IN ACCORDANCE WITH APPLICABLE GEOTECHNICAL OR ROAD PAVEMENT SPECIFICATION.

Legend

- ADJACENT BOUNDARY
- PROPOSED BOUNDARY
- RM240982 BOUNDARY
- PROPOSED EASEMENT
- PROPOSED BUILDING PLATFORM
- PROPOSED CONTOURS (0.2m INTERVAL)
- PROPOSED CUT CONTOUR (0.2m INTERVAL)
- PROPOSED FILL CONTOUR (0.2m INTERVAL)
- PROPOSED CROSSING

PROPOSED CONTOURS

DEPTH CONTOURS

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AYRBURN FARM SUBDIVISION

DRAWING TITLE
PROPOSED & DEPTH CONTOURS LOTS 6-8 AND 100 BEING A PROPOSED SUBDIVISION OF PROPOSED LOTS 6 AND 100 RM240982

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MOUNT NICHOLAS CIRCUIT
DUNEH1958
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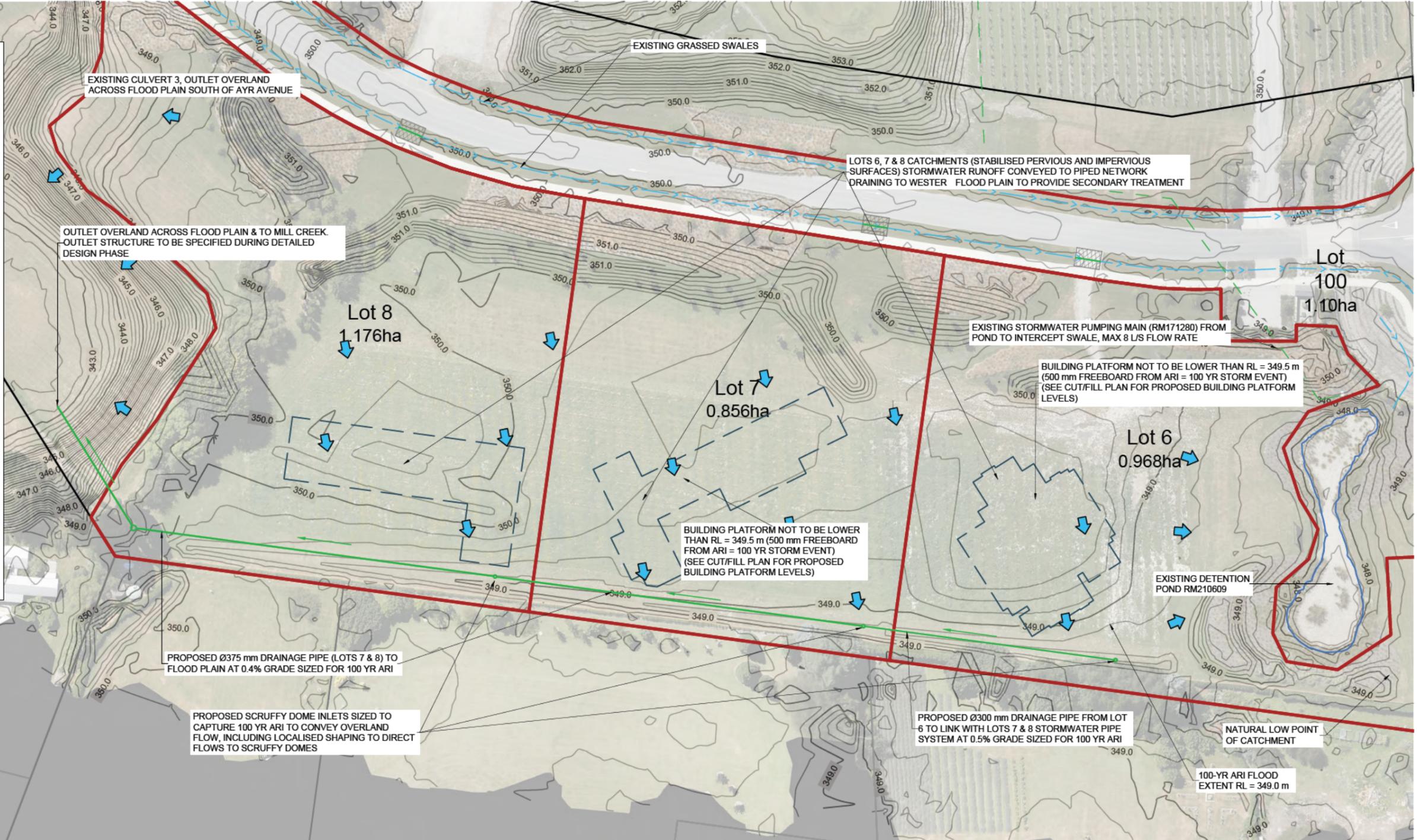
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	PROPOSED CONTOURS (0.5m INTERVAL)
	PROPOSED STORMWATER MAIN
	EXISTING STORMWATER MAIN
	STORMWATER OVERLAND FLOW PATH
	PROPOSED CULVERT
	RUNOFF FLOW DIRECTION
	PROPOSED QLDC STANDARD CROSSING



