

CENTRAL OTAGO DISTRICT COUNCIL
CENTRAL OTAGO DISTRICT PLAN
REPORT OF CONSULTANT PLANNER

APPLICATION	RC 230398
APPLICANT	DJ JONES AND NR SEARELL FAMILY TRUSTS
ADDRESS	88 TERRACE STREET, BANNOCKBURN
LEGAL DESCRIPTION	LOT 4 DEPOSITED PLAN 339137 (HELD IN RECORD OF TITLE 474127).
ACTIVITY STATUS	DISCRETIONARY

STATUS OF THIS REPORT

1. The attention of the applicants is drawn to the fact that the purpose of this report is to bring to the attention of the Commissioners all relevant factual information or issues which should be considered in deliberating on the proposal. It must be emphasised that any conclusions reached or recommendations made in this report are not binding on the Commissioners, and it should not be assumed that the Commissioners will reach the same conclusion or decision having considered all the evidence.

AUTHOR

2. My name is Kirstyn Jane Royce and I am the sole director and employee of Southern Planning Solutions Limited. I hold a Masters in Planning with distinction from the University of Otago. I am an accredited RMA commissioner (Chairs endorsement) and hold full NZPI membership. I have 20 years' experience in district and regional planning. I currently provide planning assistance to a number of southern Councils, including CODC, and I also assist a number of private clients with planning work. I have been contracted by Central Otago District Council to report on this application.
3. I confirm that I have read the Environment Court's Code of Conduct for Expert Witnesses 2023 and, while this is not an Environment Court hearing, I agree to comply with the code. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

CONFLICTS OF INTEREST

4. Since preparing the s95 report for this application, I have subsequently been engaged by Kāti Huirapa Rūnaka ki Puketeraki to provide RMA advice to their Komiti Kaupapa Taiao. I identified this application to them as one that I could not provide advice on and I excluded myself from acting on behalf of the Komiti Kaupapa Taiao for this process. I have not provided any assistance to them in respect of this application. I can confirm that my recommendation is not influenced by my relationship with Kāti Huirapa Rūnaka ki Puketeraki in any way.

PROPOSAL

5. The applicant, DJ Jones and NR Serrell Family Trust, seeks resource consent to undertake a 24-lot subdivision at the site located at 88 Terrace Street, Bannockburn (See Figure 1). The site comprises an area of 17.6140 hectares and is legally described as Lot 4 Deposited Plan 339137 (held in Record of Title 474127).
6. The applicant proposes to configure the subdivision as follows:
 - Lots 1-20 will be freehold lots for residential activity. The lots range in size from 1502m² to 2265m².
 - Lot 30 is to be a 4100m² recreation/local purpose reserve located at the terminus of the Terrace Street road extension. The reserve will provide amenity, connection to the informal public trail and a lookout area to the north and east towards Cromwell, the wider Upper Clutha area and eastwards towards the Bannockburn Outlet and Surrounds. The applicant also proposes that the reserve will contain interpretive material associated with the former mining activity, heritage associations with the twin Water Race Hill water races (Archaeological Site identifier F41/369), and also potentially geomorphic explanations of the Upper Clutha area.
 - Lot 40 is to be a balance freehold lot comprising an area of 4.44ha. The existing informal walkways within this area are proposed to be maintained, however no formal recognition of the walking areas is proposed.
 - Lot 50 is a 7.82ha balance lot intended for future development. Lot 50 has frontage to Bannockburn Road and includes a recorded archaeological site being Revell's Basin sluicing's.
 - Lot 51 is a 0.53ha balance lot which comprises a gully feature and contains a recorded archaeological gold workings gully feature F41/368 Pennyweights Sluicing's.
 - Lot 100 will be a short loop road located on the southern side of the central road and will provide access to Lots 2, 6 and 15 to 20.
 - Lot 101 will be the main access road extending Terrace Street from the current termination point.
7. The application identifies that Lots 4, 5, 6, 13, 14, 15 to 20 are located either entirely within, or such that future buildings will be located within a building line restriction area identified on the ODP Plan Maps. Lots 2, 10, 11 and 12 are also affected by the BLR, but it is more likely than not that houses will be able to be built outside, or partially outside the BLR.



Figure 1: Subject site (Source: Application)

8. The applicant volunteers the following development controls:
- On Lots 4,5,13,14, 15 – 20, a building platform of 500 m² shall be identified with all buildings and associated curtilage restricted to locate within the building platform areas. No built development shall be permitted outside the building platform, including clothes lines, swimming pools or other activities generally associated with a curtilage area.
 - For all of Lots 1-20, a maximum built coverage of 300m². Should any dwellings be two storeys, the maximum footprint for the ground floor will be 200m².
 - The access to Lot 6 shall be designed to limit the extent of earthworks required, and as far as practicable off the ridgeline.
 - Exterior cladding shall be limited to timber (vertical or horizontal), schist, or corrugated iron in one of the following Colorsteel colours: Lichen, Sandstone Grey, Lignite, Ironsand, FlaxPod, Grey Friars, New Denim Blue.
 - Roofing shall be constructed of corrugated iron in one of the of the following Colorsteel colours (or similar with a light reflectance value (LRV) of the less than 12%): Lignite, Ironsand, FlaxPod, Grey Friars, New Denim Blue.
 - Fencing at lot boundaries shall be limited to 1.2 m high unpainted post and rail, post and wire or waratah and wire fencing. The addition of rabbit wire mesh is encouraged.

- Subdivision roading shall be asphalt or chip seal and have no kerb and channel.
- Shared paths within the recreation reserve and road reserve shall be local compacted gravel and/or schist stone.
- Planting for the road reserve, recreation reserve and private lots shall be undertaken in accordance with the planting palette in Appendix A of the RMM Assessment.
- Lot 30, planting shall be undertaken to provide visual screening of the built form on lots 5, 10-14 from viewpoints east of the site. Conditions relating to plant composition, size, and maintenance are offered.
- On Lots 1- 20 Buildings maximum height restrictions are proposed; noting that
 - Lots 1-3 and 10 would be 2m – 2.5m lower than otherwise permitted and approximately half of the building coverage area
 - Lots 7-9 would be built to the same permitted height but building coverage would be between 500m² to 300m² less than what is permitted.
 - Lot 11 would be built 2.8m lower than what is permitted, and the building coverage is approximately 300m² less than what is permitted.

9. The application is supported by the following documents:

- Landscape and Visual Assessment, prepared by Rough Milne Mitchell Landscape Architects Ltd, dated 19 December 2023.
- Archaeological and Heritage Impact Assessment, prepared by Kopuwai Consulting, dated December 2023
- Combined Preliminary and Detailed Site Investigation, prepared by ENGEO, dated 4 November 2021
- Geotechnical Investigation, prepared by ENGEO, 24 May 2022 (supersedes Draft Geotechnical Investigation dated 2 December 2021)
- Transport Assessment, prepared by Bartlett Consulting, dated 7 August 2023
- Preliminary Erosion and Sediment control Plan, prepared by Landpro, dated 28 August 2023.

BACKGROUND

10. Subdivision consent RC020256, authorised the subdivision of a 32.7215ha title into 15 residential allotments and one balance lot. At that time, Terrace Street was also realigned as part of this to provide safe sight lines along Bannockburn Road and to act as part of a proposed loop road to service future subdivision.
11. Further subdivision occurred for a four-lot residential development (Lots 21-25) and a residual title in 2009 was created as a result of subdivision consent RC080449. This subdivision application relates to the residual title created in 2009.
12. RC190154 sought to authorise 35 residential lots ranging in area from 700m² to 2449m² with an average lot size of 1307m². Access was to be from the end of Terrace Street and then over Lot 100, 101 and 102 plus a number of ROWs to give access to internal lots. Lot 200 will be the balance lot comprising an area of 4.04ha. This application was publicly notified and received 77 submissions; one in support, two neutral, two did not

state and 72 in opposition. This application was withdrawn and the current application lodged to replace it in its entirety.

SITE DESCRIPTION

13. The subject site comprises an area of 17.6140ha and is situated on an alluvial terrace remnant on the eastern side of Bannockburn area, approximately 3 km northwest from the base of the Carrick Range and immediately west of the Bannockburn Inlet. The site is bordered by development along Bannockburn Road and Terrace Street including single family dwellings on sections ranging from 1500 – 2700m² and several commercial businesses on Bannockburn Road within the historic township of Bannockburn. There are no existing built structures on the site. A number of well-used but informal walking tracks run through the site. The main track runs from the vehicle entry on Bannockburn Road to Bannockburn Inlet on the Kawarau River arm. Vegetation consists of dryland pasture grass, wild thyme, briar rose, broom, and other weed species. There are random groupings of exotic poplar and willow tree species growing throughout the site as well. No significant native vegetation is known to exist on the subject site.
14. The supporting information submitted with the application site shows evidence of former gold mining works dating back to pre1900's as evidenced by a network of historic water races and deeply incised sluice gullies in the northwest with sluice faces and channels.

PLANNING FRAMEWORK

Central Otago District Plan

15. The site is located within the Residential Resource Area [4]. A Building Line Restriction is identified on the the entire east to north facing slopes of the escarpment and lower parts of the hillside down toward the Bannockburn Inlet. There are no other annotations for the site.
16. Rule 7.3.3(i)(a) and (c) of the Central Otago District Plan states that where a subdivision will create lots with a minimum lot area of 1500m² and an average allotment size is no less than 2000m² within the Residential Resource Area [4] (RRA[4]), then, this is a restricted discretionary activity. The proposal will meet this standard.
17. Rule 12.7.7 Building Line Restrictions states that no building shall be erected within any building line restriction shown on the planning maps between the building line and the feature to which it relates. Lots 4, 5, 6, 13, 14, 15 to 20 are located either entirely within, or such that future buildings will be more likely than not located within the BLR. Breaches of Rule 12.7.7 are assessed as restricted discretionary activities.
18. Rule 7.4.4(ii) states that where a site is likely to be subject to land that is, or is likely to be, subject to material damage by erosion, falling debris, subsidence, slippage or inundation of any source is a discretionary activity.
19. The Geotechnical investigation submitted with the application, identifies that the site is affected by slope stability issues and recommends conditions of consent to mitigate any risk during development of the site and in particular for the development of Lots 15, 16, 17, 18 and 19¹.
20. For completeness, I note that the future buildings for each lot are not proposed at this time and, as such, there is no trigger for Rule 7.3.5(ii). Rule 7.3.5(ii) states that buildings located on land which is, or is likely to be, subject to material damage by erosion, falling

¹ Please see hazard assessment discussion regarding the trigger for Rule 7.4.4(ii)

debris, subsidence, slippage or inundation of any source is a non-complying activity. I note that with the development conditions proposed by the Geotechnical Assessment the hazard triggers may be reasonably resolved, such that Rule 7.3.5(ii) is unlikely to be triggered by future development.

21. Where an activity requires resource consent under more than one rule, and the effects of the activity are inextricably linked, the general principle from case law is that the different components should be bundled and the most restrictive activity classification applied to the whole proposal. Under the Central Otago District Plan the subdivision is assessed as a discretionary activity.

Plan Change 19

22. Under Plan Change 19, the site is proposed to be rezoned Large Lot Residential.

Rule/Standard	Requirement	Activity Status
SUB-R6 Subdivision not otherwise specified All Residential Zones	Activity Status: RDIS Where the activity complies with the following standards: SUB-S1	Restricted Discretionary
SUB-S1 Minimum Allotment Size Large Lot Residential Zone (excluding Precincts 1, 2 & 3)	The minimum size of any allotment shall be no less than 1500m ² .	Complies
SUB-R7 Subdivision of Land Subject to Hazards	Where: 1. The subdivision involves land that is subject to or potentially subject to the effects of any hazard as identified on the planning maps; or 2. The subdivision involves land that is likely to be subject to material damage by erosion, falling debris, subsidence, slippage or inundation from any source.	Discretionary

23. Overall, the proposal is assessed as a discretionary activity under PC19.

National Environmental Standards

24. The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) came into effect on 1 January 2012. The NESCS applies to any piece of land on which an activity or industry described in the current edition of the Hazardous Activities and Industries List (HAIL) is being undertaken, has been undertaken or is more likely than not to have been undertaken. Activities on HAIL sites may need to comply with

permitted activity conditions specified in the NESCS and/or might require resource consent.

25. In this instance, the subject site has had a historic mining activity undertaken on the land, and the proposed use of land involves a subdivision and soil disturbance. The application is supported by Combined Preliminary and Detailed Site Investigation, prepared by ENGE0, dated 4 November 2021 which concludes that any contamination detected was below the thresholds under the NESCS for recreational, residential or commercial / industrial guideline criteria. The Combined Preliminary and Detailed Site Investigation confirms that the NESCS is not triggered by this proposal. The findings of the Combined Preliminary and Detailed Site Investigation are relied upon for the purposes of this report.
26. There are no other National Environmental Standards relevant to this application.

Overall Status

27. The application is assessed as a **Discretionary Activity** under the operative District Plan and **Discretionary** under PC19. The activity status of the application is fixed by the provisions in place when the application was first lodged, pursuant to section 88A of the Resource Management Act 1991. In this case, the activity retains the discretionary activity status set by the Operative District Plan. However, it is the provisions of both the district plan and PC19 in force at the time of the decision that must be had regard to when assessing the application. While decisions have been released for PC19, the provisions are under appeal and greater weight is given to the operative District Plan.
28. Overall, the proposal is assessed as a **discretionary** activity.

SECTION 104(1)

29. This application must be considered in terms of Section 104 of the RMA. Subject to Part 2 of the RMA, Section 104(1) sets out those matters to be considered by the consent authority when considering a resource consent application. Considerations of relevance to this application are:
- (a) *any actual and potential effects on the environment of allowing the activity; and*
 - (b) *any relevant provisions of:*
 - (i) *A national environmental standards;*
 - (ii) *Other regulations;*
 - (iii) *a national policy statement*
 - (iv) *a New Zealand coastal policy statement*
 - (v) *a regional policy statement or proposed regional policy statement*
 - (vi) *a plan or proposed plan; and*
 - (c) *any other matters the consent authority considers relevant and reasonably necessary to determine the application.*

SECTION 104 AND 104B

30. The proposed subdivision has an overall status as a discretionary activity in the Residential Resource Area [4] of the Operative Central Otago District Plan and Large Lot Residential Under Plan Change 19.
31. The activity status of the application is fixed by the provisions in place when the application was first lodged, pursuant to section 88A of the Resource Management Act 1991. In this case, the activity retains the discretionary activity status set by the Operative District Plan. However, it is the provisions of both the District Plan and PC19

in force at the time of the decision that must be had regard to when assessing the application. While decisions have been released for PC19, the appeals version of the plan has not been compiled at this time.

32. Overall, the proposal is assessed as a **discretionary** activity. In accordance with section 104B of the Act, a consent authority may grant or decline a resource consent for a Discretionary Activity and may impose conditions under section 108 of the Act.

SECTION 108

33. Sections 108 empowers the Commissioners to impose conditions on a resource consent should it be of a mind to grant consent.

WRITTEN APPROVALS

34. No written approvals have been submitted with the application.

NOTIFICATION

35. A decision was made to publicly notify the application 22 May 2024. The application was publicly notified on 11 July 2024.

SUBMISSIONS

36. The submission period closed 8 August 2024. A total of 38 submissions were received within the submission period; two neutral and three in support and the remainder in opposition. The submissions are summarised at Appendix 2 of this report.

EFFECTS ON THE ENVIRONMENT

37. Consideration is required of the relevant assessment matters in the District Plan, along with the matters in any relevant national environmental standard. No regard has been given to any trade competition or any effects of trade competition.

Permitted Baseline (s104(2))

38. Under section 104(2) of the RMA, an adverse effect of the activity on the environment may be disregarded if the plan permits an activity with that effect. That is, an application can be assessed by comparing it to the existing lawful and consented on the site and development that could take place on the site as of right, without a resource consent, but excluding development that is fanciful.
39. In this situation, subdivision and residential building platforms are not provided for as permitted activities under the District Plan or the NES and there is no permitted baseline to be applied.

Effects of the Subdivision design

40. The original proposal (RC190154) involved a 38-lot subdivision of 38 residential lots which did not meet the minimum and average lots size requirements for the RRA (4) zone and included 24 lots being included within the BLR.
41. The current application now includes 20 residential allotments, two roading allotments, and four balance lots. The proposed residential lot sizes will range from 1502m² to 2266m² with large lots being either reserves, road or balance lots. Each residential lot will gain access from a formed road or ROW access. Lot 30 is to be vested with Council

as a public reserve, Lot 40 is to remain in private ownership to be used for rural productive activities such as grazing, and Lots 50 and 51 will serve as a balance lot.

