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APPLICATION FOR

LAND USE

APPLICANT	**STEVEN BARTROM & ANNIKA HACKERSCHMIED & ARDMORE TRUSTEE NO 6 LTD**
LOCATION	**749 AUBREY ROAD, WANAKA, 9382**

APPLICANT | NIC ANDREWS

Date: April 2026

Location: 749 Aubrey Road, Wanaka, 9305

Attention: Wanaka Planning Department

Document Quality Assurance

Project Reference:	Bartrom Unit
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1.0 INTRODUCTION

Please find an application for Resource Consent to establish a residential unit including breaches of building length and indigenous vegetation clearance standards, and the variation and potential cancellation of an existing consent notice at 749 Aubrey Road, Wanaka, 9305.

The application includes a site description, description of the proposed activity and an assessment of how outcomes of the proposal will align to relevant District Planning rules and assessment criteria.

2.0 APPLICATION DETAILS

APPLICANT	STEVEN BARTROM, ANNIKA HACKERSCHMIED & ARDMORE TRUSTEE NO 6 LTD
SITE LOCATION	749 AUBREY ROAD, WANAKA, 9305
LEGAL DESCRIPTION	LOT 1 DP 355535
APPLICATION SITE AREA	4,601m^2
ZONING	LARGE LOT RESIDENTIAL B

3.0 APPENDICES

APPENDIX A	FORM 9
APPENDIX B	RECORD OF TITLE & ENCUMBRANCES
APPENDIX C	PLANS
APPENDIX D	RM250396
APPENDIX E	CONTAMINATED LAND CORRESPONDENCE

4.0 SITE DESCRIPTION AND PROPOSAL

4.1 Site Description

The subject site is located approximately 150m southwest of the Aubrey Road and Joe Brown Drive intersection, on the southern side of Aubrey Road, at the base of Mt Iron. The site comprises approximately 4,601m^2 and contains a mix of established kanuka vegetation and open grassed areas.

Topographically, the site is relatively flat in the vicinity of Aubrey Road before rising more steeply toward the southern and western portions of the site. This change in elevation provides a degree of natural containment and enables development to be visually integrated into the landform.

The site benefits from two existing access arrangements. A formed vehicle crossing from Aubrey Road services the approved shed (RM250396), which is currently under

construction. In addition, a shared right-of-way access is located toward the north-eastern boundary, extending south from Aubrey Road and providing secondary access to the site.

The site contains an accessory building currently under construction pursuant to resource consent RM250396. While that consent authorised a building applied for as a shed, aspects of the approved plans and Council's assessment reference the potential for residential use. For clarity, this is not the intention of the shed and the building being constructed will be used as a non-habitable accessory structure.

The surrounding environment is characterised by a mix of rural-residential and large lot residential development, with established vegetation contributing to a semi-rural character.

The site is zoned Large Lot Residential B under the Proposed District Plan (PDP), having previously been zoned Rural Residential under the Operative District Plan (ODP).

The subject site and its surrounds are illustrated in Figure 1 below.



Figure 1: Aerial image of subject site (outlined in black and white) and surrounds with Proposed District Plan Zoning overlayed. Source: QLDC GIS.

4.2 Description of Proposal

This application seeks resource consent to establish a residential unit on the site, consistent with the anticipated residential use of the allotment.

For clarity, this application does not rely on any inferred residential use associated with RM250396. The approved shed will remain an accessory building only and will not be used for residential accommodation. Any plumbing, services, or internal fit-out within that building that could enable independent residential use (and which informed Council's previous interpretation of a residential unit) will be removed or appropriately restricted, such that the building cannot function as a separate residential flat or unit.

The proposed dwelling is a two-storey residential unit located toward the south-western portion of the site. It has been carefully sited and partially embedded into the slope to reduce visual prominence and integrate with the landform.

The dwelling has a footprint of approximately 172m^2 and a gross floor area of approximately 215m^2. It incorporates a low-profile gable and mono-pitch roof (4–10 degrees) and articulated building form to reduce bulk.

External materials include Colorsteel Five Rib cladding in *Tidal Drift Matte* (LRV 13%), brick veneer, and cedar weatherboards, with matching roofing and dark-toned joinery. The material palette is recessive and consistent with the natural environment, Consent Notice colour parameters as well as the colour and reflectivity standards of the Proposed District Plan.

The maximum building height is approximately 6.423m, with only a limited portion exceeding 6m.

As shown on the architectural plans, the upper-level façade includes a continuous length exceeding 20m. The northern/primary elevation extends to approximately 21.9m, while the southern elevation is slightly shorter. The exceedance is limited to the upper level and results from the linear arrangement of internal living spaces, which creates a continuous façade element along part of the building elevation.

Earthworks are required to establish the building platform, comprising approximately 214m^3 of cut and minor fill. Retaining walls (up to 1.7m) and battered slopes will be used to stabilise the site and integrate with surrounding ground levels.

The proposal includes associated landscaping and indigenous vegetation clearance of approximately 149m^2 (in addition to 106m^2 approved under RM250396). Planting is proposed to assist with reinstatement and integration of the development.

<u>Consent Notice Approach</u>

The subject site is subject to Consent Notice 6674069.3, which imposes restrictions relating to servicing, vegetation retention, and building design. This application seeks to vary, and where appropriate cancel, aspects of that Consent Notice to enable the establishment of a residential unit on the site.

It is the Applicant's position that the Consent Notice is now outdated in its entirety, having been imposed under a 2003 Rural Residential planning framework which no longer reflects:

- the current Large Lot Residential B zoning under the Proposed District Plan;
- the established reticulated servicing environment; and
- the comprehensive and effects-based provisions of the District Plan relating to building design, amenity, and indigenous vegetation.

As such, the Consent Notice is considered to duplicate, conflict with, or be superseded by the contemporary planning framework. The preferred outcome is therefore for the Consent Notice to be cancelled in full, with reliance placed on the District Plan provisions and any conditions of consent imposed through this application.

