From: "Georgia Brown" <Georgia@novogroup.co.nz>
Sent: Fri, 27 Feb 2026 13:07:03 +1300
To: "Resource Consent" <resourceconsent@qldc.govt.nz>
Subject: RE: Application File Upload for 47 Cons Track - application form 9 please
Attachments: AEE.pdf, application-form-9-general-july-2025.pdf
Categories: Laura

Hi Laura,

Copy of Form 9 and updated AEE (with reference to QLDC) attached.

Thanks,

Georgia Brown
Senior Planner

M: 021 193 6484 | O: 03 365 5570
E: Georgia@novogroup.co.nz | W: www.novogroup.co.nz
Level 1, 279 Montreal Street | PO Box 365 | Christchurch 8140



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From: Resource Consent <resourceconsent@qldc.govt.nz>
Sent: 27 February 2026 12:49
To: Georgia Brown <Georgia@novogroup.co.nz>
Subject: RE: Application File Upload for 47 Cons Track - application form 9 please

Hi Georgia

Thank you for your application on behalf of Richard and Phillippa Diver.

This application is currently paused as there wasn't a completed application form uploaded with the other documents.

Would you please complete the attached form and return it to us by the close of business Monday, 2 March otherwise the application will be returned to you to be resubmitted in full.

Also, would you please confirm if the AEE that was attached is the finalised AEE? If there is a more up to date version, would you please email that to us as well as the completed application form.

Richard and Philippa Diver
47 Cons Track Road, Wānaka

Form 9: Application for Resource Consent
Under Section 88 of the Resource Management Act 1991

To:	**The Christchurch City Council**
We:	**Richard and Philippa Diver ('the applicant'), apply for the Land Use Consent Application described below.**

The activity to which the application relates (the proposed activity) is as follows:

- Land use resource consent is sought to construct a second residential unit on the site.

The proposed activities for which consent is sought will be undertaken in accordance with the details, information and plans that accompany and form part of the application, including the Assessment of Effects on the Environment attached.

The site at which the proposed activity is to occur is as follows:

- 47 Cons Track Road, Wānaka, which is legally described as Lot 9 DP 567099. Refer to the Certificate of Title in **Appendix 1.**

Many thanks

Kind regards,
Laura Mitchell

Laura Mitchell | P&D Technical Support Officer | Planning & Development
Queenstown Lakes District Council
P: +64 3 441 0499
E: laura.mitchell@qldc.govt.nz

QUEENSTOWN LAKES DISTRICT COUNCIL

From: noreply@qldc.govt.nz <noreply@qldc.govt.nz>
Sent: Friday, 27 February 2026 11:21 AM
To: Resource Consent <resourceconsent@qldc.govt.nz>
Subject: Application File Upload for 47 Cons Track (UAFv1_2652912)

Upload Application Files

SUBMITTED

UAFv1_2652912

Submitted: 27-Feb-2026 11:20:47

Georgia Brown

Question	Answer

Document Set ID: 9399872
Version: 1, Version Date: 27/02/2026

First Name	Georgia
Last Name	Brown
Contact Number	021 193 6484
Email	GEORGIA@NOVOGROUP.CO.NZ
Application Type	Planning - District Plan Variation
Is this a New application or files for a Current application?	New Application
Your reference until we issue an Application Id e.g. Street Address or Lot #	47 Cons Track
Comment	

This is an overview of the Form. Table and Attachment questions are not displayed.

Kind regards,

QLDC Business Process

Planning. Traffic. Development.

Land Use Consent Application

prepared for

RICHARD AND PHILIPPA DIVER

47 Cons Track Road, Wānaka

February 2026

Document Set ID: 9399872
Version: 1, Version Date: 27/02/2026

Land Use Consent Application

prepared for:

RICHARD AND PHILIPPA DIVER

47 Cons Track Road, Wānaka

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Document Date:	27 February 2026
Document Version/Status:	FINAL
Project Reference:	0249021
Project Manager:	Georgia Brown, Senior Planner
Prepared by:	Georgia Brown, Senior Planner
Reviewed by:	Andrew Fitzgerald, Principal Planner

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Version: 1, Version Date: 27/02/2026

Form 9: Application for Resource Consent
Under Section 88 of the Resource Management Act 1991

To:	**The Queestown Lakes District Council**
We:	**Richard and Philippa Diver ('the applicant'), apply for the Land Use Consent Application described below.**

The activity to which the application relates (the proposed activity) is as follows:

- Land use resource consent is sought to construct a second residential unit on the site.

The proposed activities for which consent is sought will be undertaken in accordance with the details, information and plans that accompany and form part of the application, including the Assessment of Effects on the Environment attached.

The site at which the proposed activity is to occur is as follows:

- 47 Cons Track Road, Wānaka, which is legally described as Lot 9 DP 567099. Refer to the Certificate of Title in **Appendix 1.**

The natural and physical characteristics of the site and any adjacent uses that may be relevant to the consideration of the application is set out in further detail within the details, information and plans that accompany and form part of the application, including the attached Assessment of Effects on the Environment ('AEE').

The full name and address of each owner or occupier (other than the applicant) of the site to which the application relates are as follows:

- Owners: Diver Wanaka Limited (Address for service: Nexia Christchurch Limited; Level 4, 123 Victoria Street, Christchurch Central, 8013).
- Occupiers: N/A

There are no other activities that are part of the proposal to which this application relates.

No additional consents are required at this time in relation to this proposal.

I attach an assessment of the proposed activity's effect on the environment that—

1. includes the information required by clause 6 of Schedule 4 of the Resource Management Act 1991; and
2. addresses the matters specified in clause 7 of Schedule 4 of the Resource Management Act 1991; and
3. includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

Declaration regarding compliance and enforcement history: The applicant has been subject to enforcement in the Christchurch District in the past; however this is not in related to this application site nor District.

I attach an assessment of the proposed activity against the matters set out in Part 2 of the Resource Management Act 1991.

I attach an assessment of the proposed activity against any relevant provisions of a document referred to in section 104(1)(b) of the Resource Management Act 1991, including the information required by clause 2(2) of Schedule 4 of that Act.

I attach an assessment of the proposed activity against the resource management matters set out in the relevant planning documents.

