

APPLICATION AS NOTIFIED

**Greg Link Stingray City Limited
(RM230153)**

QUEENSTOWN LAKES DISTRICT COUNCIL

SERVICE OF NOTICE / LIMITED NOTIFICATION

Service of Notice for Limited Notification of a Resource Consent application under Section 95B of the Resource Management Act 1991.

The Queenstown Lakes District Council has received an application for a resource consent from:

Greg Link Stingray City Limited

What is proposed:

Application under Section 88 of the Resource Management Act 1991 (RMA) to undertake residential visitor accommodation from an existing residential unit for up to 180 nights per year, for up to six (6) guests at a time.

The location in respect of which this application relates is situated at:

The subject site is situated at 9D York Street, Queenstown (Unit A and Accessory Unit A1, A2 and A3 Deposited Plan 27490 held in Record of Title OT18C/1211)

A full copy of this Limited Notified package is available for you to download on the following link:

<https://www.qldc.govt.nz/services/resource-consents/notified-resource-consents#limited-not-rc> or via our edocs website using RM230153 as the reference <https://edocs.qldc.govt.nz/Account/Login>

This file can also be viewed at our public computers at these Council offices:

- **74 Shotover Street, Queenstown;**
- **Gorge Road, Queenstown;**
- **and 47 Ardmore Street, Wanaka during normal office hours (8.30am to 5.00pm).**

The Council planner processing this application on behalf of the Council is Lisa Bos, who may be contacted by phone at 03 441 3699 or e-mail at lisa.bos@qldc.govt.nz

Any person who is notified of this application, but a person who is a trade competitor of the applicant may do so only if that person is directly affected by an effect of the activity to which the application relates that –

- a) adversely affects the environment; and
- b) does not relate to trade competition or the effects of trade competition.

If you wish to make a submission on this application, you may do so by sending a written submission to the consent authority no later than:

Wednesday 24th April 2024

The submission must be dated, signed by you and must include the following information:

- a) Your name and postal address and phone number/fax number.
- b) Details of the application in respect of which you are making the submission including location.
- c) Whether you support or oppose the application.
- d) Your submission, with reasons.
- e) The decision you wish the consent authority to make.
- f) Whether you wish to be heard in support of your submission.

You may make a submission by sending a written or electronic submission to Council (details below). The submission should be in the format of Form 13. Copies of this form are available Council website:

https://www.qldc.govt.nz/services/resource-consents/application-forms-and-fees#other_forms

You must serve a copy of your submission to the applicant as soon as reasonably practicable after serving your submission to Council:

C/- Hayden Bewley
Hayden.Bewley@jea.co.nz
John Edmonds & Associates
PO Box 95, Queenstown

QUEENSTOWN LAKES DISTRICT COUNCIL



(signed by Neil Harkin pursuant to a delegation given under Section 34A of the Resource Management Act 1991)

Date of Notification: Friday 22 March 2024

Address for Service for Consent Authority:

**Queenstown Lakes District Council
Private Bag 50072, Queenstown 9348
Gorge Road, Queenstown 9300**

**Phone
Email
Website**

**03 441 0499
rcsubmission@qldc.govt.nz
www.qldc.govt.nz**

TechnologyOne ECM Document Summary

Printed On 20-Mar-2024

Class	Description	Doc Set Id / Note Id	Version	Date
PUB_ACC	Form 9	7550080	1	13-Mar-2023
PUB_ACC	Assessment of Environmental Effects (AEE)	7550081	1	13-Mar-2023
PUB_ACC	Appendix A - Record of Title	7550084	1	13-Mar-2023
PUB_ACC	Appendix B - Plans - Supplied 17.3.23	7562019	1	23-Mar-2023
PUB_ACC	Appendix C - RVA Management Plan	7550082	1	13-Mar-2023
PUB_ACC	APA- 9C York Street	7942248	1	04-Mar-2024



APPLICATION FOR RESOURCE CONSENT OR
FAST TRACK RESOURCE CONSENT

FORM 9: GENERAL APPLICATION



Under Section 87AAC, 88 & 145 of the Resource Management Act 1991 (Form 9)

PLEASE COMPLETE ALL MANDATORY FIELDS* OF THIS FORM.

This form provides contact information and details of your application. If your form does not provide the required information it will be returned to you to complete. Until we receive a completed form and payment of the initial fee, your application may not be accepted for processing.



APPLICANT //

- Must be a person or legal entity (limited liability company or trust).
- Full names of all trustees required.
- The applicant name(s) will be the consent holder(s) responsible for the consent and any associated costs.

*Applicant's Full Name / Company / Trust:

(Name Decision is to be issued in)

All trustee names (if applicable):

*Contact name for company or trust:

*Postal Address:

*Post code:

*Contact details supplied must be for the applicant and not for an agent acting on their behalf and must include a valid postal address

*Email Address:

*Phone Numbers: Day

Mobile:

*The Applicant is:

Owner

Prospective Purchaser (of the site to which the application relates)

Occupier

Lessee

Other - Please Specify:



Our preferred methods of corresponding with you are by email and phone.

The decision will be sent to the Correspondence Details by email unless requested otherwise.



CORRESPONDENCE DETAILS // If you are acting on behalf of the applicant e.g. agent, consultant or architect please fill in your details in this section.

*Name & Company:

*Phone Numbers: Day

Mobile:

*Email Address:

*Postal Address:

*Postcode:



INVOICING DETAILS //

Invoices will be made out to the applicant but can be sent to another party if paying on the applicant's behalf. For more information regarding payment please refer to the Fees Information section of this form.

*Please select a preference for who should receive any invoices and how they would like to receive them.

Applicant:

Agent:

Other - Please specify:

Email:

Post:

*Attention:

*Postal Address:

*Post code:

*Please provide an email AND full postal address.

*Email:



OWNER DETAILS // Please supply owner details for the subject site/property if not already indicated above

Owner Name:

Owner Address:

If the property has recently changed ownership please indicate on what date (approximately) AND the names of the previous owners:

Date:

Names:



DEVELOPMENT CONTRIBUTIONS INVOICING DETAILS //

If it is assessed that your consent requires development contributions any invoices and correspondence relating to these will be sent via email. Invoices will be sent to the email address provided above unless an alternative address is provided below. Invoices will be made out to the applicant/owner but can be sent to another party if paying on the applicant's behalf.

*Please select a preference for who should receive any invoices.

Details are the same as for invoicing

Applicant:

Landowner:

Other, please specify:

*Attention:

*Email:

[Click here for further information and our estimate request form](#)



DETAILS OF SITE // Legal description field must list legal descriptions for all sites pertaining to the application. Any fields stating 'refer AEE' will result in return of the form to be fully completed.

*Address / Location to which this application relates:

*Legal Description: Can be found on the Computer Freehold Register or Rates Notice – e.g Lot x DPxxx (or valuation number)

District Plan Zone(s):



SITE VISIT REQUIREMENTS // Should a Council officer need to undertake a site visit please answer the questions below

Is there a gate or security system restricting access by council? YES NO

Is there a dog on the property? YES NO

Are there any other hazards or entry restrictions that council staff need to be aware of? YES NO

If 'yes' please provide information below



PRE-APPLICATION MEETING OR URBAN DESIGN PANEL

Have you had a pre-application meeting with QLDC or attended the urban design panel regarding this proposal?

Yes

No

Copy of minutes attached

If 'yes', provide the reference number and/or name of staff member involved:



CONSENT(S) APPLIED FOR // * Identify all consents sought // ALSO FILL IN OTHER CONSENTS SECTION BELOW

Land use consent

Subdivision consent

Change/cancellation of consent or consent notice conditions

Certificate of compliance

Extension of lapse period of consent (time extension) s125

Existing use certificate

Land use consent includes Earthworks



QUALIFIED FAST-TRACK APPLICATION UNDER SECTION 87AAC

Controlled Activity

Deemed Permitted Boundary Activity

If your consent qualifies as a fast-track application under section 87AAC, tick here to opt out of the fast track process



BRIEF DESCRIPTION OF THE PROPOSAL //

* Please complete this section, any form stating 'refer AEE' will be returned to be completed with a description of the proposal

*Consent is sought to:



APPLICATION NOTIFICATION

Are you requesting public notification for the application?

Yes

No

Please note there is an additional fee payable for notification. Please refer to Fees schedule



OTHER CONSENTS

Is consent required under a National Environmental Standard (NES)?

- NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2012

An applicant is required to address the NES in regard to past use of the land which could contaminate soil to a level that poses a risk to human health. Information regarding the NES is available on the website

<https://environment.govt.nz/publications/national-environmental-standard-for-assessing-and-managing-contaminants-in-soil-to-protect-human-health-information-for-landowners-and-developers/>

You can address the NES in your application AEE OR by selecting ONE of the following:

This application does not involve subdivision (excluding production land), change of use or removal of (part of) a fuel storage system. Any earthworks will meet section 8(3) of the NES (including volume not exceeding 25m³ per 500m²). Therefore the NES does not apply.

I have undertaken a comprehensive review of District and Regional Council records and I have found no record suggesting an activity on the HAIL has taken place on the piece of land which is subject to this application.

NOTE: depending on the scale and nature of your proposal you may be required to provide details of the records reviewed and the details found.



OTHER CONSENTS // CONTINUED

I have included a Preliminary Site Investigation undertaken by a suitably qualified person.

An activity listed on the HAIL has more likely than not taken place on the piece of land which is subject to this application. I have addressed the NES requirements in the Assessment of Environmental Effects.

Any other National Environmental Standard

Yes

N/A

Do you need any consent(s) from Otago Regional Council?

Yes

N/A

If Yes have you applied for it?

Yes

No

If Yes supply ORC Consent Reference(s)

If ORC Earthworks Consent is required would you like a joint site visit ?

