

APPLICATION AS NOTIFIED

Cardrona Cattle Company Limited

(RM250368)

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:

Cardrona Cattle Company Limited

What is proposed:

To establish a managers unit within a storage unit approved by RM220327, and to make associated changes Conditions 1, 9, 16a), 16d) and 22 of resource consent RM220327 to enable this residential use.

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

191 Victoria Flats Road, Queenstown

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 **RM250368** as the reference <https://edocs.qldc.govt.nz/Account/Login>

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

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

The Planner processing this application on behalf of the Council is Rebecca Holden, who may be contacted by phone at 021 170 1496 or e-mail at rebecca.holden@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:

22 September 2025

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/notified-consents/current-notified-resource-consents/>

You must serve a copy of your submission to the applicant (Cardrona Cattle Company Limited, ftgdave5@gmail.com) as soon as reasonably practicable after serving your submission to Council:

C/- Sam Kealey
sam@townplanning.co.nz
Town Planning Group
PO Box 35, Christchurch 8140

QUEENSTOWN LAKES DISTRICT COUNCIL



(Dr Lee Beattie pursuant to a delegation given under
Section 34A of the Resource Management Act 1991)

Date of Notification: 25 August 2025

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 21-Aug-2025

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Class	Description	Doc Set Id / Note Id	Version	Date
PUB_ACC	Attachment [A] - Application Form	8746696	1	04-Jun-2025
PUB_ACC	AEE	8746695	1	04-Jun-2025
PUB_ACC	Attachment [A] - Managers Unit Plans and Amended Plans	8957712	1	13-Aug-2025
PUB_ACC	Attachment [B] - Managers Unit Distance Plan	8957714	1	13-Aug-2025
PUB_ACC	Attachment [C] RM220327 Commissioner Decision	8746698	1	04-Jun-2025
PUB_ACC	Attachment [B] Record of Title 1062256	8746697	1	04-Jun-2025
PUB_ACC	Consent notice 7793537.3	8746712	1	04-Jun-2025
PUB_ACC	Easement Certificate 975354.4	8746703	1	04-Jun-2025
PUB_ACC	Easement instrument 11156084.1	8746706	1	04-Jun-2025
PUB_ACC	Easement Instrument 12517136.4	8746705	1	04-Jun-2025
PUB_ACC	Easement instrument 12517136.5	8746704	1	04-Jun-2025
PUB_ACC	Easement instrument 7398568.11	8746701	1	04-Jun-2025
PUB_ACC	Easement instrument 7398568.4	8746702	1	04-Jun-2025
PUB_ACC	Easement instrument 7793537.5	8746700	1	04-Jun-2025

PUB_ACC	Easement instrument 8287698.4	2	8746699	1	04-Jun-2025
PUB_ACC	Easement instrument 8907214.1		8746707	1	04-Jun-2025
PUB_ACC	Land Covenant 12517136.10		8746708	1	04-Jun-2025
PUB_ACC	Land Covenant 12517136.7		8746711	1	04-Jun-2025
PUB_ACC	Land Covenant 12517136.8		8746710	1	04-Jun-2025
PUB_ACC	Land Covenant 12517136.9		8746709	1	04-Jun-2025
PUB_ACC	2138-18-s88 Response -Victoria Flats - Managers Unit - FINAL		8932432	1	31-Jul-2025
PUB_ACC	2138-18 RFI Managers Flat Variation		8957713	1	13-Aug-2025



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.

Please make sure that you are completing the correct form for your consent application type. This form provides mandatory contact information and details of your application and must be completed in full. If the incorrect form is used, or if information or supporting materials are missing (as per Appendix 5), your application will be rejected, and you will need to resubmit your application in full.



