Unity Planning
RESOURCE MANAGEMENT CONSULTANTS

Assessment of Effects on the Environment



Robert Blair Findlay, Kate Meredith Findlay and Atley Downs Trustees Limited

3 Korimako Lane, Speargrass Flat, Queenstown

Land use resource consent under Section 88 (1) of the Resource Management Act 1991 to construct a studio/accessory building outside of the approved residential building platform and within 10m internal boundary setbacks.

Application under s221 of the Act to change a condition of a consent notice.

Prepared by Hanna Afifi, Unity Planning Limited

November 2026

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Land use resource consent application prepared for

Robert Blair Findlay, Kate Meredith Findlay and Atley Downs Trustees Limited

Document date:	November 2026
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1 INTRODUCTION

1.1 This Assessment of Effects on the Environment (AEE) is provided in accordance with section 88 and Schedule 4 of the Resource Management Act 1991 (the Act). The assessment is commensurate with the scale and significance of the actual and potential effects of the proposal.

1.2 Robert Blair Findlay, Kate Meredith Findlay and Atley Downs Trustees Limited, the "applicant", apply for land use resource consent under section 88(1) of the Act to:

i) Construct a new detached studio/accessory building outside of the approved residential building platform (RBP) and within 10m internal boundary setbacks, and

ii) Change conditions of Consent Notice 8558647.4 (CN8558647.4), pursuant to section 221 of the Act, to provide for the proposed studio/accessory building outside of the approved RBP and an alternative roof pitch and material.

1.3 Section 221 of the Act enables the owner of land to apply to change or cancel a condition specified in a consent notice.

1.4 Section 88 and Schedule 4 of the Act set out the information and assessment requirements for a resource consent application. This AEE has been prepared in accordance with those requirements.

2 DESCRIPTION OF APPLICATION SITE AND LOCALITY

Site and Locality

2.1 The application site is located at 3 Korimako Lane, Speargrass Flat, Queenstown, within the Hawthorn Triangle. It is legally described as Lot 12 DP 430577 and is held in Record of Title 518850. A copy of the record of title is provided as **Appendix A**. The site has an area of approximately 7,794m².

2.2 The site is an established residential property containing a dwelling and associated garaging, a pool area and access, residential curtilage and landscaping. Adjacent properties are also established for residential purposes. Refer to Figure 1 below.



Figure 1. Application site and surrounds

2.3 Access to the site is from Korimako Lane which is a private right of way that provides access along the southern boundary of the site.

2.4 The site is within the Wakatipu Basin Rural Amenity Zone – Lifestyle Precinct under the Queenstown Lakes District Proposed District Plan (PDP) and is located within Landscape Character Unit 09 – Hawthorn Triangle (LCU-09). The site is not located within the Lake Hayes Catchment. The site has historically been zoned Rural General and classified as Other Rural Landscape under the Operative District Plan (ODP).

Relevant Site History

2.5 The application site is Lot 12 of the Hawthorn subdivision (RM000450), a residential development within the area commonly known as the Hawthorn Triangle. A residential building platform was approved as part of the subdivision. Consent Notice 8558647.4 was registered on the title when the lot was created and includes conditions relating to servicing, building design controls, landscaping and the location of buildings within the approved RBP.

2.6 The record of title contains a number of other consent notices, some of which are not relevant to the site. These are provided as part of the application as **Appendix B to F**.

Consent Notice 5003235.2 – Relates to retention of hedgerows along Domain and Lower Shotover Roads on Lot 10 and Lot 11 DP 27865. Therefore, this consent notice is not relevant to the application site as the hedgerows are not located on or near the site.

Consent Notice 6174330.1- Relates to RBP's on Lots 2 to 9 and also refers to the retention of the aforementioned hedgerows. This consent notice is not relevant to the application site.

Consent Notice 8558647.4 – This is the relevant consent notice registered as part of the underlying subdivision of the lot. It contains requirements regarding servicing of a future dwelling, location and design

control for buildings, landscaping design, no further subdivision etc. The proposal complies with consent notice conditions other than the requirement for all buildings to be located within the RBP and the specified roof pitch and materials.

