APPLICATION FOR RESOURCE CONSENT

For a new residential unit with associated earthworks and landscaping at 16 Eastburn Road, Crown Terrace

23 December 2025

BROWN&COMPANY
PLANNING GROUP

APPLICATION FOR RESOURCE CONSENT UNDER SECTIONS 88 & 221 OF THE RESOURCE MANAGEMENT ACT 1991

APPLICANT AND PROPERTY DETAILS

Applicant's name:	Crown Range Estate Limited
Address for Service:	Crown Range Estate Limited C/- Brown & Company Planning Group PO Box 1467, QUEENSTOWN 9348 caleb@brownandcompany.co.nz 03 409 2258
Address for invoicing:	Crown Range Estate Limited 2744 Wreys Bush Mossburn Road RD 2, Mossburn
Site Address:	16 Eastburn Road, Crown Terrace
Legal Description:	Lot 4 DP 336049
Proposed District Plan Zone:	Wakatipu Basin Rural Amenity Zone
Plan Designations, Limitations or Overlays:	N/A
Activity Status:	Non-complying

Prepared for:	*Crown Range Estate Limited*
Date:	*23 December 2025*
Prepared by:	*Caleb Tien*
Reviewed by:	*Morgan Shepherd*

Declaration

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

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

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

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



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

Crown Range Estate Limited

23 December 2026

ATTACHMENTS

A	An assessment of effects on the environment in accordance with the Fourth Schedule to the Act.
B	Record of Title and Title Instruments
C	Proposed Plans
D	Earthworks Plan
E	Slope Stability Assessment Report
F	Environmental Management Plan and Erosion & Sediment Control Plan
G	Landscape Plan
H	Landscape Assessment
I	Geotechnical Assessment & Stormwater and Wastewater Design
J	Application Form

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FOURTH SCHEDULE
ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

1. A DESCRIPTION OF THE PROPOSAL

1.1. Scope of this Document

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

This AEE has been prepared in accordance with the requirements of section 88 and 221, and the Fourth Schedule of the RMA and provides all information necessary for a full understanding of the proposal and the effects it will have on the environment. To this end, the AEE contains the following information:

- A description of the site and surrounding locality;
- Development and consent history;
- A description of the proposal;
- Relevant provisions of the QLDC's Proposed District Plan (**PDP**);
- An assessment of effects on the environment;
- Section 104D Assessment;
- Part 2 RMA considerations;
- Section 95A Assessment.

1.2. The site and locality

The site is located at 16 Eastburn Road, Crown Terrace, Queenstown, and is legally described as Lot 4 Deposited Plan 336049 held in Record of Title 147873. The site has an area of 8,004m^2.

A copy of the title and title instruments is provided in **Attachment B**.

The site is shown in **Figure 1** below.



Figure 1: *Site location (outlined in turquoise)*

The site is irregular in shape and is accessed directly from Eastburn Road, with access to this road established from Crown Range Road to the north.

The site slopes down from the eastern boundary with Eastburn Road falling to the west.

A building platform is registered on the title, and is shown in **Figure 2** below as the area annotated 'Y':

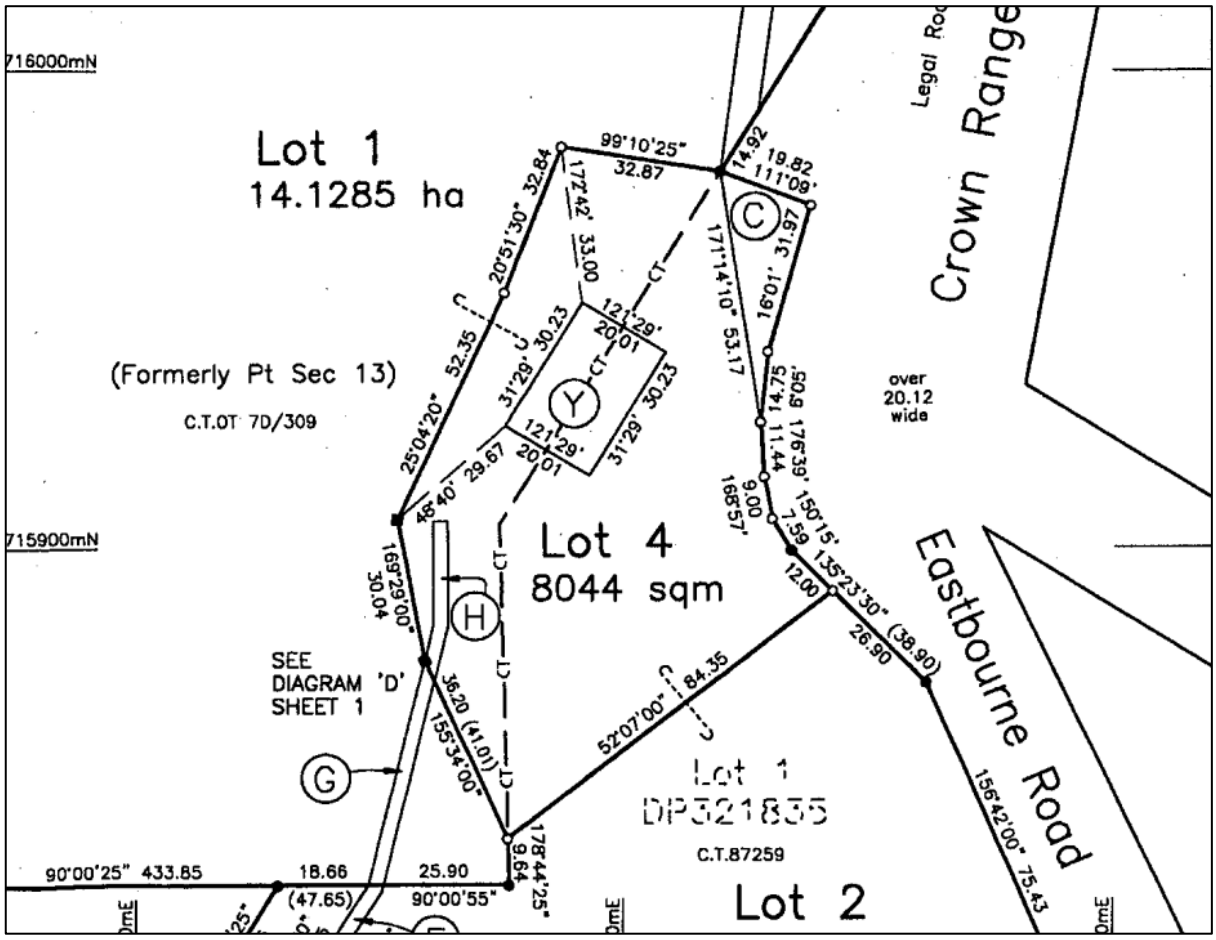


Figure 2: location of building platform

1.3. The proposal

It is proposed to construct a residential unit and accessory building (garage) located partially outside of the building platform, and to undertake associated earthworks and landscaping.

The proposed residential unit will contain four bedrooms, three bathrooms, a separate media room, and associated kitchen and living areas. The accessory building will contain a garage at ground level, and a sleepout with a bathroom on the upper level. The residential unit will have a footprint of 253.09m^2 and the accessory building will have a footprint of 57.09m^2.

