ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

Water Tanks & Accessory Building

847 Malaghans Road

For M Hough, M Corty and S Hough

August 2026

1.0 EXECUTIVE SUMMARY OF PROPOSAL

Michael Hough, Michele Courty and Stephanie Hough (the Applicant) seek retrospective resource consent to erect an accessory building and install water supply infrastructure including two 30,000 litre water tanks and a pump shed, at 847 Malaghans Road in the Wakatipu Basin. Consent is also sought to install a glasshouse.

Location:	847 Malaghans Road, Wakatipu
Legal Description:	Section 11, 19 Survey Office Plan 457201 held in Record of Title 624844
Territorial Authority:	Queenstown Lakes District Council (QLDC)
Plan:	Proposed District Plan
Zoning:	Wakatipu Basin Rural Amenity Zone
Natural Hazards:	None identified
Other:	There are no known heritage features, or cultural heritage or archaeological sites. The site is not identified as a HAIL site. The site is within the Lake Hayes catchment.
Activity Status:	Non-complying

2.0 APPENDICES

Appendix 1 – Record of Title
Appendix 2 – Consent Notice 7510884.5
Appendix 3 – Covenants
Appendix 4 – Site Plans
Appendix 5 – Photos of Accessory Building
Appendix 6 – RM040213 approved plans
Appendix 7 – Affected Person's Approval from J Rose-Innes

3.0 INTRODUCTION

This Assessment of Effects on the Environment (AEE), inclusive of appendices, has been prepared in accordance with Schedule 4 of the Resource Management Act (RMA). Together these documents provide:

- a description of the application site and surrounding environment;
- a description of the proposal;
- a description of the consents sought;
- an assessment of environmental effects;
- identification and assessment of relevant objectives and policies of the District Plan; and
- a conclusion.

3.1 Overview

Resource consent is sought for the following at 847 Malaghans Road, in the Wakatipu Basin:

- to install two 30,000 litre water tanks;
- to construct a pump shed with a floor area of approximately 5.7m^2;
- to erect an accessory building used as a playroom; and
- to erect a glasshouse.

The structures listed above will be located outside the approved residential building platform on the site.

The location of the subject site is shown outlined in blue below (Figure 1).