I attach all necessary further information required to be included in this application by the district plan, the regional plan, the Resource Management Act 1991, or any regulations made under that Act.

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Georgia Brown, Senior Planner

DATED: 27 February 2026

Address for service:

Novo Group Ltd
PO Box 365
Christchurch 8140

Attention: Georgia Brown

021 193 6484
georgia@novogroup.co.nz

Address for Council fees:

Richard and Philippa Diver
31 Fendalton Road
Christchurch 8014

Attention: Richard Diver

021 333 666
richard@cwg.co.nz

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Assessment of Effects on the Environment (AEE)

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Introduction

1. Land use consent is sought to construct a second residential unit on the subject site.

2. Section 88 of the Resource Management Act 1991 ('the Act') sets out the particular requirements for persons making an application to a local authority for a resource consent. Section 88(2)(b) states that:

> "an application must be made in the prescribed form and manner; and include, in accordance with Schedule 4 of the Act, an assessment of environmental effects in such detail as corresponds with the scale and significance of the effects that the activity may have on the environment".

3. The following assessment is made in accordance with these requirements.

Site and Surrounding Environment

Site Particulars

Site Name	Parcel	Title(s)
47 Cons Track, Wānaka	Lot 9 DP 567099 Area: 3,731m²	1017257

Site and Surrounding Environment Description

4. As shown in F**igure 1** across the page, the subject site is situated on the western side of Cons Track Road, Wanaka.

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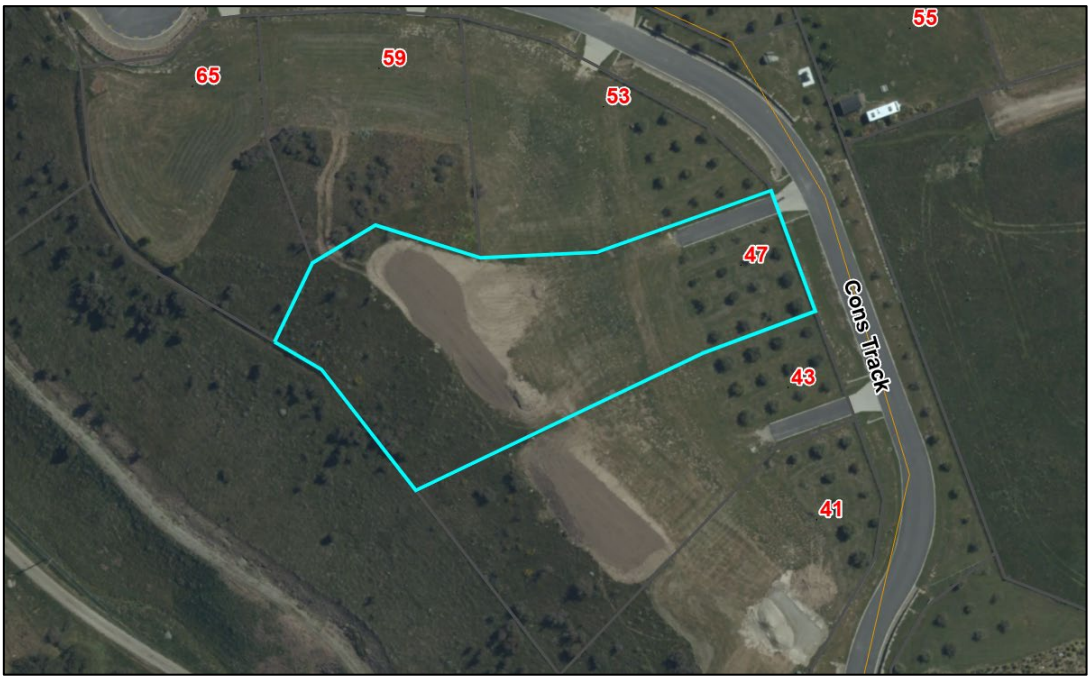


Figure 1. Aerial image of locality (Source: Canterbury Maps)

5. The property has a site area of 3,724m^2 and contains an existing single-storey residential unit, located at the eastern end of the site. Between the existing unit and the road boundary is an olive grove, which is planted across the frontage of the adjacent sites to the north and south and protected via a private Covenant registered on the Record of Title.

6. A sealed driveway is located along the northern boundary of the site and provides access to the existing residential unit. The eastern portion of the site is generally flat, while the land rises toward the west, with an overall change in elevation of approximately 10 metres between the eastern and western boundaries. Land to the west of the existing unit is currently maintained as grassed pasture.

7. The below photos in **figures 2 and 3** assist with demonstrating the topography of the site.



Figure 2. View of the site from the road boundary (Source: Novo Group)

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Figure 3. View of the site from 52 Cons Track Road looking south (Source: Novo Group)

8. The immediately surrounding environment comprises an establishing large-lot residential subdivision, with similar sized sites that have either been developed with a residential unit, are under development or vacant. Site photographs contained in **Appendix 2** demonstrate the context of this surrounding environment. Views of Lake Wanaka are toward the north, and the rural environment to the south and south-west.

9. Cons Track Road is a 'private road' accessed from Studholme Road, managed by the Management Entity of the subdivision. The road is sealed, with grass and shist rock verges. There are no formed footpaths.

10. The Record of Title includes a Consent Notice, being 12518365.22 (attached as part of **Appendix 1**) which has several conditions relating to servicing of future development of the site, including condition (e) which states:

    e. *The consent holder is advised that no further subdivision and only one residential unit is permitted on Lots 1 to 11 due to constraints with the road design.*

11. There is also a private Covenant on the Title with further requirements about landscaping, setback and height restrictions and fencing. The Covenant imposes a maximum building height of 5.5m in on the application site.

The Proposal

12. The applicant proposes to establish a single-storey residential unit at the western part of the subject site. The proposal will result in two residential units being located on the site. The application plans are attached as **Appendix 3.**

13. The building is 5m in height with an internal floor area of 138m^2 (exclusive of the garage and internal / uncovered courtyard space[1]). It will feature an attached double garage, bedroom with ensuite and open-plan living/dining and kitchen space. An internal uncovered outdoor

[1]Including these spaces, the floor area is 220m^2.

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courtyard/living space is provided between the bedroom and dining/kitchen area. A 30,000L water tank is to be located beneath the garage.

