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| Reference | 26.031 |
| Date | 13 October 2026 |
| Location | 14 Stonehenge Road, Wānaka |
| Legal Description | Lot 87 Deposited Plan 613751 held in Record of Title 1222506 |
| Applicant | James Bremner |
| Territorial Authority | Queenstown Lakes District Council |
| Plan | Queenstown Lakes Operative District Plan |
| Zoning | Northlake Special Zone Activity Area B4 |
| Proposal | Resource consent is sought to construct a dwelling that will extend through the height recession plane along the eastern boundary and to undertake associated earthworks |
| Activity Status | Non-complying Activity Land Use |

## 1.0 INTRODUCTION

1.1 This application for resource consent is made pursuant to Section 88 of the Resource Management Act 1991 (the Act). Section 88 requires that any application for resource consent include an assessment of environmental effects in such detail as corresponds with the scale and significance of the effects that the activity may have on the environment, and shall be prepared in accordance with the Fourth Schedule to the Act.

## 2.0 LEGAL DESCRIPTION

2.1 The application site is legally described as Lot 87 Deposited Plan 613751 held in Record of Title 1222506. A copy of the Record of Title and the relevant legal instruments are attached as **Appendix A** to this application.

## 3.0 SITE DESCRIPTION

3.1 The site is located at 14 Stonehenge Road, Wānaka. Please refer to the location plan in **Figure 1** below.




**Figure 1 : Application Site**

3.2 The application site is roughly square in shape and 604m$^2$ in area. The site slopes down from the northwest to the southeast. The site is currently vacant and vegetated with grass. A public walkway that leads to Sticky Forest is located to the west of the application site.

3.3 The site has existing connections to Council's reticulated water, wastewater and stormwater networks as well as connections to the telecommunications and electricity networks.

3.4 No vehicle crossing was formed onto the site as part of the underlying subdivision.

3.5 The surrounding environment is comprised of new residential lots with building activity occurring on several of the lots.

## 4.0 PROPOSAL

4.1 Resource consent is sought to construct a two storey, four-bedroom dwelling. A copy of the proposed plans has been included as **Appendix B** to this application.

4.2 The ground floor of the dwelling will include an attached garage, an open plan living, dining and kitchen area as well as one bedroom, with three additional bedrooms on the first floor. The western portion of the dwelling will be single storey with the eastern portion extending to two storeys.

4.3 The dwelling will be set back approximately 2.2m from the western boundary and 2.5m from the eastern boundary of the site. From the road boundary the setback will be 5.3m with a northern setback of at least 6.8m. Outdoor living will be accommodated on the northern side of the dwelling. The garage will be set slightly in front of the front façade of the dwelling.

4.4 The dwelling will have two monopitch roofs sloping away from each other, with a less steep roofed linking structure that slopes down towards the south. The maximum height of the building will be approximately 7m. The eastern corner of the dwelling will extend through the recession plane taken from the eastern boundary.

4.5 The entrance to the dwelling will be clearly legible adjacent to the garage. Sliding glass doors and outdoor living are proposed fronting the street.

4.6 The dwelling will be clad with a mix of horizontal shiplap timber, brick veneer and Hardie cement sheet panels and profiled metal. The roof will be also be profiled metal. The exterior materials will have LRVs of less than 36%, potentially with the exception of the timber weatherboards. The weatherboards will either be natural stained or whitewashed/blonded. If the weatherboards are whitewashed they will likely exceed the 36% LRV limit.

Earthworks

4.7 In order to set the dwelling into the slope of the site, 390m$^3$ of cut earthworks is proposed over an area of 460m$^2$. Terraced retaining will be constructed to the rear of the section to retain the cut. The maximum depth of cut will be approximately 2m.

4.8 The retaining walls will be up to 900mm high set approximately 1.2m from each other. Retaining is also proposed along the western side of the site, adjacent to the Council path.

4.9 An Environmental Management Plan (EMP) with an Erosion and Sediment Control Plan (ESCP) has been included as **Appendix C** to this application.

Servicing

4.10 The dwelling will be connected to the services connections within Stonehenge Road.

Access, Parking and Maneuvering

4.11 It is proposed to form a new vehicle crossing onto the site in the south-eastern corner. The crossing will be 6m in width at the boundary of the site and provide access to the two-car garage. The driveway will have a gradient of 11 degrees or 1 in 5.14 (measured at the centre line of the access as directed by Site Standard 14.2.4.2(iii)(a)) and breakover angles will be designed to comply with the requirements of the District Plan.

