

15 May 2026

Queenstown Lakes District Council
Resource Consents Department
74 Shotover Street
Queenstown 9300

Attention: Resource Consents Team Leader

To whom it may concern,

Application for Resource Consent – Bulk Earthworks – 12 Lower Shotover Road

Please find enclosed a resource consent application on behalf of Simplicity Living Limited for bulk earthworks to prepare their site for urban development, at 12 Lower Shotover Road, legally described as Lot 2 DP 617529, Lot 3 DP 606744 and Section 9 SO 485598.

This application includes a Form 9, a detailed description of the proposal, along with an assessment of environmental effects and supporting appendices.

A lodgement deposit of **\$2668.00** will be paid by the Applicant by electronic transfer upon receipt of the lodgement invoice.

The Property Group Limited (TPG) is the agent for this application and should be the contact for any correspondence or telephone discussions.

I would appreciate being able to review draft conditions prior to consent being issued.

Please contact me should you have any questions regarding the application.

Yours sincerely



Joanne Skuse

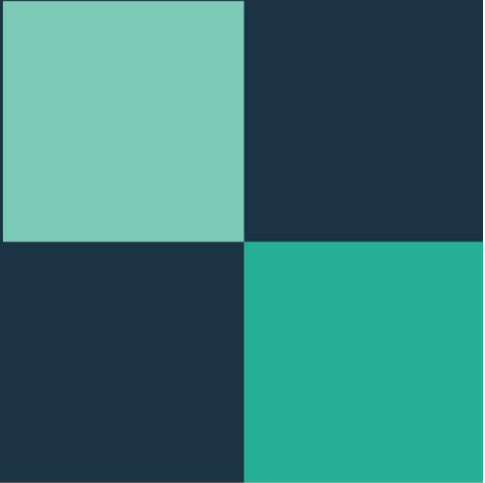
Principal Planner

[Redacted]
[Redacted]

Form 9

Application for Resource Consent - Section 88, Resource Management Act 1991

To:	Queenstown Lakes District Council
Applicant:	Simplicity Living Limited
Agent:	Joanne Skuse Principal Planner The Property Group Limited (TPG) 027 498 1745 [REDACTED]
Address for service:	The Property Group Limited Level 3 / Five Mile Centre, 36 Grant Road, Frankton, Queenstown 9371 PO Box 349, Queenstown 9348
Invoice details:	Mitchell Holyoake
Site address:	12 Lower Shotover Road
Legal description:	Lot 2 DP 617529 from Lot 3 DP 606744 and Section 9 SO 485598
Owner of site:	Simplicity Living Limited
Consent for:	Resource consent for bulk earthworks to prepare the site for urban development. Resource consent pursuant to Section 221(3) of the RMA to cancel Consent notice 12669287.3, Consent notice 7620262.11 and Consent notice 876500 in their entirety as they relate to the subject site. No other resource consents are required for this proposal
Enclosed:	Application and AEE Appendix 1 – Record of Title Appendix 2 – Earthworks plans Appendix 3 – Environmental Management Plan Appendix 4 – Environmental Management Plan Drawings Appendix 5 – CONFIDENTIAL S&P Appendix 6 – ENGEO Geotechnical Report
Signed:	Joanne Skuse Principal Planner
Date:	15 May 2026



Application for Resource Consent

Bulk Earthworks and Cancellation of Consent Notice Conditions

12 Lower Shotover Road

Simplicity Living Limited

May 2026

Quality control

Title:	Bulk Earthworks & Cancellation of conditions
Client:	Simplicity Living Limited (SLL)
Job number:	720422
Prepared by:	Rosie Pope
Signature:	
Reviewed by:	Joanne Skuse
Signature:	

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1. Introduction

Simplicity Living Limited (SLL) hereby apply for resource consent from Queenstown Lakes District Council (QLDC) for site wide earthworks required to prepare the site for comprehensive residential development.

SLL intend to deliver a comprehensive residential development as anticipated by the Te Pūtahi Ladies Mile (TPLM) zoning. This application is being sought so SLL can commence physical works and make full use of the 2026/27 summer construction season. The enabling works will ensure the Site is prepared in time to begin building activity in 2027, maintaining programme certainty and avoiding seasonal delays. This will ensure the development can progress at pace, should consents for the development be approved under the FTAA.

Earthworks will be undertaken over the entirety of the site, to achieve a level platform for future buildings, open space areas and roading, over an area of approximately 10.01 hectares (ha). Of this, approximately 28,500 m³ cut and 45,400 m³ fill are proposed, totally 73,900 m³. The maximum cut depth will be 3.3m and the maximum fill height, 3.9m.

Resource consent is further sought pursuant to Section 221(3) of the RMA to cancel Consent notice 12669287.3, Consent notice 7620262.11 and Consent notice 876500 in their entirety as they relate to the subject site.

The application includes earthworks plans which are included in **Appendix 2**.

2. Site description

2.1. Location and description

The Site is located at 12 Lower Shotover Road, Queenstown (Lot 3 DP 606744, Lot 2 DP 617529 and Section 9 SO 485598). It is situated northeast of the commercial centre of Frankton, Queenstown, along State Highway 6. Error! Reference source not found.1 below illustrates the Site within the existing environment.

The Site has an area of approximately 10.01 ha, and is predominantly covered by pastoral grasses, with some isolated shrubs, trees and shelterbelts. The contour of the Site is generally flat. An earth bund is situated along the southern boundary of the Site adjacent to Lower Shotover Road and Frankton-Ladies Mile Highway. The majority of the Site is currently used for grazing, Lot 2 DP 617529 contains a residential dwelling adjacent to the northern boundary.

Existing access to the Site is provided by two vehicle crossings via Lower Shotover Road and Frankton-Ladies Mile Highway. A paper road traverses the northern part of the Site orientated west to east.

There are no rivers, watercourses or wetlands that traverse the Site.

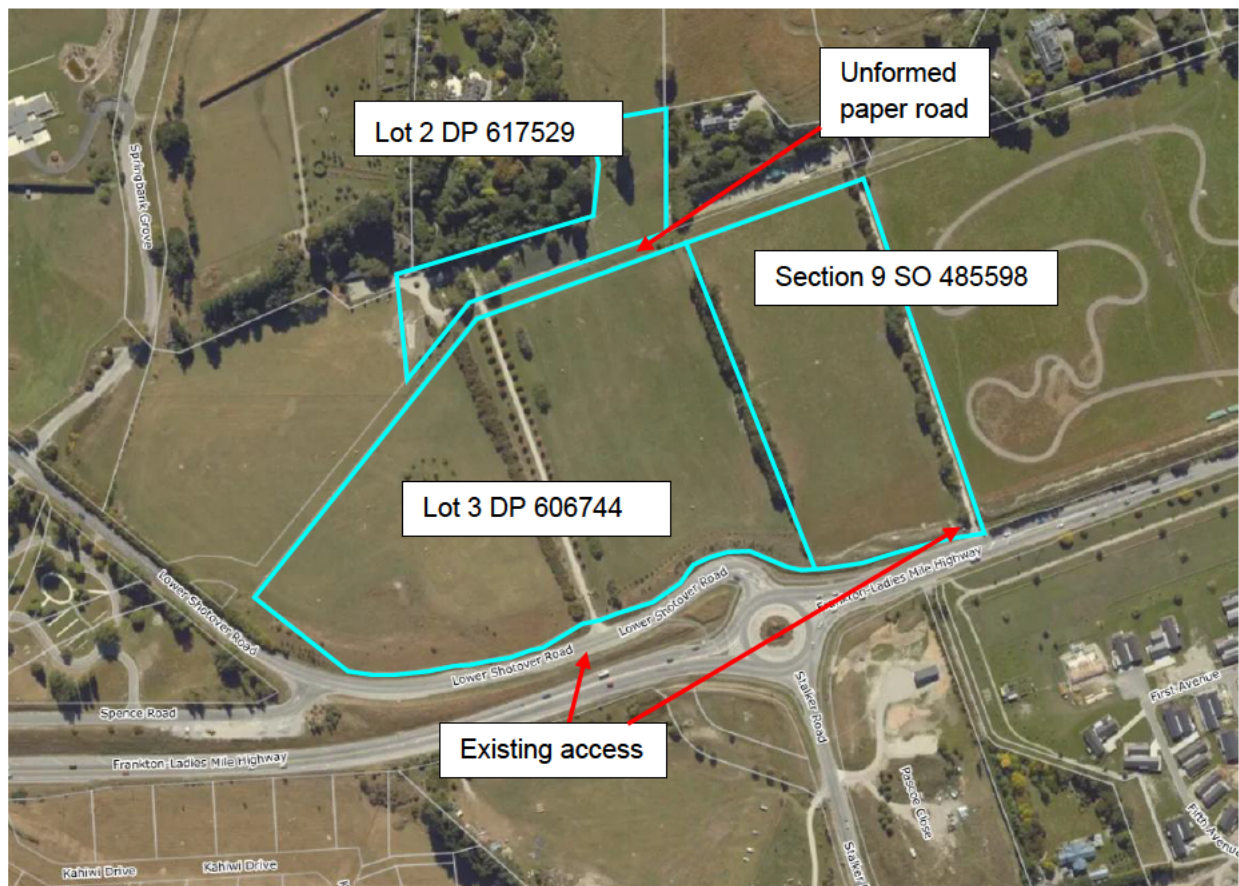


FIGURE 1: SITE OUTLINED IN BLUE. SOURCE: GRIP MAPS.

