ASSESSMENT OF ENVIRONMENTAL EFFECTS

44 Tullamore Lane, Queenstown

John Hudson

Our Reference: JW25082

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1 THE APPLICANT AND PROPERTY DETAILS

Client	John Hudson
Address for service	JPW Consulting Limited Jake Woodward jake@jakewoodward.co.nz 022 315 8370
Property Address	44 Tullamore Lane, Queenstown
Project Description	Variation pursuant to Section 221 of the Resource Management Act 1991 to amend building platform location. Land use consent pursuant to the provisions of the Proposed Queenstown Lakes District Plan for the construction of multiple residential dwellings. Land use breaches are sought to allow for a pool outside of the platform, exceedance to building coverage, and setbacks from the escarpment.
Our Reference	JW25082
Date	13 February 2026
Version	1

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2 EXECUTIVE SUMMARY

This application seeks resource consent to:

- Reposition an approved 1,000m² residential building platform established under RM221139; and

- Construct a principal dwelling, a secondary residential unit, and an associated minor residential unit (within the repositioned platform) at 44 Tullamore Lane, Queenstown.

An application to amend the platform prior to seeking a controlled activity consent for a dwelling was initially considered. However in the interest of time and cost, a consolidated approach is sought.

The approved building platform is proposed to be relocated approximately 21 metres to the east and 11 metres to the north to better accommodate the specific architectural design and orientation of the proposed homestead. The platform will remain 1,000m² in area, albeit reshaped to suit the proposed building footprint. The amendment requires a variation to the existing Consent Notice.

The current platform was originally positioned using a standardised 50-metre offset from the Outstanding Natural Landscape (ONL) boundary during subdivision, without detailed site-specific landscape assessment. The revised location provides a more logical and cohesive relationship with the established cluster of rural living properties along Tullamore Lane.

Although the amended platform is located closer to the ONL boundary, a setback of approximately 25 metres is maintained. With the implementation of comprehensive boundary planting and landscape mitigation, it is concluded that the relocation will not result in additional adverse visual effects. When viewed from public locations between approximately 20 metres and 2 kilometres from the site, the development will continue to be perceived as part of a contained rural residential enclave within the wider pastoral landscape of the Fitzpatrick Basin and Wakatipu Basin. Overall landscape and visual effects are assessed as low.

The proposed dwelling itself comprises a lodge-style homestead formed by interconnected pavilions. The principal dwelling (approximately 487m² including triple garage) will contain four bedrooms and associated living areas. Two integrated studio units (70.4m² and 95.6m²) are attached via a pavilion linked to the garage.

While the proposal technically breaches the density provisions of Rule 24.5.1.1 (one residential unit per site within the Wakatipu Basin Lifestyle Precinct for sites under 1 hectare), the non-compliance is considered technical in nature. All accommodation is physically and architecturally integrated within a single cohesive building envelope. The development reads as one consolidated homestead rather than multiple dispersed dwellings, thereby avoiding the fragmentation and cumlative effects the density rule seeks to manage.

The maximum building height is 6.5 metres, and all built form is contained within the amended building platform. The architectural design, material palette (weatherboard, schist and metal), and gable roof forms are consistent with the rural-residential character anticipated within the precinct.

A detailed Landscape Mitigation Plan provides substantial new planting, particularly along northern and western boundaries, to soften built form, reinforce wooded edges, and integrate the development within its rural setting. Native and deciduous species will assist in breaking up building mass and maintaining visual amenity. The proposed planting, combined with the consolidated building footprint, ensures the development will not appear visually dominant and will maintain the open, pastoral character of the locality.

Servicing infrastructure is appropriately designed and will result in no more than minor effects.

The proposal represents a well-considered and architecturally cohesive rural homestead development within an established lifestyle enclave.

While the application involves a repositioning of the platform and a technical breach of the density standard, the associated landscape, visual, servicing and amenity effects are assessed as low. The integrated building design, comprehensive landscape mitigation, contained development footprint, and appropriate servicing ensure that the development maintains the rural-residential character and amenity values of the Wakatipu Basin Lifestyle Precinct.

The proposal is considered to promote Part 2 of the Resource Management Act 1991.

3 SITE DESCRIPTION

3.1 SITE DESCRIPTION

The site subject to this application is located at 44 Tullamore Lane, Queenstown, and is legally described as Lot 2 DP 611470 as contained in Record of Title 1216292. A copy of the Title is attached in **Appendix [A].**

According to the Title, the site has an area of 9,652m^2. The site is currently vacant and consists of a formed entrance and structured landscape planting associated with an underlying subdivision.

The site is generally flat and is characterised by a steep escarpment located on the eastern boundary.

Access to the site is achieved via a recently constructed shared right of way.



Figure 1: Aerial image of the subject site and surrounds (Image Source: QLDC GIS).

3.2 SURROUNDING ENVIRONMENT

The surrounding environment is characterised by similar-sized, rural-residential lifestyle allotments, all established by way of a recent subdivision.

3.3 RECORD OF TITLE

As noted, the site is legally described as Lot 2 DP 611470 as contained in Record of Title 1216292. A copy of the Title is attached in **Appendix [A].** There are a suite of covenants listed on the Title and one consent notice. These are attached in **Appendix [B]** and summarised as follows:

Table 1: Summary of instruments on Title

Instrument	Description
13271182.9 Consent Notice	Imposed under RM221139 and details ongoing restrictions including the requirement for buildings to be located within the approved platforms, and associated servicing requirements. A full description of the consent notice is included in Table 2 below.
13271182.12 Covenant	Private covenant detailing: • Timing of construction and completion of works • Compliance with private design codes • Restriction on altering land levels • Restriction in relation to building materials. • No further subdivision • Restriction on the number of units. • Restrictions associated with use of land • Requirement for design approval
13271182.11 covenant	Relates to Area H on DP 611470 near the entrance of the ROW.
12600380.5 Covenant	Private covenant detailing: • Subdivision • Requirements around keeping site tidy • Restrictions on the use of the land.
12600380.1 Covenant	Non objection covenant.
13228116.14 Covenant	Covenant in relation to the Fitzpatrick Water Scheme Limited

4 RESOURCE MANAGEMENT BACKGROUND

Following a review of the site history as publicly available, the following previous resource consents were noted to apply to the site:

- RM221139 being an application under Section 88 of the Resource Management Act 1991 (RMA) for subdivision consent to create ten fee simple allotments, and land use consent to create ten building platforms (one on each proposed allotment) and associated infrastructure, earthworks, access and landscaping. The subject site as it appears today stems from this subdivision.

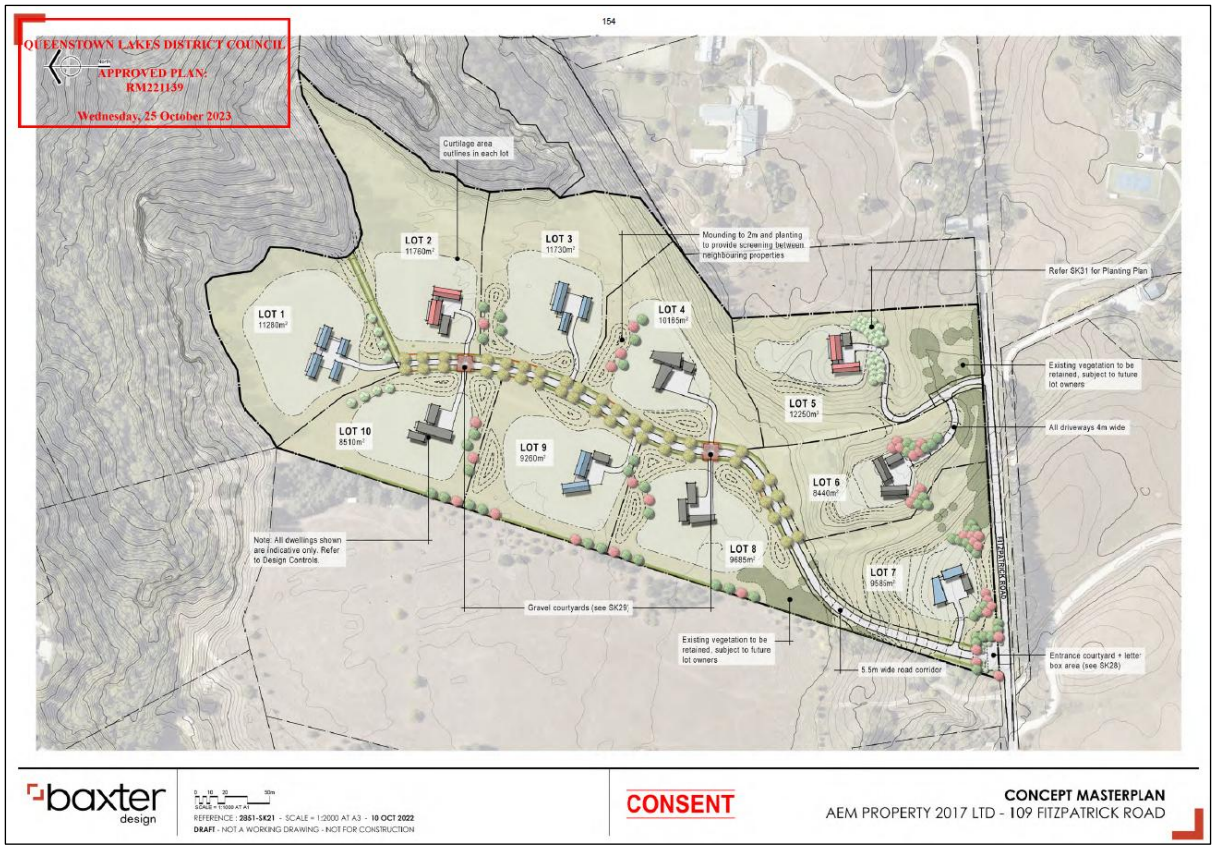


Figure 2: Extract of approved masterplan.