Affected Persons Approval

4.12 The owners of the property located to the east, 12 Stonehenge Road, have provided written approval for the proposed development. This approval has been included as **Appendix D** to this application.

## 5.0 DISTRICT PLAN ASSESSMENT

5.1 The subject site is zoned Northlake Special Zone Activity Area B4 in the Operative District Plan and the proposed development requires the following resource consents:

- A **restricted discretionary** activity land use consent pursuant to Rule 12.34.2.3(i) as the proposal breaches Site Standard 12.34.4.1(vi) as the garage will be set in front of the front façade of the dwelling. Council's discretion is restricted to this matter.
- A **restricted discretionary** activity land use consent pursuant to Rule 12.34.2.3(i) as the proposal breaches Site Standard 12.34.4.1(ix)(a)(i) as the earthworks volume will exceed 200m$^3$. Council's discretion is restricted to this matter.
- A **restricted discretionary** activity land use consent pursuant to Rule 12.34.2.3(i) as the proposal breaches Site Standard 12.34.4.1(ix)(a)(ii) as the earthworks area will exceed 400m$^2$. Council's discretion is restricted to this matter.

- A **restricted discretionary** activity land use consent pursuant to Rule 14.2.2.3(ii) as the proposal breaches Site Standard 14.2.4.2(iii)(a) in relation to the gradient of the access, which exceeds 1 in 6. Council's discretion is restricted to this matter.
- A **non-complying** activity land use consent pursuant to Rule 12.34.2.5(xi) as the proposal breaches Zone Standard 12.34.4.2(iv) as portions of the dwelling will extend through the height recession plane.
- A **non-complying** activity land use consent pursuant to Rule 12.34.2.5(xi) as the proposal breaches Zone Standard 12.34.4.2(viii)(c) as the timber weatherboards may have an LRV of greater than 36%.

5.2 Overall the proposed development requires a **non-complying** activity consent under the Operative District Plan.

***Proposed District Plan***

5.3 The Northlake Special Zone has not been brought into the Proposed District Plan as part of reviewed as part of QLDC's District Plan Review and therefore no Proposed District Plan provisions apply.

***Application Scope***

5.4 This application is for all resource consents required to undertake the proposed development. While the above list of activities and/or rule breaches is intended to cover all matters requiring consent it is acknowledged that Council may consider that additional consents are required. If Council determines that additional consents are required beyond those outlined in this application it has discretion to grant those consents as part of the overall consent package.

5.5 If it is determined that the activity status of the proposal differs from that set out in this application Council has the ability under Section 104(5) of the Act to grant consent as a controlled, restricted discretionary, discretionary or non-complying activity regardless of the activity status expressly applied for.

## 6.0 ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

6.1 This Assessment of Effects on the Environment (AEE) accompanies an application for resource consent made under Section 88 of the Resource Management Act 1991 (the Act) and has been prepared in accordance with the Fourth Schedule of the Act in such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

***Permitted Baseline***

6.2 Pursuant to Section 104(2) of the Act, when considering the actual and potential effects of an application for resource consent, a consent authority may disregard an adverse effect of an activity on the environment if the plan permits an activity with that effect (the permitted baseline). In this case the permitted baseline includes the construction of a residential dwelling provided it complies with the relevant bulk and location controls, including but not limited to:

- A maximum height of 8m and compliance with the relevant height recession planes on a flat site; OR
- A maximum height of 7m with no height recession planes on a sloping site;
- Minimum internal setbacks – one of 4.5m and the rest of 2m;
- Minimum road boundary setback – 4.5m;
- A maximum continuous building length of 16m (noting that a building can be longer provided every additional 6m are setback and additional 500mm);
- Garages are located at the same distance or behind the front façade of the dwelling from the road; and
- Building coverage of 40%.

- The construction of structures (up to 4.99$m^2$ and 2m in height) anywhere on the site.
- Earthworks up to 200$m^3$ over 400$m^2$, with a maximum height of fill of 2m and a maximum depth of cut of 2.4m.