Titles & Ownership

The Site is made up of three lots held within three corresponding Records of Title. Refer to **Table 1** for the details of each lot. There are consent notices and easements registered on the titles, a copy of the titles and relevant interests are provided in **Appendix 1**.

TABLE 1: RECORDS OF TITLE

Record of Title Details			
Identifier	Legal Description	Area (Ha)	Owner
1194482	Lot 3 DP 606744	6.1412	Simplicity Living Limited
1142422	Section 9 SO 485598	2.9467	Donald Neil Jackson, Grant William Stalker
1238571	Lot 2 DP 617529	0.9174	Simplicity Living Limited

The paper road which traverses the Site separates Lot 2 DP 617529 from Lot 3 DP 606744 and Section 9 SO 485598, as shown in Error! Reference source not found.1.

SLL owns the majority of the land subject to the Project and has entered into a Sale and Purchase Agreement for the remaining land. Section 9 SO 485598 is a single land parcel held within a larger Record of Title. A minor boundary adjustment is currently being progressed by the vendor to incorporate Section 9 SO 485598 into Lot 3 DP 606744.

A letter confirming this is contained within **Appendix 5**.

Legal Instruments

There are several legal instruments registered on the respective titles. These instruments are not impediments to this earthworks application.

This application proposes to cancel three of the four of the consent notices currently on the titles to enable the site to be developed in accordance with the TPLM zone.

Consent notice 13434438.6 applies to Lot 2 Deposited Plan 617529. The consent notice refers to stormwater management on site and private servicing management companies, at the time of future subdivision or development of housing. This is not relevant to the earthworks application which is currently for enabling works.

Consent notice 12669287.3 applies to Lot 3 Deposited Plan 606744. The consent notice was created through subdivision consent RM220154 which approved a five-lot subdivision that resulted in the creation of one additional record of title. This is not relevant to the earthworks application which is currently for enabling works.

Both Consent notice 876500 and Consent notice 7620262.11 are listed on the title for Section 9 Survey Office Plan 485598. They apply to part Lot 3 DP 593652 which Section 9 is currently held with. This is not relevant to the earthworks application which is currently for enabling works.

Existing Infrastructure

The Site is currently undeveloped and largely devoid of internal infrastructure.

Natural Hazards

Extensive review of potential natural hazards was undertaken by QLDC at the time of the plan variation to up-zone the site and neighbouring land along Ladies Mile.

A review of hazard mapping available on the Otago Regional Council's Natural Hazards Portal indicates that the Site is not subject to significant natural hazard risks. The entire Site is mapped as being within the *Liquefaction Awareness Area – Domain A: Liquefaction Potential: Low to none*. Portions of the Site are also mapped as Ground Classification D (deep or soft soil) and Ground Classification B (rock), as shown in Error! Reference source not found.2.

The ORC Natural Hazards Portal further identifies the Site as being outside all alluvial fan and slope hazard zones, with no regionally identified flood risk.

Seismic risk is consistent with the wider Queenstown basin and does not present any additional constraint to development.

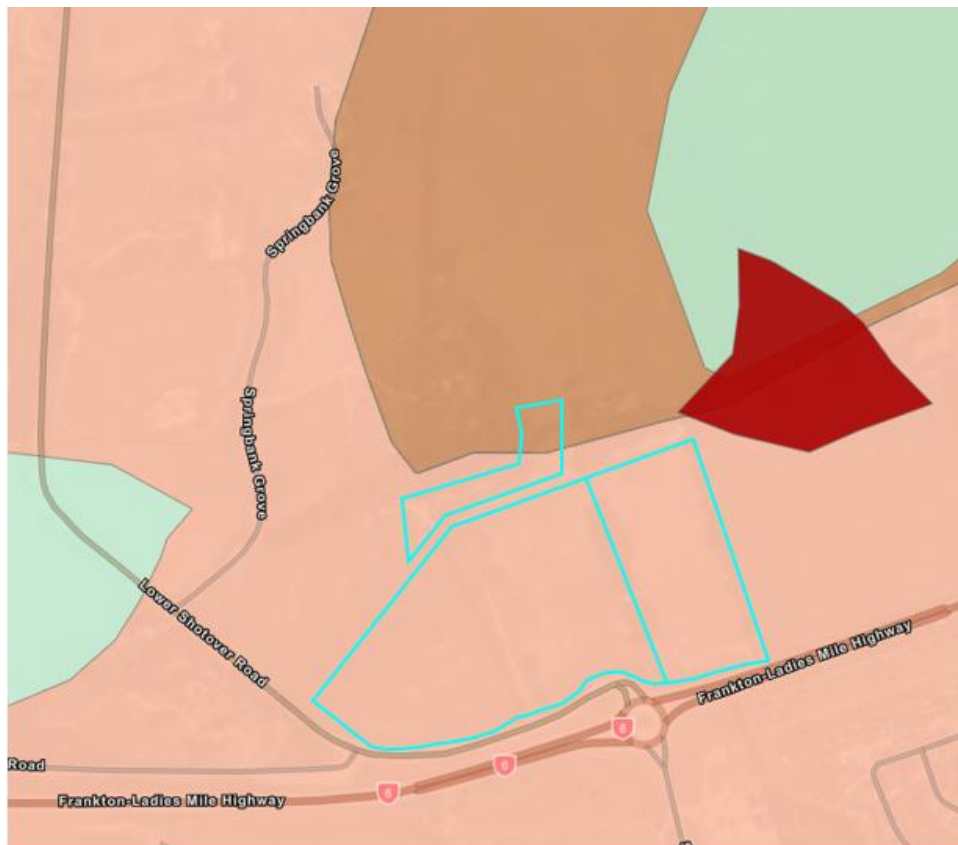


FIGURE 2: NATURAL HAZARDS MAP. SITE OUTLINED IN LIGHT BLUE. PINK = GROUND CLASSIFICATION D, BROWN = GROUND CLASSIFICATION B, RED = ALLUVIAL FAN (ACTIVE DEBRIS DOMINATED), GREEN = LANDSLIDES. SOURCE: ORC NATURAL HAZARDS PORTAL.

3. Background

The Site is located centrally within the Whakatipu Basin, at the base of Slope Hill. The local environment is considered the terraced area to the east of the Shotover River and west of Lake Hayes. Ladies Mile is conveniently located, and is, to a large extent, surrounded by existing developed areas. It is in proximity to Five Mile and Frankton Flats, both business mixed use and industrial areas.

This area contains a large amount of established urban development, including the suburban developments known as Shotover Country, Lake Hayes Estate, Bridesdale, Kawarau Heights and the retirement village, Queenstown Country Club. The locality consists of a mix of residential dwelling typologies and densities, commercial and recreational services and facilities, aged care with medical facilities, childcare and a school.

Almost all of this development is located south of SH6, and has rapidly occurred since 2005. The northern side of SH6 currently exhibits a mix of uses, including a pet lodge, rural living and farming activities.

The land north of SH6 is one of the few undeveloped areas remaining in Queenstown that can be connected to major infrastructure relatively easily. Ladies Mile also lies on the main transport

corridor into Queenstown, thus making public transport connections more attractive and likely to be well utilised. For these reasons, developing at scale along Ladies Mile has long been recognised as an appropriate outcome for the District.

The environment is therefore anticipated to change significantly in anticipation of extensive urban expansion, as part of a broader strategic development framework.

The Site sits within the Te Pūtahi Ladies Mile area, a special-purpose zone established through the Te Pūtahi Ladies Mile Plan Variation to the QLDC Proposed District Plan (PDP). This rezoning covers around 120 hectares of former rural, rural lifestyle, and large lot residential land along State Highway 6 between the Shotover River and Waiwhakaata Lake Hayes. It enables predominantly medium and high density residential development and is specifically intended to support Queenstown's strategic growth needs by increasing housing supply, improving housing diversity, and contributing to greater affordability across the district.¹

Ladies Mile has long been identified as a strategically important growth area due to its proximity to Queenstown, access to State Highway 6, and capacity to accommodate urban development *at scale*.

The overarching purpose of the Te Pūtahi Ladies Development Plan Variation is to facilitate significant residential growth to address Queenstown's housing shortage. The Plan Change establishes a clear and deliberate shift in land use within the Te Pūtahi Ladies Mile Zone, especially on the northern side of State Highway 6, recognising that a transition from predominantly pastoral landscape to a dense urban environment is both anticipated and necessary to meet the minimum density requirements of the area.

4. Proposal

SLL intend to deliver a large scale residential development as anticipated by the TPLM zoning. This application is being sought so SLL can commence physical works and make full use of the 2026/27 summer construction season. The enabling works will ensure the Site is prepared in time to begin building activity in 2027, maintaining programme certainty and avoiding seasonal delays. This will ensure the development can progress at pace, should consents for this Project be approved under the FTAA.

