

Rules Assessment



Proposal: Ridgeburn
Address: 122 Morven Ferry Road
District Plan: Queenstown Lakes Proposed District Plan

Site Zoning	
Zone	Rural Zone, and Wakatipu Basin Rural Amenity Zone
Overlays/Controls	Outstanding Natural Landscape (ONL) and Outstanding Natural Feature (ONF), Landscape Character Unit 17 & 18.
Designations	None

Rule	Consent Required and Status	Comment
Chapter 21 - Rural Zone		

21.4 Rules – Activities All activities, including any listed permitted activities shall be subject to the rules and standards contained in Tables 1 to 15.

Table 1 – Activities – Rural Zone		
Rule 21.4.5 One residential unit, which includes a single residential flat for each residential unit and any other accessory buildings, within any building platform approved by resource consent is a permitted activity.	Not permitted	The proposal includes approximately 1,210 residential units across the wider development site. While residential neighbourhoods are located within the Wakatipu Basin Rural Amenity Zone, residential activity is also proposed across land that includes areas of Rural Zone. The proposal therefore exceeds the permitted standard of one residential unit per site.
Rule 21.4.9	Yes, consent is required as a discretionary activity .	The proposal includes approximately 1,210 residential units across the wider development site.

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Rule	Consent Required and Status	Comment
The use of land or buildings for residential activity except as provided for in any other rule, is a discretionary activity.		
Rule 21.4.11 The construction of any building including the physical activity associated with buildings including roading, access, lighting, landscaping and earthworks, not provided for by any other rule, is a discretionary activity.	Yes, consent is required as a discretionary activity .	The proposal includes construction of buildings and associated infrastructure within areas of the site zoned Rural Zone. These buildings are not otherwise provided for as permitted activities and therefore require consent under this rule.
Rule 21.4.12 Home Occupation that complies with the standards in Table 6, is a permitted activity.	No consent required.	No specific home occupation activities are proposed as part of the application.
Rule 21.4.13 Commercial recreational activities that comply with the standards in Table 6, is a permitted activity.	No consent required.	The proposal includes passive recreation areas such as reserves, walking and cycling trails. These are recreational in nature and do not involve commercial recreational activities as defined by the rule.
Rule 21.4.21 Retail sales where the access is onto a State Highway, with the exception of the activities provided for by Rule 21.4.14 or Rule 21.4.16, is a non-complying activity.	No consent required.	The commercial precinct does not obtain direct access onto a State Highway. Access is via Morven Ferry Road and the internal roading network.
Rule 21.4.23 Restaurant including bar, is a discretionary activity.	No consent required.	Not applicable. Food and beverage activities are located within the commercial precinct in the Wakatipu Basin Rural Amenity Zone.

Rule	Consent Required and Status	Comment
Rule 21.4.24 Craft distillery or brewery, is a discretionary activity	No consent required.	Not applicable. Any craft brewery or distillery activity would occur within the commercial precinct in the Wakatipu Basin Rural Amenity Zone.
21.4.25 Recreation and/or Recreational Activity, is a permitted activity.	No consent required.	The proposal includes public open space, parks, sports fields and walking and cycling trails. These areas are intended for recreation and enjoyment and fall within the definition of recreation as the use of land for recreation and/or entertainment. They are not residential activities. Accordingly, these activities are permitted under this rule.
Rule 21.4.29 Any building within a Building Restriction Area identified on the District Plan web mapping application, is a non-complying activity.	No consent required.	No proposed buildings are located within a mapped Building Restriction Area. Accordingly, this rule is not triggered.
Rule 21.4.37 Any activity not otherwise provided for in Tables 1, 9, 10, 12 or 14, are non-compliant activities	Yes, consent is required as a non-complying activity .	The proposal comprises large-scale residential development within the Rural Zone that is not otherwise provided for as a permitted, controlled or discretionary activity. The development is therefore assessed overall as a non-complying activity under this rule.

Table 2 - Standards Applying Generally in the Zone.

Rule 21.5.1 Setback from Internal Boundaries - The setback of any building from internal boundaries shall be 15m. - Except this rule shall not apply within the Rural Industrial Sub-Zone. Refer to Table 11. Non-compliance requires consent as a restricted discretionary activity.	Yes, consent is required as a restricted discretionary activity .	The masterplan applies defined building setbacks across the development. However, the residential lot sizes and housing typologies result in buildings being located substantially closer than 15m to internal boundaries. The proposal does not achieve the 15m setback required by this rule.
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Rule	Consent Required and Status	Comment
Rule 21.5.2 Setback from Roads The setback of any building from a road boundary shall be 20m, except, the minimum setback of any building from State Highway 6 between Lake Hayes and the Shotover River shall be 50m. The minimum setback of any building for other sections of State Highway 6 where the speed limit is 70 km/hr or greater shall be 40m. Non-compliance requires consent as a restricted discretionary activity.	No consent required.	Buildings are setback between 23m and 75m from Morven Ferry Road. The proposal exceeds the minimum 20m road boundary setback required by this rule. The internal streets are privately owned and do not constitute legal road boundaries for the purposes of this rule.
Rule 21.5.3 Setback from Neighbours of Buildings Housing Animals The setback from internal boundaries for any building housing animals shall be 30m. Non-compliance requires consent as a restricted discretionary activity.	No consent required.	No buildings housing animals are proposed as part of the development. This rule is not triggered.
Rule 21.5.4 Setback of buildings from Water bodies The minimum setback of any building from the bed of a wetland, river or lake shall be 20m. Non-compliance requires consent as a restricted discretionary activity.	Yes, consent is required as a restricted discretionary activity .	The site contains several wetlands (A–D) and intermittent waterways. While most buildings are located outside the defined wetland and waterway beds, the masterplanned layout results in some lots and associated development occurring within the required 20m setback as shown on the A2 Masterplans Architectural drawings contained in Appendix 7 .

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Rule	Consent Required and Status	Comment
Rule 21.5.7 Lighting and glare 21.5.7.1 - All fixed exterior lighting must be directed away from adjoining sites and roads; and 21.5.7.2 - No activity on any site will result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site, provided that this rule shall not apply where it can be demonstrated that the design of adjacent buildings adequately mitigates such effects. 21.5.7.3 - There must be no upward light spill Except this rule shall not apply within the Ski Area Sub-Zones. Non-compliance with this rule is a non-complying activity	No consent required.	The design strategy adopts low-level, downward-facing and shielded luminaires designed to minimise glare and avoid upward light spill. Lighting will be directed away from adjoining sites and road boundaries. The proposal is designed to avoid spill exceeding 3.0 lux at site boundaries.

Table 3 – Standards for Farms

No relevant rules

Table 4 – Standards for Structures and Buildings

Rule 21.7.1 Structures Any structure which is greater than 5 metres in length, and between 1 metre and 2 metres in height must be located a minimum distance of 10	No consent required.	The Rural Zone land within the site does not adjoin Morven Ferry Road, being the only relevant road boundary applicable to this rule.
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Rule	Consent Required and Status	Comment
metres from a road boundary, except for: • 21.7.1.1 - Post and rail, post and wire and post and mesh fences, including deer fences; • 21.7.1.2 - Any structure associated with farming activities as defined in this plan. Non-compliance requires consent as a restricted discretionary activity.		
Rule 21.7.2 Buildings Any building, including any structure larger than 5m², that is new, relocated, altered, reclad or repainted, including containers intended to, or that remain on site for more than six months, and the alteration to any lawfully established building, are subject to the following: All exterior surfaces* must be coloured in the range of browns, greens or greys, including; • 21.7.2.1 - Pre-painted steel and all roofs must have a light reflectance value not greater than 20%; and • 21.7.2.2 - All other surface ** finishes except for schist, must have a light reflectance value of not greater than 30%. • 21.7.2.3 - In the case of alterations to an existing building not located	No consent required.	All external surfaces, including roofs, will have a Light Reflectance Value under 30% and will comprise non-reflective, recessive materials in muted tones. The proposal is designed to comply with the light reflectance and colour requirements of this rule.

Rule	Consent Required and Status	Comment
within a building platform, it does not increase the ground floor area by more than 30% in any ten year period.) Except this rule does not apply within the Ski Area Sub-Zones. * Excludes soffits, windows and skylights (but not glass balustrades). ** Includes cladding and built landscaping that cannot be measured by way of light reflectance value but is deemed by the Council to be suitably recessive and have the same effect as achieving a light reflectance value of 30%. Non-compliance requires consent as a restricted discretionary activity.		
Rule 21.7.3 Building size The ground floor area of any building must not exceed 500m². Except this rule does not apply to buildings specifically provided for within the Ski Area Sub-Zones. Non-compliance requires consent as a restricted discretionary activity.	No consent required.	Within the Rural Zone of the subject site, no buildings are proposed with a ground floor area exceeding 500m ² .
Rule 21.7.4 Building Height The maximum height shall be 8m. Except this rule does not apply to Passenger Lift Systems and Terminal	No consent required.	Within the Rural Zone of the subject site, no buildings are proposed with a height exceeding 8m as shown in the Architectural design controls for family housing contained in Appendix 6 .