6.3 The elevations of the proposed dwelling show ground slopes less than 6 degrees measured across the elevations. It is noted however that the ground slope steepens at the northern end of the site such that if the proposed dwelling was repositioned approximately 1.4m further north the ground slope measured across the western elevation would exceed 6 degrees which would make the site a sloping site. On a sloping site the height limit would reduce to 7m but no recession planes would apply. Therefore with a slight change to the position of the dwelling the site would be classed as a sloping site, the dwelling would comply with the 7m height limit and no recession planes would apply.

6.4 The permitted baseline is considered to be of particular relevance to the below assessment and has been referenced where relevant.

***Actual and Potential Effects on the Environment***

6.5 In this instance it is considered that the potential adverse effects associated with the proposal are as follows:

- *Residential amenity, streetscape and residential character;*
- *Servicing and Infrastructure;*
- *Access and Parking;*
- *Earthworks; and*
- *Natural Hazards.*

***Residential Amenity and Character***

6.5 The proposed dwelling will be of a scale and design that is compatible and generally consistent with what is enabled within the zone and what is being constructed in the wider area.

6.6 The proposed exceedance to the height recession plane on the eastern side of the building would not be noticeable from the road. While the tip of the northern gable will extend through the height recession plane by 1.8m, it will not result in the dwelling being higher or appear larger than generally provided for in the activity area.

6.7 The garage will be set in front of the front façade of the dwelling by 1.7m but will be level with the entrance porch and the eave that projects over the south courtyard. The main façade of the dwelling will have a high level of glazing and outdoor living areas overlooking the street. As a result there is a high level of interface with streetscape and there garage will not dominate the façade.

6.8 Overall, the adverse effects of the proposal on streetscape, character and amenity will be less than minor.

***Servicing and Infrastructure***

6.9 It is proposed to connect the dwelling to the existing service connections within Stonehenge Road. No adverse effects are anticipated in this regard.

***Access and Parking***

6.10 It is proposed to form a new vehicle crossing in the south-eastern corner of the site. The access will have a gradient of 11 degrees of 1:5.14 (measured at the centre line of the access) and potentially sharp break over angles.

6.11 While steeper than provided for by the plan, the access is not steeper than 1:5 which is often approved in residential environments where only one dwelling using the access. Stonehenge Road will receive relatively limited traffic and any associated effect is anticipated to be less than minor.

6.12 Transitions will be provided to ensure that maximum breakover angles are not exceeded and there is no risk of vehicles bottoming out when entering or exiting the site and/or garage. The access cross section demonstrates this.

6.13 Parking for two vehicles will be provided within the attached garage, which is considered sufficient for the proposed dwelling.

6.14 Adverse effects in relation to access and parking are therefore considered to be less than minor.

***Earthworks***

6.15 It is proposed to undertake excavations in order to set the dwelling into the sloping site. The earthworks will be comprised of 390$m^3$ of cut over an area of 460$m^2$, with the maximum depth of cut being approximately 2.0m. The cut will be retained with stepped retaining walls which will have a maximum height of 900mm.

6.16 The earthworks will be temporary in nature and stabilised upon completion with the dwelling, landscape and access.

6.17 The EMP and ESCP will be relied upon to ensure that no sediment laden water leaves the site.

6.18 Overall, adverse effects in relation earthworks will be less than minor.

***Natural Hazards***

6.19 The site is identified on Council's GIS system as having a low to nil risk from liquefaction. No other hazards are identified. It is considered that any potential liquefaction risk can be managed through foundation design and addressed at the time a building consent is lodged. No adverse effects in relation to natural hazards will arise from the proposed development.

***Summary of Effects***

6.20 Overall it is considered that the actual and potential adverse effects of the proposed development will be less than minor.

## 7.0 OBJECTIVES AND POLICIES

***Operative District Plan***

7.1 The objectives and policies of the Operative District Plan of particular relevance to the consideration of the proposed development are contained in Chapter 12 – Northlake Special Zone and Chapter 14 – Transport and are as follows:

*Chapter 12 – Northlake Special Zone*

***1 Objective - Residential Development***

***A range of medium to low density and larger lot residential development in close proximity to the wider Wanaka amenities.***

*Policies*

*1.1 To establish a mix of residential densities that will provide a residential environment appealing to a range of people.*

*1.4 To enable and encourage low density residential activities within Activity Areas B1 – B6.*

7.2 The proposed development will result in the construction of a low density residential dwelling consistent with the scale, character and density of the development anticipated in the area.

