

APPLICATION FOR RESOURCE CONSENT OR FAST TRACK RESOURCE CONSENT FORM 9: SECTION 88 RESOURCE MANAGEMENT ACT 1991

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CONTACT DETAILS OF APPLICATION

Full name(s) and contact details of owner/occupier/applicant: *(name will be issued on the decision)*

Sarah Taylor and James Dale

Postal Address

176 Queensberry Terrace, Queensberry

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DETAILS OF PROPERTY

Street address/rapid number of property to which this application relates:

176 Queensberry Terrace, Queensberry

Legal description of land:

Lot 10 DP 328097

DETAILS OF APPLICATION

Application Type(s) applying for: *(please tick one)*

- Land use consent
- Subdivision consent
- Change/Cancelation of consent or consent notice conditions
- Extension of lapse period of consent (time extension) s125
- Certificate of compliance
- Existing use certificate

Description of proposal:

- No additional resource consents are needed for the proposed activity.

Or

- The following additional resource consents are needed for the proposed activity. *(give details)*
They have / have not been applied for: *(please highlight)*

Under section 87AAC a controlled activity or deemed permitted boundary activity may be eligible for fast-track processing. Please select one:

I opt out / I do not opt out of the fast-track consent process.

PAYMENT DETAILS

I confirm amount and date paid:

Reference used (if applicable):

- Bank Transfer to 020916 0081744 00 (BNZ Alexandra Branch). Please reference: "RC APP" and the applicant's surname in the payment details eg, RC APP SMITH
- Manual payment (can only be made once application lodged and RC reference number issued)

APPLICATION CHECKLIST

The following is attached to this application:

(please tick boxes as appropriate)

- *Non-refundable application fee of the prescribed amount (an additional charge may also be payable where the initial application fee is inadequate to recover Council costs).
- Assessment of the Effects on the Environment (AEE).
- *Copy of current Certificate of Title.
- *A location plan.
- *A site plan which shows the location of any buildings, driveways, parking areas or other significant features in relation to site boundaries. (Please ensure the paper size is either A4 or A3.)
- A building plan including the floor plan of the proposed building and elevations (if appropriate). (Please ensure the paper size is either A4 or A3.)
- Photographs of the site and of any important features relative to the application.
- Any other information required by the District Plan or Act or regulations to be included.

**Items with a star are required for all consent applications.*

Full details relating to the contents of applications are contained in the checklists and guidance notes available on Councils website www.codc.govt.nz or from any Council office.

Note to applicant:

You may apply for two or more resource consents that are needed for the same activity on the same form.

You must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991 (if any).

I/We attach, in accordance with the Fourth Schedule of the Resource Management Act 1991, an assessment of environmental effects in the detail that corresponds with the scale and significance of the effects that the proposed activity may have on the environment.

I/We attach any information required to be included in this application by the district plan, the regional plan, the Resource Management Act 1991, or any regulations made under the Act.

(List all documents that you are attaching)

Subdivision consent requirements

As/if this is an application for a subdivision consent, I/We attach information that is sufficient to adequately define: *(delete if this is not an application for a subdivision consent)*

- (a) The position of all new boundaries; and
- (b) the areas of all new allotments; and *(delete if the subdivision involves a cross-lease. Company lease or unit plan)*
- (c) the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips; and
- (d) the locations and areas of any existing esplanade reserves, esplanade strips, and access strips; and
- (e) the locations and areas of land below mean high water springs of the sea, or of any part of the bed of a river or lake, to be vested in the Crown or local authority under section 237A of the Resource Management Act 1991; and
- (f) the locations and area of land to be set aside as new roads.

As this is an application for a resource consent for reclamation, I/We attach information to show the area proposed to be reclaimed, including its location, the position of all new boundaries, and the portion of that area (if any) to be set apart as an esplanade reserve or esplanade strip. *(delete if this is not an application for a resource consent for reclamation)*



Signature

(to be signed by applicant or person authorised to sign on behalf of applicant)

Date



LANDPRO

Make the most of your land

Resource Consent Application to Central Otago District Council

Prepared for Sarah Taylor and James Dale

Prepared For

Prepared for Sarah Taylor and James Dale

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QUALITY INFORMATION

Reference: C:\12dS\data\SERVER2008R2\22345-Sarah Taylor & James Dale - 176
Queensberry Terrace Subdivision_725\Planning\22345 Queensberry
subdivision_AEE_draft.docx

Date: 19 July 2023

Prepared by: Matt Curran

Version Number: FINAL

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1. INTRODUCTION

1.1 Overview of Proposal

Resource consent is sought by Sarah Taylor and James Dale (the applicant) to undertake a two lot subdivision of Lot 10 DP 328097 accessed off Pukerangi Drive and Queensberry Terrace (the application site) and establish a building platform on proposed Lot 2.

The Central Otago District Council (CODC) has statutory jurisdiction for the effects of certain activities within the area covered by this application. These effects are managed through the Central Otago District Plan (CODP).

1.2 The Applicant

Applicant Address: Sarah Taylor and James Dale
176 Queensberry Terrace
Queensberry

Address for Service: C/- Landpro Limited
PO Box 302
Cromwell 9342

1.3 Purpose of Documentation

Under Section 88 of the Resource Management Act 1991 (the RMA), this report provides an assessment of the activities' effects on the environment as required by Schedule 4 of the RMA.

2. DETAILS OF PROPOSAL

2.1 Location of the application site

The application site is located at 176 Queensberry Terrace, Queensberry. The site is legally described as Lot 10 DP 328097 on Record of Title 114451 (attached as Appendix 1). The site has an approximate area of 8.1 hectares (ha). The application site is elevated above the Clutha River Valley on the lower slopes of the Pisa Range. The application site can be accessed from Pukerangi Drive and Queensberry Terrace. Pukerangi Drive is a sealed local rural road. The section of Queensberry Terrace that provides access to the application site is a private unsealed Right of Way. The location of the application site is presented below in Figure 1.



Figure 1: Location of application site.

2.2 Description of existing environment

The site was created as part of the Queensberry Hills subdivision which can be broadly characterised as rural 'lifestyle' holdings. The wider landscape surrounding the site is characterised by rolling to steeply sloping land that is interspersed with rocky outcrops and scattered native scrub. The site itself contains a flat area of bare land that is routinely cultivated by the applicant and a sloping section that is characterised by native scrub and rock outcrops. Figures 2 and 3 are photographs of the application site.



Figure 2: Photographs taken from southern boundary on proposed RoW



Figure 3: Photograph taken from within the proposed building platform

2.3 Proposed activities

The applicant is proposing to subdivide Lot 10 DP 328097 into two lots, refer to Scheme Plan attached as Appendix 2. Proposed Lot 1 is 4.02 ha in area and contains an existing fully serviced dwelling. It is proposed that Lot 1 will only be accessible from the existing vehicle access off Pukerangi Drive to limit traffic impact on unsealed private ROW off Queensberry Terrace.

Proposed Lot 2 is 4.03 ha in area. It is proposed to establish a building platform 750 m² in area on Lot 2. Water and electricity services will be extended to Lot 2 and vehicle access will be provided from the existing vehicle access points off Pukerangi Drive and Queensberry Terrace via a Right of Way (RoW) over Lot 1.

Earthworks will be required to construct the building platform, RoW, install services and undertake other miscellaneous works.

2.3.1 Servicing arrangements

Table 1 summarises the servicing arrangements for Lot 2, noting that Lot 1 is fully serviced.

Table 1: Proposed services

Service	Proposed servicing
Stormwater and wastewater	Ground conditions and the size of Lot 2 provide suitable conditions for the disposal of wastewater and stormwater.
Domestic and portable water	The applicant has an existing share of the Queensberry Irrigation Limited Water Scheme (QIS). The QIS enables the applicant to take 5,000 litres per day for domestic purposes and 100,000 litres per day for irrigation. It is proposed that Lot 1 receives 2500 litres of domestic water per day, and 80,000 litres of irrigation water per day. Lot 2 would receive a supply of 2500 litres of domestic water per day and 20,000 litres of irrigation water per day.
Fire fighting	Prior to the completion of any dwelling, firefighting water storage will be provided in accordance with SNZ/PAS 4509:2008; or in the alternative, such other means of firefighting as approved in writing by Fire and Emergency New Zealand.
Power, telephone and internet	It is proposed to extend electricity and telecommunication services from the existing network to the boundary of Lot 2.