¹ <https://www.qldc.govt.nz/media/ok2n2jak/final-report-and-recommendations.pdf>

Earthworks encompass a broad spectrum of activities, ranging from excavation, filling, cuts, batters, the formation of roads, access and the deposition and removal of cleanfill.

Preparation for the construction of the residential development will require earthworks over an area of approximately 10.53ha. Of this, approximately 28,500 m³ cut and 45,400 m³ fill are proposed across this area. The majority of the cut is proposed in the southern half of the site and includes the removal of the southern boundary bund. Fill will be utilised to level the site. During the earthworks phase of construction all topsoil on site will be retained and replaced on the land immediately following bulk earthworks.

The majority of the earthworks will occur over a period of 3 years responding to the sequencing of establishing infrastructure, roading, open space and the apartment buildings on site. Minor earthwork operations will be on going for 5 years (the length of construction for the entire development).

In summary:

- Total development overall (all stages combined) Disturbed Area – 10.53 ha
- Total overall Earthworks Volumes – 28,500 m³ cut and 45,400 m³, fill totalling 73,900m³.
- Maximum Cut and Fills Heights – 3.3 m (cut) and 3.9 m (fill)
- All earthworks will be contained within the site boundaries.

An EMP has been prepared by McKenzie and Co, and is attached at **Appendix 3**.

The EMP includes measures for erosion and sediment control, dust suppression, stabilisation of exposed surfaces, and protection of downstream environments. The EMP will also integrate standard construction management practices, including site access protocols, stockpile management, and monitoring requirements to ensure compliance with consent conditions. The EMP will be updated post consent, through the detailed design stage and prior to construction, to enable collaboration with earthworks contractors and confirm final staging of the development through detailed design and development planning phases.

Erosion and Sediment Control Plans (ESCPs) have been produced and is attached within the EMP in **Appendix 4**. Key elements are as follows:

- A Sediment Retention Pond (SRP) will be utilised to capture and treat the sediment laden runoff from the site.
- Silt fences as required to form a barrier to the sheet flow where there is the possibility of sediment-laden surface runoff leaving the site.
- A diversion bund will be installed around the earthworks area to divert the sediment laden runoff to the DEBs.
- Clean water diversion bunds will be constructed to divert and collect upstream catchment runoff away from the earthwork areas.
- Establish stabilised construction entrances to the site.
- Topsoil will be stripped and stockpiled on site.
- Earthworks zones minimised to reduce risk wherever possible.

- Topsoil will be re-spread upon completion of earthworks.
- Keep topsoil stockpile away from the boundary.
- Cover and protect the topsoil to prevent spilling due to rain.
- Conduct daily inspections to ensure sediment control measures follow the designs.
- The erosion and sediment control measures will be removed, once the earthwork area stabilizes.
- Stabilising the building platforms, accessway, and carparking area (i.e. metal/concrete) as soon as practical to ensure safe and tidy access for the following building construction stage of the dwellings.
- Ensure any new catch pits on the proposed accessway and any existing catch pits in the road reserve are protected as described in the EMP.
- Monitor weather forecasts and check erosion and sediment measures are in place before leaving the site, especially on weekends.
- Monitor the site after any inclement weather events and repair and mitigation devices, as necessary.
- Daily inspections to ensure sediment control measures are operating efficiently.
- Regular maintenance of the devices will also be necessary to ensure their effectiveness during bulk earthworks operations.

Further details as to the specific designs of sediment control devices, is shown in the EMP in **Appendix 3**.

Construction traffic will be managed through a dedicated Traffic Management Plan (TMP), which will address vehicle types, haul routes, access points, and any necessary timing restrictions to avoid peak periods. The plan will ensure safe and efficient operation of the surrounding road network while accommodating the movement of earthmoving equipment and construction vehicles. We envisage a condition of consent requiring a TMP. Collectively, these management plans will ensure that earthworks are undertaken in a controlled, coordinated, and environmentally responsible manner.

5. Statutory Framework

5.1. Resource Management Act 1991

Resource consent pursuant to Section 221(3) of the RMA to cancel the following consent notices in their entirety as they relate to the subject site.

- Consent notice 12669287.3.
- Consent notice 7620262.11.
- Consent notice 876500.

Pursuant to s87B the application is treated as if the application were for a resource consent for a **discretionary** activity.

5.2. National Environmental Standard for Assessing and Managing Contaminants in Soil to Project Human Health Regulations 2011 (NESCO)

The NESCO 2011 applies to land that currently has, or historically had, an activity or industry undertaken on it that is included in the Hazardous Activities and Industries List (HAIL).

The site is not registered on the Selected Land Use Sites (SLUS) register.

There is no known history of an activity on the HAIL list occurring on the subject site. In addition, there is nothing to suggest that previous activities and use of the site would result in the land being potentially contaminated, nor is there any new activity or use proposed by this application which could lead to potential contamination.

The proposal therefore does not require consideration under the NES-CS 2011.

5.3. QLDC Proposed District Plan

The subject site is within the Te Pūhahi Ladies Mile, an area of special purpose zone created by the Te Pūhahi Ladies Mile plan variation (TPLM Variation) to the Queenstown Lakes Proposed District Plan (QLPDP).

The rezoning enables predominantly medium- and high-density residential development and is intended to address significant housing pressures, particularly in relation to housing supply, diversity, and affordability.

5.3.1. Zoning

Under the QLPDP, the majority of the site is within the TPLM Zone, with a smaller portion zoned Local Shopping Centre which was also created as part of the TPLM Variation. Figure 33 below illustrates the zoning of the site.

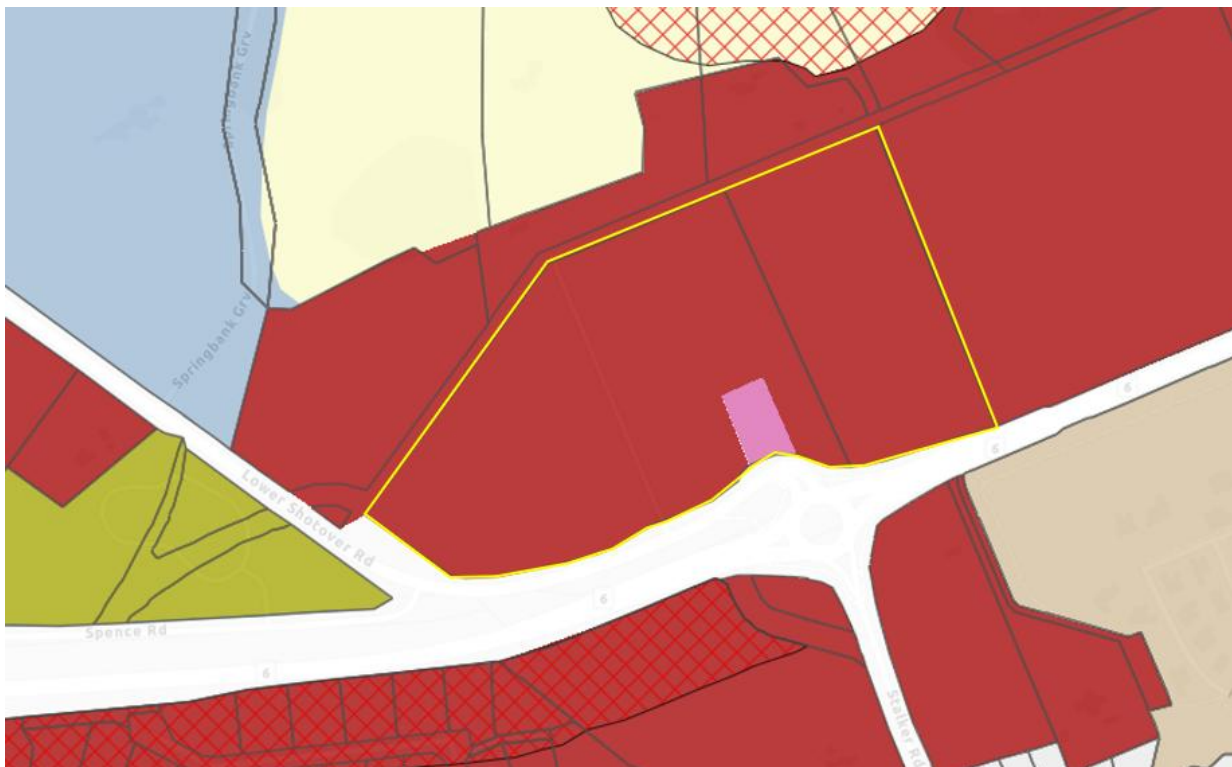


FIGURE 3: SITE OUTLINED IN YELLOW. RED = TE PŪTAHI LADIES MILE ZONE, PINK = LOCAL SHOPPING CENTRE ZONE. SOURCE: QUEENSTOWN LAKES PROPOSED DISTRICT PLAN.

Earthworks are managed by Chapter 25 of the QLPDP.