Yes

No



INFORMATION REQUIRED TO BE SUBMITTED //

Attach to this form any information required (see below & appendices 1-2).

To be accepted for processing, your application should include the following:

Computer Freehold Register for the property (no more than 3 months old) and copies of any consent notices and covenants (Can be obtained from Land Information NZ at <https://www.linz.govt.nz>).

A plan or map showing the locality of the site, topographical features, buildings etc.

A site plan at a convenient scale.

Written approval of every person who may be adversely affected by the granting of consent (s95E).

An Assessment of Effects (AEE).

An AEE is a written document outlining how the potential effects of the activity have been considered along with any other relevant matters, for example if a consent notice is proposed to be changed. Address the relevant provisions of the District Plan and affected parties including who has or has not provided written approval. See [Appendix 1](#) for more detail.



We prefer to receive applications electronically – please see Appendix 5 – [Naming of Documents Guide](#) for how documents should be named. Please ensure documents are scanned at a minimum resolution of 300 dpi. Each document should be no greater than 10mb



PRIVACY INFORMATION

The information you have provided on this form is required so that your application can be processed under the Resource Management Act 1991 and may also be used in statistics collected and provided to the Ministry for the Environment and Queenstown Lakes District Council. The information will be stored on a public register and may be made available to the public on request or on the company's or the Council's websites.



FEES INFORMATION

Section 36 of the Resource Management Act 1991 deals with administrative charges and allows a local authority to levy charges that relate to, but are not limited to, carrying out its functions in relation to receiving, processing and granting of resource consents (including certificates of compliance and existing use certificates).

Invoiced sums are payable by the 20th of the month after the work was undertaken. If unpaid, the processing of an application, provision of a service, or performance of a function will be suspended until the sum is paid. You may also be required to make an additional payment, or bring the account up to date, prior to milestones such as notification, setting a hearing date or releasing the decision. In particular, all charges related to processing of a resource consent application are payable prior to issuing of the decision. Payment is due on the 20th of the month or prior to the issue date – whichever is earlier.



FEES INFORMATION // CONTINUED

If your application is notified or requires a hearing you will be requested to pay a notification deposit and/or a hearing deposit. An applicant may not offset any invoiced processing charges against such payments.

Section 357B of the Resource Management Act provides a right of objection in respect of additional charges. An objection must be in writing and must be lodged within 15 working days of notification of the decision.

LIABILITY FOR PAYMENT – Please note that by signing and lodging this application form you are acknowledging that the details in the invoicing section are responsible for payment of invoices and in addition will be liable to pay all costs and expenses of debt recovery and/or legal costs incurred by QLDC related to the enforcement of any debt.

MONITORING FEES – Please also note that if this application is approved you will be required to meet the costs of monitoring any conditions applying to the consent, pursuant to Section 35 of the Resource Management Act 1991.

DEVELOPMENT CONTRIBUTIONS – Your development, if granted, may also incur development contributions under the Local Government Act 2002. You will be liable for payment of any such contributions.

A list of Consent Charges is available on the on the Resource Consent Application Forms section of the QLDC website. If you are unsure of the amount to pay, please call 03 441 0499 and ask to speak to our duty planner.

Please ensure to [reference any banking payments correctly](#). Incorrectly referenced payments may cause delays to the processing of your application whilst payment is identified.

If the initial fee charged is insufficient to cover the actual and reasonable costs of work undertaken on the application you will be required to pay any additional amounts and will be invoiced monthly as work on the application continues. Please note that if the Applicant has outstanding fees owing to Council in respect of other applications, Council may choose to apply the initial fee to any outstanding balances in which case the initial fee for processing this application may be deemed not to have been paid.



PAYMENT // An initial fee must be paid prior to or at the time of the application and proof of payment submitted.

Please reference your payments as follows:

Applications yet to be submitted: RM followed by first 5 letters of applicant name e.g RMJONES

Applications already submitted: Please use the RM# reference that has been assigned to your application, this will have been emailed to yourself or your agent.

Please note processing will not begin until payment is received (or identified if incorrectly referenced).

I confirm payment by:



Bank transfer to account 02 0948 0002000 00 (If paying from overseas swiftcode is – BKNZ222)

Invoice for initial fee requested and payment to follow

Manual Payment (can only be accepted once application has been lodged and acknowledgement email received with your unique RM reference number)

*Reference

*Amount Paid: Landuse and Subdivision Resource Consent fees - please select from drop down list below

(For required initial fees refer to website for Resource Consent Charges or spoke to the Duty Planner by phoning 03 441 0499)

*Date of Payment

Invoices are available on request

APPLICATION & DECLARATION

The Council relies on the information contained in this application being complete and accurate. The Applicant must take all reasonable steps to ensure that it is complete and accurate and accepts responsibility for information in this application being so.

If lodging this application as **the Applicant:**

I/we hereby represent and warrant that I am/we are aware of all of my/our obligations arising under this application including, in particular but without limitation, my/our obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to within the Fees Information section.

OR:

If lodging this application as **agent of the Applicant:**

I/we hereby represent and warrant that I am/we are authorised to act as agent of the Applicant in respect of the completion and lodging of this application and that the Applicant / Agent whose details are in the invoicing section is aware of all of his/her/its obligations arising under this application including, in particular but without limitation, his/her/its obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to within the Fees Information section.

I hereby apply for the resource consent(s) for the Proposal described above and I certify that, to the best of my knowledge and belief, the information given in this application is complete and accurate.

PLEASE TICK

Signed (by or as authorised agent of the Applicant) **

Full name of person lodging this form

Firm/Company

Dated

**If this form is being completed on-line you will not be able, or required, to sign this form and the on-line lodgement will be treated as confirmation of your acknowledgement and acceptance of the above responsibilities and liabilities and that you have made the above representations, warranties and certification.



Section 2 of the District Plan provides additional information on the information that should be submitted with a land use or subdivision consent.

The RMA (Fourth Schedule to the Act) requires the following:

1 INFORMATION MUST BE SPECIFIED IN SUFFICIENT DETAIL

- Any information required by this schedule, including an assessment under clause 2(1)(f) or (g), must be specified in sufficient detail to satisfy the purpose for which it is required.

2 INFORMATION REQUIRED IN ALL APPLICATIONS

- (1) An application for a resource consent for an activity (the activity) must include the following:

- (a) a description of the activity;
- (b) a description of the site at which the activity is to occur;
- (c) the full name and address of each owner or occupier of the site;
- (d) a description of any other activities that are part of the proposal to which the application relates;
- (e) a description of any other resource consents required for the proposal to which the application relates;
- (f) an assessment of the activity against the matters set out in Part 2;
- (g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b).

(2) The assessment under subclause (1)(g) must include an assessment of the activity against—

- (a) any relevant objectives, policies, or rules in a document; and
- (b) any relevant requirements, conditions, or permissions in any rules in a document; and
- (c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).

(3) An application must also include an assessment of the activity's effects on the environment that—

- (a) includes the information required by clause 6; and
- (b) addresses the matters specified in clause 7; and
- (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

Information provided within the Form above

Include in an attached Assessment of Effects (see Clauses 6 & 7 below)

ADDITIONAL INFORMATION REQUIRED IN SOME APPLICATIONS

- An application must also include any of the following that apply:
 - (a) if any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1));
 - (b) if the application is affected by section 124 or 165ZH(1)(c) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A));



ASSESSMENT OF ENVIRONMENTAL EFFECTS

Clause 6: Information required in assessment of environmental effects

- (1) An assessment of the activity's effects on the environment must include the following information:
 - (a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity;
 - (b) an assessment of the actual or potential effect on the environment of the activity;
 - (c) if the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise from such use;
 - (d) if the activity includes the discharge of any contaminant, a description of—
 - (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
 - (ii) any possible alternative methods of discharge, including discharge into any other receiving environment;
 - (e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect;
 - (f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted;
 - (g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved;
 - (h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).
- (2) A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.
- (3) To avoid doubt, subclause (1)(f) obliges an applicant to report as to the persons identified as being affected by the proposal, but does not—
 - (a) oblige the applicant to consult any person; or
 - (b) create any ground for expecting that the applicant will consult any person.

CLAUSE 7: MATTERS THAT MUST BE ADDRESSED BY ASSESSMENT OF ENVIRONMENTAL EFFECTS

- (1) An assessment of the activity's effects on the environment must address the following matters:
 - (a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects;
 - (b) any physical effect on the locality, including any landscape and visual effects;
 - (c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity;
 - (d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations;
 - (e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants;
 - (f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.
- (2) The requirement to address a matter in the assessment of environmental effects is subject to the provisions of any policy statement or plan.

UNDER THE FOURTH SCHEDULE TO THE ACT:

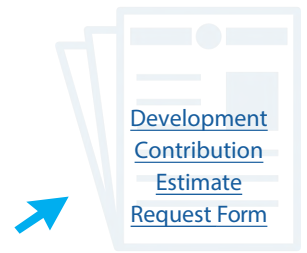
- An application for a subdivision consent must also include information that adequately defines the following:
 - (a) the position of all new boundaries:
 - (b) the areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan:
 - (c) the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips:
 - (d) the locations and areas of any existing esplanade reserves, esplanade strips, and access strips:
 - (e) the locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A:
 - (f) the locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under section 237A):
 - (g) the locations and areas of land to be set aside as new roads.

Will your resource consent result in a Development Contribution and what is it?