- RM240057 being an application under section 127 of the Resource Management Act 1991 (RMA) to change Condition 1, 16(a), 22(h), and remove Condition 20(a) and replace it with Condition 22(o) and add Condition 24(ee) of resource consent RM221139 as they relate to registering an easement, water supply and telecommunication supply; and an application under section 88 of the RMA to not provide reticulated telecommunication supply to all allotments authorised under RM221139.

5 PROPOSAL

5.1 OVERVIEW

Resource consent is sought to reposition an approved building platform and construct two dwellings and associated minor residential unit on the property at 44 Tullamore Lane, Queenstown.

A detailed description of the proposal is as follows:

5.1.1 Reposition building platform

The site contains a registered residential building platform, established by way of an underlying subdivision application, being RM221139. Due to the specific house design and orientation that is proposed (and discussed later in this report), the applicant seeks to amend the location of the building platform by repositioning the platform to the north-east.

An updated site plan depicting the amended building platform location is attached in **Appendix [C]**, an extract of which is included in the following figure.

The proposed platform remains at 1,000m^2 albeit re-shaped to accommodate the extent of a proposed future dwelling.

The change to the platform location necessitates a variation to the Consent Notice.

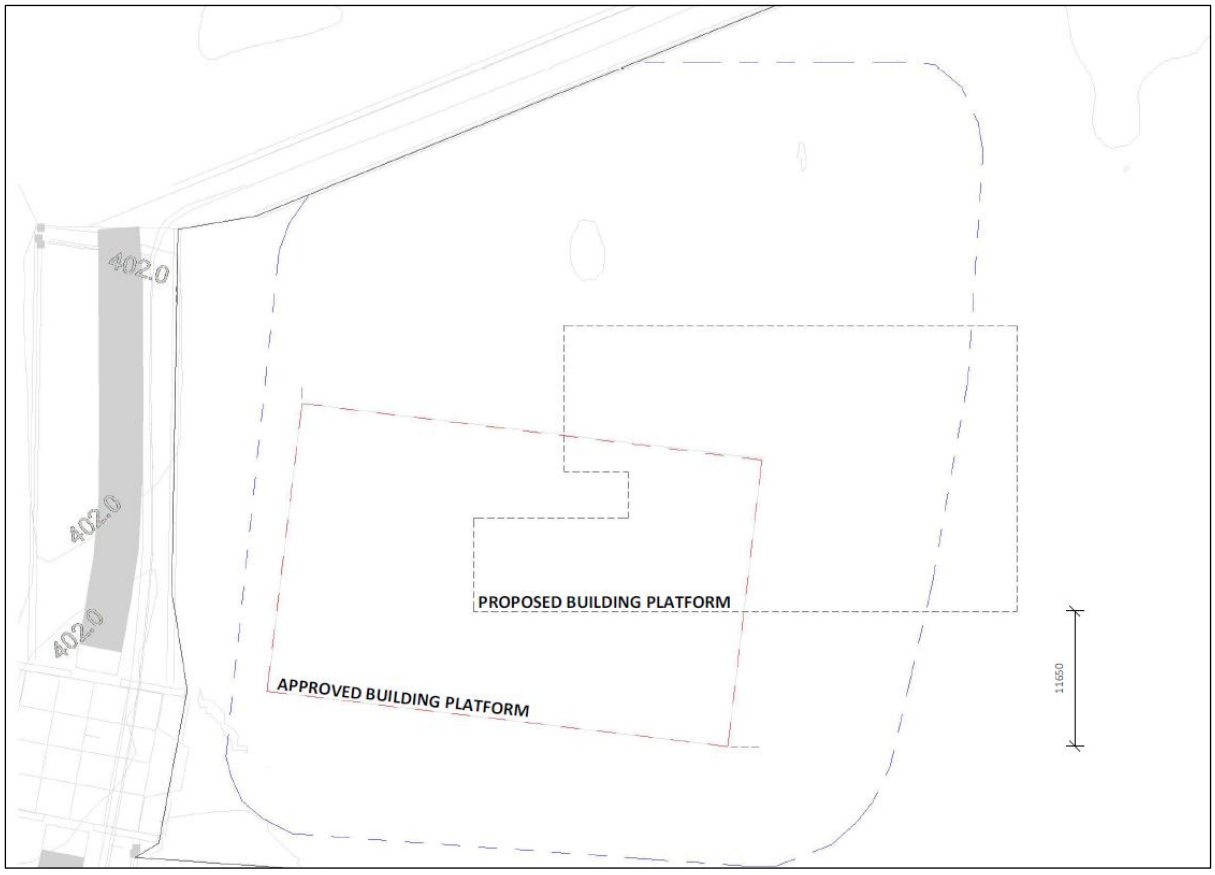


Figure 3: Extract of site plan detailing amended platform location.

The applicant has obtained Affected Party Approval from the underlying developer, and current landowner of the adjoining two properties, endorsing the change in location. A copy of this approval is attached in **Appendix [D].**

5.1.2 Proposed dwellings and residential flat

In addition to relocating the platform, land use consent is concurrently sought to construct a dwelling, associated minor residential unit, and a secondary residential unit.

The architectural design package, detailing the full extent of the proposal, prepared by SA Studio Ltd, is attached in **Appendix [E].** The overall design aesthetics reflects a grand, lodge-style, homestead development comprised of several pavilions interlinked.

The primary residence will occupy the northern three pavilions and will consist of four bedrooms, and open plan dining, living and kitchen. A loft area with associated living room will be located above the dining area. Based on the architectural plans, the dwelling measures around 487m^2 inclusive of a triple car garage.

A fourth pavilion, linked and located to the south of the primary dwelling, will consist of a three-bay garage with associated first floor studio unit. The studio unit consists of a single bedroom and measures around 70.4m^2. A separate wing located (but integrated) adjacent to the garage, will consist of another two-level studio, measuring 95.6m^2 overall.

Combined, the overall development compromises of a total floor area (gross) of 653m^2. In terms of the ground floor alone, this equates to approximately 517m^2.



Figure 4: Extract of floor plan (note: the first floors are not shown).

In terms of exterior design, the structures will consist of a typical gable roof form with associated dormer windows. Exterior cladding will consist of a combination of rusticated weatherboards, schists, and metal. Roofing will consist of colour steel corrugate. The maximum height of the structures will be 6.5 metres as measured to the apex of the gable.



Figure 5: Artistic impression.

The entire structure will be confined to the proposed amended building platform.

5.1.3 Pool and landscaping

A landscape mitigation plan is included in **Appendix [F].**

The Landscape Mitigation plan illustrates substantial new planting around the building platform, particularly along the northern and western boundaries, to provide screening and enhance ecological values. All proposed plant species are on the FENZ low to moderate plant list. These are used for shelter and visual softening, along with various deciduous trees to establish new wooded edges and contribute seasonal interest. Hedges of Portugal Laurel (Prunus lusitanica) are specified for perimeter definition and lower-level screening. These plantings are specifically intended to break up the mass of the buildings, reduce their visual dominance, and assimilate the development within the existing rural residential pattern. Mounding will be used to aid planting form visual screening by giving them a boost in height.

A swimming pool and associated curtilage is proposed to the north of the dwelling.

An extract of the proposed landscape mitigation plan is as follows:

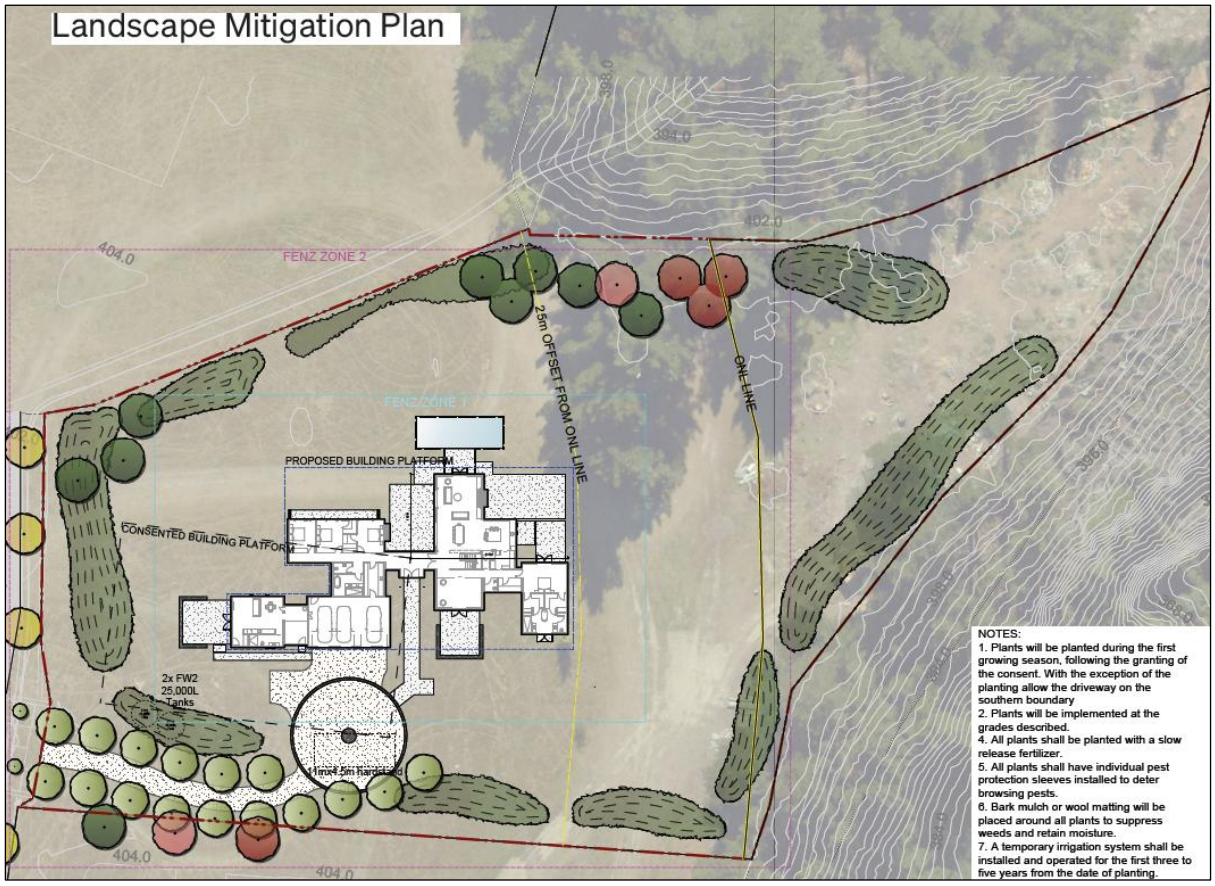


Figure 6:Extract of landscape mitigation plan.