Notwithstanding this position, the Applicant is open to Council's preferred processing approach, including partial cancellation or variation of specific conditions.

Background

Consent Notice 6674069.3 anticipates the establishment of a dwelling on the site, subject to compliance with specified servicing and design requirements.

Subsequent to subdivision, resource consent RM250396 authorised the construction of an accessory building (shed), which is currently under construction. As part of that process, Council identified elements of the design as being consistent with a residential unit.

For clarity, that building is not intended to be used for residential purposes and will remain an accessory building.

This application seeks a clear and singular approval for a residential unit, independent of the previously consented shed. To ensure this position is both clear and enforceable:

- the shed will remain an accessory building; and
- plumbing and internal services within the shed will be removed or limited such that it cannot function as a self-contained residential unit/flat.

This approach ensures that only one residential unit (which does not include a residential flat) is established on the site.

Nature of Variations Sought

While the Applicant considers the Consent Notice should be cancelled in full, the following matters are addressed to assist Council in the event that a variation-based approach is preferred:

- Servicing requirement cancellations
- Building height – minor exceedance of the 6m limit (to approximately 6.423m);
- Vegetation retention and clearance – inability to achieve the prescribed 2,000m² peripheral retention, with a revised landscaping response proposed; and
- Design controls – the dwelling adopts a recessive, site-responsive design but does not strictly align with all prescriptive elements of the Consent Notice.

Proposed Amendments

For completeness, and to provide a clear pathway for implementation should Council elect to retain the Consent Notice in amended form, the following changes are proposed (retractions ~~struck through~~, additions in **bold and underlined**). Note that the updated consent notice conditions are being utilised below as per RM250396 approval (attached as **Appendix D**).

1. ~~*No residential dwelling is to be constructed on the Lot prior to Queenstown Lakes District Council commissioning the Beacon Point Reservoir and the new Albert Town Water Main and the water reticulation is available to all Lots on this subdivision*~~

2. *A minimum of 2,000m² of the Kanuka on the property is to be retained around the periphery of the property, aside from that approved under RM250396* ***and RM26XXXX****. At the time a dwelling is proposed on the lot, and prior to the commencement of any works on the lot, a landscape plan shall be submitted to the Principal: Resource Management for approval indicating the location of the Kanuka to be retained around the periphery of the lot.*

3. Condition 3 was cancelled under RM250396.

4. ~~In the event that the number of persons to be accommodated on any of Lots 1 to 8 is to be greater than five,. Then Queenstown Lakes District Council will require commensurate increases in the water supply to that lot at the rate of 200 litres per extra person per day.~~

6. Design Control

Any building constructed on the lot shall comply with the following requirements

- *Each allotment shall retain an area of 2,000m^2 of the existing Kanuka and other native species on the periphery of the property that will blend in with the natural environment* ***aside from development approved by RM26XXXX.***
- *Any scarring resulting from earthworks shall be restored with Kanuka with the exception of the area immediately surrounding the dwelling. This restoration shall be completed within 12 months of the earthworks commencing* aside from development approved by RM250396.
- *All buildings shall be design to blend in with the surrounding landscape.*
- *Buildings shall have a maximum height of 6 metres from existing ground level* ***aside from development approved by RM26XXXX.***
- *Roof pitches are limited to between 25 and 40 degrees aside from development approved by RM250396* ***and RM26XXXX.***
- *Roof materials shall be colour*steel, natural stone, timber, turf or tile.
- *Roof colours shall be dark (<10% reflectivity) aside from development approved by RM250396* ***and RM26XXXX.***
- *Wall claddings shall be timber, plaster, stone or other natural material aside from development approved by RM250396* ***and RM26XXXX.*** *Wall colours shall be natural "earthy" colours of <30% reflectively. Colours shall be selected from oxides of green, brown, grey or burgundy.*
- *Night lighting shall be sensor lighting only.*
- *No relocatable buildings, temporary buildings or structures.*
- *Construction is to be completed within 12 months of commencement.*

4.4 NES: Assessing & Managing Contaminants in Soil

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES-CS) apply to this proposal.

A preliminary site investigation (PSI) has been undertaken, consistent with the Ministry for the Environment guidelines, including a site walkover and a review of the historical use of the site.

The subject site is identified as having previously been utilised for stormwater and wastewater disposal, as indicated on the deposited plan attached to the title (refer **Appendix B**). This activity is listed on the Hazardous Activities and Industries List (HAIL), and therefore the site is considered to be HAIL land for the purposes of the NES-CS.

Resource consent RM250396 authorised earthworks and establishment of a building on the site. As part of that application, the NES-CS was triggered and assessed, with Council accepting that the site could be appropriately developed notwithstanding the absence of a Detailed Site Investigation (DSI).

The current proposal relates to the establishment of a residential unit on the same allotment. However, it is important to note that the proposed building platform is located in a different part of the site to the former wastewater disposal area. In particular, the dwelling is positioned on higher ground toward the south-western portion of the site, whereas the historic disposal area was located at a lower elevation toward the north-western portion of the site.

Accordingly, while the site as a whole is classified as HAIL land, the area subject to the proposed building platform and associated earthworks is spatially separated from the identified area of potential contamination. This separation, combined with the elevated position of the building platform, reduces the likelihood of encountering soils associated with the former disposal activity.

Notwithstanding the above, the proposed works do not meet the permitted activity standards under Regulation 8 of the NES-CS, in particular due to the volume and extent of earthworks exceeding the permitted disturbance thresholds. In the absence of a Detailed Site Investigation (DSI), the proposal does not qualify as a controlled or restricted discretionary activity and is therefore assessed as a **Discretionary Activity pursuant to Regulation 11** of the NES-CS.

In terms of potential effects on human health, the historical wastewater disposal system servicing the site was decommissioned in approximately 2019 following connection to Council reticulated services. The primary contaminants of concern associated with such systems are typically microbial (e.g. E. coli), which are not persistent in soil environments over extended periods (refer to **Appendix E**).