- A Development Contribution can be triggered by the granting of a resource consent and is a financial charge levied on new developments. It is assessed and collected under the Local Government Act 2002. It is intended to ensure that any party, who creates additional demand on Council infrastructure, contributes to the extra cost that they impose on the community. These contributions are related to the provision of the following council services:
 - Water supply
 - Wastewater supply
 - Stormwater supply
 - Reserves, Reserve Improvements and Community Facilities
 - Transportation (also known as Roding)

[Click here for more information on development contributions and their charges](#)

OR Submit an Estimate request *please note administration charges will apply



Please note that some land use consents can be dealt with as fast track land use consent. This term applies to resource consents where they require a controlled activity and no other activity. A 10 day processing time applies to a fast track consent.

If the consent authority determines that the activity is a deemed permitted boundary activity under section 87BA of the Act, written approval cannot be withdrawn if this process is followed instead.

A fast-track application may cease to be a fast-track application under section 87AAC(2) of the Act.

While it is not essential that your documents are named the following, it would be helpful if you could title your documents for us. You may have documents that do not fit these names; therefore below is a guide of some of the documents we receive for resource consents. Please use a generic name indicating the type of document.

Application Form 9

Engineering Report

Assessment of Environmental Effects (AEE)

Geotechnical Report

Computer Register (CFR)

Wastewater Assessment

Covenants & Consent Notice

Traffic Report

Affected Party Approval/s

Waste Event Form

Landscape Report

Urban Design Report

Ecological Report

Assessment of Environmental Effects
Residential Visitor Accommodation
at 9D York Street, Queenstown
March 2023

EXECUTIVE SUMMARY OF PROPOSAL

Greg Link Stingray City Limited (the Applicant) seeks resource consent to use an existing residential unit for Residential Visitor Accommodation up to 180 nights per year, for up to 6 guests at 9D York Street, Queenstown.

Location:	9D York Street, Queenstown
Legal Description:	Unit A and Accessory Unit A1, A2 and A3 Deposited Plan 27490
Territorial Authority:	Queenstown Lakes District Council
Plan:	PDP - Proposed District Plan
Zoning:	PDP – Lower Density Suburban Residential
Natural Hazards:	Liquefaction Susceptibility: LIC 1 – Probably low risk (requires specific investigations however there are no changes to the built form, therefore this is not considered relevant to this application)
Other:	N/A
Activity Status:	Restricted Discretionary

APPENDICES

Appendix A -	Record of Title
Appendix B -	Plans
Appendix C -	Residential Visitor Accommodation Management Plan

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1 INTRODUCTION

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

- A description of the application site and surrounding environment;
- A description of the proposal;
- A description of the consents sought;
- An assessment of environmental effects;
- Identification and assessment of relevant objectives and policies of the Proposed District Plan; and
- A conclusion.

1.1 Overview

Resource consent is sought to use a residential unit for Residential Visitor Accommodation (RVA) for up to 180 nights per year, for up to 6 guests. The site is zoned Lower Density Suburban Residential within the PDP.



Figure 1: Site Location (Site identified in yellow)

Overall, it is considered that the proposal will result in a less than minor effect upon the adjoining properties and the environment. It is consistent with the strategic direction provided for in the proposed District Plan. As such, it is considered that the application can be approved on a non-notified basis.

1.2 Site Description and Surrounds

The site is legally described as Unit A and Accessory Unit A1, A2 and A3 Deposited Plan 27490 as held in Record of Title OT18C/1211 (attached as **Appendix A**). There are no interests of relevance to this application registered on the Record of Title.

The site contains an existing two-level, three-bedroom residential unit. The lower level contains two bedrooms and a bathroom. The upper level contains a two-car garage, one bedroom, a laundry and toilet, kitchen and living room, and an internal courtyard- the plans of the dwelling are attached as **Appendix B**.

Outdoor living areas include a deck on the upper level extending off the living room, and a terraced outdoor living area on the lower level, accessible from the two bedrooms.

Access to the dwelling is from an existing vehicle crossing off York Street via a shared driveway (that partially comprises of the application site), down a further shared driveway used to access the units at 9 York Street, and into the double garage.

The Council's Hazards Register identifies a liquefaction hazard risk of 'probably low' over the subject site.

1.3 Consent History

The following resource consents have been granted in relation to the subject site and are summarised in the table 3 below.

Table 3: Consent History

Consent number	Date	Description
RM210568	15/10/2021	Resource consent was granted to undertake Residential Visitor Accommodation for up to 90 nights and for associated transport breaches, including no provision of mobility parking and sight distances.

1.4 Receiving Environment

The receiving environment includes the urban environment in which the site is located and is characterised primarily by residential activities. The subject unit forms the end of a 4-unit development- 9A – 9D York Street. The units are a similar layout and design (with the exception of the orientation and location of the garage); however, Unit D is set back from the front of the other three units. 9B York Street is consented for 365 nights per year Visitor Accommodation (VA) , through resource consent RM181898.

The neighbouring properties to the south- 1 York Street and 9-13 Hallenstein Street are vacant and have been earthworked to enable development. The site had consent for a multi-unit development consisting of 16 units, whereby visitor accommodation up to 365 nights can operate¹. This consent was varied most recently by RM190218, however the consent has now lapsed. A new consent has been applied for² to construct 22 residential units and 6 townhouses, which has been notified, submissions received, and at this time no decision made. Within this proposed application, Townhouse 05 is proposed be located directly in front of 9D York Street.

At 3 York Street directly in front of 9 York Street is a smaller vacant site with no valid consent. In 2003 a consent was granted³ for 4 apartments but this has since lapsed.

11 York Street adjoining the eastern boundary of 9D York Street has a first floor residential unit and ground floor residential flat located at the rear of the property.

The properties to the rear consist of single residential dwellings which are located at a higher elevation than the subject site.

2 DESCRIPTION OF PROPOSAL

The applicant seeks resource consent for RVA for up to 180 nights per year, for up to 6 guests per residential unit.

The site and RVA use will be managed off site by a Property Manager as detailed within the proposed Management Plan attached as **Appendix C**. This Management Plan has outlined measures to be implemented onsite to appropriately manage any potential nuisance effects of the residential visitor accommodation use. These measures include:

- Restrictions on outdoor living areas;

¹ RM150489

² RM230010

³ RM030288

- Requirement to comply with conditions of the relevant resource consent decision;
- Ensuring the total number of guests does not exceed 6 guests;
- Management of rubbish; and
- Management of parking areas, including allocation of parking during visitor accommodation use.

The Management Plan is a dynamic document in which to continue managing effects and include new content if anything were to arise throughout the visitor accommodation use. The Management Plan includes the contact details of the manager, and the complaints process, if any concerns arise from neighbours.

This application does not include any physical changes to the existing building on the site. The application is for RVA use of the residential units only.

3 DISTRICT PLAN PROVISIONS

3.1 Proposed District Plan

The site is zoned as Lower Density Suburban Residential, and the purpose of the Lower Density Suburban Residential zone related to residential visitor is:

“...The commercial letting of residential properties as short-term accommodation for paying guests on a year-round or permanent basis is restricted where it would result in a loss of residential character, cohesion and amenity values. Low intensity use of residential units, including residential flats, to accommodate paying guests is enabled where the predominant residential character of the environment is retained and the residential amenity values of nearby residents are maintained.

Visitor Accommodation is defined in the District Plan separately from accommodation activities involving paying guests occurring in residential units and residential flats, which are defined as Residential Visitor Accommodation and Homestay activities.”

Under the PDP, Resource Consent is sought for the following:

Chapter 7 – Lower Density Suburban Residential

- A **restricted discretionary** activity resource consent pursuant to standard 7.5.18.1, for Residential Visitor Accommodation up to 180 nights per year. Council’s discretion is restricted to:
 - a. *The location, nature and scale of activities;*
 - b. *Vehicle access and parking;*
 - c. *The management of noise, rubbish, recycling and outdoor activities;*
 - d. *Privacy and overlooking;*
 - e. *Outdoor lighting;*
 - f. *Guest management and complaints procedures;*
 - g. *The keeping of records of residential visitor accommodation use, and availability of records for Council inspection;*
 - h. *Monitoring requirements, including imposition of an annual monitoring charge.*

All appeals on Rule 7.5.18.1 are now resolved.

Note: Under RM210568, an infringement to sight distances and mobility parking spaces associated with the 90 nights RVA activity were consented. As the activity is not changing in nature, it is considered that the existing resource consent RM210568 addresses these infringements.

3.2 Activity Status Summary

The activity status of the application is restricted discretionary.

4 ACTIVITY STATUS

Sections 104 and 104C set out the relevant assessment matters for resource consent applications carrying the restricted discretionary activity status:

104 Consideration of applications

- (1) *When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to—*
 - (a) *any actual or potential effects on the environment of allowing the activity; and*
 - (b) *any relevant provisions of—*
 - (i) *a national environmental standard;*
 - (ii) *other regulations;*
 - (iii) *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 matter the consent authority considers relevant and reasonably necessary to determine the application.*

104C Determination of applications for restricted discretionary activities

- (1) *When considering an application for a resource consent for a restricted discretionary activity, a consent authority must consider only those matters over which –*
 - (a) *A discretion is restricted in national environmental standards or other regulations;*
 - (b) *It has restricted the exercise of its discretion in its plan or proposed plan.*
- (2) *The consent authority may grant or refuse the application*
- (3) *However, if grants the application, the consent authority may impose conditions under section 108 only for those matters over which –*
 - (a) *A discretion is restricted in national environmental standards or other regulations;*
 - (b) *It has restricted the exercise of its discretion in its plan or proposed plan.*

5 WRITTEN APPROVALS

No persons have provided written approval for the proposal/no written approvals have been considered necessary for this proposal given the receiving environment.