Consent Notice 8581715.1 Partial Cancellation of CN 6174330.1 – This consent notice is not relevant to the site as it addressed the part cancellation of the consent notice as it relates to other lots.

Consent Notice 11427242.1 Variation to CN 8558647.4 – The variation addresses the change to Condition (vi) of CN 8558647.4 as consented as part of RM190167 for an alternative roof material approved for the existing dwelling.

2.7 There are a number of land covenants registered on the record of title all of which are private covenants which are not relevant to resource consent.

2.6 The existing dwelling was consented in 2019 under land use resource consent RM190167. That consent approved the dwelling and garaging within the RBP together with the associated landscape treatment and the change to the consent notice condition to enable an alternative roof material. The structural landscaping and mounding approved through RM190167 will not be affected by the proposed studio and is to remain in place. An outdoor pool area to the north of the dwelling was consented in 2022 under resource consent RM220549. The consent approved the pool and associated outbuildings outside of the RBP, a change to consent notice conditions for buildings outside of the RBP and a change to the landscape plan approved under RM190167 as the removal of a tree was required.

3. PROPOSAL

Land Use Consent

3.1 It is proposed to construct a detached studio/accessory building in the south-eastern part of the established residential curtilage, adjacent to the existing dwelling and vegetable garden. The proposed location is shown in Figure 2 below and on the application plans which are attached as **Appendix G**.

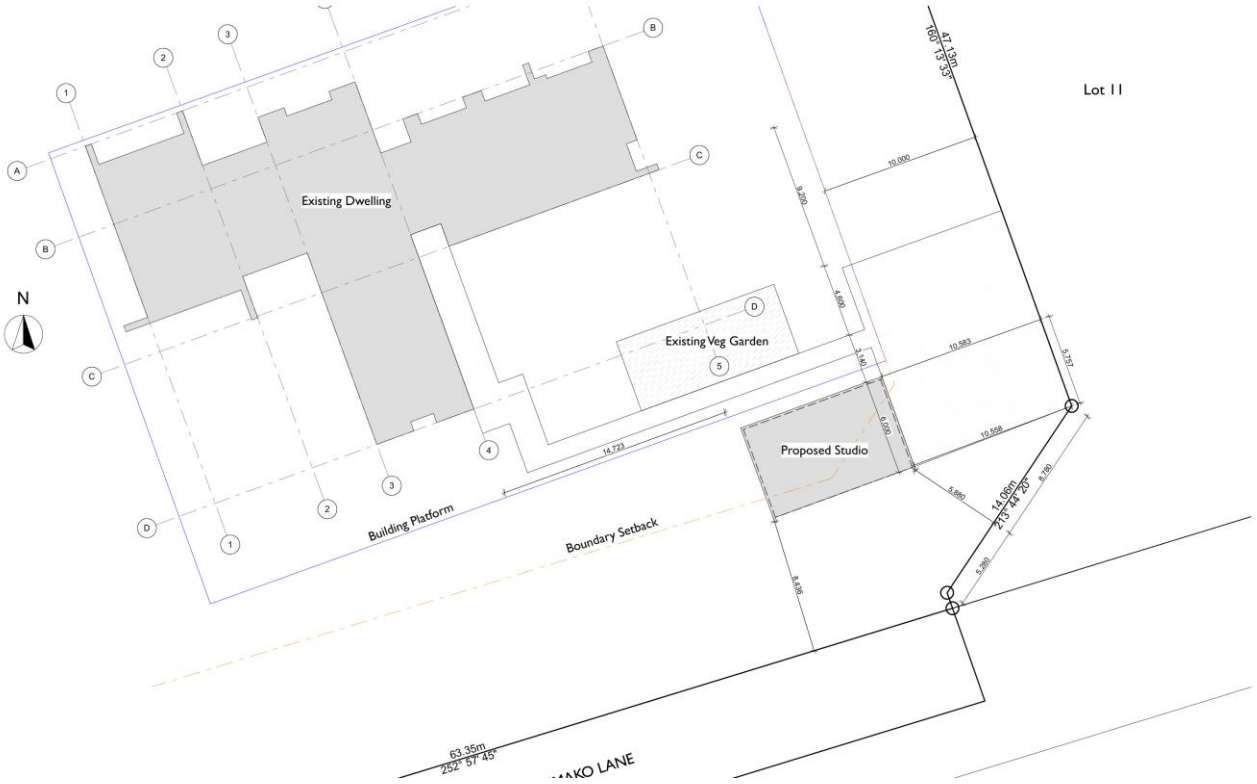


Figure 2. Proposed studio location and boundary setbacks (application plan A102)