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Rule	Consent Required and Status	Comment
Buildings and Stations for Passenger Lift Systems. Non-compliance requires consent as a restricted discretionary activity.		
Rule 21.7.5 Firefighting water and access New buildings for residential activities, where there is no reticulated water supply, or any reticulated water supply is not sufficient for fire-fighting, must have one of the following: • either a sprinkler system installed and plumbed with a maintained static water storage supply of at least 7,000 litres available to the system, or • water supply and access for firefighting that meets the following requirements: ○ 21.7.5.1 - Water storage of at least 45,000 litres shall be maintained (excluding potable water storage for domestic use) with an outlet connection point that can provide 1500L/min (25 L/s) and any necessary couplings. ○ 21.7.5.2 - A hardstand area with a minimum width of 4.5m	No consent required.	There is no existing reticulated Council water supply available to the site. The development will be serviced by an onsite groundwater source and a dedicated fire pump to maintain firefighting supply. The water reticulation network and storage infrastructure are designed to meet residential and commercial demand and include provision for firefighting. Firefighting water storage, hardstand areas, connection points and vehicle access will be provided in accordance with the QLDC Land Development and Subdivision Code of Practice 2025 at detailed design stage. The proposal is capable of complying with this standard.

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Rule	Consent Required and Status	Comment
and length of 11m located within 6m of the firefighting water supply connection point and capable of supporting a 20 tonne fire service vehicle. ○ 21.7.5.3 - The connection point for the firefighting water supply must be located more than 6m and less than 90m from the building for residential activities and be accessible by emergency service vehicles during fire events. ○ 21.7.5.4 - Access from the property road boundary to the hardstand area capable of accommodating a 20 tonne fire service vehicle.		

Table 5 - Standards for Farm Buildings

No relevant Rules

Table 6 – Standards for Commercial Activities

Rule 21.9.1 Commercial recreational activities Commercial recreational activities must be undertaken on land, outdoors and must not involve more than 15 persons in any one group. Non-compliance requires consent as a discretionary activity.	No consent required.	The proposal includes open space, reserves and recreational areas; however, no commercial recreational activity undertaken outdoors is proposed.
Rule 21.9.4 Retail Sales	No consent required.	

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Rule	Consent Required and Status	Comment
Buildings that have a gross floor area that is greater than 25m ² to be used for retail sales identified in Table 1 must be setback from road boundaries by at least 30m. Non-Compliance is a restricted discretionary activity.		
Rule 21.9.5 Residential Visitor Accommodation Residential visitor accommodation is permitted where: 21.9.5.1 The total nights of occupation by paying guests on a site do not exceed a cumulative total of 120 nights per annum from the date of initial registration; 21.9.5.2 The activity is registered with Council prior to commencement; 21.9.5.3 Up to date records of the Residential Visitor Accommodation activity are kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice. Note: The Council may request that records are made available to the	No consent required.	Not applicable, as the visitor accommodation is located within the Wakatipu Basin Rural Amenity Zone.

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Rule	Consent Required and Status	Comment
Council for inspection at 24 hours' notice, in order to monitor compliance with rules 21.9.5.1 to 21.9.5.3. Non-compliance is a controlled activity.		
Rule 21.9.6 Homestay 21.9.6.1 The total number of paying guests on a site does not exceed five per night. 21.9.6.2 The Council is notified in writing prior to the commencement of a Homestay activity 21.9.6.3 Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice. Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 21.9.6.1 to 21.9.6.3. Non-compliance is a controlled activity.	No consent required.	No homestay activity is proposed as part of the development. The proposal does not rely on residential dwellings operating as homestays. This rule is not triggered.

Table 7 - Standards for Informal Airports

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Rule	Consent Required and Status	Comment
No relevant Rules		
Table 8 - Activities in the Ski Area Sub-Zone		
No relevant Rules		
Table 9 – Standards for activities within the Ski Area Sub-Zone		
No relevant Rules		
Table 10 – Activities in Rural Industrial Sub-Zone		
No relevant Rules		
Table 11 – Standards for activities within the Rural Industrial Sub Zone		
No relevant Rules		
Table 12 - Activities on the Surface of Lakes and Rivers		
No relevant Rules		
Table 13 - Standards for Surface of Lakes and Rivers		
No relevant Rules		
Table 14 – Closeburn Station: Activities		
No relevant Rules		
Table 15 – Closeburn Station: Standards for Buildings and Structures		

Chapter 24 - Wakatipu Basin		
Table 24.1 – Activities		
Rule 24.4.1 Any activity not listed in Tables 24.1. is a non-complying activity	Yes, consent is required as a non-complying activity .	To the extent that any component of the proposal is not expressly provided for in Table 24.1, it is captured by Rule 24.4.1 and assessed as a non-complying activity.

Rule 24.4.3 The use of land or buildings for residential activity except as otherwise provided for in Table 24.1 and subject to the standards in Table 24.2 Is a permitted activity.	Not permitted	Consent is required as the proposed residential development does not comply with several standards in Table 24.2, including density, building platform and location controls.
Rule 24.4.6 The construction of buildings for residential activity not provided for by Rules 24.4.5 to Rule 24.4.7A. Is a restricted discretionary activity.	Yes, consent is required as a restricted discretionary activity .	The proposal includes the construction of new residential buildings. As these are not otherwise provided for under Rules 24.4.5 to 24.4.7A, consent is required under this rule.
Rule 24.4.7 The construction of buildings for residential activity outside a building platform approved by a resource consent and registered on the applicable record of title on a site where there is such a building platform.	Yes, consent is required as a non-complying activity .	The proposal involves the construction of buildings for residential activity outside a building platform approved by a resource consent.
Rule 24.4.7A Any new residential activity including the construction of buildings for that residential activity within those areas identified in Rule 24.5.1.6 Is a discretionary activity.	No consent required	The site is located within Landscape Character Units 17 and 18 which is not identified in Rule 24.5.1.6.
Rule 24.4.18	Yes, consent is required as a restricted discretionary activity .	The proposal includes construction of buildings for non-residential activities including retail, hospitality, visitor accommodation and community facilities. These buildings require consent under this rule.

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The construction of buildings for non-residential activities, not otherwise provided for in Table 24.1. Is a restricted discretionary activity		
Rule 24.4.19 Commercial recreational activities that are undertaken on land, outdoors and involve more than 12 persons in any one group. Is a discretionary activity	No consent required.	While the proposal includes recreational areas and facilities, these are not proposed to operate as commercial guiding, training, instructing or recreation services to clients. No outdoor commercial recreational activity involving more than 12 persons per group is proposed. The rule is not triggered.
Rule 24.4.20 Cafes and restaurants. Is a discretionary activity	Yes, consent is required as a discretionary activity.	The Commercial Precinct includes cafes and restaurant activities within this zone. These require consent under this rule.
Rule 24.4.21 Visitor accommodation. Is a discretionary activity.	Yes, consent is required as a discretionary activity.	The proposal includes a purpose-built visitor and worker accommodation building within the commercial precinct.
Rule 24.2.22 Community activities. Is a discretionary activity	Yes, consent is required as a discretionary activity.	The proposal includes a daycare facility and a community hall within the Commercial Precinct. These activities fall within the definition of community activity, being facilities provided for education and community wellbeing purposes. Consent is required as a discretionary activity under this rule.
Rule 24.4.23 Any commercial or Industrial activity not otherwise provided for in Table 24.1 including those associated with farming. Any commercial or Industrial	Yes, consent is required as a non-complying activity.	To the extent that any commercial activity associated with the commercial precinct is not otherwise provided for under Table 24.1, it is assessed as a non-complying activity under this rule.

activity not otherwise provided for in Table 24.1 including those associated with farming. Is a non-complying activity		
Table 24.2 – Standards		
Rule 24.5.1.4 Density Any site in the Wakatipu Basin Rural Amenity Zone located wholly outside the Precinct in respect of which resource consent creating the site was granted before 21 March 2019, and a record of title subsequently issued, and with an area less than 80 hectares, a maximum of one residential unit per site. Except this rule shall not apply where Rule 24.5.1.6 is applied. Non-compliance is a non-complying activity	Yes, consent is required as a non-complying activity .	The proposal includes approximately 1,210 residential units across land less than 80 ha per site following subdivision. The development therefore exceeds the maximum density of one residential unit per site and does not comply with this rule.
Rule 24.5.1.5 Density For that part of all other sites in the Wakatipu Basin Rural Amenity Zone wholly located outside of the Precinct, a maximum of one residential unit per 80 hectares net site area.	Yes, consent is required as a non-complying activity .	The proposal involves residential development within the Wakatipu Basin Rural Amenity Zone that exceeds the maximum density of one residential unit per 80 ha of net site area.