6 ASSESSMENT OF EFFECTS

6.1 Permitted Baseline

Under section 104(2) of the RMA, Council may disregard an adverse effect of a proposed activity on the environment if a plan permits an activity with that effect. The permitted baseline refers to the effects of permitted activities or activities which have already been granted resource consent on the subject site. The permitted baseline provides a clear baseline from which any effect beyond this can be assessed.

In this instance, the baseline is considered to be residential activity, homestay activity and residential visitor accommodation up to 90 nights per year. In all cases, there could be up to 6 people in the unit (2 persons per bedroom). These activities can occur on the site without consent.

The baseline is relevant and should be taken into account as the proposal is for RVA use up to 180 nights per year, where the remainder of the year, the dwellings can be used for residential activity. Therefore, only the nights 90-180 should be considered.

6.2 Actual & Potential Effects

The following is included within the matters of discretion under standard 7.5.18 of the PDP:

- a. *The location, nature and scale of activities;*
- b. *Vehicle access and parking;*

- c. *The management of noise, rubbish, recycling and outdoor activities;*
- d. *Privacy and overlooking;*
- e. *Outdoor lighting;*
- f. *Guest management and complaints procedures;*
- g. *The keeping of records of residential visitor accommodation use, and availability of records for Council inspection;*
- h. *Monitoring requirements, including imposition of an annual monitoring charge.*

These matters form the basis of which the proposal assessment is restricted to. The matters are addressed within the information provided below.

6.3 The location, nature and scale of activities

As assessed for the proposal to use Unit 9B York Street for up to 365 nights visitor accommodation in the decision RM181898:

'The scale of the proposed visitor accommodation is assessed as being appropriate considering the size of the unit which has three bedrooms. With a maximum number of six guests, this equates to a maximum of two guests per room. The application includes a management plan (attached to this consent as Appendix 3) which details how the unit will be operated and includes the provision that the outdoor area will not be utilised between 10pm and 7am. Overall, it is considered the nature and scale of the visitor accommodation will have a less than minor effect on the wider environment'.

The proposal also seeks to use a three bedroom dwelling, the same size at 3B York Street with a maximum of six guests, half the time of the year consented by RM181898. As such, if the nature and scale of the proposal under this consent was considered appropriate, the scale of the current proposal, using the unit half the time for RVA should also be considered appropriate.

It should be noted that consent RM210568 originally applied for 180 nights visitor accommodation, but with a risk of notification to neighbours, reduced the proposal down to 90 nights/year. The reason for the notification to the neighbours was due to the loss of residential cohesion in the area. Residential cohesion and character were matters of discretion under Rule 7.5.18.1 in the PDP at that time, as shown in Figure 2 below. This has recently been superseded by the Consent Order for Visitor Accommodation, issued on 30th January 2023, which removes these matters from consideration of a restricted discretionary activity. The new matters of discretion are listed in section 6.2 above. Residential cohesion and character no longer forms part of the matters of discretion the decision-maker can consider.

For RD non-compliance with Standard 7.5.18.1 discretion is restricted to:

- i. The nature of the surrounding residential context, including its residential amenity values, cohesion and character, and the effects of the activity on the neighbourhood;**

Figure 2- Matter of discretion under PDP Rule 7.5.18.1- Residential Visitor Accommodation

As such, the reasons the consent RM210568 was considered to warrant notification are no longer matters that can be considered. The proposal seeks only an additional 90 nights RVA over that permitted by the District Plan and enabled by the previous consent. The number of guests is within the range of the number of people that would normally be expected to be accommodated within a residential unit in this zone. The unit will only be rented to one

group at a time to manage the scale of the activity. When not being used for RVA, the remainder of the nights will be available for residential use.

For these reasons, and with the size of the unit limiting the scale of the RVA, and with the means of management in the Management Plan, it is considered the scale of the RVA activity will be entirely appropriate within this unit.

The use of the residential unit for RVA for 180 nights per year will not create adverse effects in respect of built form over and above those effects which already exist. Given there are no proposed physical changes to the existing building, the proposed activity will not alter the nature of the building, as viewed from any private property or public place.

With regards to location, the residential unit is located less than 1km from the Queenstown town centre and is set back from roads. Considering its proximity to the town centre, it is an ideal location for RVA, to encourage guests to use pedestrian means of transport, rather than being entirely vehicle reliant. The unit is located within a low density zone, but within a high density environment, particularly with development to the south, west and east of the site, whereby visitor accommodation is encouraged due to its proximity to the town centre. This site is no different, and the location of the unit is ideal for RVA.

It is considered the scale, nature and location of the proposal will result in less than minor effects on the environment.

6.4 Vehicle access and parking

There are no requirements under the PDP for car parking to be provided, however there are two car parks available within the garage of the residential unit, ensuring parking will be safe and off-street. Given the proximity of the dwelling to the Queenstown Town centre, it is likely that guests would travel into Queenstown centre via pedestrian means, being less than 1km, and 10 minutes' walk. As such, there is likely less reliance on vehicles by guests than other, further areas around the district. In the assessment of RM181898, which allowed for 9B York Street to operate visitor accommodation up to 365 nights, there were no concerns around additional users accessing the site via the shared access. The same assessment should be made for this application, considering the likely reliance on pedestrian travel, and the permitted baseline which provides for 6 full time tenants, all year around using the right of way.

It is noted the access of York Street providing access to the unit is a private road (although QLDC is responsible for maintenance) which was formed by the Council as a result of the realignment of York Street in 1985. The access is narrow, but vehicles are able to safely enter the garage from this access in a forward motion and reverse to the private access to enter York Street in a forward motion, ensuring consistency with Rule 29.5.6.

In the engineering assessment made for 180 nights residential visitor accommodation for consent RM210568 (which was then reduced down to 90 nights after this assessment was made), outlined that the private road intersection with York Street does not comply with Rule 29.5.18, whereby the sight distance does not achieve the required 80m for a class 2 user. The Council engineer considered:

'due to the horizontal and vertical alignment of York Street, vehicles will be traveling at a reduced speed and as such, the use of this intersection by a class 2 user will not exacerbate any pre-existing negative traffic related outcomes on York Street. Additionally, I also note that a similar visitor accommodation consent was granted for the neighbouring unit at 9B York Street (RM181898) with no traffic related concerns raised'.

It is submitted in this application the breach to this rule has been assessed and consented, and considering the nature of the activity is not changing, no further consent should be required under this rule.

The effects are less than minor on vehicle access and parking.

6.5 The management of noise, rubbish, recycling and outdoor activities

As detailed in the Management Plan the use of the outdoor areas will be prohibited between 10pm and 7am to ensure that there are no noise effects from the use of the outdoor space on persons at neighbouring properties.

The RVA Management Plan identifies the following methods to be utilised to avoid and mitigate adverse effects from the outdoor living areas:

- Consideration must be shown to neighbours at ALL times. Particularly in relation to noise and any other activities that cause nuisance to neighbours.

- Guests shall not engage in activities which generate excessive noise.
- The unit is located within a residential area and use of the outdoor space associated with the accommodation is not permitted between 10pm and 7am daily.
- There shall be no outside speaker systems operating at any time.
- Signage is to be placed on doors leading to outside entertainment area stating: “Outdoor area, is STRICTLY not to be used between 10pm and 7am daily”.
- There is a comments and complaints procedure in place.

The unit at 9D is set back from the frontage of 9A – 9C, and no windows or doors face the outdoor space from the adjoining Unit- 9C. Additionally there is a privacy screen at the western side of the terrace on 9D, ensuring the terrace and ground floor outdoor space is not visible from any of these units. Considering the visual mitigation, and the physical separation between the outdoor space noise is not considered to be a concerning effect from units 9A – 9C York Street.

With regards to 11 York Street, there is substantial mature vegetation between the dwellings, rendering the outdoor space and views into and out of the one small first floor window at 9D York Street very obscured. The dwelling at 11 York Street is located at a higher elevation and set back from the subject unit, whereby the use of the outdoor space at 9D would have very little, if any, effect on these neighbours.

No neighbours at the rear are considered affected by noise or use of outdoor space, and similarly the property in front will be constructed upon in due course, whereby the use of the unit for RVA and its outdoor space can be factored into any design of future development.

With regards to rubbish and recycling, there is a dedicated rubbish and recycling bin storage area behind the entry gate within the courtyard, which is not visible from any other unit, as shown in Figure 3 below. The bins will be placed for kerbside collection the day of, or the day prior to collection. All empty bins will be removed from the kerbside on the day of collection. This will be ensured by the property manager.



Figure 3- Entry gate into 9D York Street

Due to the reasons above, the effects of noise, rubbish, recycling and outdoor activities on the environment will be less than minor.

6.6 Privacy and overlooking

The outdoor living areas are located on the southern side of the dwelling, oriented towards the lake. The use of the areas are screened from properties to the north by the bulk of the building, therefore no risk of overlooking by the site to those adjacent. The properties to the north are located at a higher elevation than the subject site. The

topography and the orientation of the subject residential unit ensures that there will be no overlooking or privacy effects on persons at these properties.

The properties to the south remain void of development, however there is a resource consent recently notified to construct 22 residential units and 6 townhouses. These sites sit at a lower elevation than the subject site and future dwellings would be oriented towards the lake view. If approved as notified, Townhouse 05 would neighbour the subject residential unit, whereby a bedroom/kitchen would be located at the lower floor with no windows facing the site, and at first floor, high windows for sunlight access and one kitchen window face the subject site- shown below in Figure circled in red. However considering the original ground line, privacy into this window would be easily mitigated through fencing or specifically located planting. There is sufficient separation and topography differences between this future development and the subject site to ensure there will be no adverse privacy or overlooking effects on any effects on persons at these properties.

