

**Wānaka Community Board
17 September 2020**

Report for Agenda Item | Rīpoata moto e Rāraki take : 2

Department: Community Services

Title | Taitara Pisa Alpine Charitable Trust – New Snow Farm School Hut - Lessor’s Consent and Affected Person’s Approval

PURPOSE OF THE REPORT | TE TAKE MŌ TE PŪRONGO

The purpose of this report is to consider whether to grant Lessor’s Approval, and Affected Person’s approval for a Resource Consent, for an application by Pisa Alpine Charitable Trust to construct a new 32 Bed School Hut at Snow Farm NZ, Snow Farm Access Rd, Cardrona Valley Road, Wānaka.

RECOMMENDATION | NGĀ TŪTOHUNGA

That the Wānaka Community Board:

1. **Note** the contents of this report;
2. **Approve** the Affected Person’s Approval for the proposed new School Hut to the Pisa Alpine Charitable Trust; and
3. **Delegate** signing of the Affected Person’s Approval to the General Manager, Community Services; and
4. **Recommend to Council** to exercise the Minister’s consent (under delegation from the Minister of Conservation) to approve the new structure on behalf of Council as Lessor.

Prepared by:



Dan Cruickshank
Property Advisor
APL Property
2/09/2020

Reviewed and Authorised by:



Aaron Burt
Senior Parks and Reserves Planner
3/09/2020

Approved by:



Thunes Cloete
General Manager
Community Services
3/09/2020

CONTEXT | HOROPAKI

1. Pisa Alpine Charitable Trust (PACT) is a charitable trust established in 2009. They negotiated the purchase of the Snow Farm land on the Pisa range for \$1.7 million in 2011. Council contributed \$518,758 towards the purchase and PACT raised the balance through various grants. The land was purchased in the name of the Queenstown Lakes District Council, classified as a recreation reserve pursuant to the Reserves Act 1977, and leased to PACT who would manage and maintain it into the future. The land is known as the Waiorau Recreation Reserve legally described as Lot 5 DP 460313, being 297.3189 hectares.
2. The Community Services Committee approved a lease to PACT at the meeting held on 27 March 2011 for the term of 33 years, commencing on 6 November 2012. This was subsequently extended to include two further rights of renewal of 33 years each in acknowledgement of the founding and purchase of the land being led by PACT.
3. The land is to be used in the winter for alpine recreational pursuits such as cross-country skiing, biathlons, ski-touring, snow shoeing, dog sledding, winter triathlon and other winter related sports. In summer, the area is to be used for walking, hiking, running, mountain biking, and other non-motorised sports and recreational activities.
4. The Snow Farm hosts events such as the International Ski Federation (FIS) ANC Continental Cup races and it was the venue for X-Country and winter triathlon elements of the Winter Games NZ in 2009 and 2011, and subsequent FIS and/or Winter games and X- Country events in every year since. It also hosts the annual Merino Muster event that is part of the International World Loppet series and pre COVID-19 this attracted entrants from around the world.
5. Existing huts at the Snow Farm are used for overnight family, friend and school expeditions. The huts on the Pisa range are used for back country skiing overnight stays.
6. PACT is seeking resource consent for the building and therefore will require Affected Person's Approval from Council. The lease also requires the lessee to obtain approval of Council as Lessor prior to any building works.
7. Council has highlighted the QLDC Disability Policy 2018 to the applicant, and asked for consideration to be afforded to matters relating to accessibility.
8. If the board approves the Affected Person's consent as landowner, no further conditions can be imposed. Council as the regulatory authority can impose appropriate conditions.

ANALYSIS AND ADVICE | TATĀRITANGA ME NGĀ TOHUTOHU

9. PACT proposes to construct a new hut called the "Musterers Hut" that would allow further use of the reserve by providing additional accommodation to cater for growth in the area. The hut is intended for school and other group bookings. The site will comprise three buildings including a 203m² school hut, 19m² utility building and a 5m² toilet.

10. The proposed hut will be accessible by 4wd to bring building materials and provide access over summer and a snowmobile would deliver the goods over winter. School groups will access the hut by using the trails.
11. The hut will be located towards the northern part of the Snow Farm, accessible only by ski trail in winter or four-wheel drive in summer. The closest existing huts are the Bob Lee Hut on the northern boundary and Meadow Hut on the eastern boundary. The approximate location and design of the hut is included in attachments B, C and D to this report.
12. From a lessor's perspective the Council is supportive of the proposal, but this does not infer that Council's regulatory arm will approve the application. The application notes that they consider that there is a limited assessment of alternatives and that the proposal will not have significant adverse effects on the environment or any persons.
13. Option 1 To approve Affected Person's Approval and Lessor's Approval, for the proposed Pisa Alpine Charitable Trust new school hut.

Advantages:

14. The structure will improve the visitor and recreation accessibility to the reserve, especially for school and other groups.
15. Allow school children and other visitor and residents the ability to explore the unique high-country environment normally only accessible by helicopter or extremely experienced skiers and hikers.

Disadvantages:

16. Potential adverse effects to the reserve created by the construction and placement of a building upon it.

17. Option 2 To decline the request.

Advantages:

18. Will not create any potential adverse effects to the reserve by the construction and placement of a building upon it.

Disadvantages:

19. Will not provide a structure that will improve the visitor and recreation accessibility to the reserve, especially for school and other groups.
20. Will not allow school children and other visitor and residents the ability to explore the unique high-country environment normally only accessible by helicopter or extremely experienced skiers and hikers.

21. This report recommends **Option 1** for addressing the matter because it increases accessibility to the reserve for residents and visitors to the district.

CONSULTATION PROCESS | HĀTEPE MATAPAKI:

SIGNIFICANCE AND ENGAGEMENT | TE WHAKAMAHI I KĀ WHAKAARO HIRAKA

22. This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy because it relates to a reserve.
23. The persons who are affected by or interested in this matter are the residents and visitors to the Queenstown Lakes District. The lease has been previously notified to public and have been granted a long-term lease to manage it.

RISK AND MITIGATIONS | NGĀ RARU TŪPONO ME NGĀ WHAKAMAURUTANGA

24. This matter relates to the Community & Wellbeing risk category. It relates to the ineffective management of community assets, identified as RISK00009 within the QLDC Risk Register. This risk has been assessed as having a moderate inherent risk rating.
25. The approval of the recommended option will support the Council by allowing us to implement additional controls for this risk. This shall be achieved by consideration of final plans and applications by the General Manager Community Services prior to signing of the APA, and issuing of lessors consent.

FINANCIAL IMPLICATIONS | NGĀ RITENGA Ā-PŪTEA

26. None. The lessee will cover all costs associated with the application, consenting and construction of the building.

COUNCIL EFFECTS AND VIEWS | NGĀ WHAKAAWEAWE ME NGĀ TIROHANGA A TE KAUNIHERA

27. The following Council policies, strategies and bylaws were considered:

- Significance and Engagement Policy
- Disability Policy 2018

28. The recommended option is consistent with the principles set out in the named policy.

29. This matter is not included in the Ten Year Plan/Annual Plan and does not impact on it.

LOCAL GOVERNMENT ACT 2002 PURPOSE PROVISIONS | TE WHAKATURETURE 2002 O TE KĀWANATAKA Ā-KĀIKA

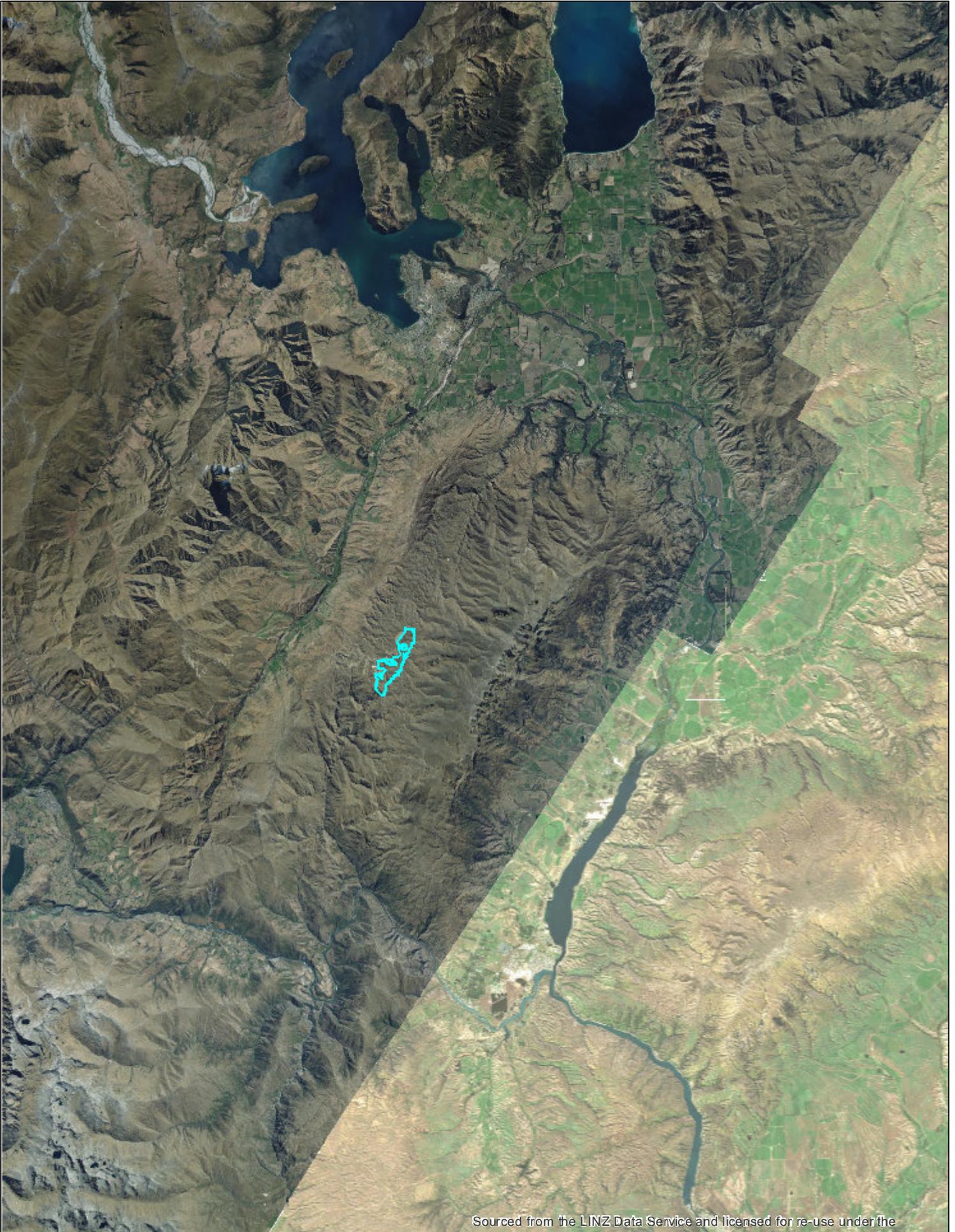
30. The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by ensuring that a viable community trust maintains the reserve and provides access options to it for residents and visitors to the district alike;

- Can be implemented through current funding under the Ten Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

ATTACHMENTS | NGĀ TĀPIRIHANGA

| | |
|---|-------------------------------------|
| A | Overview Plan |
| B | Lease Structures Plan |
| C | Building Plans |
| D | Assessment of Environmental Effects |