42. For the purposes of this report, I have separated out the effects of the subdivisional design on heritage, archaeological and cultural values and consider these later in this report.

43. The Operative District Plan confirms the character of Bannockburn as being:

The area of land identified as Residential Resource Area (4) applies to Bannockburn, on the eastern side of Bannockburn Road and both sides of Hall Road west until just beyond Miners Terrace. The area is capable of accommodating low density residential development in a manner that provides privacy for the occupiers of dwelling houses and maintains the rural character of Bannockburn. An open form of development is promoted.

44. The majority of submissions in opposition raised concerns regarding the lot size. For the Residential Resource Area [4], a minimum lot area of 1500m² and an average allotment size is no less than 2000m² is required. The submitters consider that the averaging calculation should exclude Lots 30, 40, 50, 51 100 and 101 and be based solely on the land area to be used for residential lots.

45. In my interpretation of Rule 7.3.3(i)(c), this does not differentiate between residential and non-residential lots and there is no exclusion provision or lot size cap to be applied to the averaging calculation. As such, I consider that the lots meet the minimum and average lot size standards required in the Residential Resource Area [4] and if assessed in isolation would meet the restricted discretionary rule.

46. In terms of the future intended character of the area, the applicant submitted on PC19 as it relates specifically to the subject site. The applicant sought that the 1.8ha of the land be rezoned Medium Density Residential with a commercial precinct area and the remainder of the land be rezoned Large Lot Residential with a minimum and average allotment size of 1,000m² and 1,500m² respectively applying. In the decisions version of PC19, the site is to be rezoned as notified being Large Lot Residential where development is assessed as appropriate subdivision lot area of 1500m² (SUB-R6 and SUB-S1).

47. In terms of PC19 appeals lodged at the time of writing this report I note that there have been two appeals only which relate to the lot sizes for the LLRZ. Other appeals on the LLRZ have been received but these relate to specific site rezoning or where a precinct overlay is included and those appeals are not relevant to this assessment.

48. Appellants Keith and Jean Mackenzie and Lindsay and Robyn Crooks appealed the PC19 decisions and request that the minimum lot size for the Large Lot Residential Zone (LLRZ) is reduced to 1000m².

49. There are no appeals which seek a larger lot area for LLRZ zoned land. In this regard, it can reasonably be assumed that a lot size of at least 1500m² would be commensurate with the intended future character of this area.

50. Given that the proposal meets the standards in Rule 7.3.3.3 and would be compatible with the intended future character of the area in respect of lot sizes, the lots sizes as proposed are considered appropriate.

51. For completeness, I also note that opposing submitters have identified that there is the potential for Lots 40 and 50 to be further subdivided and developed at a later date. The

future development of Lots 40 and 50 are not a matter before the Commissioners today and any future applications will need to be assessed on their merits. Furthermore, it is likely that any future applications (if any) are likely to be made under the PC19 rules and, therefore, will be assessed under an altered planning regime from that which guides the Commissioners today.

52. The LVA identifies that, while the proposed subdivision will result in a substantial change to the site through the introduction of built form, roading, street trees, and amenity planting, it constitutes an extension of the semi-urban form of Bannockburn, and that this change can be anticipated based on the RRA(4) zoning. However, while these changes are largely anticipated given the underlying zoning, the proposed level of development is potentially greater than would be expected for the site given the breach of the BLR. The effects on the BLR are separated out and are assessed separately below.
53. That said, the LVA considers that the subdivision will maintain the specific residential character and amenity of Bannockburn and the wider receiving environment through adherence to the RRA[4] minimum lot size and design controls to ensure built form is in keeping with the local vernacular, such that the effects of this will be low-moderate (minor).
54. The LVA assessment is adopted for the purposes of this report and it is my assessment that the effects of subdivisional design (excluding effects on heritage, archaeological and cultural values) are no more than minor. In particular, I note that generally the proposed residential lot sizes are not too dissimilar with the existing lots sizes on Terrace Street and within the centre of Bannockburn and, with the inclusion of the reserve and undeveloped lots, a substantial amount of open space will remain.
55. Overall, development patterns will be consistent with existing and the intended future settlement within Bannockburn and the resultant lots will be capable of accommodating low density residential development in a manner that provides privacy for the occupiers of dwelling houses and maintains the character of Bannockburn. The effects of the subdivision design are assessed as acceptable overall.

Effects of the BLR Encroachment and landscape features

56. The application notes that the BLR within the site follows the ridgeline of Water Race Hill surrounding an area of lower landform and was established in 1987 by the Transitional (Vincent County) District Plan and initiated by a Plan Change. It is the applicant's understanding that the original purpose of the BLR was to contain Bannockburn within a 'hollow' so it would not be visible from the Cromwell Basin and to protect views around the Bannockburn Inlet. At the time of writing this report, I have no other information which would contradict this assumption.
57. PC19 Submitters #34 and #70 sought that the BLR in Bannockburn be retained. Under PC19 decisions, the Building Line Restriction within the subject site appears to have been retained, although there is no discussion or supporting landscape evidence for the BLR in the s32 report, or within the PC19 decision; noting for context that other BLRs proposed for PC19 were supported by landscape evidence and were specifically discussed in the PC19 decision. Furthermore, there are no new PC19 Rules or other provisions which address development within the BLR.
58. In this regard, I continue to treat Rule 12.7.7. as operative.
59. I agree with the applicant that the BLR appears to be 'intact' in terms of buildings encroaching into it although development (housing and curtilage) adjacent to the ridgeline, along the crest of Hall Road, Domain Road and Terrace Street are visible from

63. In respect of this proposal to encroach into the BLR, I have not identified any adverse effects in respect of:
- The effect on the safe and efficient operation of the roading network.
 - The effect on infrastructure.
 - The effect on the safety of neighbours.
 - The effects of noise from the operation of the roading network and compliance with AS/NZS 2107:2000.
64. As such, I consider the key matters for consideration are:
- The effect on the natural character of water bodies and their margins.
 - The effect on amenity values of the neighbourhood, in particular the character of the streetscape.
65. I note that the BLR is setback from the existing development from the Terrace Street “neighbourhood” and there is currently no “streetscape character” associated with the BLR in a typical sense as it is separated from the existing roading network and built form.
66. The application is supported by a Landscape and Visual Assessment (LVA), prepared by Rough Milne Mitchell Landscape Architects Ltd, dated 19 December 2023. The LVA is guided by the Te Tangi a te Manu Aotearoa New Zealand Landscape Assessment Guidelines, Tuia Pita Ora New Zealand Institute of Landscape Architects, July 2022.
67. The LVA assesses the landscape and visual effects of the associated with the subdivision and future development and focusses on the following matters:
- Effects associated with the breach of the BLR.
 - Effects on the character, amenity, and settlement pattern within Bannockburn.
 - Effects on the natural character of the Kawarau River and Bannockburn Inlet.
 - Effects on the site’s values including the open and rural character and the perceived ruggedness and naturalness of the site’s landforms and vegetation patterns.
 - Effects on recreation values of the site.
 - Visual amenity effects from public places within the surrounding area, particularly from locations east of the site, as well as from Bannockburn township and neighbouring private properties and businesses.
68. An assessment has been undertaken from a number of viewpoints identified in the LVA. In respect of those lots within the BLR, the LVA advises that the sensitivity of the subject site partially within the BLR overlay has required careful design of the subdivision proposal, (including a reduction in the number of lots proposed within the BLR when compared with the previous application RC190154).
69. In the current proposal, the applicant considers that lots located within the BLR will be generally viewed in the context of other existing built form and will appear as an extension of built form along Terrace Street. The LVA advises that the recommended design controls including building platforms, height limits, planting mitigation and rules regarding materials and colour will ensure that the proposed built form within the BLR can be readily absorbed and effects largely mitigated when viewed in the context of adjacent development.
70. The LVA states that the breach of the BLR will contribute to adverse effects, ranging from low-moderate to moderate. Notably, the view from the Kawarau Bannockburn Inlet (South of the recreation reserve) (Viewpoint 6) and Bannockburn Inlet Recreation

Reserve (Viewpoint 7) is identified as being moderate/adverse (more than minor), at least temporarily. The LVA notes that the values at Viewpoints 6 and 7 include rural character and amenity which is associated with the open and unbuilt nature of the hills. The scenic quality relates to the appreciation of the complex topography and a sense of ruggedness imparted by the terrain in combination with the sparse vegetation cover. Further, the hills and terraces contribute to the sense of containment experienced from Bannockburn Inlet.

71. From Viewpoint 6, the dwellings on lots 5 and 15 – 20 on south end of the escarpment will be visible, although setback from the Inlet. The LVA anticipates that future dwellings located on these lots will potentially break the skyline when viewed from this location. They will also form a new element in the scene, being the only dwellings visible from this location. Street trees and mitigation planting will also be visible and will partly screen the dwelling on Lot 5 while also forming a backdrop to built form on Lots 15-20. Earthworks within Lots 100 and 101 for the road and the walking track will also be somewhat visible in the short term.
72. From Viewpoint 7, Lots 15-20 will be visible however the LVA considers that these are set back from the Inlet, and anticipates that these will be partly screened by the existing landform and vegetation in the foreground. The LVA considers that the proposed mitigation through design controls will help to reduce the visual prominence of future dwellings on these lots. Even so, it is expected that future dwellings located on these lots will be partially visible and will potentially break the skyline when viewed from this location. They will also form a new element in the scene, being the only dwellings visible from this location. Mitigation planting and street trees will be somewhat visible and will form a partial backdrop to the built form on Lots 15 – 20.
73. The subject site is sufficiently setback from water bodies and their margins so as not adversely affect the natural character of these. Specifically, the LVA submitted with the application states that:

“Regarding potential adverse effects on the natural character of the Bannockburn Inlet, the proposed built form within the BLR will result in new built form on the slopes above the Inlet. While located well away from the water body margin this will constitute a modification to the landforms surrounding the inlet which contribute to its natural character. As a result, it is likely that built form on the terraces surrounding the Inlet will result in a reduction in natural character. This is considered to be an adverse effect of a low-moderate degree.”
74. Overall, the LVA concludes that the effects of the proposal on the existing visual amenity will extend beyond the site but are relatively contained and finds that the effects on visual amenity overall are low-moderate and consider this degree of effects to be appropriate in the context.
75. The LVA was peer reviewed by Council’s consultant Landscape Architect Yvonne Pfluger of Boffa Miskell. Ms Pfluger acted for Council in the review of the previous application for this site (RM190154) and the recommendations of the peer review for that earlier application are referenced in the subject application.
76. Ms Pfluger’s Peer Review confirms the use of the Te Tangi a te Manu Aotearoa New Zealand Landscape Assessment Guidelines, July 2022 as appropriate. Ms Pfluger agrees with the RMM’s description of the landform and surrounding area for the site. Ms Pfluger also recognises the development restrictions recommended by the LVA and adopted by the applicant and supports the inclusion of these volunteered conditions.

77. Ms Pfluger generally agrees with the findings of the LVA regarding the level of effect and considers the proposal to be a substantial improvement in comparison to the previous application RC190154.
78. Ms Pfluger considers that the following potential effects of buildings within the BLR need to be considered in light of the following two district plan matters:
- *Visual effects of buildings enabled under the proposal on the surrounding area, including viewpoints to the east around the Bannockburn Inlet and from residential areas within Bannockburn to the south/ south-west. This includes effects of location of buildings within the area identified through the BLR to the east of the highpoints of Water Race Hill Terrace.*
 - *Landscape effects of development extending on the slopes of the Water Race Hill Terrace slopes, including landscape character change to the adjacent rural environment and experience of recreational users*
79. Ms Pfluger advises that the BLR serves the purpose of ensuring that the amenity value of the landscape to the east and the natural character values of the Kawarau River can be maintained. She notes that while Lots 15-20 would be visible along the terrace edge from elevated viewpoints, these are set back from the Kawarau Inlet along Shepherd's Creek. She, therefore, considers their visual prominence to be of a lesser concern.
80. Ms Pfluger agrees with the LVA that from most viewpoints the proposed development would be viewed in the context of existing dwellings within Bannockburn. The only viewpoints that currently do not include visible built development are the close-up ones along Bannockburn Inlet (VP 6 and 7). From these viewpoints the proposal would not appear as an extension to built form on Terrace Street, but as an introduction of completely new development.
81. Ms Pfluger agrees that there are some viewpoints where buildings would break the skyline. While it is correct that views from the north and north-east are limited or only occur at long viewing distances, the views from the east are at short and mid viewing distances with elevated buildings potentially appearing on the skyline from specific nearby viewpoints around Bannockburn Inlet. Critically, Ms Pfluger advises that the mitigating effect of the proposed planting on Lot 30 for VP 6 and 7 is likely to take around 10 years due to the wide spacing (3m) of plants before mitigation offered by this planting will be effective.
82. However, Ms Pfluger agrees that the reduction in the number of lots proposed within the BLR in this application has reduced the visual effects along the visually most sensitive part of the landform contained within Lot 30. While viewpoints within the Bannockburn Recreation Reserve would experience greater visual effects, Ms Pfluger considers that the majority of visual effects from other viewpoints would be minor or less than minor with the exception of VP 6 and 7. I note that the visual effects from these viewpoints are expected to decrease overtime due to mitigation planting
83. Ms Pfluger also agrees with the LVA in that the visual dominance of buildings on the skyline above Shepherds Creek would, in her view, increase the visual presence of man-made structures in the immediate context of the waterbody and decrease the perceived natural character currently experienced by recreationist in the area. However, Ms Pfluger also agrees with the LVA that the adverse effects on the natural character of the Inlet are acceptable if the proposed mitigation measures are implemented.
84. Overall, Ms Pfluger considers that the effects on the landscape and natural character of the Bannockburn Inlet would be minor (low-moderate) and acceptable in the context of the existing development within Bannockburn.

85. The consistent expert assessments are adopted for the purposes of this report and I assess that the effects of the proposal, and in particular those lots within the BLR, on the natural character of water bodies and their margins and the amenity values of the neighbourhood, in particular the character of the streetscape, will be acceptable overall.

Effects on Heritage and cultural Values

86. The applicant recognises that the site is unique in that although zoned for urban development, it contains heritage features which require management. The design of the subdivision and associated earthworks is expected to have some degree of effect on these features. The subject site is identified as containing archaeological features² as identified in the AHIA. The physical features of the site include historic water races, sluice faces, sludge channels and old fence lines provide a distinctive identity and reflect the heritage of Bannockburn and the site.
87. I agree with the applicant that the site does not contain any scheduled items in the District Plan and does not trigger Rule 14.7.1. Furthermore, the archaeological sites present on the application site are not registered in the District Plan, therefore Rule 14.7.4(b) applies and the HPA 1993 applies, (as superseded by its replacement legislation the Heritage New Zealand Pouhere Taonga Act 2014). Furthermore, this site was not recognised as having specific heritage values in Council Plan Change 20 – Heritage.
88. That said, I consider that the effects of the proposal on heritage and archaeological values are relevant to three assessment matters. The first being the subdivisional design, the second being the landscape values associated with the heritage values and on specific archaeological features, and the third is the degree of disturbance associated with the earthworks.
89. Objective 16.3.6 of the District Plan directs that subdivision does not facilitate development that may adversely affect heritage and cultural values and Policy 16.4.7 which requires that the design of subdivision, where relevant to the intended use, facilitates the retention of the heritage values of a site or area. Section 6(f) of the RMA recognises and provides for the protection of historic heritage from inappropriate subdivision, use, and development.
90. The applicant recognises that the site is unique in that although zoned for urban development, it contains heritage features which require management. The application includes an Archaeological and Heritage Impact Assessment (AHIA), prepared by Kopuwaiti Consulting, dated December 2023.
91. The AHIA advises that:

“Using the Significance of Effects Matrix, the site qualifies as being an undesignated historic landscape that would justify special historic landscape designation, a landscape of regional value; with averagely well preserved historic landscape with reasonable coherence, time-depth, and rich and diverse array of historic industries. The heritage landscape has high context to the main street, nearby heritage landscapes, (private and public) along the historic Kawarau River terrace sequences, in particular the Landmark Bannockburn Sluicing’s

² Site Number/s and/or possible unrecorded, subsurface archaeological sites and or material:- F41/369 Upper and Lower Water Race Hill race branches to Revell’s Basin and Gorge; and a branch race to F41/368 Pennyweights Sluiced gully remnants; F41/385 Revell’s Basin workings and wres; F41/372 Shepherd’s Ck Gorge water race below Water race hill eastern Lot parcels; pending record for historic post and wire fence line ex Sect 40 SO_3081 June 1915;

Historic Reserve. The prominent landforms of Slaughteryard Hill and Water Race Hill off Terrace Road between Shepherd's and Revell's Gorges have their own significant contribution to the wider landscape and past cultural history."

