TOWNPLANNING
GROUP

Application for Resource Consent to the Queenstown Lakes District Council:

Shane and Clive Manners-Wood

LAND USE CONSENT TO ESTABLISH A RESIDENTIAL BUILDING PLATFORM AT 101 MALAGHANS ROAD, CORONET PEAK

11 April 2026

Document prepared by:

Town Planning Group (NZ) Limited

Phone: 0800 22 44 70

Email: office@townplanning.co.nz

Web: www.townplanning.co.nz

Offices in Tāhuna, and Ōtautahi

Use and Reliance

This report has been prepared by Town Planning Group (NZ) Ltd on the specific instructions of our Client. It is solely for our Client's use for the purpose for which it is intended in accordance with the agreed scope of work. Town Planning Group (NZ) Ltd does not accept any liability or responsibility in relation to the use of this report contrary to the above, or to any person other than the Client. Any use or reliance by a third party is at that party's own risk. Where information has been supplied by the Client or obtained from other external sources, it has been assumed that it is accurate, without independent verification, unless otherwise indicated. No liability or responsibility is accepted by Town Planning Group (NZ) Ltd for any errors or omissions to the extent that they arise from inaccurate information provided by the Client or any external source.

Contents

1 Executive Summary 6
2 Site and Surrounding Environment 8
2.1 Site Description 8
2.2 Relevant Legal Instruments 10
2.3 Resource Management Background 10
3 Description of the Proposal 12
3.1 Overview 12
3.2 Residential Building Platform 13
3.3 Building & Landscape Design Controls 13
3.3.2 Landscape Controls 14
3.4 Access 15
3.5 Services & Infrastructure 15
3.6 Landscaping 16
3.7 Earthworks 17
3.8 Volunteered Conditions of Consent 17
4 Statutory Provisions 23
4.1 Operative District Plan 23
4.2 Proposed District Plan 23
4.2.1 Wakatipu Basin Rural Amenity Zone – Chapter 24 23
4.2.2 Landscape Character Unit 24
4.2.3 Lake Hayes Catchment 26
4.2.4 Consents Required under the PDP: 26
4.3 National Environmental Standards 27
5 Assessment of Effects 28
5.1 Permitted Baseline 28
5.2 General 28
5.7 Effects on Visual Amenity 29
5.3 Effects on Landscape Quality and Character 30
5.4 Effects on the Outstanding Natural Landscape 30
5.5 Design and Density of Development 31
5.6 Cumulative Effects on the Landscape 31
5.7 Services, Infrastructure and Earthworks Effects 32
5.8 Natural Hazards 32
5.9 Effects of Proposed Earthworks 33
5.9.1 Soil Erosion and Generation of Sediments 34
5.9.2 Landscape and Visual Amenity Values 34
5.9.3 Effects on Infrastructure, Adjacent Sites and Public Roads 34
5.9.4 Effects on Land Stability, Water Bodies, Ecosystems and Biodiversity 34

5.9.5 Impacts on Cultural, Heritage and Archaeological Values 34
5.10 Positive Effects 35
5.11 Effects on Persons 35
5.12 Conclusion 37
6 Statutory Assessment 39
6.1 Section 95, RMA 39
6.1.1 Section 95A Assessment 39
6.1.2 Section 95B Assessment 39
6.2 Section 104 (1), RMA 40
6.3 Section 104(1)(b), RMA 40
6.3.1 Proposed District Plan 40
6.3.2 National Policy Statement for Natural Hazards (2025) 44
6.4 Section 104D, RMA 45
6.5 Purpose and Principles of the RMA 46

Figures

Figure 1 Subject site (Grip Maps) 8
Figure 2 Aerial of surrounding environment (Grip Maps) 9
Figure 3: Site Plan (Baxter Design Group) 12
Figure 4 PDP Zoning (QLDC Mapping Database) 23
Figure 5: Affected Party Approvals (APA's) obtained (shaded yellow) in context of application site (shaded red) 36

Supporting Information

[A] Application Form – Form 9
[B] Record of Title OT6C/695
[C] Relevant Legal Instruments

[C1] - 11828072.12
[C2] - 502922.1
[C3] - 9516277.1

[D] Landscape Plans by *Baxter Design*
[E] Proposed Design Controls
[F] Supply Confirmation from *Aurora*
[G] Supply Confirmation from *Chorus*
[H] Water Supply Confirmation Details
[I] Landscape Assessment
[J] Geo-Technical Assessment by *Kirk Roberts*
[K] Affected Party Approvals (APA's)
[L] Pre-Application Meeting Notes
[M] Earthworks Plan by *Kirk Consult Ltd*
[N] Environmental Management Plan (EMP)

1 Executive Summary

Shane and Clive Manners-Wood ("**the applicant"**) are applying for resource consent to establish a Residential Building Platform (**"RBP"**) and associated landscaping and earthworks at 101 Malaghans Road, Coronet Peak, Queenstown ("**the site**").

The site at which the proposed activity is to occur measures 8.6ha and has established residential and farm buildings on site, as well as a commercial lavender farm (*'Ben Lomond Lavendar Farm'*).

The site is split zoned **Wakatipu Basin Rural Amenity** and **Rural** under the Queenstown Lakes Proposed District Plan (**"PDP"**) and is located within the Malaghans Valley Character Unit (**"LCU1"**).

Pursuant to the PDP, resource consent is required for the following reasons:

- The establishment of a RBP is an activity not listed in Table 24.1 and is therefore, a **Non-Complying Activity** under Rule 24.4.1;
- The establishment of a RBP that will provide for a second residential unit on a site which is less than 80 hectares and is a **Non-Complying Activity** pursuant to Rule 24.5.1.4;
- Earthworks required for the establishment of the required landscape mounding will exceed the maximum volumes in Table 25.2 and therefore is a **Restricted Discretionary Activity** pursuant to Rule 25.4.2; and
- The height of the fill required for the proposed mounding will exceed the maximum height of 2m and therefore is a **Restricted Discretionary Activity** pursuant to Rule 25.5.16.
- More than 300m³ of cleanfill will be imported to the site by road in association with the proposed earthworks. This is a **Restricted Discretionary Activity** pursuant to Rule 25.5.21.

Overall, resource consent is required for a **Non-Complying Activity**.

In summary, this Assessment of Environmental Effects ("**AEE**") report considers the effects of the proposal and determines that the proposal will have less than minor adverse effects on the environment while providing an outcome that integrates well with the surrounding environment.

The proposal aligns with the key objectives and policies of the PDP. The proposal achieves the purpose and principles of the RMA and accords with the definition of sustainable management under Part 2. The relevant application form has been included as **Attachment [A].**

2 Site and Surrounding Environment

2.1 Site Description

The subject site is located at 101 Malaghans Road, on the northern side of Malaghans Road, as shown in **Figure 1** below. The subject site comprises two separate lots, with a combined area of approximately 8.6 hectares, and is legally described as Lot 2 DP 1800 & Section 139 Block XIX Shotover SD, held in Record of Title OT6C/695 under the ownership Clive Harcourt Manners-Wood. A copy of the Record of Title is provided as **Attachment [B]**.



Figure 1 Subject site (Grip Maps)

At approximately 1.12 hectares, Section 139 Block XIX Shotover SD is the smaller of the two lots and contains the existing dwelling, associated sheds, established amenity gardens and trees and large lawn area. A Hawthorn hedge forms the boundary with Malaghans Road.

By comparison, Lot 2 DP 1800 comprises approximately 7.44 hectares and contains a carpark, amenity pond and extensive areas of gardens, rural farm buildings, grazing paddocks, a large area of lavender beds, and other cultivated crops. There is no distinct physical boundary between the two legal lots, and together they function as a single integrated landholding.

Lot 2 DP 1800 rises steeply along the western edge of the site, forming part of the escarpment that defines the northern edge of the Fitzpatrick Basin and the Northridge area to the south. Elsewhere, the site slopes gently down towards Malaghans Road, with the steepest gradients occurring in the south-western corner where a small hollow is formed. The landform flattens toward the centre and eastern portions of the site, where existing sheds are located and the RBP is proposed. Ground levels are

approximately 6 metres above Malaghans Road at the main entrance and up to 20 metres above Malaghans Road at the southeast corner where the road dips.

The Manners-Wood family have lived on the site in the old Ben Lomond homestead since 1978. The historic homestead, constructed in the 1890's is listed as a category 3 heritage building and is surrounded by extensive gardens.

More recently, parts of the site have been developed as the Ben Lomond Lavender Farm, including lavender fields, a small shop selling lavender products, signage, and a lavender distillery operation.

Two existing farm sheds are located near the base of the hill, adjacent to the flat area of the site where the RBP is proposed. An established Eucalyptus shelterbelt (approximately 40 years old) is located to the south-east of this area and the proposed RBP.

Access to the existing dwelling and buildings is provided via an established driveway from Malaghans Road, through a Hawthorn hedge. Access to the sheds is provided via a farm track extending from an existing carpark within the site.

The property is not listed as contaminated on the Otago Regional Council's ("**ORC**") Listed Land Use Register.

Vegetation across the site and surrounding area is typical of Malaghans Valley and includes exotic pasture grasses, scattered shelterbelts, amenity trees around dwellings and farm buildings, and pockets of more intensive planting.

Land use within the surrounding environment is predominantly pastoral, with rural residential development evident, particularly to the southeast within the Northridge subdivision, where lots typically range between 1 and 10 hectares (refer **Figure 2**).