***2 Objective - Urban Design***

***Development demonstrates best practice in urban design and results in a range of high-quality residential environments.***

*Policies:*

*2.5 To ensure that development recognises and relates to the wider Wanaka character and is a logical extension of the urban form of Wanaka.*

7.3 The proposed dwelling relates well to the existing urban character of Wanaka, and will be a logical extension of the urban form. The dwelling will be consistent in size and scale to what is provided for within the Activity Area in which it is located. The dwelling offers a high quality interface with the street while also provide private indoor and outdoor living opportunities for the future residents.

*Chapter 14 - Transport*

***Objective 1 – Efficiency***

***Efficient use of the District's existing and future transportation resource and of fossil fuel usage associated with transportation.***

*Policies:*

*1.1 To encourage efficiency in the use of motor vehicles.*

*1.2 To promote the efficient use of all roads by adopting and applying a road hierarchy with associated access standards based on intended function.*

*1.3 To promote the efficient use of roads by ensuring that the nature of activities alongside roads are compatible with road capacity and function.*

*1.10 To require access to property to be of a size, location and type to ensure safety and efficiency of road functioning.*

7.4 The nature of the proposed residential dwelling will be consistent with what is anticipated in the area and provided for by the transportation network. The proposed location of the access will support the safe and efficient functioning of the road. The proposal is considered to be consistent with, and not contrary to, these provisions.

***Objective 2 – Safety and Accessibility***

***Maintenance and improvement of access, ease and safety of pedestrian and vehicle movement throughout the District.***

*Policies:*

*2.1 To maintain and improve safety and accessibility by adopting and applying a road hierarchy with associated design, parking and access standards based on the intended function.*

*2.2 To ensure the intensity and nature of activities along particular roads is compatible with road capacity and function, to ensure both vehicle and pedestrian safety.*

*2.3 To ensure access and movement throughout the District, and more particularly the urban areas, for people with disabilities is not unreasonably restricted.*

*2.6 To ensure intersections and accessways are designed and located so:*

- *good visibility is provided.*

- *they can accommodate vehicle manoeuvres.*
- *they prevent reverse manoeuvring onto arterial roads; and*
- *are separated so as not to adversely affect the free flow of traffic on arterial roads.*

*2.7 To ensure vegetation plantings are sited and/or controlled so as to maintain adequate visibility and clearance at road intersections and property access and to prevent the icing of roads during winter months, except and unless that vegetation is important to the visual amenity of the District or is protected as part of the Heritage Provisions.*

7.5 The site is located alongside a local road. The access design will not restrict movement by pedestrians, cyclists or people with disabilities. The proposed access location and design will maintain the efficiency and ease of access throughout the area. The proposal is therefore considered to be consistent with, and not contrary to, these provisions.

*Chapter 22 - Earthworks*

***22.2.1 Objective - Enable earthworks that are part of subdivision, development, or access, provided that they are undertaken in a way that avoids, remedies or mitigates adverse effects on communities and the natural environment.***

*Policies:*

*1.1 Promote earthworks designed to be sympathetic to natural topography where practicable, and that provide safe and stable building sites and access with suitable gradients.*

*1.2 Use environmental protection measures to avoid, remedy or mitigate adverse effects of earthworks.*

*1.3 Require remedial works and re-vegetation to be implemented in a timely manner.*

*1.4 Avoid, remedy or mitigate the long term adverse effects of unfinished projects.*

*1.5 Recognise that earthworks associated with infrastructure can positively contribute to the social and economic wellbeing and the health and safety of people and communities within the District.*

7.6 The earthworks will be sympathetic to the natural topography of the site and area and have been minimised as much as possible. However a reasonable level of cut has been required to accommodate the dwelling and achieve a suitable access gradient. Environmental protection measures will be put in place to minimise sediment laden stormwater leaving the site. The

earthworks will be undertaken in a way that will avoid or mitigate any associated effects. The proposal is considered to be consistent with, and not contrary to, this objective and its associated policies.