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: **Cadrona Cattle Company Ltd**
(Name decision is to be issued in)

All trustee names (if applicable):

*Contact name for company or trust: **Dave Henderson**

*Postal Address: **Suite 58, The Heritage, 98 Worcester Street, Christchurch**

*Post code:
8011

*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: **ftgdave5@gmail.com**

*Phone Numbers: Day

Mobile: **021 353 773**

*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: **Sam Kealey - Town Planning Group**

*Phone Numbers: Day

Mobile: **021 057 3762**

*Email Address: **sam@townplanning.co.nz**

*Postal Address: **PO Box 35, Christchurch**

*Postcode:
8140



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: **Dave Henderson**

*Postal Address: **Suite 58, The Heritage, 98 Worcester Street,
Christchurch**

*Post code:
8011

*Please provide an email AND full postal address.

*Email: **ftgdave5@gmail.com**



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

Owner Name:

Owner Address:

Owner Email:

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:

186 Victoria Flats Road

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

Lot 2 DP 576750 under CT 1062256

District Plan Zone(s): **Gibbston Character and Rural**



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

Please contact applicant and agent prior to undertaking any site visit



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

☐

Land Use Consent includes earthworks

☒

Land Use Consent combined with s127 and/or s221

☐

Subdivision Consent

If the application type you are applying for is not listed it is because it has its own application form which you will need to complete instead of using this form i.e.

s127 Change or Cancellation of Consent Condition

s221 Change or Cancellation of Consent Notice

Boundary / Marginal or Temporary Activity Notice

Outline Plan

Designations

These forms can be downloaded here



QUALIFIED FAST-TRACK APPLICATION UNDER SECTION 87AAC

☐

Controlled Activity Land Use

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:

Establish a managers unit within a granted storage unit under RM220327



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 - 5).

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

☒

Record of Title 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 AEE (Assessment of Effects).

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.



Your application must be submitted via our online Community Portal. Please see **Appendix 5 - Requirements for Naming of Documents** for how documents should be named.



PRIVACY INFORMATION

The information that you have provided on this form is public information and is gathered for a lawful purpose to ensure the efficient functioning of Council's duties, powers and functions under the Resource Management Act 1991 and the Building Act 2004. The information will enable Council to adequately assess your application for Resource Consent in accordance with the statutory processes under the Resource Management Act 1991. The information may also be collected for and disclosed to, the Ministry for the Environment and Queenstown Lakes District Council, for the purpose of statistical analysis, so that the Agencies can efficiently undertake their statutory duties. The information will be stored on a public register (Council's eDocs website) and is available to the public in accordance with the terms and conditions set out on the eDocs website.

While available to the public through the eDocs portal, any disclosure of the information on the website must be in accordance with the Local Government Official Information and Meetings Act 1987 and must not be used for a purpose other than for the reason it was collected. Members of the public should not share or distribute this information for any purpose that is not a lawful purpose set out under relevant legislation.

Any unauthorised use, disclosure, or distribution of this information by third parties may constitute a breach of the Privacy Principles set out under the Privacy Act 2020 and may be reported to the Privacy Commissioner which could result in legal sanctions.



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 of applications under this Act.

An invoice for an initial fee will be sent out typically within 1-2 business days of receipt of correctly completed application. Your application will not be processed until this invoice is paid. When making payment please use the application reference.

Incorrectly referenced payments will be refunded directly to your bank account and you will be required to resubmit payment using the correct application reference.

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. These will be invoiced monthly and are payable by the 20th of the month.

If your application is notified or requires a hearing you will be required to pay a notification deposit and/or a hearing deposit. An applicant may not offset any previous invoices issued against such deposits.

If unpaid, the processing of an application, provision of a service, or performance of a function will be suspended until the sum is paid in full.

Section 357B of the Resource Management Act provides a right of objection in respect of additional charges. An objection must be submitted using the correct application form and required documents. This must be lodged within 15 working days of the receipt of the final invoice.

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.

ADMINISTRATION FEE - The initial fee includes an administration lodgement fee for staff time spent setting up your application and generating your invoice.

MONITORING FEES – Please also note that the initial fee paid at lodgement includes an initial monitoring fee as per our Charges and Fees for Land Use Consent applications as once Resource Consent 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. This initial monitoring fee also applies to designation related applications. For all application types the monitoring team may still charge an hourly rate if monitoring is deemed required.

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

A list of Charges and Fees is available on our website.