Figure 2 Aerial of surrounding environment (Grip Maps)

Malaghans Road sweeps around the southern and western boundaries of the site, forming a key local route through the valley. Coronet Peak Road is located approximately 350 metres to the northwest and around 100 metres higher in elevation, with the intervening slope largely covered in exotic tree species, including wilding conifers such as Douglas Fir and Sycamore.

The Central Wakatipu Basin Outstanding Natural Landscape (**ONL**) adjoins the rear of the site. The ONL boundary generally follows the lower edge of the treeline and extends along Malaghans Road and the adjacent bluff that visually defines the western edge of the Northridge area. While this section of Malaghans Road is technically located within the ONL, the road corridor itself and adjacent wilding vegetation are not considered outstanding in isolation, reflecting the modified nature of this part of the landscape.

Overall, the site and surrounding environment exhibit a long-established, highly modified rural character, combining historic development, productive rural land use, rural-residential development, and established vegetation. This character is consistent with the wider Malaghans Valley and the Rural and Wakatipu Basin Rural Amenity landscape context.

2.2 Relevant Legal Instruments

Covenant Instrument 11828072.12 (refer **Attachment [C1]**) restricts the owners of the burdened land (Lots 3 and 4 DP 547763) from submitting on any planning proposal made by the applicant.

Easements 502922.1 and 9516277.1 are also registered on the Record of Title and relate to the landowners right to convey, take and store water (refer **Attachment [C2] and [C3]** respectively).

None of the legal instruments registered on the Record of Title constrain or preclude the addition of a building platform to the property.

2.3 Resource Management Background

The following resource consents are relevant to the proposal:

- **RM200748** (granted on 9 October 2020) - approved the construction of a farm shed (haybarn).
- **CC180064** (granted on 14 June 2018) - approved a new vehicle crossing to replace the previous vehicle crossing and driveway location.
- **RM130787** (granted 5 December 2013) - approved external alterations to QLDC Category 3 heritage building (124, Ben Lomond Station Homestead) including the addition of a new living area to the existing sunroom and verandah area and addition outdoor living terrace.

- **RM090692** (granted on 12 October 2009) – approved the construction of a farm building for the purpose of processing lavender oil and associated with the lavender farm operation.

3 Description of the Proposal

3.1 Overview

The proposal provides for the establishment of a RBP as identified in the Landscape Plans prepared by Baxter Design (refer **Attachment [D]**) and shown in **Figure 3**. The proposal includes a suite of design and landscape controls to restrict the location, character and bulk and landscape treatment of future built form within this RBP (refer **Attachment [E]**). As no subdivision is proposed, these design controls are volunteered to be secured by way of both a condition of consent and land covenant.

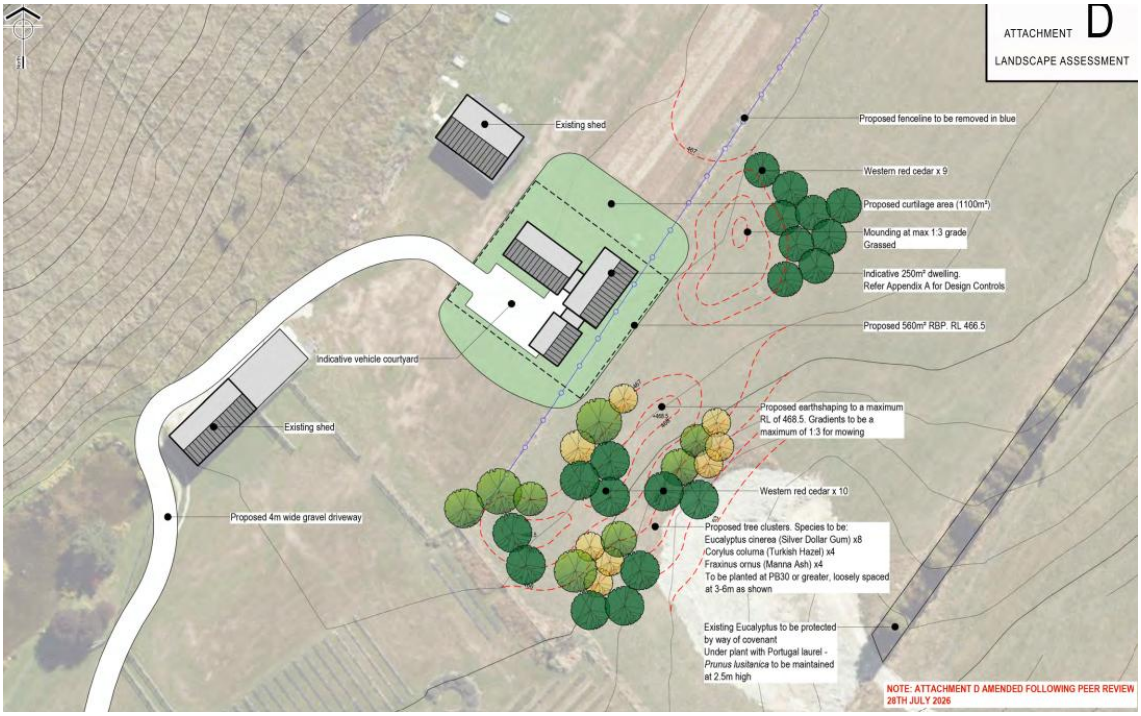


Figure 3: Site Plan (Baxter Design Group)

After residing in the Ben Lomond homestead and managing the large property for almost 48 years, including extensive gardens and an established lavender farm, the applicants now wish to facilitate a generational living arrangement on the property. The proposed building platform will enable them to retire into a smaller, more manageable dwelling while allowing immediate family members to occupy the existing homestead and take responsibility for the upkeep of the land including the Ben Lomond Lavender farm. This will allow the applicants to remain living on-site, close to family and connected to the property they have developed over the years.

This application seeks consent for a building platform only, rather than a specific dwelling design. This enables the key parameters of development, including location and extent, to be established and assessed at this stage, providing certainty that future development will occur within the defined limits of the proposed design controls and in

accordance with the District Plan. The dwelling design will be developed subsequently to respond to the design controls and PDP requirements for a new dwelling to be constructed within the approved building platform pursuant to Rule 24.4.5 and other relevant standards of the PDP. Importantly, no subdivision is proposed, and the application does not seek to enable any additional allotments or titles.

3.2 Residential Building Platform

The square platform is 560m^2 in area and is positioned in front of the farm building currently used as a hay barn and storage shed (associated with the lavender farm use) and located furthest east of the application site (and consented via RM200748).

It is anticipated that the site coverage of any future dwelling within the platform shall not exceed 50%, being 280m^2.

A curtilage area sits on either side of the building platform to the northeast and southwest of the building platform, measuring a total of 1100m^2. As described in the proposed Design Controls, this curtilage area limits where associated domestic activity can occur and therefore restricts the spread of domestication into the rural landscape.

3.3 Building & Landscape Design Controls

A suite of specific design controls have been developed to set the character of future built form and designed landscape within the subject site. The overall intention of these controls is to ensure a high-quality architectural outcome, with materials and colours that are sympathetic to the surrounding landscape, minimising potential adverse visual effects while promoting strong integration with the existing landscape character of the site.

To ensure these outcomes are appropriately secured both at the time of development and on an enduring basis, the design controls are proposed to be implemented through a combination of conditions of consent and a volunteered land covenant. The conditions of consent provide certainty at the point of development, while the land covenant ensures that key design and landscape controls continue to apply to the land.

The controls are contained within **Attachment [E]** and summarised below:

(a) Building Form, Roof and Height

- Site coverage: Dwelling and garage shall be located within the building platform (560m^2) and site coverage of the dwelling and garage shall not exceed 50% of the building platform, being 280m^2.
- Maximum building height: 5m from slab to roof peak (chimneys excluded).
- Hip roofs are not permitted.
- Roof colours must be natural browns/greens/greys with LRV <20%.

- Permitted roofing materials: steel tray, timber shingles, corrugated iron, weathered steel/corten, or concrete.
- Decks/porches/verandas must not extend more than 5 m from the building (not included in the building coverage).
- Materiality and colour of decks/porches/verandas or similar exterior-built surface to be sympathetic to the surrounding colour palette of the area.
- Garage cladding and roofing to match the dwelling.

(b) Windows and Glazing

- Glazing on north and west elevations limited to 70% of each elevation's wall area.
- All glazing must be non-reflective.

(c) External Wall Cladding

- Up to two materials per elevation with a light reflectance value of no more than 20% as per the PDP rules.
- Approved exterior cladding materials limited to natural or stained timber, steel tray, corten/mild steel, horizontal schist, standing-seam metal (dark/pre-weathered zinc), or concrete.
- Joinery, gutters and downpipes must match roof/wall colours.

3.3.2 Landscape Controls

(a) Fencing

- Boundary/internal fencing limited to 1m post-and-wire, with rabbit mesh if required.

(b) Earthworks, Driveway and Parking

- Driveway and vehicle courtyard permitted within building platform/curtilage.
- Surfacing may be compacted gravel, exposed aggregate, asphalt, or similar materials consistent with rural character.

(c) External Lighting

- Lighting restricted to entrances, driveways and outdoor living areas.
- Downlighting only; max height 1.2m; low-lux, no light spill.
- LED/incandescent/halogen/white light permitted; sodium/coloured lighting prohibited.

(d) Curtilage

- All domestic activities (lawns, gardens, structures, paving, play equipment, clotheslines, lighting) must stay within the curtilage.

Areas outside the curtilage are to be maintained in pastoral grass.