CLIENT
WATERFALL PARK DEVELOPMENTS LTD

AYRBURN FARM SUBDIVISION

DRAWING TITLE
STORMWATER DESIGN
LOTS 6-8 AND 100 BEING
A PROPOSED SUBDIVISION OF
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DESIGNED	DATE	DESIGNED BY
-	-	-
DRAWN	18.03.25	HR
REVIEWED	27.03.25	SR
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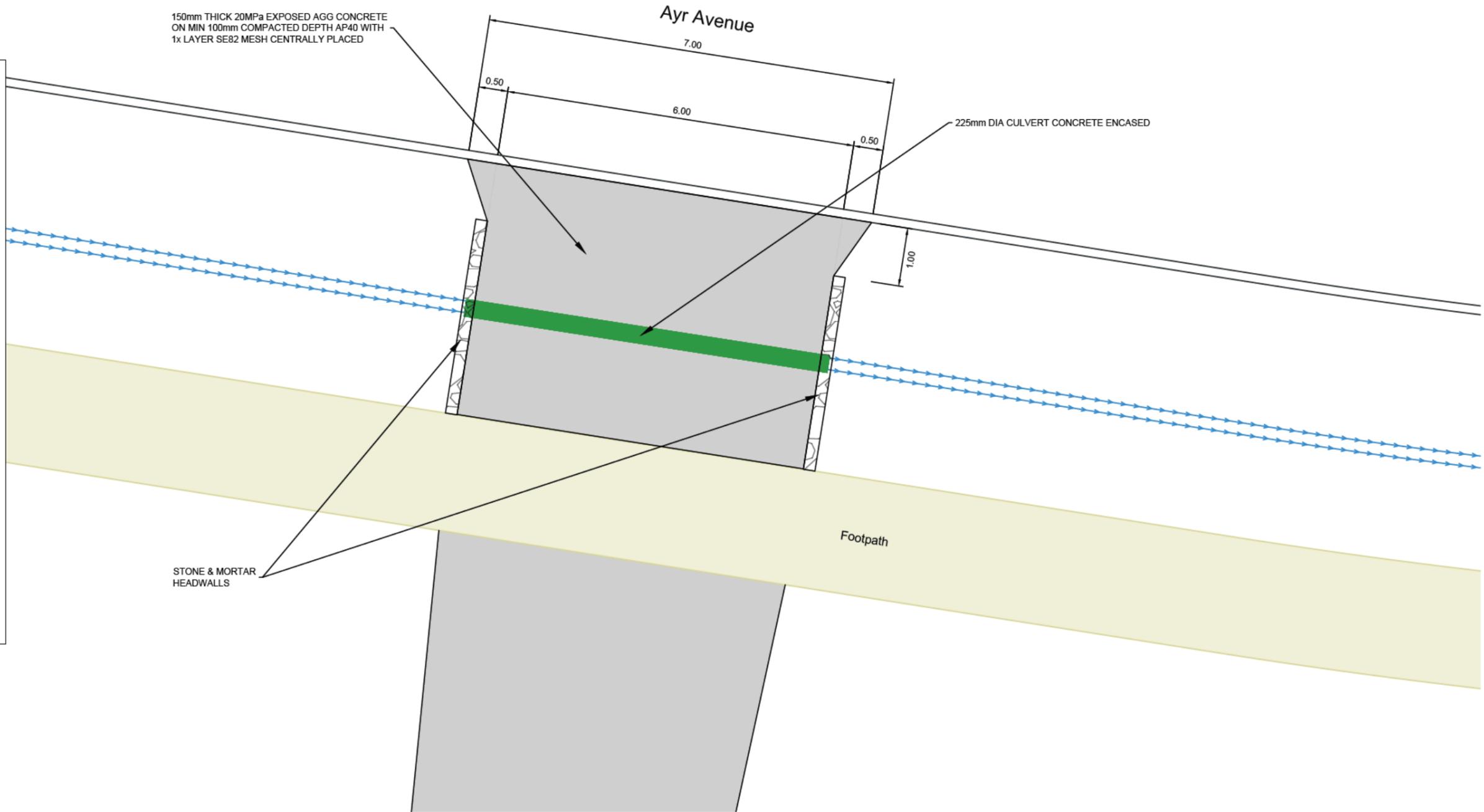
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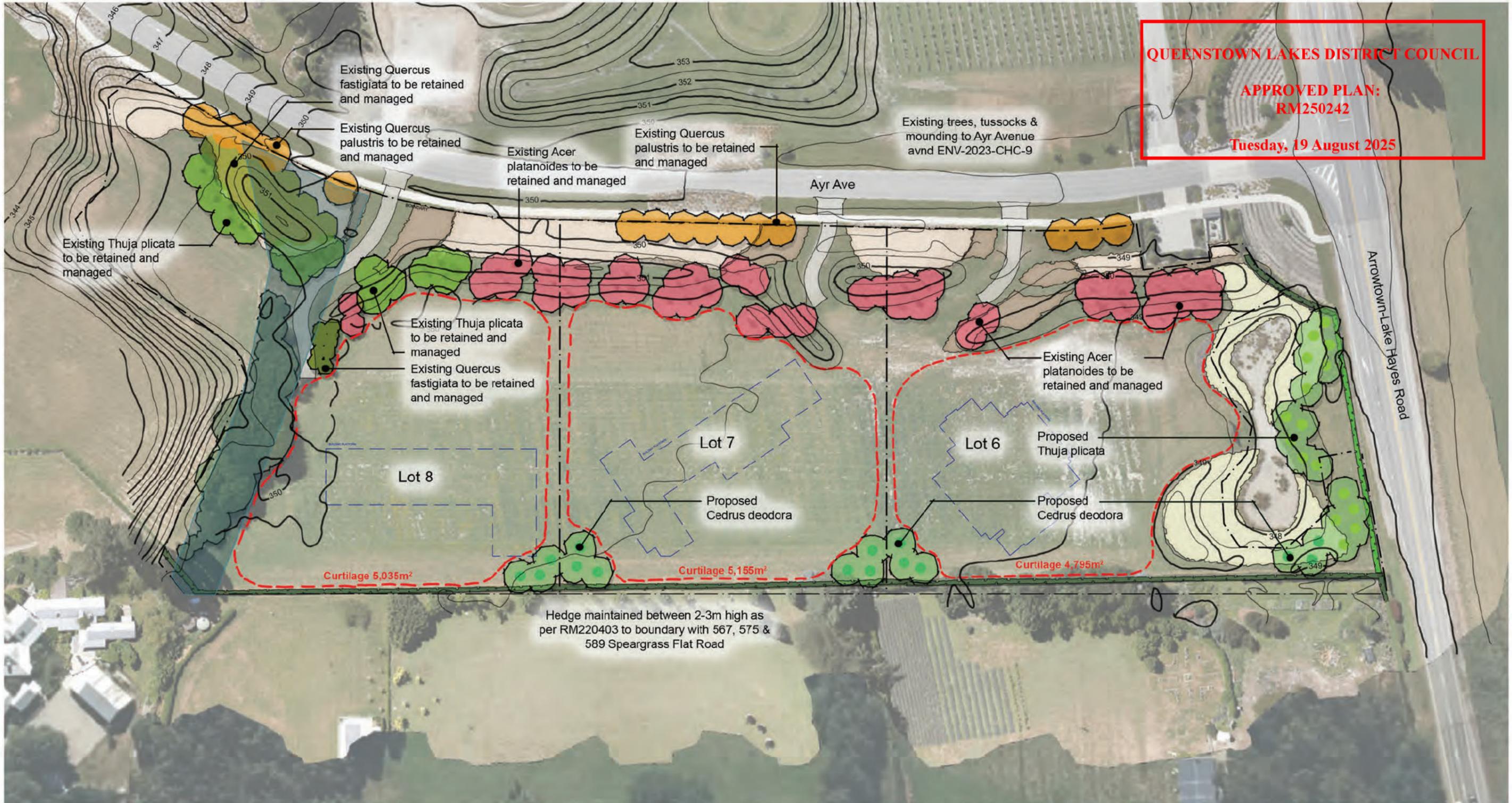
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QUEENSTOWN LAKES DISTRICT COUNCIL
APPROVED PLAN:
RM250242
Tuesday, 19 August 2025