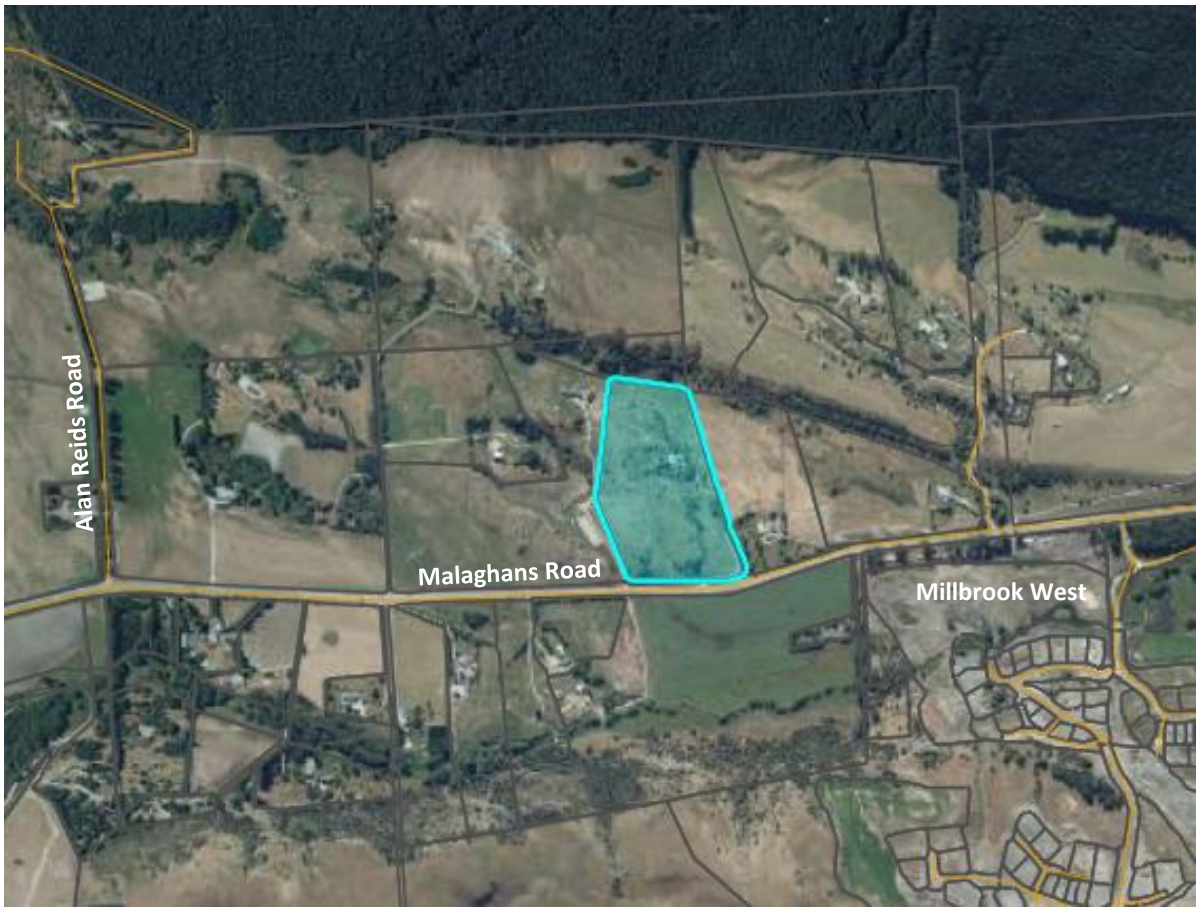


Figure 1: *Site Location (subject site shaded in blue)*

3.2 Site Description

The site is located on the northern side of Malaghans Road and has an area of 6.5907ha more or less. An aerial view of the site is shown in Figure 2 below.

The site contains an existing residential dwelling and detached garage that were constructed in 1996, according to Council records. Access is via a gravel driveway from Malaghans Road.

A rectangular – shaped residential building platform, around the existing dwelling, was registered on the title as part of a previous subdivision consent (RM040213).

The area around the dwelling is landscaped with mature trees and shrubs. The remainder of the site is grass covered. There are two ponds: a larger one to the south of the dwelling, and a smaller one adjoining the northern boundary. The topography is hummocky with visible rock outcrops.

The accessory building for which consent is sought is located to the north of the main dwelling, south of the northern pond. It can be seen in Figure 2 below. It appears to have been constructed sometime between 2019 and 2021, based on the aerial images in Council's GIS, and is understood to have been used as a music studio by the previous owner. The Applicant purchased the property in early 2026, and is seeking retrospective consent for this building. It is currently used by the Applicant's children as a playroom.



Figure 2: *Aerial View of Site (boundaries outlined in yellow)*

3.3 Record of Title

The site is legally described as Sections 11 and 19 Survey Office Plan 457201, held in Record of Title 624844 (a copy of which is attached as **Appendix 1**).

Consent Notice 7510884.5 (**Appendix 2**) applies to Section 11 and was registered on the title under subdivision consent RM040213, which created Lots 1 – 3 DP 361094, each with a residential building platform. The subject site was Lot 2 DP 361094. A subsequent road stopping process created the existing title, adding a strip of land along the Malaghans Road boundary (Section 19).

The consent notice includes conditions relating to design controls for future buildings and landscaping, and a requirement that all buildings are located within the approved residential building platform.

Copies of the private Covenants 7510884.7 and 7510884.8 and variations to these covenants, which are registered on the title, are attached as **Appendix 3**. These covenants are not affected by the current application.

4.0 DESCRIPTION OF PROPOSAL

4.1 Water Supply Infrastructure

It is proposed to erect two green 30,000 litre plastic water tanks and construct a pump shed to the southwest of the existing dwelling. The location is shown on the Site Plan in Figure 3 below, which is also attached as **Appendix 4**.