3.2 The proposed building is a modest, single-storey accessory building with a total floor area of 57m², comprising approximately 38m² of studio space and 19m² of storage. The building is approximately 9.42m long by 6.25m wide and has a maximum height of approximately 3.2m, with a shallow 3-degree roof pitch. It replaces two temporary storage containers that can be seen on the aerial plan in Figure 1.

3.3 The external design uses recessive materials and colours consistent with the rural living setting. The roof is tray metal roofing in Grey Friars (LRV 10%) to match the roofing of the existing dwelling. Wall cladding comprises vertical metal tray cladding in Grey Friars (LRV 10%) and vertical cedar rainscreen cladding in Wood-X Damper. Aluminium joinery is powder-coated Grey Friars (LRV 10%).

3.4 The proposed studio is located outside of the approved RBP. It is positioned immediately adjacent to the established residential curtilage and existing built development rather than as a separate or isolated element elsewhere on the site.

3.5 The building also infringes the 10m internal boundary setback in two locations. The proposed setbacks are 5.88m and 8.436m, representing infringements of 4.12m and 1.564m respectively. These dimensions are shown on the application site plan.

3.6 Earthworks will be limited to minor scraping and excavation required to form the building foundations and surrounds. As the site is flat, the volume and depth of earthworks will be well within the permitted earthworks standards and will not result in any material modification of the landform.

3.7 No structural landscaping approved under RM190167 will be removed or affected. Existing mounding and established planting that contribute to the containment and integration of residential development on the site will be retained.

3.8 The proposal does not alter the existing vehicle access arrangements or increase residential density on the site. Stormwater disposal required for will be addressed through detailed building design and the building consent process.

Variation to Conditions of Consent Notice 8558647.4

3.9 Condition c)(i) of Consent Notice 8558647.4 requires buildings to be contained within the residential building platforms shown on the subdivision plan. As the proposed studio is located outside of the approved RBP, a variation to this condition is required.

3.10 It is proposed that Condition c)(i) as it relates to Lot 12 be varied to read as follows (additional text shown in bold):

> (i) **Except for the studio/accessory building approved by resource consent RM[XXXXXX],** all buildings shall be contained within the residential building platforms shown on the subdivision plan

3.11 Condition c)(iii) of Consent Notice 8558647.4 relates to the roof pitch of buildings. While the studio roof is not the main roof of a house (a house being referred to specifically in the condition) for the avoidance of doubt a variation to this condition is sought as the condition also refers generically to 'buildings' in relation to the required pitch of a main roof, albeit it reads that the condition has been written to address the pitch of the main roofs of a house, rather than small accessory buildings. The building will have a pitch of 3 degrees.

3.12 It is proposed that Condition c)(iii) as it relates to Lot 12 be varied to read as follows (additional text shown in bold):

> (iii) **Except for the studio/accessory building approved by resource consent RM[XXXXXX],** buildings and multiple roof forms shall have their main roofs at a minimum angle of 35 degrees or alternative pitch adequate for the roofing materials detailed in the following sub-clause provided that the design outcome is a predominantly single storey house. Secondary roofs(being roofs of secondary building elements attached to a main roof

such as a verandah roof or a roof which forms a link between the main roofs) may be flat or of a low pitch.

3.13 Condition c)(iv) of Consent Notice 8558647.4 relates to the required building materials for mains roofs of buildings. The roof material proposed is a vertical metal tray which is a Eurotray product as referenced in the condition as permitted for secondary roofs and as consented for the existing dwelling.