Legend

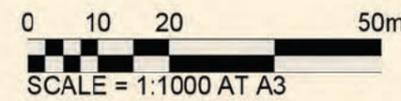
- Existing Laurel hedge
- Proposed Laurel hedge
- Existing trees (see notes for species)
- Proposed trees (see notes for species)
- Existing Chionocloa rubra planting
- Proposed Chionocloa rubra, PB3 @1.0m ctrs, 730m²
- Existing riparian planting
- Tree Protection Zone
- Proposed curtilage
- Proposed Building Platform
- 1m contour
- 0.5m contour

Hedge planting:
 • All boundary hedges maintained between 2-3m high as per RM220403

Tree planting:
 • Trees (including replacement trees) to be planted at a minimum 80L bag size and 3.0m high
 • Trees planted with slow-release fertiliser
 • Trees mulched to min. 400mm radius to retain moisture
 • Trees guarded against pests
 • Temporary irrigation installed and operated for 5 years from planting date

Tussock planting:
 • Chionocloa rubra planted, PB3 @1.0m ctrs
 • All plants planted with slow-release fertiliser
 • All plants mulched min. 200mm radius to retain moisture
 • All plants guarded against pests
 • Temporary irrigation installed and operated for 5 years from planting date
 • Plant losses to be replaced during first 12 months
 • Planting maintained to prevent wilding species

Ayr Residences
3 Lot Subdivision - Structural Planting



Scale
 1:1000 @A3
 Date
 30 July 2025
 Drawing No.
 AR-010

WINTON
 BEST BY DESIGN