14. The building will be positioned on the most elevated part of the site, and the building has been designed to be constructed into the slope, with the garage at a slightly lower finished floor level (FFL) than the main residential unit (362.76m FFL for the garage and 364.2m FFL for the unit). **Figure 4** below depicts the south-eastern elevation of the building showing the change in levels between the garage and main living space.

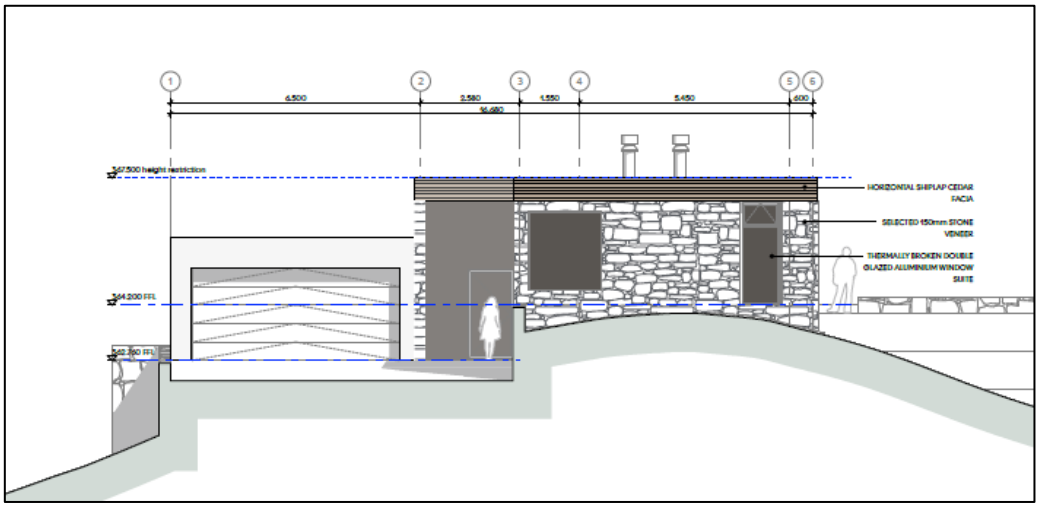


Figure 4. South-east elevation of the building (Source: Appendix 3 - Application Plans)

15. The building will be clad in stone veneer with horizontal shiplap cedar facia along the top of the façade.

16. The existing driveway will be extended toward the south-west of the site to provide access to the second unit. Earthworks are required for the development of the building and formation of the access and are detailed in **Appendix 3**. The earthworks are permitted under the Proposed District Plan, notwithstanding, an Environmental Management Plan – Short Form is attached as **Appendix 4**.

17. In terms of infrastructure servicing, the applicant has confirmed that existing connections to the existing residential unit will be extended to the new unit.

Consent Notice variation

18. The applicant also proposes to vary condition (e) of the Consent Notice 12518365.22 to enable the construction of the second residential unit on the site. The proposed wording sought is as follows (deleted text struck-through, added text underlined):

(e) The consent holder is advised that no further subdivision and only one residential unit is permitted on Lots 1 to 11 due to constraints with the road design, with the exception of development authorised by RMXXXX.

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Statutory Context

National Environmental Standards

National Environmental Standards for Contaminated Soil

19. The Listed Land Use Register held by Otago Regional Council does not identify any history of actual or potential HAIL activities on the site. As such, this NES does not apply to this site.

Operative District Plan

20. The site is zoned Rural Lifestyle in the Queenstown Lakes Operative District Plan (ODP). Pursuant to s86F the application does not trigger any rules of the ODP.

Plan Changes

21. The site is zoned Large Lot Residential Zone – A (LLRZ) in the Queenstown Lakes Proposed District Plan (PDP). The site is not subject to any overlays of relevance. The relevant rules of the PDP are operative under s86F of the RMA.

22. For completeness, the LLRZ Provisions are operative, and whilst new provisions are sought to be added by appeal (reference ENV-2023-CHC-088), these are not relevant to the application.

23. An assessment of the proposal's compliance with the applicable rules in the District Plan is set out in **Appendix 4**. Based on that assessment, resource consent is required in respect of the following matters in **Table 1** below.

Table 1. List of non-compliances

11. Large Lot Residential		
11.5 Rules - Standards for Activities		
11.5.9 Residential Density		
Non-compliance status	**D**	The proposal does not comply with Standard 11.5.9.1 as 1 residential unit/1,862m^2 is proposed, where 1/2000m^2 is permitted.

Activity Status

Activity Status (Proposed District Plan)

24. Land use consent is required for the proposal as a **discretionary activity** under the Proposed District Plan.

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Activity Status (Resource Management Act 1991)

25. The application requires consent for the following reason:

- A **discretionary activity** pursuant to section 87B in accordance with Section 221 of the RMA which specifies a change to/cancellation of a consent notice shall be processed in accordance with Sections 88 to 121 and 127(4) to 132. It is proposed to change Consent Notice condition (e) of 12518365.22. Details of the cancellation is outlined above.

Resource Management Act 1991 - s95-s95E and s104-104D

26. In terms of notification considerations in sections 95A-95E of the Act the following matters are noted:

1. public notification is not requested by the applicant;

2. there are no special circumstances necessitating public notification.

27. As a discretionary activity, the provisions in sections 104 and 104B direct the substantive determination of applications and the following sections of this AEE have regard to the relevant provisions referred to therein, including Part 2 of the Act.

Assessment of Actual and Potential Effects on the Environment

Permitted Baseline

28. Prior to undertaking an assessment of the effects of this proposal it is useful to consider the discretion available under Section 95D(b) and 104(2) of the Act (referred to as the "permitted baseline") whereby a consent authority may disregard an adverse effect of an activity on the environment if the Plan permits an activity with that effect. Case law has established that this relates to the effects of non-fanciful hypothetical activities which could be carried out as of right under the Plan. Permitted baseline does not include controlled activities, however as controlled activities cannot be refused, it is useful for the purposes of acceptability of effects to examine what could be readily established on the site.

29. For the purposes of this application, the District Plan permits one residential unit and one residential flat per 2000m^2 site area in the LLRZ. The site has a net site area of 3,724m^2.