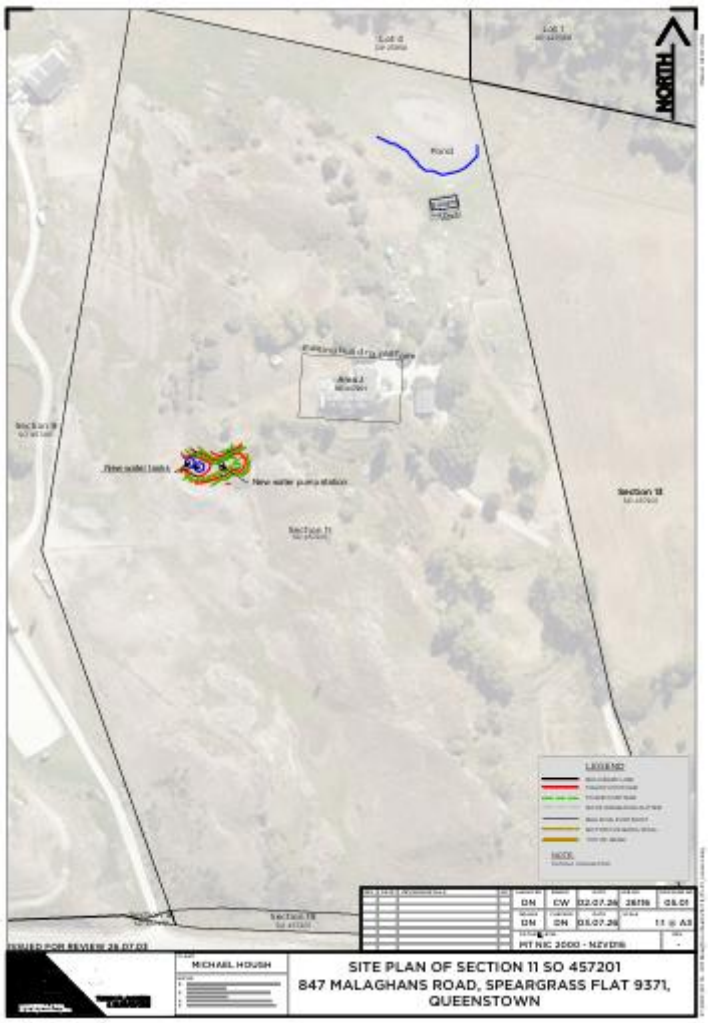


Figure 3: *Site plan showing locations of new structures*

The tanks have already been installed and are located in a low area between two small knolls, as seen in the photo in Figure 4 below. The pump shed in the foreground of the photo is under construction; this has a footprint of 5.7m^2 and is approximately 2m high. The walls of the pump shed will be finished with cedar cladding to match the house, and the roof will be metal cladding in a dark colour with a light reflectance value not greater than 20%.

These structures are located more than 50m from the closest site boundary to the west.

Minor earthworks, which are well within the permitted standards for the zone, have been undertaken to prepare the area. The exposed area will be regrassed on completion of construction.



Figure 4: *Photo of tanks and pump shed (under construction)*

4.2 Accessory Building

The accessory building is located to the northeast of the existing dwelling, and is currently used as a children's playroom. It appears to have been constructed by the previous owner of the property sometime between 2019 and 2021, based on aerial imagery. Refer to the photos in Figures 5 and 6 below (which are also attached as **Appendix 5**).



Figure 5: *Photo of accessory building, southern elevation*



Figure 6: *Photo of accessory building, western elevation*

The walls and roof of the building are clad in dark coloured metal, with wooden doors and window shutters, and a low wooden deck on the southern side. There are also two windows on the northern elevation. The maximum height is 3.84m above existing ground level, and the floor area is approximately 47m^2. The building has an underground power connection but does not have any water or sewage connections.

At the time the building was surveyed for the plans attached to this application, it was set back approximately 9m from the southern edge of the pond to the north. The pond extent fluctuates seasonally. The building is located 15.8m from the site's eastern boundary.

4.3 Glasshouse

It is proposed to erect a glasshouse to the northeast of the existing building platform. The approximate location is shown in Figure 7 on the following page.

The glasshouse will be a kitset from 'Winter Gardenz' or similar. The structure will be powder-coated aluminium in a black finish. The roof panels will be tinted. The maximum size will be 3.8m wide by 7.6m long, with a height of 3.8m at the roof apex. An example of a similar structure is shown in the photo in Figure 8 on the following page.



Figure 7: *Proposed glasshouse location (indicated by blue rectangle)*



Figure 8: *Example of Proposed Greenhouse Structure (Source: https://wintergardenz.co.nz)*

4.4 Variation of Consent Notice

The conditions of Consent Notice 7510884.5 that apply to Lot 2 RM040213 (the subject site) are copied below. (A fully copy of the consent notice is attached as **Appendix 2**.)

The approved plans for RM040213 are attached as **Appendix 6**. With regard to Condition 5 of the consent notice, there is no identified curtilage area or pastoral area on Lot 2 and no landscaping shown on the approved plans, so parts (b), (e) – (i) and (l) are not relevant, along with the parts that are noted as n/a as they specifically apply to Lot 3.

The Applicant requests that Consent Notice 7510884.5 be varied as follows to allow the erection of structures outside the registered building platform (deletions in strikethrough and additions in bold underline).