3. ACTIVITY CLASSIFICATION

3.1 Central Otago District Plan

3.1.1 Zoning

The application site is located within the Rural Zone as shown on Map 46 of the CODP. There are no designations, scheduled items or natural hazard limitations identified on Map 46 that relate to the application site.

3.1.2 Proposed building platform

Residential building platforms are captured as restricted discretionary activities under Rule 4.7.3(vii) of the CODP. The relevant rule is included below.

4.7.3 DISCRETIONARY (RESTRICTED) ACTIVITIES

(vii) Residential Activity, Residential Building Platform & Accommodation Facilities

Residential activity, a residential building platform and/or accommodation facilities that do not exceed that required to accommodate 6 persons on a commercial fee paying basis and that are not provided for in Rule 4.7.2(i), 4.7.2(ia) and Rule 4.7.2(vii) is a discretionary (restricted) activity provided the following standards are complied with:

(a) General Standards

The relevant standards set out in 4.7.6 are complied with.

(b) Residential Activities Per Site

There shall be no more than one residential activity on the relevant certificate of title unless additional residential activity is required to accommodate people working the property and their families

(c) Access

No additional formed accesses are to be created to any State Highway.

(d) Separation Distances

Where the dwelling is not located on a building platform established by way of resource consent a 50 metre separation distance to any existing dwelling, any dwelling under construction, any residential building platform established by way of resource consent, or any urban area shall apply

The proposed building platform will provide for one residential activity and will be accessed from local rural road and right of ways (not a State Highway). An assessment of the relevant Standards set out in 4.7.6 is included in Table 2.

Table 2: Assessment against Standards in Section 4.7.6.

Activity	Central Otago District Plan	
	Rule 4.7.6 Standards	Compliance
Bulk and location of buildings	A	<p>Does not comply</p> <p>(a): Yards. The proposed building platform is positioned 20.0 m from the northern boundary with Lot 4 DP 487254 and 10 m from the boundary between proposed Lots 1 and 2, and therefore breaches the 25 m side yard requirement under 4.7.6 A.(a).</p> <p>(c): Water bodies - There are no waterbodies located on the application site or adjoining properties.</p> <p>(e): Separation Distances from Water Races and Irrigation Pipelines - There are no waterbodies located on the application site or adjoining properties.</p> <p>(f): Height - The maximum height of a dwelling on the proposed building platform will be 6.5 m.</p> <p>(j): Land Subject to Hazards. The application site is not located on land subject to hazards as scheduled in the CODP.</p>
Traffic generation and characteristics of activities	B	<p>Complies</p> <p>The building platform will provide for one residential activity.</p>
Noise	E	<p>Complies</p> <p>No activities are proposed that are likely to breach permitted noise standards. .</p>
Provision of services	G	<p>Does not comply</p> <p>(a) Effluent Disposal - the applicant would accept Section 220 conditions requiring the consent holder to demonstrate that wastewater disposal can be achieved within Lot 2 in compliance with Clause 5.5 a) of Council's July 2008 Addendum to NZS4404, and that the existing wastewater disposal system serving the dwelling on Lot 1 is in good working order.</p>

Activity	Central Otago District Plan	
	Rule 4.7.6 Standards	Compliance
		<p>(b) Water supply - the applicant would accept Section 220 conditions requiring that a domestic water supply is provided to Lot 2 and sufficient water is available for fire-fighting in compliance with SNZ PAS 4509:2008.</p> <p>(c) Access, loading and manoeuvring – it is proposed that both lots are accessed from the existing vehicle access off Pukerangi Drive which is sealed, includes a culvert to pass stormwater and intersects the road at approximately a right angle. The applicant would accept Section 220 conditions requiring the consent holder to confirm that the existing access off Pukerangi Drive complies with the requirements of Part 29 of Council’s Roading Policies, January 2015. It is noted that the existing sight distance to the east from the vehicle access off Pukerangi Drive is approximately 115 m which does not comply 12.7.1(ii) which requires a 160 m sight distance for roads with a 100 km/hr operating speed. However, the vehicle access has been located to provide the greatest possible sight distance as per Part 29 of Council’s Roading Policies, and is located at the top of a sweeping bend that is subject to a 65km/hr posted recommended speed.</p> <p>(d) Parking - sufficient space is provided for at least one car park.</p>
Earthworks for access tracks and extractive activity	J	<p>Complies</p> <p>The proposed track will comply with the relevant construction standards that apply under 4.7.6 J. (a).</p> <p>Earthworks to establish the proposed building platform are proposed over an area of approximately 1500 m² and will total approximately 1809 m³.</p>

Non-compliance with standard 4.7.6 A.(a) requires resource consent as a restricted discretionary activity under Rule 4.7.3 (i). Non-compliance with standard 4.7.6 G. requires resource consent as a restricted discretionary activity under Rule 4.7.3 (v).

3.1.3 Proposed subdivision

Pursuant to Rule 4.7.5(iii) of the CODP resource consent for a Non-complying Activity is required for

subdivisions which create allotments with an average area less than 8 hectares. In this instance, the proposal involves establishing allotments with an average area of 4.05 ha. The relevant rule is included below.

4.7.5 NON-COMPLYING ACTIVITIES

(iii) Subdivision

Except as otherwise provided for in Rule 4.7.2(ii)(b) subdivision that creates an allotment or allotments with an average area less than 2 hectares in areas identified as "Rural Residential" ([RR]) on the planning maps, or that creates an allotment or allotments with an average area less than 8 hectares and/or with an area less than 2 hectares in an area in the Rural Resource Area not identified on the planning maps as Rural Residential ([RR]), or an allotment that breaches Rule 4.7.2(ii)(a)(i) as it relates to Rural Resource Area (1) or Rural Resource Area (2) is a noncomplying activity.

3.1.4 Activity status summary

Overall, adopting a bundling approach, the proposal is considered a non-complying activity and requires consideration under s104D of the RMA.

3.2 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

Regarding the application of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS), currently a HAIL activity is not being undertaken on the application site and there is no evidence that a HAIL activity has been undertaken on the application site. The Otago Regional Council's Hazardous Activities, Industries and Bores database does not identify HAIL activities within the application site.

The NESCS applies to land where "it is more likely than not that an activity or industry described in the HAIL is being or has been undertaken on it". It is therefore considered that the NESCS does not apply and accordingly resource consent under the NESCS is not required.

4. ASSESSMENT OF ENVIRONMENTAL EFFECTS

In addition to the application being made in the prescribed forms and manner, Section 88 of the RMA also requires that every application for consent includes an assessment of the effects of the activity on the environment as set out in Schedule 4 of the RMA.

It should be noted that the owners of Lot 4 DP 487254 and Lot 9 DP 328097 have provided their affected party approval for the proposed activities (refer Appendix 4), accordingly effects on these parties must be disregarded.

4.1 Permitted baseline

Section 104(2) of the RMA allows a consent authority to disregard an adverse effect on a receiving environment if a plan permits an activity with that effect. The CODP permits the construction of rural buildings up to 10 m in height¹, amenity planting, earthworks² and clearance of indigenous vegetation³. Noting that the permitted baseline includes the construction of buildings on the application site that would reduce open space, it is considered that effects on open space associated with future buildings on the proposed building platforms can be disregarded. The permitted baseline that applies to indigenous vegetation clearance is discussed further in Section 4.5.

4.2 Effects on rural character and amenity values

The application site is not located within an Outstanding Natural Landscape or Significant Amenity Landscape, however does benefit from a sense of openness and amenity associated with the adjoining low intensity rural uses and mountain landscape.