3.14 It is proposed that Condition c)(iv) as it relates to Lot 12 be varied to read as follows (additional text shown in bold):

(iv) **Except for the studio/accessory building approved by resource consent RM[XXXXXX],** all main roofs shall be slate or imitation slate or similar finish to achieve a permanent slate-like texture or cedar shingles/shakes. Secondary roofs (as defined above) may be of any material provided that the material is coloured or painted in a dark grey tone and provided that no corrugated iron or any other sheet metal is permitted other than the specified metal product known as '*Eurotray*'.

4 MATTERS REQUIRING RESOURCE CONSENT

Land Use Consent

Queenstown Lakes District Operative District Plan

4.1 The proposal does not require land use resource consent under the ODP.

Queenstown Lakes District Proposed District Plan

4.2 Resource consent is required under the following rules of Chapter 24 of the PDP:

- A **non-complying** activity pursuant to Rule 24.4.7 for the construction of a building for residential activity outside a building platform approved by resource consent and registered on the applicable Record of Title. The proposed studio is a building associated with the established residential activity and is located outside of the approved RBP.

- A **restricted discretionary** activity pursuant to Rule 24.5.7.1 because the minimum setback of a building from an internal boundary is 10m. The proposed studio is set back 5.88m and 8.436m from the two relevant internal boundaries. Council discretion is restricted to building location, character, scale and form; external appearance including materials and colours; and landform modification/planting (existing and proposed).

Section 221 Variation to Condition c)(i) of CN8558647.4

4.3 The variation to Conditions c)(i), (ii) and (vi) of Consent Notice 8558647.4 is sought pursuant to section 221 of the Act as a **discretionary activity**.

Summary of Application Status

4.4 Overall, the proposal is considered as a non-complying activity, being the most restrictive activity status triggered by the proposal.

4.5 This application is made for all matters requiring resource consent arising from the proposal rather than only the specific consent matters identified above. If the Council identifies an additional or alternative consent requirement that is within the scope of the proposal and assessment, the application is intended to encompass that matter.

5 STATUTORY CONSIDERATIONS

Resource Management Act 1991 – sections 95A-95E and 104-104D

5.1 The following matters are noted in relation to notification under sections 95A-95E of the Act:

i. Public notification is not requested by the applicants.

ii. No special circumstances are considered to exist that would warrant public notification.

iii. For the reasons set out in Section 6 of this AEE, adverse effects on the environment and on adjoining persons are considered to be less than minor.

5.2 As the overall activity status is non-complying, sections 104, 104B and 104D direct the substantive consideration of the land use application. Section 221 applies to the proposed variation of the consent notice condition.

Purpose and Principles of the Act

5.3 The purpose of the Act is the sustainable management of natural and physical resources. The proposal enables the continued reasonable use and enjoyment of an established rural living property while maintaining landscape character, visual amenity and neighbouring amenity values.

5.4 The proposal does not affect any matter of national importance under section 6 of the Act. Relevant section 7 matters, including the maintenance and enhancement of amenity values and the quality of the environment, are addressed in the effects assessment below.

5.5 Section 8 requires the principles of Te Tiriti o Waitangi / the Treaty of Waitangi to be taken into account. No particular Treaty issue is identified by the proposal.

5.6 Overall, the proposal is considered to be consistent with the purpose and principles of the Act.

Section 104 Matters

5.7 Section 104(1) requires the consent authority to have regard to the actual and potential effects on the environment, the relevant provisions of applicable planning instruments, and any other matter considered relevant and reasonably necessary to determine the application.

5.8 The relevant district planning provisions are those of the ODP and PDP, with the Chapter 24 PDP provisions carrying the greatest relevance to this proposal. The operative Otago Regional Policy Statement 2021 is also relevant at a higher policy level.

5.9 Sections 95D and 104(2) provide for relevant permitted effects to be disregarded when applying the permitted baseline. The permitted baseline of relevance to this proposal is discussed in Section 6 below.

5.10 Section 104D provides the gateway tests for a non-complying activity. The proposal must satisfy at least one of the two tests: that adverse effects on the environment will be minor, or that the activity will not be contrary to the objectives and policies of the relevant plan or proposed plan.