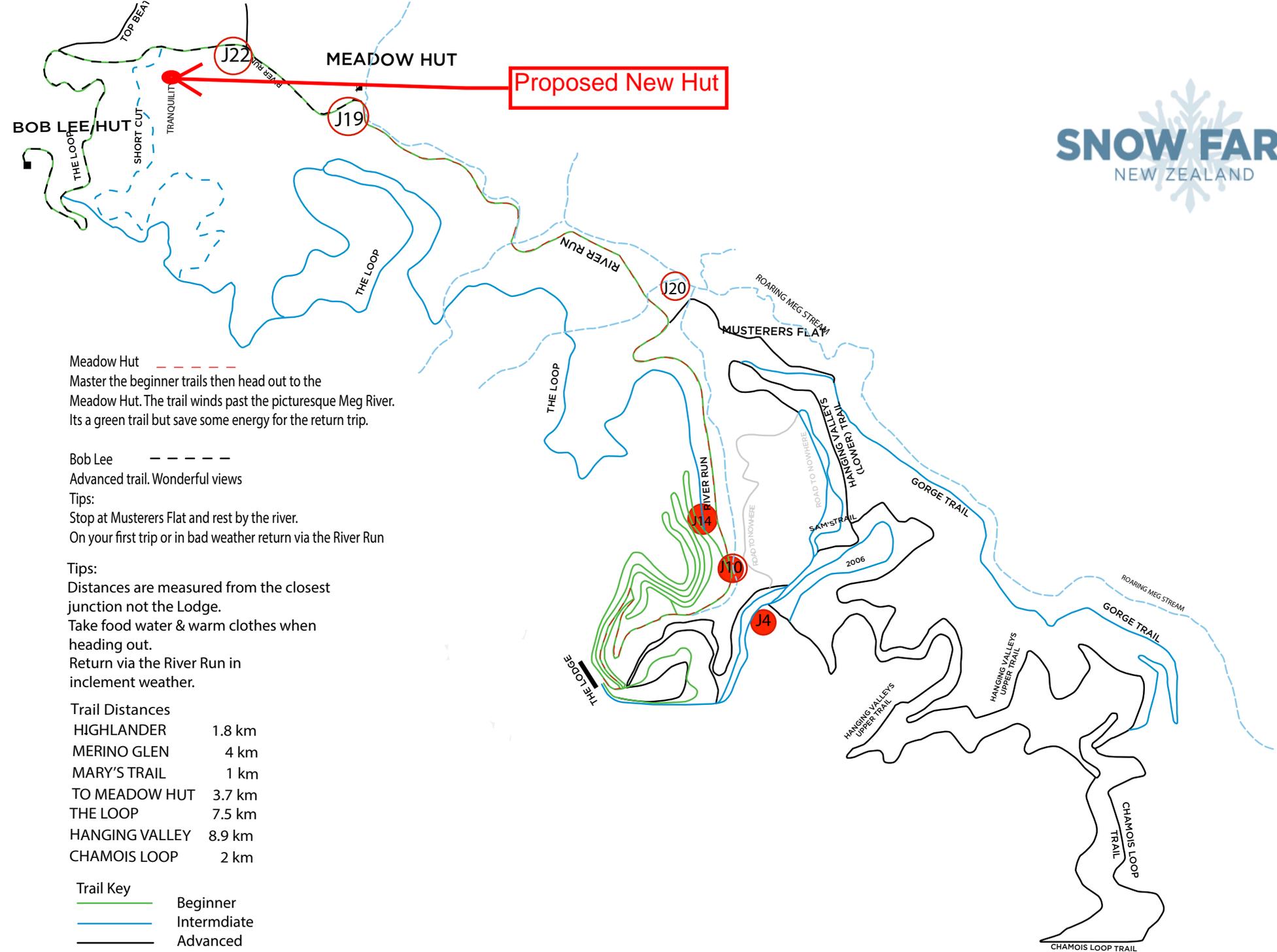


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Meadow Hut - - - - -
 Master the beginner trails then head out to the Meadow Hut. The trail winds past the picturesque Meg River. Its a green trail but save some energy for the return trip.

Bob Lee - - - - -
 Advanced trail. Wonderful views
 Tips:
 Stop at Musterers Flat and rest by the river.
 On your first trip or in bad weather return via the River Run

Tips:
 Distances are measured from the closest junction not the Lodge.
 Take food water & warm clothes when heading out.
 Return via the River Run in inclement weather.

Trail Distances

| | |
|----------------|--------|
| HIGHLANDER | 1.8 km |
| MERINO GLEN | 4 km |
| MARY'S TRAIL | 1 km |
| TO MEADOW HUT | 3.7 km |
| THE LOOP | 7.5 km |
| HANGING VALLEY | 8.9 km |
| CHAMOIS LOOP | 2 km |

Trail Key

| | |
|---|--------------|
|  | Beginner |
|  | Intermediate |
|  | Advanced |



Proposed New Hut Location

Image © 2020 CNES / Airbus

Image © 2020 Maxar Technologies

Google Earth

2006

Imagery Date: 9/19/2019 44°51'55.46" S 169°06'06.59" E elev 1521 m eye alt 4.55 km

Snow Farm 32 Bed School Hut Pisa Alpine Charitable Trust

| Sheet List | | | | |
|------------|-----------------------|------------------|-----|----------|
| Number | Name | Project Status | Rev | Rev Date |
| A000 | Title | RESOURCE CONSENT | | |
| A100 | Site Plan | RESOURCE CONSENT | | |
| A200 | Floor Plan | RESOURCE CONSENT | | |
| A300 | Elevations | RESOURCE CONSENT | | |
| A301 | Elevations | RESOURCE CONSENT | | |
| A302 | Exterior Perspectives | RESOURCE CONSENT | | |

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| | | | | | | | MK | 13/05/2020 | Title | Snow Farm 32 Bed School Hut Pisa Alpine Charitable Trust | | |
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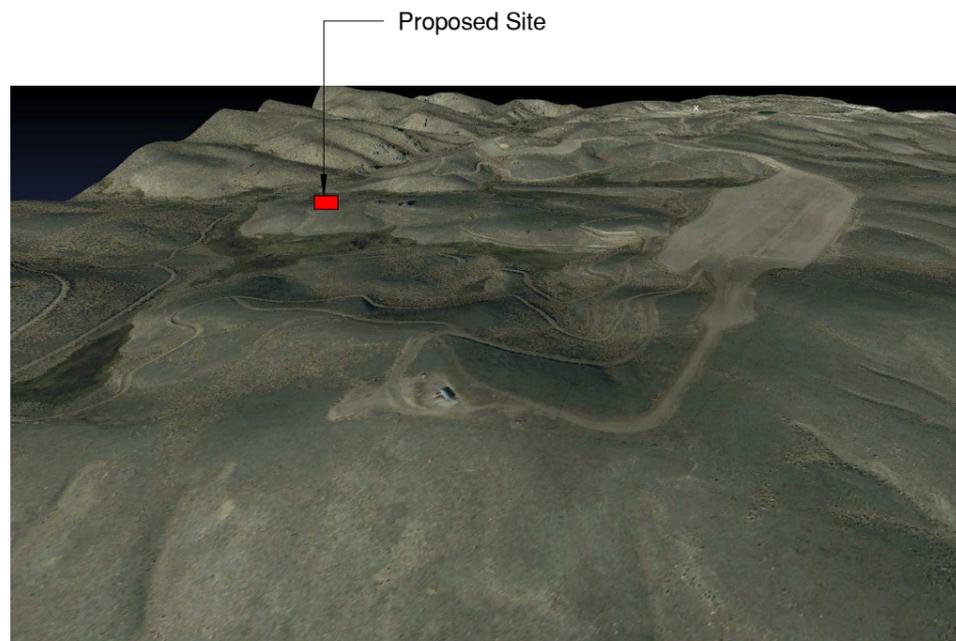


Site Description:

Snow Farm Ski Field
Cardrona Valley Road, Wanaka 9382

Lot 5 DP 460313

Area - 2,973,189.00m2

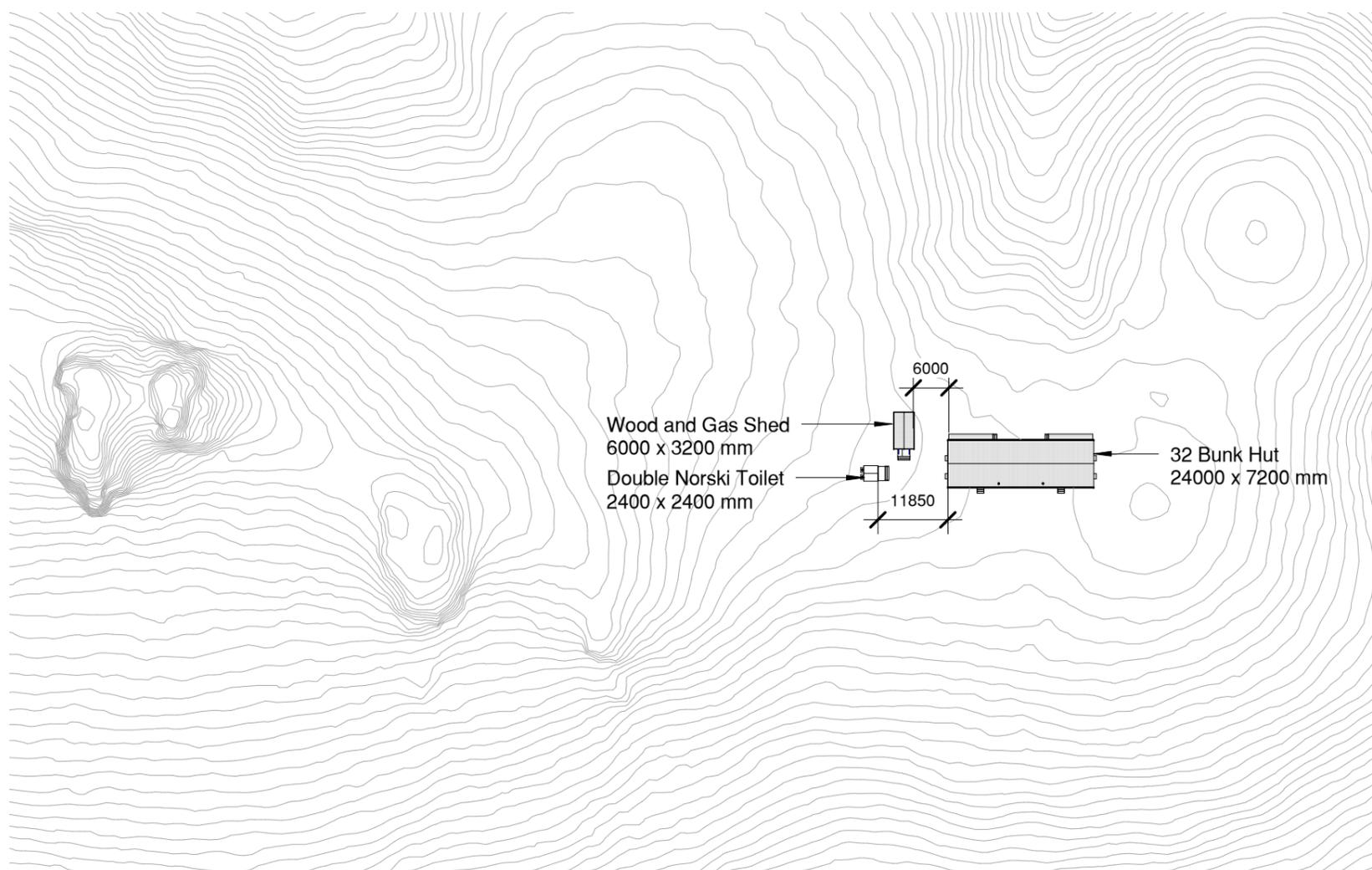


Proposed Site



Locality Plan

1 : 1000



Site Plan

1 : 1000

SCALE 1:1
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| DRAWING TITLE | Site Plan |
| PROJECT STATUS | RESOURCE CONSENT |