92. In terms of the effects on heritage landscape values, the AHIA includes a criteria for evaluating heritage landscape effects. The AHIA identifies that the site is part of a landscape of regional value, with 'averagely well-preserved' historic landscapes with reasonable coherence, time-depth, and rich and diverse array of historic industries. The applicant notes that the prominent landforms of Slaughteryard Hill and Water Race Hill off Terrace Road between Shepherd's and Revell's Gorges have their own significant contribution to the wider landscape and past cultural history.
93. The AHIA advises that it is likely given its sequences of gold mining, farm steading and Bannockburn commonage use, that the Water Race Hill land will have subsurface features such as artefact scatters and possible foundation remnants from miner camps/huts, and or stabling structures, remaining in-situ. These features may be intercepted and or disturbed during subdivision earth works development, roading and services installation, along with subsequent residential development for the new dwellings and or with trenching and excavation associated with telecoms, water, power and waste services.
94. In terms of the historic water races, the applicant advises that the upper portion of the two twin races F41/369 within Lot 30 will be retained. All of the lower water race will be repurposed into a schist metalled narrow foot path within the remnant water race structure, with appropriate residential drive crossing treatments which allow combined residential driveway use and allow active access and egress along the pedestrian footpath on the adapted downslope water race berm. The upper race portions of the water race within the road reserve will be destroyed and less legible portions traversing residential Lots 2, 4, and 6 would be likely to be modified subject to building platform location and earthworks. The applicant anticipates that the entirety of the water race through Lot 2 where it crosses centrally through the lot will be destroyed to facilitate residential development.
95. Within the proposed road, the key portion of the upper race within Lots 30 and 40 leading to the flume pipe abutment for crossing Revell's Gorge will be retained with the lower race being adaptively repurposed as a metal footpath. The new road reserve includes sections of twin historic water races; the upper race F41/369 will have southern extents destroyed and disturbed with the lower race a branch of F41/369 will be preserved by adaptive reuse as an active path with respective treatments for roadway and driveway crossings to integrate the subdivision development.
96. The applicant confirms that there is a total distance of 1704m of water race of which:
 - 526 m (31%) is proposed for destruction.
 - 433 m (25%) is proposed for retention and preservation.
 - 745 m (44%) m is proposed for adaptive reuse.
97. The applicant advises that collectively, 1178 m (69%) of the 1704m of historic water race is combined for preservation and adaptive reuse.
98. The AHIA supports the destruction of the water races in the locations identified on the basis the areas supported for retention and adaptive use are undertaken. The adverse effects of the areas of water race which will be lost are minor in the context of the protection of the remainder of the race and its reuse as part of the subdivision development.

99. With regard to heritage fences, the applicant advises that the heritage sections of fence line identified and assessed for removal have been damaged with old tree windfall, lack of maintenance due to retirement from stocking and indiscriminate public access cutting through sections of fence line. The applicant notes that coincidentally, these more degraded sections are sited between and through the proposed lots. The applicant volunteers that any historic fence posts considered practicable for salvaging are being recommended for ongoing repair and maintenance for the heritage fence line identified for retention along the Lot 4 Shepherd's Creek boundary.
100. The AHIA also suggests that if any fence posts are not reused immediately and need to be retained, the fence posts could be stockpiled within Lot 40 and could be utilised by a local volunteer group (such as the Goldfields Heritage Trust) if the posts along the Shepherd's Creek Lot 4 boundary need to be replaced.
101. Of the total length of remaining fencing of 853 m:
- 320 m (37.5%) of fence line will be removed and post salvaged where possible; and
 - 533 m (62.5%) of fence line will be retained.
102. The AHIA supports the removal of the fences as proposed subject to the recommendations which are volunteered as conditions at Section 8.4 of the application.
103. While the site contains archaeological sites associated with early European settler occupation and several of these will be modified as part of the subdivision development, the applicant has not sought an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 at this time, preferring instead to secure a resource consent before undertaking the work associated with an AA approval. The AHIA identifies Heritage New Zealand as a potentially affected party to this application.
104. The application was directly notified to Heritage New Zealand Pouhere Taonga who did not make a submission on the application. Furthermore, two submissions in support advise that part of their support for the application is because the proposal includes the protection of heritage values associated with historic mining activities on the site. No submitters in opposition raised effects on heritage values as a matter of concern.
105. The AHIA concludes that in terms of the magnitude of impact on the heritage landscape, the visual change and intrusion of the residential subdivision is noticeable to many aspects of the heritage landscape resulting in moderate (more than minor) changes to the historic landscape character. With respect to the overall effects on the heritage landscape character, the AHIA found that the overall effect of the proposed subdivision on heritage features is assessed as ranging from slight (less than minor) to moderate (more than minor) effects due to its visual intrusion on what is at present an open and legible landscape with the past endeavours, particularly of alluvial goldmining and farm steading clear and present on the current landscape.
106. The applicant, while accepting the findings of the AHIA, assesses that the overall impact on the heritage values and heritage landscape context needs to be considered in the context of the zoning which permits residential development. The applicant considers that while there will be change to the heritage landscape and character, this change is not change in isolation and the development is considered to be an anticipated extension of the settlement of Bannockburn. I agree that the proposal does need to be considered in the context of the residential zoning of the land.
107. The AHIA notes that assessing the magnitude of effects is challenging when a new multi-dimensional layer/s in terms of residential subdivision is introduced into the heritage

landscape. While sections of individual historic features and heritage system components can be retained and protected, their legibility, context and interpretation can become diluted and incoherent.

108. With the individually effected heritage elements of water races and fences, the losses to heritage water race and fence components can be deemed minor in physical lineal terms and in archaeological contribution, however, the AHIA recognises that the minor effects associated with this subdivision can continue to accumulate, and what remains of the water race and fence features post subdivision will need meaningful interpretation to explain the dislocated remains and their function in the wider heritage system and landscape.
109. The AHIA recognises that interpretation actively enhances public understanding of all aspects of places of cultural heritage value and their conservation. Any interpretation should respect the heritage value of a place. Interpretation methods should be appropriate to the place. Physical interventions for interpretation purposes should not detract from the experience of the place and should not have an adverse effect on its tangible or intangible values. In this instance, interpretation panels are proposed to help with the legibility, context and interpretation of the heritage remnants
110. Overall, the AHIA advises that the proposal is a well-considered and thought-out design recognising and working with the respective community heritage, landscape and amenity values of Water Race Hill.
111. When considered in context of the residential zoning, the lack of formal heritage recognition, the AHIA assessment and the installation of interpretive panels, I assess that while there will be a cumulative loss of individual historic features and heritage system components, the adverse effects on the heritage landscape values are assessed as acceptable overall, subject to the conditions of consent.

Cultural Values

112. The proposed subdivision is located near Te Wairere (Lake Dunstan), which encompasses the Bannockburn Inlet and is a Statutory Acknowledgement area. Because of its location at the confluence of Mata-au and Kawarau Rivers. Te Wairere was an important staging post on journeys inland and down-river. The whole of the river on which Te Wairere lies was part of a mahinga kai trail that led inland and was used by Otago hapū including Kāti Kurī, Ngāti Ruahikihiki, Ngāti Huirapa and Ngāi Tuahuriri.
113. The AHIA recognises that:

“While Tangata Whenua traversed and occupied sites in the Bannockburn and Hawksburn, no recorded sites are present on the two land parcels (the absence of recorded sites doesn’t mean that Tangata Whenua archaeological evidence is absent) and historic research associated with this project has not come across any specific Tangata Whenua references, apart from those referenced in the Bannockburn Heritage Landscape Study.”

And that

“While no specific evidence Maori cultural values presence has been recorded or noted, the site is extensive and well modified. There may have been values present in the past, but this is not an assessment of those values as this is the responsibility of the appropriate iwi group to provide. To the report writer’s knowledge, no current consultation with Ngā Tahu has taken place.”

114. The neutral submission from Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, and Hokonui Rūnanga (Kā Rūnaka) confirms the relationship they hold with the area.
115. Kā Rūnaka seek that should consent be granted earthworks, stormwater and wastewater be closely managed. In particular, to prevent the runoff of sediment into the Bannockburn Inlet and its tributaries, Kawarau Arm and Te Wairere (Lake Dunstan)m Kā Rūnaka would like the applicant to utilise best practice environmental design solutions to attenuate, treat, and soak stormwater runoff from the development and residential lots along with the implementation of soft engineering solutions to manage stormwater throughout the design of the development including additional planting, soakage pits, and rain gardens. It is noted that wastewater will be reticulated in this instance.
116. Kā Rūnaka note the earthworks, erosion and sediment control plan and requires that the earthworks, erosion and sediment be controlled through a plan by way of condition of consent. I also note that an Archeological Authority is likely to be required to disturb this land. Furthermore, it is considered prudent to impose an accidental discovery protocol conditions on this this consent to set out the protocols to be followed show historical or cultural items of value be discovered.
117. Kā Rūnaka also request that any mitigation plantings and landscaping should comprise locally relevant indigenous species.
118. I consider that the matters raised by Kā Rūnaka have been largely addressed in the application in a manner which can form conditions of consent such that the threat to cultural values as identified in the submission can be adequately avoided or mitigated to the extent that these are acceptable.

Earthworks

119. The subdivision design will result in earthworks, including a total cut volume of 2020m³ and Total fill volume of 1700m³ will occur over a 10,400m² area (See Figure 3). These earthworks do not include earthworks to prepare building platforms or enable future development of the resultant lots. The application includes a Combined Preliminary and Detailed Site Investigation, prepared by ENGEO, dated 4 November 2021 which concludes that any contamination detected was below the thresholds under the NESCS for recreational, residential or commercial / industrial guideline criteria and confirms that the NESCS does not apply to this site.
120. An Erosion and Sediment Control Map prepared by Landpro, dated 28 August 2023 has been submitted with the application. Notwithstanding the effects of the earthworks on heritage and cultural values assessed above, I note that earthworks are a common feature of site development within a residential zoning. Outside of any effects on heritage or cultural value, I assess that the effects of the earthworks are assessed as acceptable, providing the sediment, dust and erosion discharges are managed as per the Erosion and Sediment Control map. I also consider that a comprehensive site development plan be prepared and all works be undertaken in accordance with this document. This approach should also address the concerns raised by Kā Rūnaka.
121. For completeness, the applicant is advised that the Regional Plan Water also contains rules regarding earthworks which the applicant will need to be mindful of.



Figure 3 Earthworks Plan – Red = Cut Green = Fill (Source: Application)

Effects on open space and recreational needs of the community

122. A 4100m² recreation/local purpose reserve (Lot 30) is proposed to be located at the terminus of the Terrace Street Road extension. The reserve will provide amenity, connection to the informal public trail, and a lookout area to the north and east towards Cromwell, the wider Upper Clutha area and eastwards towards the Bannockburn Outlet and Surrounds. The reserve is also proposed to contain interpretive material associated with the former mining activity, heritage associations with the twin Water Race Hill water races and also potentially geomorphic explanations of the Upper Clutha area.
123. The applicant assesses that Lot 30 will provide opportunities for recreation with potential to establish a look out for viewing the Bannockburn Inlet and the mountain ranges in the distance. Ms Pfluger agrees with the LVA that the proposal has recreation benefits and considers that the formalisation of the walkway connections through the balance lots (Lot 51, 30 and 40) to be a positive effect of the proposal.
124. I consider that the effects on open space and recreational needs of the community will be acceptable and the proposal is likely to result in positive effects.
125. The applicant proposes to vest Lot 30 with Council. Given that the acceptance and creation of the reserve include additional processes outside of the resource consent process, rather than requiring the vesting of the reserve, I have recommended a condition which requires the applicant to offer Lot 30 to Council as a reserve.

The provision of adequate network utility services and infrastructure.

126. The applicant proposed to connect to Council services which will be extended into the site.

127. With regard to wastewater, the applicant advises that the subject site has a number of Ø150mm uPVC foul sewer lines present. The applicant proposes that connection is made into two of the existing manholes on the property. One additional lateral connection direct to the existing network is also required to be made for Lot 1. New wastewater infrastructure will be provided via both conventional gravity sewer and private pumped sewer systems (as are common in other areas of Bannockburn and wider CODC area). Each type of wastewater infrastructure is identified on the preliminary engineering layout plan and will be subject to detailed design for engineering approval. Where possible, wastewater infrastructure is proposed to be located within areas of land to vest in CODC (Lots 100, 101 and 51). In some areas, private property is traversed and easements will be created where necessary. Existing infrastructure will have easements registered across Lot 3 and 51 and possibly Lot 2 subject to confirmation of assets location.
128. For water, an existing Ø150mm PVC main runs along the Southern side of Terrace Street with Ø50mm rider mains servicing the Northern properties. A further Ø50mm HDPE dead end line services 36 Terrace Street (and a number of existing connections to the subject site). New Water connections will be extended to each lot. Where possible, water infrastructure is proposed to be located within areas of road to vest in CODC (Lots 100 and 101). In some areas, to ensure a looped main is constructed, provide new connections and allow for future network extension, private property is traversed easements will be created where necessary. Existing infrastructure will have easements registered across Lot 2, 3 and 6.
129. The applicant advises that Stormwater discharge in Bannockburn is typically via soakpit, however there are some existing sumps discharging to overland flow on the subject site. Soakpits are proposed to deal with stormwater from impervious surfaces on individual allotments and to discharge runoff generated by the roads associated with the development. Soakpit and sump locations indicated on the preliminary layout depict where stormwater is required to be captured and managed. The final design, supported by geotechnical advice will be undertaken through engineering approval process.
130. The proposal has been reviewed by the Council's 3 Waters department who consider that additional design work will be required for the water and wastewater reticulation. 3 Waters have recommended conditions of consent which provide for this design work. I consider that given the scale of the proposal, conditions which allow for some flexibility in the reticulation design to be appropriate at this stage of the development.
131. Power and telephone services will be provided underground to the boundary of each residential allotment.
132. Based on the proposed density of the subdivision, , I consider that the any adverse effects arising from network utility services and infrastructure will be managed through recommended conditions of consent and therefore acceptable.

The effect on the safe and efficient operation of the roading network.

133. The application is supported by a Traffic Assessment prepared by Bartlett Consulting which assesses the potential effects on the wider road network, and the effects of the subdivision's layout in terms of access to each lot and sight distance and access gradient.
134. The Bartlett Consulting assessment confirms that the onsite traffic effects can be managed through the design process. The proposed onsite road network will be designed in accordance with the CODC Addendum to NZS 4404:2004 that access Lots 100 and 101 will be developed as local roads serving up to 20 residential dwellings with a separate footpath which will also link with proposed off-road paths/trails within Lots 30, 40, 50 and 51.