Given that more than six years have elapsed since the system was last in use, and taking into account the spatial separation between the proposed works and the former disposal area, the potential for adverse effects on human health is considered to be very low.

Overall, the proposal is consistent with the intent of the NES-CS, being to ensure that land affected by contaminants is appropriately managed to protect human health. The effects associated with disturbance of the site are considered to be no more than minor.

5.0 SITE HISTORY

- RM030339 – Approved an 8-lot subdivision which created the subject site.
- RM150884 – Applied to construct a residential unit and associated accessory buildings. This application was withdrawn.
- RM170746 – Approved the establishment of a residential dwelling.
- RM180357 – Approved a variation to RM170746 to provide for an amended location and design of the approved dwelling.

- RM160814 – Applied for a 10-lot subdivision. After a publicly notified process, appeal to the environment court, and subsequent appeal to the high court, 6-lots and associated building platforms were approved.
- RM210471 – Approved a section 127 variation of RM160814 to change the landscape plan and provide greater landscaping clarification.
- RM250396 – Approved the establishment a shed (defined by Council as Residential Unit) along with associated earthworks, landscaping and consent notice condition breaches.

6.0 PROPOSED CONDITIONS OF CONSENT

The applicant is agreeable to standard conditions of consent commensurate with the nature and scale of the proposal. The following additional conditions are volunteered to address specific matters arising from the assessment:

Servicing of Accessory Building (RM250396)
At the time the residential unit authorised by this consent is established, any plumbing associated with the bar/media area within the building authorised under RM250396 shall be removed or otherwise disabled such that the building cannot function as a self-contained residential unit or flat.

7.0 RELEVANT PROVISIONS

7.1 Activity Status (Operative District Plan)

The subject site is zoned Rural Residential under the Operative District Plan (ODP). However, as the relevant provisions of the Proposed District Plan have legal effect under section 86F of the Resource Management Act 1991, the proposal is assessed under the Proposed District Plan.

7.2 Activity Status (Proposed District Plan)

The subject site is zoned Large Lot Residential B under the Proposed District Plan. A residential unit is a permitted activity within the zone pursuant to Rule 11.4.1, subject to compliance with the relevant standards.

The proposal requires resource consent for the following:

- A **restricted discretionary** activity resource consent pursuant to Standard 11.5.6 for the exceedance of continuous of building length façade above ground floor level. The matters which Council restricts its discretion to are as follows:
    a) External appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties.

- A **restricted discretionary** activity resource consent pursuant to Standard 33.5.3

as the proposal involves the clearance of indigenous kanuka vegetation exceeding 50m² within a continuous 5-year period. The matters which Council restricts its discretion to are as follows:

1) The effects that the vegetation clearance will have on:
   (a) indigenous biodiversity values;
   (b) soil conservation, water quality and the hydrological function of the catchment;
   (c) landscape, natural features and natural character;
   (d) the amenity values of any adjacent open space including trails and walkways;
   (e) ecological corridors and linkages: and
   (f) cultural values associated with indigenous biodiversity.
2) The extent to which the vegetation removal is necessary taking into account the need for, or purpose of, the proposed activity;
3) The minimisation of effects through the adoption of alternative locations for the activity on the site for the proposed activity;
4) Proposals for remediation and mitigation of adverse effects, including through revegetation, restoration of other areas of vegetation and ongoing maintenance;
5) Proposals for biodiversity offsets for residual adverse effects as provided for by Policy 33.2.1.6;
6) The risk of the increase in weed and pest species. and proposed management of pests;
7) Benefits resulting from the proposed activity including the extent to which the activity may protect, maintain or enhance indigenous biodiversity values; and
8) Effects on kaitiakitanga and the values of indigenous vegetation, taonga species and habitats, and biodiversity to tangata whenua.

Overall, under the Proposed District Plan, the proposal qualifies as a **Restricted Discretionary** activity.

7.3 Activity Status (Resource Management Act)

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. In this instance, this application seeks to vary and/or cancel Consent Notice 6674069.3 registered on the Record of Title.

Accordingly, the consent notice variation, as well as the potential full cancellation of the Consent Notice, component of this application is assessed as a **Discretionary Activity**.

8.0 ASSESSMENT OF ADVERSE EFFECTS

8.1 Permitted Baseline

Pursuant to section 104(2) of the Resource Management Act 1991, a consent authority may disregard adverse effects of an activity where those effects are permitted by the District Plan (the permitted baseline).

In this instance, the permitted baseline includes development anticipated within the Large Lot Residential B Zone, including:

- The establishment of a residential unit and associated residential activities;
- Accessory buildings, including those ancillary to residential use;
- Low density residential development at a density of one residential unit per 4000m²;
- Buildings complying with the permitted bulk and location standards, including setbacks and height;
- Earthworks within permitted thresholds;
- Limited indigenous vegetation clearance, including up to 50m² within a continuous 5-year period;
- Fencing, access, and landscaping works associated with residential development.

These activities establish a baseline expectation that the site will be developed for residential purposes, including buildings, earthworks, vegetation modification, and associated infrastructure.

8.2 Existing Environment

The existing environment includes both the physical characteristics of the site and the consented development that has been approved but may not yet be fully implemented.

In this instance, the existing environment includes:

- The approved and partially constructed building authorised under resource consent RM250396;
- The associated approved building platform, earthworks, and access arrangements;
- Existing vehicle access from Aubrey Road, including formed crossings and internal access;
- Established fencing and landscaping, including areas of retained and modified kanuka vegetation.

The consented development under RM250396 forms part of the existing environment and is a relevant baseline against which the effects of the current proposal are assessed.

8.3 Receiving Environment

In addition to the permitted baseline and existing environment, the receiving environment comprises the established and anticipated pattern of development on surrounding sites.