3. Lots 1 & 2

The owners of Lot 1 and Lot 2 covenant:

(a) That any future building to be erected on Lots 1 & 2 shall be located within the building platform annotated and accurately dimensioned on the title plan. For Lot 1 this is the area marked B1 on DP361094 and for Lot 2 the area marked B2 on DP 361094.

(b) All building shall be located within those approved building platforms and shall have a maximum height of 7.5 metres above existing ground level. No further fill or excavation of the platform shall be permitted at the time of subdivision.

(c) Roof pitch shall be between 22.5 degrees and 37.5 degrees.

(d) The roof shall be in a single gable form and shall be clad in corrugated or tray iron, tiles, or timber shingles, or slate. All of which shall be dark recessive tones.

(e) All joinery shall be in timber or aluminium to match or compliment the colour of the cladding.

Except that the above conditions shall not apply to the structures approved under resource consent RMXXXX on Section 11 SO 457201.

5. Lots 1, 2 and 3

The owners of Lot 1, Lot 2 and Lot 3 unless otherwise specified covenant:

(a) n/a – only applies to Lot 3

(b) The use of all areas outside of the proposed curtilage areas shall be restricted to pastoral use only.

(c) The driveway shall be in gravel, and have the appearance of a simple farm lane.

(d) Open pasture must be maintained by way of mowing and/or stock grazing in order to maintain a consistent amenity. Rank grass will be deemed to be non-complying with the consent notice.

(e) All pastoral areas shall be kept free of all noxious weeds.

(f) No other planting shall be permitted on the pastoral areas, other than the planting detailed on the approved landscape plan.

(g) Tree species within the curtilage restriction areas shall be restricted to Maple, Ash, Oak, Lime or similar deciduous trees and include all suitable New Zealand native species. Evergreens are restricted to non-spreading species and shall not include species with either variegated or leaf colour other than green.

(h) *The amenity planting and the native and wetland planting identified on the Landscape Plan shall be maintained in a healthy state.*

(i) *No exotic tree or shrub planting shall be permitted outside the curtilage restriction area other than the planting detailed on the approved landscape plan.*

(j) *No exotic trees with a tendency for wilding spread shall be planted (including Larch and Douglas Fir).*

(k) *All fencing shall be post and wire only.*

(l) *Wetland areas are to be fences in post and wire fencing only, for protection from stock damage.*

(m) n/a – only applies to Lot 3

(n) n/a – only applies to Lot 3

(o) n/a – only applies to Lot 3

(p) n/a – only applies to Lot 3

(q) n/a – only applies to Lot 3

5.0 DISTRICT PLAN PROVISIONS

5.1 Proposed District Plan (PDP)

All of the provisions of the PDP that are relevant to this proposal have been finalised and made operative. The ODP provisions have therefore not been considered.

The site is zoned Wakatipu Basin Rural Amenity Zone (WBRAZ) and is located entirely within Landscape Character Unit (LCU) 1 – Malaghans Valley. Refer to Figure 9 below.

