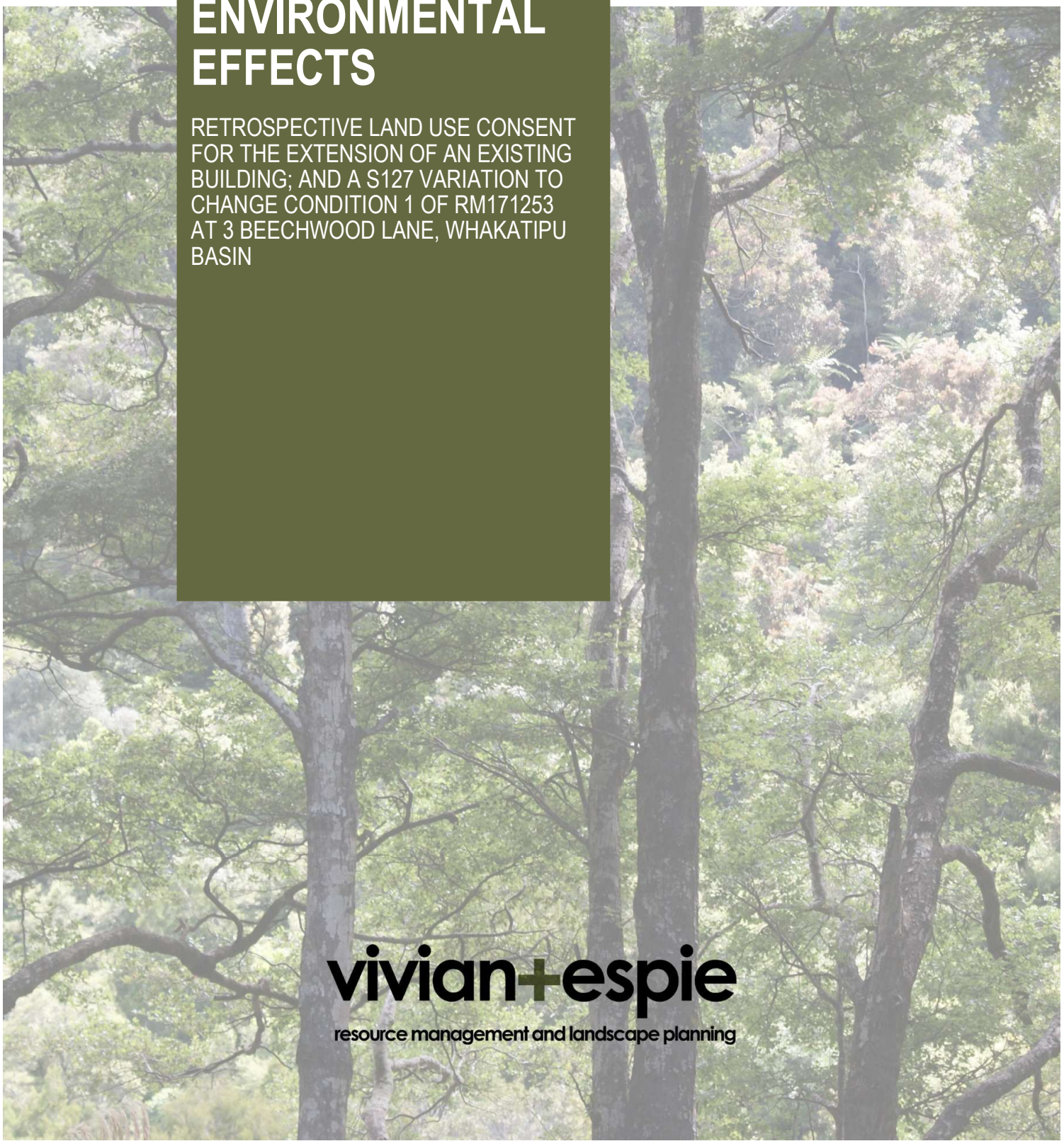
vivian+espie
resource management and landscape planning

WOODLOT PROPERTIES LIMITED
11 DECEMBER 2025
J2547

# ASSESSMENT OF ENVIRONMENTAL EFFECTS

RETROSPECTIVE LAND USE CONSENT FOR THE EXTENSION OF AN EXISTING BUILDING; AND A S127 VARIATION TO CHANGE CONDITION 1 OF RM171253 AT 3 BEECHWOOD LANE, WHAKATIPU BASIN



vivian+espie
resource management and landscape planning

**1. Key Information** ..... 3
**2. Introduction** ..... 4
**3. Background** ..... 4
3.1 Overview ..... 4
3.2 Relevant Site History ..... 4
3.3 Other Site History ..... 5
3.3 Relevant Title Instruments. ..... 7
**4. The Proposal** ..... 10
4.1 Servicing ..... 11
**5. Matters Requiring Consent** ..... 13
5.1 Operative District Plan ..... 13
5.2 Proposed District Plan ..... 13
5.3 Resource Management Act 1991 ..... 14
5.4 Scope of Application ..... 14
**6. Statutory Considerations** ..... 15
6.1 Section 104 – Matters for Assessment ..... 15
**7. Effects on the Environment** ..... 15
7.1 Receiving Environment and Permitted Baseline ..... 15
7.2 Effects of Proposed Extension ..... 16
7.3 Effects of Site Coverage Infringement ..... 18
**8. Notification Assessment** ..... 18
8.1 Public Notification ..... 18
8.2 Limited Notification ..... 19
**9. Policy Framework** ..... 19
9.1 National Policy Statement for Highly Productive Land 2022 ..... 19
9.2 Operative Regional Policy Statement - 2019 ..... 20
9.3 Proposed Regional Policy Statement - 2021 ..... 20
9.4 Operative District Plan ..... 20
9.5 Proposed District Plan ..... 20
9.5.1 Wakatipu Basin Rural Amenity Zone (Lifestyle Precinct) (Chapter 24) ..... 21
9.6.2 Conclusion ..... 23
**10. Other Matters** ..... 23
**11. Consultation** ..... 23
**12. Conclusion** ..... 23
**Attachments** ..... 25
Attachment **[A]**: Form 9 ..... 25
Attachment **[B]**: Record of Title ..... 25
Attachment **[C]**: Architectural Plans ..... 25
Attachment **[D]**: Servicing Plan ..... 25