5.3.2. Rules

The following table details the relevant resource consents that are required:

5.3.3. Queenstown Lakes Proposed District Plan

Chapter 25 - Earthworks

Earthworks	QLPDP Rule 25.4.2	Earthworks exceeding maximum volumes in Table 25.2	Restricted Discretionary
Earthworks	QLPDP Rule 25.5.11	Earthworks over an area of 2,500m ² where the slope is 10° or greater, and 10,000m ² where the slope is less than 10°.	Restricted Discretionary
Earthworks	QLPDP Rule 25.5.15	Cut depth exceeds 2.4m	Restricted Discretionary
Earthworks	QLPDP Rule 25.5.16	Fill depth exceeds 2m	Restricted Discretionary
Earthworks	QLPDP Rule 25.5.18	Setbacks from site boundary	Restricted Discretionary
Earthworks	QLPDP Rule 25.5.21	More than 300m ³ of cleanfill transported by road to or from an area	Restricted Discretionary

5.4. ORC Regional Plan: Water for Otago

The Regional Plan: Water for Otago is the regional framework supporting sustainable management of land and water resources. While the District Plan primarily focuses on land use effects, the Regional Plan focuses on the effects of activities on water bodies, including the discharge of contaminants and maintenance of water quality and aquatic ecosystems.

The Regional Plan is principally concerned with the disturbance of land that could result in discharge of sediment to water. As such, large scale earthworks are managed through the Regional Plan to prevent sediment runoff and instability.

Chapter 14 – Land Use other than in Lake or River Beds

Earthworks for residential developments	Rule 14.5.1	Earthworks exceeding 2,500m ² in a consecutive 12 month period per land holding.	Restricted Discretionary (Rule 14.5.2.1)
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The proposed earthworks will result in the discharge of sediment-laden stormwater to land where it may enter water. Sediment is a contaminant for the purposes of the Regional Plan: Water for Otago. As the scale of the works means compliance with permitted activity conditions under Rule 14.5.1 cannot be assured, the earthworks and associated discharge of sediment to land requires consent as a discretionary activity under Rule 14.5.2.

A regional land use consent under section 9(2) RMA and a discharge consent under s15 RMA is sought.

5.5. Overall Activity Status

5.5.1. District Consent

The proposal requires resource consent as a **Discretionary** under the RMA.

The proposal requires resource consent as a **Restricted Discretionary** under the QLPDP.

Matters of discretion are 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.

5.5.2. Regional Consent

The proposal requires resource consent as a **Restricted Discretionary** under the ORC Regional Plan: Water for Otago.

Matters of discretion are restricted to:

- Any erosion, land instability, sedimentation or property damage resulting from the activities; and
- Effectiveness of the proposed erosion and sediment control measures in reducing discharges of sediment to water or to land where it may enter water; and
- The extent to which the activity complies with the *Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016 (Auckland Council Guideline Document GD2016/005)*; and
- Any adverse effect on water quality, including cumulative effects, and consideration of trends in the quality of the receiving water body; and
- Any adverse effect on:
 - (i) Kāi Tahu cultural and spiritual beliefs, values and uses;
 - (ii) Any natural or human use value;
 - (iii) Use of water bodies or the coastal marine area for contact recreation and food gathering;
 and measures to avoid, remedy or mitigate these adverse effects.

Overall, the application is considered a **discretionary activity**.

5.6. Scope of Application

This application seeks to undertake earthworks as site preparation for future residential development.

If Council is of the view that resource consent is required for alternative or additional matters to those identified in Sections 5.2 and 5.3 of this report, it has the discretion to grant consent to those matters as well as, or in lieu of those identified in this AEE.

Additionally, if Council is of the view that the activity status of any of the matters requiring consent is different to that described in Sections 5.4 of this report, Council has the ability under

Section 104(5) of the Act to process the application, regardless of the type of activity that the application was expressed to be for.

6. Assessment of Environmental Effects

In accordance with section 88(2)(b) of the Act and Clause 1(d) of Schedule 4 to the Act, this assessment of environmental effects of the proposed activity has been prepared in such detail as corresponds with the scale and significance of the effects that it may have on the environment.

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 certain activity.

In this case under the QLPDP earthworks to the extent of 500m³ volume over an area of 2,500m², with a maximum cut depth to 2.4m and fill up to 2m can be undertaken as a permitted activity.

6.1. District Plan Assessment

6.1.1. Soil erosion, generation and run-off of sediment

Earthworks associated with the Project will be temporary in nature and associated with the development of the Site for urban land uses, as anticipated by the TPLM zone. Appropriate erosion and sediment control measures will be in place during all earthworks to prevent sediment from leaving the Site or entering nearby waterways, as discussed below.

All proposed measures will be designed and implemented in accordance with the QLDC guidelines for Environmental Management Plans, with specific provision for erosion and sediment control during site preparation and construction.

An EMP has been prepared for the site which covers earthworks management. Earthworks will be undertaken in accordance with the EMP and the attached ESCPs, which outline the methods, sequencing, and environmental controls to be applied throughout the works. The EMP includes measures for erosion and sediment control, dust suppression, stabilisation of exposed surfaces, and protection of downstream environments. The EMP will also integrate standard construction management practices, including site access protocols, stockpile management, and monitoring requirements to ensure compliance with consent conditions.

The proposed erosion and sediment control measures will significantly reduce the potential for soil erosion and sediment-laden runoff to occur during the earthworks period. By intercepting, slowing, and treating runoff at multiple points across the Site, the controls ensure that any sediment generated through soil disturbance is retained within the construction footprint. The use of a Sediment Retention Pond as the primary treatment device provides a high level of

effectiveness in capturing fine sediments, particularly when supported by upstream controls such as silt fences, diversion bunds, and stabilised site entry/exit points.

The staged and sequenced approach to earthworks further reduces erosion risk by limiting the area of exposed soil at any one time. Smaller, actively managed work zones reduce the susceptibility of soils to wind and water erosion, while the prompt stabilisation of completed surfaces (including re-spreading topsoil and establishing permanent or temporary cover) ensures that disturbed areas are not left vulnerable for extended periods. This reduces the duration and magnitude of potential sediment generation.

Clean water diversion bunds prevent uncontaminated upstream flows from entering the earthworks area, thereby reducing the volume of water requiring treatment and minimising the risk of sediment mobilisation. Conversely, dirty water diversion structures ensure that any runoff from disturbed soils is directed into the designated treatment system. This dual-diversion strategy will reduce sediment discharge risk at source.

Regular inspection, monitoring, and maintenance of the erosion and sediment control devices provide an additional layer of protection. Daily checks, weather-responsive inspections, and post-rainfall assessments ensure that any issues are identified and rectified promptly, maintaining the functionality of the controls throughout the construction period. This active management approach reduces the likelihood of device failure, overtopping, or bypassing during high-rainfall events.

Overall, these measures ensure the potential adverse effects of soil erosion and sediment runoff on the wider environment, including downstream waterways, stormwater, and adjacent land are no more than minor.

6.1.2. Landscape and visual amenity values.

No earthworks are proposed within the Outstanding Natural Landscape (ONL) or Outstanding Natural Features (ONF). The Site is an urban-zoned landscape undergoing planned change, rather than a sensitive or protected landscape context.

The Site is currently in a largely undeveloped state and retains a rural character due to its historic zoning and use. However, the land has been rezoned for urban development under the TPLM zone, and a transition away from its rural appearance is both anticipated and enabled by the planning framework. The proposed earthworks form part of this transition and are necessary to establish a development ready area that align with the intended urban outcomes for the wider Ladies Mile area.

The most notable visual change associated with the proposal will be the removal of the existing roadside bund, adjacent to Lower Shotover Road. At present, this bund screens the majority of the Site from public viewpoints along Lower Shotover Road and State Highway 6 (SH6). The landform changes across most of the Site will not be readily perceived from the surrounding road network, as these areas are largely screened from public view at present. Even once exposed, the relatively flat nature of the wider Site means that any modification to the landform will appear modest when viewed from elevated locations such as Queenstown Hill or Slope Hill.

Once the bund is removed, there will be an observable change in openness from Lower Shotover Road, with views extending across the Site toward Slope Hill. This change is consistent with the anticipated urbanisation of the zone and reflects the early stages of development that will occur across the Mile over the coming years. In the short term, the increased openness may temporarily enhance views to Slope Hill until built form begins to establish across the wider structure plan area.

The proposed works at the Site will present a visual environment typical of the early phases of urban development. Importantly, the earthworks will not occur across the entire Site at once; instead, they will be undertaken in a staged and incremental manner, with only discrete areas opened up at any given time. Each stage will directly correspond to the construction of specific infrastructure, roads, and building platforms, meaning that exposed areas are progressively stabilised as soon as practical before the next stage commences.

While the overall development programme spans approximately five years, the bulk of earthworks activity will occur within the first three years and will move sequentially across the Site. This ensures that the duration of visual effects in any one location is temporary and short-lived. As each stage is completed, areas will be re-contoured, topsoiled, stabilised, and then transition into built form and landscaping, resulting in a continual reduction of exposed earth over time.