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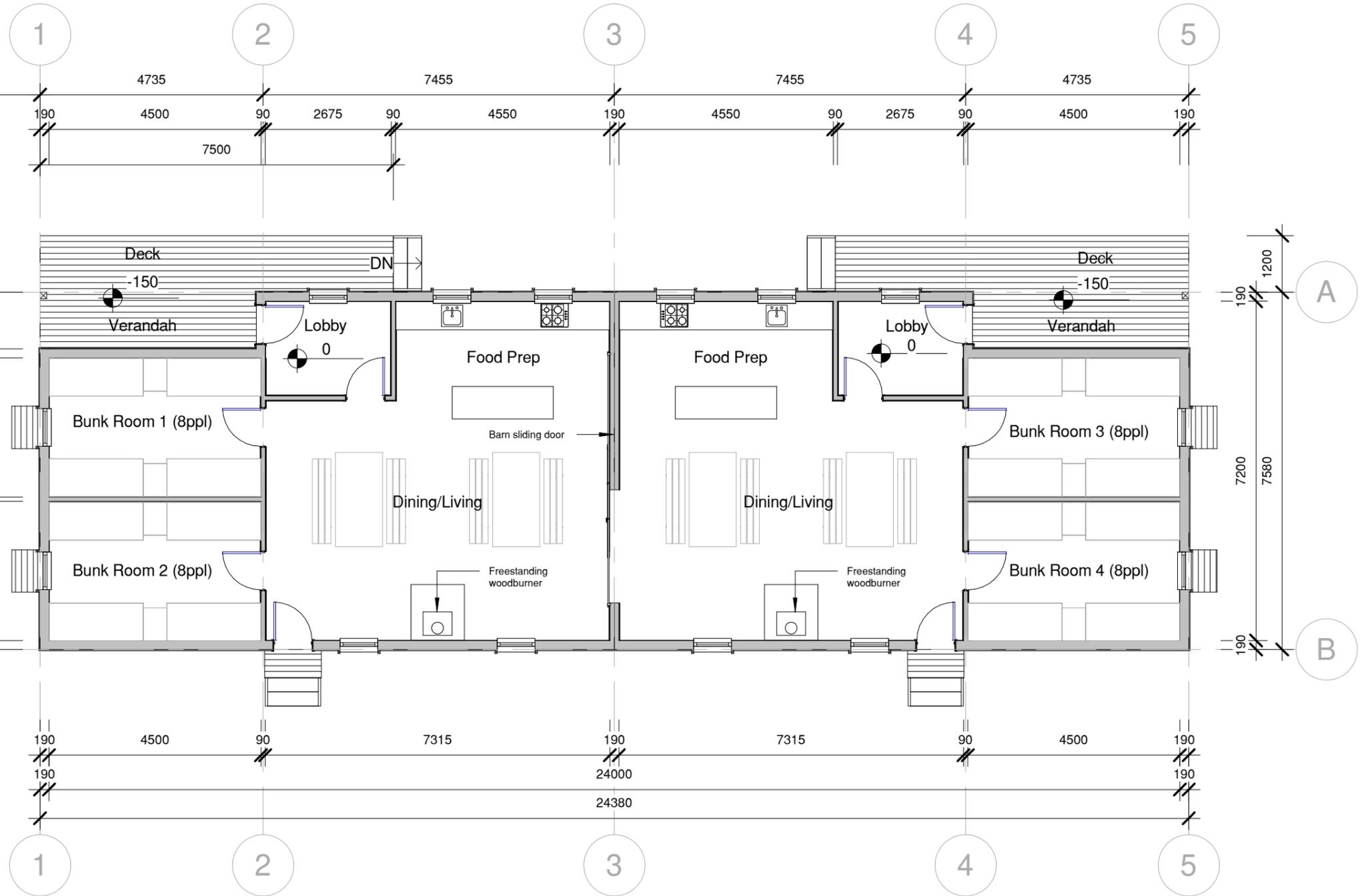
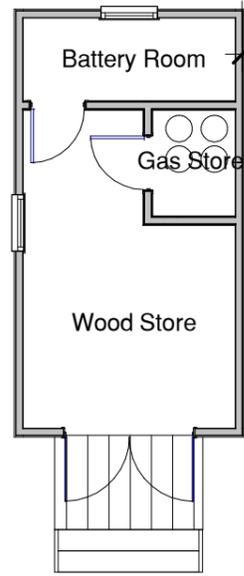


Notes:

Hut Floor Area over framing - 174m²
 Deck Area - 29m²
 Total Coverage - 203m²

Wood and Gas Utility Shed - 19.2m²

2465mm Stud height throughout
 3000mm Coved Ceiling height throughout



Floor Plan

1
A300

1 : 100

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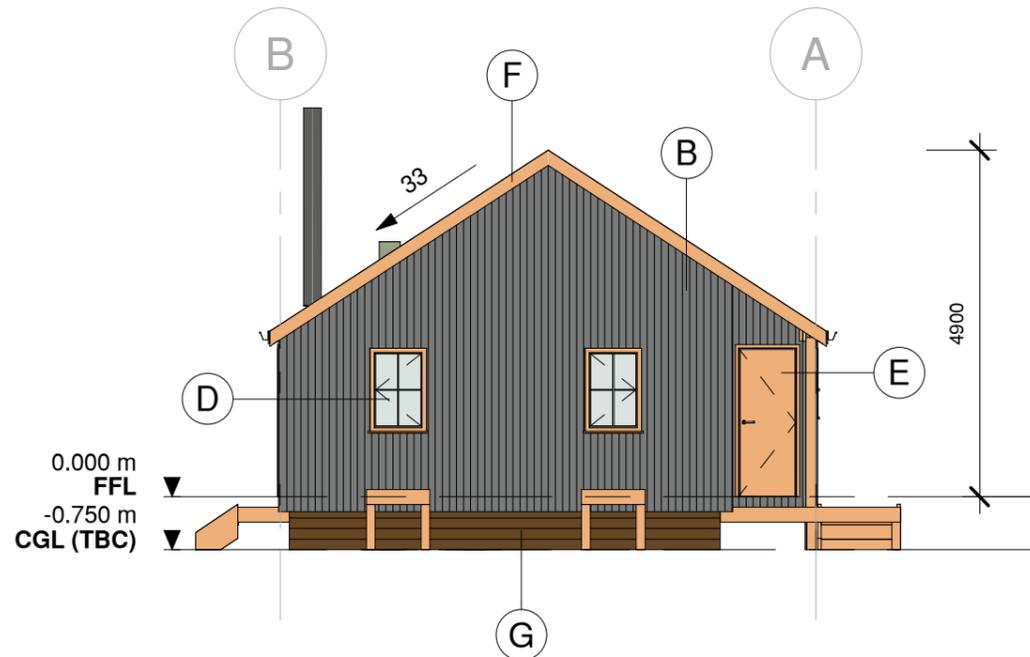
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| PROJECT NUMBER 020-015 | SHEET NUMBER A200 | REV |



SCALE 1:100
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- Exterior Finishes Legend:**
- (A) - Galvanised corrugated roofing on covertek 407 roof underlay
 - (B) - Vertical galvanised corrugated cladding direct fixed on Rigid Rap RAB
 - (C) - Horizontal bevel back weatherboards on nominal 20 mm cavity on Rigid Rap RAB
 - (D) - Timber framed triple-glazed windows with colonial bars
 - (E) - Insulated timber framed doors
 - (F) - 140 x 20 H3.2 timber fascia with 125mm half round colorsteel spouting
 - (G) - 100 x 25 H3.2 rough sawn battens to enclose subfloor



1
East Elevation
1 : 100



3
South Elevation
1 : 100

SCALE 1:100

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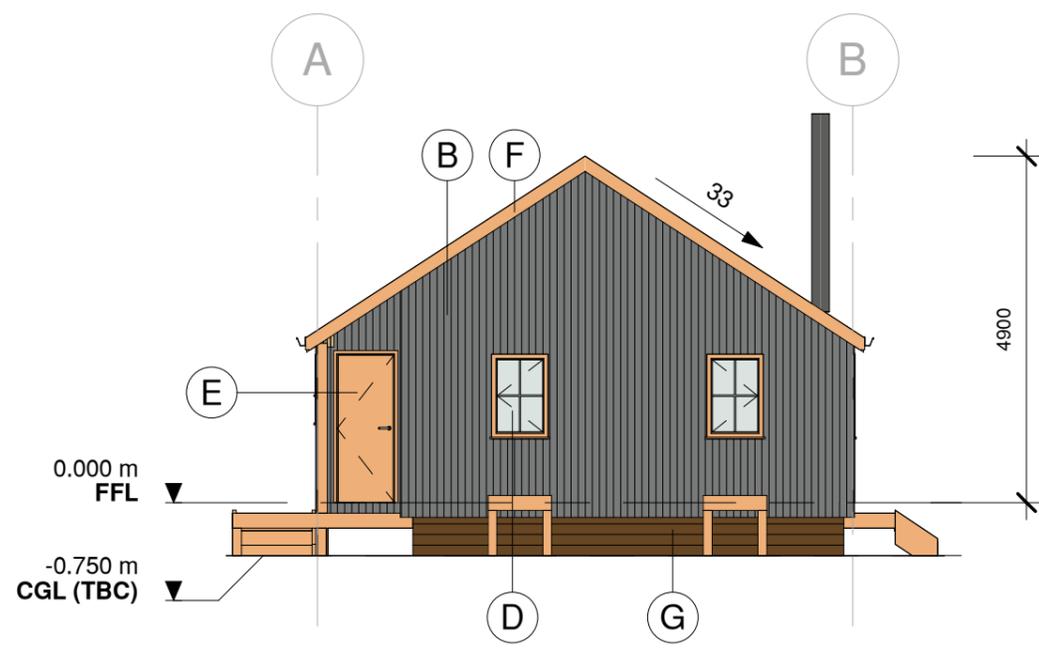
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| DRAWING TITLE | PROJECT STATUS |
| Elevations | RESOURCE CONSENT |