## Quality Assurance

| | | | |
|---|---|---|---|
| **Prepared By** | Tom McIntyre | Senior Planner | 9 December 2025 |
| **Reviewed By** | Carey Vivian | Planner/ Director | 10 December 2025 |

# 1. Key Information

| | |
|---|---|
| **Address** | 3 Beechwood Lane, Queenstown |
| **Legal Description** | Lot 100 DP 612213 held in Record of Title 903561<br>The title is attached as **Attachment [B].** |
| **Site Area** | 27.8 hectares |
| **Owners** | David Benjamin Broomfield<br>Elspeth Helen Broomfield |
| **Occupiers** | David Benjamin Broomfield<br>Elspeth Helen Broomfield |
| **Applicant** | Woodlot Properties Limited |
| **Operative District Plan Zoning** | Rural General |
| **Designations & Special Provisions** | Visual Amenity Landscape |
| **Proposed District Plan Zoning** | Split Zoned<br>• Wakatipu Basin Rural Amenity Zone (Lifestyle Precinct Sub-Zone) ("**Precinct**").<br>• Rural |
| **Designations & Special Provisions** | Landscape Character Unit 4: Tucker Beach |
| **Proposed Activity** | Retrospective land use consent to construct an extension to an existing lawfully established residential building, and a s127 variation to RM171253 (as varied)..<br><br>Plans are appended as Attachment **[C]**. |
| **Consents Required** | **Proposed District Plan**<br>The site is within the Wakatipu Basin Rural Amenity Zone (Lifestyle Precinct Sub-zone) (WBLP) and the proposal requires resource consent under the following rules:<br><br>• A **restricted discretionary activity** resource consent under rule 24.5.3 for alterations to a residential building not located within a platform, that increase the ground floor area by more than 30%.<br>• A **restricted discretionary** activity resource consent under rule 24.5.6 in relation to the maximum building coverage on site being the lesser of 10% of the site or 500 $m^2$.<br><br>**Resource Management Act 1991**<br><br>• A **discretionary** activity resource pursuant to s127 of the RMA to change condition 1 of RM171253 (as varied), to update the approved set of plans for the building.<br><br>**Operative District Plan**<br>The equivalent rules of the PDP for the WBLP are not under appeal following the issue of a Consent Order by the |

| | |
|---|---|
| | Environment Court and must now be treated as inoperative pursuant to section 86F of the RMA.<br><br>Overall, the proposal is for a **restricted discretionary** activity. |
| **Written Approvals and Consultation** | No persons other than the applicants are affected by the proposal. |
| **Other consents/permits** | Nil. |

# 2. Introduction

This report is submitted as part of the application by Woodlot Properties Ltd ("the Applicant") for resource consent from Queenstown Lakes District Council ("QLDC" or "Council") for retrospective land use consent construct an extension to an existing lawfully established residential building, and to use this building (which is >10 metres from the principal residential unit) as a residential flat. The completed Form 9 is appended as Attachment **[A]** and the Record of Title is appended as Attachment **[B]** ("the site"). The plans of the building are appended as attachment **[C]**. The purpose of this report is to provide sufficient information to enable a full understanding of the proposal and any effects that the proposal may have on the environment.

# 3. Background

## 3.1 Overview

The subject site is a 27.8 hectare property located at Beechwood Lane and split-zoned between the WBLP and the Rural Zone.

## 3.2 Relevant Site History

The subject site has a long and varied resource management history, including various land-use and subdivision consents (some of which have lapsed and others which are yet to be given effect to). The following resource consents specifically relate to the accessory building that is the subject of this application:

***RM171253 – Land use consent to construct a garage***

Consent was granted to construct a 108 $m^2$ garage.

***RM180615 – Land use consent for a 2.8 m high retaining wall, and a s127 variation to RM171253.***

Consent was granted to construct a 2.8 m high retaining at the rear of the garage. A s127 variation to RM171253 was granted to include the retaining wall on the approved plan set.

***RM181630 – A s127 variation to RM171253 to convert to the garage into a sleepout.***

A variation was granted for the conversion of the building into a sleepout. This included minor design changes, including the replacement of the two garage doors with glass sliding doors. The consent northern elevation is shown in Figure 1 below.

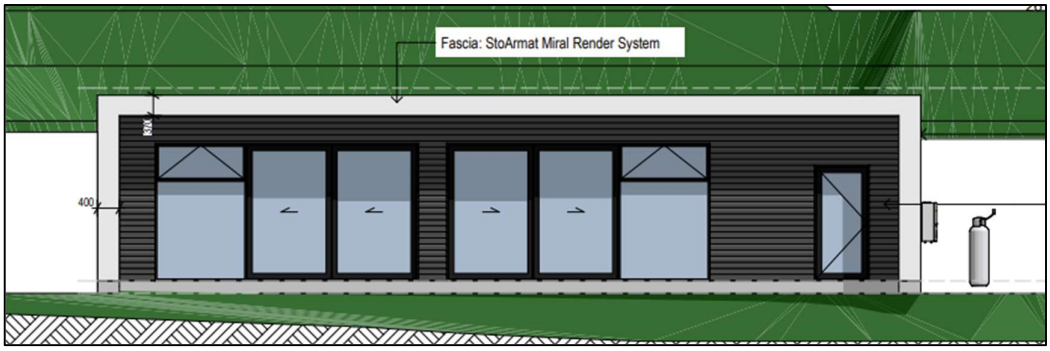



***Figure 1:*** *Northern elevation consented through RM171253 (as varied by RM180615 and RM181630).*




***Figure 2:*** *Snip of Google Maps 3D.*

## 3.3 Other Site History

The following consents are also affiliated with the subject site, but are of less relevance to the current application.

***RM200179 – Land use consent to construct a second residential unit.***

Consent was granted to establish a second residential unit amongst existing sheds at the eastern end of the property. The consent has been given effect to. This area of the property was later subject to the 'Lot 9' subdivision consent of RM230196, discussed below.

***RM210435 (as varied) – Lot 8 subdivision***

RM210435 authorised the subdivision of a 1.2 hectare rural living lot from the balance lot, as well as the creation of a building platform within the new lot, and a boundary adjustment with 1 Birdlip Rise to the north. Consent was granted on 1 February 2022. A s357 objection to building height conditions in RM210435 was subsequently lodged, and the appeal was upheld in a decision issued by Commissioner Robert Nixon on 12 August 2022. This consent has been subject to variations through RM230400, RM240309, RM230481, RM240555, and RM250648.