Viewed in this context, the temporary visual effects associated with earthworks are characteristic of the normal development lifecycle for large greenfield areas in Queenstown, and will diminish progressively as the Site is built out and landscaped. The community is familiar with similar staged construction environments, such as the Queenstown Country Club, Shotover Count and Hanley Farm, all of which have involved multi-year earthworks programmes and evolving landforms.

Overall, the proposed earthworks will result in temporary and anticipated changes to landscape and visual amenity values as the Site transitions from rural to urban use. These effects are consistent with the zoning and will diminish over time as the built environment establishes. Residual landscape and visual effects are assessed as no more than minor.

6.1.3. Effects on infrastructure, adjacent sites and public roads.

Truck movements will be scheduled to occur outside of peak traffic periods where practicable, reducing interaction with commuter traffic and maintaining efficient operation of the wider network. While most earthworks activity will occur over an approximate three-year period, the daily volume of truck movements is expected to be modest and distributed across the programme rather than concentrated into short, high-intensity periods. This ensures that construction traffic effects remain manageable and within the capacity of the surrounding transport network.

A condition requiring a TMP is anticipated, which will confirm haul routes, access arrangements, temporary traffic controls, and any timing restrictions. Heavy vehicle movements will be directed exclusively along established sections of the roading network that are designed to accommodate

larger trucks. Appropriate safety measures will be implemented at site entry and exit points to ensure safe interaction with public road users.

There is limited existing infrastructure within the Site, and the EMP outlines how any existing on-site services will be protected and managed during earthworks. The unformed paper road dissecting the site will be managed through the TMP, and while temporary closures or controlled access may be required for safety reasons, these will be short-term and appropriately signposted.

Earthworks are also proposed within the road reserve along the southern boundary of the Site to enable the formation of a future pedestrian connection and to remove the existing bund. These works are necessary to deliver the TPLM Structure Plan and frontage outcomes for the TPLM zone. Council's Property & Infrastructure (P&I) team have been engaged throughout the design process and will continue to be consulted as the detailed design for the associated capital works is refined. Any works within the road reserve will be undertaken in accordance with Council standards and will be subject to necessary approvals and construction management controls.

The earthworks will not extend beyond the Site boundaries adjoining private properties. All boundary interfaces will be appropriately battered and stabilised to ensure long-term stability and to avoid any adverse effects on neighbouring land. No encroachment or undermining of adjacent sites will occur.

Overall, adverse effects on the wider environment and persons will be less than minor.

6.1.4. Land stability.

A technical assessment of ground conditions has been undertaken by ENGEO and is included at **Appendix 6**. This assessment provides a detailed understanding of the site's geological and geotechnical characteristics, and is summarised as follows.

- The Site is underlain by a predictable sequence of topsoil, loess, and dense alluvial/glaciofluvial sands and gravels, with no shallow groundwater encountered. ENGEO notes that *"groundwater was not encountered within ENGEO nor historical geotechnical site investigations... ORC well data... indicates regional groundwater levels between 39–51 m depth"*. This means earthworks and foundations will not interact with groundwater, avoiding associated environmental risks such as dewatering, sediment-laden discharges, or instability.
- Earthworks are relatively modest, with cuts up to ~2.4 m and fills up to ~4.1 m. The report confirms that *slope instability is not a significant hazard, given the site is relatively flat* and that proposed cut slopes are low-risk when constructed at shallow angles. Environmental effects from earthworks are therefore expected to be low, provided standard erosion, sediment, and dust controls are implemented.
- The Site's alluvial soils are generally suitable for reuse as engineered fill, supporting a balanced cut-and-fill approach. ENGEO identifies *"material suitability for reuse as fill"* as a

key consideration but confirms that alluvium is appropriate when compacted to NZS 4431 standards. This reduces the need for importing or exporting material, lowering truck movements and associated environmental effects.

- Liquefaction is not considered a risk due to deep groundwater. No active faults cross the site, and seismic effects are limited to ground shaking, which is addressed through standard structural design. Overall, residual environmental risk from natural hazards is low.
- The Site is suitable for shallow foundations bearing on loess or alluvium. ENGEO provides bearing capacities and notes that *“the site is suitable for shallow strip and pad foundations”*. This avoids the need for deep piles, reducing construction noise, vibration, and spoil generation.

Taken together, the geotechnical characteristics of the Site and the recommended construction methodologies ensure the proposed earthworks will not give rise to land instability or related environmental effects. The ground conditions are inherently favourable, the scale of cuts and fills is modest, and the works will be undertaken in accordance with established engineering standards and the detailed recommendations of ENGEO and the EMP. With further site-specific confirmation at the detailed design stage, and with standard erosion, sediment, and construction management controls in place, the risk of instability, off-site effects, or adverse interactions with groundwater is very low. On this basis, the residual effects on land stability are assessed as less than minor.

6.1.5. Effects on water bodies, ecosystem services and biodiversity.

There are no waterways or wetlands on or near the Site, nor are any Significant Natural Areas located within the subject site.

The nearest major waterbody is the Shotover River, located to the west of the Site and separated by intervening landholdings and roading infrastructure, meaning there is no direct hydrological connection. Lake Hayes lies to the east; however, the Site drains westward, and therefore no stormwater or sediment-laden runoff from the earthworks will enter the Lake Hayes catchment. All runoff generated during construction will be managed through the EMP, which includes a comprehensive suite of erosion and sediment controls designed to retain sediment on-site and prevent discharges to the wider environment. Given the absence of on-site waterbodies, the lack of ecological constraints, and the robust management measures proposed, adverse effects from the earthworks in relation to water quality, ecosystem services, or biodiversity values, will be less than minor.

6.1.6. Cultural, heritage and archaeological sites.

There are no known sites of historic or cultural significance within the application Site. Based on available information, it is considered unlikely that any such features remain within the site. The site is not subject to the Wāhi Tūpuna overlay.

Notwithstanding this, accidental discovery protocols will be applied across all areas of the Site. These protocols ensure that any unexpected finds are managed appropriately in accordance with legislative requirements and recognised best practice.

Adverse effects are considered to be less than minor.

6.1.7. Nuisance effects.

The potential for nuisance effects on the surrounding environment is considered to be low, given the nature of the works and the character of the receiving environment. The Site is located within a greenfield area that is transitioning to urban development, with only a small number of rural lifestyle properties in the vicinity. This context is not comparable to an established residential neighbourhood, and therefore the sensitivity of nearby receivers is relatively low.

Noise associated with construction will primarily result from excavation, filling and compaction activities, along with general vehicle movements to and from the site. Vibration effects are not expected to be noticeable, given minimal cut and fill is required and no rock breaking. These noise and vibration effects will be intermittent, short-term, and confined to the construction period stage. All works will be undertaken in accordance with NZS 6803:1999 *Acoustics – Construction Noise*, which is standard industry practice. A suite of mitigation measures will be implemented to manage and reduce both on-site and off-site effects to acceptable levels, with these measures outlined within the EMP.

In addition, the Site adjoins State Highway 6, which already generates a consistent level of ambient activity and traffic noise. The construction activity is unlikely to represent a marked change in the existing acoustic environment. Given the modest scale of earthworks, the absence of high-intensity activities such as rock breaking, and the implementation of standard construction management measures through the EMP.

Construction-related traffic, access, and parking effects will be managed through a TPM, which will be developed alongside the detailed design phase. The TPM will address expected vehicle types, access arrangements, and any appropriate timing controls for construction movements. A key objective will be to maintain the safe and efficient operation of the surrounding road network while ensuring construction vehicles can access the Site without causing unnecessary disruption to other road users.

Dust generation is expected to arise mainly from exposed earth surfaces during dry or windy conditions, particularly when excavation, filling, compaction, landscaping, stockpiling, and vehicle movements are underway. These effects will be limited to the period of works, will fluctuate depending on activity and weather, and are temporary in nature.

Standard industry dust-control measures will be implemented to ensure effects are managed to acceptable levels, with the final suite of measures as detailed in the EMP. At a high level, these measures are expected to include careful planning of works near sensitive receivers, avoiding activities during adverse weather, and ensuring adequate water supply for dust suppression. Additional controls may include windbreaks, minimising exposed surfaces, maintaining surface moisture during windy conditions, managing vehicle speeds and load handling, and applying water sprays or dust suppressants to stockpiles where required.

Overall, nuisance effects, including noise, vibration, dust, and general construction activity, are expected to be temporary, well-managed, and less than minor.

6.1.8. Natural Hazards.

The Site is free from significant natural hazard constraints. Liquefaction is not considered a risk due to deep groundwater. No active faults cross the site, and seismic effects are limited to ground shaking, which is addressed through standard structural design for buildings, noting no buildings are proposed as part of this application.

Overall, residual environmental risk from natural hazards is low.

6.1.9. Functional aspects and positive effects.

Earthworks associated with the development will be undertaken to enable the establishment of the proposed future residential units, roading, and supporting infrastructure across the site. These will include bulk earthworks and recontouring parts of the site, formation of building slab areas and construction of internal roads.