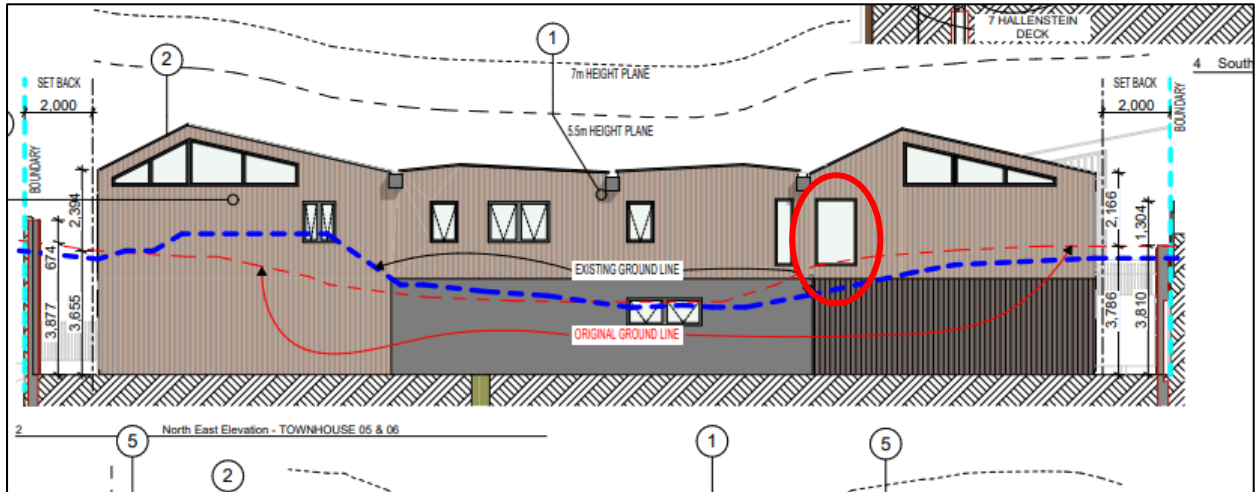


Figure 4- Proposed Plans of Townhouse 05 and 06 adjoining the southern boundary of the site

11 York Street is located adjoining to the east of the subject site. This property contains a single detached residential unit. The subject site is oriented towards the lake, however there are a number of windows and doors and a terrace facing 9D York Street. There is a fence and mature vegetation along the boundary which separates the subject site from 11 York Street. At 9D York Street only one window at first floor is visible from the neighbouring site, and this is mostly obscured by the vegetation. Additionally, it is set well forward of the southern elevation of the house at 11 York Street, ensuring no privacy concerns from this window, as visibility is very limited from the window into the neighbouring dwelling. The terrace located at the rear of 9D York Street faces the south to the predominant view and has a solid wall most of the way up the eastern side of the terrace, again, obscuring any direct overlooking into the neighbouring site. As such, there is sufficient screening, and with the off-set nature of the neighbouring buildings and orientation of the sites, it is clear minimal adverse privacy or overlooking effects will occur. When comparing to the permitted baseline of 365 nights residential accommodation, the proposal would not result in any additional effects over that permitted by the plan.

The neighbouring dwelling at 9C York Street is positioned forward of the subject dwelling, including the outdoor living areas. There are no windows or openings on 9C facing 9D, and a privacy screen on the western side on the 9D terrace will further limit any visibility between the neighbours. The design and difference in position of the dwellings ensures that overlooking and privacy effects are less than minor.

No other neighbouring properties are considered at risk of overlooking or privacy effects resulting from the proposal.

6.7 Outdoor lighting

All outdoor lighting at the property is down lights ensuring there is no adverse effects from light spill on adjoining properties.

6.8 Guest management and complaints procedures

The Management Plan sets out the use of the site/dwelling for guests. The owner and property manager will ensure that there are no potential hazards on site that could result in health and safety issues.

6.9 The keeping of records of residential visitor accommodation use, and availability of records for Council inspection

These are included in the Management Plan.

6.10 Monitoring requirements, including imposition of an annual monitoring charge

These will be covered by the owner.

6.11 Residential Zone Design Guide 2021

Rule 7.5A.1 requires that all restricted discretionary activities under Rules 7.4 and 7.5 provide a statement confirming the relevant design elements from the Residential Zone Design Guide 2021 has been considered. In this case, the Design Guide has been considered, however as there are no physical works proposed, and the proposal is within an existing dwelling, no further assessment is warranted.

6.12 Summary of Assessment of Effects

On the basis of the above assessment, it is considered that the proposed activity will not have adverse effects on the environment that are more than minor.

7 OBJECTIVES AND POLICIES ASSESSMENT

An assessment of the relevant Objectives and Policies from the Proposed District Plan is undertaken below.

7.1 Proposed District Plan

The relevant provisions are contained within Chapter 3- Strategic Direction and Chapter 7 – Lower Density Suburban Residential zone. The relevant objectives and associated policies are:

Clause	Description	Assessment
Chapter 3	Strategic Direction	
3.2.1	<i>Objective - The development of a prosperous, resilient and equitable economy in the District</i>	The RVA will support the tourism industry, as well as provide residential accommodation, providing for a resilient and equitable economy for the community, visitors and the owners.
3.2.1.1	<i>Objective - The significant socioeconomic benefits of well designed and appropriately located visitor industry facilities and services are realised across the District.</i>	The RVA is on a site located in proximity to the lake and to Queenstown town centre, therefore is entirely appropriately located. It will be low impact due the activity within a well-designed residential unit.
3.3.1	<i>Policy – Make provision for the visitor industry to maintain and enhance attractions, facilities and services within the Queenstown and Wanaka town centre areas and elsewhere within the District’s urban areas and settlements at locations where this is consistent with objectives and policies for the relevant zone.</i>	The proposed RVA will provide for the visitor industry by provision of accommodation. The proximity of the dwelling to the town centre will ensure visitors will take advantage of what the Queenstown tourism industry has to offer. As assessed below, the proposal is consistent with objectives and policies for the relevant zone.
Chapter 7	Lower Density Suburban Residential Zone	
7.2.8	<i>Objective - Provide for visitor accommodation and residential visitor accommodation in the Visitor</i>	Whilst the location of the residential unit is not within the VA Subzone, the scale, intensity and frequency of the

	<i>Accommodation Sub-Zones that are appropriate for the low density residential environment, ensuring that adverse effects on residential amenity values are avoided, remedied or mitigated.</i>	proposal of up to 180 nights per year and a maximum of 6 people ensures that the residential character and amenity values of the zone are maintained, with the unit being used as residential for the remainder of the year.
7.2.8.2	<i>Restrict the establishment of visitor accommodation in locations outside the Visitor Accommodation Sub-Zones to ensure that the zone maintains a residential character.</i>	The proposal is for RVA outside a VA sub-zone, rather than a VA development. Notwithstanding, the proposal seeks up to 180 nights per year, with the remainder of the year being used for residential. As assessed above, the area is predominantly residential, and the proposal will not result in cumulative effects that alter the residential character of the area. The proposed use will maintain the existing level of residential character in the area. The RVA has been restricted in its scale to 6 people and half the year, to enable this residential character.
7.2.8.3	<i>Ensure that residential visitor accommodation and homestays are of a scale and character that are compatible with the surrounding residential context and maintain residential character and amenity values.</i>	The existing level of residential character and amenity values are maintained by the scale of the proposal, being 6 people maximum, and 180 nights. The remainder of the year the unit is available for residential use.
7.2.8.4	<i>Provide opportunities for low intensity residential visitor accommodation and homestays as a contributor to the diversity of accommodation options available to visitors and to provide for social and economic wellbeing.</i>	The proposal is for up to 180 nights per year, with the remainder of the year being used for residential. This will result in a low intensity provision for tourism accommodation. The proposal provides for the diversity of accommodation options and provides for social and economic wellbeing.
7.2.8.5	<i>Manage the effects of residential visitor accommodation and homestays outside the Visitor Accommodation Sub-Zone by controlling the scale, intensity and frequency of use and those effects of the activities that differentiate them from residential activities.</i>	The proposal is of a scale, intensity and frequency that ensures the activity is not differentiated from residential activities.

In summary, the proposal is considered to be consistent with the relevant objectives and policies in the Proposed District Plan.

8 NOTIFICATION SUMMARY

8.1 Public notification

Having undertaken the s95A public notification tests, the following conclusions are reached:

Under step 1, public notification is not mandatory.

Under step 2, there is no rule or NES that specifically precludes public notification of the activities, and the application is for activities other than those specified in s95A(5)(b)

Under step 3, public notification is not required as the application is for activities that are not subject to a rule that specifically requires it, and it is considered that the activities will not have adverse effects on the environment that are more than minor.

Under step 4, there are no special circumstances that warrant the application being publicly notified.

It is therefore recommended that this application be processed without public notification.

8.2 Limited notification

Having undertaken the s95B limited notification tests, the following conclusions are reached:

Under step 1, limited notification is not mandatory.

Under step 2, there is no rule or NES that specifically precludes limited notification of the activities, and the application is for activities other than that specified in s95B(6)(b).

Under step 3, limited notification is not required as it is considered that the activities will not result in any adversely affected persons.

Under step 4, there are no special circumstances that warrant the application being limited notified to any other persons.

It is therefore recommended that this application be processed without limited notification.