4.2.1 Rural character

Over the life of the CODP, Queensberry has become characterised by rural lifestyle living and can now be described as a modified rural area with a tendency towards 'rural lifestyle living', which favours smaller lots and less intensive productive uses. The adjoining land lots to the south, north and west and characterised by rural lifestyle living, they are not used for intensive rural land uses. Similar to the application site, the productive rural capacity of both lots to the north and south is restricted by land cover and slope.

Although the proposal includes an increase in the level of residential land use on the application site, the proposed subdivision and building platform have been designed/sited to maintain the character of the application site by retaining productive rural land in Lot 1 and maintaining the rocky outcrops and indigenous vegetation in Lot 2. It is considered that the proposed subdivision and use of Lot 2 for rural lifestyle living accords with the character of the surrounding landscape, accordingly adverse effects on rural character are considered less than minor.

4.2.2 Effects on visual amenity

Earthworks are proposed to create a level building platform and avoid a breach of the skyline from all potential viewing locations. An earthworks plan is attached as Appendix 3. In addition to the design of the building platform, the applicant would accept conditions that align with the CODP permitted activity standards for the finish (materials) of dwellings in the Rural Resource Area and which limit the maximum

¹ 4.7.6. A(f) Height - subject to standards, including the material the buildings and finished in and bulk and location requirements.

² 4.7.6. J(a) and (b) - Up to 2000 m² and 3000 m³ outside of Outstanding Natural Landscapes.

³ 4.7.6. KA I.(a) Up to 0.5 ha.

height of buildings to 6.5 m.

Affected party approval for the proposed activities has been obtained from the owners of 71 Pukerangi Drive (Lot 4 DP 487254) and 174 Queensberry Terrace (Lot 9 DP 328097) (refer Appendix 4), accordingly effects on these persons must be disregarded.

A dwelling on the proposed building platform will be visible from State Highway 6, locations on Lot 1 DP 466676 and properties across the Clutha River/Mata-Au. Views of a future dwelling on the proposed platform from these locations will be at a significant distance and partly screened. When viewed from State Highway 6, views of a dwelling will also be experienced at speed (the posted speed limit is 100 km/hr). State Highway 6 is approximately 290 m from the building platform and properties across the Clutha River/Mata - Au are approximately 800 m away. Included as Figure 4 is a photograph of 6.5 m height poles on the corners of the proposed building platform.



Figure 4: Building platform as viewed from State Highway 6

Noting the building platform is significantly set back from viewing locations, screened, no skyline breach is proposed, and providing the proposed mitigation measures are adopted, it is considered that effects on visual amenity values will be less than minor.

4.3 Effects on the productive value of rural land

Lots 1 and 2 have contrasting levels of productive rural capacity. Lot 1 is predominantly flat and has been used by the applicant in the past to grow lucerne. Lot 2 slopes steeply towards State Highway 6 is covered in large rocky outcrops and established indigenous vegetation (predominantly kanuka trees). Given the difficulties in developing land in Lot 2 for productive rural purposes, its productive rural capacity is considered significantly constrained. The proposed subdivision has been designed to retain the land that can be used to support productive rural land uses in one parcel to retain the overall productive rural capacity of the application site.

It is acknowledged that the above assessment does not align with the NPSHPL, under which land in Lot 2 is classified as highly productive and the bulk of land in Lot 1 is not. The reality of the situation is that the classification of land under the Land Use Classification System does not reflect the ability of the land to be used for productive rural purposes. A detailed assessment of the NPSHPL is included in Section 5.2.1.

It is considered that the productive rural capacity of the application site will be maintained by including the land that can, in practice, be developed for productive rural purposes in Lot 1. Given the productive rural capacity of the Lot 2 is negligible, it is considered that the bulk of the applicant's share of water from the Queensberry Irrigation Limited Water Scheme should be provided to Lot 1. Accordingly, 20,000 L of irrigation water will be provided to Lot 2 to support domestic irrigation needs and 80,000 L of irrigation water will be provided to Lot 1 to support low intensity rural land uses.

4.4 Heritage and archaeological sites

There are no heritage or archaeological sites located on or close to the application site. Adverse effects on heritage and archaeological sites associated with the proposed activities are considered negligible. The applicant would accept a condition of resource consent requiring that earthworks are undertaken in accordance with an accidental discovery protocol.

4.5 Effects on Indigenous Vegetation

Two kanuka trees are proposed to be cleared to establish the building platform. Kanuka is not identified in Schedule 19.6B of the CODP and the proposed clearance of vegetation is well below the area of indigenous vegetation that can be cleared as a permitted activity. The proposed clearance of indigenous vegetation is a permitted activity, accordingly it is considered to have a less than minor effect on the environment.

4.6 Reverse sensitivity effects

Given the adjoining properties are characterised by rural lifestyle living and what productive rural uses do exist in the surrounding environment are generally limited to low intensity grazing, any potential reverse sensitivity effects are considered less than minor. For clarity there are no frost fans, orchards or vineyards

located within 350 m of the application site, the closest appears to be 1 km away at 68 Queensberry Terrace.

It is noted that Rule 4.7.6 E (d) of the CODP requires that “*Where any new activity locates within any part of the Rural Resource Area and that activity includes any noise sensitive activity, the activity or any building associated with the noise sensitive activity shall be sited, oriented and constructed so as to ensure that habitable spaces within the building shall be adequately isolated from any noise source on another site within the class of sources described in sub-clauses (b) – (c) of this rule. Adequate sound isolation shall be achieved by siting and constructing the building to achieve an indoor design sound level of 45 dBA Lmax within any habitable room where the exterior noise source is within the class of sources described in sub-clauses (b) – (c) of this rule. The indoor design level shall be achieved with windows and doors open unless adequate alternative ventilation means is provided, used, and maintained in operating order*”. It is considered appropriate that reference to this rule is included as an advice note should consent be granted.

4.7 Transport effects

It is proposed that Lot 1 will be accessed from the existing vehicle access point off Pukerangi Drive (to prevent impact of an additional user on the unsealed Queensberry Terrace RoW). Access to Lot 2 will be provided from both existing vehicle access points off Pukerangi Drive and Queensberry Terrace via a Right of Way (RoW) along the western and southern boundaries of Lot 1. Providing the RoW for Lot 2 is constructed in accordance with CODC standards, it is considered that transport effects will be less than minor.

4.8 Servicing

4.8.1 Irrigation and domestic water supply

The QIS pipes water to the boundary of proposed Lot 1 where it adjoins Queensberry Terrace. Water will be piped to the boundary of Lot 2 via an easement along the southern boundary of Lot 1.

The QIS provides access to 5,000 litres of domestic water per day and 100,000 litres of irrigation water per day. The Queensberry Irrigation Scheme allows for the division of a quota in the event of a subdivision. It is proposed that each lot received 2500 litres of domestic water per day. It is proposed that Lot 1 and 2 receive 80,000 and 20,000 litres per day of irrigation water respectively. The proposed split of irrigation water recognises the limited productive rural capacity of Lot 2.

4.8.2 Wastewater and stormwater disposal

Ground conditions and the size of the proposed lots allow wastewater and stormwater to be effectively disposed of within the boundaries of each lot. The applicant would accept consent conditions to ensure existing (Lot 1) and proposed (Lot 2) stormwater and wastewater management systems have been/are constructed/installed in accordance with the relevant CODC standards prior to Section 224(c) certification being issued. It is noted that all discharges to land will comply with the relevant Otago Regional Council permitted activity rules.

4.8.3 Telecommunications and electricity

As per the scheme plan attached as Appendix 2, electricity services exist at the end of Queensberry Terrace. An Electricity connection for Lot 2 will be provided in accordance with council and network standards via an easement along the southern boundary of Lot 1.

4.9 Amalgamations and easements

No amalgamation of land parcels is proposed. There are a number of easements registered against the record of title for the application site (Lot 10 DP 328097) which will need to be carried down on to each respective lot or cancelled. Easements to secure water supply, electricity, telecommunications and access are required. It is considered appropriate to include a condition of consent requiring all easements identified at the time of survey to be duly granted or reserved.