3.4 Access

The proposed RBP will be accessed from a proposed 4m wide gravel driveway, connecting to the existing carpark. As detailed on the landscape plans (**Attachment [D]**), the proposed driveway will loosely follow the existing dirt farm track around the amenity ponds and behind the existing farm building leading to the northern boundary of the building platform. No new vehicle crossings to Malaghans Road are proposed.

Any additional parking and manoeuvring areas will be contained within the proposed building platform.

3.5 Services & Infrastructure

The subject site is fully serviced with respect to power and telecommunications. Aurora Energy have confirmed that the networks have capacity to service an additional residential unit (refer **Attachment [F]**), and that connection can be provided as required.

Chorus has also confirmed that a fibre connection could be made available to the site (refer **Attachment [G]**), however, this would require an extension of approximately 1,200m from Arthurs Point Road and is estimated to cost in the order of $50,000. Given the scale of the proposal, this is not considered to be the most practicable servicing option.

Accordingly, the applicant proposes to utilise an alternative telecommunications solution, such as a wireless broadband service, which is currently available in the area from a number of providers and is capable of meeting the needs of a single residential dwelling.

Potable water to the site is supplied via a spring located above Coronet Peak Road providing a daily allocation of 4320 litres. On-site tanks currently provide storage capacity of approximately 50,000 litres. This daily allocation would readily accommodate an additional dwelling and meets the minimum requirement of 2,100 litres per residential dwelling per day. As detailed above, easements 502922.1 and 0516277.1 formalise the applicants' rights to convey, take and store this water supply. Further details regarding the water supply, including testing results are provided in **Attachment [H].**

The final potable water demand and fire-fighting supply requirements will be confirmed at the time detailed design is undertaken for the residential dwelling within the approved building platform. Any additional on-site water storage required to meet these

requirements will be located within the building platform or curtilage, designed to integrate with the rural character of the site, and subject to approval by QLDC at the time a resource consent is sought for the residential unit.

Stormwater and wastewater disposal will be managed via on-site systems. While the detailed design and final location of these systems will be confirmed once the building design of the residential dwelling has been finalised, the site's soils, topography, and available area provide sufficient capacity to accommodate compliant on-site stormwater and effluent disposal in proximity to the proposed building platform. The design of both soak pits for the disposal of stormwater and on-site effluent treatment system will be assessed as part of the building consent process.

Overall, the site can be appropriately serviced, and no servicing constraints are anticipated to arise as a result of the proposed development, subject to recommended standard conditions of consent to ensure appropriate servicing is provided. Should Council consider it necessary, specific servicing requirements may also be secured by way of a land covenant once the detailed servicing design has been confirmed.

3.6 Landscaping

Significant landscaping is proposed through a combination of earth shaping and planting. The maximum finished gradient will be 1:3, with the majority of slopes formed at approximately 1:4 to ensure they remain able to mow and integrate with the surrounding landform (refer **Attachment [D]**). Any landscaping or gardens associated with the dwelling will be confined to the approved building platform and/or curtilage area.

The proposed planting will comprise loose clusters of trees, reflecting the pattern and character of planting surrounding the existing homestead and responding to the proposed earth shaping. Plant species will include a mix of exotic and deciduous trees, rather than formal or structured amenity planting. The species mix will be consistent with that already present across the wider property and commonly found within the rural areas of the Whakatipu Basin, thereby maintaining the working rural character of the site.

An existing mature (approximately 40 year old) eucalyptus shelterbelt located to the south-east of the proposed RBP provides effective year round screening of the site from Malaghans Road. To address the potential for eucalyptus trees to self-limb over time, the shelterbelt is being progressively underplanted with Portuguese Laurels (*Prunus lusitanica*) to provide lower-level screening and ensure ongoing effectiveness of visual mitigation. Approximately two-thirds of the underplanting has already been established on site.

The landscape controls included within the suite of design controls are intended to maintain the rural character and open pastoral landscape of the site. This is achieved by limiting fencing to post and wire styles typical of rural environments, thereby avoiding visual enclosure or urbanisation of the land. Driveways, parking and vehicle courtyards

are confined to the building platform and curtilage, with surface materials restricted to those consistent with a rural setting. External lighting is tightly controlled in terms of location, height, intensity and direction to minimise light spill and preserve rural amenity and night time darkness. The confinement of domestic activities, structures and landscaping to the defined curtilage ensures that areas beyond remain in pastoral grass, retaining the site's rural character and broader landscape openness.

3.7 Earthworks

Earthworks are proposed to establish a level building platform and to form landscaping mounds to the south and east of the RBP. The earthworks plan prepared by Kirk Consult is contained within **Attachment [M]**, and this details the extent, area and volume of the proposed earthworks which are required to develop the site as proposed.

The total earthworks for the overall development have been calculated as:

- Earthworks area – 2,480m^2
- Cut volume – 800m^3
- Fill volume – 2,500m^3
- Total earthworks – 3,300m^3
- Max depth cut – 1.0m
- Max depth fill – 3.0m

All excavation works will be carried out in accordance with QLDC's Land Development and Subdivision Code of Practice. In additional, Environmental Management Plan (**EMP**) has been prepared and appended as **Attachment [N]** to address the proposed earthworks and mitigate effects associated with these works.

The proposed building platform is located on a generally flat area of the site. As a result, any future earthworks associated with a residential dwelling are anticipated to be minimal and largely confined to standard site preparation activities.

Any earthworks required for the construction of a future residential dwelling such as site preparation, building foundations, driveway formation, additional water storage tanks, and wastewater disposal infrastructure will be addressed through a separate resource consent application would be assessed and consented once the detailed design of the residential dwelling within the approved building platform has been confirmed.

3.8 Volunteered Conditions of Consent

General Conditions:

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

a. Baxter Design – Entire Lot Plan, Reference 3002 – SK11, 31 March 2026;

b. Baxter Design - Site Plan, Reference 3002 – SK12, 31 March 2026; and

c. Baxter Design – Design Controls, 19 January 2026.

Servicing:

2. Prior to consent being granted for a residential unit to be constructed within the approved building platform, the consent holder shall complete the following:

    a. The provision of a minimum supply of 2,100 litres per day of water and suitable evidence demonstrating that the legal rights to this private water supply are held.

    b. A minimum of 45,000 litres shall be maintained at all times as a static firefighting reserve within a 55,000 litre combination of tanks (or equivalent). Alternatively, a 7,000 litre firefighting reserve is to be provided for each residential unit in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family residential units. In the event that the proposed residential units provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

    The FENZ connection point/coupling, tank and hardstand area must be located so that it is not compromised in the event of a fire (more than 6m from a building).

    The connection point/coupling shall have a hardstand area adjacent to it (within 5m) that is suitable for parking a fire service appliance. The hardstand area shall be located in the centre of a clear working space with a minimum width of 4.5 metres. Pavements or roadways providing access to the hardstand area must have a minimum formed width as required by Council's standards for rural roads (as per Council's Land Development and Subdivision Code of Practice). The roadway shall be

trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Access shall be maintained at all times to the hardstand area.

Underground tanks or tanks that are partially buried (provided the top of the tank is no more than 1 metre above ground) may be accessed by an opening in the top of the tank whereby couplings are not required. A hardstand area adjacent to the tank is required in order to allow

a FENZ appliance to park on it and access to the hardstand area must be provided as above. The FENZ connection point/coupling/fire hydrant/tank must be located so that it is clearly visible and/or provided with appropriate signage to enable connection of a fire appliance.

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Note: Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new residential unit. Given that the proposed residential unit is approximately 11km from the nearest FENZ Fire Station the response times of the New Zealand Volunteer Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in the new residential unit.

3. Prior to consent being granted for a residential unit to be constructed within the approved building platform, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design a secondary or tertiary onsite effluent disposal and treatment system in compliance with AS/NZS 1547:2012. The proposed wastewater system shall be designed having regard to the findings of the approved geotechnical assessment and shall be subject to Council review and acceptance prior to implementation and shall be installed prior to occupation of the residential unit.

4. Prior to consent being granted for a residential unit within the approved RBP, the owner for the time being shall obtain any necessary resource consents from the Otago Regional Council for the discharge of treated wastewater to land, arising from the site's location within the Lake Hayes Catchment.

5. At the time a building is erected within the approved RBP, the owner for the time being shall engage a suitably qualified professional as defined in Section

1.7 of QLDC's Land Development and Subdivision Code of Practice to design a stormwater disposal system.

The system shall:

- be informed by the approved geotechnical assessment;
- be approved by QLDC; and
- be installed prior to occupation of the residential unit.

6. Prior to consent being granted for a residential unit to be constructed within the approved RBP, the owner for the time being shall provide a formed vehicle access to the residential unit that complies with the requirements and guidelines of Queenstown Lakes District Council's Land Development and Subdivision Code of Practice.

   The detailed design and specific requirements of the accessway, including formation width, gradients, surfacing, earthworks, drainage, sight distances and any upgrades required at the road boundary, shall be confirmed at the time an application is made for resource consent for the residential unit.

Land Covenant:

7. Prior to commencement of construction of a residential unit within the approved building platform, the consent holder shall register the following conditions as a covenant pursuant to Section 108(2)(d) of the Resource Management Act 1991:

   a. Any future building shall be designed in accordance with the following Design controls:

   ARCHITECTURAL DESIGN CONTROLS

   Site Coverage:

   i. The dwelling and garage shall be located within the building platform (560m²)

   ii. Site coverage of the dwelling and garage shall not exceed 50% of the building platform, being 280m².