30. A residential flat is permitted subject to the following criteria:

- The total floor area does not exceed 150m^2 in the Rural Zone, the Rural Lifestyle Zone, the Wakatipu Basin Rural Amenity Zone and the Hills Resort Zone; or 70m^2 in any other zone (not including the floor area of any garage or carport);

- contains no more than one kitchen facility;

- is limited to one residential flat per residential unit;

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- is situated on the same site and held in the same ownership as the residential unit.

31. The LLRZ permits a maximum building coverage of 15%. On this basis, the site could accommodate one residential unit with a maximum building coverage of 488 m² and one residential flat with a maximum floor area of 70 m², resulting in a combined site coverage of 588 m². This would be a permitted activity, subject to compliance with all other relevant standards, including setbacks, height limits, and recession planes.

32. The permitted baseline is therefore of relevance to the proposal and has been accounted for as part of the following assessment of effects. For completeness, whilst there is a Consent Notice restricting a second residential unit on the site, the above is not considered fanciful given the Consent Notice does not restrict the establishment of a residential flat.

Scope of Assessment

33. Notwithstanding the fully discretionary activity status, accounting for the rules requiring consent, the relevant effects warranting assessment are considered to relate to:

- Residential amenity and character;
- Visual amenity;
- Consent Notice change.

34. These matters are addressed in turn below.

Actual or Potential Effects

Residential amenity and character

35. The LLRZ provides for a residential density of one residential unit per 2,000m². With a total site area of 3,724m², the proposal to establish an additional residential unit on the site will result in a minor density shortfall of 276m².

36. The objectives and policies of the LLRZ chapter outline the purpose of the zone and the outcomes it seeks to achieve; these are useful for understanding the broader planning context. Objective 11.2.1 seeks to ensure that a high quality of residential amenity values is maintained within the Large Lot Residential Zone. In support of this objective, Policy 11.2.1.1 focuses on maintaining low-density residential character and amenity through minimum allotment sizes, while efficiently utilising land and infrastructure in Area A. Policy 11.2.1.2 further seeks to maintain or enhance residential character and amenity values by controlling the scale, location, and height of buildings, with additional landscaping, colour, and vegetation controls applying in specific locations.

37. The subject site is located within Area A of the LLRZ. For Area A, the policy framework places greater emphasis on efficient use of land and infrastructure, rather than the protection of significant landscape or topographical constraints. With respect to the assessment of effects on residential amenity and character, it is therefore appropriate to assess the proposal against its ability to maintain this amenity through building scale, siting and design rather than landscape effects.

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38. The site currently contains an existing residential unit of approximately 114m² floor area, comprising three bedrooms. As set out within the permitted baseline assessment, the Plan permits residential flats up to 70m² in area and excluding any garage. The residential flat does not need to be attached to the main unit. In this context, the proposed unit (floor area of 138m^2 proposed, exclusive of the garage and internal outdoor courtyard) could be considered to function in a similar means to a residential flat, noting that despite its non-compliant floor area it only contains one-bedroom and will function ancillary to the existing unit.

39. Both the existing and proposed buildings otherwise comply with the applicable built form standards of the Proposed District Plan, ensuring the scale, location and height of buildings is appropriately maintained on the site. Recognising the permitted baseline, it is important to note that a much greater built form could be developed on the site, and this must be taken into context when considering the scale of this proposal.

40. When viewed from Cons Track, the proposed residential unit will be visible due to its elevated position on the site. The existing unit is however largely screened via the existing olive grove which provides a planted buffer of 24m at the front of the site, assisting in mitigating the prominence of two units on the site. As illustrated in **Figure 2** earlier in this report, the existing unit could easily be perceived as an ancillary structure, such as a shed or a garage, rather than a self-contained unit. In this context, the density shortfall (276m^2) will not be readily apparent, due to the full extent of the site not being visible from Cons Track and due to the presence of the existing landscaping (of which is protected via the Covenant). As such, any potential adverse effects on residential amenity and character from this view are considered to be less than minor.

41. It is acknowledged that surrounding sites are currently largely undeveloped, and as such the presence of two residential units on the site will be more apparent in the short term, particularly to the north and south. However, both units are of a modest scale, with a combined site coverage of 10.1%, well below the permitted maximum of 15%. The proposed development also complies with the relevant setback and height controls, ensuring that building scale remains proportionate to the site and consistent with the anticipated residential character and amenity values of the zone. Given this, it is considered that no neighbouring persons will experience an adverse reduction in their residential amenity, there will be no increased shading, loss of privacy or increased overlooking associated with the proposal. The effects of the increased density are considered to be no greater than what could feasibly occur via a permitted residential flat scenario. As such, any adverse effects on these neighbouring persons will be less than minor and acceptable.

42. Over time, as surrounding sites are developed in accordance with their LLRZ framework, the proposal will be viewed in the context of a variety of residential activity, including the potential for large residential units. In this longer-term context, the two units will be consistent with the established and anticipated character of the area. Lastly, recognising that both residential units would still be permitted a 'residential flat', the applicant volunteers a condition of consent that no residential flats are permitted on the site in association with either unit.

43. Concluding the above, any potential adverse effects on residential amenity and character are considered to be **less than minor** and **acceptable**.

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Visual amenity

44. In terms of visual amenity effects, the proposal is consistent with the purpose and policies of the LLRZ, which seek to maintain a low-density residential character and a high level of amenity. The development complies with all relevant built form standards, including site coverage, with a coverage of 10.1% compared to the permitted maximum of 15%. This low level of site coverage ensures that the open, spacious character anticipated within the zone is retained. The building will utilise materials and a restrained colour palette that are sympathetic to the existing development on the site and the surrounding environment, thereby avoiding visual dominance and ensuring the development integrates appropriately within the landscape setting.

45. While the proposal comprises two residential units, when viewed from the wider environment the buildings read as complementary and ancillary to one another. In this regard, the existing residential unit presents in a manner comparable to an accessory building or garage, which is consistent with the pattern of development anticipated within the zone. The District Plan does not limit the number of buildings on a site and anticipates accessory buildings and residential flats provided that the low-density residential character and amenity values are maintained.

46. Having regard to the scale, location, and appearance of the buildings, the visual effects are considered to be less than minor and consistent with the objectives and policies of the Large Lot Residential Zone.