9 PART 2 OF THE RESOURCE MANAGEMENT ACT (1991)

In accordance with Clause 2(1)(f) of Schedule 4, an assessment of the activity against the matters set out in Part 2 is required for all resource consent applications. The relevant matters of Part 2 have been reproduced and assessed below;

5. Purpose

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

6. Matters of National Importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) *The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (b) *The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- (c) *The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*

- (d) The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- (f) the protection of historic heritage from inappropriate subdivision, use, and development:*
- (g) the protection of protected customary rights:*
- (h) the management of significant risk from natural hazards.*

7. Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to –

- (a) Kaitiakitanga:*
- (aa) The ethic of stewardship:*
- (b) The efficient use and development of natural and physical resources:*
- (ba) The efficiency of the end use of energy:*
- (c) the maintenance and enhancement of amenity values:*
- (d) Intrinsic values of ecosystems*
- (e) [repealed]*
- (f) Maintenance and enhancement of the quality of the environment:*
- (g) Any finite characteristics of natural and physical resources:*
- (h) The protection of the habitat of trout and salmon:*
- (i) The effects of climate change:*
- (j) The benefits to be derived from the use and development of renewable energy.*

This proposal includes use of an existing residential unit for RVA. The management of effects on site will be ensured by the on-going adherence with the Management Plan, therefore, the development avoids adverse effects on the environment. Overall, the proposal is consistent with Part 2 of the Resource Management Act.

10 CONCLUSION

Resource consent is sought to use an existing residential unit for Residential Visitor Accommodation for up to 180 nights per year, for up to 6 guests at 9D York Street, Queenstown.

Overall, it is considered that the proposal will have a less than minor effect on both the environment and people and is in line with the overall policy direction prescribed within the Proposed District Plan. As such, it is considered appropriate to process this application on a non-notified basis.



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




R.W. Muir
Registrar-General
of Land

Identifier **OT18C/1211**
Land Registration District **Otago**
Date Issued 23 February 2000

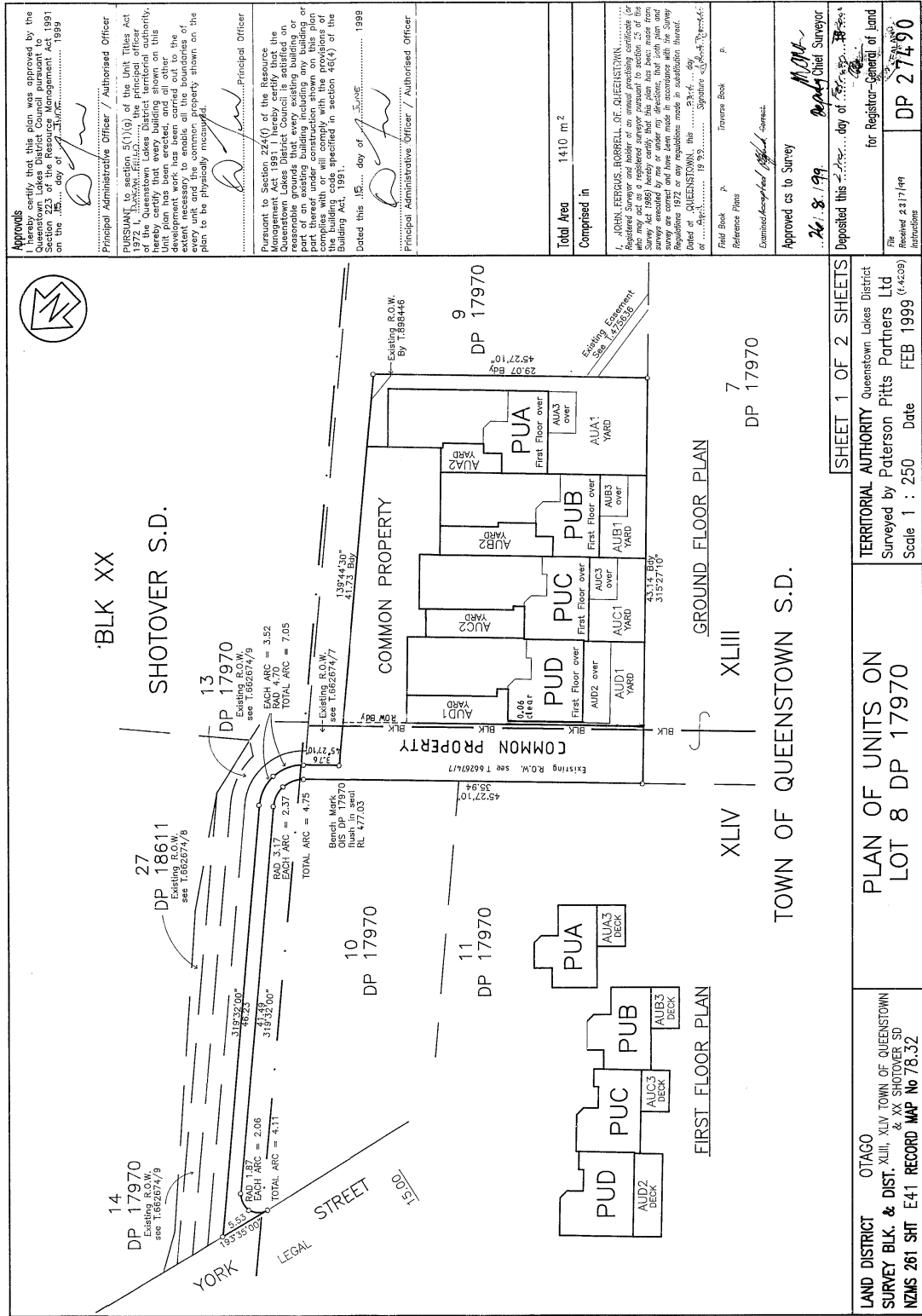
Prior References
OT18C/1210

Supplementary Record Sheet
OT18C/1215

Estate Stratum in Freehold
Legal Description Unit A and Accessory Unit A1, A2 and A3
Deposited Plan 27490

Registered Owners
Stingray City Limited

The above estates are subject to the reservations, restrictions, encumbrances, liens and interests noted below and on the relevant unit plan and supplementary record sheet



Approvals

I hereby certify that this plan was approved by the Queenstown Lakes District Council pursuant to section 224(1) of the Resource Management Act 1991 on the 26th day of August 1999

Principal Administrative Officer / Authorised Officer
 PURSUANT to section 224(1) of the Resource Management Act 1991, I, the principal officer hereby certify that every building shown on this Unit Plan has been erected, and all other development work has been carried out to the satisfaction of the Council, and that the plan of every unit and the common property shown on the plan is physically necessary.

Principal Officer
 Pursuant to Section 224(1) of the Resource Management Act 1991, I hereby certify that the Queenstown Lakes District Council is satisfied on the basis of the information provided to it, that every part of an existing building (including any building or part thereof under construction shown on this plan) complies with the provisions of the Building Act, 1991. The building code specified in section 46(4) of the Building Act, 1991.

Dated this 26th day of August 1999

Principal Administrative Officer / Authorised Officer

Total Area 1410 m²
 Comprised in

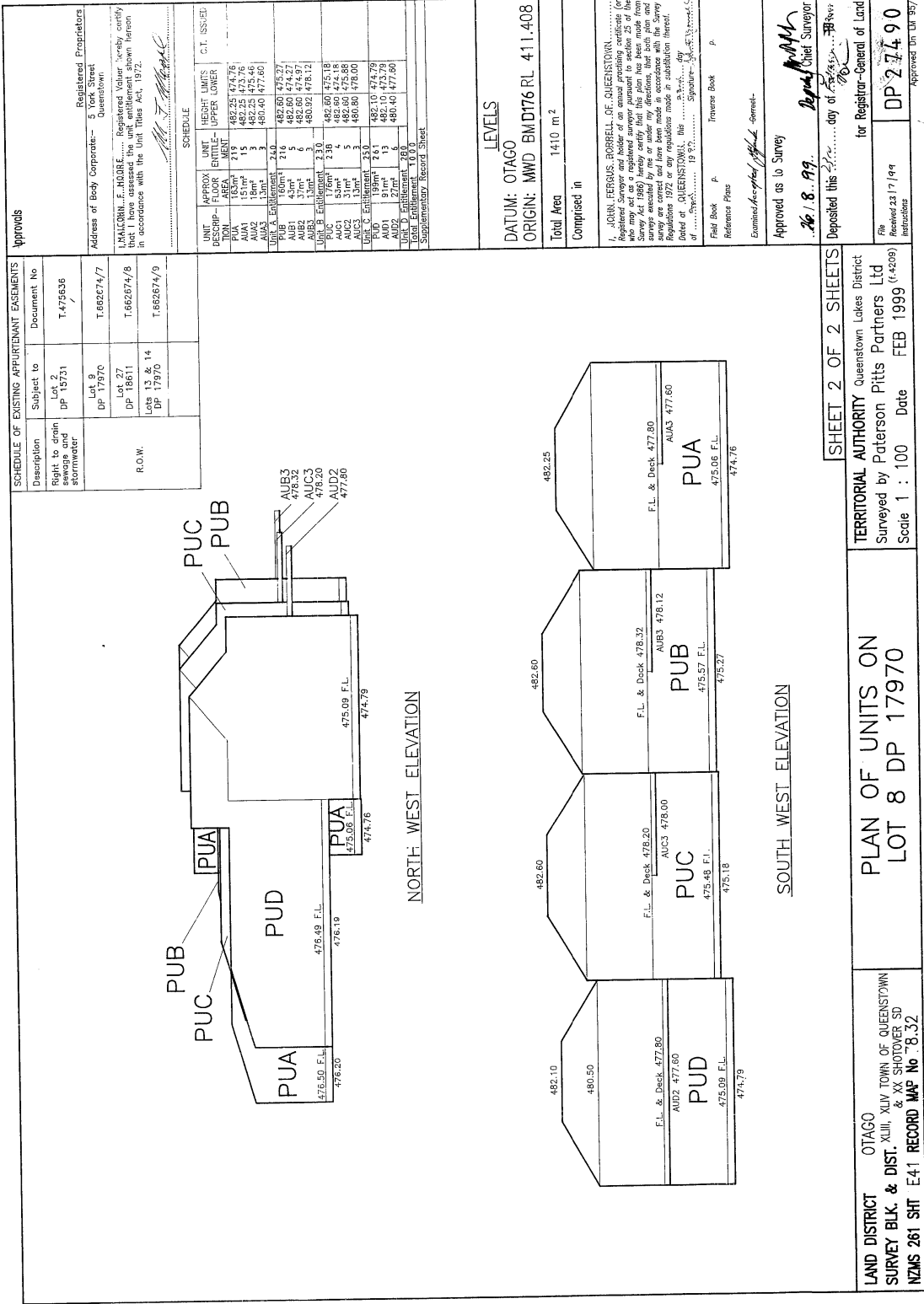
1. JOHN FERGUS BOBBELL OF QUEENSTOWN, Registered Surveyor and holder of an annual practising certificate for Survey Act 1989 hereby certifies that this plan has been made from a survey conducted in accordance with the Survey Regulations 1972 or any regulations made in substitution thereof. Dated at QUEENSTOWN, this 26th day of August 1999. Signature of Surveyor