4.10 Financial contributions

Appropriate financial contributions are expected to be calculated by CODC.

4.11 Summary of adverse environmental effects

Effects of the activity on the environment will be less than minor.

5. STATUTORY CONSIDERATIONS

Schedule 4 of the RMA requires that an assessment of the activity against the matters set out in Part 2 and any relevant provisions of a document referred to in Section 104 of the RMA is provided when applying for a resource consent for any activity. These matters are assessed as follows.

5.1 Part 2 of the RMA

The proposal is consistent with the purpose and principles of the RMA, as outlined in Section 5; the proposal enables the applicant to provide for their economic and social wellbeing while appropriately avoiding or mitigating adverse environment effects. There are no matters of national importance under Section 6 of the RMA that will be affected by the proposal. The proposal is also consistent with the requirements of Section 7 of the RMA. Regarding Section 8, the proposed activity is not inconsistent with the principles of the Treaty of Waitangi.

Overall, the activity is considered to be consistent with Part 2 of the RMA, given the minor nature of the activities and the proposed mitigation.

5.2 Section 104(1)(b) of the RMA

In accordance with Schedule 4 of the RMA, an assessment of the activity against the relevant provisions of a document referred to in 104(1)(b) of the RMA must be included in an application for resource consent. Documentation in this section are noted as being:

- i. a National Environmental Standard;
- 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.

Under the RMA, district plans need to give effect to higher order policy documents. For an application of this scale, an assessment of the application against the NPSHPL and the CODP is considered appropriate.

5.2.1 National Policy Statement for Highly Productive Land

The NPS-HPL became Operative on 17 October 2022; its purpose is to prevent the inappropriate subdivision, use and development of highly productive land (HPL) for food and fibre production. The NPS-HPL defines HPL as:

...land that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when land is rezoned and therefore ceases to be highly productive land).

The Otago Regional Council has not mapped HPL in the RPS. Accordingly, clause 3.5 (7) applies and is included below for reference.

3.5 (7) Until a regional policy statement containing maps of highly productive land in the region is operative, each relevant territorial authority and consent authority must apply this National Policy Statement as if references to highly productive land were references to land that, at the commencement date:

(a) is

(i) zoned general rural or rural production; and

(ii) LUC 1, 2, or 3 land; but

(b) is not:

(i) identified for future urban development; or

(ii) subject to a Council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.

The subject site is zoned as rural resource area and contains 6 ha of Class 3 soils which are considered HPL,

with the remainder 2 ha being Class 4 soils which are not considered HPL.

The NPSHPL includes the following provisions that apply to the subdivision of HPL:

(1) Territorial authorities must avoid the subdivision of highly productive land unless one of the following applies to the subdivision, and the measures in subclause (2) are applied:

(a) the applicant demonstrates that the proposed lots will retain the overall productive capacity of the subject land over the long term:

(b) the subdivision is on specified Māori land:

(c) the subdivision is for specified infrastructure, or for defence facilities operated by the New Zealand Defence Force to meet its obligations under the Defence Act 1990, and there is a functional or operational need for the subdivision.

(2) Territorial authorities must take measures to ensure that any subdivision of highly productive land:

(a) avoids if possible, or otherwise mitigates, any potential cumulative loss of the availability and productive capacity of highly productive land in their district; and

(b) avoids if possible, or otherwise mitigates, any actual or potential reverse sensitivity effects on surrounding land-based primary production activities.

The NPSHPL requires territorial authorities to avoid the subdivision of highly productive land unless one of three exemptions applies to the subdivision. Exemption 3.8(1)(a) provides for subdivision of HPL where applicant demonstrates that the proposed lots will retain the overall productive capacity of the subject land over the long term. As per the assessment of effects on productive rural value of the land, it is considered that the productive rural capacity of the application site will be maintained by including the land that can, in practice, be developed for productive rural purposes in Lot 1. The land proposed to be included in Lot 2 is significantly constrained in its potential to be developed for primary production by its slope and landcover (rocky outcrops and indigenous vegetation). Subdividing the application site will not reduce its overall productive rural capacity, land in Lot 1 will continue to be cropped and land in Lot 2 will continue to support low intensity grazing.

The NPSHPL requires territorial authorities to avoid the inappropriate use or development of highly productive land that is not land-based primary production unless one of a number of specific situations apply. The proposed building platform is located on HPL, however provision 3.9(2)(g) allows for the use of HPL where it is a small-scale or temporary land-use activity that has no impact on the productive capacity of the land. As per the assessment of effects on productive rural capacity of the application site (refer Section 4.3), land within Lot 2 is significantly constrained in its potential to be developed for primary production. The proposed building platform will result in a very small scale loss of HPL and will have no impact on productive capacity of land within the application site. The potential for Lot 2 to support primary production is limited to low intensity grazing (sheep are grazed to manage weeds and grass growth), the introduction of a building platform will not reduce the capacity of the land to support this activity.

It is considered that the proposed subdivision and use of HPL meets the exemptions provided by 3.8(1)(a) and 3.9(2)(g), and that no cumulative loss of HPL or reverse sensitivity effects on primary production activities will occur as a result of the proposal.

5.2.2 Central Otago District Plan

An assessment of the relevant objectives and policies in the CODP is set out below in Table 3.

Table 3: Assessment of relevant CODP objectives and policies

Section 4: Rural Resource Area	
Objective	
4.3.1 Objective – Needs of the District’s People and Communities To recognise that communities need to provide for their social, economic and cultural wellbeing, and for their health and safety at the same time as ensuring environmental quality is maintained and enhanced.	
4.3.3 Objective – Landscape and Amenity Values To maintain and where practicable enhance rural amenity values created by the open space, landscape, natural character and built environment values of the District’s rural environment, and to maintain the open natural character of the hills and ranges.	
Policy	Assessment
4.4.2 Policy – Landscape and Amenity Values To manage the effects of land use activities and subdivision to ensure that adverse effects on the open space, landscape, natural character and amenity values of the rural environment are avoided, remedied or mitigated through: a. The design and location of structures and works, particularly in respect of the open natural character of hills and ranges, skylines, prominent places and natural features, b. Development which is compatible with the surrounding environment including the amenity values of adjoining properties, c. The ability to adequately dispose of effluent on site, d. Controlling the generation of noise in back country areas, e. The location of tree planting, particularly in respect of landscape values, natural features and ecological values, f. Controlling the spread of wilding trees. g. Encouraging the location and design of buildings to maintain the open natural character of hills and ranges without	a. The proposed building platform has been sited and positioned to mitigate effects on the character of the application site and avoid a breach of the skyline. b. The proposal accords with the use of land for low intensity rural land uses and rural lifestyle living that surrounds the application site and characterises Queensberry. c. The applicant would accept conditions of consent requiring a detailed report be submitted by a suitably qualified professional prior to Section 224(c) being issued to demonstrate that wastewater disposal can be achieved within Lot 1 and 2 in compliance with Clause 5.5 a) of Council's July 2008 Addendum to NZS4404. d. The proposed activities will not give rise to any noise effects that would breach the relevant permitted standard for noise generation or be considered unreasonable. e. No tree planting is proposed. f. The application site is not at risk of wilding trees. g. The applicant has proposed a building platform that restricts where buildings can be located and a variety of design controls to mitigate effects on landscape character and visual amenity values.