A floor plan of the proposed buildings is provided in **Figure 3** below:

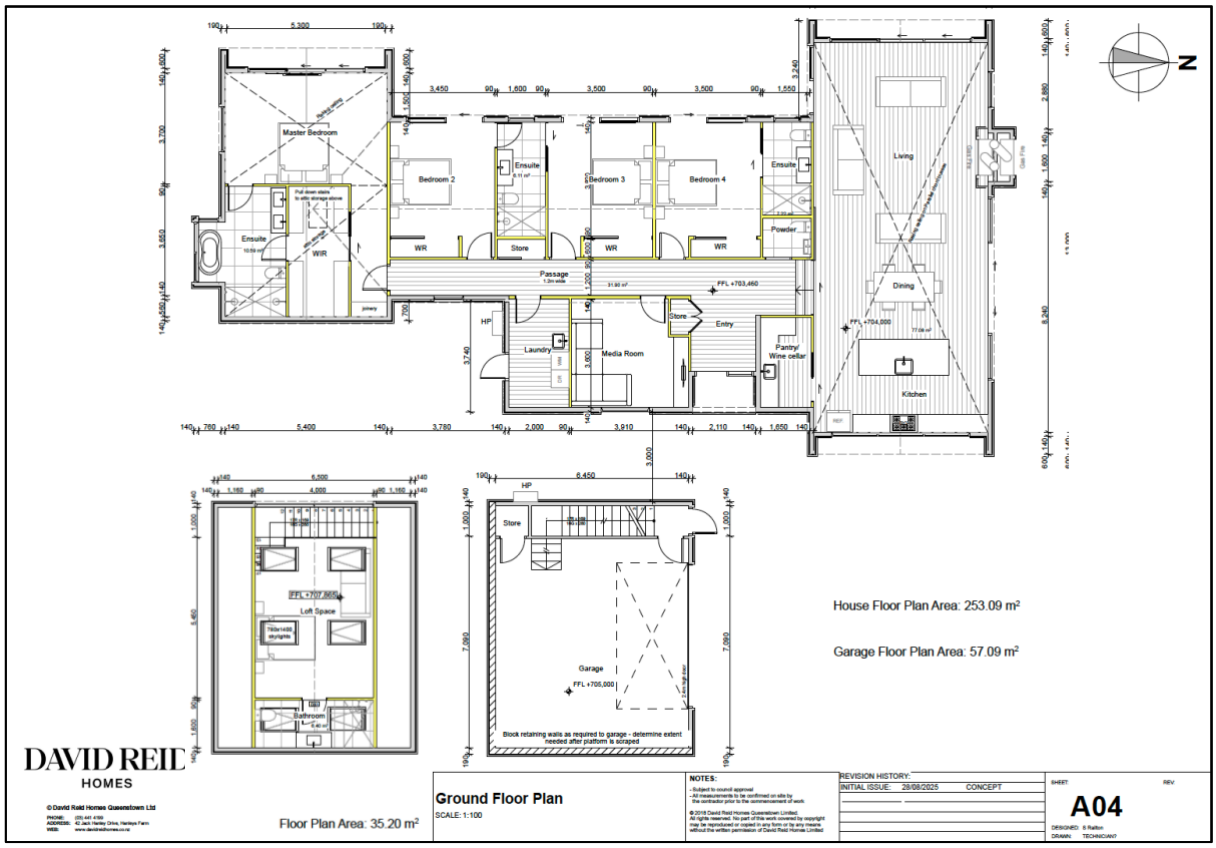


Figure 3: Floor plan of proposed buildings

The building will be clad in the following materials and colours:

Element	Material	Colour
Wall cladding	Alpine Tray (or similar)	Flaxpod (LRV 7%)
	Cedar, Drydens 'Platinum' (or similar)	Natural stain
	Schist	Natural
Roof	Alpine Tray (or similar)	Flaxpod (LRV 7%)

The proposed buildings will not exceed the 6.5m maximum height plane, as shown in **Figure 4** below:

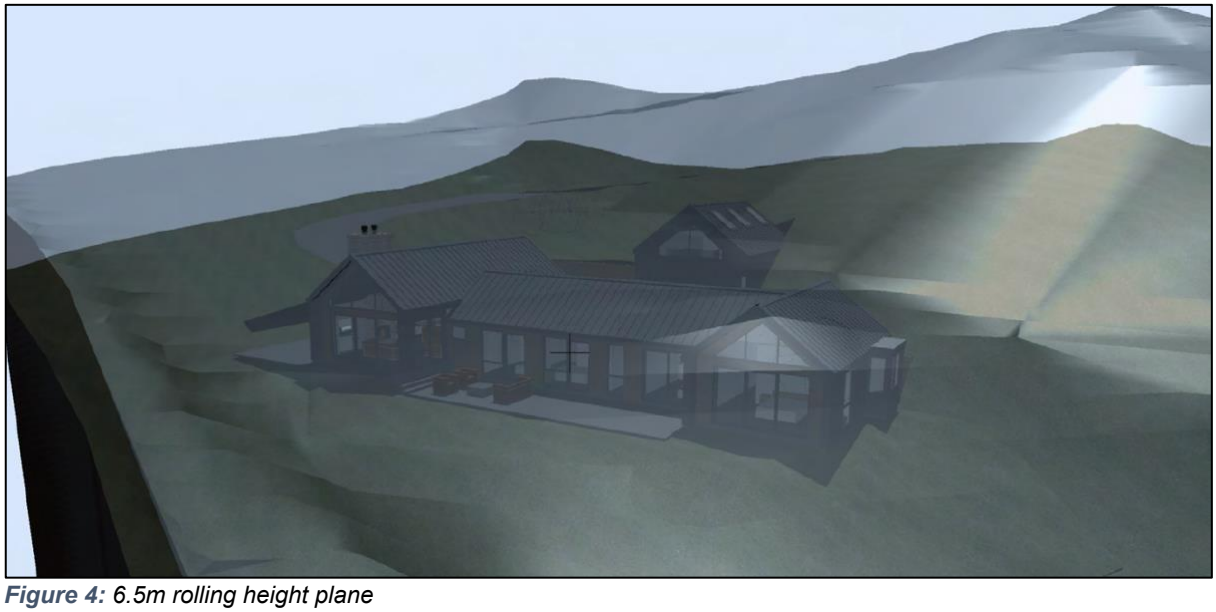


Figure 4: 6.5m rolling height plane

It is noted that although the chimney flues will protrude through the 6.5m height plane, these elements are not more than 1.1m in any direction, and will not exceed the 6.5m height limit by more than 1.5m.

In order to create a level platform on which to construct the buildings, earthworks in the form of cut and fill are required to be undertaken. A cut and fill plan is provided in **Attachment D** and is shown in **Figure 5** below:

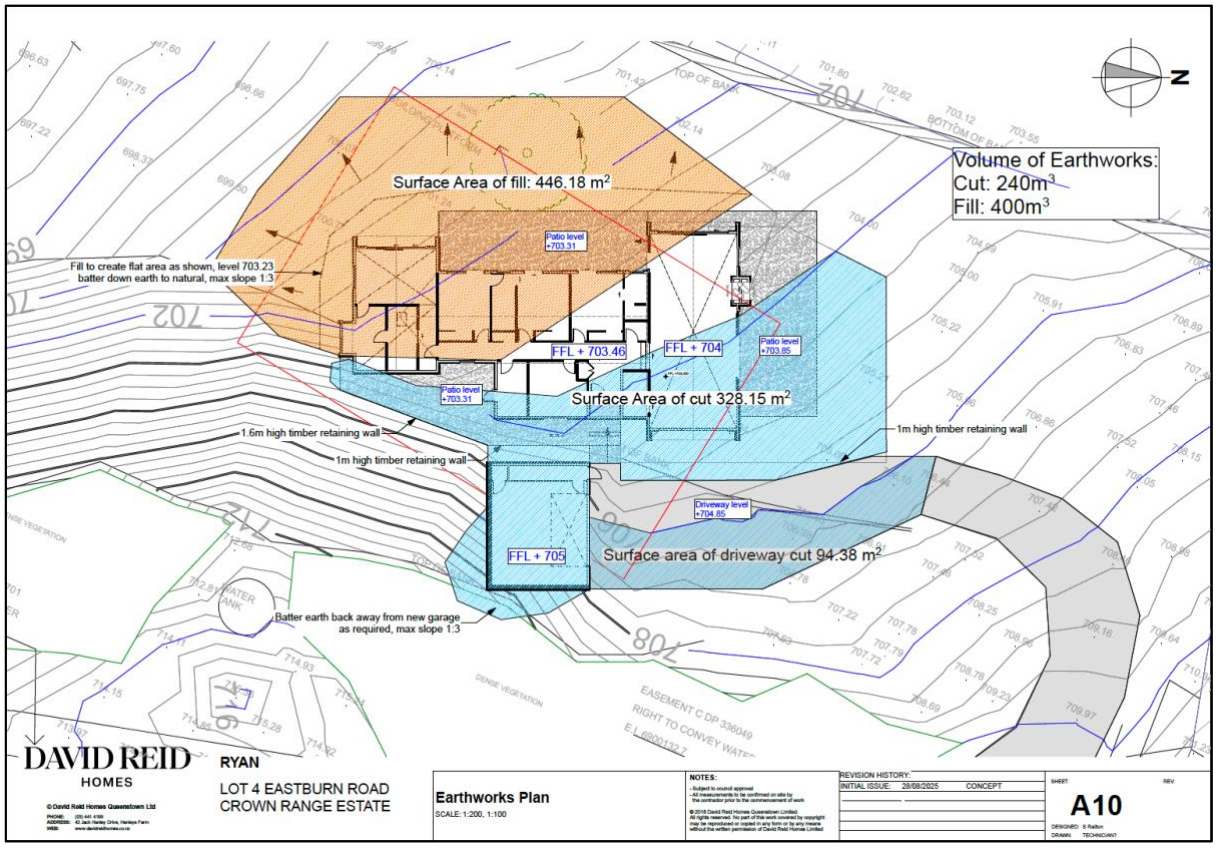


***Figure 5:** earthworks cut/fill plan.*

As shown above, a total of 640m^3 of earthworks will be undertaken over an area of 868.71m^2.

A Slope Stability Assessment Report (SSAR) has been prepared for the site and is in **Attachment E**. The SSAR, which references the Geotechnical Assessment in **Attachment I**, confirms that the proposed earthworks on the site are feasible.

Additionally, a site specific Environmental Management Plan (EMP) and Erosion and Sediment Control Plan (ESCP) have been prepared for the proposal and is provided in **Attachment F**. This EMP and ESCP outlined various methods and measures that will be implemented prior to, during, and following earthworks.

Following the earthworks and completion of construction, the site will be landscaped, with the extent an details of the proposed planting shown on the Landscape Plan within **Attachment G**, and is also provided in **Figure 6** below. A Landscape Assessment has also been provided, and is in **Attachment H**.

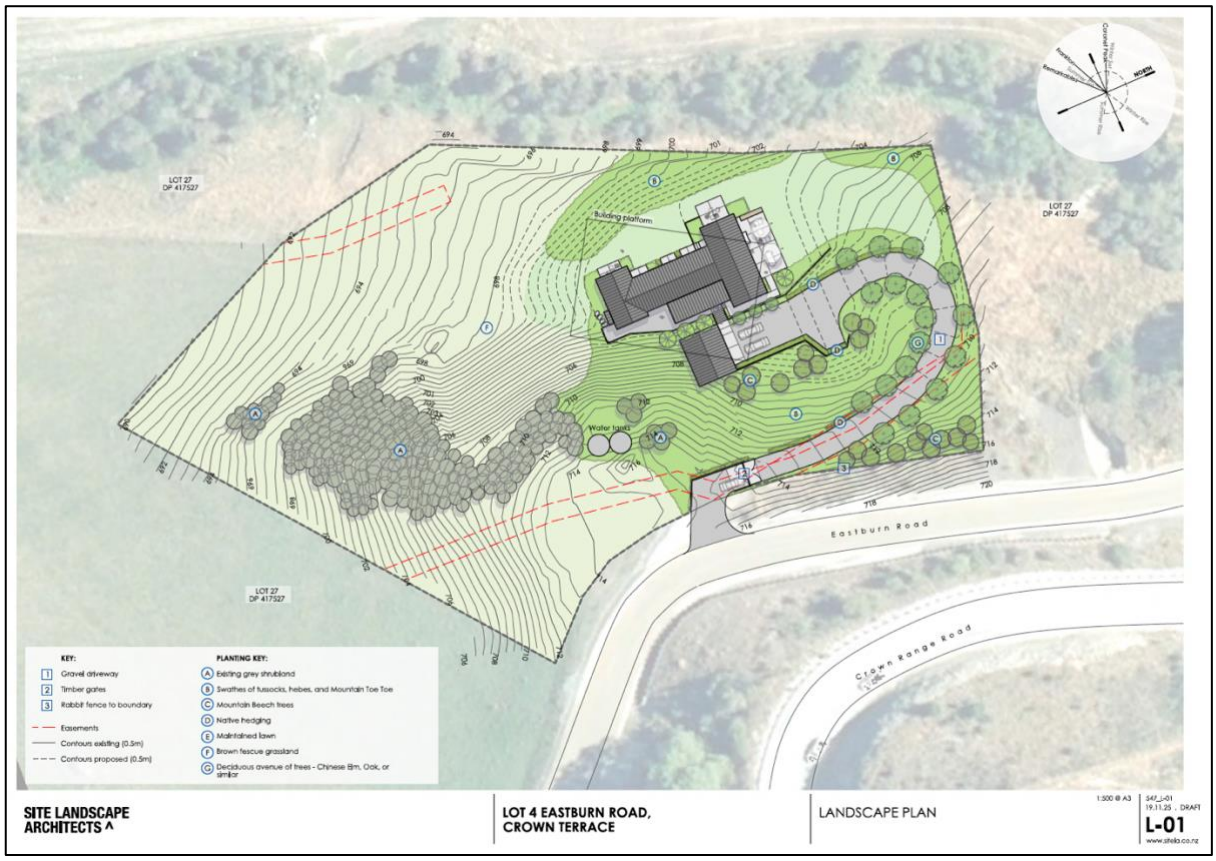


Figure 6: landscape plan.

The landscape plan is to be implemented following the completion of construction.

The site will be serviced as follows:

Potable water

The site has access to water supply via the existing connection at the site boundary.

Stormwater disposal

Stormwater will be disposed on-site via soakage. A design of the stormwater system for the site is provided in **Attachment I**. In summary, on-site stormwater attenuation and disposal is confirmed to be feasible, with sufficient space on-site to accommodate this.

Wastewater disposal

Wastewater will be disposed on-site via a site-specific designed system. A design of the wastewater disposal system for the site is provided within the assessment in **Attachment I**. This assessment confirms that on-site wastewater disposal for the site is feasible.

Firefighting water supply

45,000L of firefighting water supply will be provided in the two water tanks located to the southeast of the residential unit. One tank is existing, and a second tank is proposed. The required firefighting hose coupling will be installed. The water tanks are located outside of the building platform.

Power and telecommunications

Power supply and telecommunications connections will be to existing reticulation installed as part of the underlying subdivision.