The positive effects of the proposed earthworks are significant in a broader strategic context. The extent of these works will enable the addition of over 1,100 new residential units, making a substantial contribution toward addressing the well-documented housing shortage within the Queenstown district. By increasing the supply of residential housing opportunities, the development will support population growth, improve housing affordability over time through increased supply, and contribute to the social and economic wellbeing of the community.

In addition, the development will generate positive economic effects through job creation during the construction phase and by supporting local businesses and services as the new community becomes established. Overall, the proposed earthworks are not only functionally necessary to enable development but also deliver clear and enduring positive effects at both the site-specific and district-wide scale.

6.2. Regional Plan Assessment

The following assessment should be read in conjunction with the above assessment of effects, sections 6.1.1 - 6.1.9 and the EMP.

6.2.1. Any erosion, land instability, sedimentation or property damage resulting from the activities

Erosion and sedimentation and land stability is assessed above as part of the District Plan matters of discretion in 6.1.1 and 6.1.4.

Earthworks will be undertaken in accordance with an EMP and the ESCPs prepared by a suitably qualified and experienced person, and generally consistent with Auckland Council Guideline Document GD2016/005.

Overall, any potential effects relating to erosion, land stability, sedimentation, or property damage will be less than minor as the earthworks that are subject to this application will be well-contained and comprehensively managed.

6.2.2. Effectiveness of the proposed erosion and sediment control measures in reducing discharges of sediment to water or to land where it may enter water

As discussed above, the proposed mitigation measures as outlined in 6.1.1, will be effective in reducing discharges of sediment to water or land where it may enter water.

Regular inspections, including checks after rainfall events, will ensure that controls remain functional and are maintained or adapted as necessary. Given the absence of nearby waterbodies and the comprehensive suite of controls proposed, the measures are expected to significantly reduce the potential for sediment to discharge to land where it may enter water, and overall are assessed as effective in managing environmental risk.

Given the location of the site, there is not anticipated to be any interaction with groundwater or surface water and it is considered that any adverse effects will be less than minor.

6.2.3. The extent to which the activity complies with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016 (Auckland Council Guideline Document GD2016/005)

The EMP and ESCPs have been prepared with reference to the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016 (GD2016/005). The proposed controls reflect the GD05 hierarchy of prioritising erosion control over sediment control, and device sizing, placement, and operational procedures have been designed in accordance with GD05 principles. Any minor deviations from GD05, if required due to site-specific conditions, will be supported by a Suitably Qualified and Experienced Person (SQEP) and will demonstrate that an equivalent or better level of environmental protection will be achieved.

In line with the mitigation and management measures as discussed in 6.1.1, it is considered that earthworks will be appropriately managed and adverse effects will be less than minor.

6.2.4. Effects on water quality, including cumulative effects, and consideration of trends in the quality of the receiving water body

Because there are no waterways, wetlands, drains, or modified watercourses on or adjacent to the site, the potential for direct effects on water quality is inherently low. The primary pathway for any water quality effect would be through uncontrolled sediment-laden runoff entering the wider stormwater network during rainfall events. The proposed erosion and sediment controls, combined with the absence of receiving waterbodies within or near the site, mean that the likelihood of any measurable change in water clarity, colour, or suspended sediment levels in downstream environments is very small. The works are temporary, and once stabilisation is

complete, the site will no longer generate earthworks-related sediment. Given the controls proposed, cumulative effects on water quality within the catchment are expected to be negligible.

6.2.5. Effects on Kāi Tahu cultural and spiritual beliefs, values and uses, any natural or human use value, use of water bodies or the coastal marine area for contact recreation and food gathering

There are no known sites of historic or cultural significance within the application Site. The works will not alter or disturb any natural watercourses, riparian margins, or habitats. As above, the earthworks are expected to have less than minor adverse effects on water quality, and there will be no discharge of sediment directly to any water body.

Cancellation of Consent Notices

In the decision of *Ballantyne Barker Holdings Ltd v Queenstown Lakes District Council*, Justice Dunningham stated consent notices:

"...should only be altered when there is a material change in circumstances (such as a rezoning through a plan change process), which means the consent notice condition no longer achieves, but rather obstructs, the sustainable management purposes of the RMA. In such circumstances, the ability to vary or cancel the consent notice condition can hardly be seen as objectionable."

The following outlines the material change in circumstances to the planning environment of this application:

- The zoning of the site and wider Ladies Mile area has changed from Rural Lifestyle to the TPLM Special Zone through the TPLM Plan Variation. The zoning now anticipates medium to high density urban development.
- As a result of extensive work undertaken by Council regarding the new zoning, the current District Plan rules that apply to the site are significantly different compared to what applied under the Proposed District Plan Rural Lifestyle zone at the time the consents that required the consent notices were granted.
- Council purposefully zoned this site as a TPLM Special Zone. The regulatory environment has therefore changed. Specifically, the TPLM zone has been publicly notified, and tested through hearings and has been made operative by the Minister through the Streamlined Planning Process. Retaining the Consent Notices would obstruct anticipated development activities encouraged by the Queenstown Lakes District Plan.

Consent notice 12669287.3 applies to Lot 3 Deposited Plan 606744. The consent notice was created through subdivision consent RM220154 which approved a five-lot subdivision that resulted in the creation of one additional record of title.

The consent notice contains condition (a) to (h) which dictate requirements for when a future dwelling is constructed within the platform on site. The servicing conditions anticipate onsite services. There is a condition which relates to good ground. The expectation of the plan is that this site will now accommodate 40 residential units per hectare, and as an urban zone, will be connected to reticulated services. The site will be developed comprehensively and geotechnical

investigations will occur at this point. As such, the consent notice is no longer relevant and its cancellation will not result in any adverse effects on the wider environment or persons. The district plan zoning and provisions will adequately manage development on the site.

Both Consent notice 876500 and Consent notice 7620262.11 are listed on the title for Section 9 Survey Office Plan 485598. They apply to part Lot 3 DP 593652 which Section 9 is currently held with. The conditions manage development on the larger farming balance lots to the north of Section 9. The conditions do not apply to the subject site and therefore can be cancelled, not only to tidy the title but given the reasons above relating to the re-zoning.

In summary, it is clear that the environment to which the consent notices relates has changed significantly now the TPLM variation is operative. The situation clearly meets the bar set by *Ballantyne Barker Holdings Ltd v Queenstown Lakes District Council* and the consent notices can be cancelled in full, as they relate to the subject site.

6.3. Effects Conclusion

Based on the above assessment, I consider all actual and potential effects associated with the earthworks will be no more than minor, with no persons adversely affected.

7. Objectives and Policies

7.1. Objectives and Policies Assessment

QUEENSTOWN LAKES DISTRICT COUNCIL PROPOSED DISTRICT PLAN

The following objectives and policies of the Queenstown Lakes District Council Proposed District Plan are relevant to this proposal.

Chapter 25 Earthworks

Objective 25.2.1

Earthworks are undertaken in a manner that minimises adverse effects on the environment, including through mitigation or remediation, and protects people and communities

Policy 25.2.1.1

Ensure earthworks minimise erosion, land instability, and sediment generation and off-site discharge during construction activities associated with subdivision and development.

Policy 25.2.1.2

Manage the adverse effects of earthworks to avoid inappropriate adverse effects and minimise other adverse effects, in a way that:

- a. Protects the values of Outstanding Natural Features and Landscapes;
- b. Maintains the amenity values of Rural Character Landscapes;

- c. Protects the values of Significant Natural Areas and the margins of lakes, rivers and wetlands;
- d. Minimises the exposure of aquifers, in particular the Wakatipu Basin, Hāwea Basin, Wānaka Basin and Cardrona alluvial ribbon aquifers;
Note: These aquifers are identified in the Otago Regional Plan: Water for Otago 2004.
- e. Protects Māori cultural values, including wāhi tapu and wāhi tūpuna and other sites of significance to Māori;
- f. Protects the values of heritage sites, precincts and landscape overlays from inappropriate subdivision, use and development; and
- g. Maintains public access to and along lakes and rivers.

Policy 25.2.1.3

Avoid, where practicable, or remedy or mitigate adverse visual effects of earthworks on visually prominent slopes, natural landforms and ridgelines.

Policy 25.2.1.4

Manage the scale and extent of earthworks to maintain the amenity values and quality of rural and urban areas.

Policy 25.2.1.5

Design earthworks to recognise the constraints and opportunities of the site and environment.

Policy 25.2.1.6

Ensure that earthworks are designed and undertaken in a manner that does not adversely affect infrastructure, buildings and the stability of adjoining sites.

Policy 25.2.1.7

Encourage limiting the area and volume of earthworks being undertaken on a site at any one time to minimise adverse effects on water bodies and nuisance effects of adverse construction noise, vibration, odour, dust and traffic effects.

Policy 25.2.1.8

Undertake processes to avoid adverse effects on cultural heritage, including wāhi tapu, wāhi tūpuna and other taonga, and archaeological sites, or where these cannot be avoided, effects are remedied or mitigated.