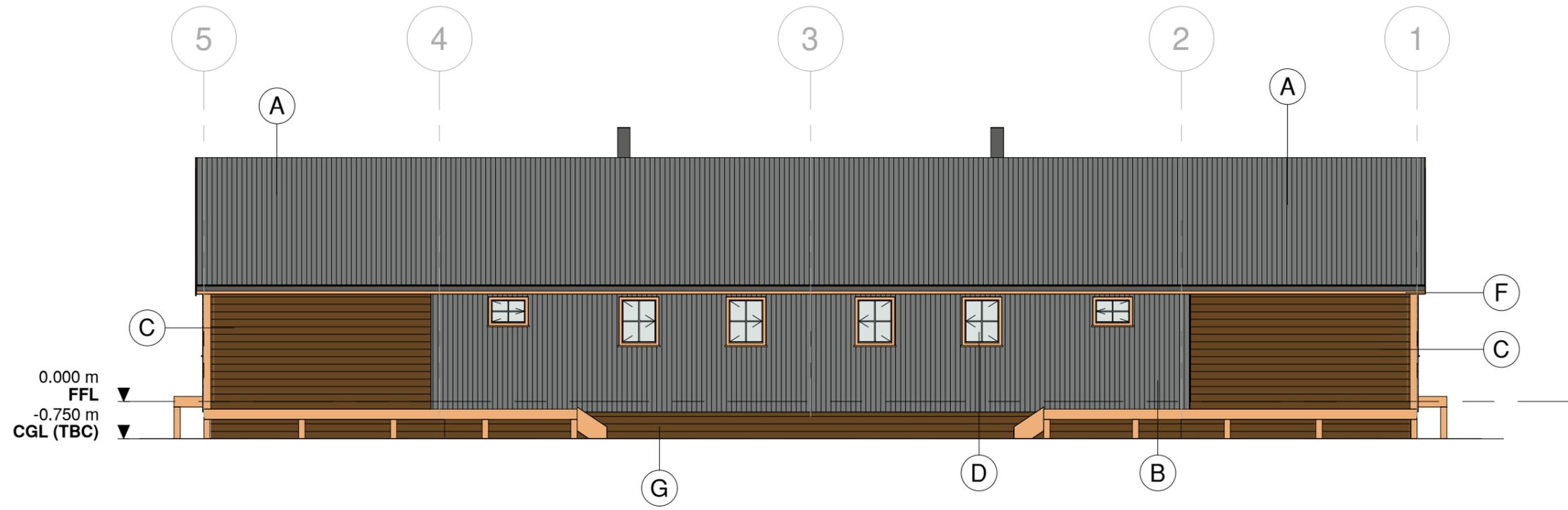
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| Snow Farm 32 Bed School Hut Pisa Alpine Charitable Trust | |
| PROJECT NUMBER | SHEET NUMBER |
| 020-015 | A300 |



- Exterior Finishes Legend:**
- (A) - Galvanised corrugated roofing on covertek 407 roof underlay
 - (B) - Vertical galvanised corrugated cladding direct fixed on Rigid Rap RAB
 - (C) - Horizontal bevel back weatherboards on nominal 20 mm cavity on Rigid Rap RAB
 - (D) - Timber framed triple-glazed windows with colonial bars
 - (E) - Insulated timber framed doors
 - (F) - 140 x 20 H3.2 timber fascia with 125mm half round colorsteel spouting
 - (G) - 100 x 25 H3.2 rough sawn battens to enclose subfloor



2 West Elevation
1 : 100



1 North Elevation
1 : 100

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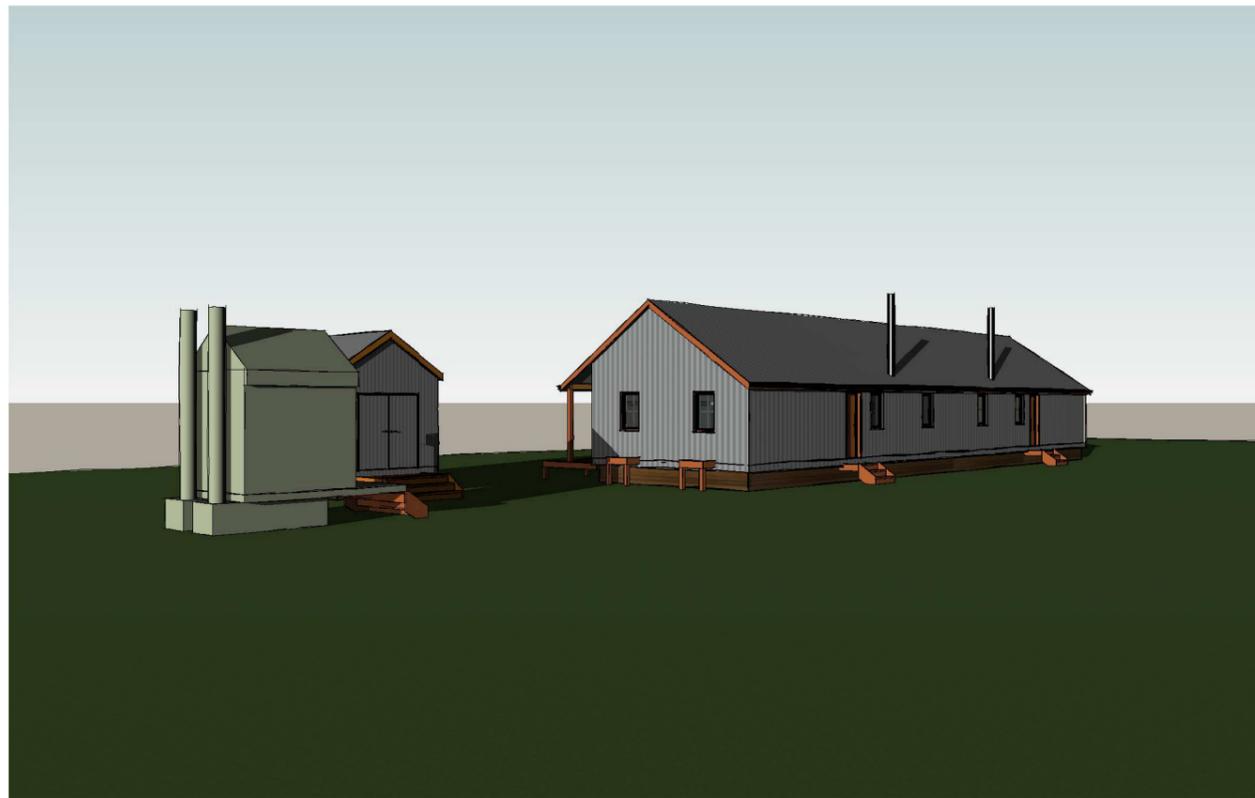
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| PROJECT STATUS | RESOURCE CONSENT |

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| PROJECT TITLE | | Snow Farm 32 Bed School Hut Pisa Alpine Charitable Trust | |
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SCALE 1:100



SCALE 1:1
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| DRAWING TITLE | PROJECT STATUS |
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| Snow Farm 32 Bed School Hut Pisa Alpine Charitable Trust | | 020-015 | | A302 | | |



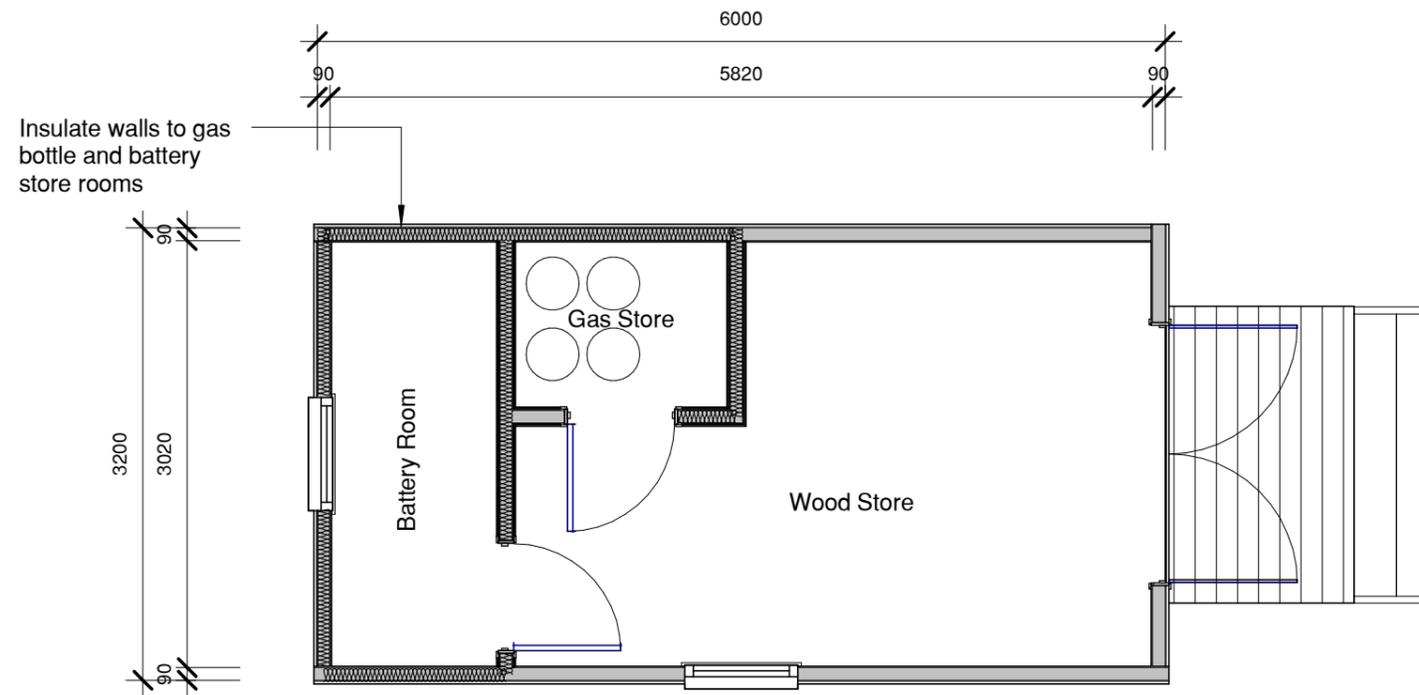
Utility Hut & Firewood Shed Pisa Alpine Charitable Trust

| Sheet List | | | | |
|------------|------------|------------------|-----|----------|
| Number | Name | Project Status | Rev | Rev Date |
| A000 | Title | Resource Consent | | |
| A200 | Floor Plan | Resource Consent | | |
| A300 | Elevations | Resource Consent | | |