PAYMENT// An initial fee is payable upon receiving the initial fee invoice following the lodgment of this application.

Please wait for the initial fee invoice to be issued and and **use the application reference on the invoice for your payment.**

This fee **MUST** be paid with the correct application reference in order for the processing to begin.

Incorrectly referenced payments will be refunded directly to your bank account and you will be required to resubmit payment using the correct application reference.

Amount to Pay - Land Use and Subdivision Resource Consent fees - please select from drop down list below

\$2668 - Discretionary (overall consent status)

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) ** **Samantha Kealey** Digitally signed by Samantha Kealey
DN: cn=Samantha Kealey, c=NZ, o=Town Planning Group Ltd,
email=sam@townplanning.co.nz
Date: 2025.06.04 12:24:50 +12'00'

Full name of person lodging this form **Samantha Kealey**

Firm/Company **Town Planning Group**

Dated **4/06/2025**

**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;

Information provided within the Form above

- (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).

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

- (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.

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));



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:

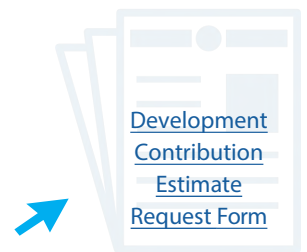
- An application for a subdivision consent must also include information that adequately defines the following:
 - (a) the position of all new boundaries:
 - (b) the areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan:
 - (c) the locations and areas 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.

It's important that all your documents are named correctly - it helps us to process your application quickly and efficiently.

If you do not follow the required naming convention, your application will be rejected.

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

AEE (Assessment of Environmental Effects)

Landscape Report

Engineering Report

Affected Party Approval/s

Ecological Report

Traffic Report

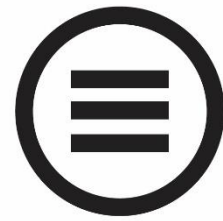
Record of Title including the title identifier at the end and to be separate documents if multiple titles i.e. Record of Title 12345, Record of Title 678910

Covenants, Consent Notices, Easement Instruments etc including the title identifier at end and to be separate documents
i.e. Consent Notice 123456, Easement Instrument 123456, Covenant 123456

Geotechnical Report

Urban Design Report

Wastewater Assessment



TOWNPLANNING
GROUP

Application for Resource Consent to the Queenstown Lakes District Council:

Cardrona Cattle Company Limited

*LAND USE CONSENT FOR THE
ESTABLISHMENT OF A MANAGER'S
ACCOMODATION UNIT (RESIDENTIAL
ACTIVITY) WITHIN A STORAGE UNIT
CONSENTED UNDER RM220327*

4 June 2025



Document prepared by:

Town Planning Group (NZ) Limited

Phone: 0800 22 44 70

Email: office@townplanning.co.nz

Web: www.townplanning.co.nz

Offices in Queenstown and Christchurch

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Supporting Information

[A]	Application Form
[B]	Record of Title
[C]	RM220327

1 Executive summary

1.1 Overview

Cardrona Cattle Company Limited (“**the Applicant**”) applies for land use consent to establish a manager’s accommodation unit (being a residential activity) within a storage unit approved as part of the storage facility authorised through RM220327. The site is located at 176 Victoria Flats Road, Gibbston Valley (“**the site**”). As the storage facility has been consented and not yet constructed, this application concurrently seeks a variation to RM220327 for the proposed activity.

The site at which the proposed activity is 49.8ha in area. The site is under development and centrally within it is a residential dwelling and approved building platform.

The site is located in the **Gibbston Character Zone** under the Queenstown Lakes Proposed District Plan (**PDP**). Overall, resource consent is required for a Discretionary Activity under the PDP and a Discretionary Activity under s127 of the RMA.

In summary, this Assessment of Environmental Effects (“**AEE**”) report considers the effects of the proposal and determines that the proposal will have less than minor adverse effects on the environment. The proposal provides a space for the manager to be on site at all times, enabling the manager to be across all operational activities and provide security over the facility. The adjoining landfill is a managed operation and, where it complies with its consent and designation conditions, its effects must be no more than minor at its site boundaries. Therefore, there is no undue risk of reverse sensitivity effects occurring where the landfill is operating in compliance with its authorisations. The proposed development and activities will be entirely appropriate in the context of the receiving environment. No persons are adversely affected.