Except this rule shall not apply where Rule 24.5.1.6 is applied. Non-compliance is a non-complying activity		
Rule 24.5.4 Building Material and Colours Any building and its alteration, including shipping containers that remain on site for more than six months, are subject to the following: All exterior surfaces* must be coloured in the range of browns, greens or greys including; 24.5.4.1 - Pre-painted steel and all roofs must have a light reflectance value not greater than 20%; and 24.5.4.2 - All other exterior surface** finishes, except for schist, must have a light reflectance value of not greater than 30%. * Excludes soffits, windows and skylights (but not glass balustrades). ** Includes cladding and built landscaping that cannot be measured by way of light reflectance value but is deemed by the Council to be suitably recessive and have the same effect as	No consent required.	All external surfaces, including roofs, will comprise recessive materials within brown, green or grey tones and will not exceed 30 percent Light Reflectance Value. Roofs are specified as non-reflective. The proposal is designed to comply with this standard.

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achieving a light reflectance value of 30%. Non-compliance is a restricted discretionary activity		
Rule 24.5.5 Building Ground Floor Area Where a residential building is constructed within a building platform under Rule 24.4.5, the ground floor area of all buildings must not exceed 500m².	Yes, consent is required as a restricted discretionary activity.	The visitor accommodation building, within the commercial precinct exceed the 500 m² ground floor area standard.
Rule 24.5.6 Building coverage The building coverage of all buildings on a site not subject to Rule 24.5.5 must not exceed 15% of net site area, or 500m², whichever is the lesser. Non-compliance is a restricted discretionary activity	Yes, consent is required as a restricted discretionary activity.	Building coverage within parts of the development exceeds the permitted 15% of net site area due to the scale of residential neighbourhoods and the commercial precinct.
Rule 24.5.7 Setback from internal boundaries 24.5.7.1 The minimum setback of any building from internal boundaries shall be 10m, except where Rule 24.5.7.2 applies. 24.5.7.2 The set back of buildings from the southern boundary of Lot 2 DP 392663, Part Lot 7 DP 392663, and Part Lot 2 DP 501981 (or subsequent	Yes, consent is required as a restricted discretionary activity.	The proposed residential neighbourhood layout and building typologies include dwellings located closer than 10m to site boundaries and therefore do not comply with the minimum setback required by this rule.

title/s) (adjacent to the Arrowtown Retirement Village, McDonnell Road, Arrowtown) shall be defined by a line between: a point at the McDonnell Road boundary 75m from the southern boundary of Lot 2 DP 392663; and a point at the western boundary of the Precinct and 25m from the southern boundary of Part Lot 7 DP 392663. Non-compliance is a restricted discretionary activity		
24.5.8.1 Height The maximum height of buildings shall be 6.5m. Non-compliance is a restricted discretionary activity	Yes, consent is required however the below rule applies.	Buildings within the Commercial Precinct, including the Visitor / workers accommodation building, are designed up to 15m in height. This exceeds the 6.5m standard.
24.5.8.2 Height The maximum height of buildings shall be 8m. Non-compliance is a non-complying activity	Yes, consent is required as a non-complying activity.	Buildings within the Commercial Precinct, including the Visitor / workers accommodation building, are designed up to 15m in height. This exceeds the 8m height standards.
Rule 24.5.9 Setbacks from Road 24.5.9.1 - The minimum setback of any building from any road	No consent required.	The only applicable road boundary is Morven Ferry Road. Buildings within the development are setback between 23m and 75m from that boundary, exceeding the minimum 20m setback required in the Rural

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boundary (other than an unformed road or as specified in Rule 24.5.9.4) shall be 75m in the Precinct and 20m in the Rural Amenity Zone. • 24.5.9.2 - The minimum setback of any building from any unformed road shall be 20m in the Rural Amenity Zone and Lifestyle Precinct. • 24.5.9.3 - Rules 24.5.9.1 and 24.5.9.2 do not apply to the construction of buildings for residential activity pursuant to Rule 24.4.5. • 24.5.9.4 - For the site(s) in the triangular Precinct located at the intersection of Arrowtown-Lake Hayes Road and McDonnell Road and within 250m of that intersection (measured from the centre of the intersection with Arrowtown-Lake Hayes Road), the minimum setback of any building from the McDonnell Road boundary shall be 20m provided that the minimum setback shall be 50m where any building on any adjacent site in the Precinct along that part of the frontage is or is proposed to be setback at less than 50m but not less than 20m from that frontage.		Amenity Zone. Internal private roads created by subdivision do not constitute road boundaries for the purpose of this rule. The proposal complies with Rule 24.5.9.
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24.5.9.5 - The minimum setback of any building from Arrowtown-Lake Hayes Road, within the land contained in the Ayrburn Structure Plan located in Section 27.13, shall be 75m. Non-compliance is restrict discretionary activity		
Rule 24.5.12 Setback of buildings from waterbodies The minimum setback of any building from the bed of a wetland, river or lake shall be 30m. This rule does not apply to: Waterbodies that have been built as part of a subdivision or development for the primary purpose of treating and disposing of stormwater, or the construction of buildings for residential activities pursuant to Rule 24.4.5. Non-compliance is restrict discretionary activity	Yes, consent is required as a restricted discretionary activity.	The site contains natural wetlands and intermittent streams as well as constructed ponds and stormwater treatment features. While the rule does not apply to constructed waterbodies, buildings are located within 30m of some natural wetlands and therefore consent is required under this rule.
Rule 24.5.17 Glare All fixed exterior lighting shall be directed away from adjacent roads and sites.	No consent required.	External lighting will be designed to direct light away from adjacent sites and roads, avoid upward light spill, and limit spill at site boundaries to no more than 3 lux. The lighting design is capable of complying with this standard.

- Activities on any site shall not result in more than a 3 lux spill (horizontal and vertical) of light to any other site, measured at any point within the boundary of the other site. - There shall be no upward light spill. Non-compliance is restrict discretionary activity		
Rule 24.5.19 Firefighting water and access New buildings for residential activities where there is no reticulated water supply, or any reticulated water supply is not sufficient for firefighting must have one of the following: either a sprinkler system installed and plumbed with a maintained static water storage supply of at least 7,000 litres available to the system, or water supply and access for firefighting that meets the following requirements: Water storage of at least 45,000 litres shall be maintained (excluding potable water storage for domestic use) with an outlet connection point that can provide 1500L/min (25 L/s) and any necessary couplings;	No consent required.	There is no Council reticulated water supply. The proposal includes an onsite bore supply, storage tanks and a dedicated fire pump. Firefighting water storage and vehicle access will be provided in accordance with QLDC engineering standards at detailed design stage.

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• A hardstand area with a minimum width of 4.5m and length of 11m located within 6m of the firefighting water supply connection point and capable of supporting a 20 tonne fire service vehicle; • The connection point for the firefighting water supply must be located more than 6m and less than 90m from the building for residential activities and be accessible by emergency service vehicles during fire events; • Access from the property road boundary to the hardstand area capable of accommodating a 20 tonne fire service vehicle. Non-compliance is a restricted discretionary activity		
Rule 24.5.20 Residential visitor accommodation Residential visitor accommodation – Excluding the Lifestyle Precinct • 24.5.20.1 - The total nights of occupation by paying guests on a site do not exceed a cumulative total of 120 nights per annum from the date of initial registration.	Yes, consent is required as a controlled activity.	The proposal includes purpose-built visitor and worker accommodation that is not limited to 120 nights of occupation per annum and therefore does not comply with the permitted standards of this rule.

• 24.5.20.2 - The activity is registered with Council prior to commencement. • 24.5.20.3- Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice. <i>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 24.5.20.1 to 24.5.20.3. Non-compliance is a controlled activity.</i>		
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Earthworks – Chapter 25		
Rule 25.4.2 Earthworks that do not comply with the standards for the maximum total volume of earthworks in Table 25.2, except for earthworks covered by Rules 25.4.1A and 25.4.1B.	Yes, consent is required as a restricted discretionary activity.	Earthworks exceeds the maximum total volume of earthworks in Table 25.2, as set out in Rule 25.5.4;
Rule 25.5.4 Up to 400m ³ of earthworks within Wakatipu Basin Rural Amenity Zone.	Yes, consent is required as a restricted discretionary activity	Earthworks within the WBRAZ exceed the permitted 400 m ³ threshold. The proposed development includes a total net cut volume of approximately 689,052 m ³ .