Field Book
 Reference Plans
 Examined/Ascertained

Approved as to Survey
 26.8.199
 Chief Surveyor

Deposited this 26th day of August 1999
 for Registrar-General of Land

File No. 2317/99
 Instructions DP 27490
 Approved by DM 857





**SUPPLEMENTARY RECORD SHEET
UNDER UNIT TITLES ACT 1972**

Search Copy

Identifier OT18C/1215
Land Registration District Otago
Date Issued 23 February 2000
Plan Number DP 27490

Subdivision of
 Lot 8 Deposited Plan 17970

Prior References
 OT18C/1210

Unit Titles Issued

OT18C/1211	OT18C/1212	OT18C/1213	OT18C/1214
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Interests

OWNERSHIP OF COMMON PROPERTY

Pursuant to Section 47 Unit Titles Act 2010 -

(a) the body corporate owns the common property and

(b) the owners of all the units are beneficially entitled to the common property as tenants in common in shares proportional to the ownership interest (or proposed ownership interest) in respect of their respective units.

The above memorial has been added to Supplementary Record Sheets issued under the Unit Titles Act 1972 to give effect to Section 47 of the Unit Titles Act 2010.

Appurtenant hereto to the part formerly CT OT7A/447 is a right to drain sewage and stormwater over part Lot 2 DP 15371 CT OT11A/514 marked SW and ES Dr Rt DP 15371 created by Transfer 475636 - 30.3.1977 at 10.20 am. (Subject to Section 351E(1)(a) Municipal Corporations Act 1954)

Subject to a right of way over part herein marked A DP 17970 appurtenant to Lot 6 DP 17970 CT OT10C/373, Lot 7 DP 17970 CT OT11A/512, Lot 9 DP 17970 CT OT11A/514, Lot 10 DP 17970 CT SRS OT15D/936, Lot 13 DP 17970 & Lot 13 DP 17795 CT OT11A/513 and Lot 14 DP 17970 CT OT9B/840 created by Transfer 662674.7 - 8.9.1986 at 9.24 am. (Subject to Section 309(1)(a) Local Government Act 1974)

Appurtenant hereto is a right of way over part Lot 9 DP 17970 CT OT11A/514 marked B DP 17970 created by Transfer 662674.7 - 8.9.1986 at 9.24 am. (Subject to Section 309(1)(a) Local Government Act 1974)

Appurtenant hereto is a right of way over part Lot 27 DP 18611 CT OT9C/795 created by Transfer 662674.8 - 8.9.1986 at 9.24 am. (Subject to Section 309(1)(a) Local Government Act 1974)

Appurtenant hereto are rights of way marked on DP 17970 over (i) part Lot 14 DP 17970 CT OT9B/840 marked Lot 14 (ii) part Lot 13 DP 17970 CT OT11A/513 marked Lot 13 created by Transfer 662674.9 - 8.9.1986 at 9.24 am (Subject to 309(1)(a) Local Government Act 1974)

Subject to a right of way over part herein marked A on the diagram annexed to Transfer 898446 appurtenant to Lot 9 DP 17970 CT OT11A/514 created by Transfer 898446 - 20.12.1995 at 10.56 am

Appurtenant hereto is a right to drain sewage and water created by Easement Instrument 8828581.9 - 14.9.2011 at 10:11 am