The subdivision is yet to progress through s223 and s224c processes.

***RM230196 – Lot 9 subdivision***

Approved on 16 June 2023, this consent subdivision consent enabled the creation of a 6000 $m^2$ rural-living lot around an existing group of sheds and the RM230196 residential unit at the east of the property. The remainder of the property would be contained within the Lot 100 balance lot (27.83 hectares). The consent was varied through RM250902 to change the shape of Lot 9. The subdivision is yet to progress through s223 and s224c processes.

***RM250154 – Land use consent for a shed***

Granted 10 April 2025, for the construction of an un-serviced, 84 $m^2$ shed. This consent authorised a breach of the total site coverage standard.

***RM250379 – Lot 20 subdivision***

Approved on 17 October 2023, this consent enable the subdivision of a 3.3 hectare rural living lot from the balance of the site. The remaining land is to become Lots 1 and 100, which are to be amalgamated.

Note, if the subdivision consents for Lots 8, 9, and 20 are given effect to, the remaining subject site would be 3.1499 hectares and would be entirely within the WBLP. The subject lot would become amalgamated with the large balance block that lies south of lot 20. The balance block contains a further 1.62 hectares of WBLP land. Thus, the remaining WBLP land in the subject title will be approximately 4.77 hectares if all of the above-mentioned subdivisions are given effect to.

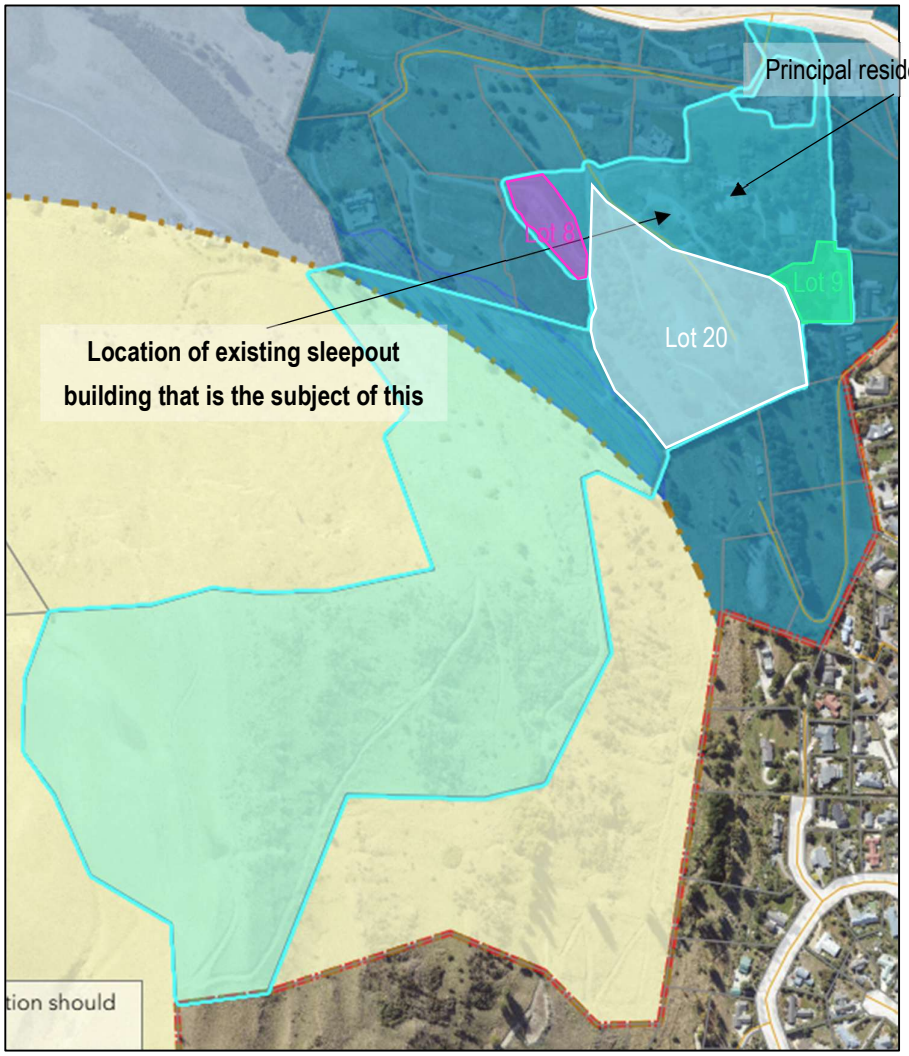



***Figure 3:*** *PDP zoning of subject site with the approximate locations of consented Lots 8, 9, and 20 which are yet to be given effect to. The sleepout building is outside of these consented lot areas.*

## 3.3 Relevant Title Instruments.

The subject site has a long and varied resource management history, resulting in a substantial number of instruments registered to the title (903561). There are two consent notices on the title and two s108(2)(d) covenants, to which QLDC are a party.

- 5721911.8 – Consent Notice
- 8096475.10 – Consent Notice
- 8257022.1 – Section 108(2)(d) Covenant
- 9719613.21 – Section 108(2)(d) Covenant

**CN 5721911.8:** This consent notice was created in 2003, at the time that 15 Beechwood Lane was created through RM020846, a boundary adjustment subdivision. Condition 2 of the consent notice requires the site

to be maintained in accordance with a landscape management plan (Figure 4 below), including maintaining large parts of the site as open pasture. A section 221 change to this consent notice was authorised through RM230481, which exempted any WBLP land from the requirements of the landscape management plan. As such, the consent notice is of no consequence to the current application.