***22.2.3 Objective - Ensure earthworks do not adversely affect the stability of land, adjoining sites or exacerbate flooding.***

*Policies:*

*3.1 Ensure earthworks, in particular, - cut, fill and retaining, - do not adversely affect the stability of adjoining sites.*

*3.2 Ensure earthworks do not cause or exacerbate flooding, and avoid, remedy or mitigate the adverse effects of de-watering.*

*3.3 Avoid the adverse effects of earthworks on steeply sloping sites, where land is prone to erosion or instability, where practicable. Where these effects cannot be avoided, to ensure techniques are adopted that remedy or mitigate the potential to decrease land stability.*

7.7 The earthworks have been designed to avoid instability on adjacent sites. The works will not exacerbate flooding and the site is not steeply sloping.

***22.2.6 Objective - Maintain or improve water quality of rivers, lakes and aquifers.***

*Policies:*

*6.1 Avoid the adverse effects of earthworks in close proximity to water bodies, where practicable. Where these cannot be avoided, ensure that sediment control techniques are put in place to avoid, remedy or mitigate sediment run-off.*

*6.2 Avoid earthworks adversely affecting water aquifers including the Hawea Basin, Wanaka Basin, Cardrona alluvial ribbon and Wakatipu Basin aquifers and other lesser aquifers.*

7.8 The proposed Erosion and Sediment Control Plan will ensure that the earthworks will not affect the water quality of surface water in the district. The proposal is considered to be consistent with, and not contrary to, this objective and its associated policies.

***22.2.7 Objective - Protect cultural heritage, including waahi tapu, waahi taonga, archaeological sites and Heritage Landscapes from the adverse effects of earthworks.***

*Policies:*

*7.1 Ensure that iwi are consulted regarding earthworks that may affect sites of significance to Maori, including Statutory Acknowledgement Areas.*

*7.2 Consult with Heritage New Zealand where proposed earthworks may affect any archaeological sites.*

*7.3 Recognise and protect the values of Heritage Landscapes from the adverse effects of earthworks.*

*7.4 Protect heritage buildings and structures from potential undermining and vibration effects resulting from earthworks on the same site or from sites in close proximity.*

7.9 The site is within a recently completed subdivision within which substantial earthworks have been completed. The area is not a known location of cultural or historic heritage. The accidental discovery protocol will be followed should any archaeological material be uncovered. The proposal is considered to be consistent with, and not contrary to, this objective its associated policies and Chapter 22 overall.

*Summary*

7.10 Overall, the proposed development will be consistent with, and not contrary to, the relevant objectives and policies of the Operative District Plan.

## 8.0 OTHER MATTERS

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

8.1 Given that the proposal involves earthworks, the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (the NES) is a relevant consideration and the applicant has elected to address the provisions of the NES by undertaking an assessment of the most up to date information about the site and surrounding area that Council holds. In addition, the applicant has undertaken an assessment of any information available from the Otago Regional Council. The findings of this assessment can be summarised as follows:

*Otago Regional Council's 'Database of Selected Land Uses'*

8.2 Please find below, in **Figure 2**, an extract from Otago Regional Council's contaminated land database which demonstrates that there are no records of land uses or activities have been (or are being) carried out on the site that have the potential to contaminate land.