Consent Notice change

47. The Consent Notice registered on the Record of Title states:

> *The consent holder is advised that no further subdivision and only one residential unit is permitted on Lots 1 to 11 due to constraints with the road design.*

48. No subdivision of the site is proposed; however, a second residential unit is to be constructed on the site. Given the scale of the proposed residential unit, any traffic generated by this unit is not anticipated to be any greater than what otherwise may be associated with a residential flat or a larger residential unit (noting that the proposal will result in four bedrooms in total on the site). To this effect, the proposal will not in any unacceptable adverse effects on the road design.

49. As set out above, the applicant has volunteered a condition of consent precluding any residential flats from being constructed with either of the two residential units.

Conclusion – Actual or Potential Effects

50. In summary of the assessment above, the proposal will have **less than minor** actual or potential adverse effects on the environment and the effects of the proposal are **acceptable**.

Notification Tests

51. Sections 95A and 95B set out the steps that must be followed to determine whether public notification or limited notification of an application is required.

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52. Accounting for the conclusions in the assessment above and in accordance with the provisions of section 95A and 95B, the application must not be publicly notified and must not be limited notified.

Relevant Provisions of Planning Instruments

National or Regional Statutory Planning Documents

National Policy Statement for Natural Hazards 2025

53. The overarching objective of the National Policy Statement for Natural Hazards 2025 (NPS-NG) is to reduce the risk from natural hazards to people and property in a proportionate and risk-based manner, while recognising that not all natural hazard risk can be avoided.

54. The NPS-NH requires decision-makers to:

- identify and assess natural hazard risk using a consistent likelihood and consequence framework; and
- manage that risk through avoidance, relocation, reduction, or acceptance, depending on the level of risk and the ability to mitigate effects.

55. The application site is not located within any natural hazard overlays of the Queenstown Lakes Proposed District Plan. As such, no assessment of the NPS-NH is required.

The District Plan

56. Pursuant to s86F the application does not trigger any rules of the ODP and thus an assessment of the ODP objectives and policies is not required.

Proposed Plan or Changes

57. The relevant objectives and policies of the Proposed District Plan are found in Chapter 11.2 - Large Lot Residential Zone. The below **Table 2** provides an assessment of the proposal against these objectives and policies.

Table 2. Objectives and Policies Assessment

11.2 Objectives and Policies	
11.2.1 Objective - A high quality of residential amenity values are maintained within the Large Lot Residential Zone.	The proposal will maintain a high quality of residential amenity values for the zone, recognising the low building coverage proposed with ample openness retained on site, and compliance with all other built form standards.
Policies	
11.2.1.1 Maintain low density residential character and amenity through minimum allotment sizes that efficiently utilise the land resource and infrastructure	Whilst the proposal results in a breach of the density standards, the development is considered to maintain the low-density residential character. This is due to the fact that

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(Area A), and require larger allotment sizes in those parts of the zone that are subject to significant landscape and/or topographical constraints (Area B).	the second unit is comparable to a residential flat, comprising one-bedroom and operating in an ancillary manner to the existing residential unit.
11.2.1.2 Maintain or enhance residential character and high amenity values by controlling the scale, location and height of buildings and in addition within Area B by requiring landscaping, colour and vegetation controls.	This proposal is consistent with the first half of this policy, as the building will comply with the built form standards of the zone, thus being appropriate in scale, location and height. As set out earlier, the buildings are well within the permitted building coverage for the zone, therefore ensuring a high residential character and amenity is maintained. The site is not within 'Area B' and the second half of this policy is not relevant.
11.2.1.3 Control lighting to avoid glare to other properties, roads, public places and views of the night sky.	No lighting beyond what is otherwise anticipated by residential activity is proposed as part of the application. The proposal is consistent with this policy.
11.2.1.4 Have regard to hazards and human safety, including fire risk from vegetation and the potential risk to people and buildings, when assessing subdivision, development and any landscaping in Area B.	N/A - the site is not within Area B.
11.2.2 Objective - Predominant land uses are residential. Where appropriate, community and recreational activities also occur.	The land use will remain residential, and the proposal is consistent with this policy.
Policies	
11.2.2.1 Provide for residential and home occupation as permitted activities, and recognise that depending on the location, scale and type, community activities may be compatible with and enhance the zone's amenity values.	The proposal is for residential activity and is provided for as part of this policy, on the basis that whilst there is an increase in density the effects of this are not dissimilar to a residential flat.

58. Overall, the proposal is considered to be consistent with the objectives and policies of the Proposed District Plan.

Relevant Other Matters

Consultation

59. Given the nature of the application and the findings in the assessment above, no pre-application meetings have been held with Council staff and no consultation has been undertaken.

Mitigation Measures

60. The following volunteered condition of consent is proposed:

    1. No residential flat is to be constructed with either of the residential units.

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Consideration of Alternatives

61. The preceding assessment of effects shows that the proposal will not have any significant adverse effects on the environment. Therefore, an assessment of alternatives is not required.

Resource Management Act 1991 Considerations

s106A

62. The site is not in an area known to be subject to a significant flood or other notable natural hazard.

63. The site therefore:

(a) is not likely to be subject to any significant hazards, individually or in combination;

(b) including structures or other land, will not be materially damaged by natural hazards; and

(c) is not likely to accelerate, worsen or result in material damage of the kind referred to in (b), as a result of the proposed use; and

(d) the proposed use will not result in adverse effects on the health or safety of people.

64. Resource consent may therefore be granted for the proposed land use under Section 106A.

Part 2

65. Taking guidance from recent case law (*R J Davidson Family Trust v Marlborough District Council [2018] NZCA 316*), the District Plan is considered to be the mechanism by which Part 2 is given effect to in the District Plan. The Plan has recently been reviewed and was competently prepared through an independent hearing and decision-making process in a manner that appropriately reflects the provisions of sections 5-8 of the Act. Accordingly, no further assessment against Part 2 is considered necessary.

Conclusion

66. In conclusion, the proposal is consistent with the purpose and principles of the RMA in that it enables people to provide for their economic and social well-being, whilst maintaining and enhancing the quality and amenity of the local environment and avoiding adverse effects.

67. In terms of section 104, the proposal will be not contrary to the relevant provisions of the District Plan and will have actual or potential effects on the environment which are no more than minor and consistent with the environmental outcomes envisaged by the relevant statutory planning framework.