The receiving environment is characterised by low density residential development on large allotments on the southern side of Aubrey Road, including residential units, accessory buildings, and established landscaping. These sites exhibit variation in building form, materials, and vegetation cover, including areas of both retained and cleared kanuka associated with the establishment of building platforms (e.g. RM170933), access, and landscaping.

On the northern side of Aubrey Road, the more recent Hikuwai development has established a pattern of residential development on allotments generally ranging between 2000m² and 4000m². Beyond this, development transitions to a more urban residential environment at a higher density.

Overall, the receiving environment reflects a transition from a semi-rural, large lot residential character, where vegetation modification (including kanuka clearance) has occurred to enable development, to a more suburban form of development in the wider area.

It is within the context of the permitted baseline, existing environment, and receiving environment that the actual and potential effects of the proposed development are assessed below.

8.4 Assessment of Effects on the Environment

8.4.1 Indigenous Vegetation Considerations

1) The effects that the vegetation clearance will have on:
   a) Indigenous biodiversity values

The proposed vegetation clearance associated with this application is approximately 149m² of kanuka, limited to the building platform and associated development footprint.

This is in addition to vegetation clearance previously authorised under RM250396 (being 102m²). However, when considered in the context of the overall site, the majority of existing kanuka vegetation will be retained.

The vegetation to be removed is limited to the peripherals of the proposed unit, and the larger swathe of vegetation remains intact across the site and surrounding properties. Accordingly, the loss of vegetation will not result in any significant reduction in indigenous biodiversity values.

b) Soil conservation, water quality and the hydrological function of the catchment

The proposed vegetation clearance and associated earthworks are limited to the defined building platform and immediate development footprint.

Standard erosion and sediment control measures will be implemented during construction to minimise the mobilisation of sediment and maintain water quality. Given the relatively small scale of the catchment and the absence of any directly connected waterbodies within or immediately adjacent to the site, the risk of sediment discharge beyond the site is low.

The majority of existing kanuka vegetation across the site will be retained, which will continue to provide soil stabilisation and assist in maintaining existing hydrological processes. In addition, the proposed development is located on an elevated portion of the site and is spatially separated from the lower-lying area previously utilised for wastewater disposal.

Post-construction, the establishment of building platforms, landscaping, and revegetation will ensure that exposed areas are stabilised and reinstated to an erosion-resistant state.

Accordingly, the proposed vegetation clearance will not give rise to any adverse effects on soil conservation, water quality, or the hydrological functioning of the catchment that are more than minor.

c) Landscape, natural features and natural character

The proposed vegetation clearance is associated with the establishment of the residential unit and is largely confined to the building platform and immediate development footprint.

As previously identified, parts of the site (particularly toward the north-western portion) are already modified and contain areas that are naturally void or reduced in kanuka vegetation due to historic use as a disposal field. The proposed development continues to utilise these more modified areas where practicable, thereby minimising encroachment into more established vegetation.

The clearance proposed as part of this application (approximately 149m^2), while greater than that previously approved, remains localised and does not extend into or connect with larger contiguous areas of kanuka vegetation. The removal is primarily peripheral to the building platform and associated earthworks, which are required due to the topography of the site.

Notwithstanding the cumulative extent of vegetation clearance across the site, the vast majority of kanuka vegetation will be retained. In addition, landscaping and revegetation are proposed, including planting associated with retaining structures and within disturbed areas, which will assist in maintaining the overall vegetated character of the site.

The site will continue to read as a steep, vegetated residential site on the lower flanks of Mt Iron, consistent with the anticipated outcomes of the Large Lot Residential B zoning. The proposed dwelling has been carefully sited and designed to integrate with the landform, including partial embedding within the slope and the use of recessive materials, ensuring it does not appear visually dominant.

In the context of the surrounding environment (which includes residential development, earthworks, vegetation clearance, and established landscaping) the proposal represents a continuation of the existing pattern of development.

Accordingly, the effects on landscape, natural features and natural character are considered to be no more than minor.

d) The amenity values of any adjacent open space including trails and walkways

There are no immediately adjacent public open spaces, trails, or walkways directly affected by the proposed vegetation clearance.

Any such areas in the wider locality are separated from the site by distance and intervening development. As a result, any views toward the site would be expansive and experienced in the context of an already modified environment, including residential buildings, earthworks, accessways, and landscaping.

Given the localised nature of vegetation removal and the retention of the majority of kanuka on the site, the proposal will not detract from the amenity values of adjacent open space, trails, or walkways. Effects in this regard are considered to be less than minor.

e) Ecological corridors and linkages

The proposed vegetation clearance is confined to the building platform and associated development footprint. The removal is localised and does not result in the fragmentation or disconnection of contiguous areas of kanuka vegetation.

As such, the proposal does not disrupt any identified ecological corridors or linkages. The retention of surrounding vegetation ensures that ecological connectivity across the site is maintained.

Accordingly, adverse effects on ecological corridors and linkages are considered to be no more than minor.

f) Cultural values associated with indigenous biodiversity

The proposed vegetation clearance is limited in extent and typical of residential development within the zone. No sites or areas of known cultural significance are affected by the proposal, and the scale and nature of vegetation removal is not such that it would adversely affect cultural values associated with indigenous biodiversity.

Accordingly, any potential effects on cultural values are considered to be less than minor.

2. The extent to which the vegetation removal is necessary taking into account the need for, or purpose of, the proposed activity

The proposed vegetation removal is necessary to enable the establishment of the residential unit, including the formation of the building platform, access, and associated earthworks.
The siting of the dwelling has been carefully selected to minimise vegetation clearance whilst accounting for existing approved development and historical wastewater disposal area. This approach has avoided encroachment into more established and contiguous areas of kanuka vegetation where practicable.

Notwithstanding the need for earthworks due to the site's topography, the extent of vegetation removal has been limited to that required to achieve a functional and efficient development layout. The proposal therefore represents a proportionate and necessary level of vegetation clearance to enable residential development anticipated within the zone.

Accordingly, the extent of vegetation removal is considered to be appropriate, with effects that are no more than minor.