135. The Bartlett Consulting assessment notes that the shared access ROW have been considered based on their preliminary design information. The gradients of the shared accesses ROW from Lot 100 (loop road) will breach the gradient requirements of the CODC Addendum to NZS 4404:2004. Bartlett Consulting recommends that the gradient of these shared private access ROW, serving 15/16, 17/18 and 19/20 be designed in accordance with the current NZ Standards with the access surfacing amended to accommodate winter conditions in Central Otago. The final design of these shared access ROW may be considered through the engineering approvals process.
136. Vehicle crossings can be located and designed in accordance with the ODP although it is recommended that the location of some vehicle crossings are restricted, as recommended, for Lots 3, 4, 5 and 10.
137. The proposed subdivision relies on access from Terrace Street, an urban local road within the CODC road hierarchy. This road is formed with a 7m sealed carriageway width which is appropriate for the anticipated traffic flows. However, to improve pedestrian safety it is recommended that a 1.5m footpath is provided along the full length of Terrace Street with a crossing over Bannockburn Road to meet with the existing footpath on the western side of Bannockburn Road.
138. The application has been reviewed by the Council's consultant engineer who advises that:
- No upgrade of Terrace Street is necessary (except for the footpath discussed below) as it is currently formed to a better standard than the lower cul-de-sac standard and it is within the special rural-urban environment of Bannockburn, no upgrade will be required.
 - It is recommended (in accordance with the applicant's volunteered condition based on the recommendation of the Bartlett Consulting Transport Assessment report) to construct a single footpath on Terrace Street. Two footpaths will not be required on the basis that Bannockburn is designed to have a mixed rural-urban characteristic.
 - The proposed 20 residential Lots served necessitate Cul-de-sac standard (Table 3.1 of CODC's Addendum to NZS4404:2004). However, given the special urban-rural characteristic of Bannockburn, and 20 -> 21 Lots is the demarcation between Cul-de-sac and Residential standard, and the existing standard of Terrace Street have served a similar number of Lots, engineering recommend a requirement of a 7.0m carriageway width instead of the 6m as specified under Cul-de-sac.
 - Road reserve width is recommended to be 20m in keeping with the existing standard of Terrace Street, and the mixed urban-rural characteristic of Bannockburn.
 - It is recommended that the proposed rights-of-way be constructed in accordance with the urban-rural mixed standard typically imposed in Bannockburn (and certain other mixed places in the District like Ophir). In this regard, a road reserve width of 6m (from the urban standard) is recommended.
 - It is recommended that vehicle entranceways are provided prior to 224c, rather than at some future point by consent notice. The Engineer notes that while this does mean future Lot owners will have to consider the location of the entranceway, it does mean there will be a more

consistent final product once houses are constructed (i.e. because streets etc. need not be modified etc. to install new crossings).

- The proposed Recreation Lot 30, and balance Lots 40, 50 and 51 are excluded from the requirement to have a vehicle entranceway constructed to serve them.
- The applicant's volunteered conditions are accepted by the Engineer as follows:
 - Lots 3, 4, 5 & 10, the vehicle access must be a minimum of 15m from the centre of the adjacent intersection to achieve desirable intersection separation distances.
 - A single 1.5m footpath shall be installed along the full length of the existing Terrace Street. Ideally, this footpath will be located on the northern side of the street and will include a footpath crossing over Bannockburn Road to allow pedestrians to access the existing footpath network on the western side of Bannockburn Road.
 - The access to Lots 6, 19 and 20 shall be via a right of way, and the right of way shall intersect with the Loop Road (Lot 100) from the locations generally shown on the plan of subdivision.

139. With regard to access gradients, the applicant has proposed to construct these accesses at gradients of up to 24% in one case. Engineering considers this gradient to be unreasonable, as an urban 2-4 Lot ROW permits up to 16% and a Rural 1 to 6 Lot ROW permits up to 16.7% gradient, but only an urban 1-lot access or ROW permits 20%. The applicant is encouraged to determine a compliant method of servicing the Lots for access, but if unachievable, the engineer recommends a maximum gradient of 16.7%; with a proviso that the rights-of-way may be constructed with excessive gradient only with specific approval of Councils Infrastructure Manager at time of Engineering Acceptance/Approval, and with specific additional surfacing treatments. It is noted that this proviso is included as an option for the Commissioners but is not generally supported by CODC Engineering.
140. When considering streetlighting, this is proposed to be extended down Terrace Street in a similar manner as existing until reaching the Building Line Restriction. The streetlighting will cover all intersections proposed by the development. Within the BLR, the applicant proposes that bollard style lighting is implemented to minimise the impact on local residents and those viewing the area from outside the development. The applicant notes that streetlighting is only recommended in the transportation assessment, so the bollard lighting should be considered an optional inclusion and not necessarily a stringent condition applied to this consent.
141. Based on the findings of the Bartlett Consulting report, I consider that, subject to those recommendations as amended by the CODC Engineer, the effects of the proposed subdivision on the safety or efficiency of the adjacent transport network including the local pedestrian and cycling environment are able to be adequately managed such that the effects are assessed as acceptable.

Effects of Natural Hazards

142. The application is supported by and ENGEO Geotechnical report which finds that:

- Proposed lots along the southern boundary (Lots 15, 16, 17 and 19), occupy moderately sloping relief and have been assessed as development risk class 2. ENGEO consider these proposed lots unlikely to accelerate, worsen or result in material damage to the land, provided good engineering practice for hill slope development (AGS, 2007)³ is applied.
- Proposed Lot 18 has been categorised as development risk class 3 due to its location on moderately sloping ground and ground cracking identified during the ENGEO site assessment. the source of ground cracking is likely due to creep of surficial soil overlying shallow bedrock up to 0.3 m depth. ENGEO consider that it is not clear that there is a significant risk from the geohazard identified, but opine that this hazard will be able to be mitigated through a combination of good engineering practises for hill slope development and specific engineering mitigation design (AGS, 2007).
- Setback zones are recommended to be applied along the western crests of both Lot 1 and 9 to reduce crest loading from nearby structures and promote slope stability of the adjacent banks. Foundation construction in Lot 1 and 9 are recommended to be setback from the crest at a horizontal distance at least twice the adjacent vertical slope height (V). The vertical slope height may be measured from the top of the talus apron that buttresses the base of the vertical slope. The ENGEO report notes that this is steeper than allowed for in Section 3.1.2 of NZS3604, however ENGEO considers it to be appropriate for the granular materials encountered in both lots. Setback distances are recommended to be further assessed and defined by a surveyor during detailed design works for Lot 1 and 9.

143. The ENGEO report recognises the preliminary stage of the subdivision works and recommends a range of preliminary foundation recommendations are provided below based on our investigations and observations:

- Foundations bearing on the native gravelly alluvial, engineered fill or bedrock materials can be designed for a geotechnical Ultimate Bearing Capacity (UBC) of 300 kPa. As required by Section B1/VM4 of the New Zealand Building Code, a strength reduction factor of 0.33 or 0.50 must be applied to all recommended geotechnical ultimate soil capacities (for shallow foundations) in conjunction with their use in factored design load cases for serviceability and ultimate limit state conditions, respectively.
- Foundations bearing on lacustrine silts and sand material should be further assessed for specific bearing capacities during detailed design works.

144. The ENGEO report notes, however, that given the preliminary stage of the subdivision works, further investigation and analysis may be required to support detailed design and Building Consent (by others) once development plans are further progressed.

145. While the ENGEO report confirms the resultant lots can be developed in a way such that these will not be affected material damage by erosion, falling debris, subsidence, slippage or inundation of any source, this is only the case if the ENGEO recommendations are adopted. That said, I expect that the natural hazard matter can

³ "Practice Note Guidelines for Landslide Risk Management 2007": Journal and News of the Australian Geomechanics Society Volume 42 No 1 March 2007

be resolved at subdivision stage prior to any site development such that future land use can be developed in a manner so that the various lots will not be subject to Rule 7.5.3(ii).

146. Subject to the recommendations set out in the ENGEO Geotechnical report, the natural hazard risk for the subdivision (and potential future land use) is assessed as acceptable.

The effect on amenity values of the neighbourhood

147. The proposed residential lot sizes comply with the minimum size as set out in the provisions for RRA (4) and are also generally consistent with lot sizes on Terrace Street and within the centre of Bannockburn. The effects of the proposed encroachment into the BLR have been discussed previously in this report and are not revisited in this section.
148. In relation to Residential Resource Area (4) under Policy 7.2.7 the RMM report outlines that:

“while the proposal constitutes an extension of the semi-urban form of Bannockburn, this change can be anticipated based on the ODP and the proposal seeks to maintain the specific characteristics of Bannockburn and the wider receiving environment through adherence to the RRA (4) minimum lot size and design controls to ensure built form is in keeping with the local vernacular, as well as protection of open space and recreation amenity through the designation of a public reserve and maintenance of an open and rural outlook from Bannockburn Road. Given the current zoning within the CODP, it is accepted that the landscape of the subject site has the capacity to be developed in line with the provisions for RRA (4). The proposed lot comply with the minimum size as set out in the provisions for RRA (4) and are also consistent with existing development adjacent to the site on Terrace Street.”

149. The proposed lots are also compatible with the minimum lot size of 1500m² signalled as appropriate for the Large Lot Residential Zoning in the decisions version of PC 19. While PC19 is under appeal, no appeals seek a greater lot area for the Large Lot Residential Zone and minimum lots size of at least 1500m² can reasonably be relied upon to establish the future residential decisions have not been released for PC19 at this time and I agree with the RMM assessment that the proposed subdivision is generally in character with existing residential development within Bannockburn and the built form along Terrace Street, noting that the effects within the BLR have been assessed previously within this report.
150. Given the relatively central location within Bannockburn, I consider the proposed lot size to be appropriate in light of the current zoning, intended future character and the proposed open space provided within the development. The proposal would, in my view, result in a density “providing for detached dwellings on large sites and maintaining a high open space to built form ratio” as anticipated by the underlying zoning such that the effects on the amenity values of the neighbourhood are acceptable.

Financial Contributions

151. Financial Contributions have been calculated in accordance with Council’s Policy on Development and Financial Contributions July 2021.

Activity	Payment
Water Supply	\$53,947.36 +GST
Wastewater	\$51,861.83 +GST
Reserves	\$45,530.54 +GST
Roading	\$32,882.96 +GST
Total	\$184,222.69 +GST

Esplanade reserves and strips

152. No requirement for an esplanade reserve or strip has been identified.

Amalgamations and easements

153. No amalgamations are proposed for this subdivision.
154. There are a number of existing easements which are registered on the underlying title and which will be carried down onto the new record or titles or cancelled as appropriate.
155. Where possible, wastewater infrastructure is proposed to be located within areas of land to vest in CODC (Lots 100, 101 and 51). In some areas, private property is traversed and will result in appropriate easements being registered across Lots 8, 9, 11, 12 & 40. Existing infrastructure will have easements registered across Lot 3 & 51 and possibly Lot 2 subject to confirmation of assets location.
156. Should the Commissioners be of a mind to grant consent, I recommend that a standard condition of consent be imposed which provides for easements to protect access or access to services identified at the time of survey.

Other matters pursuant to section 220 of the RMA

157. There are no other matters under S220 of the RMA which require consideration.

SUBSTANTIVE RECOMMENDATION ASSESSMENT

Environmental Effects

158. In accordance with section 104(1)(a) of the Resource Management Act 1991, the actual and potential adverse effects associated with the proposed activity have been assessed and outlined above. Relying on the above assessment, I consider that any adverse effects arising from the subdivision and future development are able to be adequately managed through conditions of consent and are therefore acceptable overall.

OFFSETTING OR COMPENSATION MEASURES

159. In accordance with section 104(1)(ab) of the Resource Management Act 1991, there are no offsetting or compensation measures proposed or agreed to by the applicant that need consideration.

OBJECTIVES AND POLICIES

Central Otago District Plan

160. In accordance with section 104(1)(b) of the Resource Management Act 1991, the objectives and policies of the Central Otago District Plan were taken into account when assessing the application.

Objective /Policy	Provision
7.1.1 Objective - Maintenance of Residential Character	To manage urban growth and development to maintain and enhance the built character and amenity values of those parts of the district that have been identified as the Residential Resource Area as well as the social, economic and cultural wellbeing, and health and safety of the residents and communities within those areas.
7.1.2 Objective - Protection of Living Environment	To manage the use of land to promote a pleasant living environment by ensuring that adverse effects of activities are avoided, remedied or mitigated, while accommodating appropriate change at the interface with other resource areas.
7.1.3 Objective - Management of Change	To recognise that it is inevitable that the use of land shall change over the period of this plan and beyond in order to enable the community to provide for its wellbeing. The process of change can occur randomly within the various resource areas but will be most obvious at the interface between different resource areas. It is a purpose of this plan to manage that change.
7.2.1 Policy - Residential Character	To ensure that the character and amenity values of residential areas are protected by ensuring that the adverse effects of: <ul style="list-style-type: none"> a. Excessive noise including noise associated with traffic generation and night time operations, b. The generation of traffic over and above that normally associated with residential activities and in particular heavy vehicles, and demand for parking, c. Glare, particularly from building finish, and security lighting, d. Structures at the street frontages that do not complement the character and/or scale of development in the neighbourhood, e. A reduction in privacy, access to daylight and sunlight f. A reduction in visual amenity due to excessive signage, large areas of hard standing surfaces, and the storage of goods or waste products on the site, g. The generation of odour, dust, wastes and hazardous substances, h. The use and/or storage of hazardous goods or substances, and i. The loss of a sense of amenity, security and companionship caused by non-residential activities. are avoided, remedied or mitigated.
7.2.2 Policy – Amenity Values	To ensure that the amenity values of residential sites, including privacy and ability to access adequate daylight and sunlight, are not significantly compromised by the effects of adjoining development.

7.2.3 Policy Environmental Quality	-	To preserve the environmental quality found within particular areas of the District's residential environment.
7.2.4 Policy Recreation Activities	-	To provide for the wellbeing of the District's communities by requiring developments to recognise and provide for the recreational needs of the community.
7.2.5 Policy – Open Space	-	To provide for the wellbeing of the District's communities by requiring developments to recognise and provide for the recreational needs of the community.
7.2.6 Policy – Safety and Efficiency of Residential Roads	-	To require appropriate access and on-site parking to ensure that the amenity of neighbouring properties and the safe and efficient operation of roads is maintained while acknowledging that these requirements may be relaxed where this will result in retention of a heritage item or site that would otherwise be lost.
7.2.7 Policy Residential Resource Areas (1) - (13)	-	To ensure that subdivision and development in the areas shown as Residential Resource Areas (1) - (13) complement the character and amenity of these areas and provide for the protection of significant landscape features, where such features are present.
7.2.8 Policy Management of Change	-	In recognition of the difficulty anticipating the timing and extent of change to the pattern of land use that is necessary to enable the community to provide for its wellbeing and to reconcile with the foregoing policies, it is appropriate that any major change at the interface between the various resource areas be considered within the wider context of the plan as a whole.

161. The proposed subdivision will result in lots which are compatible with the existing development, and which can be developed at a similar scale and open character as existing. Open space areas will be retained within the wider site which are expected to enhance the amenity values of residential areas. All sites will be of adequate size to ensure on-site parking is provided and the proposed roading network is considered to be acceptable. Streetlighting will be managed within the BLR.
162. With regard to preserving the environmental quality found within particular areas of the District's residential environment, the assessments of the Landscape architects are relied upon. For completeness, there are no specific objectives and policies relating to the BLR within the District Plan.
163. Overall, the development is assessed as consistent with the relevant Residential objectives and policies of the Operative District Plan.

Objective /Policy	Provision
16.3.1 Objective - Adverse Effects on the Roding Network	To ensure that subdivision avoids, remedies or mitigates adverse effects on the safe and efficient operation of the District's roading network.

16.3.2 Objective - Services and Infrastructure	- To ensure that subdivisions provide all necessary services and infrastructure without adversely affecting the public interest and the ongoing viability of those services and infrastructure.
16.3.4 Objective - Amenity Values	- To ensure, where appropriate, that amenity values of the District created by the open space, landscape and natural character values, and areas of significant indigenous vegetation, significant habitat of statutorily managed sports fish and game are not adversely affected by subdivision.
16.3.5 Objective - Water and Soil Resources	To ensure that subdivision does not facilitate development that may compromise the life-supporting capacity of the District's water and soil resources.
16.3.6 Objective - Heritage Values	- To ensure that subdivision does not facilitate development that may adversely affect heritage and cultural values including cultural values of importance to Kai Tahu ki Otago.
16.3.7 Objective - Open Space, Recreation and Reserves	To ensure that subdivision contributes to the open space, recreation and reserve needs of the community.
16.3.8 Objective - Public Access	- To ensure, where appropriate, that subdivision maintains and where appropriate enhances public access:
16.3.9 Objective - Physical Works Involved in Subdivision	- To ensure that the physical works involved in preparing land that is part of the subdivision avoids, remedies or mitigates adverse effects on: <ul style="list-style-type: none"> a. The stability of land. b. Water quality within natural watercourses and the stability of their margins. Neighbouring properties in respect of the effects of noise, dust and vibration
16.3.10 Objective - Provision for Future Development	- To ensure subdivisions are designed to facilitate an appropriate and co-ordinated ultimate pattern of development having regard to the particular environment within which the subdivision is located.
16.4.1 Policy - Adequate Access	- To require that all subdivisions have legal and physical access that: <ul style="list-style-type: none"> a. Is of a standard that is adequate for the intended use of allotments having regard to current and likely future traffic levels and the safe and convenient movement of vehicles and pedestrians, and b. That integrates with the existing roading network in a safe and efficient manner, except in circumstances where Council is satisfied that section 321(2) and (3) of the Local Government Act 1974 is to apply or where no new lots are to be created.
16.4.2 Policy - Existing Access	To encourage the use of existing access points to rural State highways and arterial roads to avoid or mitigate adverse effects on the safe and efficient operation of these roads.
16.4.3 Policy - Adequate Infrastructure	- To require that the land to be subdivided is supplied with services and infrastructure that are adequate for the intended

		use of the land to be subdivided without the public interest being adversely affected.
16.4.6 Policy Construction Standards	-	To require that all physical works within subdivisions are designed and constructed in accordance with NZS 4404:1981 which is the Council's Subdivision Code of Practice unless Council determines modification of this code is necessary given the local conditions and particular circumstances affecting the subdivision.
16.4.7 Policy Subdivision Design	-	To require that the design of subdivision, where relevant to the intended use, provides for the following matters: <ul style="list-style-type: none"> a. Facilitates convenient, safe and efficient access to all allotments including pedestrian access where appropriate. b. Facilitates the safe and efficient provision and operation of services and infrastructure. c. Facilitates access to passive solar energy resources. d. Facilitates any foreseeable subsequent development or redevelopment including the economic provision of roading and network utility services. e. Facilitates adequate provision of, or contribution to, the open space, recreational and reserve needs of the community with physical links to existing reserve areas where this is practicable. f. Facilitates an appropriate level of access to heritage sites, natural features and water bodies where appropriate. g. Facilitates development which keeps earthworks to a minimum. h. Facilitates retention of the heritage values of a site or area.