The proposal is consistent with the key objectives and policies of the PDP and Otago Regional Policy Statement(s). The proposal achieves the purpose and principles of the RMA.



2 Site and surrounds

2.1 Site Details

The site is located at 176 Victoria Flats Road as shown in **Figure 1** below. The site is located approximately 17km from Frankton on the east side of State Highway 6 (**SH6**) between the Victoria Bridge and the Nevis Bluff.

The site is legally described Lot 2 DP 576750 as held in Records of Title 1062256 under the ownership of The Cardrona Cattle Company Limited. The Record of Title is enclosed as **Attachment [B]**.



Figure 1: Site Location (Grip Map)

There are no relevant instruments that impede the proposed land use. There are relevant easements in place that allow for access (AJ Hackett Bungy) and access to services and utilities; these will remain unchanged as a result of the proposal.

Access to the site is via SH6 via Victoria Flats Road. Victoria Flats Road is unsealed and presently provides access to the site and the Nevis Bungy.

2.2 Site Context and Surrounding Area

Victoria Flats is a relatively small and confined flat river terrace located on the true left bank of the Kawarau River between the Nevis Bluff and Kawarau Gorge. Enclosing the river terrace are several mountain ranges and peaks which protrude sharply up from Victoria Flat and the River below. The mountain sides are relatively free of structures with a range of native plant species and rock outcrops providing a high degree of

naturalness and creating a sense of openness in the wider landscape located above the valley floor, which has a very different modified character.

The character of the site is typical of rural land parcels with the majority of the site held in rough pasture with a number of native and exotic weed species spread throughout. The site has been historically used primarily for grazing with 4WD off-road adventure commercial recreation activities also undertaken across parts of the site, evident through the numerous tracks that have been created and still remain. The character of the site will change further as a result of the implementation of resource consent RM220327 and further RM230475.

The location of the site in the context of the Victoria Flats and the area further afield is depicted in **Figure 2** below.



Figure 2: Aerial photograph showing the site, in the yellow boundaries, within the wider Gibbston Valley area (Grip Map)

Victoria Flats is a sparsely populated and developed area with the predominant land use still being low intensity agricultural farming, which appears to be for land maintenance purposes rather than economic farming land uses. In more recent times, land uses at Victoria Flats have changed to accommodate a variety of activities that, while compatible with the rural location and have a need to be located in a rural environment away from sensitive receivers, are not conventional rural activities in and of themselves. Some non site-specific examples include:

- **Oxbow Adventure Co:** An adventure consulting company providing clay bird shooting, short track jet boat racing rides and off-road 4WD activities as authorised via RM171193.
- **Rock Supplies NZ:** A quarry and earthworks company as authorised via RM110712 and RM171009. Also consented is a concrete batching plant.

- **Landfill:** The district's refuse station responsible for sorting and disposing of general and recycled waste as owned by the Queenstown Lakes District Council and managed by Scope Resources.
- **Off-Road Adventures:** RM060342 authorises the use part of the subject site and adjacent sites for the undertaking of off-road adventures including 4WD, motorbikes, quad bikes and other all-terrain vehicles for commercial purposes. The consent also authorises the use of land for track and trail building and maintenance. The activity is located on the site, albeit not within the proposed area of development.
- **Wakatipu Clay Target Club:** A gun club where the shooting of clay birds and other forms of target practice take place as authorised via RM120089.

The activities have resulted in a range of landscape modifications within Victoria Flats, including the removal of natural vegetation, introduction of exotic plant species, construction of buildings and extensive earthworks and landscaping.

In order to mitigate and minimise the visual impact of the activities along SH6, extensive earth mounding, and vegetative planting has been adopted to screen some activities. In the case of the landfill, all mounds have been vegetated and large eucalyptus and macrocarpa (Monterey Cypress) trees have been established to further screen onsite activities.