5.1.4 Servicing

In terms of servicing, the applicant has commissioned a report from Geotago Ltd, detailing stormwater and wastewater considerations. A copy of this evaluation is attached in **Appendix [G]** of which the following is noted:

- Water: The site has a share of 10,000 Litres per day from he Fitzpatrick Water Scheme Limited. A copy of the final constitution for the scheme is attached in **Appendix [H]**. The subject site stems from the subdivision of Lot 1 DP 580714 which initially held 100,000 shares in the scheme.

- Stormwater: Roof water will be collected by guttering and piped to a soakage pit. Hardstand living areas can be appropriately shaped so that they fall to a series of drains and sumps before discharging to the soak pit. Gravel driveway water will be shed evenly to the driveway sides and onto a grass verge and swale where stormwater can drain to ground. The size and complexity of the house and roof area, together with the living hardstand areas lends itself to splitting the catchment up to smaller discrete areas that are serviced by their own soak pit of nominal 1m x 1m x 1.2m depth. To address super design events above the 10-year ARI, a secondary flow paths shall be provided via an overflow pipe with flows directed towards existing overland flow paths.

- Wastewater: In terms of wastewater, due to the restricted receiving environment, a system with secondary treatment is recommended. The secondary treatment system will incorporate a septic tank stage where heavy solids will undergo anaerobic digestion. Secondary treatment through physical and aerobic biological processes will then treat the wastewater to a higher standard. AS/NZS 1547:2012 requires the size of the septic tank to be 4,500 litres for a population equivalent of 10 people. This sizing also applies to the primary treatment stage of a secondary treatment system. It is proposed that conventional discharge control trenches/beds are used to apply the treated wastewater to the ground for each new property on the grounds that there is insufficient good quality topsoil on site to accommodate drip irrigation. Based on this design criteria and a 1m wide trench a total of 40 liner metres of pipe (4 x 10m lengths) will be required over and area of 40m^2. Including a 100% reserve area the total trench area will therefore be 80m^2.

- Firefighting will be supplied via onsite tanks as required by the underlying consent notice.

- No changes are promoted to the location of the access. The internal driveway will consist of gravel.

5.1.5 Earthworks

For the most part, the site is relatively level with earthworks limited to topsoil scraping. The site is subject to a covenant restriction which does not allow land modifications without underlying approval from the developer.

6 STATUTORY CONSIDERATIONS

6.1 RESOURCE MANAGEMENT ACT 1991

A **discretionary activity** resource consent in accordance with Section 221(3)(a) of the RMA, which specifies a change to the conditions of a consent notice shall be processed in accordance with Sections 88 to 121 and 127(4) to 132.

The site is subject to one consent notice, being instrument 13271182.9. A review of the consent notice as it relates to the proposal is as follows:

Table 2: Assessment of consent notice 13271182.9.

Condition	Compliance
Consent Notice 13271182.9	
The following condition shall apply to Lots 5, 6 and 7 only: a) The maximum building height on Lots 5, 6 & 7 for dwellings/houses with gable top roof forms shall not exceed 6.5m, and shall not exceed 6.5m above the specified datum of 416masl for Lot 5, 414masl for Lot 6 and 418masl for Lot 7 while the maximum building height for dwellings/houses with mono pitch roof forms shall be 4.5m, and not exceed 4.5m above the specified datum of 416masl for Lot 5, 414masl for Lot 6 and 418masl for Lot 7.	n/a
The following condition shall apply to Lots 5 and 6 only: b) The owners for the time being of Lots 5 and 6, at their own cost, shall ensure that vegetation, boundary fencing or other structures shall be kept trimmed as necessary to ensure that at least 40m sight distance is always available in each direction along the Right of Way on Lot 1 DP 20572.	n/a
The following condition shall apply to Lot 100 only: c) No subdivision or development is permitted on Balance Lot 100.	n/a
The following condition shall apply to Lots 1 and 2 only: d) No subdivision or development is permitted within Covenant Areas C and D on DP 611470.	Complies. No subdivision proposed and no development proposed in Area D.
The following conditions shall apply to all Lots (unless context indicates otherwise): e) All residential units and flats on Lots 1-10 shall be located within the approved Residential Building Platforms marked as area P, Q, R, S, T, U, W, X, Y and Z on DP 611470 (**Building Platforms**).	Variation to consent notice pursuant to Section 221 of the RMA required to amend the location of the approved platform.
f) The minimum floor levels for the buildings on the Lots will be as follows: • Lot 3 – 403.10m • Lot 4 – 403.10m • Lot 8 – 403.45m • Lot 9 – 403.55m • Lot 10 – 403.20m *These levels are in terms of NZVD 2016.*	n/a. Site is Lot 2.
g) For mono pitch dwellings, roofs shall be between 10 - 15 degrees.	n/a. Roof is gable design.
h) All roof colours should have a light reflectivity value (LRV) of less than 20% and be within the tones of grey, green or brown.	Complies

i) All exterior surfaces must be coloured in the range of browns, greys or greens with a LRV of 27% or less including pre-painted steel and all other surfaces except for schist stone. Includes cladding and built landscaping that cannot be measured by way of LRV but is deemed by the Council to be suitably recessive and have the same effect as achieving a LRV of 30% or lower. This condition excludes soffits, windows and glazing.	Complies
j) All window and door joinery, gutters and downpipes shall be coloured to match the roof and exterior wall cladding colour.	Complies
k) All domestic landscaping and structures including, but not limited to, clotheslines, outdoor seating areas, tennis courts, pools, pergolas, garden sheds, external lighting, amenity gardens and mown lawns shall be confined to the domestic curtilage area as shown on the plan titled *"Planting Plan – As Built AEM Property (2017) Limited – Fitzpatrick Road"* prepared by Baxter Design Limited, Ref: 2851-SK35 dated 14/03/2025 and stamped as approved by Council on 23 April 2025 (held on Council's eDocs platform in the RM221139 subdivision file) (**Approved Planting Plan**).	Does not comply. Small amount of outdoor patio areas associated with master bedroom extends beyond the curtilage. Additional landscaping is proposed beyond the curtilage. Variation to this condition pursuant to s221 of the RMA.
l) No provision for garden art or sculpture beyond the curtilage areas as shown on the Approved Planting Plan (**Curtilage Areas**) are permitted.	To comply.
m) All planting as shown on the Approved Planting Plan must be maintained and irrigated in accordance with the Planting Plan. If any plant or tree shall die or become diseased it shall be replaced within 12 months as per the Approved Planting Plan, and if any existing tree shown on the Approved Planting Plan to be retained requires replacement it shall be with a tree of the same species no less than 2m in height and a 25mm calliper.	Ongoing obligation remains.
n) Amenity domestic garden planting is permitted within the Curtilage Areas only. No variegated tree / shrub planting is permitted.	To comply.
o) All areas outside the Curtilage Areas shall be maintained in a tidy pastoral meadow grassland, maintained by seasonal cutting mowing and / or grazing and shall not be maintained as a lawn.	Ongoing obligation remains.
p) All fencing materials outside the Curtilage Areas are restricted to 1m high post and wire fencing only for the purpose of containing stock.	Ongoing obligation remains.
q) Vehicle courtyards within the defined Curtilage Areas are restricted to gravel or exposed aggregate only.	Complies
r) All vehicle access drives outside of the Curtilage Areas shall be gravel of a local grey coloured stone such as schist or greywacke and exclude the use of concrete kerb and channels.	Complies
s) All external lighting shall be restricted to down lighting only to protect the night sky and no higher than 1.5m, and shall be located within the domestic Curtilage Areas only. There shall be no lighting along driveways or gateways outside of the domestic Curtilage Areas, and no light spill shall be created beyond the boundary of the Lot.	Complies
t) Air conditioning units, meters or any other electronic units relating to the house shall be painted to match house cladding or screened with planting.	To Comply.
u) All site utilities such as gas supply, electrical supply, storm water piping, foul sewer, and telecommunications, shall be underground or contained within the building structure.	To Comply.
v) All water tanks shall be located within the Curtilage Areas only and buried underground if possible or, if not, fully screened by planting. All above ground water tanks must comply with the building colour controls.	To Comply.