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Rule 25.5.11 Earthworks over a contiguous area of land shall not exceed the following area: 25.5.11.1 2,500m² where the slope is 10° or greater. 25.5.11.2 10,000m² where the slope is less than 10°. 25.5.11.3 2,500m² at any one time for the construction of a trail.	Yes, consent is required as a restricted discretionary activity	Earthworks exceed the permitted area thresholds of 2,500 m² on slopes greater than 10° and 10,000 m² on slopes less than 10°, with earthworks occurring across a substantial portion of the site as shown on the engineering plans.
Rule 25.5.12 Erosion and sediment control measures must be implemented and maintained during earthworks to minimise the amount of sediment exiting the site, entering water bodies, and stormwater networks.	No consent required	The proposal is capable of complying. Erosion and sediment control measures will be implemented during earthworks, as detailed in the supporting technical reports and to be secured through conditions of consent.
Rule 25.5.13 Dust from earthworks shall be managed through appropriate dust control measures so that dust it does not cause nuisance effects beyond the boundary of the site.	No consent required	The proposal will comply. Dust will be managed through standard construction management measures to avoid off-site nuisance effects.
Rule 25.5.14 Earthworks that discovers any of the following: 25.5.14.1 kōiwi tangata (human skeletal remains), wāhi taoka (resources of importance), wāhi tapu (places or features of special significance) or other Māori artefact material, or 25.5.14.2 any feature or archaeological material that predates 1900, or 25.5.14.3	No consent required	No consent is required under this rule. Two recorded archaeological sites (F41/62 and F41/890) are present within the application area and are addressed through a separate Archaeological Authority. An accidental discovery protocol will be implemented to manage any previously unrecorded material encountered during earthworks.

evidence of contaminated land (such as discolouration, vapours, landfill material, significant odours),		
Rule 25.5.15 The maximum depth of any cut shall not exceed 2.4 metres.	Yes, consent is required as a restricted discretionary activity.	The proposal does not comply. The maximum permitted cut depth of 2.4 m is exceeded, with engineering plans indicating cut depths of up to approximately 10 m.
Rule 25.5.16 The maximum height of any fill shall not exceed 2 metres.	Yes, consent is required as a restricted discretionary activity.	The proposal does not comply. Fill heights exceed the permitted 2 m standard, with fill of up to approximately 7 m proposed, as shown in the engineering plans.
Rule 25.5.18 Earthworks greater than 0.5 metres in height or depth shall be set back from the site boundary the following minimum distances: 25.5.18.1 Earthworks not supported by retaining walls: a) distance at least equal to the maximum height of the fill, as measured from the toe of the fill, with a maximum batter slope angle of 1:3 (vertical: horizontal); or b) 300mm plus a batter slope angle of a maximum of 1:3 (vertical: horizontal), as measured from the crest of the cut. Earthworks supported by retaining walls: a) Cut or fill supported by a retaining wall must be setback a distance at least equal to the height of the retaining wall; b) Cut and fill equal to or less than 0.5m in height is exempt from this rule.	No consent required	No earthworks are proposed within close proximity to site boundaries.
Rule 25.5.19.1 Earthworks within 10m of the bed of any water body, or any drain or water race that flows to a lake or river,	Yes, consent is required as a ea	The development includes bulk earthworks and infrastructure works in proximity to water bodies, including intermittent streams, wetlands, and an existing water race within the site. Given the scale

shall not exceed 5m ³ in total volume, within any consecutive 12-month period.		of these works, earthworks within 10 m of such features will exceed 5 m ³ within a 12-month period.
Rule 25.5.21 No more than 300m ³ of Cleanfill shall be transported by road to or from an area subject to Earthworks.	Yes – consent is required as a restricted discretionary activity.	The Construction Management Plan confirms that the development involves large-scale bulk earthworks across multiple stages, including the formation of building platforms, roading and infrastructure. Given the scale and duration of these works, cleanfill volumes transported to and from the site will exceed 300 m ³ within a 12-month period.

Chapter 27: Subdivision and Development

Rule 27.5.9 All subdivision activities, unless otherwise provided for, in the Wakatipu Basin Rural Amenity Zone or the Wakatipu Basin Lifestyle Precinct.	Consent required - Restricted Discretionary Activity	Freehold subdivision is proposed within areas of the site that are zoned as Whakatipu Basin Rural Amenity.
Rule 27.5.10 Subdivision of land in any zone within the National Grid Subdivision Corridor except where any allotment identifies a building platform to be located within the National Grid Yard.	Consent Required - Restricted Discretionary Activity	Subdivision of land is proposed which contains the National Grid Subdivision Corridor.
Rule 27.5.11 The subdivision of land that results in creation of an additional lot within an identified wāhi tūpuna area outside of the urban environment, where subdivision is a potential threat as set out in Schedule 39.6.	No Consent Required	Parts of the site are located within an identified wāhi tūpuna overlay (a small area adjacent to the Kawerau River), however no additional lots are proposed within these locations.

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Rule 27.5.12 All subdivision activities in the Rural Visitor Zone (excluding the Maungawera Rural Visitor Zone), Rural and Gibbston Character Zones and Airport Zone - Wanaka, unless otherwise provided for.	Consent Required – Discretionary Activity	Freehold subdivision is proposed within areas of the site that are zoned Rural.
Rule 27.5.15 The subdivision of a site containing a known archaeological site.	Consent Required – Discretionary Activity	The site contains two sites which have been recorded on the New Zealand Archaeological Associated (NZAA). Freehold subdivision of these lots is proposed.
Rule 27.5.17 A Unit Titles Act subdivision lodged concurrently with an application for building consent, or land use consent.	Consent Required – Discretionary Activity	Unit title subdivision is proposed and is lodged concurrently with land use consent.
Rule 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.	Consent Required – Non-Complying Activity	As identified below in the assessment against Rule 27.6.1, the Proposal involves subdivision within the Wakatipu Basin Rural Amenity Zone which does not comply with the minimum lot area.
Rule 27.6.1	Consent Required – Non-Complying Activity pursuant to Rule 27.5.22.	The Proposal involves freehold subdivision of the site in both the Rural Zone and Whakatipu Basin Rural Amenity Zone. Whilst there is no

No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, an average net site area less than the minimum specified. • Rural: No minimum • Wakatipu Basin Rural Amenity Zone: 80ha		minimum allotment size for the Rural Zone, all subdivision within the Wakatipu Basin Rural Amenity Zone will be smaller than 80ha.
Rule 27.6.2 Lots created for access, utilities, roads and reserves shall have no minimum size.	No consent required	Noted.
Wakatipu Basin Rural Amenity Zone Rule 27.7.18.1 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: • 75m in the Lifestyle Precinct; and • 20m in the Rural Amenity Zone.	No consent required	N/A – no building platforms are identified through the subdivision process as land use consent is sought in parallel. Departures to provisions in the Wakatipu Basin Rural Amenity Zone are sought as part of the land use consent associated with this application.
Wakatipu Basin Rural Amenity Zone Rule 27.7.18.2 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.		
Wakatipu Basin Rural Amenity Zone Rule 27.7.20 The minimum setback of any building platform identified through subdivision from the bed of a wetland, river or lake shall be 30m.	No consent required	N/A – no building platforms are identified through the subdivision process as land use consent is sought in parallel. Departures to provisions in the Wakatipu Basin Rural Amenity Zone are sought as part of the land use consent associated with this application.
Wakatipu Basin Rural Amenity Zone Rule 27.7.21 Any building platform identified shall be not less than 70m ² in area and not greater than 1000m ² in area.	No consent required	N/A – no building platforms are identified through the subdivision process as land use consent is sought in parallel. Departures to provisions in the Wakatipu Basin Rural Amenity Zone are sought as part of the land use consent associated with this application.
Rule 27.7.34 In the following zones, every allotment created for the purposes of containing residential activity shall identify one building platform of not less than 70m ² in area and not greater than 1000m ² in area. • Rural Zone • Gibbston Character Zone • Rural Lifestyle Zone • Rural Visitor Zone, limited to Lots 1 to 11 as per the building platform layout shown on the Arcadia Rural	Consent Required – Non-Complying Activity pursuant to Rule 27.7.36.	No building platforms are identified through the subdivision process as land use consent is sought in parallel. Departures to provisions in the Wakatipu Basin Rural Amenity Zone are sought as part of the land use consent associated with this application.

Visitor Zone Structure Plan at 27.13.19A.		
Rule 27.7.36 Subdivision applications not complying with either Rule 27.7.34, Rule 27.7.34A, or Rule 27.7.35 shall be non-complying activities.		
Rule 27.7.39.3 Where no communal owned and operated water supply exists, all lots other than lots for access, roads, utilities and reserves, shall be provided with a potable water supply of at least 1000 litres per day per lot.	No Consent Required	A communal owned and operated water supply scheme is proposed, which would provide potable water supply for each lot.
Rule 27.7.39.4 Electricity reticulation must be provided to all allotments in new subdivisions (other than lots for access, roads, utilities and reserves).	No Consent Required	All lots will be provided with electricity generation.
Rule 27.7.39.5 Telecommunication services must be available to all allotments in new subdivisions in the Rural Zone, Gibbston Character Zone and Rural Lifestyle Zone (other than lots for access, roads, utilities and reserves).	No Consent Required	All lots will be provided with telecommunication services.
Rule 27.7.39.6	No Consent Required	All lots will be provided with telecommunication reticulation.