Policy 25.2.1.9

Manage the potential adverse effects arising from exposing or disturbing accidentally discovered material by following the Accidental Discovery Protocol in Schedule 25.10.

Policy 25.2.1.10

Ensure that earthworks that generate traffic movements maintain the safety of roads and accesses, and do not degrade the amenity and quality of surrounding land.

Policy 25.2.1.11

Ensure that earthworks minimise natural hazard risk to people, communities and property, in particular earthworks undertaken to facilitate land development or natural hazard mitigation.

Objective 25.2.2

The social, cultural and economic wellbeing of people and communities benefits from earthworks.

Policy 25.2.2.1

Enable earthworks that are necessary to provide for people and communities wellbeing, having particular regard to the importance of:

- a. Nationally and Regionally Significant Infrastructure;
- b. tourism infrastructure and activities, including the continued operation, and provision for future sensitive development of recreation and tourism activities within the Ski Area Sub Zones and the vehicle testing facility within the Waiorau Ski Area Sub Zone;
- c. minimising the risk of natural hazards;
- d. enhancing the operational efficiency of farming including maintenance and improvement of track access and fencing; and
- e. the use and enjoyment of land for recreation, including public walkways and trails; and

maintaining or enhancing the operational efficiency of existing infrastructure.

Assessment

The proposal has been designed to ensure that earthworks are undertaken in a manner that minimises adverse environmental effects and protects the safety and wellbeing of people and communities. A comprehensive Environmental Management Plan (EMP) has been prepared, attached as **Appendix 3**, and will be implemented, supported by staging plans and construction management measures. Section 6 above concludes the proposal will be of a nature and scale that minimises adverse effects on the environment, such that they are no more than minor.

Consistent with Policy 25.2.1.1, to minimise erosion, land instability, and sediment discharge, earthworks will be designed and implemented by appropriately qualified professionals. Temporary and permanent stabilisation will be applied during and following earthworks. Considering the EMP, industry best-practice standards will be implemented to avoid any adverse effects within and beyond the site boundaries.

The proposal does not adversely affect Outstanding Natural Features and Landscapes, Significant Natural Areas, or identified lake, river, or wetland margins in line with Policy 25.2.1.2. No known cultural, heritage or archaeological sites are located within the earthworks footprint. In the event that unidentified material is discovered during construction, an Accidental Discovery Protocol will be followed. The proposal achieves Policy 25.2.1.2.

The layout and design of earthworks have been shaped to enable the apartment building platforms and infrastructure. The land is relatively flat, thus there will not be a marked visual change across the wider site. Section 6 above discusses the potential visual effects in more detail and concludes they will be no more than minor. While the earthworks will be visually

apparent during construction, these effects are temporary and will be remedied through reinstatement, landscaping, and the establishment of residential development.

The earthworks will be contained within the site and will not adversely affect adjoining sites. As addressed in Section 6, any effects on infrastructure will be less than minor. The earthworks will be appropriately managed to avoid adverse effects, through the EMP measures and accompanying ESCPs.

Accidental Discovery Protocols will be followed at all times.

The earthworks will be staged to limit heavy vehicle movements, maintain road safety, and limit adverse amenity effects on surrounding land uses. Any potential effects will be temporary, localised, and appropriately mitigated.

The site is not subject to natural hazards that will be exacerbated by the proposal.

The proposal is consistent with Policies 25.2.1.3 to 25.2.1.11.

The establishment of housing, infrastructure, and associated services contributes positively to community resilience, housing supply, and local economic activity. Any short term construction effects are outweighed by the long term wellbeing benefits of a safe, functional residential environment. The proposal is consistent with policy 25.2.2.1 and Objective 25.2.2.

PROPOSED OTAGO REGIONAL POLICY STATEMENT

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 Operative RPS 2019 (RPS2019) was declared operative on 4 March 2024. Following a 2019 review of the region's freshwater management framework and the introduction in 2020 of new national regulations, the PORPS2019 has now been reviewed, and the Proposed Otago Regional Policy Statement 2021 (PRPS2021) was notified on 26 June 2021. Hearings were held in 2023. Decisions of the Hearings Panel on some provisions of the PRPS2021 were notified on 30 March 2024.

The PRPS2019 seeks to ensure the sustainable use of Otago's resources, achieving integrated management of natural and physical resources to support the wellbeing of its communities. Natural resources and ecosystems are to be protected and maintained, while still facilitating urban growth and development.

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. Freshwater Instrument Components have also been identified within the PRPS2021. The objectives and policies relating to land and fresh water are particularly relevant to this proposal, with these provisions seeking to ensure that water bodies are protected through the management of activities in and around water bodies, including the development of land nearby.

The following objectives and policies of the Proposed Otago Regional Policy Statement are relevant to this proposal.

LF-FW - Fresh Water
LF-FW-O8 – Fresh water In Otago’s water bodies and their catchments, the significant and outstanding values of Otago’s outstanding water bodies are identified and protected.
LF-FW-O10 – Natural character The natural character of wetlands, lakes and rivers and their margins is preserved and protected from inappropriate subdivision, use and development.
LF-FW-P15 – Stormwater and wastewater discharges Minimise the adverse effects of direct and indirect discharges of stormwater and wastewater to fresh water by: (2) requiring (ab) integrated catchment management plans for management of stormwater in urban areas, (b) all stormwater to be discharged into a reticulated system, where one is made available by the operator of the reticulated system, unless alternative treatment and disposal methods will result 145 in the same or improved outcomes for fresh water, (c) implementation of methods to progressively reduce unintentional stormwater inflows to wastewater systems, (e) that any stormwater discharges do not prevent water bodies from meeting any applicable water quality standards set for FMUs and/or rohe, and (f) the use of water sensitive design techniques wherever practicable, and (3) promoting the reticulation of stormwater in urban areas where appropriate, and (4) promoting source control as a method for reducing contaminants in discharges and the use of good practice guidelines for managing stormwater.
ECO - Ecosystems and indigenous biodiversity
ECO-O1 – Indigenous biodiversity Otago’s indigenous biodiversity is healthy and thriving and any decline in quality, quantity and diversity is halted. ECO-P1 – Kaitiakitaka Enable Kāi Tahu to exercise their role as kaitiaki of Otago’s indigenous biodiversity by: (1) partnering with Kāi Tahu in the management of indigenous biodiversity to the extent desired by mana whenua, (1A) working with Kāi Tahu to identify indigenous species and ecosystems that are taoka,

- (1) incorporating the use of mātauraka Māori in the management and monitoring of indigenous biodiversity, and
- (2) facilitating access to and use of indigenous biodiversity by Kāi Tahu, including mahika kai, according to tikaka.

HAZ - Hazards and Risks

HAZ–NH–O1 – Natural hazards

Activities do not exacerbate natural hazard risks within Otago and are managed to reduce significant natural hazard risk.

HAZ–NH–O2 – Adaption

Otago’s people, communities, property, and other aspects of the environment are prepared for and able to adapt to the effects of natural hazards, including natural hazard risks that are exacerbated by climate change.

Assessment

The proposed earthworks occur within a residential site that contains no wetlands, lakes or rivers, and the works are located well away from any downstream receiving environment. As a result, the activity will not affect the natural character of waterbodies. By avoiding any disturbance to waterbodies and implementing robust erosion and sediment control measures, the proposal maintains the integrity of freshwater ecosystems and ensures that the natural character of waterbody margins is preserved. The absence of waterways on the site means that the potential for sediment to enter or degrade freshwater environments is inherently low, and the EMP and ESCP provide further assurance that any indirect effects are avoided.

In relation to stormwater management, the proposal aligns with the intent of LF–FW–P15 by ensuring that sediment-laden runoff is controlled at source and that no discharge will compromise downstream water quality or prevent waterbodies from meeting applicable standards. Although the site is not serviced by a reticulated stormwater network, the controls proposed, such as stabilised entrances, perimeter controls, and progressive stabilisation, represent good practice and reflect water-sensitive design principles. These measures minimise contaminant generation at source and ensure that the activity contributes positively to catchment-scale stormwater outcomes. Because the earthworks are temporary and will be fully stabilised upon completion, the proposal does not create long-term stormwater or wastewater management issues.

With respect to indigenous biodiversity, the proposal is consistent with ECO–O1 because it does not disturb any indigenous vegetation, habitats, or ecosystems. The absence of waterways or wetlands means that there are no aquatic habitats at risk from sedimentation, and the implementation of erosion and sediment controls ensures that downstream ecosystems are not adversely affected. The proposal also aligns with ECO–P1 by avoiding impacts on taoka species and ecosystems and by ensuring that Kāi Tahu values associated with freshwater and mahika kai are protected. The activity does not restrict access to indigenous biodiversity resources nor does it affect areas where Kāi Tahu exercise kaitiakitaka.

Finally, the proposal is consistent with the natural hazard objectives HAZ–NH–O1 and HAZ–NH–O2. The earthworks are designed and staged to avoid creating or exacerbating natural hazard risks such as instability, erosion, or uncontrolled runoff. By shaping stable slopes, managing stormwater on site, and ensuring that exposed soils are stabilised promptly, the activity reduces the likelihood of hazard-related effects both during construction and in the long term. The EMP provides adaptive management procedures that allow the site to respond to weather events, including those intensified by climate change, ensuring that the community and environment remain resilient.