w) Lots 1 - 10 shall be maintained free of the following wilding species: a. Douglas Fir - Psuedotsuga menziesii; b. European Larch - Larix decidua; c. Lodgepole Pine - Pinus contorta; d. Monterey Pine - P. radiata; e. Black Pine - P.nigra; f. Bishops Pine – P. muricate; g. Ponderosa Pine – P. ponderosa; h. Mountain Pine – P. mugo uncinata; i. Dwarf Mountain Pine - P. mugo; j. Maritime Pine - P. pinaster; k. Scots Pine - P.sylvestris; l. Sycamore - Acer psudoplatanus; m. Common Hawthorn - Crataegus monogyna; n. Boxthorn – Lycium ferocissimum; o. Buddleia – Buddleja davidii; p. Grey willow – Salix cinereal; q. Crack Willow – Salix fragilis; r. Cotoneaster – Simonsii; s. Rowan – Sorbus aucuparia; t. Spanish heath – Erica lusitanica;	To comply.
x) All Lot owners are required to comply with the management regime established under Easement Instrument 13271182.7 as required by condition 22(f) of RM240057. This management regime shall be maintained at all times and ensure the implementation and maintenance of all internal roading associated with the development.	To comply.
y) In the event that the management regime established under Easement Instrument 13271182.7 is unable to undertake, or fails to undertake, its obligations and responsibilities stated above, then the Lot owners shall be responsible for establishing a replacement management regime and, in the interim, shall be jointly responsible for undertaking all necessary functions.	To comply.
z) At the time a residential unit is erected on Lots 1-10, 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 an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by Railton Contracting Ltd, dated 19/10/2021 (as submitted with the Services Report for RM221139) and held on Council's eDocs platform under RM221139. Lots 1, 9 and 10 shall include a minimum of a secondary treatment level. The design shall not place any part of the treatment system within any overland flow path marked as areas K, L, M, N and O on DP 611470. The proposed wastewater system shall be subject to Council review and acceptance prior to implementation and shall be installed prior to occupation of the residential unit.	Complies as per Geotago Report
aa) The wastewater disposal field shall be located where it can avoid vehicular traffic and large stock, such as cattle, horses and deer. Should vehicular traffic and large stock, such as cattle, horses and deer be unavoidable, a physical barrier shall be erected, such as fencing or other suitable measures that will prevent vehicles and stock from passing over the disposal area.	Complies as per Geotago Report
bb) At the time that a residential unit is erected on Lots 1-10, the owner for the time being shall treat the domestic water supply so that it complies with the Water Services Act 2021 and Water Services (Drinking Water Standards for New Zealand) Regulations 2022 and Aesthetic Values for Drinking Water Notice 2022 (or superseding legislation and standards and notices).	Complies as per Geotago Report
cc) At the time a residential unit is erected on Lots 1-10 the owner for the time being shall construct an access way to the residential unit that complies with the guidelines provided for in Council's Land Development and Subdivision Code of Practice. The access shall have a minimum formation standard of 150mm compacted AP40 with a 3.5m minimum carriageway width. Provision shall be made for stormwater disposal from the carriageway.	To comply
dd) At the time a residential unit is erected on Lots 1-10, domestic water and firefighting storage is to be provided. A minimum of 45,000 litres shall be maintained at all times as a static firefighting reserve. 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	Complies.

ee) If, during development no hardwired telecommunication connection (wire or fibre optic) has been provided to the allotment; any telecommunication reticulation that is subsequently installed shall be at the cost of the lot owner for the time being and protected with any necessary easements. The services shall be underground and in accordance with the telecommunication network provider's requirements.	To comply

Based on the above, the proposal seeks to vary the following conditions (added text **underlined**):

> *e) All residential units and flats on Lots 1-10 shall be located within the approved Residential Building Platforms marked as area P, ~~Q~~, R, S, T, U, W, X, Y, and Z on DP 611470* ***with the exception of area Q which is amended as per RM26xxxxx.***
>
> *k) All domestic landscaping and structures including, but not limited to, clothelines, outdoor seating areas, tennis courts, pools, pergolas, garden sheds, external lighting, amenity gardens, and mown lawns shall be confined to the domestic curtilage as shown on the plan titled "Planting Plan – As Built AEM Property (2107) Limited – Fitzpatrick Road" Prepared by Baxter Design Limited, Ref: 2851-SK35 dated 14/03/2025 and stamped as approved by Council on 23 April 2025* ***with the exception of that approved under RM26xxxxx.***

6.2 OPERATIVE QUEENSTOWN LAKES DISTRICT PLAN

QLDC currently has an Operative District Plan (ODP) and a Proposed District Plan (PDP).

Council notified its decisions on Stage 1 of the PDP on 7 May 2018, notified its decisions on Stage 2 of the PDP on 21 March 2019 and notified its decisions on Stages 3 and 3B of the PDP on 1 April 2021. There are a number of appeals on these decisions.

Where there are rules in the PDP that are treated as operative under s.86F of the RMA, corresponding rules in the ODP are treated as inoperative.

In this case, there are no relevant rules under the ODP as the previously relevant rules of the Rural General zone are treated as inoperative given the relevant rules under the PDP are treated as operative pursuant to section 86F.

6.3 PROPOSED QUEENSTOWN LAKES DISTRICT PLAN

The application site is zoned Wakatipu Basin Rural Amenity, Wakatipu Basin Lifestyle Precinct sub-zone and Rural by the PDP.

The site is also located within Landscape Character Unit 2 (Fitzpatrick Road).

An extract of Council's Planning Maps is as follows:

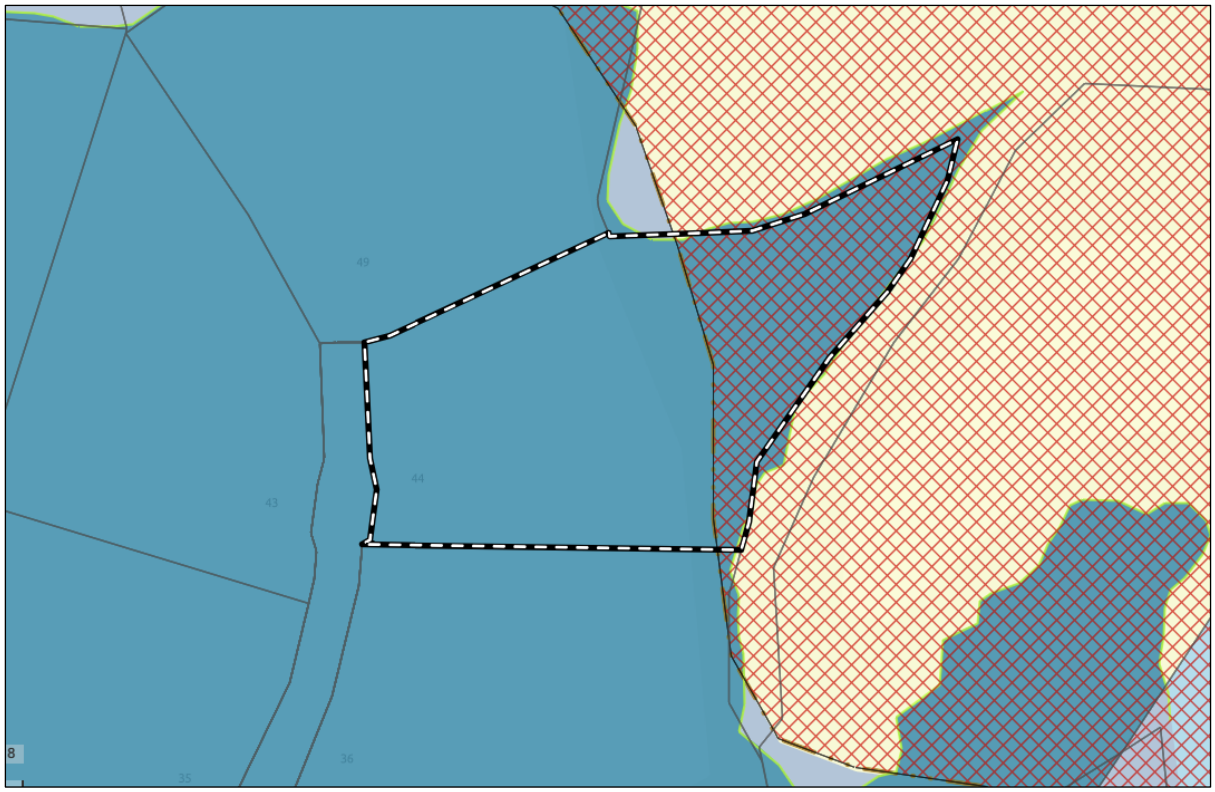


Figure 7: Extract of QLDC Planning Maps.

All activities proposed are confined entirely to the Wakatipu Basin Lifestyle Precinct. An evaluation of the proposal under the relevant provisions of the Wakatipu Basin Lifestyle Precinct sub-zone are as follows:

Table 3: Assessment of Wakatipu Basin Lifestyle Precinct provisions of the Proposed Queenstown Lakes District Plan.