68. Accordingly, it is concluded that consent should be granted to the activity on a non-notified basis in accordance with sections 104, 104B, 106A and Part 2 of the Act, subject to appropriate conditions in accordance with section 108.

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Appendix 1: Record of Title

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Appendix 2: Site Photos

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Appendix 3: Application Plans

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Appendix 4: Environmental Management Plan – Short Form

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Appendix 5: Compliance Assessment

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APPLICATION FOR RESOURCE CONSENT OR
FAST TRACK RESOURCE CONSENT

FORM 9: GENERAL APPLICATION

QUEENSTOWN LAKES DISTRICT COUNCIL

Under Section 87AAC, 88 & 145 of the Resource Management Act 1991 (Form 9)

PLEASE COMPLETE ALL MANDATORY FIELDS* OF THIS FORM.

Please make sure that you are completing the correct form for your consent application type. This form provides mandatory contact information and details of your application and must be completed in full. If the incorrect form is used, or if information or supporting materials are missing (as per Appendix 5), your application will be rejected, and you will need to resubmit your application in full.

APPLICANT //

- Must be a person or legal entity (limited liability company or trust).
- Full names of all trustees required.
- The applicant name(s) will be the consent holder(s) responsible for the consent and any associated costs.

*Applicant's Full Name / Company / Trust: (Name decision is to be issued in) Richard and Philippa Diver

All trustee names (if applicable):

*Contact name for company or trust:

*Postal Address: 31 Fendalton Road, Christchurch

*Post code: 8014

*Contact details supplied must be for the applicant and not for an agent acting on their behalf and must include a valid postal address

*Email Address: richard@cwg.co.nz

*Phone Numbers: Day 021 333 666

Mobile:

*The Applicant is:

- [x] Owner
- [ ] Prospective Purchaser (of the site to which the application relates)
- [x] Occupier
- [ ] Lessee
- Other - Please Specify:

[x] Our preferred methods of corresponding with you are by email and phone.
The decision will be sent to the Correspondence Details by email unless requested otherwise.

CORRESPONDENCE DETAILS // If you are acting on behalf of the applicant e.g. agent, consultant or architect please fill in your details in this section.

*Name & Company: Georgia Brown - Novo Group Limited

*Phone Numbers: Day 021 193 6484

Mobile:

*Email Address: georgia@novogroup.co.nz

*Postal Address: 1/279 Montreal Street, Christchurch

*Postcode: 8140

INVOICING DETAILS //

Invoices will be made out to the applicant but can be sent to another party if paying on the applicant's behalf.
For more information regarding payment please refer to the Fees Information section of this form.

*Please select a preference for who should receive any invoices and how they would like to receive them.

- Applicant: [x]
- Agent: [ ]
- Other - Please specify:
- Email: [ ]
- Post: [ ]

*Attention: Richard

*Postal Address: 31 Fendalton Road, Christchurch

*Post code: 8014

*Please provide an email AND full postal address.

*Email: richard@cwg.co.nz

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OWNER DETAILS // Please supply owner details for the subject site/property if not already indicated above

Owner Name: See above.

Owner Address:

Owner Email:

If the property has recently changed ownership please indicate on what date (approximately) AND the names of the previous owners:

Date:

Names:

DEVELOPMENT CONTRIBUTIONS INVOICING DETAILS //

If it is assessed that your consent requires development contributions any invoices and correspondence relating to these will be sent via email. Invoices will be sent to the email address provided above unless an alternative address is provided below. Invoices will be made out to the applicant/owner but can be sent to another party if paying on the applicant's behalf.

*Please select a preference for who should receive any invoices.

Details are the same as for invoicing ✔

Applicant: ☐ Landowner: ☐ Other, please specify:

*Attention:

*Email:

Click here for further information and our estimate request form

DETAILS OF SITE // Legal description field must list legal descriptions for all sites pertaining to the application. Any fields stating 'refer AEE' will result in return of the form to be fully completed.

*Address / Location to which this application relates:

47 Cons Track, Wanaka

*Legal Description: Can be found on the Record Title or Rates Notice – e.g Lot DP xxx (or valuation number)

Lot 9 DP 567099

District Plan Zone(s): Large Lot Residential Zone

SITE VISIT REQUIREMENTS // Should a Council officer need to undertake a site visit please answer the questions below

Is there a gate or security system restricting access by council?	YES ☐	NO ✔
Is there a dog on the property?	YES ☐	NO ✔
Are there any other hazards or entry restrictions that council staff need to be aware of? If 'yes' please provide information below	YES ☐	NO ✔

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PRE-APPLICATION MEETING OR URBAN DESIGN PANEL

Have you had a pre-application meeting with QLDC or attended the urban design panel regarding this proposal?

☐ Yes ☑ No ☐ Copy of minutes attached

If 'yes', provide the reference number and/or name of staff member involved:

CONSENT(S) APPLIED FOR // * Identify all consents sought // ALSO FILL IN OTHER CONSENTS SECTION BELOW

☑ Land Use Consent

☐ Land Use Consent includes earthworks

☐ Land Use Consent combined with s127 and/or s221

☐ Subdivision Consentt

If the application type you are applying for is not listed it is because it has its own application form which you will need to complete instead of using this form i.e.
s127 Change or Cancellation of Consent Condition
s221 Change or Cancellation of Consent Notice
Boundary / Marginal or Temporary Activity Notice
Outline Plan
Designations
These forms can be downloaded here

QUALIFIED FAST-TRACK APPLICATION UNDER SECTION 87AAC

☐ Controlled Activity Land Use

If your consent qualifies as a fast-track application under section 87AAC, tick here to opt out of the fast track process ☐

BRIEF DESCRIPTION OF THE PROPOSAL //

*Please complete this section, any form stating 'refer AEE' will be returned to be completed with a description of the proposal

*Consent is sought to:

Construction of a second residential unit.

APPLICATION NOTIFICATION

Are you requesting public notification for the application?

☐ Yes ☑ No

Please note there is an additional fee payable for notification. Please refer to Fees schedule

OTHER CONSENTS

Is consent required under a National Environmental Standard (NES)?

■ NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2012

An applicant is required to address the NES in regard to past use of the land which could contaminate soil to a level that poses a risk to human health. Information regarding the NES is available on the website https://environment.govt.nz/publications/national-environmental-standard-for-assessing-and-managing-contaminants-in-soil-to-protect-human-health-information-for-landowners-and-developers/

You can address the NES in your application AEE OR by selecting ONE of the following:

☐ This application does not involve subdivision (excluding production land), change of use or removal of (part of) a fuel storage system. Any earthworks will meet section 8(3) of the NES (including volume not exceeding 25m^3 per 500m^2). Therefore the NES does not apply.

☑ I have undertaken a comprehensive review of District and Regional Council records and I have found no record suggesting an activity on the HAIL has taken place on the piece of land which is subject to this application.
NOTE: depending on the scale and nature of your proposal you may be required to provide details of the records reviewed and the details found.

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OTHER CONSENTS // CONTINUED

☐ I have included a Preliminary Site Investigation undertaken by a suitably qualified person.

☐ An activity listed on the HAIL has more likely than not taken place on the piece of land which is subject to this application. I have addressed the NES requirements in the Assessment of Environmental Effects.

■ Any other National Environmental Standard

☐ Yes ☑ N/A

Do you need any consent(s) from Otago Regional Council?

☐ Yes ☑ N/A

If Yes have you applied for it?

☐ Yes ☑ No

If Yes supply ORC Consent Reference(s)

If ORC Earthworks Consent is required would you like a joint site visit ?

☐ Yes ☑ No

INFORMATION REQUIRED TO BE SUBMITTED //

Attach to this form any information required (see below & appendices 1 - 5.

To be accepted for processing, your application should include the following:

☑ Record of Title for the property (no more than 3 months old) and copies of any consent notices and covenants
(Must be official order copy from LINZ https://www.linz.govt.nz/).

☑ A plan or map showing the locality of the site, topographical features, buildings etc.

☑ A site plan at a convenient scale.

☑ Written approval of every person who may be adversely affected by the granting of consent (s95E).

☑ An AEE (Assessment of Effects).
An AEE is a written document outlining how the potential effects of the activity have been considered along with any other relevant matters, for example if a consent notice is proposed to be changed. Address the relevant provisions of the District Plan and affected parties including who has or has not provided written approval. See Appendix 1 for more detail.

Your application must be submitted via our online Community Portal. Please see **Appendix 5 - Requirements for Naming of Documents** for how documents should be named.

PRIVACY INFORMATION

The information that you have provided on this form is public information and is gathered for a lawful purpose to ensure the efficient functioning of Council's duties, powers and functions under the Resource Management Act 1991 and the Building Act 2004. The information will enable Council to adequately assess your application for Resource Consent in accordance with the statutory processes under the Resource Management Act 1991. The information may also be collected for and disclosed to, the Ministry for the Environment and Queenstown Lakes District Council, for the purpose of statistical analysis, so that the Agencies can efficiently undertake their statutory duties. The information will be stored on a public register (Council's eDocs website) and is available to the public in accordance with the terms and conditions set out on the eDocs website.

While available to the public through the eDocs portal, any disclosure of the information on the website must be in accordance with the Local Government Official Information and Meetings Act 1987 and must not be used for a purpose other than for the reason it was collected . Members of the public should not share or distribute this information for any purpose that is not a lawful purpose set out under relevant legislation.

Any unauthorised use, disclosure, or distribution of this information by third parties may constitute a breach of the Privacy Principles set out under the Privacy Act 2020 and may be reported to the Privacy Commissioner which could result in legal sanctions.

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FEES INFORMATION

Section 36 of the Resource Management Act 1991 deals with administrative charges and allows a local authority to levy charges that relate to, but are not limited to, carrying out its functions in relation to receiving, processing of applications under this Act.

An invoice for an initial fee will be sent out typically within 1-2 business days of receipt of correctly completed application. Your application will not be processed until this invoice is paid. When making payment please use the application reference.

Incorrectly referenced payments will be refunded directly to your bank account and you will be required to resubmit payment using the correct application reference.

If the initial fee charged is insufficient to cover the actual and reasonable costs of work undertaken on the application you will be required to pay any additional amounts. These will be invoiced monthly and are payable by the 20th of the month.

If your application is notified or requires a hearing you will be required to pay a notification deposit and/or a hearing deposit. An applicant may not offset any previous invoices issued against such deposits.

If unpaid, the processing of an application, provision of a service, or performance of a function will be suspended until the sum is paid in full.

Section 357B of the Resource Management Act provides a right of objection in respect of additional charges. An objection must be submitted using the correct application form and required documents. This must be lodged within 15 working days of the receipt of the final invoice.

LIABILITY FOR PAYMENT – Please note that by signing and lodging this application form you are acknowledging that the details in the invoicing section are responsible for payment of invoices and in addition will be liable to pay all costs and expenses of debt recovery and/or legal costs incurred by QLDC related to the enforcement of any debt.

ADMINISTRATION FEE - The initial fee includes an administration lodgement fee for staff time spent setting up your application and generating your invoice.

MONITORING FEES – Please also note that the initial fee paid at lodgement includes an initial monitoring fee as per our Charges and Fees for Land Use Consent applications as once Resource Consent is approved you will be required to meet the costs of monitoring any conditions applying to the consent, pursuant to Section 35 of the Resource Management Act 1991. This initial monitoring fee also applies to designation related applications. For all application types the monitoring team may still charge an hourly rate if monitoring is deemed required.

DEVELOPMENT CONTRIBUTIONS – Your development may also incur development contributions under the Local Government Act 2002. You will be liable for payment of any such contributions.

A list of Charges and Fees is available on our website.

PAYMENT// An initial fee is payable upon receiving the initial fee invoice following the lodgment of this application.

Please wait for the initial fee invoice to be issued and and **use the application reference on the invoice for your payment.**

This fee MUST be paid with the correct application reference in order for the processing to begin.

Incorrectly referenced payments will be refunded directly to your bank account and you will be required to resubmit payment using the correct application reference.