Telecommunication reticulation must be provided to all allotments in new subdivisions in zones other than the Rural Zone, Gibbston Character Zone and Rural Lifestyle Zone (other than lots for access, roads, utilities and reserves).		
Chapter 29: Transport (refer to Internal Transportation Assessment at Appendix 25 for full assessment)		
Rule 29.4.11 High Traffic Generating Activities Any new land-use or subdivision activity, including changes in use that exceeds the traffic generation standards or thresholds set out in Table 29.5, excluding in the Airport Zone.	Consent Required – Restricted Discretionary Activity	Refer to Internal Transportation Assessment at Appendix 25.
Rule 29.5.1 Parking and Loading - Any parking space required by Table 29.4 or loading space shall be available for staff and visitors during the hours of operation and any staff parking required by this rule shall be marked as such. - No parking space required by Table 29.4 shall be located on any access or outdoor living	Consent Required – Restricted Discretionary Activity	Refer to Internal Transportation Assessment at Appendix 25.

space required by the District Plan, such that each parking space required by Table 29.5 shall have unobstructed vehicular access to a road or service lane, except where tandem parking is specifically provided for by Rule 29.5.7. c. Parking spaces and loading spaces may be served by a common manoeuvring area (which may include the installation of vehicle turntables), which shall remain unobstructed. d. Some or all coach parking required by Table 29.4 in relation to visitor accommodation activity may be provided off-site.		
Rule 29.5.2 Size of Required Parking Spaces and Layout a. All provided parking spaces and associated manoeuvring areas are to be designed and laid out in accordance with the Car Parking Layout requirements of Table 29.7	No Consent Required	Carparking will meet the PDP provisions for all classes of use. Refer to Internal Transportation Assessment at Appendix 25

and Diagram 3 (car space layouts) of Schedule 29.2. b. The installation of a vehicle turntable for residential units and residential flats is an acceptable alternative to achieve the required turning manoeuvres of the swept path Diagram 4.		
Rule 29.5.3 Gradient of Parking Spaces and Parking Areas Parking spaces and parking areas other than mobility parking spaces shall have a gradient of no more than 1 in 20 parallel to the angle of parking, and a gradient of no more than 1 in 16 in any other direction.	No Consent Required	The Internal Transport Assessment confirms that the Proposal is compliant with Rule 29.5.3.
Rule 29.5.4 Mobility Parking Spaces	Consent Required – Restricted Discretionary Activity	No mobility parking spaces are required for the residential activity, however, are required for the park-and-ride facility and the commercial areas and is proposed to comply. However, the aisle widths for three mobility spaces in the main commercial car park do not meet the District Plan provision but meet the overarching Standard AS/NZS2890.1:2004 ('Parking Facilities Part 1: Off-Street Car Parks'). Mobility spaces are not shown at the worker accommodation / visitor accommodation or the bar/pizzeria and are required as a condition of consent.

Rule 29.5.7: Residential Parking Space Design	Consent Required – Restricted Discretionary Activity	In some locations, the ‘apron’ between the garage door and the legal road boundary is shorter than required to accommodate a car, refer to the Internal Transport Assessment.
Rule 29.5.12: Bicycle Parking and the Provision of Lockers and Showers	No Consent Required.	Cycle parking facilities are not shown but are required as a condition of consent, therefore consent is not required.
Rule 29.5.13: Access and Road Design	Consent Required – Restricted Discretionary Activity	The road cross-sections and designs are discussed in the Internal Transportation Assessment at Appendix 25 ; the proposal does not meet the Council’s Land Development and Subdivision Code of Practice.
Rule 29.5.17: Minimum Sight Distances from Vehicle Access on all Roads other than State Highways	Consent Required – Restricted Discretionary Activity	Some residential lots have restricted sightlines due to road curves and intersections, meaning standard sight distances for the posted speed are not always achieved. However, these road features naturally slow vehicles, allowing reduced sight distances to be acceptable. In some cases, sightlines extend across the lot or neighbouring properties, so controls are needed to prevent permanent obstructions over 1m high within these areas to maintain visibility.
Rule 29.5.21: Minimum Distances of Vehicle Crossings from Intersections	Consent Required – Restricted Discretionary Activity	Some residential lots are located within 25m of intersections, but this is mitigated by low traffic volumes, low operating speeds, and the likelihood that most road users will be familiar with the network.
Chapter 30: Energy and Utilities		
Rule 30.5.1.4 Underground pipes and incidental structures and equipment for the	No Consent Required – Permitted Activity	The Proposal involves underground pipes for the supply of water and wastewater.

supply and drainage of water or wastewater.		
Rule 30.5.1.5 Water and irrigation races, drains, channels and underground pipes for water and irrigation, other than those activities restricted by Rule 30.5.1.4.	No Consent Required – Permitted Activity	The Proposal involves the piping of the existing above ground water irrigation network within the site.
Rule 30.5.1.8 Underground pipes and incidental structures and equipment for the conveyance of stormwater.	No Consent Required – Permitted Activity	The Proposal involves underground pipes for the conveyance of stormwater.
Rule 30.5.1.9 Water, wastewater and stormwater pump stations.	No Consent Required – Permitted Activity	The Proposal involves wastewater pump stations.
Rule 30.5.1.10 Stormwater detention/retention ponds or stormwater wetlands, other than those activities restricted by Rule 30.5.1.13.	Consent Required – Controlled Activity	The Proposal involves stormwater detention ponds.
Rule 30.5.11 The addition, alteration or construction of buildings greater than 10m ² in total footprint or 3m in height other than buildings located in the areas listed in Rule 30.5.1.15.	Consent Required – Controlled Activity	The proposal involves utility structures associated with the storage and treatment of water and wastewater that are greater than 10m ² in footprint and larger than 3m in height.
Rule 30.5.1.18	Consent Required – Discretionary Activity	The proposal involves a Wastewater Treatment Plant and Water Treatment Plant.

Water and Wastewater Treatment Facilities		
Rule 30.5.4.1 Buildings and Structures permitted within the National Grid Yard	No Consent Required	No buildings or structures are proposed within the National Grid Yard.
Rule 30.5.2.1 Setback from internal boundaries and road boundaries: Where the utility is a building, it must be set back in accordance with the internal and road boundary setbacks for accessory buildings in the zone in which it is located.	No Consent Required	The proposed buildings associated with the Wastewater Treatment Plant and Water treatment Plant are set back in accordance with the zone rules.
Rule 30.5.2.2 Buildings associated with a Utility in Outstanding Natural Landscapes (ONL) and Outstanding Natural Features (ONF): Any building within an ONL or ONF must be less than 10m ² in area and less than 3m in height.	Consent Required – Discretionary Activity	The proposed water storage reservoirs will be located within the ONL and exceed 10m ² in area and 3m in height.
Rule 30.5.2.3 All buildings or structures must comply with the relevant maximum height provisions for buildings of the zone they are located in.	Consent Required – Discretionary Activity	The buildings associated with the Wastewater Treatment Plan exceed the permitted height limit of 6m (up to 8.5m is proposed).

Rule 30.5.4.2 Earthworks permitted within the National Grid Yard 30.5.4.2.1 Earthworks within 6 metres of the outer visible edge of a National Grid transmission line support structure must be no deeper than 300mm. 30.5.4.2.2 Earthworks between 6 metres to 12 metres from the outer visible edge of a National Grid transmission line support structure must be no deeper than 3 metres 30.5.4.2.3 Earthworks must not create an unstable batter that will affect a National Grid transmission line support structure. 30.5.4.2.4 Earthworks must not result in a reduction in the existing conductor clearance distance below what is required by the NZECP 34:2001.	No Consent Required	The Proposal involves earthworks within the National Grid Yard, however this will be located more than 12 metres from a transmission line support structure.
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Chapter 31: Signs		
Rule 31.10.2	Consent Required – Discretionary Activity	Wayfinding signage is required throughout the development to support the safe and efficient movement of vehicles and pedestrians,

Any operational, directional and safety signage relating to the movement of vehicles and people around the zone.		particularly within the commercial area. This signage is operational and directional in nature but does not meet the permitted activity standards and therefore falls to be assessed as a discretionary activity under Rule 31.10.2.
Rule 31.11.1 Signage within the Rural Zone (excluding Ski Area Sub Zones), Gibbston Character Zone, Wakatipu Basin Amenity Zone, Rural Lifestyle Zone and Rural Residential Zone Up to 2m² of signage per site with no internal or external illumination of the sign.	Consent Required – Discretionary Activity	The site is zoned Rural and Wakatipu Basin Rural Amenity Zone, where signage is limited to 2m² per site with no illumination. The proposal includes wayfinding signage within the commercial area at a scale of up to 2m² per building. This exceeds the permitted standard, which applies on a per site basis, and therefore results in a breach of Rule 31.11.1. The signage is limited to that required to identify individual commercial premises within the development and to assist with wayfinding within the commercial area. Consent is therefore sought for this breach.