2. RESOURCE MANAGEMENT MATTERS

The site is located within the Wakatipu Basin Rural Amenity Zone.

The proposed activity is assessed under the relevant activity rules and standards (in **Tables 1** and **2** below).

Table 1: PDP Activities

Rule	Activity	Activity status
Chapter 24 – Wakatipu Basin Rural Amenity Zone		
24.4.3	The use of land or buildings for residential activity except as otherwise provided for in Table 24.1 and subject to the standards in Table 24.2.	**Permitted**
24.4.5.1	The construction of buildings for residential activity, including residential flats, that are located within a building platform approved by a resource consent and registered on the applicable record of title.	**Controlled**
24.4.7	The construction of buildings for residential activity outside a building platform approved by a resource consent and registered on the applicable record of title on a site where there is such a building platform.	**Non-complying**
Chapter 25 – Earthworks		
25.4.1	Earthworks that comply with all of the standards in Tables 25.2 and 25.3, including earthworks for the removal and deposition of material deposited by a natural hazard event that is not covered by Rule 25.4.1A, except where listed in Table 25.1 as a controlled, restricted discretionary or discretionary activity.	**Permitted**
25.4.2	Earthworks that do not comply with the standards for the maximum total volume of earthworks in Table 25.2, except for earthworks covered by Rules 25.4.1A and 25.4.1B.	**Restricted discretionary**

Table 2: PDP Standards

Rule	Activity	Activity status if breached	Consent required?
Chapter 24 – Wakatipu Basin Rural Amenity Zone			
24.5.1.2	**Density** For sites with a net site area greater than 1 hectare and zoned in part or whole Wakatipu Basin Lifestyle Precinct, no more than one residential unit per hectare on average of the net site area zoned Wakatipu Basin Lifestyle Precinct.	**Non-complying**	**No** – consent is not required as only one residential unit is proposed.
24.5.4	**Building Material and Colours** Any building and its alteration, including shipping containers that remain on site for more than six months, are subject to the following: All exterior surfaces* must be coloured in the range of browns, greens or greys including; 24.5.4.1 Pre-painted steel and all roofs must have a light reflectance value not greater than 20%; and 24.5.4.2 All other exterior surface** finishes, except for schist, must have a light reflectance value of not greater than 30%.	**Restricted discretionary**	**No** – consent is not required as the cladding materials and colours will comply with the requirements of this Standard.

Rule	Activity	Activity status if breached	Consent required?
24.5.5	**Building Ground Floor Area** Where a residential building is constructed within a building platform under Rule 24.4.5, the ground floor area of all buildings must not exceed 500m^2.	**Restricted discretionary**	**No** – consent is not required as the total floor area of all buildings is 310.18m^2.
24.5.7.1	**Setback from internal boundaries** The minimum setback of any building from internal boundaries shall be 10m, except where Rule 24.5.7.2 applies.	**Restricted discretionary**	**No** – consent is not required as no building will be closer than 10m from any internal boundary, as shown on the site plan in **Attachment C**.
24.5.8.1	**Height of buildings** The maximum height of buildings shall be 6.5m.	**Restricted discretionary**	**No** – consent is not required as all buildings will be below the 6.5m rolling height plane, shown within **Attachment C**. The two small flue protrusions are excluded from this height requirement.
24.4.9.1	**Setback from roads** The minimum setback of any building from any road boundary (other than an unformed road or as specified in Rule 24.5.9.4) shall be 75m in the Precinct and 20m in the Rural Amenity Zone.	**Restricted discretionary**	**No** – consent is not required as no building will be closer than 20m from the Eastburn Road boundary as shown on the site plan in **Attachment C**.
24.5.12	**Setback of buildings from waterbodies** The minimum setback of any building from the bed of a wetland, river or lake shall be 30m. This rule does not apply to: a. waterbodies that have been built as part of a subdivision or development for the primary purpose of treating and disposing of stormwater, or b. the construction of buildings for residential activities pursuant to Rule 24.4.5.	**Restricted discretionary**	**No** – consent is not required as there are no waterbodies located within or within 30m of the site.
24.5.17	**Glare** a. All fixed exterior lighting shall be directed away from adjacent roads and sites. b. Activities on any site shall not result in more than a 3 lux spill (horizontal and vertical) of light to any other site, measured at any point within the boundary of the other site. c. There shall be no upward light spill.	**Restricted discretionary**	**No** – consent is not required as all lighting will meet the requirements of this standard.

Rule	Activity	Activity status if breached	Consent required?
24.5.19	**Firefighting water and access** New buildings for residential activities where there is no reticulated water supply, or any reticulated water supply is not sufficient for firefighting must have one of the following: either a sprinkler system installed and plumbed with a maintained static water storage supply of at least 7,000 litres available to the system, or water supply and access for firefighting that meets the following requirements: a. Water storage of at least 45,000 litres shall be maintained (excluding potable water storage for domestic use) with an outlet connection point that can provide 1500L/min (25 L/s) and any necessary couplings; b. A hardstand area with a minimum width of 4.5m and length of 11m located within 6m of the firefighting water supply connection point and capable of supporting a 20 tonne fire service vehicle; c. The connection point for the firefighting water supply must be located more than 6m and less than 90m from the building for residential activities and be accessible by emergency service vehicles during fire events; d. Access from the property road boundary to the hardstand area capable of accommodating a 20 tonne fire service vehicle.	**Restricted discretionary**	**No** – consent is not required as the required firefighting water supply and access will be provided.
Chapter 25 – Earthworks			
25.5.4	**Maximum Volume** Wakatipu Basin Rural Amenity Zone: 400m^3	**Restricted discretionary**	**Yes** – consent is required as 640m^3 of earthworks are proposed.
25.5.11.1	Earthworks over a contiguous area of land shall not exceed the following area: 2,500m^2 where the slope is 10° or greater.	**Restricted discretionary**	**No** – consent is not required as the area of earthworks is 868.71m^2.
25.5.12	Erosion and sediment control measures must be implemented and maintained during earthworks to minimise the amount of sediment exiting the site, entering water bodies, and stormwater networks.	**Restricted discretionary**	**No** – consent is not required as erosion and sediment controls will be implemented and maintained while the earthworks are undertaken, in accordance with the EMP and accompanying ESCP in **Attachment F**.
25.5.13	Dust from earthworks shall be managed through appropriate dust control measures so that dust it does not cause nuisance effects beyond the boundary of the site	**Restricted discretionary**	**No** – consent is not required as dust control measures will be implemented

Rule	Activity	Activity status if breached	Consent required?
			and maintained while the earthworks are undertaken.
25.5.15	The maximum depth of any cut shall not exceed 2.4 metres.	**Restricted discretionary**	**Yes** – consent is required as cut will be up to 3m in depth.
25.5.16	The maximum height of any fill shall not exceed 2 metres.	**Restricted discretionary**	**Yes** – consent is required as fill will be up to 2.2m in height.
25.5.18.1	Earthworks greater than 0.5 metres in height or depth shall be set back from the site boundary the following minimum distances: Earthworks not supported by retaining walls: a. a distance at least equal to the maximum height of the fill, as measured from the toe of the fill, with a maximum batter slope angle of 1:3 (vertical: horizontal); or 300mm plus a batter slope angle of a maximum of 1:3 (vertical: horizontal), as measured from the crest of the cut.	**Restricted discretionary**	**No** – consent is not required as the earthworks are appropriately set back from the site boundaries.
25.5.19.1	Earthworks within 10m of the bed of any water body, or any drain or water race that flows to a lake or river, shall not exceed $5m^3$ in total volume, within any consecutive 12-month period.	**Restricted discretionary**	**No** – consent is not required as no earthworks will be within 10m of the bed of any water body.
25.5.20	Earthworks shall not be undertaken below the water table of any aquifer, or cause artificial drainage of any aquifer.	**Restricted discretionary**	**No** – consent is not required as earthworks will not be undertaken below the water table of an aquifer, or cause artificial drainage of any aquifer.
25.5.21	No more than $300m^3$ of Cleanfill shall be transported by road to or from an area subject to Earthworks.	**Restricted discretionary**	**No** – consent is not required as cut will be redistributed within the site as fill, with any additional fill required not exceeding $300m^3$.