Rule	Requirement	Compliance
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.	Complies
24.4.4	The alteration of any lawfully established building used for residential activity.	n/a
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.	Does not comply. Refer to Rule 24.4.7.
24.4.6	The construction of buildings for residential activity not provided for by Rules 24.4.5 to Rule 24.4.7A.	n/a
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.	Does not comply. The site contains a platform. The proposed dwelling will be located outside of the specified platform. The platform location is sought to be altered concurrently.
Standards		
24.5.1.1	For sites with a net site area of 1 hectare or less and zoned in part or whole Wakatipu Basin Lifestyle Precinct, a maximum of one residential unit per site.	Does not comply

		The proposal seeks to accommodate two dwellings and one residential flat.
24.5.1.3	Where Rule 24.5.1.1 or Rule 24.5.1.2 applies, all residential units (including residential flats) must be located within the area zoned Wakatipu Basin Lifestyle Precinct.	Complies
24.5.2.1	Within the Wakatipu Basin Lifestyle Precinct, any residential flat must be separated from the principal residential unit by no more than 10 metres.	Complies
24.5.4	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%.	Complies
24.5.5	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.	n/a As the proposal seeks to amend the platform location, Rule 24.4.5 is not applicable and therefore Standard 24.5.5 is not applicable.
24.5.6	The building coverage of all buildings on a site not subject to Rule 24.5.5 must not exceed 15% of net site area, or 500m^2, whichever is the lesser.	Does not comply. 15% of 9,652m^2 is 1,447.8m^2. As such, the 500m^2 threshold applies. The proposed buildings collectively exceed this (653m^2 GFA or 517m^2 ground floor only)
24.5.7.1	The minimum setback of any building from internal boundaries shall be 10m, except where Rule 24.5.7.2 applies.	Complies
24.5.8.1	The maximum height of buildings shall be 6.5m.	Complies
24.5.9	Setbacks from roads	n/a
24.5.10.1	Within the Lifestyle Precinct only, any building or vehicle access shall be located a minimum of 50m from the boundary of any Escarpment, Ridgeline or River Cliff Feature shown on the District Plan web mapping application.	Does not comply. New dwelling location is within 50 metres of escarpment.
24.5.10.4	Rules 24.5.10.1 to 24.5.10.3 do not apply to the construction of buildings for residential activity pursuant to Rule 24.4.5.	n/a. While the relocation of the platform is sought, the new platform location is not currently authorised.
24.5.19	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	Complies

	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.	

Based on the assessment above, the proposal would trigger the following rules:

- A **non-complying activity** pursuant to Rule 24.4.7 for 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. While the building platform location is sought to be amended concurrently, Rule 24.4.7 is triggered on the basis that the current platform location is registered in a location in which the dwelling will not be located in. In addition, the swimming pool, defined as a building, and associated fencing will be outside of the platform.

- A **non-complying activity** pursuant to Rule 24.5.1.1 for sites with a net site area of 1 hectare or less and zoned in part or whole Wakatipu Basin Lifestyle Precinct, a maximum of one residential unit per site. In this case, the proposal involves the establishment of three self-contained elements, one of which meets the definition of a residential flat. As such, the proposal requires consideration for two residential units.

- A **restricted discretionary activity** pursuant to Rule 24.5.6 where the building coverage of all buildings on a site not subject to Rule 24.5.5 must not exceed 15% of net site area, or 500m^2, whichever is the lesser. In this case, the buildings collectively exceed the 500m^2 requirement (approximately 517m^2).

- A **restricted discretionary activity** pursuant to Rule 24.5.10.1 for any building located within 50 metres from the boundary of any Escarpment, Ridgeline or River

Cliff Feature shown on the District Plan web mapping application. In this case, the amended dwelling location is within 50 metres.[1]

6.4 NATIONAL ENVIRONMENTAL STANDARD

During the processing of RM221139, the Council confirmed that the *National Environmental Standard for assessing and managing contaminants in soils to protect human health 2011* (NES) was not applicable. As such, no further consideration of the NES is considered necessary.

6.5 OVERALL ACTIVITY STATUS

Overall, the proposal is assessed as a **non-complying activity.**

7 PERMITTED BASELINE

The consent authority may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect.

The site subject to this application sits within the Wakatipu Basin Lifestyle Precinct of the Proposed District Plan. In this Zone, while the provision of buildings outside of a registered building platform requires a consent, the inherent use of land or buildings for residential activities is a permitted activity[2].

In addition, it is permitted to undertake earthworks of up to 400m^3 in volume.

Any effects associated with those activities permitted by the District Plan can be disregarded in the assessment of this application. The permitted baseline is considered relevant insofar as the use of the land and buildings for domestic purposes along with earthworks.

8 ASSESSMENT OF EFFECTS

8.1 OVERVIEW

Schedule 4 of the Resource Management Act 1991 (RMA) details the information required to be included in an assessment of environmental effects. An assessment in this regard as it accords to Clause 6 of Schedule 4 is included as follows:

8.2 EFFECTS ON THE ENVIRONMENT

If it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:

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[1] It is noted that Rule 24.5.10.4 states that Rule 24.5.10.1 does not apply to the construction of dwellings within an approved platform pursuant to Rule 24.4.5. In this case, while the relocation of the platform is concurrently sought, the new platform is yet to be authorised.
[2] Rule 24.4.3 of the Proposed District Plan.

As will be detailed in the assessment to follow, the proposed activity will not result in any significant adverse effects on the environment. Any effects there are, will be adequately remedied and mitigated. Alternative locations are therefore not considered necessary.

An assessment of the actual or potential effect on the environment of the proposed activity.

8.2.1 Overview of effects assessment

In considering the actual and potential adverse effects of the proposal on the environment, it is considered that the following matters (effects) are most applicable:

- Landscape character;
- Visual amenity;
- Density;
- Access;
- Hazards; and
- Infrastructure.

8.2.2 Landscape Character and visual amenity

It is noted that the variation to the building platform requires consideration as a discretionary activity pursuant to s221 of the RMA. The applicant has liaised and sought approval from the underlying developer, and current landowner of the adjacent Lots in relation to the platform relocation of which their approval is attached in **Appendix [D].**

It is noted that the construction of a dwelling within an approved platform is a controlled activity pursuant to Rule 24.4.5.1. For the most part, the proposed dwelling, minus the kitchen in the third studio, meets the requirements under Rule 24.4.5.1 for a controlled activity. However, for the sake of efficiency, it is sought to seek consent for the dwelling concurrently to the amendment to the platform. This has the effect of triggering more restrictive activity classifications in terms of District Plan infringements.

The provision of buildings and structures has the potential to generate adverse landscape and visual effects depending on the character and underlying landscape values pertaining to the site and surrounds.

The effects of the proposal on landscape and visual amenity were considered by Mr Gerard O'Connell (Landscape Architect). Mr O'Connell's assessment is attached in **Appendix [I].**

In considering Mr O'Connel's assessment, Mr O'Connell correctly identifies the site as being located in Landscape Character Unit 2 (LCU2). Mr O'Connell concludes that the proposed amendment involves shifting the building platform approximately 21 metres to the east and 11 metres to the north to better align with an established cluster of rural living dwellings along Tullamore Lane. While the dwelling will be positioned closer to the Outstanding Natural Landscape (ONL) boundary, a setback of approximately 25 metres will be maintained. With the implementation of proposed mitigation planting along the site boundaries, Mr O'Connell considers that any potential adverse landscape and visual effects will be appropriately avoided or mitigated.

The currently consented platform was established during the subdivision process using a standardised 50-metre offset from the ONL boundary, without detailed site-specific assessment of landscape outcomes. As a result, Mr O'Connell considers the platform is less integrated with the existing pattern of development and has a greater potential to affect the amenity of adjoining properties to the north, west and south. The revised platform location achieves a more cohesive and logical development outcome and is considered to better respond to the character of the immediate environment.

Overall, when viewed from public locations between approximately 20 metres and 2 kilometres from the site, the proposed relocation of the platform will not result in any additional adverse visual effects. Mr O'Connell considers the proposal will maintain the open pastoral character and rural amenity values experienced within the Fitzpatrick Basin and the wider Wakatipu Basin. Accordingly, the amendment and subsequent construction of a dwelling within the relocated platform are assessed as resulting in a low level of adverse effects on the landscape and visual amenity of the site and its receiving environment. The landscape effects are therefore no more than minor.

In terms of effects associated with the minor elements beyond the curtilage, these are unlikely to be discernible in the sense that the minor shift in location on the wider 9,000m^2 will be immaterial.

The proposed pool, being at grade and cohesively associated with the dwelling, will not be visible from beyond the site and will not result in undue landscape effects. Its location outside of the platform is therefore considered to generate less than minor effects.

In considering the development overall, it is prudent to acknowledge that the site contemplates a substantial residential build. The minor relocation of the platform is not going to be materially noticed by any person and the scale and design aesthetics of the dwelling is one that is contemplated by the underlying subdivision. The overall outcomes sought are not too dissimilar to what is expected.

8.2.3 Density

Rule 24.5.1.1 provides that for sites with a net site area of 1 hectare or less and zoned in part or whole Wakatipu Basin Lifestyle Precinct, a maximum of one residential unit per site is permitted.

The subject site has a net area of approximately 9,652m² and is therefore subject to this density limitation. The proposal comprises an architecturally designed homestead containing a four-bedroom main dwelling and two attached studio units (95.6m² and 70.4m² respectively). As drafted, the proposal technically results in more than one residential unit on the site and therefore breaches Rule 24.5.1.1.

While the proposal gives rise to a density non-compliance, the breach is considered to be technical in nature. The two studio units are not freestanding or separate buildings dispersed across the site. Rather, they are physically and functionally integrated within a single, cohesive building envelope. The studios are located within a pavilion attached to the garage, with the garage itself directly connected to the main dwelling. As such, the entire development reads as a single homestead when viewed in the landscape.

The integrated architectural design ensures that the built form presents as one comprehensive residential complex, rather than multiple discrete dwellings. There is no fragmentation of built form, no duplication of accessways, and no visual pattern of intensified rural development that would typically be associated with a density breach.

The purpose of the density rule within the Wakatipu Basin Lifestyle Precinct is to maintain a low-density rural living character, avoid suburbanisation of the landscape, and protect the open, spacious qualities that underpin the Basin's visual amenity values.

In this instance, those underlying objectives are not undermined for the following reasons:

- The proposal results in one consolidated building cluster rather than multiple detached dwellings. The perception from adjoining sites and public viewpoints will be of a single homestead.
- The studios do not expand development across the site; instead, they are incorporated within the overall architectural composition.
- The site will be landscaped in accordance with the plan prepared by Mr O'Connell, ensuring integration of the building within its rural setting and reinforcing the spacious pastoral character of the locality.
- The proposal does not create additional allotments or establish a pattern that would enable further intensification.