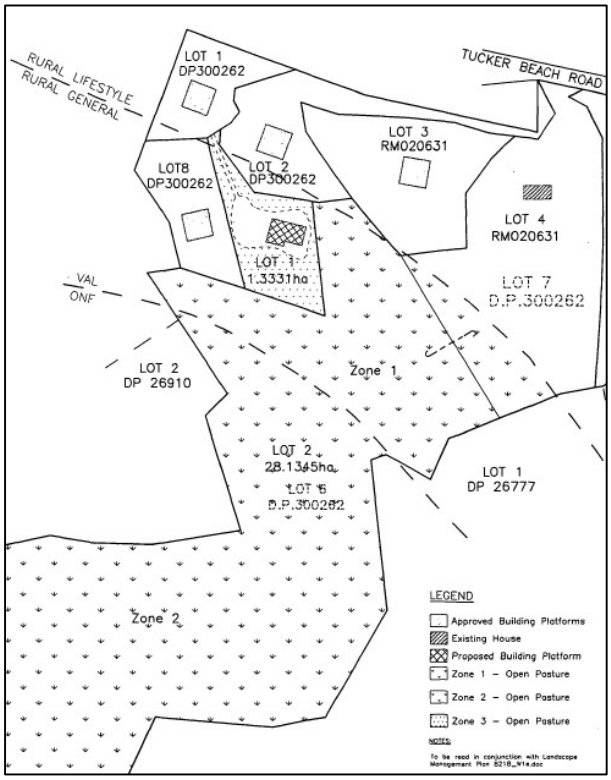



***Figure 4:*** *Snip of landscape management plan from CN 5721911.8 – Through RM230481, the open pasture requirements will no longer apply to WBLP land*

**CN 8096475.10:**

This was created in 2009, through subdivision consent RM050235. It applies to Lots 1 & 2 DP 396997, with the following conditions. The proposal is able to comply with these conditions.

**Condition 7a)**

At the time that a dwelling is erected on any lots then the owner for the time being is to ensure that all construction is contained within the boundaries of the lot and that the access to the lot for construction vehicles and delivery of goods to the lot is to be from the vehicle crossing constructed at the time of subdivision. The owner for the time being is responsible for repairing and making good any damage to any road infrastructure for the frontage of the lot being developed or to the frontage of any other lot caused by development activities of the owners lot.

**Condition 7b)**

At the time a dwelling is constructed on any lot that does not have a vehicle crossing, the owner for the time being shall construct a crossing in accordance with the requirements of NZS4404:2004.

**Condition 7c)**

At the time any dwelling is erected, a storm water system shall be designed by a suitably qualified engineer to dispose of water from the impervious areas within the site.

***Figure 3:*** *Conditions of CN 8096475.10. The current application is able to meet these conditions.*

**Covenant 8257022.1**

This land covenant was created in 2009 as a result of RM060784, which was land use consent for earthworks to prepare a building platform. The covenant sets the ground level from which future building heights are to be measured at what is now Lot 20 of RM250379. The covenant is of no consequence to the current application

**Covenant 9719613.21**

This covenant was created through RM130386, and imposes building, subdivision, and earthworks restrictions for the southern portion of the site – Area 'OO' on deposited plan 473899. The subject building is outside of area 'OO', thus the covenant is of no consequence to the proposal.

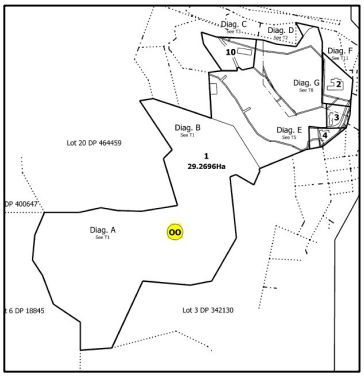



***Figure 4:*** *Snip of DP 473899 showing Area 'OO'. Subdivision, buildings, and earthworks are prohibited within Area 'OO' through covenant 9719613.21.*

# 4. The Proposal

Retrospective consent is sought for alterations that have been made to the sleepout building. An 81 $m^2$ extension containing a garage, bedroom, and laundry has been added to the building, as well as a 29 $m^2$ enclosed patio (110 $m^2$ in total). Alterations to lawfully established buildings are permitted where any extension does not exceed 30% of the existing ground floor area (**Rule 24.5.3**). In this instance the ground floor area of the extension and enclosed patio equates to 101% of the existing ground floor area, which is 108 $m^2$. Resource consent is required for this infringement.

A kitchen has been installed into the existing sleepout area. As the new combined floor area of the building exceeds 150 $m^2$, the building meets the definition of a residential unit. The use of land or buildings for residential activity is permitted in the WBLP (**Rule 24.4.3**). The additional residential unit will be the third on the title, which contains slightly less than 9 hectares of WBLP land, thus the proposal comfortably complies with the maximum residential density of one unit per hectare of WBLP land. The establishment of the additional residential unit is in itself permitted.

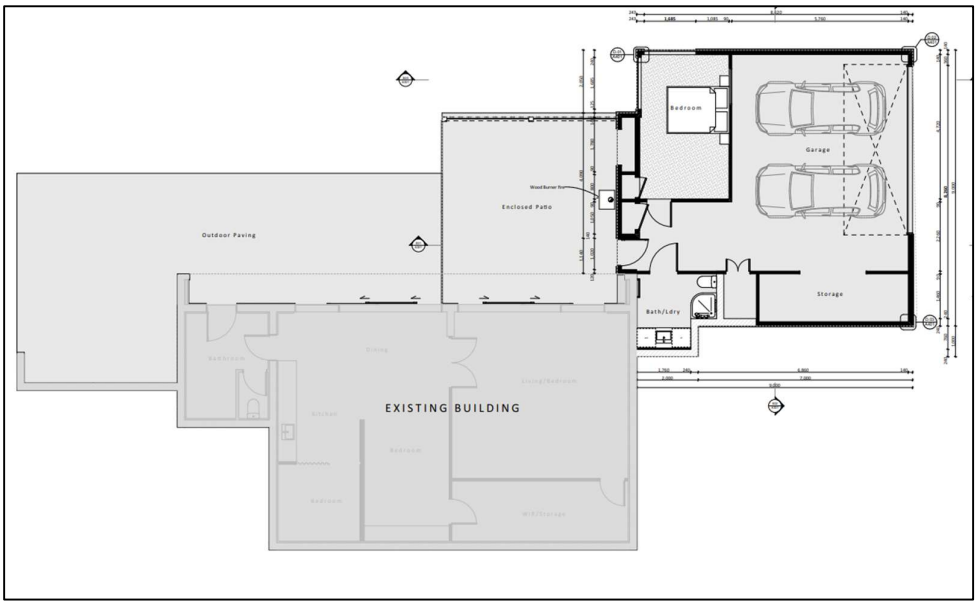



***Figure 5:*** *Floor plan showing the current layout of the building. The garage, bedroom and laundry area shown in the top right corner has been added, as well as an indoor/outdoor patio at the north of the building.*



***Figure 6:*** *Photo of building. The extension for which retrospective resource consent is sought is highlighted*

## 4.1 Servicing

The existing building benefits from existing connections to power and telecommunications, as well as the QLDC reticulated networks for water supply, stormwater, and wastewater. No changes are proposed to these connections / arrangements. The servicing plan is attached as **Attachment [D]**.