<p>compromising the landscape and amenity values of prominent hillsides and terraces.</p>	
<p><u>Policy 4.4.3 – Sustainable Management of Infrastructure</u> To ensure that the development of infrastructure in the rural environment promotes sustainable management by:</p> <ol style="list-style-type: none"> a. Requiring developers to contribute a fair and reasonable proportion of the costs involved, and b. Maintaining and enhancing the safe and efficient operation of the infrastructure network (including roading), while avoiding, remedying or mitigating adverse effects. 	<p>All necessary services and access infrastructure will be provided to the subdivision and will be constructed in accordance with Council standards. All relevant easements will be registered on each record of title.</p>
<p><u>4.4.9 Policy – Effects of Rural Activities</u> To recognise that some rural activities, particularly those of a short duration or seasonal nature, often generate noise and other effects that can disturb neighbours by ensuring that new developments locating near such activities recognise and accept the prevailing environmental characteristics associated with production and other activities found in the Rural Resource Area.</p>	<p>Given the adjoining land uses, the potential for reverse sensitivity effects is considered negligible, no specific controls are proposed.</p>
<p><u>4.4.10 Policy – Rural Subdivision and Development</u> To ensure that the subdivision and use of land in the Rural Resource Area avoids, remedies or mitigates adverse effects on:</p> <ol style="list-style-type: none"> a. The open space, landscape and natural character amenity values of the rural environment in particular the hills and ranges, b. The natural character and values of the District’s wetlands, lakes, rivers and their margins, c. The production and amenity values of neighbouring properties, d. The safety and efficiency of the roading network, e. The loss of soils with special qualities, f. The ecological values of significant indigenous vegetation and significant habitats of indigenous fauna, g. The heritage and cultural values of the 	<ol style="list-style-type: none"> a. As per the assessment of Policy 4.4.2 (a) and (b). b. The proposal does not affect the natural character of any wetlands, lakes, rivers and their margins. c. The proposal will not affect the production values of neighbouring properties and any effect on amenity values will be less than minor. It is noted that the owners of Lot 4 DP 487254 and Lot 9 DP 328097 have provided their affected party approval for the proposed activities. d. Existing vehicle access points will be used to access the proposed lots. Just one additional residential land use is proposed. e. As per the assessment of effects on productive rural capacity in Section 4.3 and the assessment of the NPSHPL in Section 5.2.1. f. Proposed indigenous vegetation clearance is a permitted activity. g. The application site does not hold any particular heritage or cultural value that warrants protection beyond what would ordinarily be afforded to the site. It is noted that the earthworks associated with

<p>District,</p> <p>h. The water quality of the District's surface and groundwater resources, and</p> <p>i. Public access to or along the rivers and lakes of the District, particularly through the use of minimum (and average) allotment sizes.</p>	<p>installing services can be undertaken as a permitted activity.</p> <p>h. As per my assessment of Policy 4.2.2(c) appropriate wastewater management infrastructure will be installed.</p> <p>i. The proposal does not affect public access to land.</p>
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Section 16: Subdivision

Objective

16.3.1 Objective - Adverse Effects on the Rooding Network

To ensure that subdivision avoids, remedies or mitigates adverse effects on the safe and efficient operation of the District's rooding 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.

16.3.3 Objective - Hazards

To ensure that subdivision does not facilitate development that may potentially be at risk from hazards.

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.

16.3.9 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:

- (a) The stability of land.
- (b) Water quality within natural watercourses and the stability of their margins.
- (c) Neighbouring properties in respect of the effects of noise, dust and vibration

16.3.11 Objective - Effluent Disposal

To ensure that subdivision in areas without reticulated foul sewage services does not facilitate development that has an adverse effect on soil, surface and groundwater resources, and public health.

Policy

Assessment

16.4.1 Policy - Adequate Access

To require that all subdivisions have legal and physical access that:

- (a) Is of a standard that is adequate for the intended use of allotments having regard to

The applicant would accept conditions that require the vehicle access points to the proposed lots to be constructed to CODC's design standards.

<p>current and likely future traffic levels and the safe and convenient movement of vehicles and pedestrians, and</p> <p>(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.</p>	
<p><u>16.4.3 Policy - Adequate Infrastructure</u></p> <p>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.</p>	<p>All necessary services and access infrastructure will be provided to the subdivision and will be constructed in accordance with Council standards. All relevant easements will be registered on each record of title.</p>
<p><u>16.4.4 Policy – Unreticulated Areas</u></p> <p>To require that subdivisions within unreticulated areas are designed to ensure that each allotment:</p> <p>(a) Has the ability to adequately dispose of effluent and stormwater on site without compromising health, the life-supporting capacity of soil resources, the quality of ground and surface water resources, and the drainage and amenity values of adjoining properties: and that,</p> <p>(b) An adequate supply of water can be provided, where this is appropriate to the intended use of the allotment.</p>	<p>The applicant will accept conditions that ensure wastewater and stormwater disposal systems are constructed to CODC’s design standards.</p>
<p><u>16.4.6 Policy – Construction Standards</u></p> <p>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.</p>	
<p><u>16.4.7 Policy - Subdivision Design</u></p> <p>To require that the design of subdivision, where relevant to the intended use, provides for the following matters:</p> <p>(a) Facilitates convenient, safe and efficient access to all allotments including pedestrian access where appropriate.</p>	<p>(a) Vehicle access points will be constructed to CODC’s design standards.</p> <p>(b) Lots will be appropriately serviced.</p> <p>(c) Not applicable.</p> <p>(d) Not applicable.</p> <p>(e) Not applicable.</p> <p>(f) Not applicable.</p>

<p>(b) Facilitates the safe and efficient provision and operation of services and infrastructure.</p> <p>(c) Facilitates access to passive solar energy resources.</p> <p>(d) Facilitates any foreseeable subsequent development or redevelopment including the economic provision of roading and network utility services.</p> <p>(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.</p> <p>(f) Facilitates an appropriate level of access to heritage sites, natural features and water bodies where appropriate.</p> <p>(g) Facilitates development which keeps earthworks to a minimum.</p> <p>(h) Facilitates retention of the heritage values of a site or area</p>	<p>(g) Proposed earthworks are limited to the installation of services and access.</p> <p>(h) Not applicable.</p>
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5.3 Sections 104D of the RMA

The proposal is for a non-complying activity, accordingly Section 104D(1) of the RMA applies and requires the proposed activity to pass through the gateway test. Section 104D(1) states the following:

- (1) *Despite any decision made for the purpose of section 95A(2)(a) in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either—*
- (a) *the adverse effects of the activity on the environment (other than any effect to which Section 104(3)(a)(ii) applies) will be minor; or*
 - (b) *the application is for an activity that will not be contrary to the objectives and policies of—*
 - i. *the relevant plan, if there is a plan but no proposed plan in respect of the activity; or*
 - ii. *the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or*
 - iii. *both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.*

The assessment of the proposal undertaken in Section 4 of this report concludes that the adverse effects of the activity on the environment will be less than minor. As such, it is considered that the proposal satisfies the first gateway test under Section 104D(1)(a) of the RMA.

In addition, it is concluded that the proposal is not contrary to the relevant objectives and policies of the CODP.

Accordingly, the proposal meets the second the gateway test under Section 104D(1)(b).

6. NOTIFICATION ASSESSMENT

6.1 Public Notification

Section 95A of the RMA sets out the steps which must be followed by a consent authority when determining whether to publicly notify applications for resource consent. The proposed development is assessed against the Section 95A steps below in Table 3.

Table 4: Assessment of proposed activities against Section 95A of the RMA

<p>Step 1</p>	<p>Mandatory public notification in certain circumstances.</p> <p>An application must be publicly notified if any of the following criteria are met:</p> <ul style="list-style-type: none"> ▪ the applicant has requested public notification; or ▪ public notification is required under section 95C; or ▪ the application is made jointly with an application to exchange recreation reserve land. 	<p>The applicant does not request public notification and public notification is not required under s95C.</p>
<p>Step 2</p>	<p>If notification is not required by step 1, public notification is precluded in certain circumstances.</p> <p>An application cannot be publicly notified if either of the following criteria are met:</p> <ul style="list-style-type: none"> ▪ the application is for one or more activities and each activity is subject to a rule or NES that precludes notification; or ▪ the application is for a resource consent for 1 or more of the following but no other activities: <ul style="list-style-type: none"> – a controlled activity – a restricted-discretionary, discretionary or non-complying activity but only if the activity is a boundary activity. 	<p>Public notification is not precluded by a rule or NES.</p> <p>The proposed activities are beyond the scope of a boundary activity.</p>
<p>Step 3</p>	<p>If not precluded by step 2, public notification is required in certain circumstances.</p> <p>Public notification is required if:</p> <ul style="list-style-type: none"> ▪ the application is for a resource consent for 1 of more activities, and any of those activities is subject to a rule or NES which requires public notification; or 	<p>Public notification is not required by a rule or NES.</p> <p>As per the assessment of effects detailed in Section 4, the proposed activities will have a</p>

	<ul style="list-style-type: none"> the consent authority decides, in accordance with s95D, that the activity will have, or is likely to have, adverse effects on the environment that are more than minor. 	less than minor effect on the environment.
Step 4	<p>Public notification in special circumstances</p> <p>If notification is precluded under step 2, or isn't required under step 3, consideration must be given to whether special circumstances exist that warrant public notification of the application. If no such circumstances exist, the application must not be publicly notified but the consent authority must determine whether to give limited notification of the application under Section 95B.</p>	Special circumstances are those that are unusual or exceptional, but they may be less than extraordinary or unique. No such circumstances exist in relation to this proposal, therefore public notification of the application is precluded.