   Building Form, Roof and Height:

   iii. The building form(s), for the dwelling and the garage, shall be in simple gable forms with a pitch between 22.5-35.0-degree pitch with horizontal (flat) roof connections between gable forms. The building height shall not exceed 5.0m from slab to top of roof (excluding chimneys). Hip roofs are not permitted.

   iv. Flat connections shall not exceed 20% of the building footprint.

v. Roof colour shall be in the natural range of browns, greens and greys and have a light reflectance value (LRV) of less than 20%. Roof materials shall be restricted to one material from the following materials only: Steel tray cladding, timber shingles left to weather or natural stain, corrugated iron, weathered steel (or Corten) or concrete.

vi. No deck, porch, veranda or similar exterior-built surface, which is part of the building shall extend beyond 5m from the building. Note: veranda/porch etc not to be included in the site coverage.

vii. Materiality and colour of deck, porch, veranda, or similar exterior-built surface, to be sympathetic to the surrounding colour palette of the area.

viii. The garage shall be clad on walls and roof to match the dwelling.

Windows and Glazing:

ix. Glazing on the north and west elevations shall not exceed 70% of the wall area on each elevation.

x. All glazing shall be non-reflective.

External Wall Cladding:

xi. All materials shall be resilient and durable in nature. External wall materials shall be limited to two materials on any single elevation, with an LRV of less than 30%. External wall materials shall be restricted to the following materials only in the natural range of browns, greens and greys:

- Natural timber cladding, left to weather, in either 'weatherboard', 'shiplap', 'tongue and groove', or vertical 'board and batten' styles
- Stained timber cladding
- Steel tray cladding (if used, to match roof materiality and colour)
- Corten/mild steel
- Locally sourced schist stone, laid horizontally, 'mudded' or dry stacked
- Profiled metal: standing seam profile in dark colours, or pre-weathered zinc (if used, to match roof materiality and colour)
- Concrete

xii. All window and door joinery, gutters and downpipes shall be coloured to match the roof and exterior wall cladding

xiii. All reflectivity values for wall claddings not to exceed that stated for roof claddings

LANDSCAPE DESIGN CONTROLS

Existing Planting:

xiv. The existing eucalyptus shelter belt located to the south-east of the proposed building platform must be retained.

Fencing and Entry Features:

xv. All boundary fencing and internal fencing shall be restricted to 1m high post and wire, with rabbit proofing mesh where required.

Earthworks, Driveway and Parking:

xvi. The driveways and vehicle courtyard are permitted inside the building platform and curtilage area and shall be finished in compacted driveway specified gravels, exposed aggregate, asphalt, or similar.

External Lighting:

xvii. Any external lighting shall be restricted to down lighting only and no higher than 1.2m.

xviii. Lighting should not create any light spill and shall be low lux level. Light sources are to be LED, incandescent, halogen or other 'white light'. Sodium vapour or other coloured lighting is not allowed.

Curtilage Area:

xix. All domestic activity such as mown lawns, amenity gardens, garden structures, paved areas, play equipment, clothes lines and external lighting shall be restricted to the curtilage area. All areas outside the curtilage area shall be maintained in pastoral grass by way of grazing and/or mowing.

4 Statutory Provisions

4.1 Operative District Plan

The subject site is zoned Rural General under the ODP.

There are no relevant rules under the ODP given the relevant rules under the PDP are treated as operative pursuant to section 86F.

4.2 Proposed District Plan

The site is zoned part **Wakatipu Basin Rural Amenity Zone** (**"WBRAZ"**) and part **Rural** under the Queenstown Lakes Proposed District Plan (**"PDP"**). As the proposed RBP will be located entirely within the WBRAZ, this zone is of primary relevance to the proposal (refer **Figure 4**).

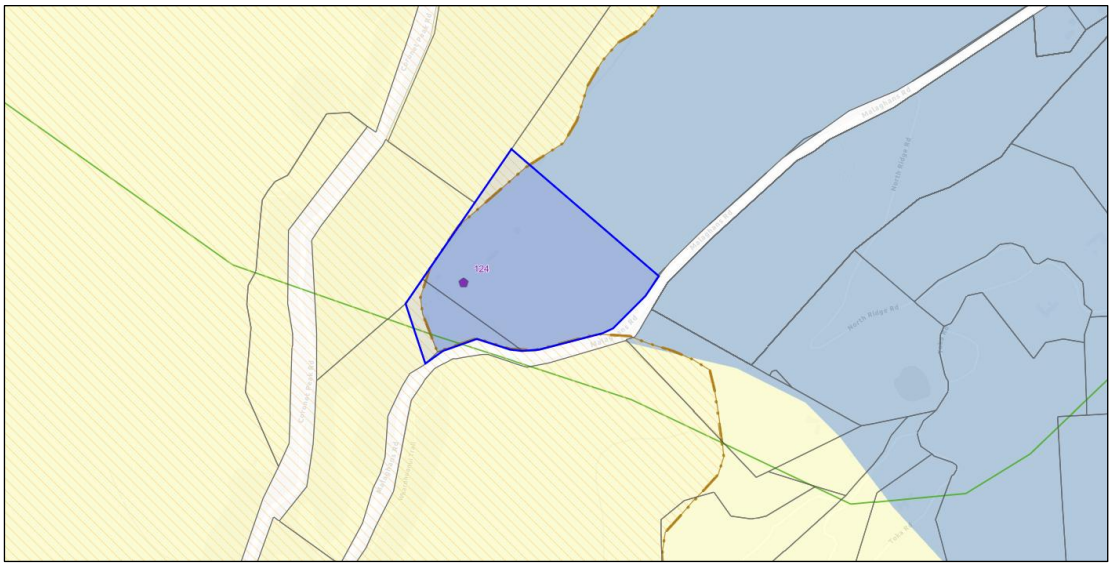


Figure 4 PDP Zoning (QLDC Mapping Database)

4.2.1 Wakatipu Basin Rural Amenity Zone – Chapter 24

The purpose of the WBRAZ is *"to maintain and enhance the character and amenity of the Wakatipu Basin, while providing for rural living and other activities".*

The following notations and overlays are also relevant to the site:

- Lake Hayes Catchment
- Outstanding Natural Landscape
- Malaghans Valley Landscape Character Unit (LCU1)
- Historic Heritage Feature #124 (Ben Lomond Station)

The zone includes 24 Landscape Character Units (LCU's), which assist with the identification of the landscape character and amenity values that are to be maintained or enhanced. The subject site is located within the LCU1 – Malaghans Valley.

4.2.2 Landscape Character Unit

The site is located within **Landscape Character Unit 1 – Malaghans Valley (LCU 1)** and the landscape assessment submitted as part of this application has assessed the relevant matters in terms of this landscape character unit and has described the character and qualities of the site in detail.

The landscape descriptors associated with LCU1(Schedule 24.8) and relevant to this application are outlined in **Table 1** below:

Table 1: Relevant characteristics of the **Malaghans Valley LCU 1** (Schedule 24.8, PDP)

Landform Patterns	*Relatively open and gently-rolling valley framed by mountain range (Coronet Peak) to the north (outside the LCU), and steeply sloping hillslopes and escarpment faces that define the northern edges of the Fitzpatrick Basin, Dalefield and the Wharehuanui Hills, to the south (within the LCU).*
Vegetation Patterns	*Scattered exotic shelterbelts and shade trees in places.* *Exotic amenity plantings around dwellings and farm buildings.* *Patches of scrub and remnant riparian vegetation in gullies.* *Exotic pasture grasses dominant.*
Hydrology	*Complex network of streams and overland flow paths draining from the mountain range to the north and the hillslopes to the south.* *Farm ponds in places.*
Proximity to ONL/ONF	*Adjoins Coronet Peak ONL (WB) to the north and the roche moutonée ONF (part of Millbrook: LCU 11).*
Land Use	*Predominantly in pastoral land use with pockets of rural residential evident.*
Settlement Patterns	*Rural residential development tends to be scattered along the elevated hillslopes that enjoy a northern aspect and frame the south side of the unit, and around the Malaghans Road – Dalefield Road intersection.* *Relatively limited number of consented platforms (given size of LCU) throughout the southern hillslopes and also throughout the valley flats on the north side of the road at the eastern end of the unit (20).* *Typical lots size:* • *Predominantly 100-500ha.* • *Some smaller lots at either end of the unit, generally between 10-50ha in size.* • *Pockets of smaller lots (<4ha and 4-10ha) around the Dalefield Road, Coronet View and the Lower Shotover Road intersections.*
Proximity to key route	*Malaghans Road comprises an important scenic route between Queenstown and Arrowtown.*

Visibility/Prominence	*The relatively open character of the unit makes it highly visible in views from Malaghans Road, Coronet Peak Road and the walkways to the north.*
Views	*Key views relate to:* • *the dramatic open vistas from Malaghans Road (scenic route) of the mountain range to the north;* • *views out over the unit from the scenic roads and walkways to the north; and,* • *the attractive, more rural and open vistas across the pastoral valley to the escarpments and hillslopes to the south.*
Enclosure/Openness	*Generally, the landscape unit exhibits a relatively high degree of openness with the landform features on either side providing a strong sense of containment to the valley.* *In places, plantings provide a localised sense of containment.*
Sense of Place	*Generally, the area displays a predominantly working rural landscape character with pockets of (mostly) sympathetic rural residential development evident in places.* *The valley also serves as an important 'breathing space' between Queenstown and Arrowtown and reads as a sensitive landscape 'transition' to the neighbouring ONL.*
Potential Landscape Issues and Constrains Associated with Additional Development	*The relatively open, exposed and 'undeveloped' nature of the unit, in addition to its importance as a scenic route, providing a buffer between Queenstown and Arrowtown, and as a transition to the ONL, makes it highly sensitive to additional development.*
Potential Landscape Opportunities and Benefits Associated with Additional Development	*Riparian restoration potential.* *Potential integration of walkway/cycleway etc.* *Larger-scaled lots suggest potential for subdivision.*
Environmental Characteristics and Visual Amenity Values to be Maintained	*Sense of openness and spaciousness associated with predominantly pastoral landscape.* *Subservience of buildings within the overall unit.* *Dramatic views from Malaghans Road to the mountain range.* *Highly attractive rural views from Malaghans Road to the Wharehuanui hillslopes and escarpment faces.* *Impression of the area as a buffer between Queenstown and Arrowtown.* *Impression of the area as a sympathetic transition between the wider basin and the surrounding mountain ONL.*

Capability to Absorb Additional Development	*Very Low.*

4.2.3 Lake Hayes Catchment

The proposed development is located within the Lake Hayes Catchment, an area recognised for its sensitivity in relation to water quality. As there is no reticulated wastewater servicing available to the site, an on-site wastewater treatment and disposal system will be required. The discharge of treated wastewater to land will require the appropriate resource consent to be obtained from the Otago Regional Council (ORC) at the time resource consent is sought for a residential unit within the approved building platform.