Amount to Pay - Land Use and Subdivision Resource Consent fees - please select from drop down list below

$2668 - Land Use Discretionary (overall consent status)

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APPLICATION & DECLARATION

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

☐ If lodging this application as the Applicant:

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

OR:

◉ If lodging this application as agent of the Applicant:

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

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

PLEASE TICK

Signed (by or as authorised agent of the Applicant) **	
Full name of person lodging this form	Georgia Brown
Firm/Company	Novo Group Limited
Dated	27/02/26

**If this form is being completed on-line you will not be able, or required, to sign this form and the on-line lodgement will be treated as confirmation of your acknowledgement and acceptance of the above responsibilities and liabilities and that you have made the above representations, warranties and certification.

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Section 2 of the District Plan provides additional information on the information that should be submitted with a land use or subdivision consent.

The RMA (Fourth Schedule to the Act) requires the following:

1 INFORMATION MUST BE SPECIFIED IN SUFFICIENT DETAIL

- Any information required by this schedule, including an assessment under clause 2(1)(f) or (g), must be specified in sufficient detail to satisfy the purpose for which it is required.

2 INFORMATION REQUIRED IN ALL APPLICATIONS

- (1) An application for a resource consent for an activity (the activity) must include the following:
    - (a) a description of the activity:
    - (b) a description of the site at which the activity is to occur:
    - (c) the full name and address of each owner or occupier of the site:
    - (d) a description of any other activities that are part of the proposal to which the application relates:
    - (e) a description of any other resource consents required for the proposal to which the application relates:

Information provided within the Form above

    - (f) an assessment of the activity against the matters set out in Part 2:
    - (g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b).

(2) The assessment under subclause (1)(g) must include an assessment of the activity against—

    - (a) any relevant objectives, policies, or rules in a document; and
    - (b) any relevant requirements, conditions, or permissions in any rules in a document; and
    - (c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).

(3) An application must also include an assessment of the activity's effects on the environment that—

    - (a) includes the information required by clause 6; and
    - (b) addresses the matters specified in clause 7; and
    - (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

Include in an attached Assessment of Effects (see Clauses 6 & 7 below)

ADDITIONAL INFORMATION REQUIRED IN SOME APPLICATIONS

- An application must also include any of the following that apply:
    - (a) if any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1)):
    - (b) if the application is affected by section 124 or 165ZH(1)(c) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A)):

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ASSESSMENT OF ENVIRONMENTAL EFFECTS

Clause 6: Information required in assessment of environmental effects

- (1) An assessment of the activity's effects on the environment must include the following information:
    - (a) 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:
    - (b) an assessment of the actual or potential effect on the environment of the activity:
    - (c) if the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise from such use:
    - (d) if the activity includes the discharge of any contaminant, a description of—
        - (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
        - (ii) any possible alternative methods of discharge, including discharge into any other receiving environment:
    - (e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect:
    - (f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted:
    - (g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:
    - (h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).

(2) A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.

(3) To avoid doubt, subclause (1)(f) obliges an applicant to report as to the persons identified as being affected by the proposal, but does not—

- (a) oblige the applicant to consult any person; or
- (b) create any ground for expecting that the applicant will consult any person.

CLAUSE 7: MATTERS THAT MUST BE ADDRESSED BY ASSESSMENT OF ENVIRONMENTAL EFFECTS

- (1) An assessment of the activity's effects on the environment must address the following matters:
    - (a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:
    - (b) any physical effect on the locality, including any landscape and visual effects:
    - (c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:
    - (d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:
    - (e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:
    - (f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.

(2) The requirement to address a matter in the assessment of environmental effects is subject to the provisions of any policy statement or plan.

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A2 APPENDIX 2 // Information requirements for subdivision

UNDER THE FOURTH SCHEDULE TO THE ACT:

- An application for a subdivision consent must also include information that adequately defines the following:
    - (a) the position of all new boundaries:
    - (b) the areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan:
    - (c) the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips:
    - (d) the locations and areas of any existing esplanade reserves, esplanade strips, and access strips:
    - (e) the locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A:
    - (f) the locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under section 237A):
    - (g) the locations and areas of land to be set aside as new roads.

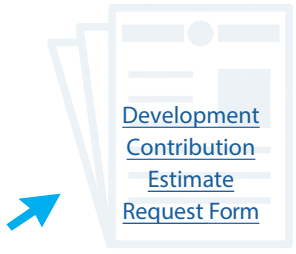
A3 APPENDIX 3 // Development Contributions

Will your resource consent result in a Development Contribution and what is it?

- A Development Contribution can be triggered by the granting of a resource consent and is a financial charge levied on new developments. It is assessed and collected under the Local Government Act 2002. It is intended to ensure that any party, who creates additional demand on Council infrastructure, contributes to the extra cost that they impose on the community. These contributions are related to the provision of the following council services:
    - Water supply
    - Wastewater supply
    - Stormwater supply
    - Reserves, Reserve Improvements and Community Facilities
    - Transportation (also known as Roading)

Click here for more information on development contributions and their charges

OR Submit an Estimate request *please note administration charges will apply



A4 APPENDIX 4 // RMA Fast-Track Application

Please note that some land use consents can be dealt with as fast-track land use consent. This term applies to resource consents where they require a controlled activity and no other activity. A 10-day processing time applies to a fast-track consent.

If the consent authority determines that the activity is a deemed permitted boundary activity under section 87BA of the Act, written approval cannot be withdrawn if this process is followed instead.

A fast-track application may cease to be a fast-track application under section 87AAC(2) of the Act.

A5 APPENDIX 5 // Requirements for Naming of Documents

It's important that all your documents are named correctly - it helps us to process your application quickly and efficiently.
If you do not follow the required naming convention, your application will be rejected.
You may have documents that do not fit these names; therefore below is a guide of some of the documents we receive for resource consents. Please use a generic name indicating the type of document.

- Application Form
- AEE (Assessment of Environmental Effects)
- Landscape Report
- Engineering Report
- Affected Party Approval/s
- Ecological Report
- Traffic Report
- **Record of Title including the title identifier at the end and to be separate documents if multiple titles** i.e. Record of Title 12345, Record of Title 678910 Must be official order copy from Land Information New Zealand (LINZ) and includes copy of LT.
- **Covenants, Consent Notices, Easement Instruments etc including the title identifier at end and to be separate documents** i.e. Consent Notice 123456, Easement Instrument 123456, Covenant 123456
- Geotechnical Report
- Urban Design Report

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