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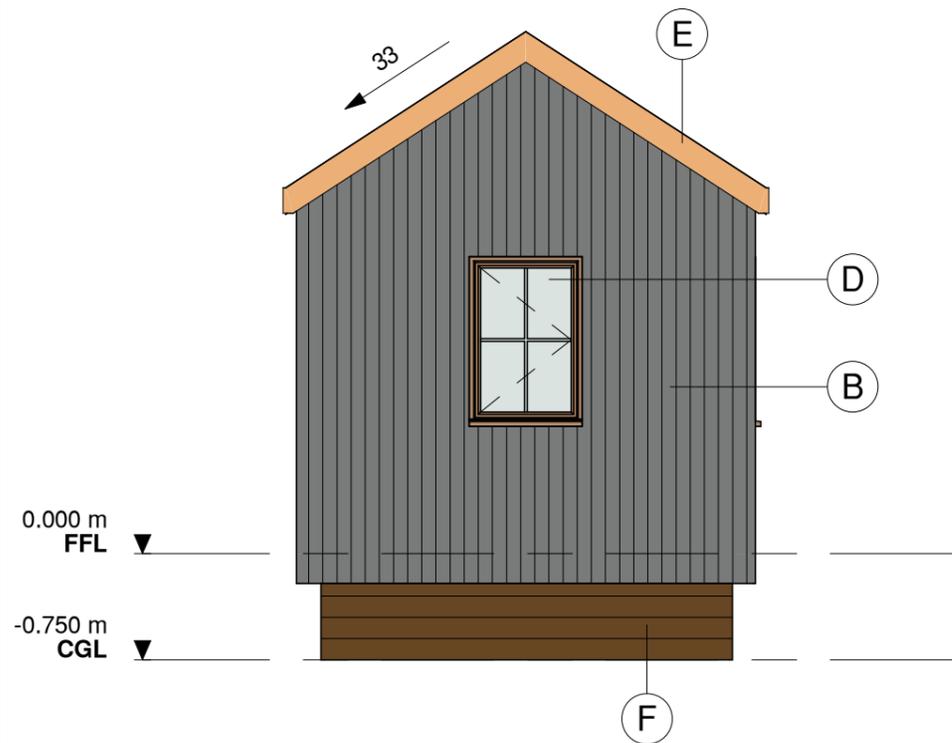


1 **Floor Plan**
A300 1 : 50

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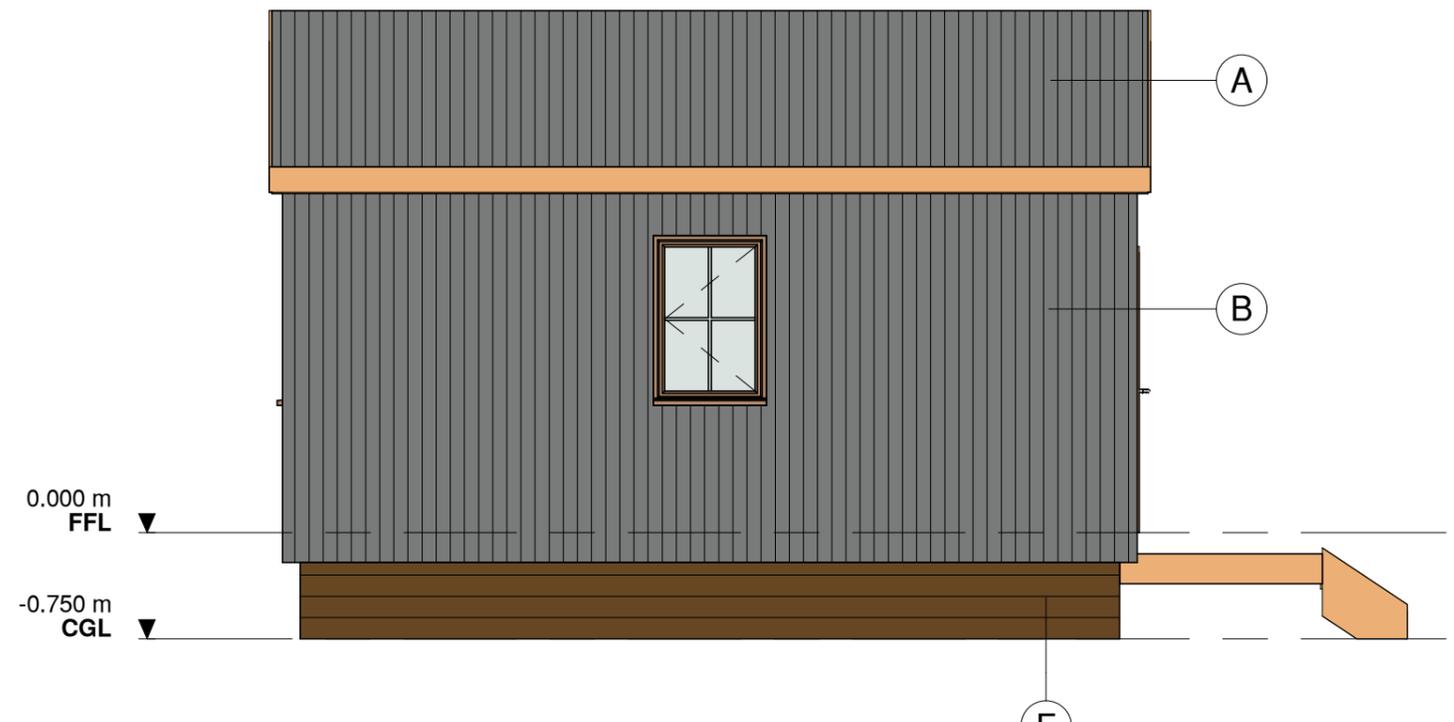
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North Elevation

1 : 50

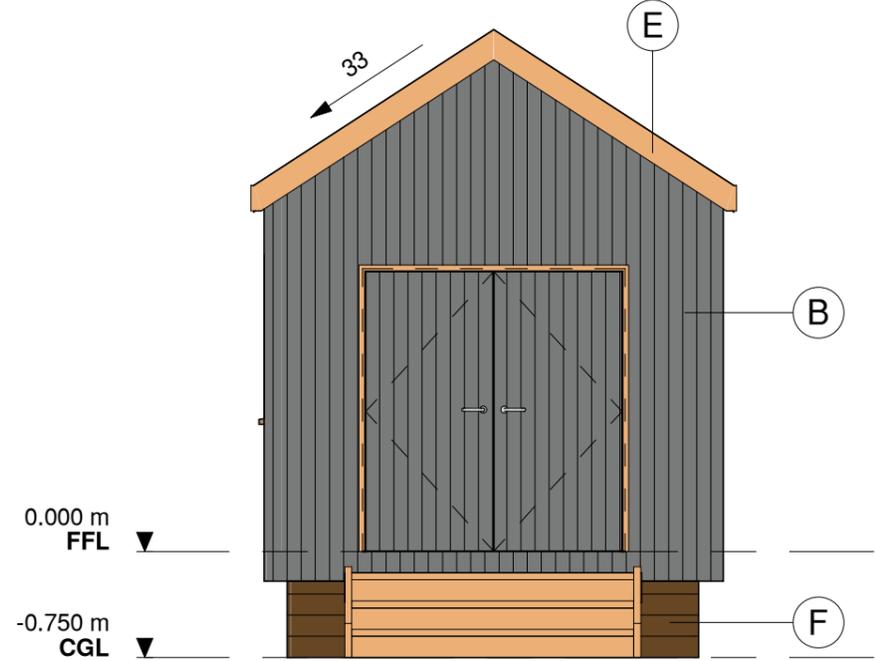


West Elevation

1 : 50

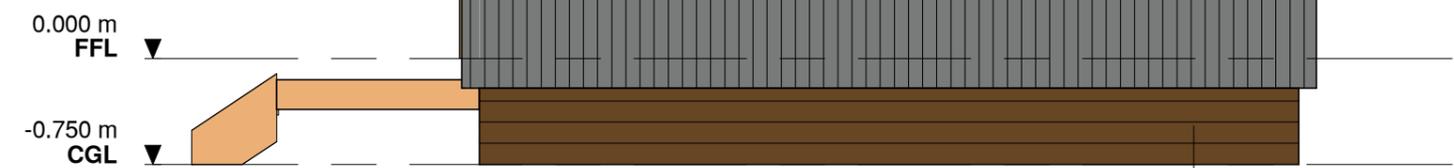
- Exterior Finishes Legend:**
- (A) - Galvanised corrugated roofing on covertek 407 roof underlay (alternatively old weathered corrugated iron if able to source)
 - (B) - Vertical galvanised corrugated cladding direct fixed on Rigid Rap RAB (alternatively old weathered corrugated iron if able to source)
 - (C) - Timber framed double-glazed windows with colonial bars
 - (D) - Insulated timber framed doors with vertical corrugate facing to door panels
 - (E) - 140 x 20 H3.2 timber fascia
 - (F) - 100 x 25 H3.2 rough sawn battens to enclose subfloor

SCALE 1:100
100 mm
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South Elevation

1 : 50



East Elevation

1 : 50

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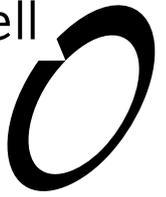
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| DRAWING TITLE | Elevations |
| PROJECT STATUS | Resource Consent |

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|----------------|---------|---|------|
| PROJECT TITLE | | Utility Hut & Firewood Shed Pisa Alpine Charitable Trust | |
| PROJECT NUMBER | 020-015 | SHEET NUMBER | A300 |
| REV | | | |





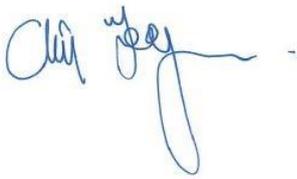
Snow Farm School Hut

Application for Resource Consent
Prepared for Pisa Alpine Charitable Trust

14 August 2020



Document Quality Assurance

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|---|--|--|
| Bibliographic reference for citation: Boffa Miskell Limited 2020. <i>Snow Farm School Hut: Application for Resource Consent</i> . Report prepared by Boffa Miskell Limited for Pisa Alpine Charitable Trust. | | |
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| Status: FINAL | Revision / version: 1 | Issue date: 14 August 2020 |
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1.0 Applicant and Property Details

A completed application form is enclosed as Appendix 1. The summary details relating to the applicant and subject site are as follows:

| | |
|-----------------------------------|--|
| To: | Queenstown Lakes District Council |
| Applicant's Name: | Pisa Alpine Charitable Trust |
| Address for Service: | Boffa Miskell Ltd PO Box 1028 Queenstown 9300 Attn: Chris Ferguson Phone: 03 353 7568 Email: chris.ferguson@boffamiskell.co.nz |
| Address for Fees: | C/o Pisa Alpine Charitable Trust (PACT) PO Box 1871 Queenstown 9348 Attn: Peter Soundy Phone: 03 442 5430 Email: peter.soundy@rubix.nz |
| Legal Description: | The site is located within the land legally described as Lot 5 DP 460313, Recreation Reserve, being 297.31 hectares in area and contained within Record of Title 603225 (refer RT in Appendix 2) |
| Site Address: | Snow Farm NZ, Snow Farm Access Rd, Cardrona Valley Road, Wanaka 9381 (refer to the Location Plan in Appendix 3) |
| Owner/Occupier Name and Address: | Queenstown Lakes District Council (owner) Snow Farm NZ (occupier) 2127 Cardrona Valley Road, Cardrona 9381 |
| District Plan Zoning / Notations: | <u>Operative District Plan</u> Rural General: Waiorau/Pisa Ski Area Sub-Zone, (Outstanding Natural Landscape exclusion) <u>Proposed District Plan</u> Rural: Waiorau/Pisa Ski Area Sub-Zone |

2.0 Introduction / Background

This Resource Consent application has been prepared on behalf of 'the applicant' Pisa Alpine Charitable Trust (PACT) to establish a School Hut on Snow Farm Ski Area close to Cardrona, on the Pisa range. The proposed activity is within a Ski Area Sub-Zone.

The land originally belonged to Mary and John Lee. In 2012, the PACT has successfully raised \$1.5m to facilitate the purchase and allow the land transfer to occur between the previous owners and QLDC. The land is now owned by QLDC and designated as a recreation reserve. PACT has been granted an exclusive lease for the cross-country operation and other recreational uses.