Stormwater will be managed on site through low impact and infiltration based methods where practicable, consistent with best practice for development within the Lake Hayes Catchment. Together, the design and implementation of wastewater and stormwater infrastructure will therefore contribute to maintaining, and where possible enhancing, water quality outcomes within the catchment.

A geotechnical assessment has been undertaken to assess site conditions and soil characteristics and confirm the final location and design of wastewater disposal and stormwater management systems. These servicing matters are proposed to be secured through conditions of resource consent.

Given the site's location within the Lake Hayes Catchment, conditions of consent are volunteered to require that, prior to any future consent for a residential unit within the approved platform, wastewater and stormwater servicing demonstrates an approach that avoids adverse effects and achieves water quality outcomes commensurate with the nature, scale and location of the proposal, consistent with the sensitivity of the catchment environment.

4.2.4 Consents Required under the PDP:

The proposed residential development will require resource consent pursuant to the following Rules of the PDP:

(a) A **Non-Complying activity** pursuant to **Rule 24.4.1** for any activity not listed in Table 24.1.

(b) A **Non-Complying activity** pursuant to **Rule 24.5.1.4** as the establishment of a building platform will provide for a second residential unit on the subject site which is less than 80 hectares.

(c) A **Restricted Discretionary** activity pursuant to **Rule 25.4.2** as the earthworks do not comply with the maximum volumes in **Table 25.2.**

(d) A **Restricted Discretionary** activity pursuant to **Rule 25.5.16** as the height of fill exceeds 2m.

(e) A **Restricted Discretionary** activity pursuant to **Rule 25.5.21** as more than 300m³ of cleanfill will be imported to the site by road in association with the proposed earthworks.

Overall, the proposal is considered as a **Non-Complying Activity.**

4.3 National Environmental Standards

In terms of compliance or otherwise with National Environmental Standards ("**NES**"), the only NES that is of potential relevance to this proposal is the NES for Assessing and Managing Contaminants in Soil to Protect Human Health ("**NESCS**").

A review of the ORC Listed Land Use Register has been undertaken for the site and there are no records of contamination nor HAIL activities having been undertaken on site. In consideration of the abovementioned, it is reasonable to conclude that the site is not defined as a 'piece of land' under Clause 7 of the NESCS.

5 Assessment of Effects

In accordance with Section 88 and Schedule 4 of the RMA an assessment of any actual or potential effects on the environment that may arise from the proposal is required, with details of how any adverse effects may be avoided, remedied or mitigated. Accordingly, the below is an assessment of effects relative to the scale and significance of the proposed activity.

The following section assesses the actual and potential effects of the proposal on the environment in accordance with section 104(1)(a) of the RMA, having regard to the scale and nature of the activity and the sensitivity of the receiving environment. The level of detail corresponds with the scale and significance of the effects that the activity may have on the environment.

5.1 Permitted Baseline

Under section 104(2) of the RMA the Council may disregard an adverse effect of a proposed activity on the environment if a rule or National Environmental Standard permits an activity with that effect.

Given the area of the site, the establishment of a building platform and in fact, all buildings (whether for residential or farming use) require resource consent, there is no permitted baseline relevant to this proposal.

5.2 General

In respect of Schedule 4 of the RMA, the assessment of effects is framed around the basis that:

- The proposal will not result in any significant adverse effect on the environment (so a description of any possible alternative locations or methods for undertaking the activity has not been provided).
- The proposal does not include the use of hazardous substances or installations, so will not result in any risk to the neighbourhood, the wider community, or the environment through such use.
- The proposal does not include the discharge of any contaminant and a discharge permit will be obtained from the ORC for the on-site disposal of domestic wastewater within the Lake Hayes catchment once the building platform has been approved and prior to a consent being sought for the residential unit.
- The scale and significance of the activity's effects are not such that monitoring is required.
- The proposal will not adversely affect the exercise of any protected customary right.

- The proposal will not adversely affect any ecosystems or habitats.
- The proposal will not adversely affect any natural or physical resources having any known recreational, scientific, historical, spiritual, cultural or other special values.

The proposal raises the following actual and potential effects on the environment, as assessed below:

- Effects on visual amenity;
- Effects on landscape quality and character;
- Effects on the outstanding natural landscape;
- Design and density of development;
- Cumulative effects of development on the landscape;
- Services; and
- Positive effects

5.7 Effects on Visual Amenity

The primary visual amenity effects of the proposal relate to the identification of a RBP and the potential for a future dwelling to be constructed within it. As confirmed by the Landscape Assessment Report by Baxter Design (**Attachment [I]**), the site occupies a locally enclosed and modified part of the Malaghans Valley, where visual containment is provided by landform, existing buildings, shelterbelts, and vegetation associated with an established rural development node.

Public visibility has been assessed from Malaghans Road and Coronet Peak Road. From Malaghans Road, views toward the site are intermittent and filtered, with the existing mature eucalyptus shelterbelt (including underplanting) providing effective year-round screening of the proposed building platform location. From Coronet Peak Road, the site is viewed at long distance within expansive panoramic views, where any future dwelling would form a very small and visually recessive element within the wider landscape.

Given the settlement pattern and the locally contained nature of the site, it is not considered the proposal will be visible from, or give rise to adverse effects on, properties beyond the immediate local cluster. Other surrounding properties are suitably separated by distance, landform and existing vegetation such that any visual or rural amenity effects would be less than minor. This conclusion is reinforced by the APA's obtained from surrounding landowners considered most directly affected by the proposal.

The proposed design controls restrict building height, bulk, colour, materials, lighting and the extent of domestic activity, ensuring any future dwelling remains low profile and

visually subservient and reads as part of the surrounding rural environment rather than as a visually prominent residential form. The Landscape Assessment Report concludes that the resulting effects on visual amenity will be 'Low' to 'Very Low'.

Overall, the proposal will not result in any discernible adverse effects on public visual amenity.

5.3 Effects on Landscape Quality and Character

The site is located within LCU 1 – Malaghans Valley, which is generally characterised by openness, pastoral land use and high scenic values. However, the Landscape Assessment Report identifies that the subject site sits within a distinct pocket of reduced openness, where existing buildings, shelterbelts, historic development and confining topography create a more enclosed landscape character than elsewhere in the LCU. This locally contained and modified setting forms part of an established node of rural development, where separation distances, intervening landform and vegetation limit visibility and landscape effects beyond the immediate locality.

The proposed building platform is carefully located adjacent to existing farm buildings and within an established pattern of development and planting. The platform size, curtilage restriction, and design controls ensure that development remains compact and avoids the spread of domestication into the wider pastoral landscape. Earth shaping and planting are designed to reflect natural landform patterns and existing vegetation structure, reinforcing the prevailing rural character, rather than introducing formal or urban landscape elements.

The Landscape Assessment Report concludes that:

> *"…this site holds greater opportunity for additional development than most other parts of the LCU (which tend to be more open in character with less built development). The proposed earthworks and planting are in keeping with the landscape character and ensure that future dwelling on the propose RBP will be reasonably difficult to see and sit low in the landscape".*

Importantly, the proposal will not undermine the key landscape character attributes of the Malaghans Valley and will result in 'Low' adverse effects on landscape quality and character. Given the limited scale of the platform, its containment within an established cluster, and the strength of the proposed controls, the findings of the Baxter Design Report have been adopted for the purposes of this AEE.

5.4 Effects on the Outstanding Natural Landscape

The Central Wakatipu Basin Outstanding Natural Landscape (ONL) adjoins the rear of the site. While the ONL is highly sensitive, the Landscape Assessment Report notes that the ONL edge in this location is already modified by existing development, wilding vegetation and the Malaghans Road corridor.

The proposed building platform is located outside the ONL, and the design controls ensure that any future dwelling will be visually recessive, limited in height and bulk, and appropriately coloured. Views from within the ONL toward the site are filtered by distance, vegetation and landform, and the proposal will not interrupt key natural landform patterns or scenic values.

The Landscape Assessment concludes that effects on the ONL will be 'Low', and that the proposal will not diminish the values for which the ONL is identified. This conclusion is adopted for the purposes of this report.

5.5 Design and Density of Development

The proposal does not seek subdivision or the creation of additional titles. Instead, it enables a single, well-defined RBP within a large rural property. The density of development remains extremely low and is consistent with the existing pattern of rural residential development within this part of the Malaghans Valley.