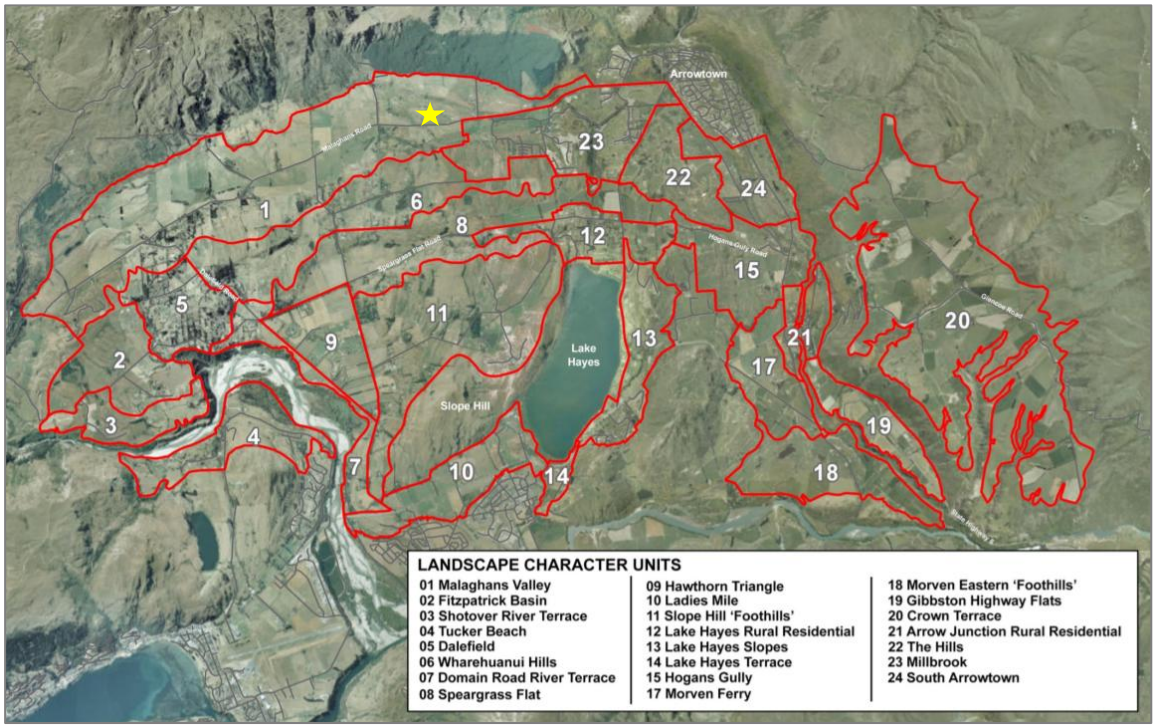


Figure 9: *Location of the Site within the Landscape Character Units (subject site indicated with yellow star)*

5.2 Consents Required

Chapter 24 – Wakatipu Basin Rural Amenity Zone

Resource consent is sought for the following:

- A **non-complying** activity pursuant to Rule 24.4.7 for the construction of buildings for residential activity outside a building platform approved by a resource consent and registered on the applicable record of title on a site, where there is such a building platform. This applies to the playroom and glasshouse which are accessory buildings associated with the residential activity on the site.
- A **restricted discretionary** activity pursuant to Rule 24.4.18 for the construction of buildings for non-residential activities. This applies to the water tanks and pump shed. Council's discretion is limited to: landscape character; visual amenity; access; natural hazards; infrastructure; landform modification; landscaping and planting; and, where the site is located in within the Lake Hayes Catchment as identified in Schedule 24.9, the contribution of, and methods adopted by, the proposal to improving water quality within the Lake Hayes Catchment.
- A **restricted discretionary** activity pursuant to Rule 24.5.12 for a building located within 30m of a wetland, river or lake. The playroom is located approximately 9m from a natural pond to the north. Council's discretion is restricted to: biodiversity values; natural hazards; visual and recreational amenity values; landscape and natural character; open space; and where the site is located within the Lake Hayes Catchment as identified in Schedule 24.9, the contribution of, and methods adopted by, the proposal to improving water quality within the Lake Hayes Catchment.

Resource Management Act 1991

Pursuant to section 221(3)(a), the Applicant requests the variation of Consent Notice 7510884.5 as it relates to the subject site, to allow the erection of structures outside the residential building platform registered on the title. This is a **discretionary** activity.

5.3 Overall Activity Status

The overall activity status of the application is **non-complying**.

6.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

6.1 Permitted Baseline

Under section 104(2) of the RMA, Council may disregard an adverse effect of a proposed activity on the environment if a plan permits an activity with that effect. In this case, there is no relevant 'permitted baseline' as all construction of buildings outside an approved residential building platform requires resource consent in the WBRAZ.

6.2 Landscape and Visual Effects

Visual Amenity Effects

The structures which are the subject of this application are not visible from Malaghans Road due to the hummocky topography of the site.

The water tanks and pump shed are only visible from the following locations:

- part of the adjoining property to the west, including the driveway but not the residential building platform and existing dwelling on that property;
- the edge of the terrace adjoining the eastern end of the Flight Park's internal access way, which is elevated above the site (793 Malaghans Road); and
- potentially from other elevated, distant locations to the north and west including the Project Tohu trail area under construction on the face of Coronet Peak, although the topography is likely to at least partly screen the structures in these views.

The playroom is only visible from the following locations:

- the adjoining property to the east, including from the residential dwelling located approximately 220m to the southeast of the playroom building;
- the edge of the terrace within Flight Park, north of and elevated above the site; and
- potentially from other elevated, distant locations to the north and east, including the Project Tohu trail area.

The proposed glasshouse is likely to have the same visual catchment as the existing playroom.

The structures are not seen in the foreground of views of the Outstanding Natural Landscape from roads or any public places. The structures are small in scale, and where visible, will be seen within a pattern of buildings and structures associated with the surrounding rural living area. Dark and/or 'natural' external colours will ensure that they are visually recessive. Overall, effects on visual amenity values are considered to be less than minor.