This resource consent application provides:

- A detailed description of the proposed land use.
- An assessment of effects on the environment.
- An assessment of the relevant provisions of the operative Queenstown Lakes District Plan relating to the Ski Area Sub-Zone as well as an assessment of the relevant provisions of the Ski Area Sub-Zone of the Proposed District Plan;
- An assessment of the status of the land use against the provisions of the National Environmental Standard for Assessment and Managing Contaminants in Soil to Protect Human Health (2011); and
- An assessment of the activity against the matters set out in Part II of the Act.

The application for land use consent is made pursuant to Section 88 of the RMA. The application has been prepared in accordance with the Fourth Schedule of the RMA, in such detail to satisfy the purpose for which it is required.

3.0 Site Description

The site is located at the Snow Farm, a commercial cross-country ski field. The land is held as Recreation Reserve, owned by the Queenstown Lakes District Council. The site is legally described as Lot 5 DP 460313 and contained within Record of Title 603225.

It is proposed to locate the new hut towards the northern part of the Snow Farm, accessible only by ski trail in winter or four-wheel drive in summer. The approximate location of the proposed Hut within Lot 5 is shown within Figure 1 below.

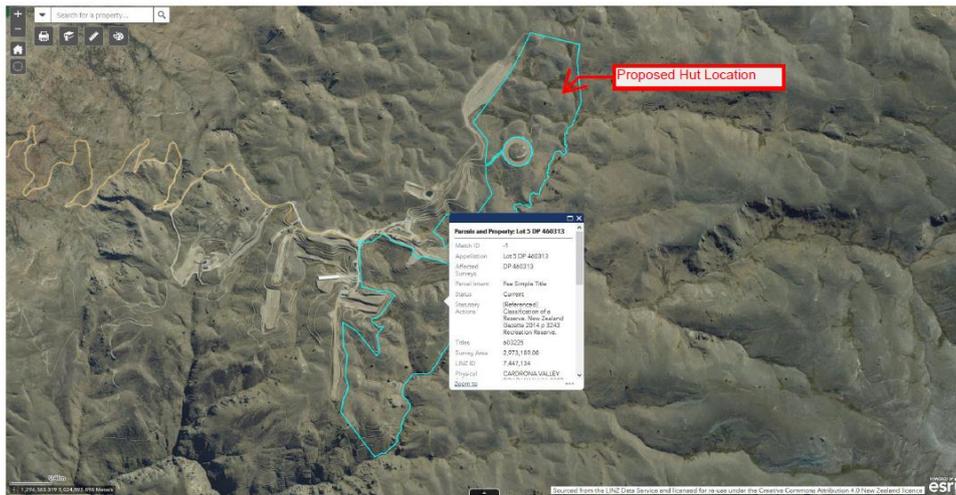


Figure 1: Proposed Hut location within Lot 5

The proposed hut is located on the eastern side end of a spur within a low saddle, shown in pink on Figure 2 below. Further detail on the site are shown on the plans within **Appendix 3**. The closest existing huts are the Bob Lee hut on the northern boundary and Meadow Hut on the Eastern boundary.

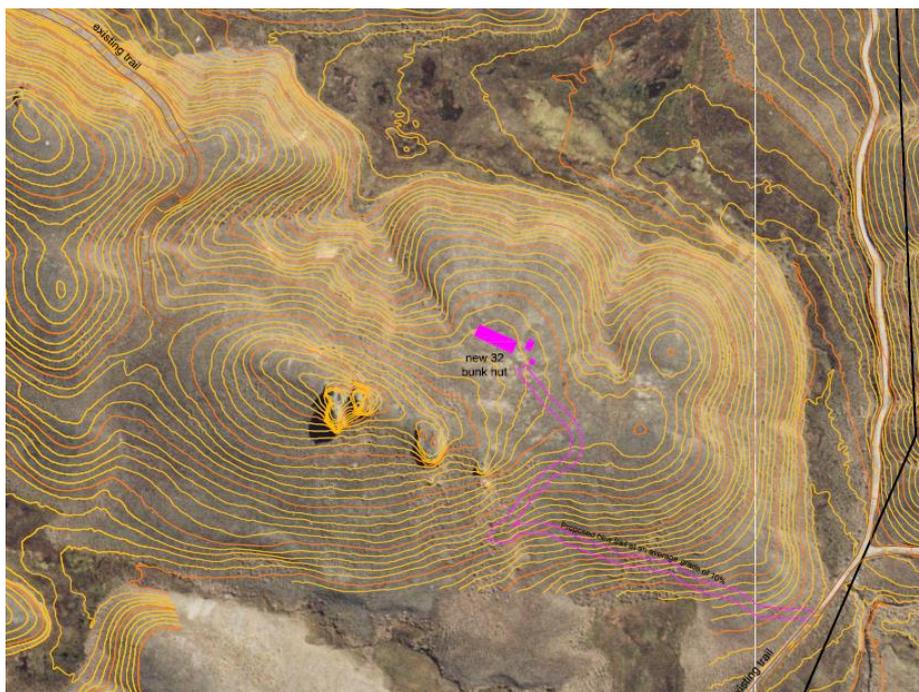


Figure 2: Proposed Hut location

The surrounding terrain has been modified by a network of formed trails. The land is at an elevation varying between 1400 and 1600 metres

The main current uses of the land lies around winter sports and comprises of cross-country skiing, biathlon and triathlon, ski orienteering, sled dog trips and racing, access to back country skiing on the Pisa Range and snow education.

In summer, the land is used for mountain biking, trail running, hiking, tramping, orienteering, altitude training and more.

The Snow Farm hosts events such as the International Ski Federation (FIS) ANC Continental Cup races and was the venue for X-Country and winter triathlon elements of the Winter Games NZ in 2009 and 2011, and subsequent FIS and/or Winter games and X- Country events in every year since. It also hosts the annual Merino Muster event that is part of the International World Loppet series and attracts entrants from around the world.



Figure 3: Photograph of the approximate proposed hut location

The snow farm has over 50km of trails with a wide range of experience level options. The tramping trails connect to the Lowburn pack-track, the Roaring Meg hut (DOC), the Tuohys gully – Crown summit track (DOC), Pisa Conservation area trails to Kirtle Burn Hut and Pisa summit.

Several huts along the Snow Farm trails are used for overnight family and school expeditions: Meadow Hut, Bob Lee Hut, Daisy Lee Hut. The huts on the Pisa range are used for back country skiing overnight stays: Meg Hut, Deep Creek Hut, Kirtle Burn Hut and Robrosa Hut.

The existing lodge building is owned by the car testing operation SHPG. Ski hire and day-lodge areas are leased from SHPG.

There is only one road access to Snow farm, starting from the main Cardona Valley Road north of Cardrona. It meanders for 14km on abrupt terrain. The arrangements are like the access road to the Remarkables where public access is protected year-round along a private access road.

4.0 The Proposal

The proposal is to construct a new hut called “Musterers Hut” that would allow further use of the reserve by providing additional accommodation to cater for growth in the use of the area. This hut is intended for school groups.

The proposed hut will be accessible by 4WD to bring building materials and provide access over summer. As snowmobile would deliver the goods over winter. School groups will be accessing the hut by using the trails.

4.1 The Activity

The proposal is to use the hut for accommodation purposes. The primary target group is for the school groups that typically spend several days in the hut during the week in the winter, accessing the hut by a 5km ski from the road end. The existing Meadow Hut is typically booked all winter with school groups being turned away due to overbooking or unable to use the facility due to the limited sleeping capacity.

The proposed plan consists of 32 beds allowing for 24 children and 8 adults or 28 children and 4 adults. The hut could be divided to allow for two smaller school groups.

The hut is also anticipated to be used by local family groups over the weekends in the winter and during the summer. Current booking for weekends at Meadow Hut over the winter are typically fully booked at the start of the winter, with many groups turned away disappointed each season.

Hut users’ book through the Snow farm and pay hut fees for their stay similar to DOC huts. In the winter users will also pay a fee for trail access and rental of ski equipment (if required).

School groups pay a heavily discounted fee combining hut fees, trails fees, ski rental and ski lessons.

4.2 The Buildings

The proposal is to construct three buildings within the site, including a 203m² School Hut, a 19.2m² Utility building and 5m² Toilet. Plans of the proposed buildings are contained within **Appendix 5** and as described further below.

4.2.1 School Hut Building

The School Hut building comprising a single rectangle, gable roof building form of 174m² together with two small decks of 29m². The building will be 5.650m in height above the finished ground level.

The exterior design will be similar to the existing Meadow Hut, with a rustic farm building look using unpainted weathered corrugated iron, timber framed triple glazed windows with rough sawn natural timber planks to enclose the subfloor. The northern elevation provides for two elements of the external walls comprising horizontal weatherboards of un-oiled natural cedar. The interior will be similar to existing huts with timber floors, plywood panelled walls, stainless steel bench surfaces.



Figure 4: Photograph of Meadow Hut

4.2.2 Utility Hut and Firewood Shed

The utility and firewood shed is a small structure (3.2 x 6m) that can be transported and placed onto the site by Hiab. Its exterior finish will be similar to the main hut or recycled corrugated iron from an old rural building if obtainable. The shed will be for three separate uses: the gas bottle store, the battery room for the solar batteries and the firewood store. It will be 6m on the western side of the hut.

4.2.3 Services

The toilets (2.4m x 2.4m) will be 12m away on the eastern side of the building, with Alpine style Double Norski units proposed. The toilet holding tank is pumped out each summer when the location is accessible by a “sucker truck”. This is the process currently used for both Meadow Hut and Bob lee Hut.

The electricity would come from solar panels and a battery system. Gas bottles will be used for cooking, the bottles being stored in the utility shed and connected to the cooking stations by underground pipes. There would be water storage in the huts, harvested from the roof gutters. Over the winter water will be transported to the hut by snow mobile or tanker trailer towed by the snow groomer and will be stored in water containers or pumped into the tank.

Firewood for the log-burners is also delivered to the hut in the summer and stored in the utility shed for use during the winter.

4.3 Earthworks and Land Disturbance

The proposal will involve earthworks and land disturbance associated with the construction of the new buildings and the creation of a new access track. Plans of the area of proposed earthworks are included within **Appendix 6**. The plans provide for the formation of a 6m wide

track to the huts linking to an existing trail to the south. The new trail has an average grade of 10% and is located to avoid any wet or swampy areas.

The proposal will result in earthworks over an area of 0.20ha, within 760m³ of cut and 740m³ of fill. In total, 1500m³ of earthworks.

It is proposed to establish a Site Management Plan (SMP) prior to undertaking construction work to manage the effects of earthworks. The SMP will outline the management techniques to ensure that construction activities do not impact areas of ecological value / sensitivity above. This should include:

- a) Identification of any wetland and seepages towards wetland to be avoided (including for stockpiling of excavated material)
- b) Measures to minimise the risk of introducing invasive plants (through construction-associated activities) not currently present on the site
- c) Methods for the removal, salvage and replanting of vegetation
- d) Remediation of areas affected by land disturbance
- e) Ensure adequate sediment and erosion control measures are implemented to avoid adverse effects of sedimentation in the areas of ecological value / sensitivity.