Transitional Consenting Provisions – Sections 95D, 95E and 104(1A)

5.11 The transitional consenting provisions introduced under the Act, effective from 30 October 2026, require consent authorities to disregard specified matters when considering applications for district land-use activities. Pursuant to sections 95D(f), 95E(2)(d) and 104(1A), these exclusions apply to both notification decisions and the substantive assessment of resource consent applications. As the proposal involves a

residential activity, the excluded matters include the area of glazing, balconies, outdoor living space, internal layout, residential unit size and the size of landscaped areas (except in relation to permeability), subject to the historic heritage exception. In addition, effects on views from private property, including visual amenity effects insofar as they relate to private views and outlook, together with the other matters identified in section 104(1A), must be disregarded. Accordingly, these matters cannot form part of the assessment of environmental effects or the determination of public or limited notification for this application.

Conditions

5.12 Section 108 enables conditions to be imposed on a resource consent. The applicants accept that appropriate conditions may be imposed by the Council and request that a set of draft conditions is provided to the applicant to review prior to issue of a decision.

6 ASSESSMENT OF ACTUAL AND POTENTIAL EFFECTS ON THE ENVIRONMENT

6.1 As a non-complying activity, the effects assessment is not limited, with the exception of out of scope matters referenced above in Paragraph 5.11. In the case of views and outlook from private land, all land adjacent to the site boundaries, including Korimako Lane is private land. Having regard to Schedule 4 of the Act and the relevant Chapter 24 assessment matters, the principal actual and potential effects are considered to be:

i. Landscape character

ii. Internal boundary setback effects, including privacy, outlook, dominance and amenity for adjoining properties.

iii. Effects on rural living character.

iv. Infrastructure and servicing.

v. Earthworks and landscaping.

vi. Effects arising from the consent notice variation.

vii. Cumulative effects.

The Permitted Baseline

6.2 There is no permitted baseline for the proposed studio building itself because buildings associated with residential activity in this part of the Wakatipu Basin are subject to the Chapter 24 consent framework.

6.3 The PDP earthworks provisions permit earthworks subject to specified volume, cut/fill and other standards. The minor preparation earthworks proposed for the studio development will fall well within those permitted standards. Effects associated with compliant earthworks may therefore be disregarded as part of the permitted baseline.

Existing Environment

6.4 The existing environment comprises a highly modified rural area which has been developed to provide for the established residential property containing the dwelling, garaging, access, residential curtilage, vegetable garden, mounding and established landscape planting. The surrounding Hawthorn subdivision contains comparable residential development on adjoining lots.

Landscape Character and Visual Amenity

6.5 The proposal is located within LCU-09 – Hawthorn Triangle. The landscape character description for this unit identifies a distinctly large-lot, suburban park-like character and a comparatively high capacity to absorb additional development. The application site displays this established residential character within the Hawthorn Triangle.

6.6 The studio is modest in scale and visually subordinate to the existing dwelling. At approximately 57m² in floor area and approximately 3.2m in maximum height, it will read as an accessory building associated with the dwelling rather than as a separate dominant built form. Its location immediately adjoining the established residential curtilage consolidates built development rather than dispersing it across the wider site.

6.7 The external appearance further limits visual prominence from any public places. Grey Friars roofing, metal cladding and joinery have an LRV of 10%, while the cedar rainscreen has a naturally recessive finish. The shallow roof form and simple rectangular form are compatible with an accessory building in this residential setting. The building is low in height, compact in footprint and finished in recessive materials, such that it will not become visually dominant or materially alter the perceived spaciousness of the site.

6.8 The existing structural landscaping and mounding approved under RM190167 will remain unaffected. This is important because the established vegetation pattern contributes to the enclosure and integration of residential development within the Hawthorn subdivision. No additional screen planting or earth mounding is required to make the proposal acceptable, noting that effects relating to views and outlook from all neighbouring properties and Korimako Lane are out of scope effects.

6.10 Overall, the proposal will maintain the landscape character and visual amenity values of the site and LCU-09. Adverse landscape and visual effects are considered to be less than minor.