***Access***

Figure 1 below shows the proposed access arrangements.

The northern part of the site has a frontage to Tucker Beach Road. A private formed access, known as Beechwood Lane, connects the site to Tucker Beach Road at this frontage. The unit is accessed via Birdlip Rise, which branches off from Beechwood Lane, over neighbouring Lot 10 (1 Birdlip Rise). There is an existing ROW easement in place for this arrangement.

Beechwood Lane was recently upgraded through the subdivision SD240555, and is of a sufficient standard to cater for the proposed residential unit.

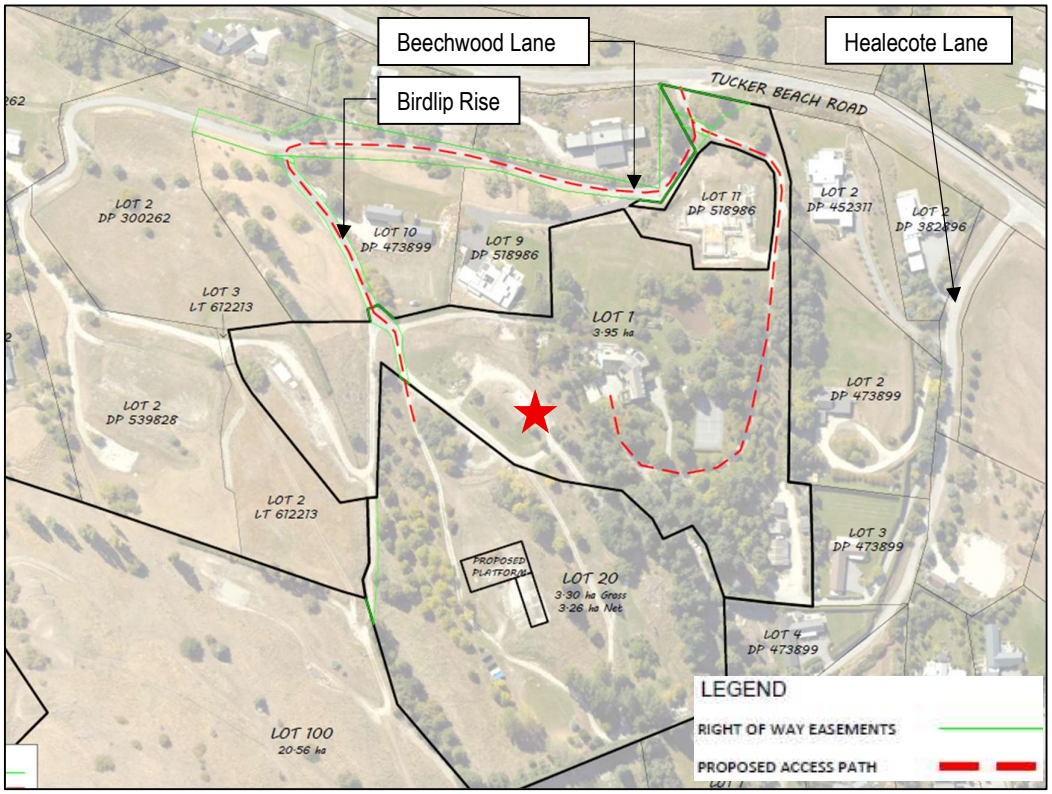



***Figure 7:*** *Existing access arrangement. The unit will be accessed by existing access route from Tucker Beach via Beechwood Land and Birdlip Rise.*

***Wastewater, Stormwater and Water Supply***

The building has existing connections to Council's reticulated wastewater, stormwater, and water supply networks. Attachment **[D]** shows these existing connections to the building. No changes are proposed to these.

***Firefighting Supply***

There are existing hydrants on site that can cater for the residential unit. The nearest hydrant is within 50 m of the building is shown on the Appendix **[D]** drawing.

***Power Supply & Telecommunications***

The building has existing wired connections to power and telecommunications.

## 4.2 Variation to RM171253

It is proposed to change condition 1 of RM171253 (as varied) to update the approved set of plans for the consent. It is proposed to change condition 1 as follows:

1. That the development must be undertaken/carried out in accordance with the plans:

- ~~Approved and proposed building platform for Lot 6 RM130386, prepared by Clark Fortune McDonald & Associates dated Oct 17~~
- ~~Site Plan', Sheet 101, prepared by NB Architects, Rev 3 and dated 20/07/2018~~
- ~~Foundation Plan', Sheet 102, prepared by NB Architects, Rev 3 and dated 20/07/2018~~
- ~~Roof Plan', Sheet 105, prepared by NB Architects Rev 3, and dated 20/07/2018;~~
- ~~Floor Plan', Sheet 104, prepared by NB Architects, Rev 3 and dated 20/07/2018;~~
- ~~Elevations', Sheet 201, prepared by NB Architects Rev 3 and dated 20/07/2018;~~
- ~~Sections', Sheet 301, Rev 3 prepared by NB Architects and dated 20/07/2018;~~
- ~~Window Schedule', Sheet 302, prepared by NB Architects Rev 3 and dated 20/07/2018;~~
- **Location Plan, A001, prepared by Design Workshop Architecture, dated 22/09/2025**
- **Site Plan, A002, prepared by Design Workshop Architecture, dated 22/09/2025**
- **Foundation and Drainage, A003, prepared by Design Workshop Architecture, dated 22/09/2025**
- **Existing Floor Plan, A101, prepared by Design Workshop Architecture, dated 22/09/2025**
- **Floor Plan, A102, prepared by Design Workshop Architecture, dated 22/09/2025**
- **Roof Plan, A106, prepared by Design Workshop Architecture, dated 22/09/2025**
- **Elevations, A201, prepared by Design Workshop Architecture, dated 22/09/2025**

**stamped as approved on ~~21 January 2019~~ XX January 2025**

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

# 5. Matters Requiring Consent

## 5.1 Operative District Plan

The proposed house is within the WBLP. No appeals relate to the application of the Precinct sub-zoning over the subject property, and a Consent Order has been issued for the Precinct provisions, meaning the PDP rules must be treated as operative. The proposal does not trigger any rules or standards under the ODP.