164. The subdivision has been assessed by Council's Environmental Engineer and 3Waters department. As noted in the assessments earlier in this report, the subdivision can be appropriately serviced and servicing installed in accordance with Councils engineering practices and at the cost of the developer. The roading will link in the existing roading network and all lots will have legal and physical access.

165. A recreation reserve is proposed which will contribute to the open space, recreation, heritage and reserve needs of the community. Furthermore, the development will be undertaken in manner which is mindful of heritage and cultural values. As noted previously, the resultant lots and subdivision layout is assessed as compatible with the existing character and amenity values of the area.

166. Overall, the development is assessed as consistent with the relevant Residential objectives and policies of the Operative District Plan.

167. With regard to hazards, the Chapter 17 Hazards provisions along with Objective 16.3.3 and Policy 16.4.8 are assessed below:

Objective /Policy	Provision
16.3.3 Objective - Hazards	To ensure that subdivision does not facilitate development that may potentially be at risk from hazards.
16.4.8 Policy - Sites Subject to Hazards	<p>With respect to land that is, or is likely to be, subject to the effects of hazards (including the circumstances set out in section 106 of the Act) Council may only grant a subdivision consent where either:</p> <ul style="list-style-type: none"> (a) The area of the subdivision to be used for building or other development purposes will not be subject to material damage from the hazard; or (b) The subdivision is not materially changing the status quo (eg. boundary adjustment); or (c) The subdivision is to facilitate land stabilisation, erosion protection, flood protection or some other method of avoiding, remedying or mitigating the effects of the hazard; or (d) The adverse effects of the hazard can be avoided, remedied or mitigated by conditions attached to the consent including the provision of appropriate works; or (e) Other exceptional circumstances exist; and/or (f) The subdivider is willing to accept any potential risk and is prepared to have the resultant certificate of titles registered accordingly.

17.3.1 Objective - Avoidance or Mitigation of Hazards	To avoid or mitigate the adverse effects of hazards, both natural and human induced, to limits acceptable to the community.
17.4.2 Policy - Control of Land Use in Hazard Areas	To take into account the vulnerability of land and activities to hazard events when managing land uses in a particular area
17.4.3 Policy - Subdivision and the Erection of Buildings	To restrict subdivision and the erection of buildings in areas where there is a reasonable probability that a hazard may cause material damage.

168. Relying on the District Plan and Otago Natural Hazards Mapping and the technical assessment of ENGEO, I consider that the hazard risk associated with the subdivision has been adequately addressed and conditions of consent will ensure that the hazard risk is not exacerbated as a result of this proposal. Furthermore, subject to the consent notice conditions volunteered by the applicant, I consider that there would be no trigger of Rule 7.7.5(i) for any lot at the time of development. The proposal is considered to be consistent with the relevant Objectives and policies as these relate to hazards.

Plan Change 19

169. In accordance with section 104(1)(b) of the Resource Management Act 1991, the objectives and policies of Plan Change 19 were taken into account when assessing the application.

Objective	Supporting policies
LLRZ-01 Purpose of the Large Lot Residential Zone	The Large Lot Residential Zone provides primarily for residential living opportunities.
LLRZ-02 Character and Amenity Values of the Large Lot Residential Zone	<p>The Large Lot Residential Zone is a pleasant, low-density living environment, which:</p> <ol style="list-style-type: none"> 1. contains predominantly low-rise and detached residential units on large lots; 2. maintains a predominance of open space over built form; 3. provides good quality on-site amenity and maintains the anticipated amenity values of adjacent sites; and 4. is well-designed and well-connected into the surrounding area.
LLRZ-P2 Residential Activities	Provide for a range of residential unit types and sizes to meet the diverse and changing residential demands of communities.
SUB-O1 Subdivision Design	The subdivision of land within residential zones creates sites and patterns of development that are consistent with the purpose, character and amenity values anticipated within that zone.
SUB-P1 Creation of new allotments	<p>Provide for subdivision within residential zones where it results in allotments that:</p> <ol style="list-style-type: none"> 1. reflect the intended pattern of development and are consistent with the purpose, character and amenity values of the zone; and 2. are of a size and dimension that are sufficient to accommodate the intended built form for that zone; 3. minimise natural hazard risk to people's lives and properties; and 4. are adequately served by public open space that is accessible, useable and well-designed.
SUB-P2 Dual Use	<p>Recognise the recreation and amenity benefits of the holistic and integrated use of public spaces, through:</p> <ol style="list-style-type: none"> 1. encouraging subdivision designs which provide multiple uses for public spaces, including stormwater management and flood protection areas; and 2. integration of walking and cycling connections with waterways, green spaces and other community facilities.

170. The proposed subdivision will result in low- density lots which will provide for residential living opportunities. Lot sizes are of adequate size to ensure that there will be predominance of open space over built form and which will provide good quality on-

site amenity while being sufficiently setback to neighbouring sites. The proposed pattern of development is consistent with the purpose, character and amenity values anticipated within the zone. Any natural hazard risk is able to be adequately mitigated. The subdivision layout provides for walking areas and recreational space.

171. Overall, the proposal is assessed as consistent with the above objectives and policies.

Regional Policy Statements

172. The Operative Regional Policy Statement for Otago 2019 (RPS 2019) was made fully operative on 4 March 2024. Specific to this proposal are the following policy:

Objective	Supporting policies
<p>Objective 4.5 Urban growth and development is well designed, occurs in a strategic and coordinated way, and integrates effectively with adjoining urban and rural environments</p>	<p>Policy 4.5.1 Providing for urban growth and development</p> <p>Provide for urban growth and development in a strategic and coordinated way, including by:</p> <ul style="list-style-type: none"> a) Ensuring future urban growth areas are in accordance with any future development strategy for that district. b) Monitoring supply and demand of residential, commercial and industrial zoned land; c) Ensuring that there is sufficient housing and business land development capacity available in Otago d) Setting minimum targets for sufficient, feasible capacity for housing in high growth urban areas in Schedule 6 e) Coordinating the development and the extension of urban areas with infrastructure development programmes, to provide infrastructure in an efficient and effective way. f) Having particular regard to: <ul style="list-style-type: none"> i. Providing for rural production activities by minimising adverse effects on significant soils and activities which sustain food production; ii. Minimising competing demands for natural resources; iii. Maintaining high and outstanding natural character in the coastal environment; outstanding natural features, landscapes, and seascapes; and areas of significant indigenous vegetation and significant habitats of indigenous fauna; iv. Maintaining important cultural or historic heritage values; v. Avoiding land with significant risk from natural hazards; g) Ensuring efficient use of land; h) Restricting urban growth and development to areas that avoid reverse sensitivity effects unless those effects can be adequately managed; i) Requiring the use of low or no emission heating systems where ambient air quality is:

	<p>i. Below standards for human health; or ii. Vulnerable to degradation given the local climatic and geographical context;</p> <p>j) Consolidating existing coastal settlements and coastal urban areas where this will contribute to avoiding or mitigating sprawling or sporadic patterns of settlement and urban growth.</p> <hr/> <p>Policy 4.5.3 Urban design</p> <p>Design new urban development with regard to:</p> <p>a) A resilient, safe and healthy community; b) A built form that relates well to its surrounding environment; c) Reducing risk from natural hazards; d) Good access and connectivity within and between communities; e) A sense of cohesion and recognition of community values; f) Recognition and celebration of physical and cultural identity, and the historic heritage values of a place; g) Areas where people can live, work and play; h) A diverse range of housing, commercial, industrial and service activities; i) A diverse range of social and cultural opportunities.</p> <hr/> <p>Policy 4.5.4 Low impact design</p> <p>Encourage the use of low impact design techniques in subdivision and development to reduce demand on stormwater, water and wastewater infrastructure and reduce potential adverse environmental effects</p> <hr/> <p>Policy 4.5.6 Designing for public access</p> <p>Design and maintain public spaces, including streets and open spaces, to meet the reasonable access and mobility needs of all sectors.</p>
<p>Objective 4.1 Risks that natural hazards pose to Otago's communities are minimised</p>	<p>Policy 4.1.3 Natural hazard consequence</p> <p>Assess the consequences of natural hazard events, by considering all of the following:</p> <p>a) The nature of activities in the area; b) Individual and community vulnerability; c) Impacts on individual and community health and safety; d) Impacts on social, cultural and economic wellbeing; e) Impacts on infrastructure and property, including access and services; f) Risk reduction and hazard mitigation measures; g) Lifeline utilities, essential and emergency services, and their co-dependence; h) Implications for civil defence agencies and emergency services; i) Cumulative effects; j) Factors that may exacerbate a hazard event.</p>

	<p>Policy 4.1.4 Assessing activities for natural hazard risk</p> <p>Assess activities for natural hazard risk to people, property and communities, by considering all of the following:</p> <ul style="list-style-type: none"> a) The natural hazard risk identified, including residual risk; b) Any measures to avoid, remedy or mitigate those risks, including relocation and recovery methods; c) The long-term viability and affordability of those measures; d) Flow-on effects of the risk to other activities, individuals and communities; e) The availability of, and ability to provide, lifeline utilities, and essential and emergency services, during and after a natural hazard event.
	<p>Policy 4.1.6 Minimising increase in natural hazard risk</p> <p>Minimise natural hazard risk to people, communities, property and other aspects of the environment by:</p> <ul style="list-style-type: none"> a) Avoiding activities that result in significant risk from natural hazard; b) Enabling activities that result in no or low residual risk from natural hazard; c) Avoiding activities that increase risk in areas potentially affected by coastal hazards over at least the next 100 years; d) Encouraging the location of infrastructure away from areas of hazard risk where practicable; e) Minimising any other risk from natural hazard.

173. The subdivision will present as a natural extension to the Bannockburn township. It will provide for public access and recreation space, provide additional housing opportunities to support the Bannockburn community, and will result in lot sizes which are commensurate with the existing and future environments. The subdivision has been designed to protect and enhance heritage values where possible. Water and wastewater will be reticulated and stormwater will be appropriately managed. Any natural hazard risk is able to be adequately mitigated. The land has recently been evaluated as part of the PC19 public process and the subdivision is consistent with that evaluation. Overall, I consider that the proposal is consistent with the key objectives and policies of the RPS 2019.
174. Decisions were release on the Proposed Regional Policy Statement 2021 (pRPS 2021) on 27 March 2024. The pRPS 2021 is currently under appeal.

Objective	Supporting policies
<p>UFD–O1 – Development of urban areas (under Appeal)</p> <p>The development and change form and functioning of Otago’s urban areas occurs in a strategic and coordinated way, which:</p> <p>(1) accommodates the diverse and changing needs and preferences of Otago’s people and communities, now and in the future,</p> <p>(2) integrates effectively with surrounding urban areas and rural areas,</p> <p>(2A) results in a consolidated, well-connected and well-designed urban form which is integrated with infrastructure, and</p> <p>(2B) supports climate change adaptation and climate change mitigation.</p>	<p>UFD–P1 – Strategic planning (under Appeal)</p> <p>Strategic planning processes, undertaken at an appropriate scale and detail, precede urban growth and development and:</p> <p>(1) identify how housing choice, quality, and affordability will be improved,</p> <p>(1A) ensure integration of land use and infrastructure, including how, where and when necessary development infrastructure and additional infrastructure will be provided, and by whom,</p> <p>(2) demonstrate at least sufficient development capacity supported by integrated infrastructure provision for Otago’s housing and business needs in the short, medium and long term,</p> <p>(3) maximise current and future opportunities for increasing resilience and reducing contributions of communities to climate change, and facilitate adaptation to changing demand, needs, preferences and climate change,</p> <p>(5) indicate how connectivity will be improved and connections will be provided within urban areas,</p> <p>(6) provide opportunities for iwi, hapū and whānau involvement in planning processes, including in decision making, to ensure provision is made for their needs and aspirations, and cultural practices and values,</p> <p>(7) facilitate involvement of the current community and respond to the reasonably foreseeable needs of future communities, and</p> <p>(8A) identify areas of potential conflict between incompatible activities and sets out the methods by which these are to be resolved</p>
	<p>UFD–P2 – Sufficiency of development capacity (under Appeal)</p> <p>Ensure that at least sufficient housing and business development capacity is provided in urban areas, in the short, medium and long term, including by:</p> <p>(5) responding to any demonstrated insufficiency in housing or business development capacity by increasing development capacity or providing more development infrastructure as required, as soon as practicable,</p> <p>(5A) being responsive to plan changes that demonstrate compliance with UFD-P10, and</p> <p>(6) requiring Tier 2 urban environments to meet, at least, the relevant housing bottom lines in APP10.</p>

	<p>UFD-P3 – Urban intensification (under Appeal)</p> <p>Manage intensification in urban areas, so that as a minimum,</p> <p>(1) contributes to establishing or maintaining the qualities of a well-functioning urban environment,</p> <p>(2) is well-served by existing or planned development infrastructure and additional infrastructure,</p> <p>(3) enables heights and densities that meets the greater of demonstrated demand for housing and/or business use or the level of accessibility provided for by existing or planned active transport or public transport,</p> <p>(5) addresses issues of concern to iwi and hapū, including those identified in any relevant iwi planning documents</p> <hr/> <p>UFD-P4 – Urban expansion (under Appeal)</p> <p>Expansion of existing urban areas may occur where at a minimum the expansion:</p> <p>(1) contributes to establishing or maintaining the qualities of a well-functioning urban environment,</p> <p>(1A) is identified by and undertaken consistent with strategic plans prepared in accordance with UFD-P1, or is required to address a shortfall identified in accordance with UFD-P2,</p> <p>(1B) achieves consolidated, well designed and sustainable development in and around existing urban areas,</p> <p>(2) is logically and appropriately staged, and will not result in inefficient or sporadic patterns of settlement and residential growth,</p> <p>(3) is integrated efficiently and effectively with development infrastructure and additional infrastructure in a strategic, timely and co-ordinated way,</p> <p>(4) addresses issues of concern to iwi and hapū, including those identified in any relevant iwi planning documents,</p> <p>(5) manages adverse effects on other values or resources identified by this RPS that require specific management or protection,</p> <p>(6) avoids, highly productive land except as provided for in the NPS-HPL, and,</p> <p>(7) considers adverse effects, particularly reverse sensitivity effects, on existing and anticipated primary production or rural industry activities when determining the location of the new urban/rural boundary.</p>
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<p>HAZ–NH–O1 – Natural hazards (Under Appeal)</p> <p>Risks to people, communities and property from natural hazards within Otago are maintained where they are acceptable, and managed to ensure they do not exceed a tolerable level</p>	<p>HAZ–NH–P1 – Identifying areas subject to natural hazards</p> <p>For hazards not identified in accordance with HAZ-NH-P1A, using the best available information, identify areas where natural hazards may adversely affect Otago’s people, communities and property, by assessing:</p> <p>(1) the hazard type and characteristics, (2) multiple and cascading hazards, where present, (3) any cumulative effects, (4) any effects of climate change, (5) the likelihood of different hazard scenarios occurring, using the best available information, and (6) any other exacerbating factors.</p>
	<p>HAZ–NH–P5 – Precautionary approach to natural hazard risk</p> <p>Where the natural hazard risk, either individually or cumulatively, is uncertain or unknown, but potentially significant or irreversible, apply a precautionary approach to identifying, assessing and managing that risk by adopting an avoidance or adaptive management response</p>

175. The relevant objectives and policies of the pRPS2021 are under appeal and can be given little weight at this time. That said, I consider that the proposal is consistent with the above objectives and policies.
176. Overall, the proposal is assessed as generally consistent to the relevant regional objectives and policies.