Internal Boundary Setbacks and Rural Living Amenity

6.11 Rule 24.5.7.1 requires a minimum 10m setback from internal boundaries. The studio is proposed at setbacks of 5.88m and 8.436m. The 8.436m setback is only 1.564m less than the standard, while the 5.88m setback represents the greater infringement and has therefore been considered conservatively in the assessment below.

6.12 The matters of discretion for the setback infringement are building location, character, scale and form; external appearance including materials and colours; and landform modification/planting. The proposal responds positively to each matter for the following reasons:

- The studio is a small, single-storey accessory building positioned close to the existing dwelling and established curtilage. Its location avoids extending development into more open parts of the site and maintains a consolidated pattern of built form.

- The building is approximately 3.2m high and therefore has limited potential to create dominance, loss of outlook or shading effects at the adjoining boundaries. There are no elevated living areas or upper-level windows.

- The simple building form and recessive Grey Friars and cedar finishes reduce visual prominence and are compatible with the existing rural living development, noting that any effect on views and outlook from private properties, are out of scope.

- The setbacks still provide physical separation of at least 5.88m from the relevant boundaries. In the context of the low building height and established residential setting, that separation is sufficient to maintain an appropriate sense of space between built form and adjoining land.

- No structural landscaping is removed or compromised. Existing landscape treatment and landform will continue to provide integration and visual containment, and the proposal requires only minor foundation preparation.

6.13 The proposal does not establish an additional residential unit or increase residential density. It is an accessory building to the existing dwelling and does not alter the established vehicle access arrangements. The scale and nature of residential activity on the property therefore remains consistent with the existing environment.

6.14 Given the modest scale and height of the studio, its recessive external treatment, the retained landscaping and the separation provided by the proposed setbacks, adverse effects on the privacy and amenity of adjoining owners and occupiers will be less than minor.

6.15 Any effects on properties beyond the immediately adjoining sites will be further reduced by distance, intervening built form and vegetation and will be less than minor.

Effects on Rural Living Character

6.16 The proposed studio is consistent with the established character of the application site and surrounding Hawthorn subdivision. Detached accessory buildings, landscaped residential curtilage and a variety of built forms are anticipated elements of rural living properties. The studio will remain clearly secondary to the existing dwelling.

6.17 The proposal does not change the underlying residential use or density of the site. Its compact location beside existing development avoids fragmentation of open areas and maintains the overall large-lot rural living pattern. Adverse effects on rural living character will therefore be less than minor.

Infrastructure and Servicing

6.18 The site is already developed and serviced for residential use. The proposal does not create an additional dwelling, does not require a new vehicle access and will not materially increase demand on infrastructure. Any building services required for the studio can connect to or be accommodated by the existing site systems and will be confirmed through the building consent process. No adverse infrastructure effects are anticipated.

Earthworks and Landscaping

6.19 Earthworks are limited to minor scraping and excavation for foundations. These works are well within permitted activity standards and will not result in inappropriate landform modification. Standard construction practices can manage temporary sediment, dust and construction disturbance.

6.20 No structural landscaping approved under RM190167 will be affected. The existing mounding and planting pattern will remain and continue to perform its landscape integration function. No adverse effects arise from the proposal in relation to the approved structural landscaping.

Variation to Consent Notice 8558647.4

6.21 The effects arising from the proposed consent notice variation are the same effects associated with establishing the studio outside of the RBP and have been assessed above. The purpose of the building platform control is not undermined by a small, low accessory building located immediately beside the established residential curtilage, where landscape and neighbouring amenity values can be maintained.

6.22 The proposed variation is specific to the studio approved through this application and does not remove the general requirement for buildings on the site to be located within the RBP. Any adverse effects associated with the location of the studio outside of the RBP will therefore be less than minor.

6.23 The roof material and colour will match the existing dwelling to ensure continuity within with site. While the roof pitch is less than the required roof pitch designated under the consent notice, the effects of this breach in relation to a small accessory building which is effectively a subservient building to the dwelling, are negligible. The low-pitched roof form of the accessory building is also related to the continuity of the design of the dwelling which includes main roof forms with a compliant roof pitches of over 35 degrees in addition to secondary flat roof components as permitted by the consent notice. The accessory building

will therefore appear to relate more to a flat secondary roof (permitted by the consent notice) when viewed in conjunction with the dwelling, rather than being perceived as a primary building on the site that requires the steeper pitch.