Proposal: Ridgeburn

Address: 122 Moven Ferry Road, Queenstown

Regional Plans:

- Otago Regional Plan: Water for Otago
- Otago Regional Plan: Air for Otago
- Otago Regional Plan: Waste for Otago

Mapping constraints

Lake Hayes Catchment (B-series maps) (affects a small portion of the site at the top of Morvern Ferry hill)

C Series Aquifer (entire site)

1.0 Otago Regional Plan: Water for Otago

Rule	Consent Required and Status	Comment
Chapter 12 - Water Take, Use and Management		
12.1 The taking and use of surface water		
Rule 12.1.2.1 The taking and use of surface water for domestic needs or the needs of animals for drinking water is a permitted activity providing: a) No take is for a volume greater than 25,000 litres per day; and b) No take is at a rate greater than 0.5 litres per second in the North Otago, Maniototo or Central Otago subregions (as identified on Maps A1-A8), or greater than 1 litre per second elsewhere in Otago; and c) The taking or use does not have an adverse effect on the environment.	No Consent Required	No surface water take is proposed by way of this application.
12.2 The taking and use of groundwater		
Rule 12.2.2.1 The taking and use of groundwater for domestic needs or the needs of animals for drinking water is a permitted activity providing: a) No take is for a volume greater than 25,000 litres per day; and b) The taking or use does not have an adverse effect on the environment	Consent Required for non-compliance (see below).	Potable water for the development is proposed to be primarily sourced from two existing groundwater bores (BH04 and BH05). Consent is sought for: • A combined maximum daily volume of 2,006m³ (equivalent to approximately 23 L/s); and • A total combined maximum annual volume of 732,190m³. The take does not comply with the permitted activity volumes.

Rule	Consent Required and Status	Comment
Rule 12.2.2.4 Except as provided for by Rule 12.2.1.1, the taking and use of groundwater from within 100 metres of the main stem of the Clutha/Mata-Au or Kawarau Rivers, or from within 100 metres of Lakes Wanaka, Hawea, Wakatipu, Dunstan or Roxburgh, is a permitted activity, providing: a) The take does not exceed 100 litres per second, nor 1,000,000 litres per day; and b) No more than one such take occurs per landholding; and c) No back-flow of any contaminated water occurs to the water body; and d) The take is not within 100 metres of any wetland or other lake or river; and e) No lawful take of water, and no wetland or other lake or river, is adversely affected as a result of the taking.	No consent required	The groundwater take is located over 100 metres from the Kawarau River (approximately 280 – 330m).
Rule 12.2.4.1 Except as provided for by Rules 12.2.1.1 to 12.2.3.5 the taking and use of groundwater is a discretionary activity.	Consent Required – Discretionary Activity pursuant to Rule 12.2.4.1.	For non-compliance with Rule 12.2.2.1.
12.3 The damming or diversion of water		
Rule 12.3.2.1 Unless prohibited by Rules 12.3.1.1 to 12.3.1.4, the damming or diversion of water is a permitted activity, providing: a) The size of the catchment upstream of the dam, weir or diversion is no more than 50 hectares in area; and b) In the case of damming, the water immediately upstream of the dam is no more than 3 metres deep, and the volume of water stored by the dam is no more than 20,000 cubic metres; and	Consent Required for non-compliance (see below).	An open water race traverses through the site, which is operated by the Arrow Irrigation Company Ltd. This water race services downstream properties for irrigation purposes. The existing water race on the site is proposed to be diverted underground, where the size of the catchment up-stream to the race is more than 50 hectares. In addition, stormwater from the upstream catchment will be diverted via swales and

Rule	Consent Required and Status	Comment
c) In the case of diversion, the water is conveyed from one part of any lake or river, or its tributary, to another part of the same lake, river or tributary; and d) No lawful take of water is adversely affected as a result of the damming or diversion; and e) Any damming or diversion within a Regionally Significant Wetland was lawfully established prior to 2 July 2011; and f) There is no change to the water level range or hydrological function of any Regionally Significant Wetland; and g) There is no damage to fauna, or New Zealand native flora, in or on any Regionally Significant Wetland; and h) The damming or diversion does not cause flooding of any other person's property, erosion, land instability, sedimentation or property damage; and i) The damming or diversion is not within the Waitaki catchment.		conveyed through a combination of piped networks and vegetated swales before discharging to the wetland detention pond, which serves as the primary treatment and attenuation facility for the site.
Rule 12.3.2.3 Unless prohibited by Rules 12.3.1.1 to 12.3.1.4, the diversion of water carried out for the purposes of allowing the erection, placement, repair or maintenance of a lawful structure, is a permitted activity, providing: a) The course of the water always remains within the bed of the lake or river; and b) The course of the water is returned to its normal course following the completion of the repair or maintenance, and no more than one month after the diversion occurs; and c) No lawful take of water is adversely affected as a result of the diversion; and d) Any structure within a Regionally Significant Wetland was lawfully established prior to 2 July 2011; and	No Consent Required	The Proposal does not require any structures within streams.

Rule	Consent Required and Status	Comment
e) There is no change to the water level range or hydrological function of any Regionally Significant Wetland; and f) There is no damage to fauna, or New Zealand native flora, in or on any Regionally Significant Wetland; and g) The diversion does not cause any erosion, land instability, sedimentation or property damage.		
Rule 12.3.3.1 (i) The damming of water, which has been previously carried out under a resource consent or other lawful authority, is a restricted discretionary activity, unless: a) It is prohibited by Rules 12.3.1.1 to 12.3.1.4; or b) It is permitted by Rule 12.3.2.1; or c) It is in Welcome Creek. (ii) Unless covered by Rule 12.3.1A.1, the damming of water in the Waitaki catchment, except in Welcome Creek, to which this rule applies is a restricted discretionary activity provided that by itself or in combination with any other take, use, dam, or diversions, the sum of the annual volumes authorised by resource consent, does not exceed the allocation to activities set out in Table 12.1.4.2. (iii) The damming of water within a wetland for the purpose of wetland restoration or enhancement is a restricted discretionary activity, unless; a) It is prohibited by Rules 12.3.1.1 to 12.3.1.4; or b) It is permitted by Rules 12.3.2.1 to 12.3.2.3.	No consent required.	The Proposal does not relate to the damming of water carried out under an existing resource consent.
Rule 12.3.4.1 i. Except as provided for by Rules 12.3.1.1 to 12.3.3.1 and except in the Waitaki catchment, the damming or diversion of water is a discretionary activity. ii. Unless covered by Rule 12.3.1A.1, the damming or diversion of water in the Waitaki catchment, except in Welcome Creek to which this rule applies is a	Consent Required – Discretionary Activity pursuant to Rule 12.3.4.1.	For non-compliance with Rule 12.3.2.1.

Rule	Consent Required and Status	Comment
discretionary activity provided that by itself or in combination with any other take, use, dam, or diversions, the sum of the annual volumes authorised by resource consent, does not exceed the allocation to activities set out in Table 12.1.4.2. In considering an application to which this rule applies the consent authority will have regard, among other matters, to Policies 6.6A.1 to 6.6A.5.		
12.A Discharge of Human Sewage		
Rule 12A.1.4 The discharge of human sewage through any on-site waste water treatment system, installed after 28 February 1998, onto or into land is a permitted activity, providing: a) The discharge does not exceed 2000 litres per day (calculated as a weekly average); and b) The discharge does not occur within the A zone of any Groundwater Protection Zone, as identified on the C-series maps, nor in the area of the Lake Hayes catchment, as identified on Map B6; and c) The system's disposal field is sited more than 50 metres from any surface water body or mean high water springs; and d) The system's disposal field is sited more than 50 metres from any bore which: i. Existed before the commencement of the discharge activity; and ii. Is used to supply water for domestic needs or drinking water for livestock; and	Consent Required for Non-compliance (see below).	The Proposal seeks to discharge treated wastewater to land. The discharge will exceed 2000 litres per day and will be located within 50m of a surface water body. The discharge will not occur within the A zone of any Groundwater Protection Zone, as identified on the C-series maps, however part of the spray irrigation is located in a small portion of the Lake Hayes catchment (top of Morvern Hill). The discharge will be located more than 50m from a groundwater bore. There will be no direct discharge of human sewage to water, and the discharge will not cause run off or flooding.