The scale of development remains consistent with expectations for a lifestyle property of this size. The overall site area (9,652m²) is substantial and capable of accommodating the proposed homestead and associated landscaping without compromising openness or rural amenity.

Although the studios are capable of independent occupation, their physical attachment and architectural integration means they do not function or appear as separate dwellings in a land use planning sense. There is a single point of access, a unified design language, and shared services and circulation. Accordingly, the environmental effects typically associated with additional residential units, such as increased visual clutter, dispersed built form, or erosion of rural character, are avoided.

While the proposal technically breaches the density standard in Rule 24.5.1.1, the resulting effects are low. The development will present as a single, architecturally cohesive homestead set within a comprehensively landscaped rural site. The breach does not give rise to the adverse outcomes the density rule seeks to manage, namely suburbanisation, fragmentation of built form, or loss of openness.

For these reasons, the density non-compliance is considered minor and the proposal is consistent with the broader character and amenity expectations of the Wakatipu Basin Lifestyle Precinct.

8.2.4 Servicing

An assessment of servicing has been undertaken by Geotago Ltd, with the full report attached as **Appendix [G].** The report addresses water supply, stormwater management, wastewater disposal, firefighting supply, and access arrangements. On the basis of that

assessment, it is concluded that the proposal can be adequately serviced, with effects no more than minor.

Water Supply

The site holds an allocation of 10,000 litres per day from the Fitzpatrick Water Scheme Limited. This allocation is derived from the original 100,000 shares attached to Lot 1 DP 580714 prior to subdivision. A copy of the scheme constitution is provided in **Appendix [H].**

The available water allocation is sufficient to service the proposed homestead, including the main dwelling and attached studio units. The proposal does not exceed the site's allocated capacity, and therefore will not result in adverse effects on the wider scheme or other users.

Stormwater

Stormwater will be managed on-site through a series of soakage pits designed in accordance with good engineering practice. Roof water will be collected via guttering and directed to soakage pits. Hardstand areas will be graded to drain to sumps prior to discharge to soak pits, while runoff from the gravel driveway will be directed to adjacent grass verges and swales for infiltration.

Given the scale and configuration of the dwelling and associated hardstand areas, the catchment will be divided into smaller discrete areas, each serviced by a nominal 1m x 1m x 1.2m soak pit. This distributed approach reduces concentration of flows and promotes effective infiltration.

To address rainfall events exceeding the 10-year ARI, secondary overflow paths will be provided via overflow pipes directing flows toward existing overland flow paths. This ensures that stormwater will be appropriately managed during both design and extreme rainfall events, without creating adverse off-site effects.

Wastewater

The wastewater assessment has been prepared on the basis of a six-bedroom equivalent design, resulting in a maximum design occupancy of 10 persons in accordance with AS/NZS 1547:2012. Using a standard wastewater generation rate of 200 litres per person per day, the maximum daily flow is calculated at 2,000 litres per day.

A secondary treatment system is proposed due to the nature of the receiving environment. The system will include:

- A primary septic tank stage (4,500 litres), sized in accordance with AS/NZS 1547:2012 for a population equivalent of 10 persons; and

- Secondary treatment through aerobic biological processes to achieve a higher standard of effluent quality prior to land application.

Treated wastewater will be discharged to ground via conventional discharge control trenches. Given the limited depth of quality topsoil on site, drip irrigation is not considered appropriate. The design provides for 40 linear metres of trench (4 x 10m lengths), covering 40m², plus a 100% reserve area, resulting in a total disposal area of 80m².

Should the final dwelling configuration differ (for example, changes in bedroom numbers or incorporation of water-reduction features), the system can be refined at Building Consent stage. The proposed system is consistent with national standards and is appropriately sized to manage anticipated wastewater flows, with no off-site discharge anticipated.

Overall, and relying on the Geotago Report, onsite wastewater is considered feasible.

Firefighting Water Supply

Firefighting water will be provided via on-site storage tanks in accordance with the underlying consent notice requirements. This ensures compliance with relevant fire safety standards and avoids reliance on external reticulated supply.

8.2.5 Access

No changes are promoted to the access arrangements of the site.

In terms of traffic, the proposal will result in traffic generation from one residential dwelling and two single-bedroom studios effectively. The scale of traffic generation is considered to be no more than minor.

Overall, the proposal is not considered to result in any adverse traffic effects.

8.2.6 Natural hazards

Natural hazards were considered during the processing of the underlying subdivision where the following conclusion was made:

> *WSP undertook a review of natural hazard risks that may affect the application site and associated 10 proposed allotments. This review did not identify any, or propose any necessary mitigation, as such Mr Hewland has made no further comment in this regard.*

A further review of natural hazards is considered in the body of the geotechnical report attached in **Appendix [G]** where it is concluded that no hazard concerns arise.

8.2.7 Summary of effects

Overall, the proposal is considered to generate no more than minor adverse effects on the environment.

8.3 EFFECTS ON PERSONS

> *Identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted*

In considering effects on persons, the most relevant neighbours are the two adjoining Lots to the north and south of the subject site, as well as the two properties to the immediate west/south-west:

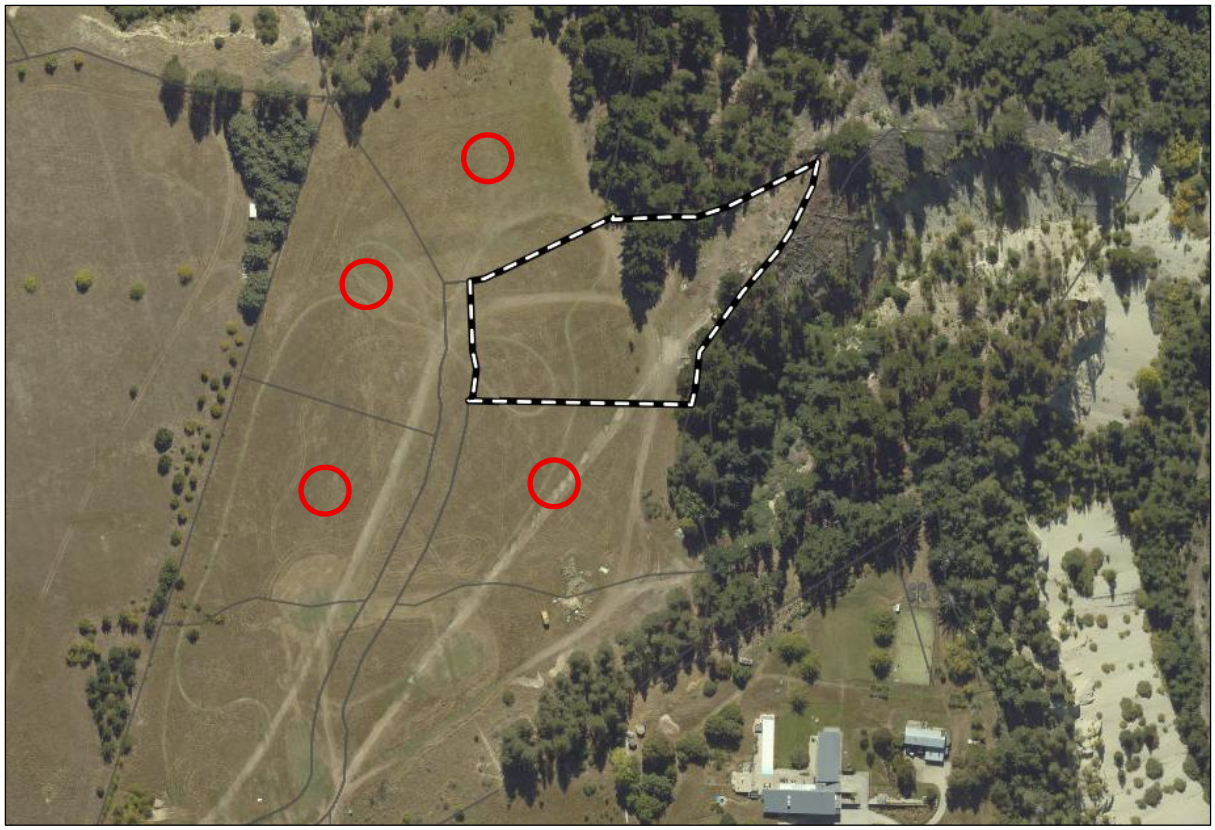


Figure 8: Location of adjoining neighbours.

Written approval has been provided by the landowners in respect of the relocation platform and therefore effects on them can be disregarded.

The repositioned building platform remains within the established rural residential enclave and does not introduce development beyond what was anticipated through the underlying subdivision consent. While the platform shifts approximately 21 metres east and 11 metres north, the dwelling remains contained within a defined 1,000m² platform and maintains a generous separation distance from adjoining properties. The platform location itself is endorsed, which in turn suggests that the dwelling will be acceptable.

The built form is architecturally articulated and limited to a maximum height of 6.5 metres, which is consistent with expectations for rural lifestyle development. The two studio units are physically integrated within the overall homestead and do not create the appearance of multiple detached dwellings or intensification across the site.

Comprehensive landscape mitigation planting, particularly along the northern and western boundaries, will soften the visual presence of the development and provide effective screening over time.

Accordingly, the proposal will maintain the rural amenity, privacy, outlook, and character experienced by neighbouring properties, with any effects considered to be low and less than minor.

9 SECTION 95 NOTIFICATION

9.1 PUBLIC NOTIFICATION

Section 95A gives a council discretion to decide whether to publicly notify an application or not. There are a total of four steps that are to be followed to publicly notify consent applications under Sections 95A (2) to 95A (9). These steps are addressed in the Table below.