6.2 Limited Notification

Where a consent authority determines that public notification is not required by Section 95A, it must then follow the relevant steps to determine if limited notification is required under Section 95B. The proposed development is assessed against the Section 95B steps below in Table 4.

Table 5: Assessment of proposed activities against Section 95B of the RMA

Step 1	<p>If the consent authority determines that certain people or groups are affected, these persons/groups must be given limited notification:</p> <ul style="list-style-type: none"> affected protected customary rights groups affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity) an affected person under section 95E to whom a statutory acknowledgement is made (if the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement). 	<p>No protected customary rights groups are affected by the proposed activities.</p> <p>The application site is not adjacent to and does not affect a statutory acknowledgement area.</p>
Step 2	<p>If not required by step 1, limited notification is precluded in certain circumstances.</p> <p>An application cannot be limited notified if either of the following criteria are met:</p> <ul style="list-style-type: none"> the application is for a resource consent for 1 or more activities, and each activity is subject to a 	<p>Limited notification is not precluded by a rule or NES.</p> <p>Resource consent is required for a non-complying activity.</p>

	<p>rule or national environmental standard that precludes limited notification; or</p> <ul style="list-style-type: none"> the application is for a controlled activity (but no other activities) that requires a resource consent under a district plan (other than a subdivision of land). 	
Step 3	<p>If not precluded by step 2, certain other affected persons must be notified.</p> <ul style="list-style-type: none"> In the case of a boundary activity, an owner of an allotment with an infringed boundary; and In the case of any other activity, determine whether a person is an affected person in accordance with Section 95E. 	<p>The proposed activities are beyond the scope of a boundary activity.</p> <p>As per the assessment of effects detailed in Section 4, no persons are considered to be affected in a minor or more than minor way.</p>
Step 4	<p>Further notification in special circumstances.</p> <p>If the consent authority determines special circumstances exist that warrant limited notification of the application to any other persons not already determined to be eligible for limited notification (excluding persons assessed under section 95E as not being affected persons), the council must give limited notification to those persons.</p>	<p>As per the assessment of step 4 in Table 4, there are no special circumstances that would warrant notification of the proposed activities.</p>

6.3 Summary of notification assessment

The assessment of the proposed activities against Section 95A and 95B of the RMA suggests that the application can be processed without notification.

7. CONSULTATION

Clause 6(1)(f) of Schedule 4 of the RMA requires the identification of, and any consultation undertaken with, persons affected by the activity. The applicant consulted with the owners Lot 4 DP 487254 and Lot 9 DP 328097 and obtained their affected party approval for the proposed activities (refer Appendix 4).

8. CONSENT DURATION, REVIEW AND LAPSE

A 5-year lapse period is considered appropriate to apply to the subdivision and land use consents as sought by the applicant. This is a standard lapse period as outlined in Section 125(1)(a) of the RMA. Council may review any consent in accordance with Sections 128 and 129 of the RMA.

9. CONCLUSION

A decision to grant the resource consent application(s) under Section 104B is recommended on the basis that:

- a) the adverse effects on the environment are very likely to be low (less than minor);
- b) The proposal is consistent with the requirements of the RMA, relevant CODP objectives and policies and other relevant matters.

Granting the resource consent application(s) will be consistent with the purpose of the RMA for the reasons explained within this report.

Appendix 1: Record of title



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R.W. Muir
Registrar-General
of Land

Identifier 114451
Land Registration District Otago
Date Issued 02 August 2004

Prior References
10462

Estate Fee Simple
Area 8.0580 hectares more or less
Legal Description Lot 10 Deposited Plan 328097

Registered Owners

James Dudley Dale, Sarah Jane Clemet Taylor and Taylor Dale Trustees Limited

Interests

Subject to Part IV A Conservation Act 1987

Subject to Section 11 Crown Minerals Act 1991

5418253.2 Encumbrance to Contact Energy Limited - 29.11.2002 at 9:00 am

6099456.4 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 2.8.2004 at 9:00 am

Subject to a right of way over part marked E on DP 414146 created by Easement Instrument 8241279.5 - 17.8.2009 at 10:13 am

Appurtenant hereto is a right of way created by Easement Instrument 8241279.5 - 17.8.2009 at 10:13 am

The easements created by Easement Instrument 8241279.5 are subject to Section 243 (a) Resource Management Act 1991

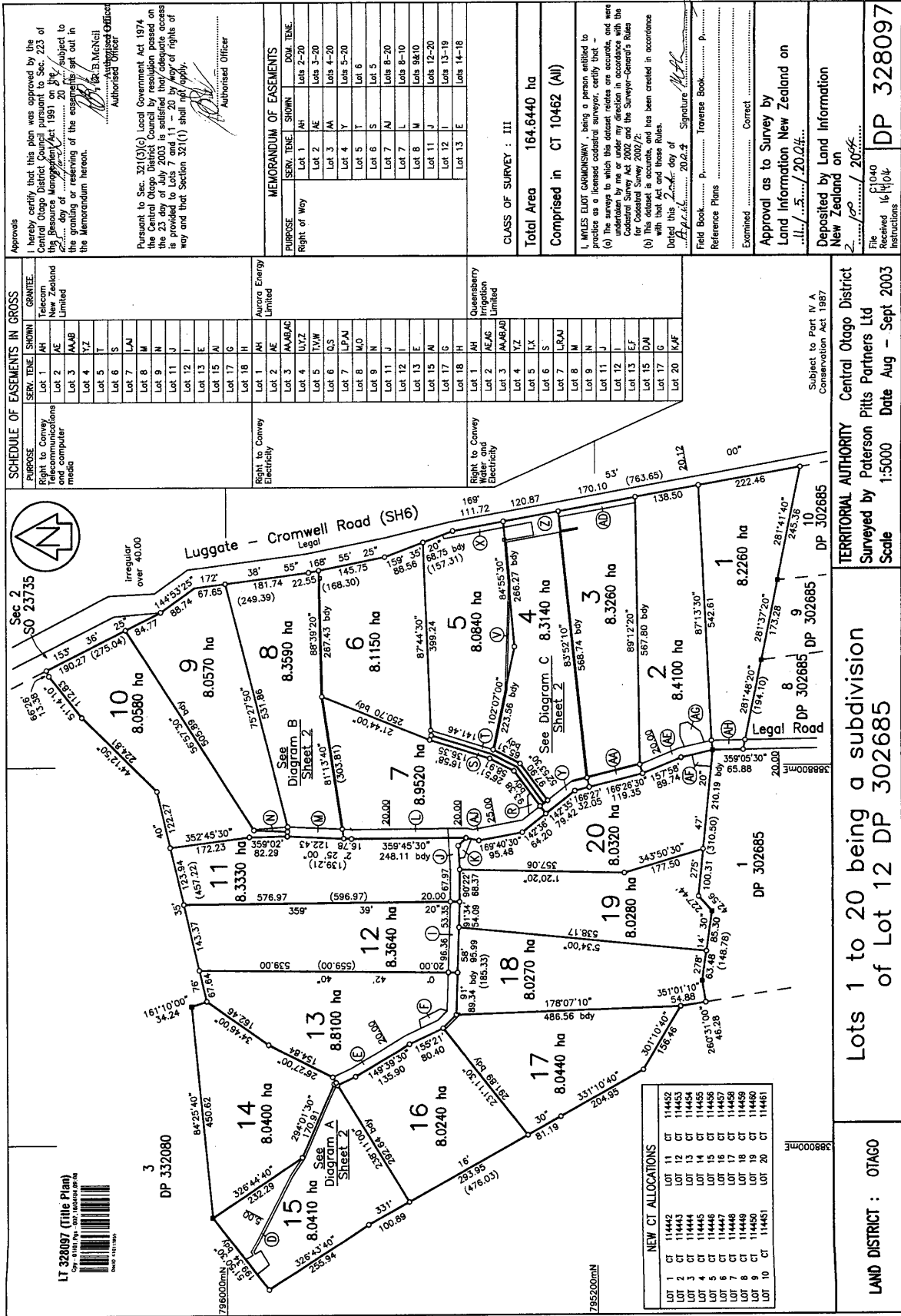
Land Covenant in Easement Instrument 7958954.2 - 4.3.2010 at 1:14 pm