5.0 Reasons for the Application

5.1 District Plan Review

The Queenstown Lakes District Council has commenced a review of its District Plan in a series of stages. The site of the application was included within the rural zone and Ski Area Sub-Zone (**SASZ**) as part of Stage 1 of the notified Proposed District Plan.

All of the proposed reserve land falls within the Waiorau/Pisa Ski Area Sub-zone as identified on the Planning Maps. There are no appeals against this SASZ. There are likewise no appeals against the rules relating to buildings within the SASZ. For this reason, the rules of the PDP relating to this activity, within this SASZ, are considered operative and the corresponding rules from the ODP can be treated as being inoperative.

An assessment of the relevant rules from the PDP is detailed below.

5.2 Proposed District Plan

The Proposed District Plan was notified on 26 August 2015 and includes a review of the Rural Zone.

Under the Proposed District Plan, the site is within the Rural Zone and the Waiorau/Pisa Ski Area Sub-zone. It is within an area identified as an Outstanding Natural Landscape but the landscape categories and assessment matters for development do not apply to skiing activities within the Ski Field Subzones.

The proposed building fits within the definition of “Ski Area Activities” which means:

“the use of natural and physical resources for the purpose of providing for:

- a) recreational activities either commercial or non commercial*
- b) chairlifts, t-bars and rope tows to facilitate commercial recreational activities.*
- c) use of snowgroomers, snowmobiles and 4WD vehicles for support or operational activities.*
- d) activities ancillary to commercial recreational activities.”*

The proposal triggers resource consent in terms of the following rules:

- a) Land use consent as a controlled activity in terms of Rule 21.5.27 for the construction of a building. Councils control is reserved to:
 - Location, external appearance and size, colour, visual dominance.
 - Associated earthworks, access and landscaping.
 - Provision of water supply, sewage treatment and disposal, electricity and communication services (where necessary).
 - Lighting.
- b) Land use consent as a restricted discretionary activity in terms of Rule 21.12.7 Ski Area Sub Zone Accommodation, where it is proposed to use the proposed buildings for the purposes of accommodation.

Discretion is restricted to:

 - a. scale and intensity and whether these would have adverse effects on amenity, including loss of remoteness or isolation;
 - b. location, including whether that because of the scale and intensity the visitor accommodation should be located near the base building area (if any);
 - c. parking;
 - d. provision of water supply, sewage treatment and disposal;
 - e. cumulative effects;
 - f. natural hazards.
- c) Land use consent as a discretionary activity in terms of Rule 33.5.9.1 to undertake the clearance of indigenous vegetation within an alpine environment, being land above 1,070metres above sea level.

Through provision 25.3.2.6 (Chapter 25 Earthworks), earthworks within the SASZs are exempt from the earthwork’s rules, with the exception of the standards relating to erosion and sediment control and setbacks from waterbodies. The proposal is to implement a SMP prior to construction to ensure compliance with the earthwork’s standards and through the design and location of the earthworks plan will avoid earthworks within proximity to waterbodies.

6.0 Assessment of Environmental Effects

6.1 Accommodation

The use of the hut for accommodation is consistent with the established hut accommodation provided at the Snow Farm, comprising the main Lodge, Bob Lee Hut and Meadow Hut. The proposal will add to the existing options to experience a remote and isolated on-field accommodation without an alpine environment. The scale of the accommodate is very small, limited to 32 beds with basic facilities.

The location of the hut will maintain distance from other facilities at the Snow Farm.

Basic services are available through the provision of a chambered toilet system, gas bottle storage, on-site water collection and storage, solar electricity and fire wood.

6.2 Visual Amenity Effects

The proposed hut, utility shed and toilets are located on a natural plateau towards the eastern end of a spur, at about equal distance between Meadow hut and Bob Lee hut.

The hut is a relatively small-scale building with only 203m² in area (7.2m by 2.4m). The total height of the building is only 5.65m at the peak of the roof from ground level. The toilets have a 2.4m x 2.4m footprint, the utility shed is 3.2 x 6m for a 3.75m approximate height. The small scale of the building and its facilities located in such an open landscape will make them visually unobtrusive.

The hut is clad on the roof and long sides in galvanised corrugate long run roofing and vertical galvanised corrugate. If an old weathered corrugated iron can be sourced, it will be used instead. The fascia, window and door frames will be in timber. The colouring of the structures will be silver grey in appearance. This external appearance is compatible with many high-country buildings, built of sturdy materials to last in extreme weather conditions.

The building is consistent with anticipated use of the Ski Area Sub-Zone for such structures and is compatible with the surrounding zone. Indeed, the building is small in scale and discreet in appearance when compared to many large-scale structures in the Sub-Zone e.g. chair lifts, resort buildings.

The building is not located in a prominent area, and will not be visible from nearby public roads (noting that Snow Farm is a Recreation Reserve owned by QLDC and therefore public land). While the public may view the structure from within public land, it is of an appearance that would be expected for such an area.

6.3 Effects on Ecological Values

The proposal will result in the need to disturb a small area of vegetation to gain access to the site and construct the proposed buildings. The location of the site and alignment of access has been carefully chosen to avoid and wet areas. The site is located in close proximity to other modified areas of the SASZ, including the circular area of the testing grounds, which have been examined through the Ecological Assessment conducted by Dr Colin Boswell (**Appendix 7**).

In this area indigenous fauna consists of modified alpine snow / fescue / blue tussock / herbfield and this same pattern of vegetation is expected to continue throughout the area of the proposed school huts. Based on the adjacent work, there is not likely to be a significant threat to the indigenous plants or animals of this area and as a consequence of the discrete area of disturbance.

It is proposed to adopt a similar approach to mitigate the effects of the proposed land disturbance on the local ecology as has been adopted for adjacent projects through the adoption of a SMP. The aim of the SMP, which is proposed to be submitted to the Council prior to commencement of work, is to

- a) Detail the measures to save top soil for reapplication to the earth-worked areas
- b) Retain any snow tussocks and larger fescue tussocks for subsequent re-planting of batters and tracks
- c) Reapplication of top soil to worked surfaces to encourage re-establishment of any indigenous plants
- d) Detail measures to address sediment and erosion control during construction
- e) Avoidance of disturbance within any wetland or seepages

Through the adoption of the above measures the proposal can appropriately avoid or mitigate any adverse effects on ecological values.

6.4 Services

The building is not intended to have, any reticulated services such as water supply, communications or electricity. Solar energy with batteries, firewood, gas bottles will be the only energy and cooking sources and most of their water needs will be harvested and stored on site.

The food and beverages and other supplies will be brought by to the site by the recreational activity users and school groups. The sewage from the toilets is captured in a sealed, contained unit removed from site by a dedicated septic tank pump vehicle during the summer and emptied at an approved disposal facility off site.

Access to the site is not reliant on vehicles and thus there is no necessity to provide for parking. Vehicle access during the summer is strictly limited to maintenance activities, delivery of luggage, and firewood, or for transport of persons with disabilities such that they are unable to walk or cycle the 5km distance from the road-end.

6.5 Positive Effects

The positive effects of the proposal include:

- The provision of shelter for those using the ski area, enhancing safety in inclement weather
- The provision of a structure to improve the visitor and recreation experience, especially school groups, by providing a place to rest and prepare food
- The provision of an overnight accommodation option for school groups that facilitates winter and summer outdoor education and facilitates other educational opportunities

- The provision of an affordable overnight accommodation options for local residents to experience the full overnight ski/hiking or back-country cycling experience
- Allowing school children and every-day local residents to explore the unique high country environment normally only accessible by helicopter or by experienced and extremely fit back-country skiers and trampers.

6.6 Conclusion of Assessment of Environmental Effects

Avoidance and mitigation of effects will be achieved through the location, scale, design and materials of the building. It is anticipated that the consent will be subject to a condition requiring that the location, implementation and operation of the activities shall be in accordance with the consent application and associated plans and documents, lodged with the Queenstown Lakes District Council.

Overall it is considered that this proposal will appropriately avoid or mitigate any adverse effects on the environment, including visual amenity and ecological values. The proposal will result in some positive effects for recreation values.

7.0 Statutory Assessment

The proposal must be considered under Section 104 of the Resource Management Act 1991 ('RMA'). Section 104 sets out the matters to be considered when assessing resource consents. It requires that subject to Part 2 (Purpose and Principles) regard must be had to the following specified matters:

- (a) any actual and potential effects on the environment of allowing the activity; and*
- (b) any relevant provisions of*
 - (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; and*
- (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.*

The assessment of actual and potential effects on the environment above finds that the proposal will not have an adverse effect on the environment due to the location, scale, design and materials of the building.

This part of the report addresses the relevant provisions of the following statutory documents which are relevant to the assessment of this proposal:

- Queenstown Lakes Proposed District Plan;

- Part II of the Resource Management Act;
- NES for Contaminants in Soil.

7.1 Objectives and Policies of the Proposed District Plan

7.1.1 Chapter 6 Rural Landscapes

6.3.8 Objective - Recognise the dependence of tourism on the District's landscapes.

Policies

- 6.3.8.3 *Exclude identified Ski Area Sub Zones from the landscape categories and full assessment of the landscape provisions while controlling the impact of the ski area structures and activities on the wider environment.*

The building is located within a Ski Area Sub-Zone and thus is exempt from consideration under the landscape provisions of the Proposed Plan.

7.1.2 Chapter 21 Rural Zone and Ski Area Sub-zone

The relevant objectives and policies for the Rural Zone and the Ski Area Sub-Zone state:

21.2.6 Objective - Encourage the future growth, development and consolidation of existing Ski Areas within identified Sub Zones, while avoiding, remedying or mitigating adverse effects on the environment.

Policies:

- 21.2.6.1 *Identify Ski Area Sub Zones and encourage Ski Area Activities to locate and consolidate within the sub zones.*
- 21.2.6.2 *Control the visual impact of roads, buildings and infrastructure associated with Ski Area Activities.*

The proposal is consistent with the use of the Sub-Zone for supporting ski activities and in particular the ongoing development and consolidation of ski area activities within the Waiorau/ Pisa Sub-Zone. As discussed above, the visual effects of this building are negligible given the scale, materials and remote location. The building is visually compatible with the surrounding area and with what is anticipated to be developed in this Sub-Zone.

7.2 Part II of the RMA

Part II of the RMA sets out the purpose (**Section 5**) and principles (**Sections 6-8**) of the RMA.

Section 6 "Matters of National Importance" of the RMA states:

"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."

The "Matters of National Importance" considered potentially relevant to this proposal are:

- (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.*

The proposal will be located in an area surrounded by an Outstanding Natural Landscape but will not result in inappropriate use of the area that would lead to significant impacts on the landscape. The building is small in scale and compatible with the surrounding landscape and the activities anticipated for the Ski Area Sub-Zone. The physical works to establish the building are minimal and impacts on indigenous vegetation can be appropriately avoided or mitigated.

Section 7 “Other Matters” of the RMA states:

“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—”

The “Other Matters” considered potentially relevant to this proposal are:

- (b) *The efficient use and development of natural and physical resources.*
- (c) *The maintenance and enhancement of amenity values.*
- (f) *Maintenance and enhancement of the quality of the environment.*

The location of the building is based on the use of the physical resource of the Ski Area and efficiently uses the area dedicated to the provision of recreation and commercial recreation activity. The small scale and discreet nature of the building will ensure that amenity values and that the quality of the environment are maintained. The building may enhance amenity values and the quality of the environment by supporting the use of the area and improving the experience for visitors.