The proposed design controls tightly manage building form, footprint, height, materials, lighting, fencing and curtilage extent. These controls ensure that any future dwelling will remain proportionate to the site, subservient to the landscape, and consistent with the character expectations of the WBRAZ.

Accordingly, the proposal will not result in overdevelopment of the site or set an undesirable precedent for intensified development.

5.6 Cumulative Effects on the Landscape

Cumulative effects have been considered in the context of existing and consented development within the surrounding area, including nearby rural residential development and recently approved consents along Malaghans Road.

With regard to cumulative effects, the Landscape Assessment Report states:

> *"It is acknowledged that at first glance, there is potential for the proposed development to read as 'creep' of rural-residential development into the surrounding rural areas. This assessment considers the proposed development as being part of an existing patterning of buildings and vegetation around the site…"*

While additional rural-residential style development within LCU 1 can raise cumulative and precedent concerns, this proposal avoids contributing to sporadic or sprawling development patterns by concentrating development within a defined and contained RBP and by securing enforceable design and landscape controls that limit future domestication effects.

The Landscape Assessment identifies that, due to the contained nature of the site, the proximity to existing buildings, and the absence of subdivision, the proposal does not contribute to a pattern of sporadic or sprawling development across the landscape.

Instead, it reinforces an existing pocket of development and avoids extending built form into more open and visually sensitive parts of the valley.

Given the limited scale of the proposal, the strong design controls, and the absence of additional development rights beyond the single platform, cumulative landscape effects are assessed as 'Low'.

5.7 Services, Infrastructure and Earthworks Effects

The proposal does not authorise the construction of a dwelling, servicing infrastructure, or the undertaking of any earthworks at this stage. The application is limited to the establishment of a RBP only. Matters relating to access, water supply, firefighting provision, wastewater disposal, stormwater management, and any associated earthworks will be addressed at the time consent is sought for a residential unit within the approved building platform.

As detailed in **SECTION 3.8**, conditions of consent are proposed to require:

- Council-approved stormwater design;
- the obtaining of any necessary ORC resource consents for wastewater discharge, arising from the site's location within the Lake Hayes Catchment; and
- vehicle access to be designed and constructed in accordance with QLDC standards.

These specific conditions volunteered along with standard QLDC conditions relating to earthworks management, erosion and sediment control, and environmental management planning, will ensure that any future servicing infrastructure and any associated earthworks are appropriately designed and implemented to avoid or mitigate adverse effects on land stability, landscape values and receiving environments, including Lake Hayes water quality. On this basis, no adverse servicing or earthworks effects are anticipated at this stage.

5.8 Natural Hazards

A site-specific Natural Hazards Assessment has been undertaken by Kirk Roberts Consulting (dated 2 April 2026) to support this application (refer **Attachment [J]**).

The assessment has been prepared in accordance with Section 106 of the Resource Management Act 1991 and considers the potential for material damage to the proposed development from natural hazards.

The geotechnical assessment confirms that:

- The site is underlain by sandy gravels with schist cobbles and boulders, providing generally stable founding conditions.

- Groundwater was not encountered during investigations and is expected to be deep (approximately 21–22m below ground level).
- The site is classified as “Good Ground” for the purposes of NZS3604:2011 following removal of topsoil.
- The site is located within the wider extent of the Coronet Peak Deep-Seated Gravitational Slope Deformation (DSGSD). While this introduces some inherent geological variability, no evidence of active instability or rockfall risk was identified at the building platform location.

The Kirk Roberts assessment identifies the following key hazard risks:

- Liquefaction: Assessed as low to negligible risk, due to dense gravel soils and deep groundwater conditions.
- Slope instability / landslip: While the broader landform is associated with the Coronet Peak landslide system, the proposed building platform is located on flat to gently sloping terrain with appropriate setbacks, resulting in low risk post-development.
- Flooding / inundation: No flood hazards are identified on regional hazard mapping.
- Erosion and sedimentation: Low risk, subject to standard erosion and sediment control measures during construction.
- Seismic hazard: The site is suitable for standard residential construction, with risks able to be managed through foundation design in accordance with building standards.

Overall, the report concludes that: “the site is considered to have an overall low risk… and there is no reason to refuse a new building platform under Section 106 of the RMA based on natural hazards.”

Further assessment against the National Policy Statement for Natural Hazards 2025 is provided in Section 6.3.2.

5.9 Effects of Proposed Earthworks

To facilitate the development, the applicant proposes to undertake 3,300m^3 of earthworks with a maximum cut height of 1m and a maximum fill depth of 3m Earthworks associated with the proposal are required to create a flat foundation for building and create extensive landscaping mounds. The proposed mounding will be located to the east and south of the RBP to offer screening from Malaghans Road and adjacent properties. With respect to site management and the mitigation of any potential adverse effects, an EMP (low risk) has been prepared and submitted in support of this application (**Attachment [N]**).

Assessment Matters for Earthworks (Section 25.8 of the PDP) are relevant to the consideration of this application and have been addressed in the assessment below:

5.9.1 Soil Erosion and Generation of Sediments

Proposed earthworks will be over a short period and therefore reducing any potential adverse effects. Given the limited scale and temporary nature of the works, the risk of soil erosion or sediment discharge beyond the site is low. An EMP (**Attachment [N]**) has been prepared and will be implemented for the earthworks including appropriate erosion and sediment controls measures. As such, the effects on erosion and sedimentation are negligible and will be temporary during construction only.

5.9.2 Landscape and Visual Amenity Values

As identified above, nuisance effects of the proposal such as noise, dust and vibration will be temporary in nature during site preparation for the proposed development of the site. Erosion and sediment controls will be implemented during construction as part of the EMP (**Attachment [N])** to manage any potential nuisance effects and these site management controls will form a key part of the conditions of consent. The design of earthworks is considered sympathetic to the topography and surrounding environment.

5.9.3 Effects on Infrastructure, Adjacent Sites and Public Roads

The nature of the earthworks proposed on site may mean that there are some adverse effects on neighbouring sites and public roads. Potential effects on adjacent sites may include the tracking of mud onto the surrounding access road, noise, vibration and dust and increased traffic movements. These potential effects will be temporary in duration and managed by standard site management and EMP techniques to ensure that effects will be less than minor.

5.9.4 Effects on Land Stability, Water Bodies, Ecosystems and Biodiversity

The proposed earthworks will comply with the QLDC Land Development and Subdivision Code or Practice to ensure that there are no adverse effects on land stability and the stability and safety of surrounding land, buildings and structures.

Any potential effects on land stability, water bodies, ecosystems and biodiversity have been addressed in detail via the supporting EMP (**Attachment [N]**).

5.9.5 Impacts on Cultural, Heritage and Archaeological Values

While the site contains Historic Heritage Feature #124 (Ben Lomond Station), the proposed earthworks associated with formation of the landscaping mound are located away from and physically separated from the historic feature. The works will not involve any alternation, modification or disturbance of the feature and are not anticipated to affect its heritage fabric, setting or appreciation.

Given the limited scale and location of the earthworks, adverse impacts on cultural, heritage and archaeological values are considered unlikely. Should any previously

unidentified archaeological material be encountered during works, standard accidental discovery protocols can be followed.

In summary, all earthworks will be carried out in accordance with contract specifications and ESCP included in the EMP (**Attachment [N]**). Compliance with these documents and requirements will ensure that all necessary measures are taken by the contractor carrying out the work to avoid any adverse environmental effects.

For the reasons above, it is considered that effects of the proposed earthworks can be appropriately managed to have adverse effects on the environment which are less than minor.

5.10 Positive Effects

The proposal gives rise to several positive effects that are relevant under section 104 of the RMA.

The establishment of a RBP supports intergenerational living on a long-established family property, enabling the applicants to continue living on site while facilitating the ongoing stewardship and productive use of the land, including the on-going operation of the Ben Lomond Lavender Farm. This approach avoids subdivision or dispersed development and is consistent with the broader national policy direction supporting family based living arrangements (National Environmental Standards for Detached Minor Residential Units).

By enabling retirement into a smaller dwelling, the proposal promotes the efficient use of existing rural land and buildings, provides certainty regarding the location, scale, and form of future development, and reduces the potential for ad hoc or poorly integrated building outcomes. Importantly, this is achieved without increasing development pressure elsewhere within the Wakatipu Basin.

Landscape outcomes are enhanced through the retention of existing mature shelterbelts, the introduction of carefully designed earth shaping and planting, and the long-term protection of pastoral land outside the curtilage. Collectively, these measures contribute positively to the ongoing maintenance of rural character and landscape values over time.

5.11 Effects on Persons

Under section 104(3)(a)(ii) of the RMA, the consent authority must not have regard to any adverse effects on a person who has provided written approval to the application.

Consultation has been undertaken with adjoining neighbours and other potentially affected parties in relation to the proposed development. As a result of this consultation, written affected party approvals have been obtained from the owners and occupiers of the following properties:

- 59 Littles Road;

- 134 Malaghans Road (also owners of 130 Malaghans Road);
- 111 North Ridge Road; and
- 40 Toka Road.