Rule	Consent Required and Status	Comment
e) There is no direct discharge of human sewage, or effluent derived from it, to water in any drain or water race, or to groundwater; and f) Effluent from the system does not run off to any other person's property; and g) The discharge does not cause flooding of any other person's property, erosion, land instability, sedimentation or property damage.		
Rule 12.A.2.1 Except as provided for by Rules 12.A.1.1 to 12.A.1.4, the discharge of human sewage to water, or onto or into land in circumstances where it may enter water, is a discretionary activity.	Consent Required – Discretionary Activity pursuant to Rule 12A.2.1.	For non-compliance with Rule 12A.1.4, due to the volumes of treated wastewater to be discharged.
12.B Discharge of hazardous substances, hazardous wastes, specified contaminants, and stormwater; and discharges from industrial or trade premises and consented dams		
Rule 12.B.1.6 The discharge of sullage, cooling water or water from any drinking water supply reservoir, water supply pipeline or swimming pool to water, or onto or into land in circumstances where it may enter water, is a permitted activity, providing: a) The discharge does not contain: i. A greater concentration of faecal coliforms than that of the receiving water, or a concentration that could cause the faecal coliform concentration of the receiving water, after reasonable mixing, to exceed 150 CFU per 100 mls; or ii. Any disinfectant, antiseptic or pesticide; or iii. Any residual flocculant, except for aluminium at acidsoluble aluminium concentrations less than 0.1 grams per cubic metre; or	No consent required.	As detailed in the Water Report, the treatment process at Ridgeburn will generate small volumes of waste streams, primarily from softener regeneration, ion exchange brine, and media and cartridge filter backwash. While these waste streams are expected to be minor relative to the total water supply, they may contain elevated concentrations of hardness, iron, manganese, suspended solids, and potentially arsenic. Any such discharges will be directed to the existing wastewater treatment system for treatment and disposal, rather than being discharged directly to land or the receiving

Rule	Consent Required and Status	Comment
iv. Any free or residual chlorine at the point where the discharge enters water in any surface water body or mean high water springs; or v. Human sewage; or vi. Any hazardous substance; and b) The discharge does not increase the natural temperature of the receiving water, after reasonable mixing, by more than 3o Celsius, and does not cause the temperature of the receiving water, after reasonable mixing, to rise above 25 o Celsius; and c) The discharge does not increase the suspended solids levels in the receiving water, after reasonable mixing, by more than 10 grams per cubic metre; and d) The discharge does not change the pH of the receiving water, after reasonable mixing, by more than 0.5 pH units; and e) The discharge does not, after reasonable mixing, give rise to any significant adverse effect on aquatic life; and f) The discharge does not cause flooding of any other person's property, erosion, land instability, sedimentation or property damage; and g) There is no change to the water level range or hydrological function of any Regionally Significant Wetland; and h) There is no damage to fauna, or New Zealand native flora, in or on any Regionally Significant Wetland.		environment. Given the minor volumes involved and their containment within the established wastewater treatment and disposal framework, no separate discharge to land or water is anticipated.
Rule 12.B.1.8 The discharge of stormwater from a reticulated stormwater system to water, or onto or into land in circumstances where it may enter water, is a permitted activity, providing:	No Consent Required	The Proposal involves the discharge of stormwater from a reticulated network to water.

Rule	Consent Required and Status	Comment
a) Where the system is lawfully installed, or extended, after 28 February 1998: i. The discharge is not to any Regionally Significant Wetland; and ii. Provision is made for the interception and removal of any contaminant which would give rise to the effects identified in Condition (d) of this rule; and b) The discharge does not contain any human sewage; and c) The discharge does not cause flooding of any other person's property, erosion, land instability, sedimentation or property damage; and d) The stormwater discharged, after reasonable mixing, does not give rise to all or any of the following effects in the receiving water: i. The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or ii. Any conspicuous change in the colour or visual clarity; or iii. Any emission of objectionable odour; or iv. The rendering of fresh water unsuitable for consumption by farm animals; or v. Any significant adverse effects on aquatic life.		The discharge is not to a regionally significant wetland and includes treatment processes to remove contaminants. The discharge does not contain any human sewage and the Stormwater Report confirms that there will be no increase in flooding or downstream damage. Furthermore, given the treatment proposed, the stormwater will not give rise the effects listed in permitted activity standard (d).
Rule 12.B.1.9	No consent required.	Stormwater from roads within the development will be discharged via the

Rule	Consent Required and Status	Comment
The discharge of stormwater from any road not connected to a reticulated stormwater system to water, or onto or into land, is a permitted activity, providing: a) The discharge does not cause flooding of any other person's property, erosion, land instability, sedimentation or property damage; and b) Where the road is subject to works, provision is made for the interception of any contaminant to avoid, after reasonable mixing, the following effects in the receiving water: i. The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or ii. Any conspicuous change in the colour or visual clarity; or iii. Any emission of objectionable odour; or iv. The rendering of fresh water unsuitable for consumption by farm animals; or v. Any significant adverse effects on aquatic life.		proposed reticulated network, covered under Rule 12.B.1.8 above.

Chapter 13: Land Use on Lake or River Beds or Regionally Significant Wetlands

13.2 The erection or placement of a structure

Rule 13.2.1.1 The erection or placement of any fence, pipe, line or cable over the bed of a lake or river, or a Regionally Significant Wetland, is a permitted activity, providing: a) The fence, pipe, line or cable does not cross a lake or river identified in Schedule 1A as being an "Outstanding natural feature or landscape" unless it is attached to an existing lawfully established support structure; and	No consent required	The Proposal does not require the erection or placement of any fence, pipe, line or cable over the bed of a lake, river, or regionally significant wetland.
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Rule	Consent Required and Status	Comment
b) No part of the fence, pipe, line or cable is fixed to the bed of the lake or river unless it is attached to an existing lawfully established support structure; and c) No part of any pipe, line or cable is less than two metres above the 1 percent probability flood level, unless it is attached to an existing lawful structure; and d) Where it is attached to an existing lawful structure, no part of any pipe, line or cable extends below the underside of the existing structure; and e) Any fence over the bed of a lake or river, or a wetland, does not impede the flow of flood water or debris, or is installed and maintained so it results in no flooding or erosion of the bed or banks of the lake or river, or of a wetland; and f) The fence, pipe, line or cable does not interfere with navigation; and g) For existing overhead network utility services over the bed of a lake or river, there is no reduction in the height of clearance above the waterway; and h) The fence, pipe, line or cable is maintained in good repair.		
13.5 Alteration of the bed of a lake or river, or of a Regionally Significant Wetland		
Rule 13.5.3.1 Except as provided for by Rules 13.5.1.1 to 13.5.2.1 the alteration of the bed of any lake or river is a discretionary activity.	Consent Required – Discretionary Activity	As outlined in the Ecological Impact Assessment, the Proposal involves the realignment of two intermittent streams and reclamation of existing ponds.
Chapter 14: Land Use other than in Lake or River Beds		
Section 14 Bore Construction		
Rule 14.1.1.1	No Consent Required	The Proposal will utilise the existing groundwater bores at the site for the

Rule	Consent Required and Status	Comment
The excavation, drilling or other disturbance of land, other than in the bed of any lake or river, for the purpose of creating a bore, is a controlled activity. In granting any resource consent for the excavation, drilling or other disturbance of land in terms of this rule, the Otago Regional Council will restrict the exercise of its control to the following: a) The location of the bore including its relationship to other bores and other activities; and b) The planned depth of the bore; and c) The management of the bore head and maintenance of the bore; and d) The nature of the bore; and e) The method of drilling or excavation; and f) The duration of the resource consent; and g) The information and monitoring requirements; and h) Any bond; and i) The review of conditions of the resource consent.		proposed groundwater take. No further bores are required.
14.3 The erection, placement, extension, alteration, replacement, reconstruction, demolition or removal of a defence against water other than on the bed of any lake or river		
Rule 14.3.2.1 Except as provided for in Rule 14.3.1.1, the erection, placement, extension, alteration, replacement, reconstruction, demolition or removal, of any defence against water, other than on the bed of any lake or river, is a discretionary activity	Consent required – Discretionary Activity	Temporary stormwater bunds are proposed during construction which will act as a defence against water. These are detailed within the Environmental Management Plan.
14.5 Earthworks for residential developments		
Rule 14.5.2 The use of land, and the associated discharge of sediment into water or onto or into land where it may enter water, for earthworks for residential development, is a permitted activity, providing:	Consent required – Restricted Discretionary Activity	As shown in the Engineering Drawings, the area of exposed earth is proposed to be more than 2,500m² in any consecutive 12-month period per landholding. Additionally, the earthworks will occur on potentially

Rule	Consent Required and Status	Comment
a) The area of exposed earth is no more than 2,500 m² in any consecutive 12-month period per landholding; and b) Earthworks do not occur within 10 metres of a water body, a drain, a water race, or the coastal marine area (excluding earthworks for riparian planting); and c) Exposed earth is stabilised upon completion of the earthworks to minimise erosion and avoid slope failure; and d) Earthworks do not occur on contaminated or potentially contaminated land; and e) Soil or debris from earthworks is not placed where it can enter a water body, a drain, a race or the coastal marine area; and f) Earthworks do not result in flooding, erosion, land instability, subsidence or property damage at or beyond the boundary of the property where the earthworks occur; and g) The discharge of sediment does not result in any of the following effects in receiving waters, after reasonable mixing: i. The production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or ii. Any change in the colour or visual clarity; or iii. Any emission of objectionable odour; or iv. The rendering of fresh water unsuitable for consumption by farm animals; or v. Any significant adverse effects on aquatic life.		contaminated land, as detailed in the DSI report.