## 5.2 Proposed District Plan

The subject site is zoned Wakatipu Basin Rural Amenity Zone (Lifestyle Precinct Subzone) in the PDP and the proposal requires resource consent for the following matters:

- A **restricted discretionary activity** resource consent under rule 24.5.3 for alterations to a residential building not located within a platform, that increase the ground floor area by more than 30%. Council's discretion is restricted to the following matters:
    a. Effects on landscape character associated with the bulk and external appearance of buildings;
    b. Landform modification, landscaping and planting (existing and proposed);
    c. Infrastructure.
    d. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road, any adverse effects on that infrastructure.

- A **restricted discretionary** activity resource consent under rule 24.5.6 in relation to the maximum building coverage on site being the lesser of 10% of the site or 500 $m^2$. The site currently has an existing building coverage of approximately 1740 $m^2$. The extension comprises an additional 110 $m^2$, resulting in a total building coverage of approximately 1,850$m^2$. This exceeds the permitted lesser maximum of 500 $m^2$ by 1,310 $m^2$ Council's discretion is restricted to the following matters:
    a. Building scale and form;
    b. Visual prominence from both public places and private locations;

The proposal is, overall, a **restricted discretionary** activity under the PDP.

## 5.3 Resource Management Act 1991

- A **discretionary** activity resource pursuant to s127 of the RMA to change condition 1 of RM171253 (as varied), to update the approved set of plans for the building.

## 5.4 Scope of Application

This application is for all matters requiring resource consent rather than for the specific list of consent matters / non-compliances identified above. If the Council is of the view that resource consent is required for alternative or additional matters to those identified in this AEE, it has the discretion to grant consent to those matters as well as or in lieu of those identified in this application. If the Council is of the view that the activity status of any of the matters requiring consent is different to that described in this AEE, or that some or all of the matters requiring consent should be bundled or unbundled in a way that results in a different outcome to that expressed in this AEE, the Council has the ability under Section 104(5) of the Resource Management Act 1991 ("Act") to process the application regardless of the type of activity that the application was expressed to be for.

# 6. Statutory Considerations

## 6.1 Section 104 – Matters for Assessment

Of relevance to this application, Section 104(1) of the Act requires the Council to have regard to the following matters, subject to Part 2 of the Act:

> *(a) any actual and potential effects on the environment of allowing the activity; and*
> *(b) any relevant provisions of –*
> *(i) a national environmental standard:*
> *(iii) a national 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.*

Section 104(2) of the Act states that, in considering the effects on the environment of allowing an activity, a consent authority may disregard an adverse effect if a national environmental standard or the plan permits an activity with that effect.

Section 104(3) states that a consent authority must not have regard to trade competition or the effects of trade competition, or any effect on a person who has given written approval to the application.

An assessment of the effects of the proposal on the environment is provided in section 7 of this report. Assessments against the relevant statutory documents are provided in section 9 below.

# 7. Effects on the Environment

## 7.1 Receiving Environment and Permitted Baseline

The Quality Planning website defines the receiving environment as follows:

> *The environment upon which a proposed activity might have effects. It is permissible (and often desirable or necessary) to consider the future state of the environment upon which effects will occur, including:*
>
> - *the future state of the environment as it might be modified by the utilisation of rights to carry out permitted activities*
> - *the environment as it might be modified by implementing resource consents that have been granted at the time a particular application is considered, where it appears likely that those resource consents will be implemented.*
>
> *but not*
>
> - *the environment as it might be modified by implementing future resource consent applications (because these are too speculative)* [1] *(underlining added).*

[1] https://qualityplanning.org.nz/node/850

In considering the effects of the proposal, the consent authority **may** disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect.

Relevant to this proposal is the permitted status of alterations to lawfully established buildings, where there is no building platform and where the alteration does not increase the floor area by more than 30% (**Rules 24.4.4** and **24.5.3**). In this case, the 108 $m^2$ building was lawfully established under RM171253, meaning that the District Plan permits a building extension of up to ~32 $m^2$.

Additionally, the use of the building as a residential unit is permitted. **Rule 24.4.3** permits the use of land or buildings for residential activity, and **Rule 24.5.1.1** permits residential units at a density of 1 unit per hectare of WBLP land. The subject site comfortably contains enough WBLP land to provide for the additional residential unit.

**Given the residential activity itself is permitted (i.e. the conversion of the sleepout into a residential unit), it is only the effects of the additional built form that need to be considered.**

## 7.2 Effects of Proposed Extension

The following assessment is structured using the matters of discretion from Rule 24.4.6.

***Effects on landscape character associated with the bulk and external appearance of buildings;***

Application of the permitted baseline described above is considered to be most relevant to this matter of discretion.

The sleepout building location is located well outside of the nearest ONL and building restriction areas. The existing building is of a simple form mono-pitch form, is clad in recessive materials and is partially buried in the landform. It is also partially surrounded by a large stand of mature trees and vegetation. Under the previous consent and variations for the building, the effects of the built form on the environment were found to be appropriate.

The extension has continued the existing style of built form and is clad with identical timber weatherboards, resulting in strong visual coherence between the existing building and the areas of extension. The extension has been placed nearest to the large vegetation, meaning it is well tucked into the landscape and is difficult to see from viewpoints outside of the site.

The site is overlaid by the Tucker Beach Landscape Character Unit (LCU 4), and is located at the far eastern end of this unit. In Schedule 24.8 of the PDP, the land use of LCU 4 is described as:

> *Rural residential with some working rural uses evident throughout the land at the western end and the central southern area of the unit. A portion of the undeveloped land at the western end of the unit is in DoC ownership.*

The schedule also states that the Precinct-zoned land at the eastern end of the unit has a moderate to high capacity for absorbing additional development.

Due to surrounding topography and vegetation, the extension will not be readily visible from public places to the north, such as Tucker Beach Road, the Tuckers Beach Wildlife Reserve, or the Shotover River. Even if visible, the distance of over 230 metres and the surrounding rural residential context will visually absorb the building into the landscape to an acceptable degree. The building will be seen in the context of the wider rural residential landscape, characterised by large homes and accessory buildings with significant landscaping.

The proposed extension is rural-residential in nature, is of a modest size and is therefore considered to be a compatible addition to the existing building as well as the landscape. Given that rural-residential development is anticipated in this area, and given the modest size of the overall building, there will be no adverse effects on landscape character as a result of the extension.