Table 4: Public notification assessment.

Test	Yes/No	Comments
Step 1: Mandatory notification in certain circumstances – section 95A(3)		
Has the applicant requested that the application be publicly notified?	No	
Is public notification required under s95C (following a request for further information or commissioning of report)?	No	
Is the application made jointly with an application to exchange reserve land?	No	
Step 2: If not required by Step 1, notification is precluded if any of these circumstances apply – section 95A(5)		
Does a rule or NES preclude public notification for all aspects of the application?	No	
Is the application a controlled activity?	No	
Is the application a restricted discretionary or discretionary activity for a subdivision?	No	
Is the application a restricted discretionary or discretionary activity for residential activity?	No	
Is the application a boundary activity (other than a controlled activity)?	No	
Step 3: Notification required in certain circumstances if not precluded by Step 2 – section 95A(8)		
Does a rule or NES require public notification?	No	
Will the activity have, or is it likely to have, adverse effects on the environment that are more than minor?	No	
Step 4: Relevant to all applications that don't already require notification – section 95A(9)		
Do special circumstances exist that warrant the application being publicly notified?	No	The proposal is not considered to be unique or out of the ordinary in this context and is entirely consistent with the scale of development that characterises the surrounding environment.

9.2 LIMITED NOTIFCATION

Section 95B gives a council discretion for limited notification of consent application. Similar to public notification, there are a total of four steps that are to be followed for limited

notification consent applications under Sections 95B (2) to 95A (10). These steps are addressed in the below Table:

Table 5: Limited notification assessment.

Test	Yes/No	Comments
Step 1: Certain affected groups/persons must be notified – sections 95B(2) and (3)		
Are there any affected protected customary rights groups or customary marine title groups?	No	
If the activity will be on, adjacent to, or might affect land subject to a statutory acknowledgement - is there an affected person in this regard?	No	
Step 2: If not required by Step 1, notification is precluded if any of the following apply – section 95B(6)		
Does a rule or NES preclude limited notification for all aspects of the application?	No	
Is the application a controlled activity?	No	
Step 3: Notification of other persons if not precluded by Step 2 – sections 95B(7) and (8)		
In the case of a boundary activity, is the owner of an allotment with an infringed boundary considered affected under s95E?	No	
Are there any other affected persons under s95E, i.e. persons on whom the effects are minor or more than minor, and who have not given written approval?	No	
Step 4: Notification in special circumstances – section 95B(10)		
Do special circumstances exist that warrant the application being notified to any persons not identified above?	No	

9.3 NOTIFICATION CONCLUSION

Based on the assessment above, it is considered that the proposal does not warrant notification in that the adverse effects of the proposal on the environment will be no more than minor.

In addition, the proposal is not considered to warrant limited notification in that no person(s) are considered to be adversely affected by the proposed activities.

10 SECTION 104(1)(b) ASSESSMENT

Clause 2(1)(g) of Schedule 4 of the Resource Management Act 1991 requires an assessment against any relevant planning documents that are referred to in Section 104(1)(b) (of the RMA). This includes;

- A national environmental standard
- Other regulations
- A national policy statement
- A New Zealand coastal policy statement
- A regional policy statement or proposed regional policy statement

- A plan or proposed plan

In this case, the most relevant document is that of the Operative and Proposed Queenstown Lakes District Plan.

10.1 OPERATIVE QUEENSTOWN LAKES DISTRICT PLAN

Under the Operative District Plan, Objective 1 of the Rural Area is concerned with protecting the character and landscape value of the rural area by promoting sustainable management of natural and physical resources and the control of adverse effects caused through inappropriate activities. Similarly, Objective 3 and associated policies seek to avoid, remedy, or mitigate adverse effects on rural amenity.

In terms of effects on rural amenity, the site is effectively that of a residential lifestyle allotment as are all of the surrounding properties. Rural activities are largely absent from the site and as a result, the proposal will not detract from rural amenity values.

With regard to effects on landscape and visual amenity, Mr O'Connell's assessment confirms that these effects are very low.

Overall, the proposal is considered to be consistent with the policy framework of the Operative District Plan.

10.2 PROPOSED QUEENSTOWN LAKES DISTRICT PLAN

Chapter 24

Under the Proposed District Plan, the most relevant matters are those contained within the Wakatipu Basin Lifestyle Precinct.

The following objectives and policies are considered most relevant in this case:

Table 6: Assessment of Chapter 24.

Provision	Assessment
24.2.1 Objective - Landscape character and visual amenity values in the Wakatipu Basin are maintained or enhanced.	Reliance is placed on the landscape assessment undertaken by Mr O'Connell which is reproduced as follows: *The proposal, which involves an adjustment to a previously consented building platform, is designed to align with this objective. By carefully selecting a slightly altered building platform location that better integrates with the proposed cluster of dwellings, and by implementing a comprehensive landscape mitigation plan, the proposal aims to maintain, and where possible, enhance the landscape character and visual amenity of this part of the Wakatipu Basin. The architectural design employs recessive forms, natural materials (schist, timber, muted metal), and a broken-down massing to ensure the built form is subservient to the landscape. While introducing new built form, the design choices and mitigation measures are intended to reduce visual impact and allow the landscape to remain the dominant*

	element, thereby supporting the maintenance of the Basin's landscape values. Relying on this assessment, the proposal is considered **not contrary** to this objective.
24.2.1.6 - Ensure subdivision and development is designed (including accessways, services, utilities and building platforms) to minimise inappropriate modification to the natural landform.	The site is largely flat and despite the slight shift in the platform location, the overall development is more or less within an area that has been determined as appropriate for future development. As such, no unnecessary modifications to the landform will result. Overall, I consider the proposal is **not contrary** to this 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.	As per Mr O'Connell's assessment: • Landscape mitigation of the adjusted building platform has been carefully designed to minimise its visual intrusion on the ONL. The slight shift from the previous consent and introduction of landscape mitigation results in reducing its prominence. • The architectural approach is inherently recessive, utilising traditional forms, natural materials (schist, timber), and colours that echo the surrounding landscape. The multi-faceted form helps to break down the overall mass, making it less imposing within the expansive ONL. • Aside from the addition of naturalised mounding for visual mitigation purposes. As previously noted, earthworks are kept to a minimum, preserving and in some cases enhancing the natural contours and landform. • The proposed landscape mitigation plan particularly of native and locally appropriate species, is crucial for screening the dwelling from various vantage points and blending it into the wider ONL, ensuring the natural character is not compromised. • The visual assessment concluded that, with mitigation, the effects will be low to very low, indicating that the proposal is unlikely to compromise the landscape and amenity values of the ONL. The intent is for the building to be seen as a subservient element, nestled within the landscape, rather than dominating it. Based on Mr O'Connell's findings, the proposal is considered to be **not contrary** to this policy.
24.2.1.15 Provide for activities that maintain a sense of spaciousness in which buildings are subservient to natural landscape elements	The dwelling size relative to the overall site size is such that significant open space is maintained.
24.2.1.18 - Ensure subdivision and development maintains a defensible edge between areas of rural	As per Mr O'Connel's assessment, the Site is located within an established rural living precinct, and the proposal involves adjusting a consented building

living in the Precinct and the balance of the Rural Amenity Zone.	platform within this already defined area, rather than expanding into new undeveloped areas. The Site's boundaries are clearly delineated, and the development is contained entirely within these. The proposal does not seek to extend the "rural living" character outwards. Overall, I consider the proposal is **not contrary** to this policy.
24.2.5 Objective – Rural living opportunities in the Precinct are enabled, provided landscape character and visual amenity values are maintained or enhanced. 24.2.5.1 Provide for rural living, subdivision, development and use of land in a way that maintains or enhances the landscape character and visual amenity values identified in Schedule 24.8 - Landscape Character Units.	The site has been established for residential purposes with the proposal representing effects that are appropriate. Overall, I consider the proposal is **not contrary** to this policy.
24.2.5.2 - Ensure that any development or landscape modification occurs in a sympathetic manner in both developed and undeveloped areas, by promoting design-led and innovative patterns of subdivision and development that maintain or enhance the landscape character and visual amenity values of the Wakatipu Basin overall.	The proposal is considered to be consistent with this policy for the following reasons. • The repositioning of the approved building platform represents a site-specific refinement rather than an intensification or expansion of development potential. The amended platform better aligns with the established cluster of rural living properties along Tullamore Lane and reflects a more coherent pattern of development. In doing so, it responds directly to the immediate built context rather than relying on a generic offset applied at subdivision stage. • The proposed homestead has been architecturally designed as an integrated lodge-style development comprising interlinked pavilions. While the gross floor area is substantial, the articulated pavilion form breaks down the visual mass of the building and avoids the appearance of a monolithic structure. This design-led approach reflects an intentional response to rural character, consistent with the policy's emphasis on innovation and quality design. • The development remains contained within a defined 1,000m² building platform, thereby retaining the predominance of open pastoral landscape across the wider site. The repositioning of the platform maintains a 25-metre setback from the Outstanding Natural Landscape (ONL) boundary and avoids encroachment into more visually sensitive areas. • The proposal does not introduce additional subdivision or dispersed built form. Instead, it consolidates development into a single cohesive homestead, thereby avoiding fragmentation of the landscape, a key concern in the Wakatipu Basin.