Overall, the proposal is consistent with the relevant objectives and policies. It avoids effects on freshwater and biodiversity, manages land and soil responsibly, and does not increase natural hazard risk.

7.2. Objectives and Policies Conclusion

For those reasons outlined above, it is considered that the proposal is consistent with all relevant objectives and policies of the Queenstown Lakes Proposed District Plan and the Proposed Otago Regional Policy Statement

8. Notification Assessment

8.1. Public Notification – Section 95A

The matters to be considered by the consent authority when deciding whether or not to publicly notify an application are set out in Section 95A of the RMA. This comprises the following four-step process to determine whether to publicly notify an application.

Step 1 – Mandatory public notification in certain circumstances (sections 95A (2) and (3):

Mandatory public notification is not required as the applicant does not request public notification [s95A(3)(a)], and the application has not been made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977 [s95A(3)(c)].

Step 2 – Preclusion to public notification:

Public notification is not precluded because the activity is not subject to any rule in the District Plan or a National Environmental Standard that precludes public notification [s95A(5)(a)] and the activity is not for a controlled activity [s95A(5)(b)(i)] or a boundary activity [s95A(5)(b)(iii)].

Step 3 - Public notification – rule/adverse effects:

Public notification is not required as the application does not include an activity that is subject to any rule in the District Plan or National Environmental Standard that requires public notification, and in accordance with section 95D adverse effects on the environment will not be more than minor [s95A(8)(a) and (b)].

Step 4 – Special circumstances:

There are no special circumstances that warrant public notification under section 95A(9) because none of the circumstances of the application are exceptional or unusual.

Accordingly, it is considered that this application should be processed **without public notification**.

8.2. Limited Notification – Section 95B

Section 95B relates to limited notification of consent applications and (in summary) directs that, where notification of an application for resource consent is not required under Section 95A, the consent authority must give limited notification of the application to any affected person. Section 95B is also a four-step process to determine whether to limited notify an application.

Step 1 – Customary rights and marine title groups, and statutory acknowledgements:

There are no protected customary rights groups or customary marine title groups that will be affected by the proposal, and the proposal is not on, adjacent to, or likely to affect land subject to a statutory acknowledgement [s95B(2)(a) and (b) and s95B(3)].

Step 2 - Preclusions to limited notification:

There is no preclusion to limited notification as there is no rule in the District Plan or National Environmental Standard that precludes limited notification of the application [s95B(6)(a) and (b)] and the application is not for a district land use consent with controlled activity status [s95B(6)(b)].

Step 3 – Limited notification – affected persons:

Limited notification is not required as the effects on any person will be less than minor [s95B(8)]. Refer to the assessment of effects and conclusions in Section 6 of this report.

Step 4 – Special circumstances:

There are no special circumstances that exist relating to the application that warrant limited notification to any persons who have not been excluded as affected persons by the assessment above. There are no special circumstances that warrant limited notification under section 95B(10) because none of the circumstances of the application are exceptional or unusual.

Accordingly, it is considered that this application should be processed **without limited notification**.

8.3. Notification Conclusion

Section 95 of the Act sets out the requirements for the Council to consider when determining whether an application for resource consent should be notified.

Section 6 of this report confirms that any effects on specific parties and the wider environment will be less than minor. Therefore, in accordance with the steps outlined above, notification of the proposal is not required.

9. Statutory Assessment

9.1. Section 104 of the RMA

Section 104

In considering an application for land use consent, the consent authority must have regard to Part 2 (Purposes and Principles) of the RMA, and to the matters to be considered as set out in section 104(1). Section 104(1) states that, subject to the provisions of Part 2, a consent authority must have regard to:

- (a) any actual and potential effects on the environment of 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.*

In respect of section 104(1)(a), an assessment of any actual or potential effects has been included in Section 6 of this report. This assessment is also relevant to section 104(1)(a) and I therefore determine that effects of the actual and potential effects of the proposal will be acceptable.

I have considered the higher order planning documents specified at section 104(1)(b)(i) – (vi) of the Act and consider that the following documents are relevant to this proposal:

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

There is no known contamination with the Site. The Site is not registered as a HAIL site on the ORC database. No significant adverse effects are expected to arise as a result of earthworks exposing potentially contaminated soils.

As per the EMP, if any potentially contaminated soils are disturbed throughout the earthworks process, all works will be halted, and the Site Manager will notify the Environmental

Representative (as per the EMP) to implement an effective management strategy moving forward.

National Policy Statement for Highly Productive Land

The NPS-HPL provides direction under the RMA to improve the way that highly productive land is managed.

The NPS-HPL directs that territorial authorities avoid the inappropriate use or development of highly productive land that is not land based primary production. Section 3.9 provides further clarification on what is considered inappropriate use or development.

Highly Productive Land means:

- Land that has been mapped in accordance with clause 3.4 of the NPS-HPL and is included in an operative regional policy statement as required by clause 3.5; or,
- Until a regional policy statement containing maps of highly productive land in the region is operative, is land that at the commencement date zoned general rural or rural production; and contains land mapped by the New Zealand Land Resource Inventory as Land Use Capability Class 1, 2, or 3;

Land is not classified as Highly Productive Land where it is identified for future urban development; or subject to a Council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.

The subject site, although on HPL Class 2 soils, ceases to be highly productive land under section 3.5(6) of the NPS-HPL as the site has been upzoned to an urban zone, the Te Pūtahi Ladies Mile Special Zone.

National Policy Statement on Urban Development

The National Policy Statement on Urban Development 2020 (NPSUD) is relevant to this proposal. The NPSUD is a national direction that requires local authorities to enable such environments to develop and change to contribute to well-functioning urban environments, and to provide sufficient development capacity to meet the needs of people and communities and future generations in urban environments. The NPSUD directs decision making under the Act to ensure that planning decisions enable development through providing sufficient development capacity for housing and business.

The proposal has been assessed against the relevant policies of the NPSUD and is considered to achieve the outcomes sought by the NPSUD. In particular, the proposal contributes to creating a well functioned urban environment by readying the Site to provide a variety of housing stock that has good accessibility for people between housing, jobs, community services and public transport.

National Policy Statement for Natural Hazards 2025 (NPS-NH)

The NPS-NH came into force on 15 January 2026, and requires local authorities to manage seven specified natural hazard risks associated with subdivision, use, and development using a risk-based approach and the best available information.

The NPS-NH identifies seven natural hazard risks that decision-makers must consider: flooding, coastal erosion, coastal inundation, tsunami, landslip, liquefaction and active fault rupture.

The Site has been assessed for natural hazards through the TPLM Variation process and has been further reviewed for the purposes of this referral application.

Based on the best available information:

- Under the ORC Natural Hazards Portal, the Site is not identified as being subject to flooding, landslip, coastal erosion, coastal inundation, or tsunami risk.
- The Site is also not identified as being within an active fault area.
- Liquefaction susceptibility mapping identifies the entire Site as having nil to low liquefaction susceptibility, which is consistent with the wider Queenstown basin and can be appropriately managed through standard geotechnical and structural design.

The proposed development does not introduce new natural hazard risks, nor does it increase the level of risk on surrounding land. Applying a proportionate, risk-based approach consistent with the NPS-NH, it is considered that avoidance of development is not required and that any natural hazard risks can be managed to a low and acceptable level through standard mitigation measures. Accordingly, the Project is considered to be consistent with the over-arching objective and supporting policies of the NPS-NH.

Proposed Otago Regional Policy Statement

The proposal is consistent with the general strategic direction of Proposed Otago Regional Policy Statement.

Queenstown Lakes Proposed District Plan

The proposal is consistent with the relevant objectives and policies of the Queenstown Lakes Proposed District Plan

Other Matters

There are no other matters that the consent authority should consider in the determination of this application.

9.2. Resource Management Act 1991 – Part 2 Assessment

In accordance with recent case law, decision makers can no longer refer to matters under Part 2 of the RMA 1991 when considering resource consent applications, unless the relevant district plan is invalid, or has incomplete coverage or is uncertain.

The TPLM Special Zone has recently been implemented and is a valid planning document, has complete coverage over the proposed activities and anticipated effects, and is of sufficient certainty to not require an assessment against Part 2 Matters.

10. Conclusion

The application is being made by Simplicity Living Limited for resource consent from Queenstown Lakes District Council and Otago Regional Council for earthworks at 12 Lower Shotover Road. The application requires resource consent as a Restricted Discretionary Activity.

The assessments conclude that the proposal will result in no more than minor effects and no persons will be adversely affected. The proposal is also not contrary to the objectives and policies of either the Queenstown Lakes Proposed District Plan or Otago Regional Plan.

On this basis, it is considered that the proposal can be granted on a non-notified basis in accordance with Sections 104 and 104B.

We request the opportunity to review the draft conditions prior to the decision being issued.

We look forward to working with you and your team further during this resource consent process.