The different landscape categorisations have in themselves enabled a range of landscape modification along Victoria Flats, including the removal of natural vegetation, introduction of exotic plant species, construction of buildings and extensive earthworks and landscaping.

2.3 Resource consent history

The site includes a number of historic and more recently granted resource consents.

2.3.1 RM060342

As mentioned above, part of the site has been used for 4WD off-roading activities as undertaken by Off Road Adventures. Due to this activity, parts of the site have been substantially modified by the presence of 4WD roads and vehicle markings which enables commercial recreation activities and development of tracks. The consent authorised up to 50 quad bikes, 30 motor bikes, 10 jeeps, two off-road vehicles and five 4WD vehicles, along with a base building on the site.

2.3.2 RM120375

RM120375 authorised the establishment of a residential building platform and the relocation of a residential dwelling on the site on Lot 8 DP 402448. The RM120375 authorises the establishment of a residential building platform and the relocation of a



residential dwelling on the site. The location of the relocated residential dwelling and residential building platform can be seen in **Figure 3** below.



Figure 3: Aerial photograph showing the residential dwelling location (Grip Map)

2.3.3 RM210935

Resource consent RM210935 was granted on 27 May 2022 authorising the establishment of a landscaping bulk storage and supply operation with a portacom and 30,000L water tank (contractor's yard) on part of the subject site.

2.3.4 RM220327

Resource consent RM220327 was granted for the construction of buildings and operation of a storage facility, with associated water tanks, earthworks, access and parking, staff facilities, club room and manager's residence on the subject site. As shown in **Figure 4**, this site is the same as the site subject to this application. The buildings and operation are yet to be established.

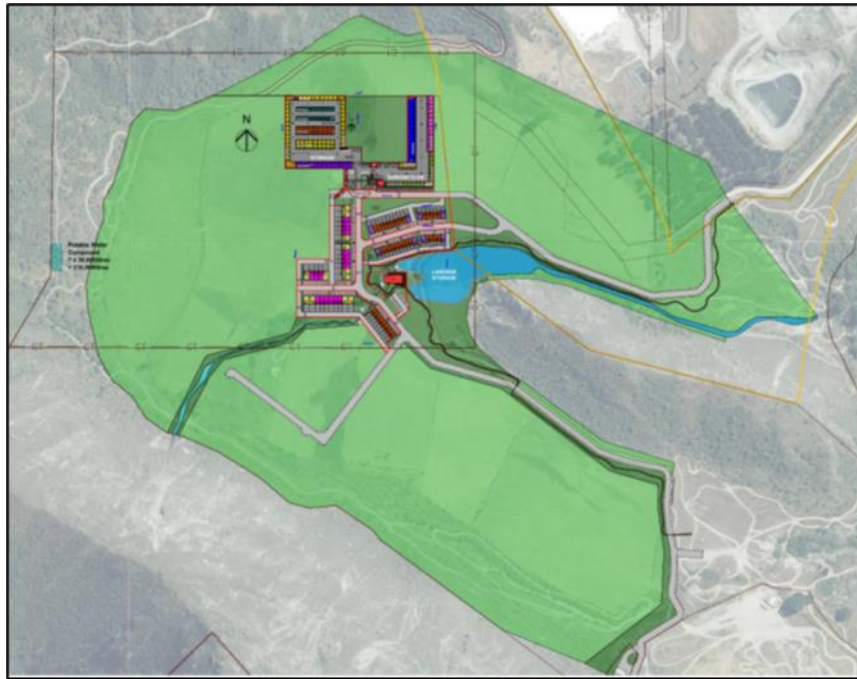


Figure 4: Site location for RM220327

The decision was judicially reviewed to the High Court¹ and the decision regarding the managers unit and residential activity associated with this was overturned. This has led to a new application to vary the consent and apply for a new residential activity for a manager's unit within the top floor of a consented storage unit which is the application at hand. All of the conditions relevant to the managers residence under this consent will still be relevant in order to protect services, drinking water and ensuring that the building is able to contain a habitable space.