3. The minimisation of effects through the adoption of alternative locations for the activity on the site for the proposed activity

The location of the proposed residential unit has been carefully considered with regard to the distribution of existing kanuka vegetation, site topography, and the presence of previously modified areas.

The building platform has been sited to utilise areas of reduced vegetation cover, including those influenced by historical site use and prior development, thereby

minimising the extent of vegetation clearance required. This approach avoids, where practicable, more established and contiguous areas of kanuka vegetation.

Given the steep topography of the site and the need to establish a functional and efficient building platform, some earthworks are required. The selected location represents an appropriate balance between minimising vegetation removal and achieving a workable development outcome.

Alternative locations on the site would likely result in greater vegetation clearance, increased earthworks, or a less efficient development layout. Accordingly, the proposed location is considered to represent the most appropriate option available to minimise adverse effects.

4. Proposals for remediation and mitigation of adverse effects, including through revegetation, restoration of other areas of vegetation and ongoing maintenance.

The proposal incorporates a range of measures to remediate and mitigate the effects of vegetation clearance.

Revegetation is proposed within the site, including planting of appropriate native species to reinstate some vegetation cover and complement retained kanuka. This planting will assist in maintaining the overall vegetated character of the site and integrating the development within its surroundings.

In addition to revegetation, the majority of existing kanuka vegetation will be retained, ensuring that the site continues to exhibit a strong indigenous vegetative framework. Ongoing maintenance of both retained and newly established vegetation will occur as part of normal residential occupation of the site. This custodianship will support the establishment of planting, manage weed species, and contribute to the long-term health and resilience of vegetation on the site.

Accordingly, the proposed remediation and mitigation measures are considered appropriate and sufficient to ensure that adverse effects associated with vegetation clearance are no more than minor.

5. Proposals for biodiversity offsets for residual adverse effects as provided for by Policy 33.2.1.6

The proposal does not include biodiversity offsetting.

The scale of vegetation clearance (approximately 149m^2) is limited and localised to the building platform and associated development footprint. The clearance does not result

in the fragmentation or disconnection of contiguous kanuka vegetation, and the majority of vegetation across the site will be retained.

Revegetation with native species is proposed within the site, which will assist in maintaining the vegetated character of the site over time.

Having regard to the scale and nature of the proposed works, the retention of surrounding vegetation, and the proposed mitigation measures, the proposal is not considered to give rise to residual adverse effects of a scale or significance that would necessitate biodiversity offsetting under Policy 33.2.1.6.

6. The risk of the increase in weed and pest species and proposed management of pests

The disturbance of vegetation and soils associated with the proposed development has the potential to create conditions for the establishment of weed species. However, this risk is typical of residential development and is limited by the scale and localised nature of the works.

The majority of existing kanuka vegetation will be retained, which will continue to provide ground cover and suppress weed establishment. In addition, revegetation with native species is proposed within disturbed areas, which will assist in re-establishing vegetation cover and reducing opportunities for weed colonisation.

Ongoing site management associated with residential occupation will provide for regular maintenance of planted and retained areas, including the identification and control of weed species as they arise. This custodianship will contribute to the long-term management of vegetation on the site.

Accordingly, the risk of increased weed and pest species is considered to be low, and any effects are no more than minor.

7. Benefits resulting from the proposed activity including the extent to which the activity may protect, maintain or enhance indigenous biodiversity values.

The proposal provides a number of benefits in terms of the management and ongoing maintenance of indigenous vegetation on the site.

The development will retain the majority of existing kanuka vegetation, maintaining the established vegetative framework of the site. In addition, revegetation with native species is proposed, which will assist in reinstating vegetation cover and supporting the site's overall ecological function.

The establishment of a residential unit will also result in ongoing custodianship of the site, including active management of vegetation, weed control, and maintenance of planted areas. This is likely to result in improved long-term management outcomes compared to an unmanaged state.

Overall, while the proposal involves a limited amount of vegetation clearance, it will maintain and, to a modest extent, enhance indigenous vegetation values on the site through retention, revegetation, and ongoing management.

8. Effects on kaitiakitanga and the values of indigenous vegetation, taonga species and habitats, and biodiversity to tangata whenua.

The proposed vegetation clearance is limited in extent and associated with anticipated residential development within the zone.

No sites or areas of known cultural significance have been identified on the subject site, and the proposal does not involve the removal of significant indigenous vegetation or habitats known to support taonga species.

The majority of kanuka vegetation will be retained, and revegetation with native species is proposed, which will assist in maintaining the vegetated character of the site.

Given the scale and nature of the proposal, any potential effects on kaitiakitanga and the values of indigenous vegetation, taonga species and habitats, and biodiversity to tangata whenua are considered to be less than minor.

8.4.2 Consent Notice Considerations

As outlined in Section 4.2, it is the Applicant's position that Consent Notice 6674069.3 is now outdated in its entirety, having been imposed under a 2003 Rural Residential planning framework which no longer reflects the current zoning, servicing environment, or District Plan provisions.

In particular, the Consent Notice:

- responds to a superseded infrastructure context;
- imposes prescriptive design controls under a superseded planning framework, which have since been replaced by an effects-based approach; and
- duplicates or conflicts with contemporary District Plan provisions, including those relating to indigenous vegetation clearance.

Accordingly, the Consent Notice is considered to no longer serve an efficient or necessary planning function. Notwithstanding this position, the specific components of

the Consent Notice are addressed below to demonstrate that any variation or cancellation will not result in adverse effects that are more than minor.

Water provision (Conditions 1 and 4)

Conditions 1 and 4 of Consent Notice 6674069.3 relate to water supply constraints that existed at the time the allotment was created.

Since that time, the site has been connected to Council's reticulated water supply, and the wider area has undergone significant upgrades to potable water infrastructure. As a result, the limitations imposed by these conditions, including restrictions on water availability and occupancy, are no longer reflective of the current servicing environment.

These matters are now appropriately managed through Council infrastructure provision and standard servicing requirements, rather than consent notice controls.