2.1.1. Summary of consents required

In summary, the following consents are required for the proposal:

Under the PDP:

- A **controlled** activity resource consent pursuant to Rule 24.4.5.1 for the parts of the proposed residential unit that will be located within the building platform. Council's control is limited to the following matters:
  - Effects on landscape character associated with the bulk and external appearance of buildings;
  - Access;
  - Infrastructure;
  - Landform modification, exterior lighting, landscaping and planting (existing and proposed).
  - Where the site is located within the Lake Hayes Catchment as identified in Schedule 24.9, the contribution of, and methods adopted by, the proposal to improving water quality within the Lake Hayes Catchment.
  - Where the site is located within the Wharehuanui Hills East Structure Plan area…

- A **restricted discretionary** activity resource consent pursuant to Rule 25.5.5 in relation to maximum volume of earthworks. In the case of this application, 640m^3 of earthworks will be undertaken, which exceeds the permitted maximum volume of 400m^3 by 240m^3. Council's discretion is restricted to the matters in 25.7.1, which are listed below:
  - 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.

- A **restricted discretionary** activity resource consent pursuant to Rule 25.5.15 in relation to maximum cut depth. The maximum cut depth will be 3m, exceeding the permitted maximum depth of 2.4m by 0.6m. Council's discretion is restricted to the same matters identified above outlined in 25.7.1 of the PDP.

- A **restricted discretionary** activity resource consent pursuant to Rule 25.5.16 in relation to maximum fill height. The maximum fill height will be 2.2m, exceeding the permitted maximum height of 2m by 0.2m. Council's discretion is restricted to the same matters identified above outlined in 25.7.1 of the PDP.

- A **non-complying** activity resource consent pursuant to Rule 24.4.8 for the construction of a building for residential activity that is not located within a building platform approved by a resource consent and registered on the title. The proposed residential unit will be partially located outside of the building platform, as will the water tanks.

Other consents:

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

Overall, resource consent is required for a **non-complying** activity.

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

As per section 168A(3)(b)(ii) of the Act, where it is likely that an activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity shall be adequately considered.

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

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

4.1. Introduction

This assessment of effects on the environment addresses:

- The permitted baseline;
- Effects of the proposed residential unit;
- Effects of earthworks;
- Positive effects; and
- Summary of effects on the environment.

4.2. Permitted baseline

When determining the actual and potential effects of an application for resource consent, the permitted baseline allows a comparison of the potential adverse effects of the proposal against what is permitted as of right under the District Plan (the permitted baseline).

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.

No permitted baseline exists for built form, as all new buildings, whether within or outside a building platform, require a resource consent.

In terms of earthworks, the following extent of earthworks are permitted to be undertaken within a site located in the Wakatipu Basin Rural Amenity Zone:

- Up to 400m^3 in volume;
- Up to 2,500m^2 in area where the slope is 10° or greater;
- Up to 10,000m^2 in area where the slope is less than 10°;
- Cut down to a depth of 2.4m;
- Fill up to a height of up to 2m.

The application of the permitted baseline, and consideration of earthworks that could otherwise be undertaken on the site as a permitted activity, is appropriate in this case.

4.3. Effects of the proposed residential unit

Despite the overall activity status being non-complying, the matters listed in 24.4.6 are considered relevant when assessing a proposed residential unit on a site in the Wakatipu Basin Rural Amenity Zone. An assessment in this regard follows, noting that e. and f. are not relevant due to the location of the subject site.

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

It is assessed and concluded within the Landscape Assessment (**Attachment H**) that the overall bulk, appearance and design of the proposal will have very low effects on landscape character, and will not be visually prominent from both public and private locations. This assessment is accurate and is adopted for the purposes of this assessment. The cladding and colours used for the proposed

residential unit will be visually recessive. Notably, as outlined above, the proposal will be difficult to see and will not be readily visible from the Crown Range Road of Eastburn Road, with potential visibility from an unformed legal road 270m to the west of the site, noting built form and development is anticipated and provided for on the site by the building platform. Although portions of building will be located outside of the building platform, as assessed in the Landscape Assessment, these components are small to modest in scale, and are integrated into the base of the terrace slope, with the garage in particular located and recessed into the base of the cut. Combined with the proposed landscaping, and the envelope of anticipated built form within the building platform, this non-compliance will not result in any adverse effects.

The water tanks are small in scale, recessive in appearance, and will be further obscured from view by the topography and slope of the site. Any effects related to landscape character or visual amenity associated with the water tanks located outside of the building platform will be less than minor.

Therefore, any effects on landscape character associated with the bulk and external appearance of buildings, and those associated with the building platform non-compliance, will be no more than minor on the environment.

Access

Access will be provided directly from Eastburn Road and will be designed to the relevant standards and QLDC Land Development Code of Practice. Therefore, effects in this regard will be less than minor.

Infrastructure

As outlined in Section 1.3 above, water supply will be provided from the connection available to the site established as part of the underlying subdivision to create the subject site. The assessment in **Attachment I** confirms that on-site wastewater and stormwater disposal can be achieved, with 45,000L of firefighting water supply to be provided in the two water tanks located to the southeast of the residential unit. One tank is existing, and a second tank is proposed. The required firefighting hose coupling will be installed.

As such, the required services and infrastructure will be provided for the proposed residential unit, with effects in this regard to be less than minor overall.

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

In terms of landform modification, landscaping and planting, a site and proposal specific Landscape Assessment has been undertaken and is provided in **Attachment H**, which concludes that the public visibility of the proposal is very limited. The proposed landscaping, which will comprise of native species that are common in the surrounding environment, is appropriate for the site, and will assist in visually absorbing the proposal into the landform of the site. Any lighting will comply with Rule 24.5.17.

Overall, the built form in combination with the proposed landscaping and planting, given the context and presence of an existing building platform that anticipates residential development, is appropriate, and will not be readily visible when viewed from the surrounding area. Any effects in this regard will therefore be less than minor.

Natural hazards

A natural hazards assessment is contained within the Geotechnical Assessment in **Attachment I**. As outlined within this assessment, there is low to nil liquefaction potential, with the mapped alluvial fan and associated landslide hazard being a ‘low priority’. Building foundation design will be informed by the geotechnical assessment, and will be assessed as part of the Building Consent process. Therefore, there will not be any adverse effects in respect of natural hazards.

Summary

Therefore, given the assessment above, and taking into account the Landscape Assessment in **Attachment H**, the effects on the environment of the proposed residential unit, with the associated earthworks and landscaping, will be no more than minor.

4.4. Effects of earthworks

In the case of this application, earthworks are required to form a level platform on which to construct a residential unit and associated accessory buildings. The works are centrally located within the site and will be undertaken in accordance with the recommendations of the Slope Stability Assessment Report (SSAR) (**Attachment E**) and the EMP & ESCP in **Attachment F**, and the QLDC Land Development and Subdivision Code of Practice.