These APA's are provided in **Attachment [K],** with property locations shown in **Figure 5.**

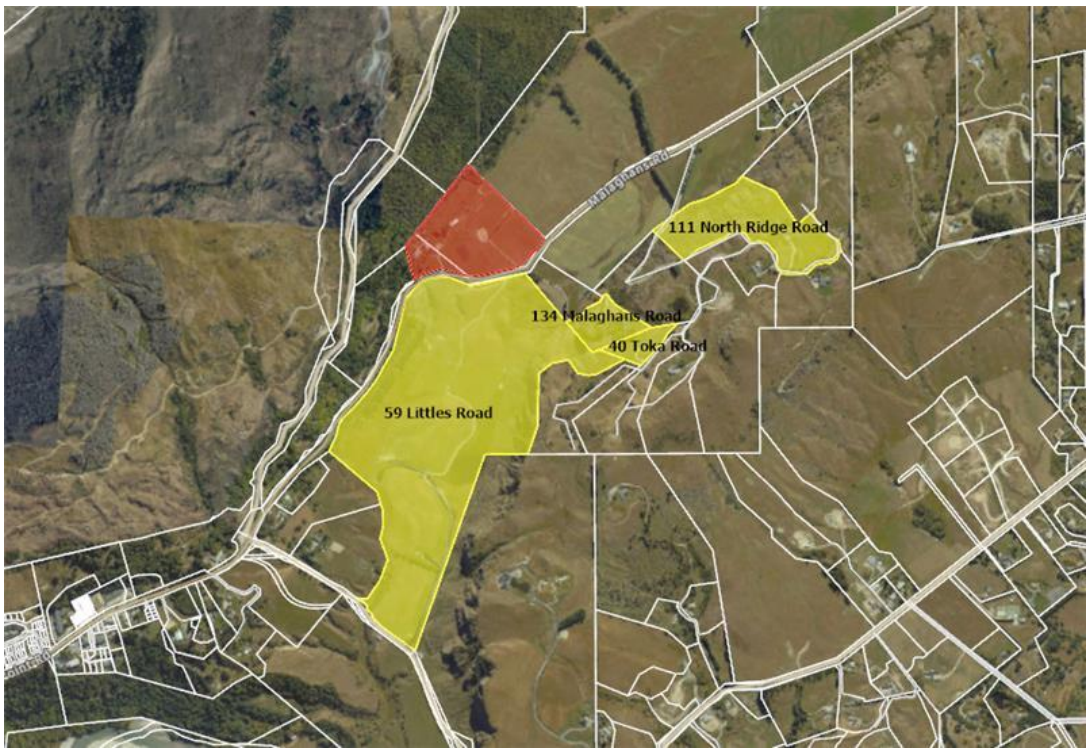


Figure 5: Affected Party Approvals (APA's) obtained (shaded yellow) in context of application site (shaded red)

The establishment of a RBP could, in general terms, give rise to effects on rural amenity experienced by surrounding residents. In this instance, the landowners identified above are considered to be the persons most directly affected by the proposal in terms of potential visual and rural amenity effects.

While Part Lot 1 DP 25521 is located closest to the proposed RBP in a spatial sense, this landholding comprises a large rural property extending throughout the Malaghans Valley, and there are no dwellings, building platforms, or farm buildings located in proximity of the proposed RBP. The small scale of the proposal with any future building tightly controlled through applicable design controls, together with the separation via distance and intervening topography, the proposed mitigation measures, and the absence of nearby residential activity, will ensure that any landscape or rural character effects on these adjacent landowners are low and less than minor.

Accordingly, these landowners were not considered to be potentially adversely affected persons for the purposes of section 95E of the RMA.

The Landscape Assessment Report primarily assesses visibility from public locations and confirms that visibility of the proposed building platform and any future dwelling is limited by distance, landform and existing vegetation. Given the contained nature of the site, separation distances between dwellings, and intervening landform and planting, it is not anticipated that the proposal will be visible from, or give rise to adverse effects on, properties beyond the immediate local cluster.

As written approvals have been provided by those landowners considered most directly affected, any actual or potential adverse effects on those persons must be disregarded for the purposes of section 104 of the RMA. In addition, for the reasons outlined above, it is not considered that any other persons would experience adverse effects that are more than minor.

Accordingly, it is not considered that any persons who have not already provided their written approval will be adversely affected by the proposal in terms of section 95E of the RMA.

5.12 Conclusion

The above assessment demonstrates that the establishment of a RBP at the subject site will result in no more than low adverse effects on visual amenity, landscape character, the adjoining ONL, and surrounding rural amenity. This conclusion is supported by the Landscape Assessment prepared by Baxter Design, which confirms that the site occupies a locally enclosed pocket and modified part of the Malaghans Valley with a greater capacity to absorb development than other parts of the LCU.

The proposed location of the building platform, together with the comprehensive suite of design and landscape controls, will ensure that any future dwelling is visually recessive, appropriately sized, and integrated with existing landform, vegetation and development patterns. The proposal does not seek subdivision, does not increase development density beyond a single additional residential unit, and avoids the spread of domestication into more open and sensitive parts of the landscape.

Potential effects on surrounding landowners have been carefully considered. Affected party approvals have been obtained from all persons considered most directly affected by the proposal, and any remaining potential effects on other properties are likely to be less than minor, having regard to separation distances, landform and vegetation.

Servicing, infrastructure and earthworks effects are appropriately deferred to subsequent consent stages. Conditions of consent are proposed to require Council approved stormwater design, ORC approval for wastewater discharge due to the site's location within the Lake Hayes Catchment, and vehicle access designed in accordance with QLDC standards. Together with standard conditions relating to earthworks management, erosion and sediment control, and environmental management, these measures will ensure that future development can be undertaken without adverse effects on land stability, landscape values, or water quality.

The proposal also gives rise to positive effects, including supporting intergenerational living on a long established family property, promoting the efficient use of existing rural land and buildings, and enabling continued stewardship and productive use of the site without subdivision or dispersed development. Landscape outcomes are further enhanced through the retention of existing shelterbelts, carefully designed earth shaping and planting, and the long term protection of pastoral land outside the defined curtilage.

Overall, the proposal represents an appropriate and sustainable use of the site. When assessed against the relevant statutory provisions, the scale of the activity, and the mitigation measures proposed, the actual and potential effects on the environment and on persons are no more than minor.

6 Statutory Assessment

6.1 Section 95, RMA

6.1.1 Section 95A Assessment

Section 95A of the RMA considers the need for public notification and sets out four steps in a specific order to be considered in determining whether to publicly notify.

In terms of Step (1), public notification is not requested, Section 95C pertaining to notification in the event that further information is not provided under Section 92 is not applicable, and the application is not being made jointly with an application to exchange recreation reserve land under Section 15AA of the Reserves Act 1977.

In terms of Step (2), the proposal does not fall within any of the matters for which public notification is precluded.

Moving to Step (3), notification is not required by a rule in a Plan or a NES, and as demonstrated in this report and the AEE and supporting information, the adverse effects on the environment can be appropriately managed so that they are not likely to be more than minor.

Lastly, in terms of Step (4) as no special circumstances are considered to apply public notification is not required under any of the pathways in Section 95A.

6.1.2 Section 95B Assessment

Any effects of the proposal on the local environment and upon particular parties must still be considered. This is addressed through Section 95B of the RMA, which has four steps similar to Section 95A.

In terms of Step (1), there are no affected protected customary rights or customary marine title groups in terms of Subclause (2), nor is the proposed activity on or adjacent to, or may affect land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11 in terms of Subclause (3).

In terms of Step (2), none of the circumstances in Subsection (5) that would preclude limited notification apply.

Step (3) requires the consent authority to determine, in accordance with Section 95E, whether there are any affected parties. Section 95E states that a person is an affected person if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but are not less than minor).

For the reasons outlined in **SECTION 5**, there are not considered to be any affected persons, with suitable mitigation measures in place to avoid, remedy and mitigate any actual and potential adverse effects of the proposed residential unit.

Overall, any actual or potential adverse effects of the proposed works are considered to be less than minor.

In terms of Step (4), no special circumstances exist therefore the application may be processed on a non-notified basis.

6.2 Section 104 (1), RMA

Section 104 (1) of the RMA requires that the consent authority must, subject to Part 2, have regard to a range of matters when considering an application.

SECTION 5 of this application addresses the matters contained in Section 104(1)(a) and (ab). This section of the AEE considers those matters relevant under Section 104 (1)(b) and Section 104 (1)(c) that are considered relevant and reasonably necessary to determine the application.

6.3 Section 104(1)(b), RMA

Section 104(1)(b) requires that the provisions of any national policy statement, the Operative Plan, or any other matter the consent authority considers relevant and reasonably necessary, to be considered when assessing an application. In this instance, the relevant planning documents are the PDP.

The following objectives and policies are considered of most relevance to the proposal:

6.3.1 Proposed District Plan

The relevant operative objectives and policies are contained within 'Chapter 3 – Strategic Direction' and 'Chapter 24 – Wakatipu Basin' of the PDP**.** These are summarised below.

(a) Chapter 3 – Strategic Direction

Objective 3.2.5 - The retention of the District's distinctive landscapes

3.2.5.1 The District's Outstanding Natural Features and Outstanding Natural Landscapes and their landscape values and related landscape capacity are identified.

The subject site adjoins the Central Wakatipu Basin ONL. The proposed RBP is located outside the ONL and avoids visually prominent landforms and ridgelines. As confirmed by the Landscape and Visual Effects Assessment prepared by Baxter Design, any views of a future dwelling from within the ONL would be limited, long-range and visually recessive, and the proposal will not undermine the values for which the ONL is identified. Effects on the ONL are assessed as low. The proposal is therefore consistent with Objective 3.2.5.1.