***Access***

Access to the site is achieved via Beechwood Lane and Birdlip Rise, which are both of s sufficient standard to provide for this residential unit. Within the site, there is an existing driveway network that connects to the building. The driveway is considered to be suitable for the proposed use of the building, and no upgrades are proposed. No adverse effects are expected in this regard.

***Infrastructure***

The building benefits from existing connections to power and telecommunications, as well as the QLDC reticulated networks for water supply, stormwater, and wastewater. There is also an existing fire hydrant within 50 m of the building, and sufficient driveway space to act as a hardstand for a fire fighting appliance. No changes are proposed to these connections / arrangements and no adverse effects in this regards are expected.

***Landform modification, exterior lighting, landscaping and planting (existing and proposed);***

The building is located on a flat part of the site. No landform modifications was necessary to construct the extension. Any external lighting on the building will be small scale and downward facing and will not result in lightspill outside of the site. No changes to existing vegetation patters were required nor are any proposed. Given the modest nature and discreet location of the building, no visual mitigation is considered to be necessary. As such, no planting is proposed. Notwithstanding, LCU 4 is a rural-residential landscape, where accessory buildings and farm buildings are anticipated. No adverse effects are expected in this regard.

**Natural Hazards**

A review of the QLDC Natural Hazards map and ORC HAIL Data map reveals that there have been no known HAIL activities on site, and no rockfall hazard exists. Liquefaction risk is found to be nil-low risk. No other hazard activities are identified in Council records. No adverse effects related to natural hazards are expected.

***Lake Hayes Catchment and Electricity Infrastructure***

These matters of discretion are not relevant to the application as the site is not within the Lake Hayes Catchment and there are no changes proposed to electricity distribution infrastructure.

## 7.3 Effects of Site Coverage Infringement

The relevant matters of discretion are:

a. Building scale and form;
b. Visual prominence from both public places and private locations;

The additional 110 m² of building coverage is minor relative to the overall site. Although the combined building coverage significantly exceeds the permitted building coverage of 500m² at 1,850m², this still equates to only 0.67% of the net site area, well below the 15% threshold. The site and landscape will comfortably abosorbe the additional building coverage.

As discussed above, the extension is difficult to see from viewpoints outside of the site, and even if visible, will appear as anticipated rural-residential development within LCU-4.

Any adverse effects of the coverage infringement will be less than minor.

# 8. Notification Assessment

## 8.1 Public Notification

Step 1 – Mandatory notification in certain circumstances (s95A(1)(3):

- The applicant has not requested that the application be publicly notified.
- The applicant has not refused to provide information or agree to the Commissioning of a report.
- The application does not involve exchange of recreation reserve land.

Step 2 – Public notification precluded in certain circumstances (s95(5))

- The proposal is not subject to a rule or NES that precludes public notification
- The proposal is not for a controlled activity or a boundary activity.

Notification is therefore not precluded under Step 2.

Step 3 – (s95(8))

- There are no rules or NES that require public notification.
- The proposal will not have adverse effects that are more than minor.

Step 4 – Special circumstances (s95(9))

- No special circumstances exist in relation to this application.

The application is therefore not precluded from public notification.

## 8.2 Limited Notification

Step 1 – Certain affected groups and affected persons must be notified (s95B(3))

- No persons or groups are affected by the proposal.

Step 2 – Limited notification precluded in certain circumstances (s95B(6))

- The proposal is not subject to a rule or NES that precludes notification
- The application is not for a controlled activity.

Limited notification is therefore not precluded under Step 2.

Step 3 – Certain Affected Persons Must be Notified (s95B(7))

- There are no persons who are considered to be directly affected by the proposal, or with regard to the public generally.

Step 4 – Special circumstances (s95B(10))

- No special circumstances exist in relation to this proposal.

The application is not precluded from limited notification.

It is requested that the application be processed on a non-notified basis, as the proposal is in accordance with the outcomes provided for by the Lifestyle Precinct zoning.

# 9. Policy Framework

## 9.1 National Policy Statement for Highly Productive Land 2022

The Environment Court have issued a decision which confirms that the WBRAZ is not a rural or rural production zone in terms of the NPS-HPL. As such, the NPS-HPL is of no consequence to the proposal, as the site does not meet the definition of highly productive land.

## 9.2 Operative Regional Policy Statement - 2019

The Otago Regional Policy Statement 2019 became fully operative on 4 March 2024. The proposal does not give specific direction for rural-residential development, however at a high level, the proposal is consistent with the objectives and policies of the ORPS 2019.

## 9.3 Proposed Regional Policy Statement - 2021

The PORPS was separated into two parts: a freshwater and a non-freshwater planning instrument, following a determination by the High Court in 2021. The Otago Regional Council notified its decisions on submissions on the Proposed Otago Regional Policy Statement (2021) PORPS on 30 March 2024. The following provisions are of some relevance:

***UFD-O4 -Development in rural areas***

*Development in Otago's rural areas occurs in a way that:*

1) *Avoids impacts on significant values and features identified in this RPS,*
2) *Avoids as the first priority, land and soils identified as highly productive by LF–LS–P19 unless there is an operational need for the development to be located in rural areas,*
3) *Only provides for urban expansion, rural lifestyle and rural residential development and the establishment of sensitive activities, in locations identified through strategic planning or zoned within district plans as suitable for such development; and*
4) *Outside of areas identified in (3), maintains and enhances the natural and physical resources that support the productive capacity, rural character, and long-term viability of the rural sector and rural communities.*

The building is not on nor adjacent to an ONL, ONF or any other significant feature identified in the RPS. The site does not meet the definition of highly productive land, as the site is located within the Lifestyle Precinct of the Wakatipu Basin Rural Amenity zone, which is not a rural production zone. The Lifestyle precinct provides for rural residential development such as is proposed. The building already exists, and its conversion to a residential unit will not adversely impact the viability of the rural sector. Overall, proposal is consistent with the relevant provisions of the PORPS.

## 9.4 Operative District Plan

The relevant objectives and policies are contained within Sections 4 and 5 of the ODP. Although all of the rules that are relevant to the proposal are now treated as inoperative under Section 86F.

## 9.5 Proposed District Plan

The relevant objectives and policies are contained in Chapter 24 *Wakatipu Basin* of the PDP.