Accordingly:

- Condition 1, which relates to the provision of water supply, is no longer relevant given the site's connection to Council reticulated services; and
- Condition 4, which limits occupancy based on historic water supply constraints, is similarly redundant.

The removal of these conditions will not give rise to any adverse effects, as the site is now serviced in a manner consistent with contemporary infrastructure and the expectations of the zone.

Height (Condition 6)

The Consent Notice limits building height on the site to 6.0m above existing ground level. The proposed dwelling has a maximum height of approximately 6.423m, resulting in a minor exceedance of 0.423m.

This height restriction reflects a superseded planning framework and is more restrictive than the current Proposed District Plan, which anticipates buildings up to 8.0m in height within the Large Lot Residential B Zone.

In this context, the 6.0m limit is considered outdated and no longer aligned with anticipated development outcomes for the site.

In terms of effects, the exceedance is very minor in scale and arises from the building's response to the site's steep and undulating topography. The dwelling adopts a stepped form, with the additional height occurring over a limited portion of the roofline.

The building is partially embedded within the slope and utilises recessive materials and colours, ensuring it integrates with the landform and does not appear visually dominant. Accordingly, the minor exceedance will not result in adverse effects on landscape character, visual amenity, or neighbouring properties that are more than minor.

Overall, the adverse effects arising from the height exceedance are considered to be less than minor.

Roof Pitch and Roof Colour (Condition 6)

The current Proposed District Plan provisions provide a more flexible and effects-based approach to building design, including colours and materials, and do not impose specific roof pitch requirements. Importantly, the proposed dwelling complies with the colour and reflectivity standards of the Proposed District Plan, ensuring that materials remain recessive and appropriate within the landscape context.

In this context, the Consent Notice controls are considered overly prescriptive and no longer necessary to achieve appropriate design outcomes.

In terms of effects, the proposed roof pitch is a direct response to the steep and undulating topography of the site, enabling a low-profile, stepped building form that integrates with the landform. A lower pitch reduces the overall perceived height and bulk of the building, resulting in a more recessive and visually integrated outcome than a steeper roof form would achieve.

The proposed roof colour, while marginally exceeding the Consent Notice LRV requirement, remains a dark, recessive tone consistent with the surrounding environment and compliant with current District Plan standards. As such, it will not result in increased visual prominence.

Accordingly, having regard to the evolution of the planning framework, the established receiving environment, and the design response of the dwelling, the proposed variations achieve the underlying intent of the Consent Notice controls, while aligning more appropriately with the current District Plan framework.

Overall, adverse effects arising from the proposed roof pitch and colour are considered to be less than minor.

Vegetation (Condition 2)

The Consent Notice requires that a minimum of 2,000m^2 of kanuka vegetation be retained around the periphery of the site, with a landscape plan to be submitted at the time of development identifying areas of retention.

This requirement originated from the underlying subdivision approved in 2003 under a Rural / Rural Residential planning framework. At that time, the site was identified as being predominantly covered in kanuka and highly visible within a rural landscape setting, with vegetation retention forming a key mechanism to ensure that future dwellings could be absorbed into the landscape and screened from view, particularly from Anderson Road and more distant vantage points.

The processing planner and landscape architect specifically recommended the retention of kanuka around the periphery of each lot to:

- maintain landscape character;
- provide visual screening of development; and
- ensure dwellings were not visually prominent within the rural environment.

However, it is evident from both historical aerial imagery and the current site survey that:

- the site has never contained a continuous 2,000m² band of kanuka vegetation around its periphery; and
- vegetation distribution is irregular and fragmented, particularly toward the north-western portion of the site where historic disturbance (including wastewater disposal) has occurred.

Historical aerial imagery demonstrates that the site has never contained more than approximately 1,000m² of kanuka vegetation within the site periphery (within 6m of the boundary).

Accordingly, the requirement is not practically achievable in its literal form, as it assumes a level and pattern of vegetation coverage that has not existed on the site.
In addition, indigenous vegetation clearance is now explicitly managed under Chapter 33 of the Proposed District Plan, which provides a detailed, effects-based assessment framework, including thresholds, matters of discretion, and policy guidance. In this context, the Consent Notice requirement is prescriptive, inflexible, and somewhat duplicative of the contemporary planning regime.

Notwithstanding this, the proposal achieves the underlying intent of the condition by:

- retaining substantial areas of kanuka, particularly along site margins and steeper slopes;
- locating development within a more modified portion of the site; and
- providing for revegetation and landscaping.

The receiving environment has also transitioned from a rural setting to an established Large Lot Residential environment, reducing the relevance of the original vegetation control.

Accordingly, while the quantitative requirement is not met, the intent of the condition is achieved, and the effects of vegetation clearance are more appropriately managed through the District Plan framework. Adverse effects are therefore considered to be less than minor.

Consent Notice Conclusion

When considered collectively, the Consent Notice provisions no longer reflect the current planning, servicing, or environmental context of the site and are superseded by the Proposed District Plan framework.

The effects of development are more appropriately managed through the District Plan provisions and site-specific conditions of consent.

Accordingly, the Consent Notice is considered obsolete in practice, and its cancellation (in full or in part) will not result in adverse effects that are more than minor.

8.4.3 Building Length Considerations

While the upper-level façade exceeds 20m in length, the resulting effects are appropriately mitigated through the design of the building. The façade is visually broken up through articulation in the building form, including recesses, variation in wall planes, and changes in materials. This reduces the perception of a continuous building length and ensures the building does not present as a singular dominant element.

In addition, the dwelling is partially embedded into the sloping topography, further reducing its visual prominence when viewed from surrounding properties and Aubrey Road. The use of recessive colours and materials also assists in integrating the building into the landscape.

As a result, the 1.9m exceedance will be barely perceptible in the receiving environment, and the building will not result in adverse visual dominance or adverse effects on neighbouring properties or the streetscape.

Accordingly, adverse effects associated with the building length breach are considered to be less than minor.