Plans- 9D York Street

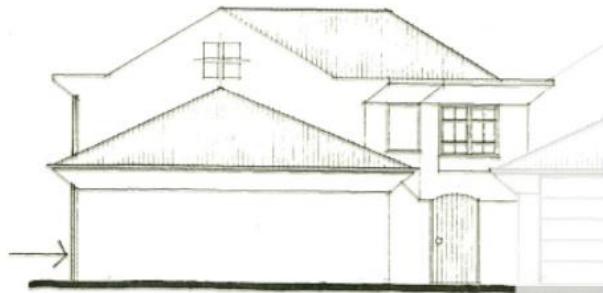



Site Plan

RM230153

JEA Ref: 23011

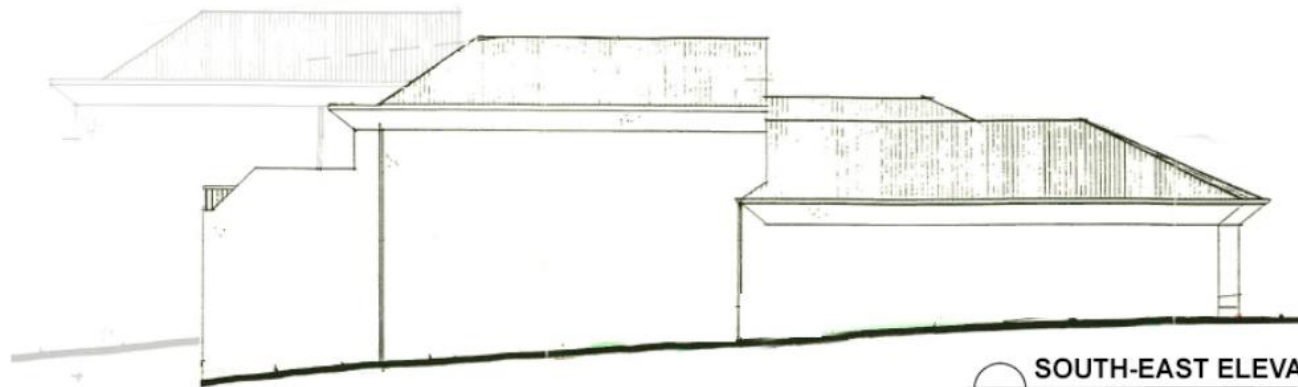
Plans- 9D York Street



 **NORTH-EAST ELEVATION**
1:100



 **SOUTH-WEST ELEVATION**
1:100



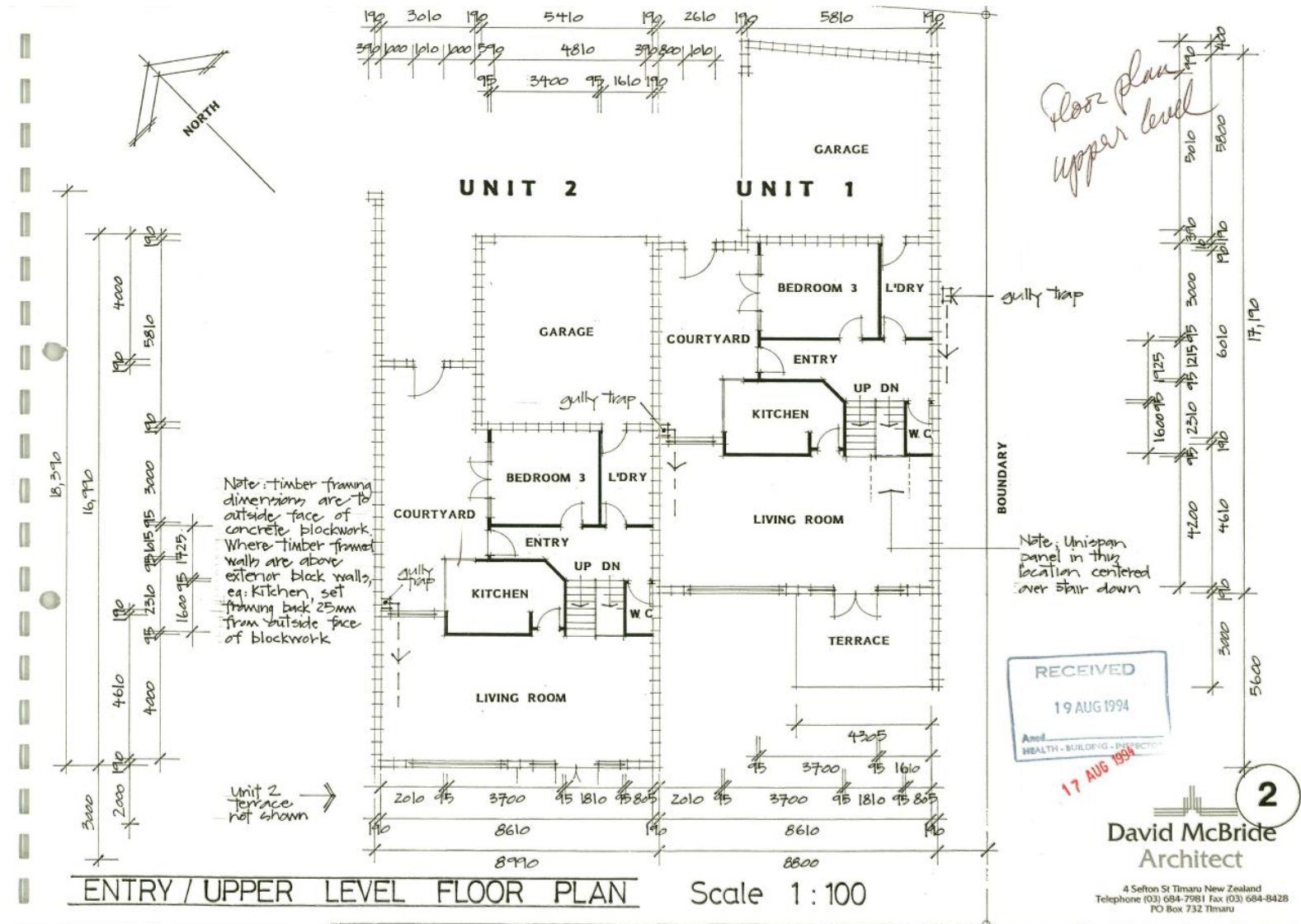
 **SOUTH-EAST ELEVATION**
1:100

Elevations

RM230153

JEA Ref: 23011

Plans- 9D York Street

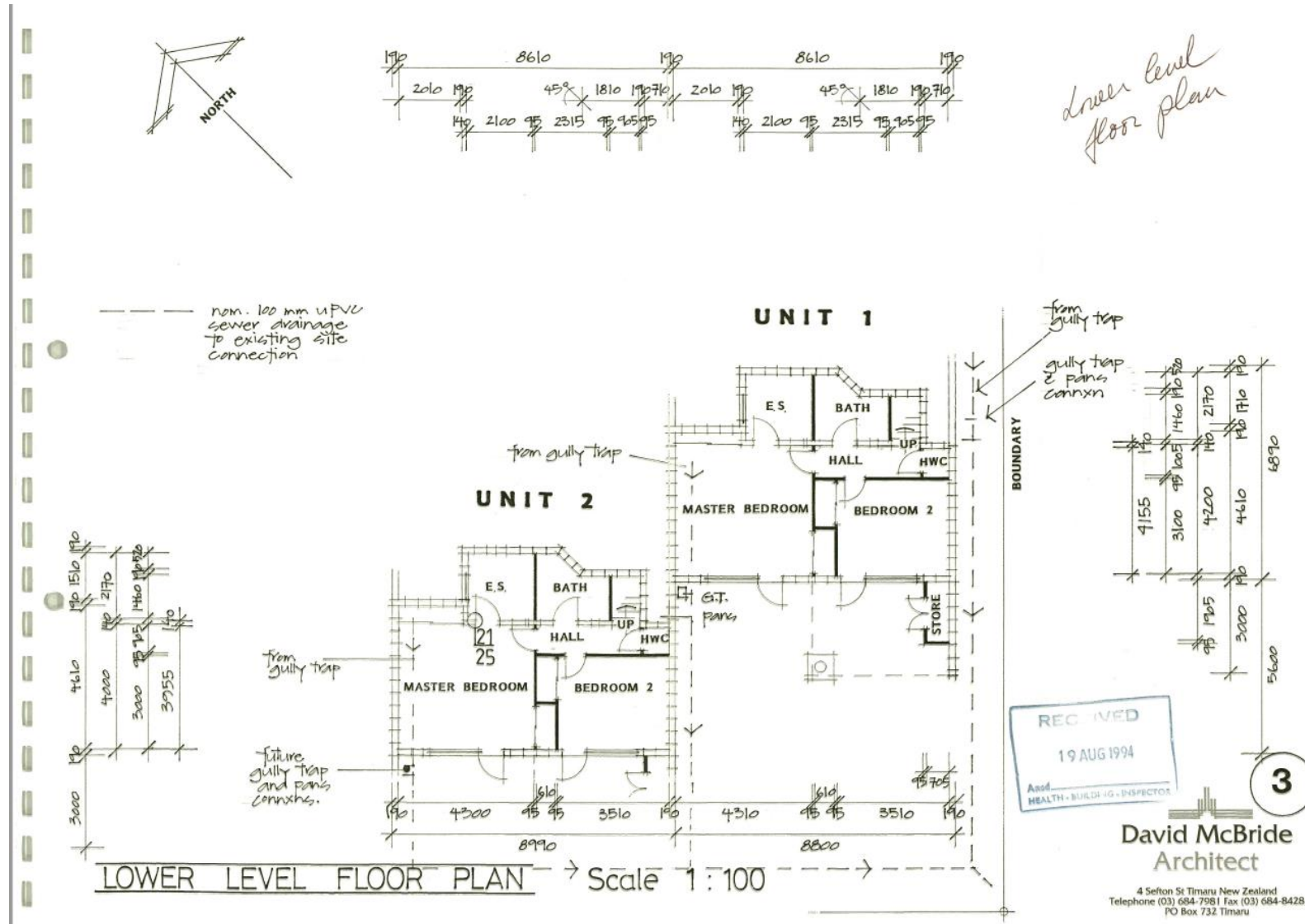


Floor Plan - Upper Level

RM230153

JEA Ref: 23011

Plans- 9D York Street



Floor Plan- Lower Level

RM230153

JEA Ref: 23011

RESIDENTIAL VISITOR ACCOMMODATION MANAGEMENT PLAN – 9D YORK STREET, QUEENSTOWN

1. Background

Resource Consent is sought for the use of a residential unit at 9D York Street to be used as residential visitor accommodation, up to 180 nights / year, with a maximum capacity limited to 6 guests within three bedrooms.

2. Management Plan

The purpose of this Management Plan is to control any potential effects on neighbours and the surrounding environment from the residential visitor accommodation use of the residential unit at 9D York Street, Queenstown. The main nuisance effects experienced from neighbours to a residential visitor accommodation activity are noise, rubbish collection and car parking. This Management Plan seeks to minimise the possibility of these (and any other) nuisance effects as a result of the residential visitor accommodation activity.

This Management Plan is a dynamic document that can and will be amended at any time, to ensure the most efficient and effective ways of managing effects resulting from the residential visitor accommodation operation.

The unit will be managed by one management entity, which will ensure on-going management of the following components of the operation:

- To provide guests with a copy of the House Rules and obtain confirmation from the visitors that they agree to the rules as a condition of staying at the property.
- To check that the number of visitors does not exceed 6 guests.
- To check that the on-site compendium contains a copy of the House Rules and a copy of the conditions of resource consent RM [CONSENT NUMBER].
- To enforce the house rules.
- To allocate and manage car parking during visitor accommodation use.
- To ensure all conditions of the resource consent are met at all times.
- To ensure rubbish and recycling bins are put out for collection from the roadside kerb before 7am each collection day, noting the alternate recycling weeks for different types of recycling.
- To ensure signage is placed on doors leading to outside entertainment area stating:
“Outdoor area, is STRICTLY not to be used between 10pm and 7am daily”.

3. House Rules

The House Rules below shall be in place at all times. These shall be held in an on-site compendium available to guests at all times.

- Consideration must be shown to neighbours at ALL times. Particularly in relation to noise and any other activities that cause nuisance to neighbours.
- Guests shall not engage in activities which generate excessive noise.
- The unit is located within a residential area and use of the outdoor space associated with the accommodation is not permitted between 10pm and 7am daily.
- There shall be no outside speaker systems operating at any time.
- Only guests that are part of the residential visitor accommodation activity can sleep at the property.
- Guests shall only park in the assigned parking areas.
- The property is non-smoking.

4. Complaints or Comments

The residential visitor accommodation activity has the potential to affect neighbours from nuisance such as noise, rubbish collection and car parking if not managed appropriately. It is important that there is a conduit for any misconduct or complaints or comments from neighbours of 9D York Street resulting from any effects of the residential visitor accommodation. For any complaints or comments, please contact the visitor accommodation Property Manager.

The details of the property manager for the site have been outlined below:

Property Address:	9D York Street, Queenstown
Name:	Kate Stoddart- Property Manager, Queenstown Luxury Property Management
Email:	kate@qlpm.co.nz
Phone (24hr):	022 525 9948

Any complaints from neighbours shall be immediately actioned and resolved. Feedback with the steps taken to resolution to the complainant will be critical when actioning any complaints. This will be the responsibility of the Property Manager.

The Property Manager shall take into consideration any issues that may arise from the use of the unit for residential visitor accommodation activity and amend the Management Plan as necessary, for on-going management of effects.



AFFECTED PERSON'S APPROVAL

FORM 8A



Resource Management Act 1991 Section 95

RESOURCE CONSENT APPLICANT'S NAME AND/OR RM

PERSON AFFECTED PERSON'S DETAILS

I/We

Are the owners/occupiers of

LIST DETAILS OF PROPOSAL

I/We hereby give written approval for the proposal to:

at the following subject site(s):

I/We understand that by signing this form Council, when considering this application, will not consider any effects of the proposal upon me/us.

PLEASE TICK

I/We understand that if the consent authority determines the activity is a deemed permitted boundary activity under section 87BA of the Act, written approval cannot be withdrawn if this process is followed instead.

PLEASE TICK

MAGNIFYING GLASS WHAT INFORMATION/PLANS HAVE YOU SIGHTED

I/We have sighted and initialled ALL plans dated and approve them.

PLEASE TICK



APPROVAL OF AFFECTED PERSON(S)

The written consent of all owners / occupiers who are affected. If the site that is affected is jointly owned, the written consent of all co-owners (names detailed on the title for the site) are required.

A	Name (PRINT) Jinzhen Cai	
	Contact Phone / Email address jinzhencai0424@gmail.com	
	Signature Jinzhen Cai	Date 17/08/2023

B	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

C	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

D	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

Note to person signing written approval

Conditional written approvals cannot be accepted.

There is no obligation to sign this form, and no reasons need to be given.

If this form is not signed, the application may be notified with an opportunity for submissions.

If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.