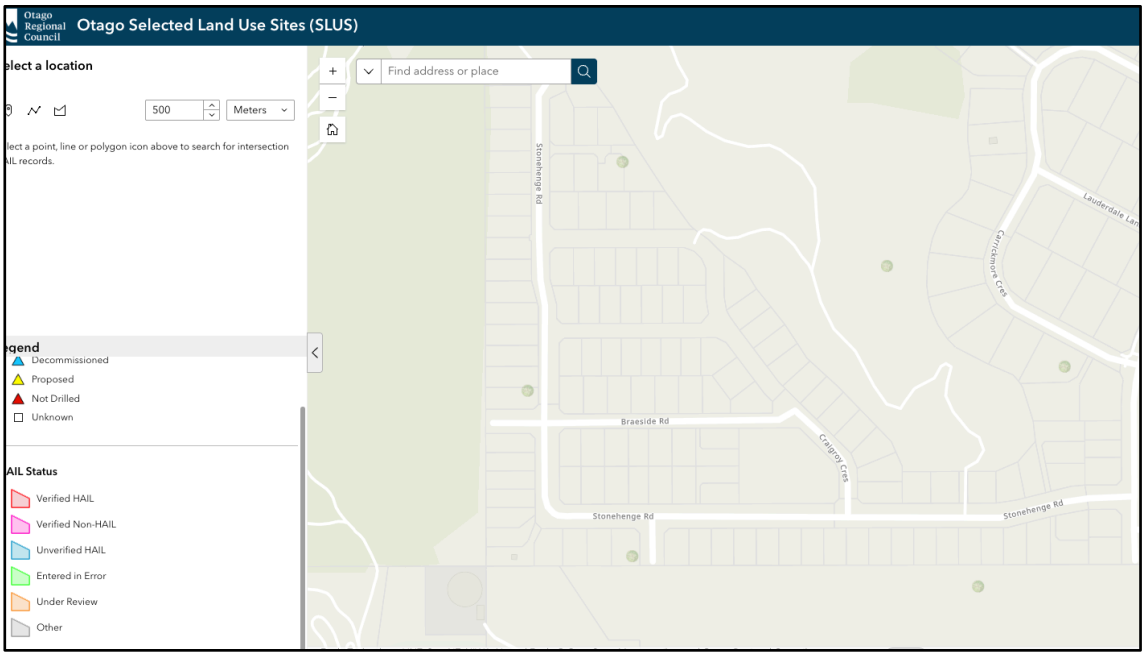



**Figure 2 : Image from the ORC's contaminated land database**

8.3 Therefore it is considered that the provisions of the NES need not apply.

**National Policy Statement on Urban Development**

8.4 The National Policy Statement on Urban Development 2020 (NPS UD) supersedes the National Policy Statement on Urban Development Capacity 2016 (NPS UDC) and directs local authorities to provide sufficient development capacity for housing within urban areas. While the Northlake Zone was created prior to the NPS UD coming into effect and has not yet been subject to the District Plan Review, it still provides substantial housing opportunities in close proximity to the Wanaka town centre, including medium density development.

8.5 Policy 6 of the NPS UD is of particular relevance to the consideration of the proposal and is as follows:

*Policy 6: When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:*

*(a) The planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement.*

*(b) That the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:*

*(i) May detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and*

*(ii) Are not, of themselves, an adverse effect*

*(c) the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)*

*(d) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity*

*(e) the likely current and future effects of climate change.*

8.6 Local authorities must give effect to the provisions of the NPS UD through District Plans and decision making on development proposals. Policy 6 directs local authorities to have particular regard to the planned urban built form anticipated by the planning documents that give effect to the NPS. As outlined above the proposal is generally consistent with the density and extent of built development anticipated and provided for in the Northlake Special Zone. Overall, it is considered that granting consent for the proposal will assist Council in achieving its obligations in terms of giving effect to the NPS UD and realising the necessary development capacity for housing.

*National Policy Statement on Natural Hazards 2025*

8.7 An assessment in relation to the proposal against the National Policy Statement for Natural Hazards 2025 (NPSNH) is as follows:

***2.1 Objective- Natural hazard risk to people and property associated with subdivision use and development is managed using a risk-based proportionate approach.***

*Policy 1: When considering natural hazard risk associated with subdivision, use or development, the risk level must be assessed using the risk matrix.*

*Policy 2: Natural hazard risk associated with subdivision, use and development must be managed using an approach that is proportionate to the level of natural hazard risk.*

*Policy 3: Where subdivision, use or development is assessed as having very high natural hazard risk, that risk must be avoided.*

*Policy 4: Where subdivision, use or development, including any associated mitigation measures, will create or increase significant natural hazard risk on other sites, that risk must be avoided or mitigated using an approach that is proportionate to the level of natural hazard risk.*

*Policy 5: Natural hazard risk assessment and decisions must be based on the best available information and must be made even when that information is uncertain or incomplete.*

*Policy 6: The potential impacts of climate change to at least 100 years into the future must be considered.*

8.8 Referring to the Otago Regional Council natural hazard maps, liquefaction risk is identified as low, with no other potential hazards identified as affecting the site. Utilising the risk matrix included in the NPS NH, liquefaction is considered to be rare. The damage from a large event would be minor.