6.24 The mitigating factors discussed above will ensure that any adverse effects related to the alternative roof material and roof pitch will be less than minor.

Cumulative Effects

6.25 Cumulative effects will be insignificant. The studio adds a limited amount of built form to a 7,794m² established rural living site and is consolidated with the existing dwelling and curtilage. It does not alter the density of residential activity or affect structural landscaping.

6.26 Overall, the actual and potential adverse effects of the proposal on the environment and on persons are considered to be less than minor.

7 ASSESSMENT OF OBJECTIVES AND POLICIES

7.1 In accordance with section 104(1)(b) of the Act, the proposal has been considered against the relevant objectives and policies of the ODP and PDP. Given the zoning and detailed Wakatipu Basin provisions now contained in the PDP, the PDP provisions are of primary relevance to the proposal.

Operative District Plan

7.2 The relevant ODP provisions address landscape and visual amenity in Other Rural Landscapes and seek to ensure that subdivision, use and development avoids, remedies or mitigates adverse effects on landscape values and rural amenity.

7.3 As demonstrated in the assessment above, the studio is low in scale, consolidated with existing built development, uses recessive materials and does not disturb the established structural landscaping. The proposal is therefore consistent with the relevant ODP outcomes and is not contrary to its objectives and policies.

Proposed District Plan

7.4 Objective 24.2.1 and associated policies seek to maintain or enhance landscape character and visual amenity values in the Wakatipu Basin. Policy direction includes controlling the colour, scale, form, coverage, location (including setbacks) and height of buildings and associated landscape elements.

7.5 The proposal responds positively to that direction. The studio is a compact, low accessory building with recessive colours and materials. It is located beside existing built development so that open areas of the site remain available and the wider pattern of spacious rural living development is maintained. Existing structural landscaping remains intact.

7.6 The proposal also responds positively to the landscape values identified for LCU-09. The Hawthorn Triangle has an established large-lot suburban park-like character and capacity to absorb carefully designed additional development. The studio is compatible with that character and will remain subordinate to the existing dwelling and landscape framework.

7.7 Although the proposal does not comply with the 10m internal boundary setback, the setback infringement does not result in an outcome contrary to the policy framework. The building remains separated from boundaries by 5.88m and 8.436m, is only approximately 3.2m high and has been designed with a visually recessive external appearance. The reduced setbacks therefore do not compromise landscape character, visual amenity or adjoining rural living amenity.

7.8 Objective 24.2.4 seeks that subdivision, development and use of land maintain or enhance water quality, ecological quality and recreation values while providing infrastructure efficiently. The site is outside the Lake Hayes Catchment, the proposal involves only minor permitted earthworks, and no material change to site servicing or ecological values is proposed.

7.9 Objective 24.2.5 seeks to enable rural living opportunities in the Lifestyle Precinct where landscape character and visual amenity values are maintained or enhanced. The proposal is directly associated with an established rural living use and, for the reasons set out above, maintains those values.

7.10 Overall, the proposal is consistent with, and is not contrary to, the relevant objectives and policies of the PDP.

8 SECTION 104D OF THE ACT (NON-COMPLYING ACTIVITIES

8.1 The application satisfies both gateway tests in section 104D. First, the actual and potential adverse effects on the environment will be less than minor. Secondly, the proposal is not contrary to the relevant objectives and policies of the ODP or PDP.

8.2 Accordingly, the Council is able to consider the application on its merits under section 104 of the Act.

9 OTAGO REGIONAL POLICY STATEMENTS

9.1 The Otago Regional Policy Statement 2021 became operative on 9 July 2026 and provides the regional policy framework for the management of Otago's natural and physical resources.

9.2 The proposal is small-scale development associated with an existing rural living property. It consolidates built form within the established residential curtilage, maintains landscape and amenity values, avoids material effects on water, ecological and infrastructure values, and does not create additional residential density. The proposal is therefore consistent with the higher-level direction of the operative regional policy framework.