PART 2 OF THE RMA

177. The purpose of the RMA to promote the sustainable management of the natural and physical resources detailed below:

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 effect of activities on the environment.*

178. With regard to matters of national importance as identified in Section 6 of the Act, the following provisions are identified as relevant:

- (f) the protection of historic heritage from inappropriate subdivision, use, and development:
- (h) the management of significant risks from natural hazards.

179. With regard to heritage, the application includes an expert assessment which confirms that where appropriate historic heritage will be protected and enhanced with the inclusion of interpretation panels. Furthermore, the proposal is for a residential subdivision and within a residential zoned site and in my opinion is not considered to be inappropriate. When considering the risk from natural hazards, The ENGEO report confirm that this risk in not significant. Overall, I consider the that the proposal is consistent with Section 6 of the Act.

180. In respect of the other matters set out in Section 7:

7(b) the efficient use and development of natural and physical resources:

7(c) the maintenance and enhancement of amenity values:

7(f) maintenance and enhancement of the quality of the environment:

181. When considering the preceding assessment of effects, I consider that the proposal is an efficient use of efficient use and development of natural and physical resources in that it is a residential subdivision within a residential zoned site in accordance with the lots sizes promoted by the underlying zone. Furthermore, the application establishes that the proposal will provide for the maintenance and enhancement of amenity values and the maintenance and enhancement of the quality of the environment:

182. Overall, I consider that the proposal gives effect to Part 2 of the Act.

SECTION 104(1)(C) - OTHER MATTERS

183. Section 104(1)(c) of the Resource Management Act 1991 requires the Commissioners to have regard to any other matters considered relevant and reasonably necessary to determine the application. There are no other matters considered to be relevant to this application.

SECTION 106

184. Section 106 of the Act allows a consent authority to refuse subdivision consent if there is a significant risk from natural hazards or sufficient provision has not been made for legal and physical access.

Natural Hazards

185. Section 106 of the Act stipulates that a consent authority when considering a subdivision consent has to consider whether the land is suitable for subdivision and take into account any measures proposed by the applicant to protect the land from the effects of natural hazards. An assessment of the risk from natural hazards requires a combined assessment of the following matters:

- a) The likelihood of natural hazards occurring (whether individually or in combination);
- b) The material damage to land in respect of which the consent is sought, other land, or structures that would result from natural hazards; and
- c) Any likely subsequent use of the land in respect of which the consent is sought that would accelerate, worsen, or result in material damage of the kind referred to in paragraph (b).

186. The natural hazards have been assessed previously in this report and subject to conditions of consent recommended by the application hazard expert, there is nothing which would prevent the granting of consent in accordance with section 106 of the Act.

Legal and Physical Access

187. All lots will be provided legal and physical access.

Conclusion

188. Having regard to the above Section 106 matters, I do not consider that there are any grounds for the subdivision consent to be refused.

RECOMMENDATION

189. After having regard to the above planning assessment, I recommend that the Commissioners grant consent to the proposed activity under delegated authority, in accordance with sections 104, 104B of the Resource Management Act 1991 for the following reasons:

- a) The form of the subdivision is consistent with the current and future development pattern and will maintain the character and amenity values of the area.
- b) The landscape assessment and peer review are supportive of the proposal and, in particular, the effects of development within the BLR is assessed as acceptable overall.
- c) The natural hazard risk can be adequately mitigated through conditions of consent.
- d) Subject to conditions of consent, the subdivision can be adequately serviced without adverse effect on the environment.
- e) The subdivision will be served by an adequate extension to the roading network.
- f) The proposal is consistent with the existing and proposed objectives and policies of the District Plan and PC19.
- g) The proposal is consistent with the existing and proposed objectives and policies of the RPS and PRPS.
- h) The proposal gives effect to Part 2 of the Act.

190. Should the Panel be of a mind to grant consent, I have attached a draft suite of condition for the Panel to consider.



Kirstyn Royce
PLANNING CONSULTANT

Date: 20 September 2024



APPENDIX 1

Draft conditions of consent

- Consent Type:** Subdivision
- Consent Number:** RC 230398
- Purpose:** To undertake a 26-lot subdivision; in a recreational reserve and road reserves
- Location of Activity:** 88 Terrace Street, Bannockburn
- Legal Description:** Lot 4 Deposited Plan 339137, held in Record of Title 474127
- Lapse Date:** Day and Month 2029, unless the consent has been given effect to before this date.

CONDITIONS:

General

1. The proposed activity must be undertaken in general accordance with the approved plans attached to this certificate as Appendices 1, 2 and 3 being
 - Scheme plan dated 25 August 2023 by Landpro, and Earthworks Plan dated 22 November 2022 by Landpro
 - Spatial plan over 2014 LINZ aerial of Heritage Landscape features
 - Landscape plan and planting Scheduleand the information provided with the resource consent application received by the Council on 22 December 2023, and further information received on 27 February 2024, except where modified by the following conditions.
2. The Consent holder is responsible for all contracted operations relating to the exercise of this consent and must ensure that all personnel (contractors) working on the site are made aware of the conditions of this consent, have access to the contents of consent documents and must ensure compliance with land use consent conditions.
3. The consent holder must pay to the Council all required administration charges fixed by the Council pursuant to section 36 of the Act in relation to:
 - a) Administration, monitoring and inspection relating to this consent; and
 - b) Charges authorised by regulations.
4. Prior to the commencement of works occurring on site approved by this subdivision consent, the consent holder must:

- a) Provide a letter to Council advising who the supervisor must be for the design and supervision of the subdivision works.
 - b) Provide notice to the Planning and Regulatory Services Manager by email to resource.consents@codc.govt.nz of the start date of the works. This notice must be provided at least five (5) working days before the works are to commence.
 - c) Unless modified by other conditions, all designs and approvals must be in accordance with NZS 4404:2004 and the July 2008 CODC Addendum. Together these two documents form the Council's Code of Practice for subdivision.
 - d) Provide copies of design: reports, calculations, specifications, schedules, and drawings, as applicable.
 - e) Receive Council Engineering certification of the design/s as applicable.
 - f) Prepare an Erosion, Dust and Sediment Control Plan. The Plan must be prepared by a suitably qualified and experienced person and must be submitted to the Planning and Regulatory Services Manager at resource.consents@codc.govt.nz for certification.
 - g) Install all measures identified in the Erosion, Dust and Sediment Control Plan to mitigate erosion and to control and contain sediment-laden stormwater run-off and dust from the site and to water (including the wetland) during any stages of site disturbance that may be associated with this subdivision.
 - h) Provide evidence to the Planning and Regulatory Services Manager at resource.consents@codc.govt.nz that, if required, all necessary consents have been obtained from the Otago Regional Council.
 - i) Undertake all subdivision works in accordance with the Archaeological and Heritage Impact Assessment, prepared by Kopuwai Consulting, dated December 2023 including adaptive reuse of heritage items. Records of how the recommendations in the Archaeological and Heritage Impact Assessment have been met are to be maintained and presented to a warranted Council Officer upon request.
 - j) Provide evidence to the Planning and Regulatory Services Manager at resource.consents@codc.govt.nz that all necessary Archaeological Authorities for the subdivision works have been obtained.
5. Prior to certification of the survey plan, pursuant to section 223 of the Resource Management Act 1991, the subdivider must ensure the following:
- a) If a requirement for any easements for services, including private drainage and access, is incurred during the survey then those easements must be granted or reserved and included in a Memorandum of Easements on the cadastral dataset.
 - b) A 500m² residential building platform must be identified for Lots 4, 5, 13, 14 15-20 and shown on the legal plan of subdivision and the co-ordinates must be provided

to the Planning and Regulatory Services Manager at resource.consents@codc.govt.nz.

6. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the subdivider must complete the following:

Water

- a) Submit a final water reticulation design to Council's General Manager 3 Waters for certification. The final water reticulation design must meet the requirements of NZS 4404:2004 and the Council's July 2008 Addendum and include but not be limited to rider mains, fire hydrants and necessary incidental equipment) from the Cromwell (Bannockburn) Water Supply. No works may occur until the final design has been certified
- b) In accordance with the certified final water reticulation design, must at a minimum:
 - i) Extend the existing 150mm water main on Terrace St for the length of the proposed formed road
 - ii) Install standard DN25 water connection for each serviced lot with an approved Acuflo toby/meter assembly at the road boundary and with the tail extending to buildable platform on rear lots.
 - iii) Install Fire hydrants within the new water reticulation network to serve the subdivision in compliance with SNZ PAS 4509:2008, and NZS4404: 2004 and Council's 2008 Addendum to NZS4404:2004

Wastewater

- c) Submit a final wastewater reticulation design to Council's General Manager 3 Waters for certification. The final wastewater reticulation design must meet the requirements of NZS 4404:2004 and the Council's July 2008 Addendum and discharge to the Cromwell (Bannockburn) Wastewater Reticulation System. No works may occur until the final design has been certified
- d) In accordance with the certified final wastewater reticulation design must at a minimum
 - i) Install a cleaning eye for each lot.
 - ii) Alternatively, lots which are required to be serviced by pressure sewer must have a Boundary Valve Kit (BVK) installed at the boundary in lieu of a cleaning eye.
 - iii) Provide standard DN100 sewer connections to the boundaries of any lot with a gravity connection or a DN63 pumped line for any property where a gravity connection cannot be achieved. Connections must be extended to the buildable areas of all rear allotments.

Stormwater

- e) Stormwater from roads and other impervious surfaces must be disposed of via a soak-pit designed by a suitably qualified and experienced professional.

Electricity

- f) Operational power and telecommunication connections must be provided underground to each Lots 1 - 20, and for rear lots ducts must be extended to the buildable area of Lots 8 and 9 via the right-of-way such that these services may be supplied at time of dwelling construction.

Access

- g) The road shown as Lots 100 and 101 on the scheme plan, must be constructed and vested in accordance with the "Cul-de-sac" Local Road standard in Table 3.1 of Council's 2008 Addendum to NZS 4404:2004, with the following modifications and requirements:
 - i) A minimum sealed carriageway width of 7.0 metres.
 - ii) A minimum road reserve width of 20.0 metres
 - iii) A subgrade CBR >7
 - iv) Metal depths to NZS4404:2004 and Council's July 2008 Addendum standards.
 - v) A two-coat chip seal, standard concrete, or 30mm depth asphaltic carriageway.
 - vi) A carriageway crossfall of 4%.
 - vii) Shallow trafficable side-drains / water channels over level sections.
 - viii) Berms of 100mm depth clean topsoil between the channel and road boundary must be formed with a 4% crossfall, trimmed and grassed to a mowable standard.
 - ix) An asphaltic concrete footpath of 1.5m width shall be constructed on one side of the road, and it must connect to the new Terrace Street footpath to be constructed.
 - x) Cul-de-sac turning head must be constructed at the northern-eastern end.
 - xi) Parking bays must be constructed adjacent to Lots 5 and 30.
- h) Individual vehicle accessway/crossings to serve Lots 1 to 5, and 10 to 14, must be constructed from the extension of Terrace Street and the new road to be constructed to serve the proposed subdivision in accordance with the requirements of Part 29 of Council's Roading Policies January 2015. Additionally, the entranceways for Lots 3, 4, 5, and 10 must be a minimum of 15m from the road intersections.

- i) A shared right-of-way from the Lot 100 road to serve Lots 6, 19, and 20 must be constructed in accordance with the right-of-way (2-4 lots/DUs) standards in Table 3.1 of Council's 2008 Addendum to NZS 4404:2004, with the following modifications and requirements:
 - i) A minimum sealed carriageway width of 4.5 metres.
 - ii) A minimum road reserve width of 6.0 metres.
 - iii) A subgrade CBR >7.
 - iv) Metal depths to NZS4404:2004 and Council's July 2008 Addendum standards.
 - v) A two-coat chip seal, standard concrete, or 30mm depth asphaltic carriageway.
 - vi) A 4% crossfall must be provided across the carriageway.
 - vii) Shallow trafficable side-drains / water channels over level sections.
 - viii) Stormwater must be disposed of by soakpit within the right-of-way.
 - ix) Berms of 100mm depth clean topsoil between the channel and road boundary must be formed with a 4% crossfall, trimmed and grassed to a mowable standard.
 - x) Sealed vehicle crossings/entranceways must be provided within the right-of-way to the boundary of proposed Lots 6, 19, and 20 in accordance with Part 29 of Council's Roading Policies 2015.
 - xi) A sealed vehicle crossing/entranceway must be installed to the right-of-way in accordance with Part 29 of Council's Roading Policies 2015.
 - xii) Maximum permissible gradient of 16.7%.
 - xiii) The right-of-way may exceed the maximum permissible gradient only with the approval of Council's Infrastructure Manager at time of Engineering Acceptance/Approval, and with designed site-specific surface treatments to the satisfaction of Council's Infrastructure Manager.
- j) A shared right-of-way to serve proposed Lots 17 and 18 must be constructed in accordance with the right-of-way (2-4 lots/DUs) standards in Table 3.1 of Council's 2008 Addendum to NZS 4404:2004, with the following modifications and requirements:

- i) A minimum sealed carriageway width of 4.5 metres.
 - ii) A minimum road reserve width of 6.0 metres.
 - iii) A subgrade CBR >7.
 - iv) Metal depths to NZS4404:2004 and Council's July 2008 Addendum standards.
 - v) A two-coat chip seal, standard concrete, or 30mm depth asphaltic carriageway.
 - vi) A 4% crossfall must be provided across the carriageway.
 - vii) Shallow trafficable side-drains / water channels over level sections.
 - viii) Stormwater must be disposed of by soakpit within the right-of-way.
 - ix) Berms of 100mm depth clean topsoil between the channel and road boundary formed with a 4% crossfall, trimmed and grassed to a mowable standard.
 - x) Sealed vehicle crossings/entranceways shall be provided within the right-of-way to the boundary of proposed Lots 17 and 18 in accordance with Part 29 of Council's Roading Policies 2015.
 - xi) A sealed vehicle crossing/entranceway must be installed to the right-of-way in accordance with Part 29 of Council's Roading Policies 2015.
 - xii) Maximum permissible gradient of 16.7%.
 - xiii) The right-of-way may exceed the maximum permissible gradient only with the approval of Council's Infrastructure Manager at time of Engineering Acceptance/Approval, and with designed site-specific surface treatments to the satisfaction of Council's Infrastructure Manager.
- k) A shared right-of-way to serve Lots 15 and 16 must be constructed in accordance with the right-of-way (2-4 lots/DUs) standards in Table 3.1 of Council's 2008 Addendum to NZS 4404:2004, with the following modifications and requirements:

- i) A minimum sealed carriageway width of 4.5 metres.
 - ii) A minimum road reserve width of 6.0 metres.
 - iii) A subgrade CBR >7.
 - iv) Metal depths to NZS4404:2004 and Council's July 2008 Addendum standards.
 - v) A two-coat chip seal, standard concrete, or 30mm depth asphaltic carriageway.
 - vi) A 4% crossfall must be provided across the carriageway.
 - vii) Shallow trafficable side-drains / water channels over level sections.
 - viii) Stormwater must be disposed of by soakpit within the right-of-way.
 - ix) Berms of 100mm depth clean topsoil between the channel and road boundary formed with a 4% crossfall, trimmed and grassed to a mowable standard.
 - x) Sealed vehicle crossings/entranceways must be provided within the right-of-way to the boundary of proposed Lots 15 and 16 in accordance with Part 29 of Council's Roding Policies 2015.
 - xi) A sealed vehicle crossing/entranceway must be installed to the right-of-way in accordance with Part 29 of Council's Roding Policies 2015.
 - xii) Maximum permissible gradient of 16.7%.
 - xiii) The right-of-way may exceed the maximum permissible gradient only with the approval of Council's Infrastructure Manager at time of Engineering Acceptance/Approval, and with designed site-specific surface treatments to the satisfaction of Council's Infrastructure Manager.
- l) A shared right-of-way to serve Lots 7, 8, and 9 must be constructed in accordance with the right-of-way (2-4 lots/DUs) standards in Table 3.1 of Council's 2008 Addendum to NZS 4404:2004, with the following modifications and requirements:

- i) A minimum sealed carriageway width of 4.5 metres.
 - ii) A minimum road reserve width of 6.0 metres.
 - iii) A subgrade CBR >7.
 - iv) Metal depths to NZS4404:2004 and Council's July 2008 Addendum standards.
 - v) A two-coat chip seal, standard concrete, or 30mm depth asphaltic carriageway.
 - vi) A 4% crossfall must be provided across the carriageway.
 - vii) Shallow trafficable side-drains / water channels over level sections.
 - viii) Stormwater shall be disposed of by soakpit within the right-of-way.
 - ix) Berms of 100mm depth clean topsoil between the channel and road boundary must be formed with a 4% crossfall, trimmed and grassed to a mowable standard.
 - x) Sealed vehicle crossings/entranceways must be provided within the right-of-way to the boundary of proposed Lots 7, 8, and 9 in accordance with Part 29 of Council's Roading Policies 2015.
 - xi) A sealed vehicle crossing/entranceway must be installed to the right-of-way in accordance with Part 29 of Council's Roading Policies 2015.
 - xii) Maximum permissible gradient of 16.7%.
 - xiii) The right-of-way may exceed the maximum permissible gradient only with the approval of Council's Infrastructure Manager at time of Engineering Acceptance/Approval, and with designed site-specific surface treatments to the satisfaction of Council's Infrastructure Manager.
- m) The existing right-of-way over Lots 2, 3, and 6 serving neighbouring Lot 36 DP 339137 must be demonstrated to be in compliance with or upgraded in accordance with the right-of-way (2-4 lots/DUs) standards in Table 3.1 of Council's 2008 Addendum to NZS 4404:2004, with the following modifications and requirements:

- i) A minimum sealed carriageway width of 4.5 metres.
 - ii) A minimum road reserve width of 6.0 metres.
 - iii) A subgrade CBR >7.
 - iv) Metal depths to NZS4404:2004 and Council's July 2008 Addendum standards.
 - v) A two-coat chip seal, standard concrete, or 30mm depth asphaltic carriageway.
 - vi) A 4% crossfall must be provided across the carriageway.
 - vii) Shallow trafficable side-drains / water channels over level sections.
 - viii) Stormwater must be disposed of by soakpit within the right-of-way.
 - ix) Berms of 100mm depth clean topsoil between the channel and road boundary formed with a 4% crossfall, trimmed and grassed to a mowable standard.
 - x) The existing vehicle entranceway to the right-of-way from Terrace Street must be demonstrated to comply with, or upgraded in accordance with the requirements of Part 29 of Council's Roading Policies January 2015.
 - xi) Maximum permissible gradient of 16.7%.
- n) A single 1.5m footpath must be installed along the full length of the existing Terrace Street. This footpath must be located on the northern side of the street and must include a crossing point over Bannockburn Road to allow pedestrians to access the existing footpath network on the western side of Bannockburn Road.
- o) LED streetlights must be installed and vested in accordance with NZS4404:2004, and Council's Addendum to NZS4404:2004, and any District Plan requirements, or otherwise as permitted at Engineering Approval stage, except that within the Building Line Restriction bollard form Street Lighting only is permitted.

Reserve

- p) Formally offer Lot 30 to Central Otago District Council as a recreation reserve and, if accepted, vest the reserve with Council.

Engineering Design and Assets

- q) Provide Producer Statements in an approved format from a suitably qualified professional certifying the engineering adequacy and compliance with Council consent conditions relating to:
 - i) engineering design of subdivision works.
 - ii) construction and construction review of subdivision works.

Financial Contributions

- r) Payment of a reserves contribution of \$45,530.5 (exclusive of Goods and Services Tax) calculated in terms of Rule 15.6.1(1)(a)(i) of the Operative District Plan on the basis of one additional dwelling equivalent.

7. Pursuant to Section 221 of the Resource Management Act 1991, consent notices must be prepared for registration on the records of title the following ongoing conditions:

Design controls

- a) All residential buildings and accessory buildings on Lots 4, 5,13,14,15-20 must be located within the identified residential building platforms for each Lot as shown on the survey plan. No built development is permitted outside the building platform, such as clothes lines, swimming pools or other activities generally associated with a curtilage area.
- b) Built coverage on Lots 1-20 must not exceed a maximum total of 300m². Should any dwellings be two storeys, the maximum footprint for the ground floor must not exceed 200m².
- c) The access to Lot 6 must be designed to limit the extent of earthworks required, and as far as practicable off the ridgeline.
- d) Exterior cladding is limited to timber (vertical or horizontal), schist, or corrugated iron in one of the following Colorsteel colours: Lichen, Sandstone Grey, Lignite, Ironsand, FlaxPod, Grey Friars, New Denim Blue.
- e) Roofing shall be constructed of corrugated iron in one of the of the following Colorsteel colours (or similar with a light reflectance value (LRV) of the less than 12%): Lignite, Ironsand, FlaxPod, Grey Friars, New Denim Blue.
- f) Fencing at lot boundaries shall be limited to 1.2 m high unpainted post and rail, post and wire or waratah and wire fencing. The addition of rabbit wire mesh is encouraged.
- g) Shared paths within the recreation reserve and road reserve shall be local compacted gravel and/or schist stone.
- h) Any outdoor lighting must be fixed, capped, filtered or pointed downwards and screened to reduce light spill. No outdoor feature lighting is permitted.
- i) Stormwater from buildings and other impervious surfaces within each Lot must be stored for beneficial reuse or disposed of via a soak-pit designed by a suitably qualified and experienced professional within the boundary of each lot.
- j) Buildings on Lots 1- 20 Buildings must not exceed the following maximum heights above ground level:

Maximum Building Height & Roof Elevation			
Lot Number	Maximum Building Height	Maximum Roof Elevation	Notes
1, 2, 3	5m	269 masl	
4, 6	4.2m	269.2 masl	
5	4.2m	270.2 masl	
7, 8, 9	7.5m	269 masl	
10	5m	269.5 masl	
11, 12, 13, 14	4.2m	271 masl	Buildings to be stepped with grade
15, 16, 17, 18,19	5m	265 masl	Buildings to be stepped with grade
20	5m	266 masl	Buildings to be stepped with grade

Hazards

- k) Foundation construction for structures within Lot 1 and 9 must be setback from the crest at a horizontal distance at least twice the adjacent vertical slope height (V), Photo 5. The vertical slope height may be measured from the top of the talus apron that buttresses the base of the vertical slope. Setback distances should be further assessed and defined by a surveyor during detailed design works for Lot 1 and 9.
- l) Specific engineering mitigation design will be required to address creep of surficial soil overlying shallow bedrock for any development on Lot 18.
- m) Good engineering practice for hill slope development must be applied for development on Lots 15, 16, 17 and 19

Earthworks

- n) All site disturbance must be undertaken in accordance with the attached Erosion, Dust and Sediment Control Plan

Note: The Erosion, Dust and Sediment Control Plan prepared under Condition 4(f) must be attached to the consent notice prepared for each Lot.

Heritage

- o) Heritage interpretive panels must be prepared and installed under the supervision of a suitably qualified and experienced person. Any reference to mana whenua

history or values must only be included with the express permission of the relevant rūnaka whose takiwa the site falls within.

- p) The following heritage controls are imposed on the lots identified in accordance with the plan at Appendix 2

Note: The plan at Appendix 2 must be attached to the consent notice

LOT	Feature	Condition
1	Retain & protect (blue)shallow sluicing's water race & sluice face (yellow)	No earthworks, hard landscaping features or structures allowed to be built over these areas attached as Appendix 2.
9	Retain & protect (blue) shallow sluicing's water race bordering Pennyweight sluicing F41/368 Lot 51 (excepting branch (red)) in Lot 9	Sluice gulch: No earthworks, hard landscaping features or structures allowed to be built over these areas.
40	Within Lot 40 preserve lower remnants sluicing's Penny weights & others; water race remnants; hand revetted stacked wall sections; hardwood post and wire fence line remnants x 2; hand stacked tailings.	The Lot owner is alerted to the presence of archaeological items.
50	Lot 50 incorporates and protect west facing terrace sluice face off Lot 1 & pedestal mining claim boundary marker 2. Include archaeological protection rule in Lot 50 to protect these features. (F41/385 Revell's Gully Sluicing's)	The Lot owner is alerted to the presence of archaeological items.
51	Retain & protect (blue) shallow sluicing's water race bordering Pennyweight sluicing & the sluicing's F41/368 (excepting branch (red) in Lot 9)	The Lot owner is alerted to the presence of archaeological items.

- q) If during any site disturbance, the consent holder or subsequent owners:
- i) discovers koiwi tangata (human skeletal remains), waahi taoka (resources of importance), waahi tapu (places or features of special significance) or

other Maori artefact material, the consent holder or subsequent owner must without delay:

- a) notify the Consent Authority, Tangata whenua and Heritage New Zealand and in the case of skeletal remains, the New Zealand Police.
- b) stop work within the immediate vicinity of the discovery to allow a site inspection by Heritage New Zealand and the appropriate runanga and their advisors, who must determine whether the discovery is likely to be extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required.

Site work may recommence following consultation with the Consent Authority, Heritage New Zealand, Tangata whenua, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.

- ii) discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder must without delay:
 - a) stop work within the immediate vicinity of the discovery or disturbance; and
 - b) advise the Consent Authority, Heritage New Zealand, and in the case of Maori features or materials, the Tangata whenua, and if required, must make an application for an Archaeological Authority pursuant to Heritage New Zealand Pouhere Taonga Act 2014; and
 - c) arrange for a suitably qualified archaeologist to undertake a survey of the site.

Site work may recommence following consultation with the Consent Authority.

ADVICE NOTES:

Earthworks

1. An earthworks consent will be required from the Otago Regional Council
2. Existing ground level to calculate approved building height will need to be established at the time of survey.
3. Where there is a risk that sediment may enter a watercourse at any stage during the earthworks, it is advised that the Otago Regional Council be consulted before works commence, to determine if the discharge of sediment will enter any watercourse and what level of treatment and/or discharge permit, if any, may be required.

Heritage

4. An Archaeological Authority will be required before any site disturbance occurs and in particular:
 - Lot 6: Apply for archaeological authority to destroy portions marked (red) on plan; being (F41/369 Upper water race)
 - Lot 9: Apply for authority to modify/destroy (red) branch water race Lot 9 (supplied from F41/369 Upper water race)
 - Lots 16, 17, 18 & 19: Apply for authority to modify/destroy (red) sections of branch water race that traverses the lots.
 - Lots 20: Apply for archaeological authority to remove section of hardwood post & wire fence line & repurpose hardwood posts. Apply for authority to modify/destroy (red) sections of branch water race that also traverse Lots 16, 17, 18 & 19.
 - Lot 30: Apply for archaeological authority to modify/disturb portions marked (blue) on plan traversing lots 30. (F41/369 Upper water race) Apply for archaeological authority for adaptive reuse 267m of lower water race as footpath and destruction of 3 sections for roadway/driveways and 2 sections for pathways & single track crossings totalling 10m (F41/369 linked lower water race).
 - Lot 40: Apply for an archaeological authority to adaptively reuse the water race as public walking track within Lot 40.
 - Lot 51: Apply for authority to modify/destroy (red) branch water race Lot 9 (supplied from F41/369 Upper water race).

Financial Contributions

5. All charges incurred by the Council relating to the administration, inspection and supervision of conditions of subdivision consent must be paid prior to Section 224(c) certification.
6. Development contributions for roading of 32,882.96, Water supply of 53,947.36 and wastewater \$51,861.83 (exclusive of goods and services tax) are payable for pursuant to the Council's Policy on Development and Financial Contributions contained in the Long Term Council Community Plan. Payment is due upon application under the Resource Management Act 1991 for certification pursuant to Section 224(c). The Council may withhold a certificate under Section 224(c) of the Resource Management Act 1991 if the required Development and Financial Contributions have not been paid, pursuant to section 208 of the Local Government Act 2002 and Section 15.5.1 of the Operative District Plan.

Access

7. It is the consent holder's responsibility to obtain all necessary Temporary Traffic Management Plans, Corridor Access Requests or any other approvals to undertake works within the road reserve. These approvals should be obtained prior to the works commencing.

General

8. In addition to the conditions of a resource consent, the Resource Management Act 1991 establishes through sections 16 and 17 a duty for all persons to avoid unreasonable noise, and to avoid, remedy or mitigate any adverse effect created from an activity they undertake.
9. The consent holder must pay to the Council all required administration charges fixed by the Council pursuant to section 36 of the Act in relation to:
 - a) Administration, monitoring and inspection relating to this consent; and
 - b) Charges authorised by regulations.
10. Resource consents are not personal property. The ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.
11. It is the responsibility of any party exercising this consent to comply with any conditions imposed on the resource consent prior to and during (as applicable) exercising the resource consent. Failure to comply with the conditions may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.
12. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.
13. This is a resource consent. Please contact the Council's Building Services Department, about the building consent requirements for the work.

Appendix One: Plans for RC230398 (scanned image, not to scale)



TRACK KEY
 ASPHALT FOOTPATH
 NOT C 1/2 CRAVEL
 INFORMAL EXISTING
 SINGLETRACK TRAIL

Original map data sourced from Land Information New Zealand (LINZ).
 Licensed under the Creative Commons Attribution 4.0 International
 license: <https://creativecommons.org/licenses/by/4.0/>. It is made
 available in good faith but its accuracy or completeness is not
 guaranteed. Landpro accepts no responsibility for misprints or
 inaccurate information. If this information is relied on in support of a
 resource consent it should be verified independently.

ISSUED FOR RESOURCE CONSENT 28.08.2023

D:\DATA\L - Local\working\2021\Terrace Street\515303 RC2_01_Rev_C.dwg Plot Date: 28.08.2023

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Client
JONES SEARELL FAMILY TRUST

NOTES
 - All dimensions shown are in metres unless otherwise shown
 - Copyright on this drawing is reserved
 - Check any electronic data against the hardcopy plan to ensure it is the latest version
 - If this plan is being used as part of sale and purchase agreement then it is done so on the basis that it is preliminary only, final dimensions and areas may vary on final survey

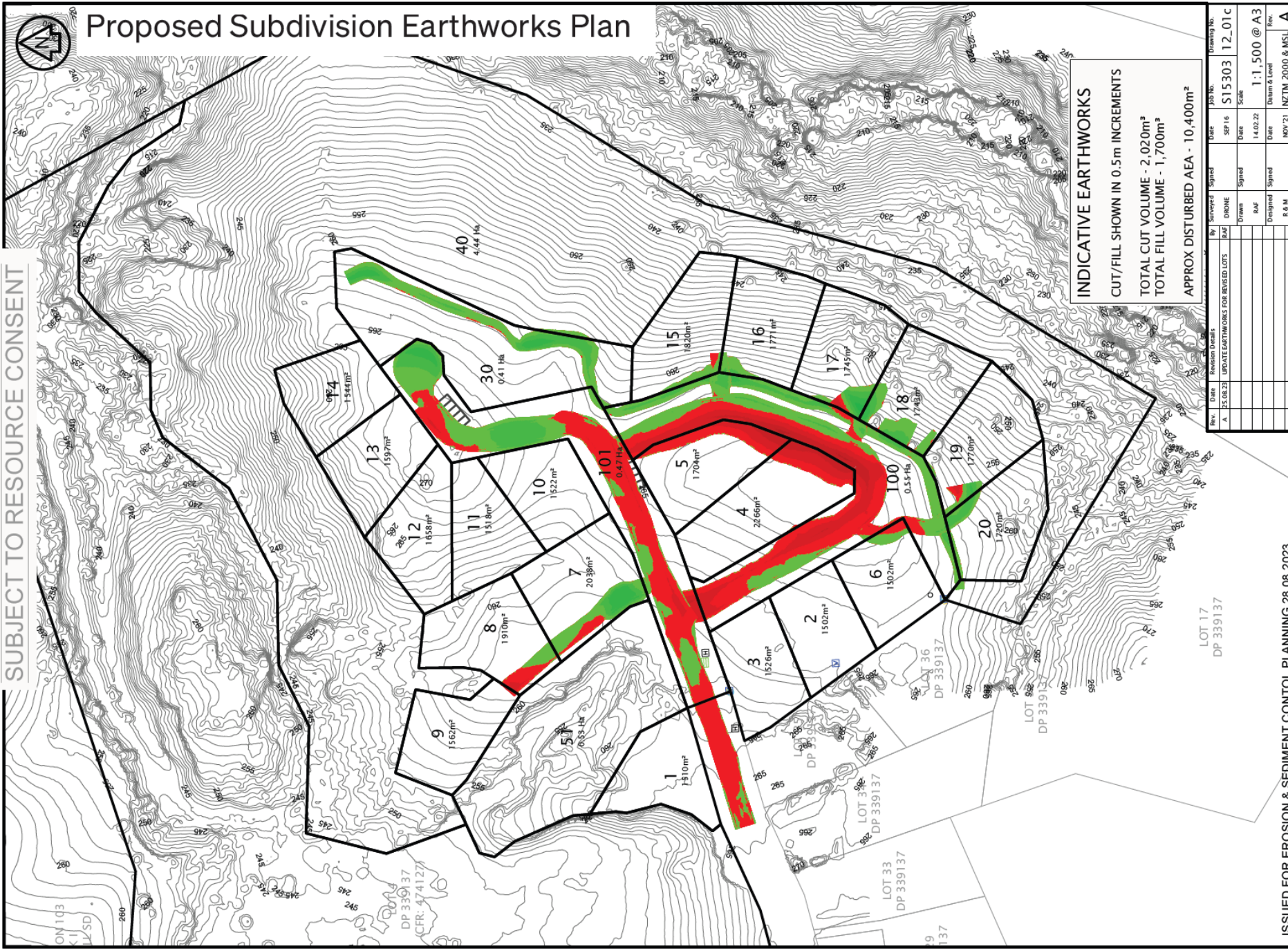
**OVERVIEW: LOTS 1 - 20, 30, 40, 50, 51, 100 & 101
 BEING PROPOSED SUBDIVISION OF LOT 4 DP 3391 37
 TERRACE STREET, BANNOCKBURN**