An assessment of the proposed earthworks (in the context of volume, cut depth, distance to boundaries, and transportation) against the relevant matters of discretion outlined within 25.7.1 of the PDP is provided below:

Soil erosion, generation and run-off of sediment

The site-specific EMP (**Attachment F**) outlines the management measures and techniques that will be put in place to ensure soil erosion, generation, run-off of sediment and environmental risks associated with the proposal earthworks are appropriately controlled and managed. Methods and measures that will be implemented include; stabilised access, silt fencing, diversion channels and bunds for both clean and dirty water to capture and manage sediment in water, with these shown on the ESCP in **Attachment F**. Given the extent of erosion and sediment controls that will be implemented, and the confined nature of the earthworks being largely limited to the building platform at the centre of the site, any potential effects relating to soil erosion, generation and run-off of sediment will be less than minor as the earthworks that are subject to this application will be well managed before, during, and after the works, contained within the site, stabilised and re-grassed/planted.

Landscape and visual amenity values

In terms of the visual effects of the earthworks, the earthworked area will either be built on, revegetated and planted in accordance with the Landscape Plan (**Attachment G**) or re-grassed, with no bare earth to be left exposed. Therefore, as the area of earthworks will contain a building and will be landscaped following construction, any effects on landscape and visual amenity values will be temporary and overall less than minor.

Effects on infrastructure, adjacent sites and public roads

There are not anticipated to be effects on adjacent sites or public roads above what is provided for by standard construction and associated earthworks expected with the development of a building platform on a sloping site within the Wakatipu Basin Rural Amenity Zone. As has been outlined above, the works will be undertaken and managed in accordance with the EMP & ESCP (**Attachment F**), which will avoid any potential effects on adjacent sites given the measures that will be out in place, coupled with the large separation distances provided by the large site areas of the subject site and surrounding properties. Therefore, any effects on infrastructure, adjacent sites or public roads will be less than minor.

A further and more comprehensive assessment of nuisance effects on adjacent sites is provided below.

Land stability

With reference to the Slope Stability Assessment Report contained in **Attachment E**, works on the site are feasible and will not result in instability, with the works to be managed by the methods and measures in the EMP & ESCP **Attachment F**. As outlined above, all earthworked areas will be stabilised and re-grassed/planted. Therefore, effects in regard to land stability will be less than minor.

Effects on water bodies, ecosystem services and biodiversity

Effects on water bodies, ecosystem services and biodiversity will be less than minor as the works will be sufficiently set back from any waterbodies, with additional native planting to be undertaken as part of the in accordance with the Landscape Plan (**Attachment G**). Therefore, effects on water bodies, ecosystem services and biodiversity will be less than minor.

Cultural, heritage and archaeological sites

The proposed earthworks are not considered to have an effect on any cultural, heritage or archaeological sites given that none have been identified on the site or nearby.

Nuisance effects

Given the anticipated imposition of conditions by Council to control hours of operation, and the required management before, during and after earthworks, it is considered that effects on amenity values will be no more than what is able to occur from permitted building and associated earthworks. The works must also comply with NZS 6803:1999 which sets out noise limits for construction and associated works. Potential nuisance effects associated with dust, noise and vibration have been specifically addressed in Sections 6 & 7 of the EMP, with this assessment being accurate, agreed with, and adopted for the purposes of this assessment. In particular, a number of performance criteria have outlined which will be adopted for the works, which are listed below:

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

The implementation of the measures outlined in Sections 6 & 7 of the EMP, with ongoing monitoring in accordance in accordance with the Performance Criteria above, plus the use of contingency measures to be adopted *if* required, will ensure that any potential nuisance effects on the earthworks are appropriately and adequately avoided.

Therefore, nuisance effects will be less than minor given the physical separation created by the large area of the surrounding sites, with the works to be undertaken, managed and monitored in accordance with the EMP & ESCP (**Attachment F**) to insure nuisance effects are avoided.

Natural Hazards

As assessed in Section 4.3 above, there is low to nil liquefaction potential, with the mapped alluvial fan and associated landslide hazard being a ‘low priority’. Building foundation design will be informed by the geotechnical assessment, and will be assessed as part of the Building Consent process.

Therefore, effects associated with natural hazards will be less than minor.

Functional aspects and positive effects

The earthworks will provide for, and is a necessary requirement for the construction of a residential unit on a sloping site intended for rural-living land use given the presence of a building platform. This will contribute to housing supply in a District where there is a shortage in housing, and will also provide for the wellbeing of the applicant.

Summary

Therefore, given that the earthworks will be undertaken in accordance with EMP & ESCP, QLDC Land Development and Subdivision Code of Practice and NZS 6803:1999, the feasibility of undertaking works

within the building platform have confirmed by the geotechnical investigation, the effects of the earthworks on the environment will be less than minor.

4.5. Summary of effects on the environment

As it has been assessed above, the proposed residential unit is of a scale, location and appearance that is appropriate for the site and setting it is located within. Therefore, the overall effects on the environment will be no more than minor.

5. ASSESSMENT UNDER THE RELEVANT OBJECTIVES AND POLICIES SSESSMENT UNDER THE RELEVANT OBJECTIVES AND POLICIES

5.1. Proposed District Plan

The relevant objectives and policies are contained within Chapter 24 (Wakatipu Basin) and Chapter 25 (Earthworks) of the PDP.

The relevant provisions are provided and assessed below:

Table 4: PDP provisions

Provision	Detail	Assessment
Objective 24.2.1	**Objective – Landscape character and visual amenity values in the Wakatipu Basin are maintained or enhanced.**	As discussed in the Landscape Assessment (**Attachment H**), any effects on landscape character will be very low. As such, landscape character and visual amenity values in the Wakatipu Basin are maintained The proposal achieves this objective.
Policy 24.2.1.2	Subdivision or residential development in all areas outside of the Precinct that are identified in Schedule 24.8 to have Very Low, Low or Moderate-Low capacity must be of a scale, nature and design that: a. is not inconsistent with any of the policies that serve to assist to achieve objective 24.2.1; and b. ensures that the landscape character and visual amenity values identified for each relevant Landscape Character Unit in Schedule 24.8 and the landscape character of the Wakatipu Basin as a whole are maintained or enhanced by ensuring that the landscape capacity is not exceeded.	The site is located within LUC 20 (Crown Terrace) which has been identified as having a very low capability to absorb development. There is an existing building platform registered to the title, which anticipates and provides for residential development, and as has been assessed above, the scale, nature and design of the proposal will not affect visual amenity values, and will ensure that the landscape character of the Wakatipu Basin as a whole is maintained. The proposal achieves 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.	Given the slope of the site and the location of the building platform, some modification to the natural landform is required to create a level platform on which to construct the proposed residential unit. As has been assessed above in Section 4.5 of the AEE, the earthworked area will not be readily visible, and will be stabilised and either re-grassed/planted or built on. The extent of earthworks is appropriate to allow the site to be used for its intended rural-living