8.4.4 Summary of Effects on the Environment

Overall, potential adverse effects of the proposal, including those associated with the variation or cancellation of the Consent Notice, will be no more than minor in degree.

8.5 Assessment of Effects on Persons

Figure 2 below shows the parties which are subject to the following assessment:



Figure 2: Aerial image from QLDC GIS, subject site outlined in black and white, sites subject to assessment highlighted with green star. Source: QLDC, GIS.

The proposed residential unit is consistent with the anticipated residential character of the Large Lot Residential B Zone and is appropriately sited within the subject site, taking into account topography, existing vegetation, and separation distances to boundaries.

While the proposal includes minor variations to consent notice controls (including height, vegetation retention, and design elements), as well as a limited exceedance of the building length standard, these have been assessed as giving rise to effects that are no more than minor. This includes the variation or cancellation of consent notice controls, which are no longer necessary to manage effects on neighbouring properties and are appropriately addressed through the Proposed District Plan framework. The building adopts a stepped form, is partially embedded within the slope, and utilises recessive materials and colours, which collectively ensure that visual dominance and bulk are minimised.

The site benefits from generous/compliant setbacks and existing vegetation, which assist in maintaining privacy, outlook, and amenity between neighbouring properties. No material loss of sunlight, outlook, or privacy will occur.

Accordingly, the proposal will not result in adverse effects on neighbouring persons that are more than minor, and effects on persons are considered to be less than minor.

9.0 OBJECTIVES AND POLICIES OF THE DISTRICT PLAN

The proposal does not trigger a resource consent under the Operative District Plan and as a result, the provisions of the Proposed District Plan are now considered most relevant and will be considered below.

9.1 Proposed District Plan (PDP)

The relevant objectives and policies of the PDP are contained within chapters 3 (Strategic Direction), 4 (Urban Development), 11 (Large Lot Residential Zone) and Chapter 33 (Indigenous Vegetation & Biodiversity).

Chapters 3 and 4 seek to ensure that urban development occurs in a consolidated and efficient manner within identified urban growth boundaries, making effective use of land and infrastructure.

The subject site is located within the urban growth boundary and the Large Lot Residential B Zone. The proposal involves the establishment of a residential unit on an existing allotment, representing an anticipated and appropriate use of the land resource. The development utilises an already serviced site and integrates with the established pattern of residential development along Aubrey Road. In this regard, the proposal supports a consolidated urban form and efficient use of infrastructure.

Overall, the proposal is consistent with the relevant objectives and policies of Chapters 3 and 4.

Chapter 11 focuses on low density living opportunities within the defined urban growth boundaries.

> ***11.2.1 Objective - A high quality of residential amenity values are maintained within the Large Lot Residential Zone.***
> *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 and in Area A, in Hawea / Wanaka Sticky Forest, by requiring landscaping, colour and vegetation controls.*
> *11.2.1.3 Control lighting to avoid glare to other properties, roads, public places and views of the night sky.*
> *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.*

The proposal is consistent with Objective 11.2.1 and its associated policies. The residential unit adopts a low-profile, stepped design that responds to the steep and undulating topography of the site, ensuring that building bulk and dominance are minimised. While limited exceedances of the building length standard and consent notice height restriction are proposed, these are minor in nature. The façade is articulated through recesses, variation in wall planes, and changes in materials, reducing the perception of a continuous building form, while the height exceedance is confined to a small portion of the roof and is visually absorbed.

The dwelling utilises recessive colours and materials consistent with the PDP standards, ensuring integration with both the surrounding built environment and retained vegetation. The majority of kanuka vegetation is retained, with additional planting proposed to maintain the vegetated character of the site.

Earthworks and associated vegetation clearance have been minimised through careful siting of the building within a more modified portion of the site, ensuring that overall amenity and landscape qualities are maintained. Vegetation removal in proximity to the building platform also provides a degree of defensible space, consistent with Policy 11.2.1.4 in managing fire risk.

> ***11.2.2 Objective - Predominant land uses are residential. Where appropriate, community and recreational activities also occur.***
> *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 directly gives effect to Objective 11.2.2 by establishing a residential unit, which is an anticipated and enabled activity within the zone. The development represents an efficient use of an existing allotment and is consistent with the established pattern of low density residential development in the surrounding area.

Overall, the proposed development maintains residential amenity, responds appropriately to site constraints, and reinforces the intended character of the Large Lot Residential Zone.

Accordingly, the proposal is considered consistent with Objectives 11.2.1 and 11.2.2 and their associated policies.

The relevant objectives of the Chapter 33 (Indigenous Vegetation & Biodiversity) are 33.2.1 and 33.2.3.

> ***33.2.1: The District's indigenous biodiversity is protected, maintained or enhanced.***

The proposal is consistent with this objective. While it involves the clearance of approximately 149m² of kanuka vegetation, the majority of indigenous vegetation on the site is retained. The clearance is limited in extent, does not affect any identified Significant Natural Area, and is confined to the building platform and associated works.

The proposal has been designed to avoid unnecessary vegetation removal, with development located within a more modified portion of the site. Where clearance is required, the effects are appropriately mitigated through revegetation and ongoing site management. As a result, indigenous biodiversity values on the site are maintained.

> *33.2.1.2: Provide standards… that permit the clearance of a limited area of indigenous vegetation in specified circumstances.*

The proposal is consistent with this policy. While the quantum of clearance exceeds permitted thresholds, it remains limited in scale relative to the overall site and is associated with an anticipated residential activity within the zone.

> *33.2.1.5: Undertake activities involving the clearance of indigenous vegetation in a manner that ensures the District's indigenous biodiversity is protected, maintained or enhanced.*

The proposal aligns with this policy through:

- minimising vegetation clearance through careful siting of the dwelling;
- retaining surrounding kanuka vegetation; and
- providing for revegetation and ongoing management.

These measures ensure that biodiversity values are maintained despite the limited clearance proposed.