8.9 Relying on the risk matrix in the NPSNH as shown in **Figure 3** below, the site has a low risk level.

| Consequence Level | Likelihood Level | | | | | | |
|---|---|---|---|---|---|---|---|
| | Almost Certain | Very Likely | Likely | Possible | Unlikely | Rare | Very Rare |
| ARI (years) | up to 10 | 10-20 | 20-50 | 50-100 | 100-500 | 500-5000 | > 5000 |
| AEP | 10% or more | 10% to 5% | 5% to 2% | 2% to 1% | 1% to 0.2% | 0.2% to 0.02% | < 0.02% |
| Catastrophic | Very High | Very High | Very High | High | Medium | Medium | Medium |
| Major | Very High | Very High | High | High | Medium | Medium | Medium |
| Moderate | High | High | High | Medium | Medium | Low | Low |
| Minor | Medium | Medium | Medium | Medium | Low | Low | Low |
| Negligible | Low | Low | Low | Low | Low | Low | Low |

***Figure 3 : NPS NH risk matrix***

8.10 The proposed use of the site will not increase the significance of the risk on other sites. Climate change will also not increase the likelihood of this hazard occurring but not to the extent where it would substantively change the risk profile. It is considered that the associated risks will be managed in manner proportionate to the risk.

8.11 Overall, therefore, the proposal is considered to be consistent with the direction of the NPS NH.

## 9.0 CONSULTATION

9.1 Section 95B of the Act requires that, should the consent authority determine that public notification is not necessary, it must decide whether there are any affected persons in relation to the activity. Section 95E requires that a person is an affected person if the adverse effects of

the activity on the person are minor or more than minor (but not less than minor) and affected party approval has not been provided.

9.2 The site is located adjacent to 12 Stonehenge Road, the owners of which provided written approval. The written approval is attached as **Appendix D** to this application and effects on the neighbour have been disregarded. There are no other immediately adjacent residential sites.

9.3 Overall, the development will be consistent with what is provided for in the zone and will result in a high quality residential development. Therefore adverse effects on persons will be less than minor and no further consultation has been undertaken.

## 10.0 PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

10.1 Under Part 2 of the Resource Management Act 1991 Section 5 sets out the purpose of the Act as follows:

> ***5 Purpose***
>
> *(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.*
>
> *(2) In this Act, **sustainable management** means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while -*
>
> *(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
>
> *(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
>
> *(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

10.2 In order to achieve the purpose of the Act, the proposed development must be considered in the context of Section 5 above. Paragraphs (a), (b) and (c) of Section 5(2) are to be afforded full significance and applied accordingly in the circumstances of the particular case so that promotion of the Act's purpose is effectively achieved.

10.3 It is considered that the proposal appropriately sustains the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations while avoiding adverse effects on the life-supporting capacity of air, water, soil and ecosystems and adverse effects on the environment generally. It is therefore considered that the proposed development represents the sustainable management of the District's natural and physical resources as defined in Section 5 of the Act.

10.4 Section 6 of the Act sets out matters of national importance which must be taken into consideration in achieving the purpose of the Act. There are no Section 6 matters relevant to the proposal.

10.5 Having had regard to the other matters set out in Section 7 of the Act, the proposal will result in the efficient use and development of urban land (s7b) and maintain and enhance amenity values (s7c).

10.6 The proposed development is considered to be in keeping with the principals of Te Tiriti o Waitangi.

10.7 It is therefore considered that the proposed development achieves the purpose of the Resource Management Act 1991.

**11.0 CONCLUSION**

11.1 Resource consent is sought to construct a residential dwelling that will extend through the height recession plane and to undertake associated earthworks and access at 14 Stonehenge Road, Wānaka. The proposal requires a non-complying activity land use consent under the Operative District Plan.

11.2 It is considered that the proposal will result in less than minor adverse effects on the environment and is not contrary to the relevant objectives and policies of the Operative District Plan.

11.3 The proposal is not precluded from public or limited notification under s95A and s95B of the Act however it is considered that the proposal will result in less than minor adverse effects on the environment and therefore can be processed without public or limited notification.

11.4 With regard to the consideration of applications for non-complying activities Section 104D of the Resource Management Act 1991 states:

***"Particular restrictions for non-complying activities***

*1. Despite any decision made for the purpose of section 95A(2)(a) 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."*

11.5 As outlined above it is considered that the proposal will result in less than minor adverse effects on the environment and is consistent with, and not contrary to, the relevant objectives and policies of the Operative District Plan. Therefore it is considered that the proposal passes both limbs of the threshold test set out in Section 104D of the Act and, pursuant to Section 104B of the Act, resource consent can be granted for the development as proposed.

Yours faithfully,
Edgar Planning Ltd,



Erin Stagg
Planner



Scott Edgar
Planner