Rev.	Date	Revision Details	By	Surveyed	Signed	Date	Job No.	Drawing No.
A	16.11.22	ADD BLR	RAF	DRONE		SEP 16	S15303	RC2_01
B	11.04.23	LOT 200 SPLIT INTO LOTS 30, 40 & 51	RAF					
C	25.08.23	ISSUE FOR CONSENT APPLICATION	RAF		Signed	19.07.22	Scale	1:1,250 @ A1 1:2500 @ A3
				Designed	Signed	Date	Datum & Level	Rev.
			RAF			12.07.22	NZTM 2000 & MSL	C

SUBJECT TO RESOURCE CONSENT



Proposed Subdivision Earthworks Plan



INDICATIVE EARTHWORKS
 CUT/FILL SHOWN IN 0.5m INCREMENTS
 TOTAL CUT VOLUME - 2,020m³
 TOTAL FILL VOLUME - 1,700m³
 APPROX DISTURBED AREA - 10,400m²

REV.	DATE	REVISION DETAILS	BY	DATE	STATUS	DRAWN	DATE	SCALE	DATE	STATUS	DATE	STATUS
A	25.08.23	UPDATE EARTHWORKS FOR REVISED LOTS	BAF	09/16	Signed	BAF	14.02.22	1:1,500 @ A3	NOV'21	Signed	NOV'21	Final

LOT 17
DP 339137

ISSUED FOR EROSION & SEDIMENT CONTROL PLANNING 28.08.2023



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JONES SEARELL FAMILY TRUST
 NOTES:
 - Dimensions shown are to nearest centimetre unless otherwise stated.
 - Check any boundary dimensions against the boundary plan to which this plan is being submitted.
 - If this plan is being used as part of a sale and purchase agreement, the dimensions and area shown on this plan are advisory only. They do not constitute a guarantee of area.

INDICATIVE EARTHWORKS PLAN
PROPOSED SUBDIVISION OF LOT 4 DP 339137
TERRACE STREET, BANNOCKBURN

Planning No. S15303
 12.01C
 Scale 1:1,500 @ A3
 Datum & Level NZTM 2000 & MSL
 Rev. A

L:\DATA 1 - Local Work\1071717\Plan\1515303\17 Plan\Main Plan\28.08.2023

Appendix 2: Spatial plan over 2014 LINZ aerial of Heritage Landscape features

Heritage Landscape of the interconnected wider surrounds of the DJ Jones and NR Searell Family Trusts Lot 4 Revell's Basin & Gully & Part Section 103 Slaughteryard Hill

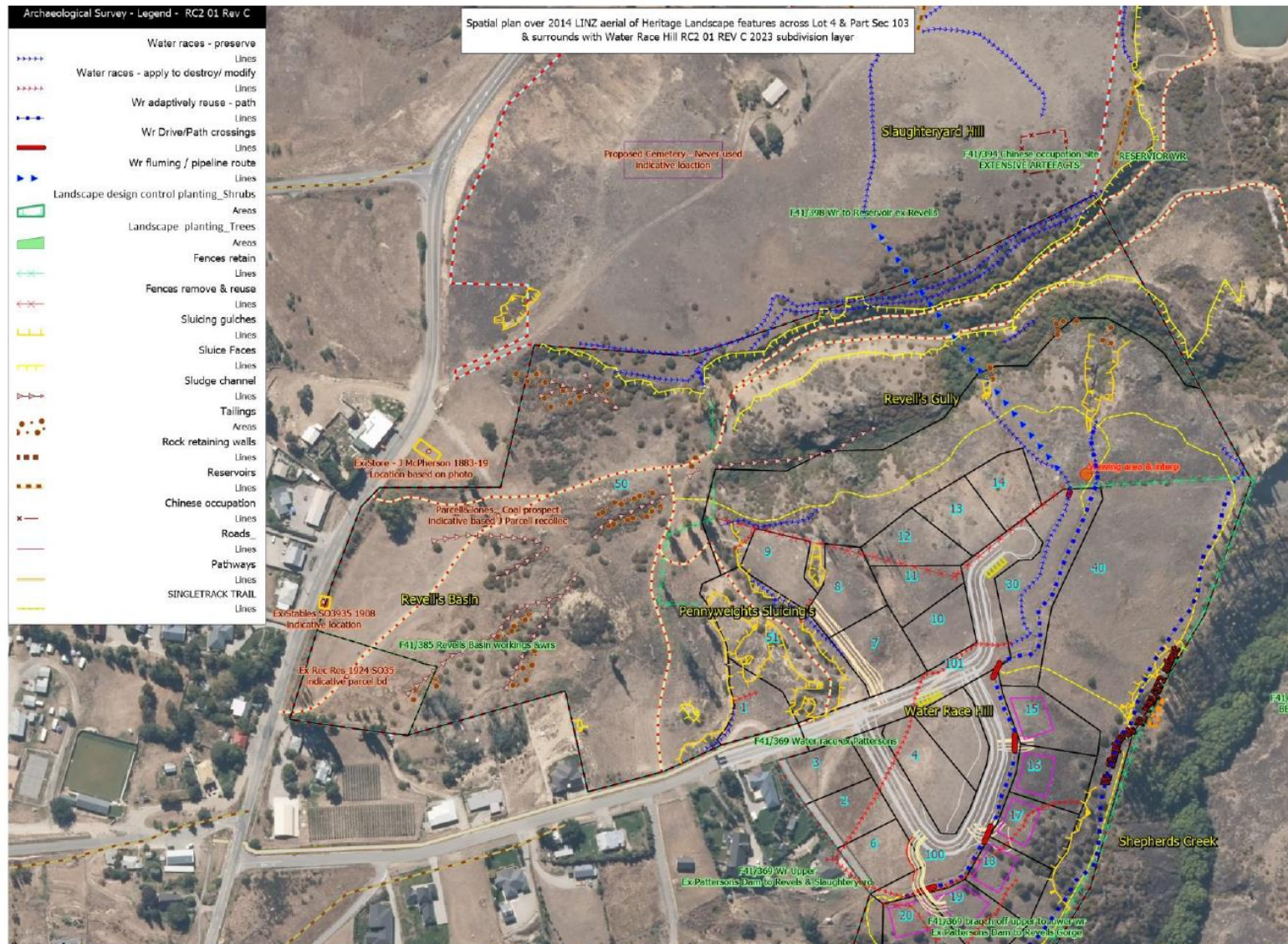
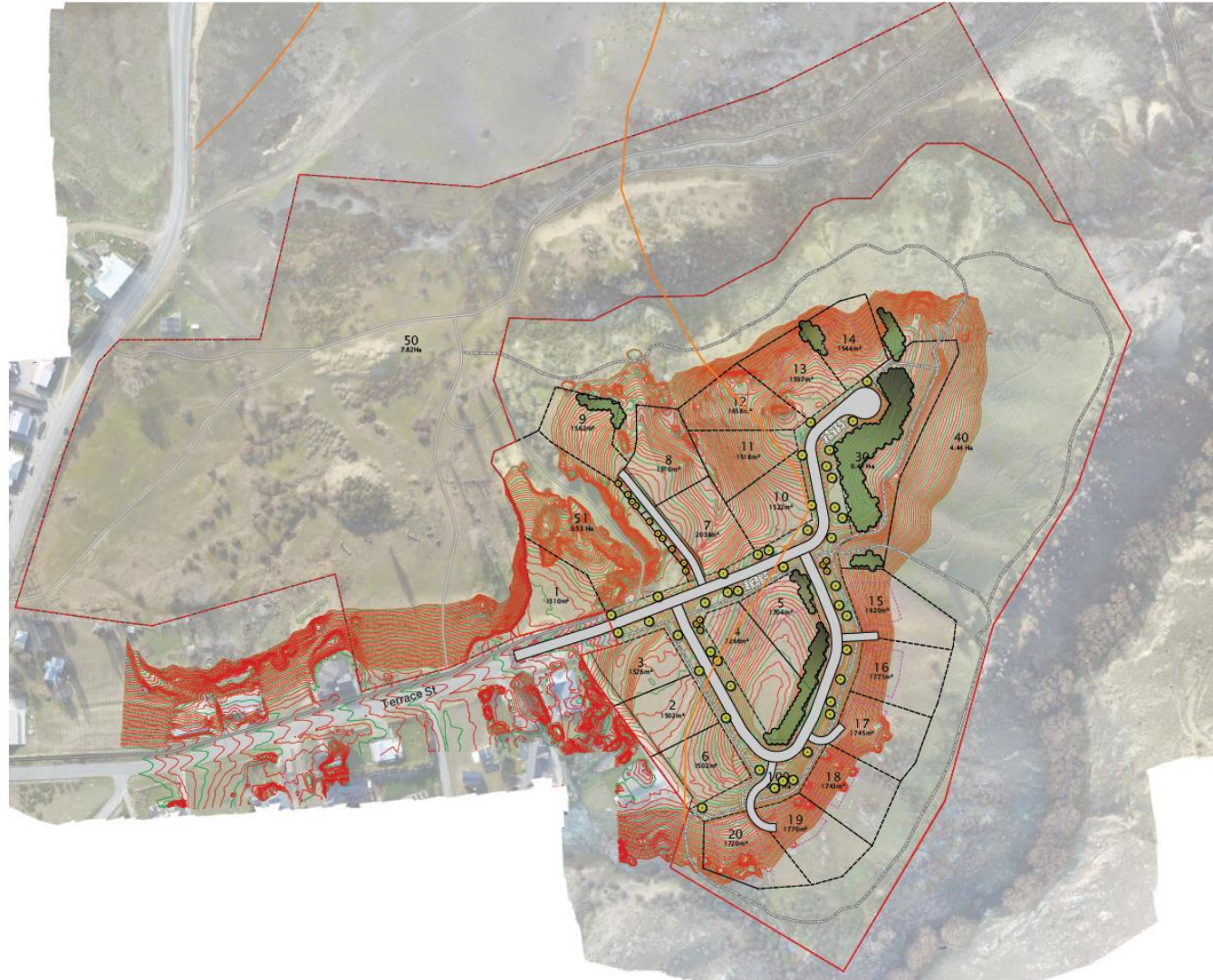


Figure 9 Spatial plan over 2014 LINZ aerial of Heritage Landscape features across Lot 4 & Part Sec 103 & surrounds with Water Race Hill RC2 01 REV C 2023 subdivision layer

Appendix 3: Landscape plan and planting Schedule



Legend	
	Rezoning Site
	Overall Property Boundary
	Building Line Restriction
	Residential Lot
	Building Platform
	Road Reserve
	Private Reserve
	Balance Lot
	Easement
	Road
	Proposed Paths
	Car Parking
	Proposed Mitigation Planting
	Street Trees Type 1
	Street Trees Type 2



Scale: 1:2,500 @ A3

Street Trees

<i>Liquidambar styraciflua</i> 'Worplesdon'	Sweet Gum
<i>Quercus robur</i> 'Fastigiata'	Upright Oak
<i>Liriodendron tulipifera</i> 'Fastigiata'	Upright Tulip Tree

Reserve Trees

<i>Cordyline australis</i>	Cabbage Tree
<i>Plagianthus regius</i>	Ribbonwood
<i>Populus</i> 'Crow's Nest'	Lombardy Poplar
<i>Quercus rubra</i>	Red Oak
<i>Sophora microphylla</i>	Kowhai

Plant Mix 1: Mitigation Planting & Screening

<i>Coprosma propinqua</i>	Mingimingi
<i>Kunzea serrotina</i>	Kanuka
<i>Leptospermum scoparium</i>	Manuka

Plant Mix 2: Amenity Planting within Road Reserves

<i>Chionochloa rubra</i>	Red Tussock
<i>Coprosma acerosa</i> 'Hawera'	Groundcover Coprosma
<i>Festuca novae-zelandiae</i>	Hard Tussock
<i>Hebe cupressoides</i> 'Nana'	Dwarf Evergreen Hebe
<i>Lavandula</i> spp.	Lavender
<i>Libertia</i> spp.	NZ Iris
<i>Muehlenbeckia axillaris</i>	Creeping Wire Vine
<i>Phormium cookianum</i>	Mountain Flax
<i>Poa cita</i>	Silver Tussock
<i>Thymus serpyllum</i>	Wild Thyme

Plant Mix 3: Private Lot Amenity Planting within Building Platforms*

<i>Chionochloa flavicans</i>	Dwarf Toe
<i>Chionochloa rubra</i>	Red Tussock
<i>Coprosma acerosa</i> 'Hawera'	Groundcover Coprosma
<i>Coprosma propinqua</i>	Mingimingi
<i>Cordyline australis</i>	Cabbage Tree
<i>Corokia</i> 'Geenty's Green'	Green Corokia
<i>Corokia</i> 'Bronze King'	Bronze Corokia
<i>Festuca novae-zelandiae</i>	Hard Tussock
<i>Hebe cupressoides</i> 'Nana'	Dwarf Evergreen Hebe
<i>Kunzea serrotina</i>	Kanuka
<i>Leptospermum scoparium</i>	Manuka
<i>Lavandula</i> spp.	Lavender
<i>Libertia</i> spp.	NZ Iris
<i>Muehlenbeckia astonii</i>	Shrubby Tororaro
<i>Muehlenbeckia axillaris</i>	Creeping Wire Vine
<i>Olearia odorata</i>	Scented Tree Daisy
<i>Pachystegia</i> spp.	Marlborough Rock Daisy
<i>Phormium cookianum</i>	Mountain Flax
<i>Pittosporum</i> 'Stephens Island'	NZ Pittosporum

*Plagianthus regius**Poa cita**Pseudopanax crassifolius**Rudbeckia* spp.*Sedum* spp.*Sophora microphylla**Thymus serpyllum*

Ribbonwood

Silver Tussock

Lancewood

Coneflower

Sedum

Kowhai

Wild Thyme

*In addition to the above list, fruiting orchard trees and olive trees are also permitted.

Plant Mix 4: Private Lot Revegetation Planting outside Building Platforms*Coprosma virescens**Corokia cotoneaster**Festuca novae-zelandiae**Kunzea serrotina**Melicytus alpinus**Poa cita**Thymus serpyllum*

Korokio

Hard Tussock

Kanuka

Porcupine Shrub

Silver Tussock

Wild Thyme

Plant Mix 5: Open Space Reserve Revegetation Planting*Aciphylla aurea**Coprosma propinqua**Coprosma virescens**Corokia cotoneaster**Festuca novae-zelandiae**Kunzea serrotina**Melicytus alpinus**Ozothamnus leptophylla**Poa cita**Thymus serpyllum*

Golden Spaniard

Mingimingi

Korokio

Hard Tussock

Kanuka

Porcupine Shrub

Mountain Cottonwood

Silver Tussock

Wild Thyme