Landscape Character Effects

The site is located within LCU 1 – Malaghans Valley of the WBRAZ. Schedule 24.8 of the PDP describes the landscape character units of the Wakatipu Basin. It notes that the schedule is a '*tool to assist with the identification of the landscape character and amenity values that are to be maintained or enhanced within each landscape character unit, and across the Wakatipu Basin more generally.*'

LCU 1 is described in the schedule as having, overall, a 'very low' capability for additional development, due to the '*relatively open, exposed and "undeveloped" nature of the unit, in addition to its importance as a scenic route, providing a buffer between Queenstown and Arrowtown, and as a transition to the ONL*'.

The environmental characteristics and visual amenity values to be maintained or enhanced are:

- *Sense of openness and spaciousness associated with predominantly pastoral landscape.*
- *Subservience of buildings within the overall unit.*
- *Dramatic views from Malaghans Road to the mountain range.*
- *Highly attractive rural views from Malaghans Road to the Wharehuanui hillslopes and escarpment faces.*
- *Impression of the area as a buffer between Queenstown and Arrowtown.*
- *Impression of the area as a sympathetic transition between the wider basin and the surrounding mountain ONL.*

The site is located within an area of established rural living development to the north of Malaghans Road at the eastern end of the LCU, which is identified in the description of the existing settlement pattern within the LCU. The structures for which consent is sought are well set back from Malaghans Road, and are completely screened from the road by the existing topography. The pastoral appearance of the part of the site fronting the road will be maintained. The structures will not increase the scale of residential activity already occurring on the site.

As described above, where visible from public places, the structures will be seen from elevated locations as consistent with the existing pattern of rural living development in the vicinity of the site, and will not be prominent in the foreground of any wider views of the ONL.

Overall, it is considered that the proposal will have low adverse effects and will therefore maintain the surrounding landscape character and that of the wider LCU.

6.3 Variation of Consent Notice

The consent notice requires that all buildings be located within the residential building platform registered on the title.

It is noted that the playroom has existed on the site for at least five years, and has had no known adverse effects on landscape character and amenity values, or on the pond.

The glasshouse and structures associated with the water supply are small in scale and set within the existing topography to reduce their prominence.

In summary, the proposed variation of the consent notice is considered to have less than minor adverse effects on the environment and the adjoining neighbours.

6.4 Effects on Persons

The structures are likely to be visible from adjoining properties as outlined in the table on the following page, noting that the site has not been viewed from these properties.

Written approval has been provided from the owner of 869 Malaghans Road (attached as **Appendix 7**), so effects on this neighbour can be disregarded. It is noted that the proposed location of the glasshouse has changed since the approval was provided; it will now be located further from the eastern boundary. An updated approval has not been sought as the new location will have a lesser effect on the neighbour.



Figure 10: *Map of adjoining properties from which structures may be visible*

Map Reference	Address	Extent of Visibility
1	869 Malaghans Road	Only playroom and glasshouse visible. Written approval provided.
2	793 Malaghans Road (Flight Park)	Structures likely to be visible from above, from part of internal driveway along terrace edge. Water supply structures likely to be partly screened by topography.
3	833 Malaghans Road	Water tanks visible from part of the driveway, with pump shed mostly screened by water tanks in this view. No structures visible from the dwelling. Playroom and glasshouse not visible from this site.
4	11 Dennison Way	Structures not visible from dwelling, but playroom and glasshouse may be visible from above from very edge of terrace on southern boundary.
5	Lot 2 DP 427059	Undeveloped rural living lot – structures not visible from building platform, but playroom and glasshouse may be visible from above from very edge of terrace on southern boundary.

The structures are small in scale, visually recessive, and will not increase the scale of residential activity occurring on the subject site. The degree of effect on the outlook and visual amenity of any adjoining property is considered to be low (less than minor), due to the viewing distance and/or difference in elevation. There will be no other effects on rural amenity values, such as privacy or noise.

6.5 Summary of Effects

Overall, the proposal is considered to have less than minor adverse effects on the environment. No persons will be adversely affected.

7.0 OBJECTIVES AND POLICY ASSESSMENT

All appeals on the relevant objectives and policies of the PDP have been resolved and are beyond contention. Therefore, the ODP objectives and policies have not been considered.

7.1 Proposed District Plan

The relevant provisions are contained within Chapter 3 – Strategic Direction and Chapter 24 – Wakatipu Basin. These provisions are assessed in the table below.