> *33.2.1.6: Manage the adverse effects of activities on indigenous biodiversity by avoiding, remedying or mitigating adverse effects…*

The proposal is consistent with this effects management hierarchy. Adverse effects have been:

- avoided where practicable through site selection;
- minimised by limiting the extent of clearance; and
- mitigated through revegetation and ongoing custodianship of the site.

Given the limited scale of effects, biodiversity offsetting is not required in this instance.

> ***33.2.3: Land use and development maintains indigenous biodiversity values.***

The proposal is consistent with this objective. The development maintains indigenous biodiversity values through retention of the majority of vegetation, avoidance of sensitive areas, and ensuring that ecological connectivity across the site is not disrupted.

Overall, the proposal is considered to be consistent with the relevant objectives and policies of the PDP.

10.0 PART II OF RMA 1991

In consideration of the relevant principles outlined in Sections 5, 6, 7 and 8 of the Act, it is considered that if approved, the proposed residential unit will continue to achieve the purpose of the Act as presented in Section 5.

11.0 NATIONAL POLICY STATEMENT FOR NATURAL HAZARDS (NPS-NH)

The National Policy Statement for Natural Hazards 2025 (NPS-NH) came into force on 15 January 2026 and applies to subdivision, use and development in relation to the following natural hazards: flooding, landslips, coastal erosion, coastal inundation, active faults, liquefaction and tsunami.

Wildfire risk is not identified as a natural hazard within the scope of the NPS-NH and is therefore not assessed under this section. However, fire risk has been considered separately within the context of vegetation management and site design.

The objective of the NPS-NH is to ensure that: "*Natural hazard risk to people and property… is managed using a risk-based proportionate approach.*"

Policies 1 and 2 require that natural hazard risk is assessed and managed in a manner proportionate to the level of risk.

Hazard Identification and Risk Assessment

Based on available information and regional hazard mapping, the following natural hazards are relevant to the site:

Liquefaction
The site is identified within Domain A, indicating ground conditions predominantly underlain by rock or firm sediments, with low to no liquefaction potential. Accordingly, the likelihood and consequence of liquefaction effects are low, and the resulting level of risk is also low.

Seismic Shaking
The site is located within an area with an expected shaking intensity of approximately MMVII (Modified Mercalli Intensity 7). This represents a typical seismic

environment for the region. The consequences of seismic events are addressed through standard building design and compliance with the New Zealand Building Code.

Landslip / Slope Stability
The site has steep and undulating topography, and landslip / slope stability is therefore the most relevant hazard consideration under the NPS-NH.

The underlying subdivision documentation included geotechnical input, with Council's assessment noting that a suitably qualified geotechnical engineer had confirmed there were no significant stability issues with the site. The 2003 processing report also records that the land was considered suitable for subdivision, subject to engineering design at the time of future development.

More recent geotechnical input has also been obtained in relation to the approved shed works. That advice provides parameters for retaining wall design and confirms appropriate cut angles of 0.5H:1V for rock and 1H:1V for soils, with erosion protection recommended while planting establishes.

While this does not comprise a full updated geotechnical assessment for the proposed dwelling, it confirms that the site geology and proposed slope treatment can be appropriately managed through engineering design. The proposal will be subject to building consent requirements, including structural design of foundations and retaining, where required.

On this basis, and having regard to the historic geotechnical assessment, recent batter angle advice, and the ability to manage earthworks through detailed design, the residual slope stability risk is considered to be low to medium, and capable of being appropriately mitigated.

The proposal is therefore considered to adopt a proportionate risk-based approach to landslip / slope stability risk.

Other Hazards
The site is not subject to coastal hazards, tsunami risk, or known flooding constraints, and these hazards are not considered relevant.

Risk-Based Assessment
In accordance with the NPS-NH risk matrix, natural hazard risk is determined based on the likelihood of an event occurring and the consequence of that event.

For the hazards identified:

- Likelihood: generally low (or typical regional baseline for seismic events);

- Consequence: low to moderate, with effects mitigated through design and standard construction practices;

Accordingly, the overall level of natural hazard risk is assessed as low.

Assessment Against NPS-NH Policies
The proposal is consistent with the NPS-NH for the following reasons:

- The level of natural hazard risk is low, and therefore does not require avoidance under Policy 3;
- Potential risks are appropriately mitigated through design measures, including geotechnical input and building controls;
- The proposal does not create or increase natural hazard risk on other sites; and
- The assessment is based on the best available information, consistent with Policy 5.

Conclusion
The proposal adopts a risk-based and proportionate approach to natural hazard management, consistent with the objective and policies of the NPS-NH. Natural hazard risk to people and property is low and appropriately managed, and the proposal is therefore consistent with the National Policy Statement for Natural Hazards 2025.

12.0 CONCLUSION

This application seeks resource consent to establish a residential unit at 749 Aubrey Road, Wanaka, including associated breaches of building length, indigenous vegetation clearance standards, and the variation or cancellation of existing consent notice controls.

When assessed against the relevant provisions of the Proposed District Plan, the proposal is considered to be consistent with the intent of the applicable rules, matters of discretion, objectives and policies. The development represents an appropriate and anticipated use of the site within the Large Lot Residential B Zone, with adverse effects appropriately avoided, remedied or mitigated.

In addition, the Consent Notice currently registered on the title is considered to be outdated and no longer necessary to manage the effects of development on the site. The matters it seeks to control are more appropriately addressed through the Proposed District Plan framework and conditions of consent. On this basis, the cancellation (in full or in part) of the Consent Notice is considered appropriate and will not give rise to any adverse effects that are more than minor.

Overall, the assessment demonstrates that adverse effects on the environment will be no more than minor, and effects on persons will be less than minor.

Accordingly, it is respectfully requested that Council grant resource consent to the proposal, subject to appropriate conditions, on a non-notified basis.

Kind Regards,



Nicole Malpass
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BRIDGING THE GAP BETWEEN PROCESS & YOUR OBJECTIVES

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