Appurtenant hereto is a right of way created by Easement Instrument 8434231.3 - 12.3.2010 at 11:47 am

The easements created by Easement Instrument 8434231.3 are subject to Section 243 (a) Resource Management Act 1991

Appurtenant hereto is a right of way created by Easement Instrument 8434231.4 - 12.3.2010 at 11:47 am

12144280.2 Mortgage to ASB Bank Limited - 2.7.2021 at 12:50 pm



Sheet 1 of 2

LAND DISTRICT : OTAGO

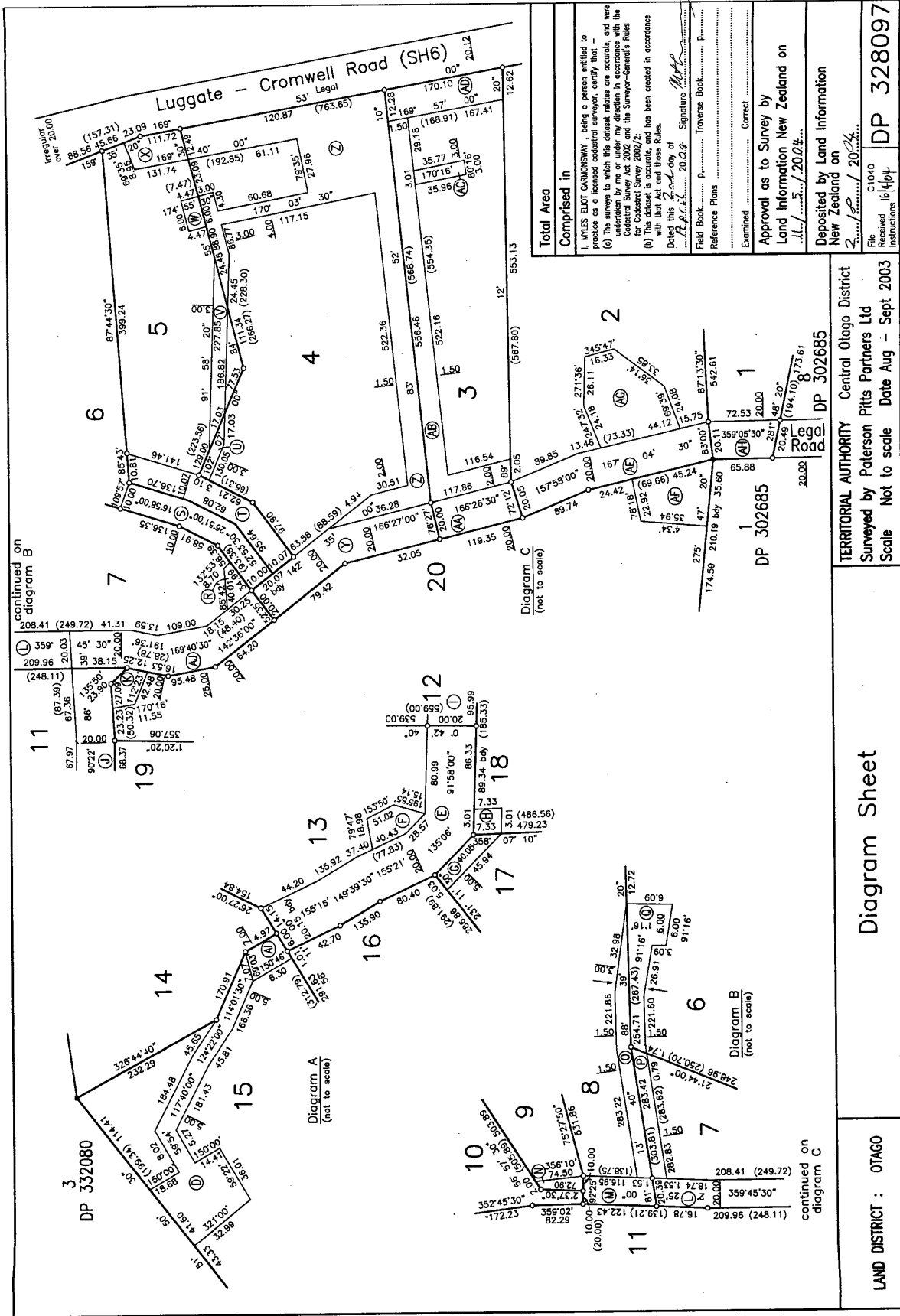
Lots 1 to 20 being a subdivision of Lot 12 DP 302685

TERRITORIAL AUTHORITY Central Otago District
 Surveyed by Paterson Pitts Partners Ltd
 Scale 1:5000 Date Aug - Sept 2003