3.2.5.8 - Within the Wakatipu Basin Rural Amenity Zone:

a. the landscape character and visual amenity values of the Basin and of its Landscape Character Units, as identified in Schedule 24.8 are maintained or enhanced; and

b. the landscape capacity of each Landscape Character Unit and of the Basin as a whole is not exceeded.

Within the WBRAZ and LCU1, the proposal maintains landscape character and visual amenity values by locating development within a locally enclosed and modified part of the landscape, adjacent to existing buildings and vegetation. The proposal avoids subdivision, limits development to a single, defined building platform, and secures enforceable design and landscape controls to manage building scale, form, curtilage and domestication effects as well as landscape treatment.

Existing views along Malaghans Road will be maintained, and the impression of the LCU1 as a buffer between Queenstown or Arrowtown will not be impacted, nor will the proposal have any impact on the transition between the wider basin and nearby ONL.

Overall, given the characteristics of the subject site and the attributes of the proposal, the landscape capacity of LCU1 is not exceeded, and the landscape character and visual amenity values identified in Schedule 24.8 are maintained. The proposal is therefore consistent with Objective 3.2.5.8.

(b) Chapter 24 – Wakatipu Basin

24.2.1 Objective - Landscape character and visual amenity values in the Wakatipu Basin are maintained or enhanced.

Policies (of relevance):

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.***

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.***

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.***

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.

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.***

24.2.1.14 ***Enable residential activity within approved and registered building platforms subject to achieving appropriate standards.***

The subject site is located within LCU1 which is identified having a 'very low' capacity. Accordingly, Policy 24.2.1.2 requires that subdivision or residential development in this location be of a scale, nature, and design that maintains or enhances the identified landscape character and visual amenity values and ensures that landscape capacity is not exceeded.

The proposed RBP is consistent with Objective 24.2.1 of the QLDC PDP and the associated policies. The platform has been carefully located to maintain and reinforce the landscape character, with its position selected to minimise landform modification and integrate with the natural topography. It avoids sensitive ridgelines and viewshafts and does not encroach upon areas of higher landscape sensitivity.

The proposal is supported by a comprehensive suite of design and landscape controls that manage built form, materials, colour, landscaping, and site layout. These controls ensure that any future residential development remains visually recessive and sympathetic to the rural landscape context and will read as part of the established pattern of nearby rural accessory buildings, such as farm sheds, rather than visually prominent residential form.

An existing access will be utilised and extended to service the building platform, with all parking and manoeuvring contained within the platform area. The proposed design controls will ensure that future built form remains visually recessive and will protect the landscape character of the zone and the surrounding wider landscape.

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

Policies (of relevance)

24.2.4.1 ***Avoid adverse cumulative impacts on ecosystem services and nature conservation values.***

24.2.4.2 Restrict subdivision, development and use of land in the Lake Hayes catchment, unless it can contribute to water quality improvement in the catchment commensurate with the nature, scale and location of the proposal.

Although the site is located within the Lake Hayes catchment, the proposed RBP and anticipated resultant dwelling size when considered in relation to the overall lot size and the existing developed framework of the catchment, will result in a very low level of potential effect on water quality relative to the scale of the catchment.

In relation to Policy 24.2.4.2, the requirement to contribute to water quality improvement is to be achieved in a manner commensurate with the scale and location of the development. For a proposal of this limited scale, a reasonable and proportionate contribution includes:

- Wastewater and stormwater systems designed to meet the required Lake Hayes catchment environmental and water quality standards;
- Erosion and sediment controls during construction; and
- Very low impervious surface coverage, allowing for natural infiltration and minimal runoff.

It is also noted that the site does not directly adjoin any direct tributaries of Lake Hayes and is physically separated from the lake and its inflows by intervening land, distance and topography. The measures outlined above appropriately address the policy expectations, including the avoidance of adverse cumulative effects on water quality.

Overall, the proposal maintains and enhances landscape character and visual amenity values, aligns with the intent of the WBRAZ provisions, and maintains water quality of the Lake Hayes catchment, achieving the outcomes sought by Objective 24.2.1 and 24.2.4 and their supporting policies.

(c) 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.

Policies (of relevance)

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;

f. Protects the values of heritage sites, precincts and landscape overlays from inappropriate subdivision, use and development;

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

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.

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

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.

Overall, the proposed earthworks are considered to be consistent with Objective 25.2.1 and the relevant supporting policies. The works are limited in scale and extent and are associated with the formation of a landscaping mound, with any temporary construction-related effects able to be appropriately managed through a Low Risk Environmental Management Plan. The earthworks are not anticipated to adversely affect the amenity or landscape values of the surrounding area and are physically removed from Historic Heritage Feature #124 (Ben Lomond Station), such that its heritage values will be protected. Any unexpected archaeological material encountered during works will be managed in accordance with the Accidental Discovery Protocol. Construction traffic will also be temporary and limited and is not expected to adversely affect road safety, access or surrounding amenity. Accordingly, the proposal is considered to appropriately avoid or minimise adverse effects and is consistent with the relevant earthworks objectives and policies.

In addition, it is acknowledged that other relevant objectives and policies of the PDP relating to servicing, stormwater, wastewater and infrastructure provision will be assessed in full once the detailed design of these elements is confirmed. These matters will be appropriately addressed at the time a separate resource consent is sought for the construction of a residential unit within the approved RBP. This staged approach is consistent with the nature of the current application, which is limited to the identification of a RBP and the establishment of a landscaping mound and associated design and landscape controls.

6.3.2 National Policy Statement for Natural Hazards (2025)

The National Policy Statement for Natural Hazards 2025 (**"NPS-NH"**) provides national direction on the management of natural hazard risk under the Resource Management Act 1991. The NPS-NH requires a risk-based approach to decision making, including the identification, assessment and management of natural hazard risk based on both the likelihood of occurrence and the potential consequences.

A site-specific Natural Hazards Assessment has been prepared by Kirk Roberts Consulting to support this application (refer **Attachment [I]**). This assessment adopts

the Ministry for the Environment (2025) risk matrix framework and evaluates hazards using likelihood and consequence classifications.

The assessment confirms that:

- Natural hazard risks at the site are generally low, including liquefaction, inundation, erosion and seismic hazards;
- While the site is located within the wider Coronet Peak landslide system, the proposed building platform is located on flat to gently sloping land with appropriate setbacks, resulting in a low level of risk post-development; and
- Any residual risks can be appropriately managed through detailed design and geotechnical input at the building consent stage.

The NPS-NH directs that development should:

- Avoid increasing natural hazard risk where possible;
- Reduce risk to an acceptable level where avoidance is not practicable; and
- Ensure that residual risk is appropriately managed.

In this instance, the proposal is consistent with these directions, as:

- The building platform has been carefully located within a stable and contained part of the site, avoiding steeper and more hazard-prone areas;
- The scale of development is limited to a single residential building platform, with no subdivision or intensification of development across the wider landscape;
- Design controls and setbacks ensure that development remains appropriately separated from potential hazard sources; and
- Future development will be subject to site-specific geotechnical design and standard engineering controls, ensuring that risks are appropriately mitigated.

Overall, the proposal adopts a risk-based approach consistent with the NPS-NH, and will not expose people or property to unacceptable levels of natural hazard risk, nor exacerbate risks elsewhere.

Accordingly, it is considered that the proposal is consistent with the intent and direction of the National Policy Statement for Natural Hazards 2025.

6.4 Section 104D, RMA

As a non-complying activity, the proposal must meet the ‘gateway’ tests of Section 104D of the RMA, specifically the application may only be granted if the decision maker is satisfied that:

a. The adverse effects of the activity (except where Section 104(3)(a)(ii) of the RMA applies) will be minor; or

b. The application is not contrary to the objectives and policies of the relevant plan and/or proposed plan.

As identified in **SECTION 5**, the first gateway test for a non-complying activity has been met as the adverse effects on the environment arising from the proposed RBP will be less than minor. As identified above in **SECTION 6**, the proposal has also been assessed against the relevant provisions of the proposed district plan and it is not contrary to those provisions.

6.5 Purpose and Principles of the RMA

The purpose of the RMA, as set out under Section 5 (2) is to promote the sustainable management of natural and physical resources. The relevant matters in Sections 6, 7 and 8 of the RMA also require consideration.

The proposed RBP has been designed to ensure that the natural character of the WBRAZ is maintained. The activity can achieve section 6 of the RMA.

The RMA specifies that particular regard shall be had to the relevant other matters listed in Section 7 including:

(a) kaitiakitanga:

(aa) the ethic of stewardship:

(b) the efficient use and development of natural and physical resources:

….

(c) the maintenance and enhancement of amenity values:

(d) intrinsic values of ecosystems:

…

(f) maintenance and enhancement of the quality of the environment:

…

(h) the protection of the habitat of trout and salmon:

…

The proposal has been assessed against the PDP as being consistent with these provisions. Further, the development is consistent with the other relevant matters set out in **SECTION 5** through the careful design of the residential unit.

Section 8 of the RMA requires that *all persons… shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi*). There are no matters under Section 8 that require consideration with respect to this application. The site is not identified in the PDP or otherwise known to be of any cultural significance.

The proposal also appropriately manages natural hazard risk in a manner consistent with national direction of NPS-NH, ensuring the long-term use and development of the site is not subject to unacceptable risk.

For the reasons outlined in this application, the proposal is consistent with the purpose and principles under Section 5 and the associated matters under Part 2 of the RMA. The proposal represents an efficient use of natural and physical resources, and will be undertaken in a manner which avoids, remedies and mitigates potential adverse effects on the environment. It is considered that the proposal is consistent with the purpose and principles of the RMA.