		purpose provided for by the building platform. The proposal achieves 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.	As has been assessed above, the proposal is of an appropriate design and recessive appearance, is largely located within a building platform that anticipates and provides for residential development, and will comply with height limits. Therefore, landscape character and visual amenity values will be maintained. The proposal achieves 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.	As has been assessed above, the design and appearance of the proposal is appropriate for the site, and the landscape character and visual amenity values of the Rural Amenity Zone will be maintained. The proposal achieves this policy.
Policy 24.2.1.9	Require all buildings to be located and designed so that they do not compromise the landscape and amenity values and the natural character of Outstanding Natural Features and Outstanding Natural Landscapes that are either adjacent to the building or where the building is in the foreground of views from a public road or reserve of the Outstanding Natural Landscape or Outstanding Natural Feature.	The proposal has been appropriately designed, to be recessive in appearance through materials/colours used, and compliance with height limits. As such, the landscape and amenity values and the natural character of any Outstanding Natural Features and Outstanding Natural Landscapes will not be compromised as a result of the proposal. The proposal achieves this policy.
Policy 24.2.1.14	Enable residential activity within approved and registered building platforms subject to achieving appropriate standards.	Residential activity is proposed within a site that anticipates and provides for residential development. The proposal achieves 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 buildings will be subservient to natural landscape elements and the wider surrounding landscape, given the recessive colouring and compliance with height limits. The proposal achieves this policy.
Policy 24.2.1.16	Manage lighting so that it does not cause adverse glare to other properties, roads or public places, or degrade views of the night sky.	Any lighting will comply with relevant standards. The proposal achieves this policy.
Policy 24.2.1.19	Require buildings, or building platforms identified through subdivision, to maintain views from roads to Outstanding Natural Features and the surrounding mountain Outstanding Natural Landscape context, where such views exist; including by: a. implementing road setback standards; and b. ensuring that earthworks and mounding, and vegetation planting within any road setback, particularly where these are for building mitigation and/or privacy, do not detract from views to Outstanding Natural	Given the location of the buildings being largely within the building platform, compliance with maximum height, and topography relative to surrounding roads, all views will be maintained. The proposal achieves this policy.

	Features or Outstanding Natural Landscapes; while c. recognising that for some sites, compliance with a prescribed road setback standard is not practicable due to the site size and dimensions, or the application of other setback requirements to the site.	
Objective 24.2.4	**Objective – 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 proposed residential activity will not affect water quality, ecological quality, and recreation values, and will provide adequate services and infrastructure. The proposal achieves this objective.
Policy 24.2.4.4	Provide adequate firefighting water and emergency vehicle access to ensure an efficient and effective emergency response.	Adequate firefighting water and emergency vehicle access will be provided. The proposal achieves this policy.
Policy 24.2.4.9	Encourage the planting, retention and enhancement of indigenous vegetation that is appropriate to the area and planted at a scale, density, pattern and composition that enhances indigenous biodiversity values, particularly in locations such as gullies and riparian areas, or to provide stability.	Additional native vegetation is proposed to be planted. The proposal achieves this policy.
Chapter 25 – Earthworks		
25.2.1	**Objective – Earthworks are undertaken in a manner that minimises adverse effects on the environment, including through mitigation or remediation, and protects people and communities.**	The earthworks will be undertaken in manner that minimises adverse effects on the environment, with mitigation and management of the works to occur. The proposal achieves this objective.
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.	The proposed earthworks will be appropriately managed in accordance with the EMP to ensure that erosion, land instability, sediment generation and off-site discharge are avoided. The proposal achieves this 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;	The earthworks will be undertaken and managed in a way that will not affect any ONFs and ONLs, and will not have any environmental, ecological or cultural impacts given the presence of a building platform on the site anticipates and provides for rural-living development. The proposal achieves this policy.

	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.	
25.2.1.3	Avoid, where practicable, or remedy or mitigate adverse visual effects of earthworks on visually prominent slopes, natural landforms and ridgelines.	As the earthworked area will either be occupied by the proposed building, landscaped or re-grassed, there will not be any adverse visual effects. The proposal achieves this policy.
25.2.1.4	Manage the scale and extent of earthworks to maintain the amenity values and quality of rural and urban areas.	The earthworks are of a scale and extent that are necessary to construct the building, and in combination with the landscaping, will maintain the amenity values of the area. The proposal achieves this policy.
25.2.1.5	Design earthworks to recognise the constraints and opportunities of the site and environment.	The earthworks are a design response to the constraints of the sloping site, and can be undertaken in a manner where effects on the environment will be avoided. The proposal achieves this 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.	As the earthworks will be undertaken in accordance with a site specific EMP, there will not be any adverse effects on infrastructure, building, or the stability of any adjoining site. The proposal achieves this 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.	The earthworks will be appropriately managed and undertaken in accordance with the EMP so as to avoid adverse effects on water bodies, with nuisance effects associated with construction noise, vibration, odour, dust and traffic to also be avoided. The proposal achieves this 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.	Should heritage or cultural items be discovered, accidental discovery protocols will be followed. The proposal achieves this 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.	Should heritage or cultural items be discovered, accidental discovery protocols will be followed. The proposal achieves this 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.	The earthworks are temporary, will be appropriately managed and are of a scale that will not degrade the amenity and quality of the surrounding land. The proposal achieves this 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.	As assessed in the Slope Stability Assessment Report, the site is not subject to natural hazard risk, and the earthworks will not affect natural hazard risk.

		The proposal achieves this policy.
25.2.2	**Objective – The social, cultural and economic wellbeing of people and communities benefits from earthworks**	The earthworks will provide for the future rural-living use of a site where this is anticipated and provided for by the building platform registered to the title. The proposal achieves this objective.
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 f. maintaining or enhancing the operational efficiency of existing infrastructure.	The earthworks will provide for the wellbeing of the applicant, will provide for the intended residential use of the site to be fulfilled, and will contribute to housing supply in a District where this is in high demand and short in supply. The proposal achieves this policy.
25.2.1	**Objective – Earthworks are undertaken in a manner that minimises adverse effects on the environment, including through mitigation or remediation, and protects people and communities.**	The earthworks will be undertaken in manner that minimises adverse effects on the environment, with mitigation and management of the works to occur. The proposal achieves this objective.
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.	The proposed earthworks will be appropriately managed in accordance with the EMP to ensure that erosion, land instability, sediment generation and off-site discharge are avoided. The proposal achieves this 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: h. Protects the values of Outstanding Natural Features and Landscapes; i. Maintains the amenity values of Rural Character Landscapes; j. Protects the values of Significant Natural Areas and the margins of lakes, rivers and wetlands; k. Minimises the exposure of aquifers, in particular the Wakatipu Basin, Hāwea Basin, Wānaka Basin and Cardrona alluvial ribbon aquifers;	The earthworks will be undertaken and managed in a way that will not affect any ONFs and ONLs, and will not have any environmental, ecological or cultural impacts given the presence of a building platform on the site anticipates and provides for rural-living development. The proposal achieves this policy.

	Note: These aquifers are identified in the Otago Regional Plan: Water for Otago 2004. l. Protects Māori cultural values, including wāhi tapu and wāhi tūpuna and other sites of significance to Māori; m. Protects the values of heritage sites, precincts and landscape overlays from inappropriate subdivision, use and development; and n. Maintains public access to and along lakes and rivers.	
25.2.1.3	Avoid, where practicable, or remedy or mitigate adverse visual effects of earthworks on visually prominent slopes, natural landforms and ridgelines.	As the earthworked area will either be occupied by the proposed building, landscaped or re-grassed, there will not be any adverse visual effects. The proposal achieves this policy.
25.2.1.4	Manage the scale and extent of earthworks to maintain the amenity values and quality of rural and urban areas.	The earthworks are of a scale and extent that are necessary to construct the building, and in combination with the landscaping, will maintain the amenity values of the area. The proposal achieves this policy.
25.2.1.5	Design earthworks to recognise the constraints and opportunities of the site and environment.	The earthworks are a design response to the constraints of the sloping site, and can be undertaken in a manner where effects on the environment will be avoided. The proposal achieves this 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.	As the earthworks will be undertaken in accordance with a site specific EMP, there will not be any adverse effects on infrastructure, building, or the stability of any adjoining site. The proposal achieves this 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.	The earthworks will be appropriately managed and undertaken in accordance with the EMP so as to avoid adverse effects on water bodies, with nuisance effects associated with construction noise, vibration, odour, dust and traffic to also be avoided. The proposal achieves this 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.	Should heritage or cultural items be discovered, accidental discovery protocols will be followed. The proposal achieves this 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.	Should heritage or cultural items be discovered, accidental discovery protocols will be followed. The proposal achieves this 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.	The earthworks are temporary, will be appropriately managed and are of a scale that will not degrade the amenity and quality of the surrounding land.