Subject to Part IV A Conservation Act 1987

File Received 16/08/03
 DP 328097

A. J. BROWN, SURVEYOR GENERAL, LAND INFORMATION NEW ZEALAND



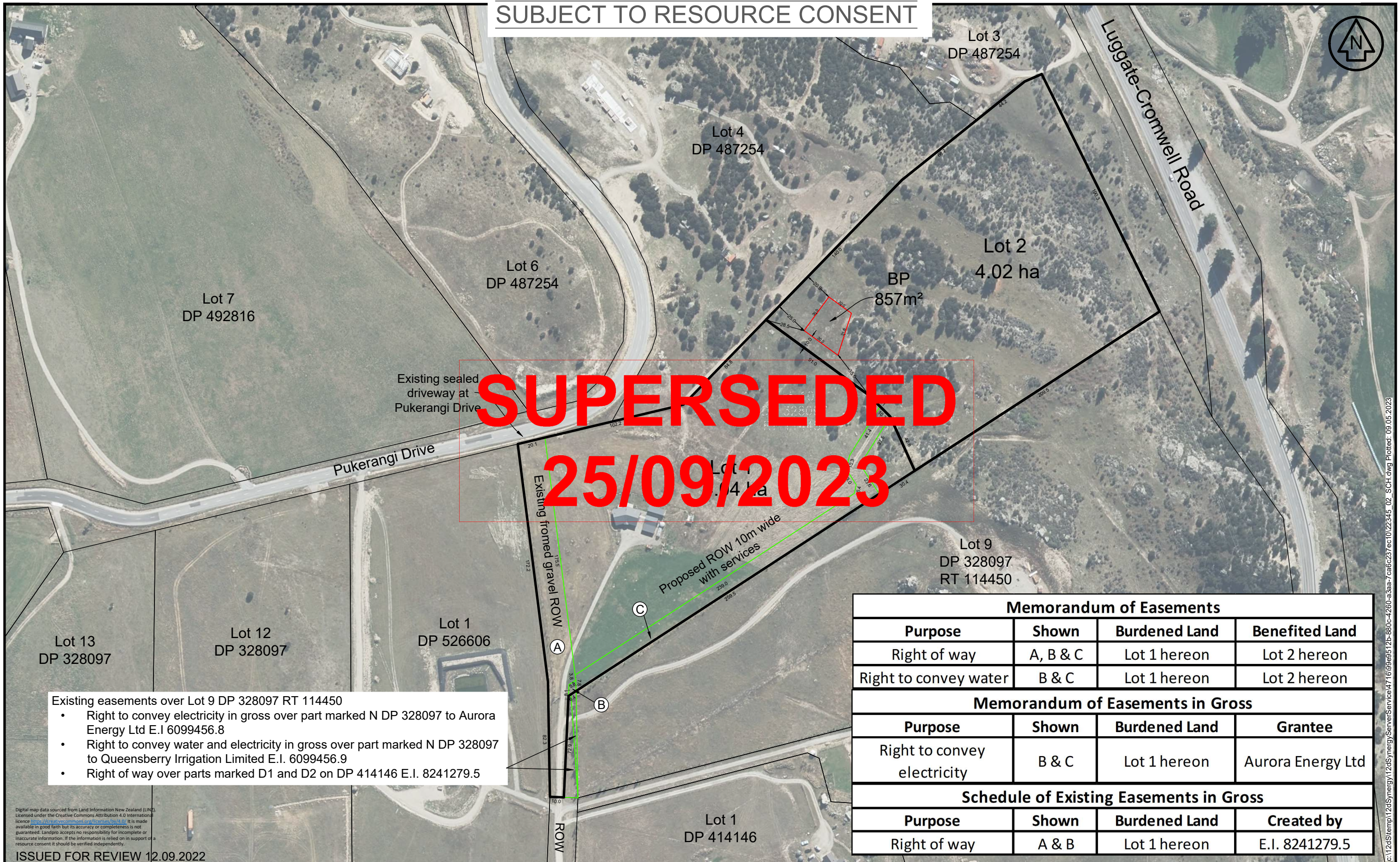
Total Area Comprised in	1, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20
Approval as to Survey by Land Information New Zealand on	11/11/2003
Deposited by Land Information New Zealand on	20/08/2003
File Received Instructions	C1040 DP 328097

TERRITORIAL AUTHORITY Central Otago District
 Surveyed by Paterson Pitts Partners Ltd
 Scale Not to scale Date Aug - Sept 2003

LAND DISTRICT : OTAGO
 Diagram Sheet
 A. J. BOAL SURVEYOR GENERAL, LAND INFORMATION NEW ZEALAND

Appendix 2: Scheme Plan

SUBJECT TO RESOURCE CONSENT



SUPERSEDED
25/09/2023

- Existing easements over Lot 9 DP 328097 RT 114450
- Right to convey electricity in gross over part marked N DP 328097 to Aurora Energy Ltd E.I. 6099456.8
 - Right to convey water and electricity in gross over part marked N DP 328097 to Queensberry Irrigation Limited E.I. 6099456.9
 - Right of way over parts marked D1 and D2 on DP 414146 E.I. 8241279.5

Memorandum of Easements			
Purpose	Shown	Burdened Land	Benefited Land
Right of way	A, B & C	Lot 1 hereon	Lot 2 hereon
Right to convey water	B & C	Lot 1 hereon	Lot 2 hereon

Memorandum of Easements in Gross			
Purpose	Shown	Burdened Land	Grantee
Right to convey electricity	B & C	Lot 1 hereon	Aurora Energy Ltd

Schedule of Existing Easements in Gross			
Purpose	Shown	Burdened Land	Created by
Right of way	A & B	Lot 1 hereon	E.I. 8241279.5

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ISSUED FOR REVIEW 12.09.2022

Client
Sarah Taylor & James Dale

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

**PROPOSED SUBDIVISION
OF LOT 10 DP 328097
176 QUEENSBERRY TERRACE, QUEENSBERRY**

Rev.	Date	Revision Details	By	Surveyed	Signed	Date	Job No.	Drawing No.
A	11.08.22	Lot 2 legin, building platform & easements	SAR	SAR		11.07.22	22345	01
B	12.09.22	Lot 2 legin moved, building platform moved	SAR					
C	22.09.22	Easement Schedule updated	SLB	Drawn	Signed	Date	Scale	
D	08.05.23	Lot sizes, building platform & easements	KO	SAR		20.07.22	1:2500 @ A3	
				Designed	Signed	Date	Datum & Level	Rev.
							LPC 2000 & MSL	D



OFFICES IN CROMWELL, GORE, AND NEW PLYMOUTH - www.landpro.co.nz

c:\12d\stemp\12d\Synergy\ServerService\4716\99e9512b-880c-4260-a8aa-7ca6c237ec10\22345_02_SCH.dwg Plotted: 09.05.2023

Appendix 3: Earthworks Plans



LOT 2
4.02 ha

Height pole 8.17m above ground level
for RL 288.7m building pad level

Current location of lower height pole onsite,
surveyed by Regan on 04/04/23

Height pole 3.30m above ground level
for RL 288.7m building pad level

Height pole 8.11m above ground level
for RL 288.7m building pad level

RL 288.7m building pad level,
6m high pole level RL 294.7m

LOT 1
4.04 ha

Height pole 3.83m above ground level
for RL 288.7m building pad level

22345 Proposed Lot 2 Building Pad Level RL 288.7m
with height poles above ground level

12d Model
Scale 1:500
Wed May 10 15:49:16 2023

Appendix 4: Affected Party Approvals

Affected Persons Approval



To: The Manager, Planning and Environment
Central Otago District Council
PO Box 122
Alexandra 9340

TO BE COMPLETED BY THE PERSON(S) REQUESTING APPROVAL

Applicant(s): Sarah Taylor and James Dale

Type of resource consent: Subdivision and land use

Proposed activity: Two lot subdivision of Lot 10 DP 328097, building platform on proposed lot 2, earthworks to construct a building platform and install services.

Location of site: 176 Queensberry Terrace, Queensberry

I have sighted all the attached plans and supporting information for the above activity.

I hereby give unconditional approval for the application to be processed without public notification.

I understand that, by giving approval, the Council will not take into account any effects that the proposed activity may have on me, when considering whether this application should be notified (Section 95E of the Resource Management Act 1991) and whether the application should be granted (Section 104(3) of the Resource Management Act 1991).

TO BE COMPLETED BY THE PERSON(S) GIVING THEIR APPROVAL

Name: Mark Williams

Organisation: _____

Address: 71 Pakurangi Drive

[Signature]
Signature

27.6.23
Date

Name: _____

Organisation: _____

Address: _____

Signature

Date

Checklist:

Signature of all legal owners

Site and/or subdivision plan with all required signatures

Elevations with all required signatures (if applicable)

Affected Persons Approval

To: The Manager, Planning and Environment
Central Otago District Council
PO Box 122
Alexandra 9340

TO BE COMPLETED BY THE PERSON(S) REQUESTING APPROVAL

Applicant(s): Sarah Taylor and James Dale
 Type of resource consent: Subdivision and land use
 Proposed activity: Two lot subdivision of Lot 10 DP 328097, building platform on proposed lot 2, earthworks to construct a building platform and install services.
 Location of site: 176 Queensberry Terrace, Queensberry

I have sighted all the attached plans and supporting information for the above activity.

I hereby give unconditional approval for the application to be processed without public notification.

I understand that, by giving approval, the Council will not take into account any effects that the proposed activity may have on me, when considering whether this application should be notified (Section 95E of the Resource Management Act 1991) and whether the application should be granted (Section 104(3) of the Resource Management Act 1991).

TO BE COMPLETED BY THE PERSON(S) GIVING THEIR APPROVAL

Name: Danielle Pullar
 Organisation: _____
 Address: 174 QUEENSBERRY TCE, QUEENSBERRY 1
 Signature: [Signature] Date: 30/5/23

Name: Shanan Pullar
 Organisation: _____
 Address: 174 Queensberry Terrace
 Signature: [Signature] Date: 30/5/23

Checklist:

- Signature of all legal owners Site and/or subdivision plan with all required signatures Elevations with all required signatures (if applicable)