<table>
<tr><th colspan="2">Chapter 3 – Strategic Direction</th></tr>
<tr><td>Strategic Objective 3.2.5</td><td>The retention of the District's distinctive landscapes.</td></tr>
<tr><td>Strategic Objective 3.2.5.8</td><td>Within the Wakatipu Basin Rural Amenity Zone:
a. the landscape character and visual amenity values of the Basin and of its Landscape Character Units, as identified in Schedule 24.8 are maintained or enhanced; and
b. the landscape capacity of each Landscape Character Unit and of the Basin as a whole is not exceeded.</td></tr>
<tr><td colspan="2">The proposal will maintain the landscape character and visual amenity values of the Malaghans Valley LCU or the Wakatipu Basin as a whole, and the capacity of the landscape to absorb the development will not be exceeded. The structures will not adversely affect the important views described in Schedule 24.8, as they are not visible from Malaghans Road due to the site's hummocky topography. The pastoral appearance of the part of the site fronting the road will be maintained, and the scale of residential activity on the site will not increase.</td></tr>
<tr><td>Strategic Policy 3.3.23</td><td>Ensure that the effect of cumulative subdivision and development for the purposes of Rural Living does not compromise:
a. the protection of the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes; and
b. the maintenance of the landscape character and maintenance or enhancement of the visual amenity values of Rural Character Landscapes</td></tr>
<tr><td colspan="2">Policy 3.3.23 is relevant because the interpretive section (3.1B.5(d)) of the Strategic Chapter states that the term 'Rural Living' applies to residential-type development within the WBRAZ. The structures which are the subject of this application are associated with the existing residential activity on the site.

The ONL comprising the face of Coronet Peak is located approximately 420m from the northern boundary of the site. The proposed structures are not seen in the foreground of views of the ONL from any public places or roads, and will not affect the landscape values of the ONL. The site also does not adjoin any Rural Character Landscape (RCL), so will not affect the visual amenity values of the RCL.</td></tr>
</table>

Chapter 24 – Wakatipu Basin	
Objective 24.2.1	**Landscape character and visual amenity values in the Wakatipu Basin are maintained or enhanced.**
Policy 24.2.1.1	Identify in Schedule 24.8 and on the planning maps the landscape capacity of areas outside of the Precinct to absorb subdivision and residential development according to the following rating scale: a. Very Low capacity; b. Low capacity; c. Moderate-Low capacity; d. Moderate capacity; e. Moderate-High capacity; and f. High capacity.
The site is located within LCU 1 which is identified as having *Very Low* capacity according to the Schedule.	
Policy 24.2.1.2	Subdivision or residential development in all areas outside of the Precinct that are identified in Schedule 24.8 to have Very Low, Low or Moderate-Low capacity must be of a scale, nature and design that: a. is not inconsistent with any of the policies that serve to assist to achieve objective 24.2.1; and b. ensures that the landscape character and visual amenity values identified for each relevant Landscape Character Unit in Schedule 24.8 and the landscape character of the Wakatipu Basin as a whole are maintained or enhanced by ensuring that the landscape capacity is not exceeded.
With regard to part a. of Policy 24.2.1.2 above, the proposal is not inconsistent with any of the policies under Objective 24.2.1, except for 24.2.1.14, which is to enable residential development within approved residential building platforms. The playroom and glasshouse, which are accessory buildings associated with the existing residential activity on the site, are not located within the registered building platform. With regard to part b. of the policy, landscape capacity will not be exceeded. The proposal will maintain the environmental characteristics and visual amenity values outlined in Schedule 24.8, including the subservience of buildings, the dramatic views from Malaghans Road of the Coronet Peak ONL, and the impressions of the area as a buffer between Queenstown and Arrowtown and a transition between the wider basin and the surrounding mountain ONL. The structures are not visible from Malaghans Road and are consistent with the existing pattern of rural living north of Malaghans Road at the eastern end of the LCU. In summary, the proposal is not entirely consistent with Policy 24.2.1.2 because of the location of the playroom and glasshouse outside the approved building platform. However, overall, it is not considered to be contrary to this policy, as landscape values and character will be maintained.	
Policy 24.2.1.6	Ensure subdivision and development is designed (including accessways, services, utilities and building platforms) to minimise inappropriate modification to the natural landform.
The proposal does not involve any significant or inappropriate modification to the natural landform.	