2.0 Otago Regional Plan: Air for Otago

Rule	Consent Required and Status	Comment
16.3.3 – Burning or incineration of specified materials		
Rule 16.3.4.2 Discharges from fuel burning equipment in Air Zone 3 – permitted activity The discharge into air of products of combustion arising from fuel burning equipment (excluding domestic heating appliances subject to Rules 16.3.1.1 to 16.3.1.6) located on a site in Air Zone 3 which does not exceed a heat generation capacity of 5MW (from single activities or a combination of activities located on one site); is a permitted activity, providing: (a) In the case of equipment installed after 28 February 1998, any chimney complies with Schedule 6 (“Determination of Chimney Heights”); and (b) No material specified in Rule 16.3.3.1 is burnt; and (c) Any discharge of smoke, odour, particulate matter or gases is not noxious, dangerous, offensive or objectionable at or beyond the boundary of the property.	No Consent Required	The Proposal involves a backup power generator in the event there is a power outage at the Wastewater Treatment Plant (WWTP). The discharge of combustion products from the generator will comply with the permitted activity requirements of Rule 16.3.4.2.
16.3.7 - Waste Management		
Rule 16.3.7.1: Discharges from the storage, transfer, treatment and disposal of liquidborne municipal, industrial or trade waste - permitted activity The discharge of contaminants into air from the storage, transfer, treatment or disposal (including land application of treated effluent and sludge, but excluding the burning of sludge and associated solids) of liquid-borne municipal, industrial or trade waste, where the influent liquid waste does not exceed a BOD5 of 850 kg per day;	Consent Required due to Non-compliance (see below).	The Proposal involves the discharge of contaminants to air associated with the WWTP and associated discharge of wastewater to land. The discharge will occur within 150m of residential dwellings.

is a permitted activity, providing: (a) Ponds constructed after 1 January 2002 are located at least 150 metres from the closest part of the boundary of the property; and (b) Land application does not occur within: i. 150 metres from any residential dwelling on a neighbouring property or from a building used for employment purposes on a neighbouring property; and ii. 20 metres from a formed public road; and iii. 150 metres from any public amenity area or place of public assembly, excluding formed public roads, and (c) Any discharge of odour, particulate matter, droplets or gases is not noxious, dangerous, offensive or objectionable at or beyond the boundary of the property.		
Rule 16.3.7.3: Other discharges from waste management – discretionary activity Except as provided for by Rule 16.3.7.1 or 16.3.7.2, the discharge of contaminants into air from waste management is a discretionary activity.	Consent required – Discretionary Activity	The Proposal involves the discharge of contaminants (including odour and aerolised pathogens from spray irrigation) from the operation of the Wastewater Treatment Plant (WWTP) and associated land irrigation.

3.0 Otago Regional Plan: Waste for Otago

Rule	Consent Required and Status	Comment
Contaminated Sites		
Rule 5.6.1 Hazardous wastes at contaminated sites 1. The disturbance of contaminated land; or 2. The discharge of hazardous waste into water; or 3. The discharge of hazardous waste onto or into land in circumstances that may result in that hazardous waste (or any other hazardous waste emanating as a result of natural processes from that hazardous waste) entering water; or 4. The deposit of any hazardous waste, in, on or under land; or 5. The discharge of hazardous waste into air at or from a contaminated site; Is a discretionary activity	Consent Required – Discretionary Activity	The Proposal involves soil disturbance on contaminated land, as described in the Detailed Site Investigation Report.

Rules Assessment - NES

1.0 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

Regulation	Consent Required	Comment
10 Restricted discretionary activities (1) This regulation applies to an activity described in any of regulation 5(2) to (6) on a piece of land described in regulation 5(7) or (8) that is not a permitted activity or a controlled activity. (2) The activity is a restricted discretionary activity while the following requirements are met: (a) a detailed site investigation of the piece of land must exist: (b) the report on the detailed site investigation must state that the soil contamination exceeds the applicable standard in regulation 7: (c) the consent authority must have the report:	Consent Required – Restricted Discretionary Activity	A Detailed Site Investigation (DSI) has been prepared which confirms that the site is considered a piece of land under Regulation 5 of the NES-CS. The DSI confirms that the soil contamination exceeds the applicable standards in Regulation 7.

(d) conditions arising from the application of subclause (3), if there are any, must be complied with.		
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2.0 National Environmental Standard for Freshwater 2020

Regulation	Consent Required	Comment
Regulation 52 Non-complying activities (1) Earthworks outside, but within a 100 m setback from, a natural inland wetland is a non-complying activity if it— (a) results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland; and (b) does not have another status under any of regulations 38 to 51. (2) The taking, use, damming, or diversion of water outside, but within a 100 m setback from, a natural inland wetland is a non-complying activity if it— (a) results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland; and (b) does not have another status under any of regulations 38 to 51.	No Consent Required	No earthworks are proposed <u>within</u> any of the existing natural inland wetlands on site. Earthworks are proposed within 100m of each of these wetlands, and the diversion of water (stormwater, and water irrigation race) is also proposed within 100m. However, the Ecological Impact Assessment states: <i>“The flow through the catchments for wetlands A, C and D will change by 5%, 0.5% and 0% respectively (McKenzie and Co drawing 4048-0-4251). These changes are negligible and no change in water level range or hydrological function are expected to occur. Wetland B will increase by 10% (McKenzie and Co drawing 4048-0-4251). Upstream of wetland B, stormwater ponds will be constructed. These will act to slow down water discharged from the upper part of the catchment into wetland B, mitigating the effects of the slightly larger flow. As a result, no changes in water level range or hydrological function of wetland B are expected.”</i> Therefore, the proposed earthworks and water diversion are not expected to result in the complete or partial drainage of the wetlands and consent is not required. The groundwater bores are located more than 100m from the existing wetlands, and the groundwater take assessment confirms there will be no groundwater drawdown impacts.

Regulation 54 Non-complying activities (1) The following activities are non-complying activities if they do not have another status under this subpart: (a) vegetation clearance within, or within a 10 m setback from, a natural inland wetland: (b) earthworks within, or within a 10 m setback from, a natural inland wetland: (c) the taking, use, damming, or diversion of water within, or within a 100 m setback from, a natural inland wetland if— (i) there is a hydrological connection between the taking, use, damming, or diversion and the wetland; and (ii) the taking, use, damming, or diversion will change, or is likely to change, the water level range or hydrological function of the wetland: (d) the discharge of water into water within, or within a 100 m setback from, a natural inland wetland if— (i) there is a hydrological connection between the discharge and the wetland; and (ii) the discharge will enter the wetland; and (iii) the discharge will change, or is likely to change, the water level range or hydrological function of the wetland.	Consent Required – Non-Complying Activity	The proposal involves earthworks and vegetation clearance within 10m of natural inland wetlands as follows: • <u>Wetland A</u>: Approximately 581m² of earthworks and vegetation clearance will occur within 10m of wetland A. • <u>Wetland B</u>: Approximately 198m² of earthworks and vegetation clearance will occur within 10m of wetland B • <u>Wetland D</u>: Approximately 408m² of earthworks and vegetation clearance will occur within 10m of wetland D. • No works will occur within 10 m of wetland C. Stormwater will be discharged within 100m of all natural inland wetlands. The Ecological Impact Assessment states: <i>“the volumes of water discharged will not alter hydrological function or water level range as discharge rates are appropriate for slope and soils. Stormwater discharges will occur within 10 m of all wetlands. As discussed above, the catchment sizes and changes, or lack of, to stormwater volumes are limited or have been mitigated. Water discharged to the wetlands would have entered the wetlands via overland flow and infiltration regardless of the site development.”</i> Therefore no consent is required pursuant to Regulation 54(d).
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Regulation 57 Discretionary activities (1) Reclamation of the bed of any river is a discretionary activity.	Consent Required – Discretionary Activity	The Proposal involves the realignment of two intermittent streams and reclamation of the portion of stream channels to be diverted. This includes: • A 92m length (204m² base area) of intermittent stream 1 (refer Ecological Impact Assessment map) will be realigned slightly to the west of the current alignment. • 135m reach (813m² base area) of intermittent stream 2 (refer Ecological Impact Assessment map) will be realigned slightly to the west.
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