10 PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

10.1 Taking guidance from case law, the ODP and PDP are considered to be the mechanism by which the purpose and principles of the Act are given effect in this zone in the Queenstown Lakes District. The ODP and PDP were competently prepared through independent hearing and decision-making processes in a manner that appropriately reflects the provisions of sections 5–8 of the Act.

10.2 Accordingly, no further assessment against Part 2 is considered.

11 NATIONAL POLICY STATEMENT FOR NATURAL HAZARDS 2025

11.1 As a non-complying activity the National Policy Statement for Natural Hazards 2025 (NPS-NH) enables the Council to assess natural hazard risk as directed by the NPS-NH with respect to the following natural hazards:

(a) flooding;

(b) landslips;

(c) coastal erosion;

(d) coastal inundation;

(e) active faults;

(f) liquefaction; and

(g) tsunami.

11.2 NPS-NH requires natural hazard risk to people and property associated with subdivision, use, and development to be managed using a risk-based proportionate approach based on the best information available.

11.3 The NPS-NH outlines under Clause 3.2 that:

(1) Natural hazard risk associated with subdivision, use or development must be assessed using:

(a) the likelihood of a natural hazard event occurring, in accordance with table 1, appendix 1; and

(b) the consequence of a natural hazard event for life and property, in accordance with table 2, appendix 1.

to determine whether the level of natural hazard risk is low, medium, high or very high, in accordance with the risk matrix.

(2) When assessing natural hazard risk, decision-makers must consider:

(a) existing and proposed mitigation measures; and

(b) residual risk that arises when design thresholds of any existing and proposed mitigation measures are exceeded.

11.3 The Otago Natural Hazards Portal (Regional Overview) show the site within a Liquefaction Potential Area (Low to None) and subject to seismic risk (earthquake).

11.4 Natural hazards were assessed through the previous subdivision where residential development of the lots was considered feasible without any intolerable natural hazard risk.

11.5 With respect to hazard risk level, the risk level for the seismic hazard could be considered to be in the range between possible and likely, the liquefaction risk level could be considered possible.

11.6 Through the assessment of the underlying subdivision and the engineering acceptance process, mitigation, where required, was proposed and accepted by Council as sufficient to ensure that the risk of any of the natural hazards was considered as tolerable. As such, the approval of the subdivision for residential development is relevant to the consequence of the hazard.

11.7 Also relevant to the consequence of the hazard is the fact that an RBP is established on site which anticipated and facilitated the construction and occupation of a residential dwelling and accessory buildings on site. The exposure to the risk has therefore been established by the grant of subdivision consent and the subsequent land use consents for the establishment of the residential dwelling. As such the proposal to establish the residential accessory building, subject to the building obtaining building consent meaning the consequence is negligible and the overall risk low.

11.8 Using a proportionate approach to the level of natural hazard risk as directed by Policy 2 of the NPS-NH, taking into account the Building Consent process which will address risk relating to the building, the natural hazard risk will be sufficiently managed.

12 CONCLUSION

12.1 The proposal is to construct a 57m² detached studio/accessory building associated with the existing dwelling at 3 Korimako Lane. The building is located outside of the approved RBP and within the 10m internal boundary setback at two locations, with setbacks of 5.88m and 8.436m. A corresponding variation to Consent Notice 8558647.4 is also sought.

12.2 The studio is modest in scale, low in height, finished in recessive materials and of a design which is reflective of the design of the established dwelling on site. It is consolidated with the established residential curtilage, requires only minor permitted earthworks and does not affect any structural landscaping approved under RM190167. The proposal will maintain landscape character, visual amenity and neighbouring rural living amenity values.

12.3 The actual and potential adverse effects of the proposal will be less than minor, and the proposal is not contrary to the relevant objectives and policies of the ODP or PDP. It therefore satisfies both limbs of the section 104D gateway test.

12.4 Accordingly, it is concluded that the Queenstown Lakes District Council can grant the land use consent and consent notice variation on a non-notified basis, subject to appropriate conditions.