Policy 24.2.1.7	Ensure that subdivision and development maintains or enhances the landscape character and visual amenity values identified in Schedule 24.8 - Landscape Character Units.
The proposal will maintain and enhance the landscape character and visual amenity values of the Malaghans Valley LCU, as described with regard to Policy 24.2.1.2 above.	
Policy 24.2.1.8	Maintain or enhance the landscape character and visual amenity values of the Rural Amenity Zone including the Precinct and surrounding landscape context by: a. controlling the colour, scale, form, coverage, location (including setbacks) and height of buildings and associated infrastructure, vegetation and landscape elements.
The structures are small in scale, recessive in appearance, and set back from property boundaries. They will not be visually prominent, and will maintain landscape character and visual amenity values.	
Policy 24.2.1.9	Require all buildings to be located and designed so that they do not compromise the landscape and amenity values and the natural character of Outstanding Natural Features and Outstanding Natural Landscapes that are either adjacent to the building or where the building is in the foreground of views from a public road or reserve of the Outstanding Natural Landscape or Outstanding Natural Feature.
The structures do not affect views of the ONL to the north from Malaghans Road, as they are not visible from the road.	
Policy 24.2.1.14	Enable residential activity within approved and registered building platforms subject to achieving appropriate standards.
Consent is required for the playroom and glasshouse as they are accessory buildings to the existing residential activity but are not located within the approved and registered building platform on the site. The proposal is therefore not consistent with this policy.	
Policy 24.2.1.5	Provide for activities that maintain a sense of spaciousness in which buildings are subservient to natural landscape elements.
The scale and nature of the structures ensures that they are subservient to natural landscape elements, and a sense of spaciousness is maintained within the overall site.	
Policy 24.2.1.19	Require buildings, or building platforms identified through subdivision, to maintain views from roads to Outstanding Natural Features and the surrounding mountain Outstanding Natural Landscape context, where such views exist; including by: a. implementing road setback standards; and b. ensuring that earthworks and mounding, and vegetation planting within any road setback, particularly where these are for building mitigation and/or privacy, do not detract from views to Outstanding Natural Features or Outstanding Natural Landscapes; while

	c. recognising that for some sites, compliance with a prescribed road setback standard is not practicable due to the site size and dimensions, or the application of other setback requirements to the site.
The structures are not seen in the foreground of views of the surrounding ONL from Malaghans Road, as they are screened by the natural, hummocky topography of the site.	
Objective 24.2.4	**Objective – Subdivision and development, and use of land, maintains or enhances water quality, ecological quality, and recreation values while ensuring the efficient provision of infrastructure.**
Policy 24.2.4.2	Restrict subdivision, development and use of land in the Lake Hayes catchment, unless it can contribute to water quality improvement in the catchment commensurate with the nature, scale and location of the proposal.
The nature and scale of the proposal is such that there will be no effect on water quality within the Lake Hayes catchment. There will be no increase in the scale of the existing residential activity occurring on the site. The playroom does not have water or sewage connections and therefore has no additional impact on wastewater discharges within the site.	

Overall, the proposal is not considered to be contrary to the relevant objectives and policies of the PDP.

8.0 S104D TEST FOR NON-COMPLYING ACTIVITIES

As the application is for a non-complying activity, it must be considered in terms of the 'gateway test' set out in s104D of the RMA:

> *Despite any decision made for the purpose of notification in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either*
> *(a) The adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or*
> *(b) The application is for an activity that will not be contrary to the objectives and policies of –*
> *(i) The relevant plan, if there is a plan but no proposed plan in respect of the activity; or*
> *(ii) The relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or*
> *(iii) Both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.*

The proposal is assessed as having less than minor effects on the environment.

The activity is not considered to be contrary to the objectives and policies of the District Plan (the relevant plan being the PDP).

The application therefore meets both parts of s104D, allowing consent to be granted.

9.0 THE MATTERS IN PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

In accordance with Clause 2(1)(f) of Schedule 4, an assessment of the activity against the matters set out in Part 2 is required for all resource consent applications.

The PDP has been completely and thoroughly prepared in accordance with the Act and all provisions relevant to this application have been finalised. The application is assessed as being consistent with the policy direction of the PDP and is therefore considered to be consistent with the Part 2 matters.

10.0 CONCLUSION

The Applicant seeks retrospective resource consent for an accessory building located outside the approved residential building platform on the site, a glasshouse, and structures associated with water supply infrastructure, including two water tanks and a pump shed.

The structures are not visible from Malaghans Road, and due to their small scale and recessive appearance will not be visually prominent in any other views.

Overall, the proposal will have less than minor effects on the environment and is not contrary to the relevant objectives and policies of the PDP.