		The proposal achieves this 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.	As assessed in the Slope Stability Assessment Report, the site is not subject to natural hazard risk, and the earthworks will not affect natural hazard risk. The proposal achieves this policy.
25.2.2	**Objective – The social, cultural and economic wellbeing of people and communities benefits from earthworks**	The earthworks will provide for the future rural-living use of a site where this is anticipated and provided for by the building platform registered to the title. The proposal achieves this objective.
25.2.2.1	Enable earthworks that are necessary to provide for people and communities wellbeing, having particular regard to the importance of: g. Nationally and Regionally Significant Infrastructure; h. 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; i. minimising the risk of natural hazards; j. enhancing the operational efficiency of farming including maintenance and improvement of track access and fencing; and k. the use and enjoyment of land for recreation, including public walkways and trails; and l. maintaining or enhancing the operational efficiency of existing infrastructure.	The earthworks will provide for the wellbeing of the applicant, will provide for the intended residential use of the site to be fulfilled, and will contribute to housing supply in a District where this is in high demand and short in supply. The proposal achieves this policy.

5.1.1. Conclusion – Objectives and Policies of the PDP

The proposal achieves the relevant objectives of the PDP.

6. REGIONAL POLICY STATEMENT, REGIONAL PLANS, AND OTHER PLANNING INSTRUMENTS

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

The Operative Regional Policy Statement 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. Decisions of the Hearings Panel on provisions of the PRPS2021 were notified on 30 March 2024.

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

The proposal has been considered against the objectives and policies of the RPS2019 and the PRPS2021, and is generally consistent with the broad policy direction of both Regional Policy Statements.

6.1. National Environmental Standard for Contaminated Soil

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

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

(a) remove or replace an underground fuel storage system or any of its parts

(b) sample the soil to determine contamination

(c) disturb the soil (earthworks)

(d) subdivide the land

(e) change the use of the land.

The subject site does not have a history of hazardous activities, and none have been identified on Council (QLDC or ORC) records. Therefore, the proposal does not require further assessment against the NES-CS.

6.2. National Policy Statement – Highly Productive Soils

The National Policy Statement – Highly Productive Soils (**NPS-HPL**) requires that regional councils map as "highly productive land" any land in its region that is in a general rural zone or rural production zone; is predominantly Land Use Capability (**LUC**) 1, 2, or 3 land; and forms a large and geographically cohesive area. The mapping is to be notified and when operative, territorial authorities must map the highly productive land in their districts. Until the regional council's mapping is operative, each territorial authority and consent authority must apply the NPS-HPL as if references to highly productive land were references to land zoned general rural or rural production; and is LUC 1, 2, or 3 land; but is not 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.

No further assessment is required as the WBRAZ is not a general rural zone that the NPS-HPL applies to.

7. NON-COMPLYING ACTIVITY - SECTION 104D ASSESSMENT

Pursuant to section104D of the Resource Management Act if a proposal is a Non-Complying activity then it must pass at least one of the tests of either section 104D(1)(a) or section 104D(1)(b) before an application can be assessed to make a decision under section 104B of the Act. If the application fails both tests of section 104D then the application must be declined.

7.1. Section 104D(1)(a) – Adverse effects on the environment will be minor

Section 104D(1)(a) of the Act requires that the Council have regard to any adverse effects on the environment of allowing the activity.

Pursuant to section 104(2), when forming an opinion for the purposes of section 104D(1)(a), a council may disregard an adverse effect of the activity on the environment if the plan or a national environmental standard permits an activity with that effect. In this case, the building platform registered to the title anticipates the construction of a residential unit on the site. A residential unit is proposed, that is of an appropriate nature, scale and intensity. The effects of the proposal are assessed in Section 4 of this

document. The adverse effects on the environment of allowing the activity for which resource consent is sought were identified and assessed in this Assessment of Environmental Effects above, where it was concluded that the proposal will result in no more than minor effects.

Therefore the adverse effects on the environment will be no more than minor, and the test of s104D(1)(a) is satisfied.

7.2. Section 104D(1)(b) – Proposal will not be contrary to the objectives and policies

The relevant objectives and policies for the proposal are assessed in Section 5.1 above. It concludes that the proposal achieves the objectives and policies of the PDP. Therefore, the proposal will not be contrary to the objectives and policies.

Accordingly, the proposal passes both of the tests in section 104D of the Act, and consent can be granted.

8. PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

8.1. Section 5 – Purpose

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

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

(a) Sustaining the potential of natural and physical resources … to meet the reasonably foreseeable needs of future generations; and

(b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and

(c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.

The proposal addresses the matters in section 5(2)(a)-(c) of the Act. The applicant has taken care to avoid or mitigate any potential adverse effects of the proposal on the environment through the design of the proposal within the site.

8.2. Section 6 – Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

a. the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;

b. the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;

c. the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;

d. the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers

e. the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;

f. the protection of historic heritage from inappropriate subdivision, use, and development;

g. the protection of protected customary rights;

h. the management of significant risks from natural hazards.

The proposal will accord with the matters of national importance outlined above, and has been assessed above to be appropriate use and development of land, while avoiding adverse effects on the environment.

8.3. Section 7 – Other matters

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

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

c. the maintenance and enhancement of amenity values:

f. maintenance and enhancement of the quality of the environment:

The proposal accords with the relevant matters as the rural-living use of a site intended for rural-living given the presence of a building platform on the site is an efficient use of resources, while maintaining the amenity values and quality of the surrounding environment.

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

Not applicable.

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

No mitigation measures are necessary.

11. SECTION 95A ASSESSMENT AND IDENTIFICATION OF AFFECTED PERSONS

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

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

Step 1 – Mandatory public notification

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

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

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

Therefore, public notification is not required by Step 1.

Step 2 – Public notification precluded

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

The proposal is not:

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

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

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

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

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

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

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

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

Step 4 – public notification in special circumstances

There are no special circumstances in relation to this application.

12. LIMITED NOTIFICATION (S95B)

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

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

Therefore, the assessment of affected persons must be undertaken in accordance with section 95E.

In accordance with the assessment undertaken within Section 4 above, any actual or potential adverse effects on adjacent properties will be less than minor given:

(a) The proposal is of a scale that is appropriate for the site and environment it is located within;

(b) The proposed built form will meet the relevant bulk and location standards, in particular maximum height;

(c) It has been sympathetically designed to be appropriate for the landscape and environment within which it is located, and is clad in muted recessive materials and colours;

(d) The proposal is small in scale relative to the size of the site and rural-living activity anticipated and provided for by the building platform;

(e) The earthworks is largely concealed from view due to the topography of the land, proposed vegetation/planting and re-grassing that will occur; and

(f) The earthworks will be comprehensively managed by the EMP and ESCP, with any adverse effects in this regard to be avoided.

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

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

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