### 9.5.1 Wakatipu Basin Rural Amenity Zone (Lifestyle Precinct) (Chapter 24)

The purpose of the Zone is to maintain or enhance the character and amenity of the Wakatipu Basin, while providing for rural living and other activities. The Precinct is applied to specific areas of land within the broader Rural Amenity Zone that have capacity to absorb rural living development. The following is an assessment of the proposal against the most relevant objectives and policies.

> ***Objective 24.2.1 -*** *Objective - Landscape character and visual amenity values in the Wakatipu Basin are maintained or enhanced.*
>
> ***Policy 24.2.1.4*** *Within those areas identified as having a landscape capacity rating of Moderate, do not allow any new residential development and subdivision for residential activity that is not located and designed so as to:*
>
> *a) Avoid sprawl along roads;*
> *b) maintain a defensible edge to and not encroach into any area identified as having Moderate-low, Low or Very Low landscape capacity rating;*
> *c) minimise incremental changes to landform and vegetation patterns associated with mitigation such as screen planting and earthworks which adversely affect important views of the landform and vegetation character identified for the relevant Landscape Character Units in Schedule 24.8; and*
> *d) not degrade openness when viewed from public places if that is identified in Schedule 24.8 as an important part of the landscape character of the relevant area, including as a result of any planting or screening along roads or boundaries.*

Consent is sought for an extension to an existing residential accessory building in the precinct, and therefore does not contribute to urban sprawl. Schedule 24.8 assigns a range development capabilities across LCU-4; some areas having a low capability, with the majority of the WBLP land having a moderate-high capability. The building is located on a flat terrace at the eastern end of LCU-4, an area identified as having a moderate-high capability to absorb development. The building location is well removed from any area with a low or very low landscape capacity rating, thus a defensible edge of these areas is maintained by the proposal. No changes to the existing landform are proposed, and existing mature vegetation patterns will be maintained. The building extension is not readily visible from outside of the site, and no boundary planting is proposed therefore the proposal will not degrade any openness in the landscape. The proposal is consistent with this policy.

> ***Policy 24.2.1.6*** *- Ensure subdivision and development is designed (including accessways, services, utilities and building platforms) to minimise inappropriate modification to the natural landform.*

The existing building is on a flat part of the site and benefits from an existing internal access route. No further modifications to the landform are required under this application. The proposal is consistent with this policy.

> ***Policy 24.2.1.7 –*** *Ensure that subdivision and development maintains or enhances the landscape character and visual amenity values identified in Schedule 24.8 - Landscape Character Units.*

The building location benefits from visual mitigation offered by the existing landform and mature vegetation which results in the building, particularly the extension, being not readily visible from outside of the site. In any case, the building and extension is not out of character with its rural-residential setting, being constructed with recessive external materials and complying with the maximum density standard of the PDP. As per the assessment of effects above, the proposal will maintain the existing landscape character and visual amenity values of LCU 4 as described in Schedule 24.8. The proposal is consistent with this policy.

***Policy 24.2.1.8 –*** *Maintain or enhance the landscape character and visual amenity values of the Rural Amenity Zone including the Precinct and surrounding landscape context by:*

*a) controlling the colour, scale, form, coverage, location (including setbacks) and height of buildings and associated infrastructure, vegetation and landscape elements.*

The building comfortably complies with the height limit for the zone and is located centrally within the large site, in a discreet position. The building and extension accords with relevant standards for external colours and materials. The form and scale of the building is commensurate with existing rural-residential development in this locality. The proposal is consistent with the outcomes sought for LCU 4. The proposal is consistent with this policy.

***Policy 24.2.1.15 –*** *Provide for activities that maintain a sense of spaciousness in which buildings are subservient to natural landscape elements.*

The proposal requires no modification of the natural landform, thus it remains subservient to surrounding natural landscape elements. The proposal is consistent with this policy.

***Policy 24.2.1.18 –*** *Ensure subdivision and development maintains a defensible edge between areas of rural living in the Precinct and the balance of the Rural Amenity Zone.*

The building is entirely within WBLP, within an area of LCU-4 that is identified as being able to accommodate development. The building and extension is located at on a discreet part of the site and is well separated from the nearest area of WBRAZ, thus a defensible edge between these subzones will be maintained. The proposal is consistent with this policy.

***Objective 24.2.4 -*** *Subdivision and development, and use of land, maintains or enhances water quality, ecological quality, and recreation values while ensuring the efficient provision of infrastructure.*

The building is not on or near any wetland or area of ecological significance. Water and ecological quality, and recreation values, will be maintained. The proposal is consistent with this objective.

***Objective 24.2.5*** *- Objective – Rural living opportunities in the Precinct are enabled, provided landscape character and visual amenity values are maintained or enhanced.*

The proposal seeks to convert an existing sleepout into a residential unit. The building is located entirely within the precinct and complies with the residential density standard in the PDP. As above, the landscape character of LCU 4 and the wider receiving environment will be maintained. The proposal is consistent with this objective.

***Policy 24.2.5.2*** *– Ensure that any development or landscape modification occurs in a sympathetic manner in both developed and undeveloped areas, by promoting design-led and innovative patterns of subdivision and development that maintain or enhance the landscape character and visual amenity values of the Wakatipu Basin overall.*

The current proposal is essentially part of giving effect to the WBLP zoning of the site. The proposal has been designed in a sympathetic manner, utilising the existing landform to maintain the landscape and visual amenity values of LCU 4.

### 9.6.2 Conclusion

Overall, the proposal is considered to be consistent with (and not contrary to) the objectives and policies of the ODP and the PDP.

# 10. Other Matters

No other matters are considered relevant to this proposal.

# 11. Consultation

No consultation has been undertaken as the proposal is consistent with, and gives effect to, the WBLP zoning.

# 12. Conclusion

In considering whether to approve the application, the Council is required to have regard to any relevant provisions of any national policy statements, national environmental standards, regional policy statements, regional plans and district plans, "subject to Part 2". The Council is also required to have regard to the effects of the proposal on the environment.

The proposed development will achieve the purpose of sustainable management under s 5 of the Act, including by reference to the other principles in Part 2 of the Act by enabling the Applicant to provide for their economic and social well-being, while at the same time avoiding any adverse environmental effects.

# Attachments

Attachment **[A]**: Form 9

Attachment **[B]**: Record of Title

Attachment **[C]**: Architectural Plans

Attachment **[D]**: Servicing Plan