	• Comprehensive landscape mitigation, including native and deciduous planting and strategic mounding, will soften the built form and assist in assimilating the development into its rural setting. The planting framework will reinforce wooded edges typical of rural lifestyle properties and maintain the open, spacious character that defines the Basin. • From public vantage points, including distances between approximately 20 metres and 2 kilometres, the proposal will be perceived as part of an established rural residential enclave rather than as an isolated or dominant structure in an undeveloped landscape. The articulated design, modest maximum height of 6.5 metres, and extensive mitigation planting ensure that visual effects remain low. • Importantly, the proposal does not create a precedent for intensified subdivision or suburban-style development. The technical density breach results in an integrated built form that reads as a single homestead, thereby maintaining the low-density character anticipated within the Wakatipu Basin Lifestyle Precinct. • The proposal represents a design-led and context-responsive development that is sympathetic to both its immediate surroundings and the broader landscape values of the Wakatipu Basin. By consolidating built form, maintaining openness across the site, incorporating substantial landscape mitigation, and refining the platform location to better integrate with the established development pattern, the proposal maintains the coherence of the local landscape character. Accordingly, the proposal is considered to be **consistent with,** and gives effect to, Policy 24.2.5.2.
24.2.5.5 - Encourage the retention and planting of vegetation that contributes to landscape character and visual amenity values of the Precinct, particularly where vegetation is identified as an important element in Schedule 24.8, provided it does not present a high risk of wilding spread.	All previously approved landscaping is being maintained. Overall, I consider the proposal is **not contrary** to this policy.
24.2.5.6 - Require buildings, or building platforms identified through subdivision, or any vehicle access located within a prescribed Escarpment. Ridgeline and River Cliff Features setback as identified on the District Plan web mapping application, to maintain the values of those features, including by: a. ensuring that any buildings, earthworks and landform modification are located and designed so that the values of the feature are maintained; while b. recognising that for some sites compliance with the prescribed setback is not	The values of escarpment, ridgeline and river cliff features typically relate to their visual prominence, natural landform expression, and contribution to the wider Basin landscape character. In this instance: • The development remains visually contained within an established rural living enclave. • Earthworks are limited in scale and largely confined to topsoil scraping, with no significant landform modification proposed. • Substantial landscape mitigation planting is proposed to soften the built form and assist in integration with the surrounding pastoral landscape.

practicable due to the site size and dimensions, presence of existing buildings, or the application of other setback requirements.	• The consolidated building footprint avoids dispersed structures that could otherwise interrupt natural landform patterns. The proposal does not compromise the legibility, continuity, or visual dominance of any escarpment, ridgeline, or cliff feature. Rather, it maintains the open character of the balance of the site and avoids skyline intrusion or prominent ridgeline development. Policy 24.2.5.6(b) recognises that strict adherence to prescribed setbacks may not be practicable in all circumstances, particularly having regard to site dimensions, existing approvals, or the interaction with other development constraints. In this case, the original platform location was derived from a standardised setback approach at subdivision stage, rather than through a detailed, site-specific design process. The proposed amendment represents a more refined and design-led outcome that better responds to the site's physical characteristics and the established development pattern. The repositioning does not materially increase adverse effects, nor does it undermine the intent of the setback controls. Overall, I consider the proposal is **not contrary** to this policy.

Overall, the proposal is considered to be entirely appropriate in this context and broadly consistent with the objectives and policies of the District Plan.

10.3 Section 104D

Section 104D provides that a consent authority may grant consent for a non-complying activity only if it is satisfied that either:

- the adverse effects of the activity on the environment will be minor; or

- the application is for an activity that will not be contrary to the objectives and policies of the relevant plan.

In terms of effects, the relevant effects arising from the proposal relate primarily to:

- Landscape and visual effects associated with repositioning the building platform;
- Effects associated with the technical breach of the density rule;
- Servicing and infrastructure effects; and
- Earthworks.
- Landscape and Visual Effects

The relocation of the building platform represents a refinement of an already approved development right. The amended platform remains contained within a defined 1,000m² area and is located within an established rural residential enclave at Tullamore Lane.

While positioned closer to the Outstanding Natural Landscape boundary than the original platform, a setback of approximately 25 metres is maintained. The proposed development is architecturally articulated, limited to a maximum height of 6.5 metres, and supported by a comprehensive landscape mitigation plan providing substantial boundary planting and visual softening.

The proposal will not result in skyline intrusion, significant landform modification, or fragmentation of open pastoral character. Visual effects from public vantage points are assessed as low.

The proposal technically breaches the density rule by incorporating two integrated studio units within the homestead. However:

- All accommodation is contained within a single cohesive building envelope;
- There is no subdivision or dispersal of built form across the site;
- The development reads as one consolidated homestead;
- The site area (approximately 9,652m²) remains generous in the context of rural living development.

The effects typically associated with density breaches, such as fragmentation, and cumulative intensification, do not arise. The breach is therefore technical in nature and results in no more than minor environmental effects.

Servicing assessments confirm that water supply, stormwater, wastewater, firefighting supply, and access can be adequately accommodated on-site. Wastewater will be treated to secondary standard and disposed of via appropriately sized trenches with a reserve area. Stormwater will be managed via soakage pits with overflow provisions.

No off-site servicing constraints or adverse downstream effects are anticipated. Servicing effects are minor.

Overall, the adverse effects of the proposal are assessed as no more than minor. Accordingly, the proposal satisfies the first gateway test under Section 104D(1)(a).

The proposal does not represent a policy departure, nor does it undermine the strategic intent of the zone. At most, it represents a refined and integrated development outcome within an established building platform. Accordingly, the application is not contrary to the objectives and policies of the District Plan. The proposal satisfies the second gateway test under Section 104D(1)(a).

11 PART 2 ASSESSMENT

11.1 OVERVIEW

Notwithstanding that the application satisfies the gateway tests under section 104D, it is appropriate to undertake an assessment under Part 2 of the Resource Management Act 1991 (RMA), which sets out the purpose and principles of the Act.

11.1.1 Section 5 – Purpose of the Act

Section 5 provides that the purpose of the RMA is to promote the sustainable management of natural and physical resources. Sustainable management includes enabling people and communities to provide for their social, economic and cultural wellbeing while:

- Sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations;
- Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and
- Avoiding, remedying, or mitigating adverse effects of activities on the environment.

The proposal enables the establishment of a comprehensively designed rural homestead within an area which contemplates development. It allows for residential occupation in a manner anticipated within the Wakatipu Basin Lifestyle Precinct, while maintaining the predominance of open space across the site.

Adverse effects relating to landscape, visual amenity, servicing and landform modification have been assessed as low and appropriately mitigated through:

- Consolidated and articulated building design;
- Comprehensive landscape mitigation planting;
- Limited earthworks;
- On-site stormwater and wastewater management designed to recognised standards.

The development does not compromise the life-supporting capacity of soil or water resources, nor does it generate off-site servicing effects. The proposal therefore represents an appropriate balance between enabling residential use and protecting environmental values, consistent with section 5.

11.1.2 Section 6 – Matters of National Importance

Relevant section 6 matters include:

- Section 6(a) – Preservation of the natural character of lakes and rivers and their margins

The site is not located within the margins of a lake or river, and the proposal does not adversely affect natural character in such environments.

- Section 6(b) – Protection of outstanding natural features and landscapes

The site is located within the Wakatipu Basin, where landscape values are a key consideration. While the amended building platform is located closer to the Outstanding Natural Landscape boundary than originally approved, a 25-metre setback is maintained. The development is contained, articulated in form, and supported by substantial mitigation planting.

The proposal does not extend development into undeveloped or visually prominent areas, nor does it introduce skyline intrusion or significant landform modification. Accordingly, the values of the wider Basin landscape are maintained.

- Section 6(c)–(g)

There are no known areas of significant indigenous vegetation, significant habitats, heritage features, or customary rights affected by the proposal.

Overall, the proposal is not inconsistent with any section 6 matters.

11.1.3 Section 7 – Other Matters

Relevant section 7 considerations include:

- Section 7(b) – Efficient use and development of natural and physical resources

The proposal represents an efficient use of an already established building platform within a zoned rural lifestyle environment. Development is consolidated within a defined footprint and serviced appropriately on-site.

- Section 7(c) – Maintenance and enhancement of amenity values

Amenity values, including openness, rural character, and visual coherence, are maintained through integration of all accommodation within a single cohesive homestead; limiting development to a 1,000m² platform; landscape mitigation planting; and retention of expansive pastoral areas across the balance of the site.

The technical density breach does not result in dispersed built form or fragmentation and therefore amenity effects are low.

- Section 7(f) – Maintenance and enhancement of the quality of the environment

The architectural quality of the development, combined with structured landscape planting, will enhance the immediate site context relative to a more arbitrary platform placement without mitigation.

- Section 7(g) – Finite characteristics of natural and physical resources

The proposal recognises the sensitivity of the Wakatipu Basin landscape by consolidating development and limiting landform modification.

11.1.4 Section 8 – Treaty of Waitangi

There is no evidence that the proposal affects any matters of significance to tangata whenua. No identified sites of cultural significance are impacted. The proposal does not give rise to issues under section 8.

11.1.5 Part 2 Conclusion

The proposal enables residential development within an established residential subdivision while maintaining the open, rural character and visual amenity values of the Wakatipu Basin. Adverse effects are appropriately avoided or mitigated, and the development is design-led, consolidated, and sympathetic to its landscape context.

Accordingly, the proposal is consistent with the purpose and principles of the Resource Management Act 1991 and achieves the sustainable management of natural and physical resources as required by Part 2.

12 SUMMARY

Resource consent is sought to relocate an approved platform and allow for the subsequent construction of a residential dwelling, residential flat and associated studio (defined as a second dwelling).

Overall, the activity is assessed as a **non-complying activity.**

The actual and potential effects on the environment have been outlined in section 8 of this report where it is concluded that the proposed activity is not likely to have any adverse effects on the environment that are more than minor.

The proposal is considered consistent with the relevant objectives and policies of the District Plan and meets the purpose and principles of the Resource Management Act 1991.

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