Section 8 of the RMA states:

“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 take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).”

The site is not known to have any particular value to Iwi and the proposal is designed to ensure use of the area consistent with maintaining wider Iwi expectations.

Section 5 of the RMA states that the purpose of the RMA is:

“to promote the sustainable management of natural and physical resources”.

Section 5 also states:

“(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 wellbeing 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."*

This proposal will provide for the social, economic and recreational wellbeing of users of the area by providing a shelter for both safety purposes and to enhance the visitor experience, particularly school groups, by providing a hut to rest and prepare food. The health and safety component of the structure is important to note as the weather can be unpredictable in this area and having a shelter available is a significant benefit to users of the area.

The building will not alter the ability of the natural and physical resources of the area to meet the needs of future generations as it sits lightly on the land. The building will have little impact on the life-supporting capacity of air, water, soil, and ecosystems, nor will it cause any adverse effects on the environment. The scale and materials of the building will avoid adverse visual effects, as will the remote location.

Overall the proposal is consistent with the purpose of the Act.

7.3 NES for Contaminants in Soil

The National Environmental Standard for Assessment and Managing Contaminants in Soil to Protect Human Health (NES) came into effect from 1 January 2012 and applies to activities involving earthworks.

The NES requires an applicant to demonstrate to the Council that it is highly unlikely that there will be a risk to human health from any activity on the HAIL list.

The probability that an activity or industry described in the HAIL is being or has been undertaken on land within the site is low based on a review of the information held by the Queenstown Lakes District Council and the Otago Regional Council.

The information sources being relied upon to support this conclusion are detailed below.

7.3.1 Otago Regional Council – Contaminated Site Register

A review of the information held by the Otago Regional Council has been undertaken through a search of the Otago Regional Council HAIL database. The results of this search are shown graphically within Figure 5 below and confirm that no record of there being any contaminated sites within this area.



Figure 5: Otago Regional Council HAIL database search results

7.3.2 Queenstown Lakes District Council files

Council's files refer to the following building consent for this site:

- BC190133 – Installation of Yunca Oscar Wood Burner (Free Standing)

There is no record of any further resource consents on Council's files for this property.

Wood Burners are not included in the Hazardous Activities and Industries List (HAIL 2011). Therefore, there is no evidence of applications under either the Building Act 2004 or the Resource Management Act 1991 relating to activities or industries described in the HAIL.

7.3.3 Queenstown Lakes District Council - Hazards Register

The Queenstown Lakes Hazards Register is an electronic database holding records of Dangerous Goods Licenses and Potential Contaminated Sites that includes potentially contaminated sites, contaminated sites, and landfills.

Below is an extract from the Council's Hazards register for the area within the vicinity of the application site:

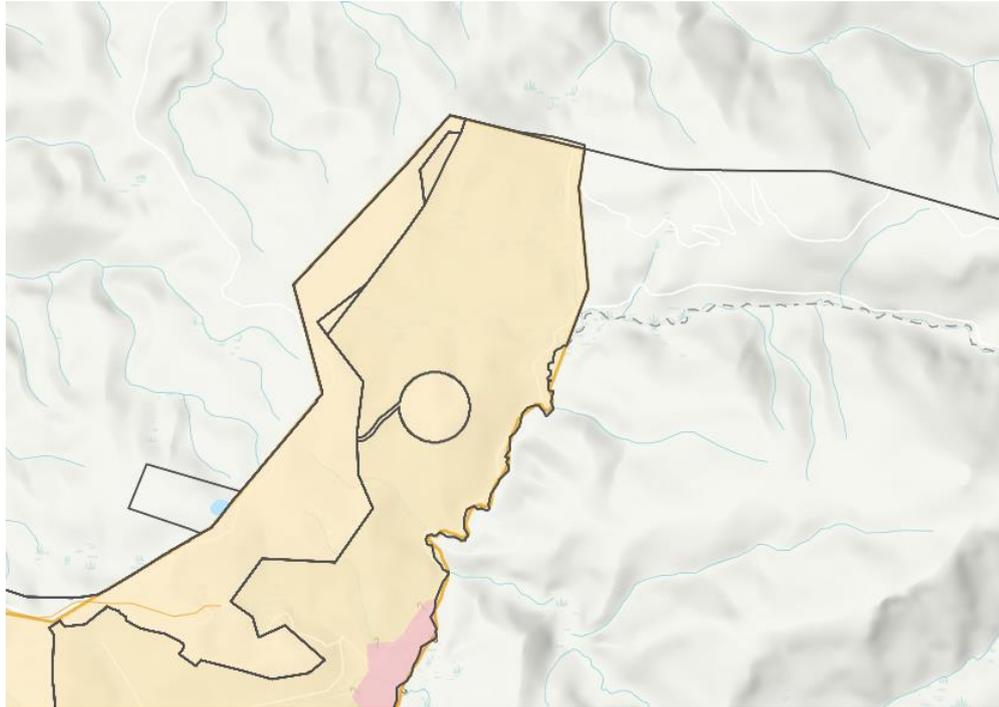


Figure 6: QLDC Hazards and Contaminated Sites Map

The entire parcel has been identified within the database as containing Dangerous Goods, but no contaminated or potential contaminated sites. The dangerous goods relate to fuel storage (various types) but with none being located within the area subject to this application.

7.4 Conclusion on Statutory Considerations

Overall it is considered that the proposal:

- is consistent with the objectives and policies of the Proposed Queenstown District Plan relating to landscape and visual amenity, and development within Ski Area Sub-Zones activities.
- has particular regard to the other matters set out in section 7 of the Act, particularly efficient use of the physical resource, maintenance of amenity values and maintenance and enhancement of the quality of the environment.
- is consistent with the purpose of the Act in relation to demonstrating sustainable management and avoiding or mitigating any adverse effects on the environment.
- The proposed activity does not trigger resource consent under NES for Soil Contamination

Limited assessment of alternatives has been undertaken as it is not considered that the proposal will have significant adverse effects on the environment or on any persons. There are no other relevant matters for consideration.

8.0 Consultation and Notification

This section of the report provides discussion on whether this application for resource consent needs to be notified in accordance with Sections 95 to 95F of the RMA.

No consultation has been undertaken on this proposal given the guidance contained in the District Plan which anticipates such activity in this zone and states that such a controlled activity consent will not require the input of other parties.

8.1 Public Notification

Section 95D states:

“Consent authority decides if adverse effects likely to be more than minor

A consent authority that is deciding, for the purpose of section 95A(2)(a), whether an activity will have or is likely to have adverse effects on the environment that are more than minor—

- (a) must disregard any effects on persons who own or occupy—
 - (i) the land in, on, or over which the activity will occur; or*
 - (ii) any land adjacent to that land; and**
- (b) may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect; and*
- (c) in the case of a controlled or restricted discretionary activity, must disregard an adverse effect of the activity that does not relate to a matter for which a rule or national environmental standard reserves control or restricts discretion; and*
- (d) must disregard trade competition and the effects of trade competition; and*
- (e) must disregard any effect on a person who has given written approval to the relevant application.”*

Taking into account the above, there are no adverse effects of this proposal on the environment and further:

- The land surrounding all of the building site is part of the application property and the Ski Area Sub-Zone and thus is part of the land owned and occupied by the application site.
- No other persons are considered to be affected by the proposal.

Section 95A of the RMA states:

“Public notification of consent application at consent authority's discretion

- (1) A consent authority may, in its discretion, decide whether to publicly notify an application for a resource consent for an activity.*
- (2) Despite subsection (1), a consent authority must publicly notify the application if—
 - (a) it decides (under section 95D) that the activity will have or is likely to have adverse effects on the environment that are more than minor; or**

- (b) *the applicant requests public notification of the application; or*
 - (c) *a rule or national environmental standard requires public notification of the application.*
- (3) *Despite subsections (1) and (2)(a), a consent authority must not publicly notify the application if—*
- (a) *a rule or national environmental standard precludes public notification of the application; and*
 - (b) *subsection (2)(b) does not apply.*
- (4) *Despite subsection (3), a consent authority may publicly notify an application if it decides that special circumstances exist in relation to the application.”*

None of the circumstances in 95A(2) (which sets out when a consent authority must notify an application) apply to this application because:

- There are no adverse effects on the environment (as assessed above);
- The applicant does not request notification; and
- There is no rule or national environmental standard which requires notification.

Section 95A(3)(a) applies to this application because Rule 5.3.4 of the District Plan states:

“Any application for a resource consent for the following matters may be considered without the need to obtain a written approval of affected persons and need not be notified in accordance with Section 93 of the Act, unless the Council considers special circumstances exist in relation to any such application:

(i) All applications for Controlled Activities.”

There are no special circumstances which would warrant notification under Section 95A(4).

Accordingly, it is requested that the consent authority does not publicly notify this application.

8.2 Limited Notification

Where the consent authority accepts that public notification is not required (see Part 9.1 above), consideration must then be given to Section 95B, which states:

“Limited notification of consent application

- (1) *If a consent authority does not publicly notify an application for a resource consent for an activity, it must decide (under sections 95E and 95F) if there are any affected persons or affected order holders in relation to the activity.*
- (2) *The consent authority must give limited notification of the application to any affected person unless a rule or national environmental standard precludes limited notification of the application.*
- (3) *The consent authority must give limited notification of the application to any affected order holder even if a rule or national environmental standard precludes public or limited notification of the application.”*

It is noted that no person is affected by the proposal.

8.3 Conclusion of Notification Assessment

Pursuant to Sections 95 to 95F of the RMA, and specifically in relation to Rule 5.3.4 of the District Plan, it is requested that this application is processed without public notification and without limited notification to any person or order holder because:

- The circumstances in 95A(3) apply and therefore the consent authority must not notify this application;
- No special circumstances exist; and
- No person is considered to be adversely affected.

9.0 Conclusion

The proposal seeks to gain consent to build a new Hut primarily to be used by school groups.

It is considered that this proposal will not have adverse effects on the environment because:

- Whilst the building will be visible from within the site, it is small in scale and well located to minimise visibility.
- The building will have a design, materials and colours compatible with the surrounding environment to minimise visual impacts.
- The building is anticipated in this location as part of the ongoing growth and development of the Ski Area Sub-Zone.
- There will be no adverse ecological effects.
- There will be positive effects in the provision of a safety shelter and a facility to improve visitor experiences.

In relation to statutory considerations, it is considered that the proposal:

- has particular regard to the other matters set out in section 7 of the Act, particularly efficient use of the physical resource, maintenance of amenity values and maintenance and enhancement of the quality of the environment.
- is consistent with the purpose of the Act in relation to demonstrating sustainable management and avoiding or mitigating any adverse effects on the environment.
- is consistent with the objectives and policies of the Proposed Queenstown District Plans relating to landscape and visual amenity, and development within Ski Area Sub-Zones activities.
- The NES for Contaminants in Soil is not triggered by this activity.

Pursuant to Sections 95 to 95F of the RMA, it is requested that this application is processed without public notification and without limited notification to any person

In conclusion, it is considered that the Queenstown Lakes District Council has the authority to grant consent to the proposed development on a non-notified basis in terms of the Resource Management Act.