2.3.5 RM220722

Resource Consent RM220722 was granted for land use consent to utilise an area of land within the site for a civil contracting yard for vehicle, equipment and product storage (defined as an industrial activity) for Railton Contracting Limited.

2.3.6 RM230398

Cardona Cattle Company Limited was granted subdivision and land use consent to subdivide the subject site into 31 fee simple allotments (plus amalgamated access lot). It is intended that the lots be used for existing consented activities as well as future rural-industrial type yard-based activities, with each allotment having an allowance for a future building (with built form and design controls) to assist with enabling the future land use of rural industrial, industrial, service, and associated retail land uses activities within each lot, as well as a maximum of one building on each lot, and with associated access, earthworks, and landscaping.

¹ High Court Judgement CIV-2023-425-000017 [2024] NZHC 881

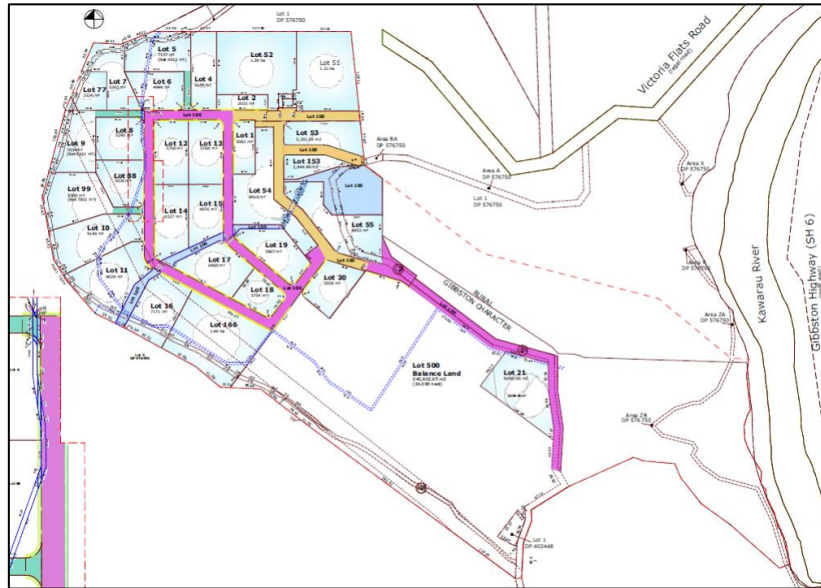


Figure 5: Subdivision Scheme Plan (RM230398)

2.3.7 RM230475

Cardrona Cattle Company Limited has been granted land use consent to establish four buildings for use for a winery as shown in **Figure 6** (including industrial activity related to winery activities) and farming activities. It is not proposed to establish vines on the property but if this is advanced, it will be done under the permitted activity standards for the zone.



Figure 6: Winery consented under RM230475 (David Bull architects)

3 Description of the Proposal

3.1 Overview

Resource consent is sought for a manager's accommodation facility as part of the consented storage facility consented under RM220327. This use is a Residential Activity under the PDP. As the storage facility has been consented this application is for a variation to RM220327 to vary one of the units to have a manager's residence on the first floor as well as resource consent for the residential activity to be undertaken on site.



Figure 7: Storage unit to be converted into managers residence on the first floor only (RM220327)

The storage unit area to be altered to residential activity is 34m² in area and consists of the mezzanine area of a storage unit as depicted in **Figure 8** below.



Figure 8: Storage Unit depicted showing mezzanine that will be converted to residential activity for the purposes of a manager's unit (RM220327)

As the storage unit itself has already been granted consent it has been accepted that the building will integrate with the surrounding landscape with the mute colour tones and a low light reflectance value used.

3.2 Utilities and services

It has already been determined under previous resource consents RM191130 and RM220327 that services are available for the storage unit development. For the purpose of clarity, the services are as follows:

- Power connections available across the site with telecommunications available to the managers unit (and those consented under RM220327).
- Water supply is provided via a water race that originates from Doolans Creek and passes through a tunnel beneath peak 557, south-east of Mt Mason.
- Wastewater will be managed through the installation of onsite treatment and disposal systems with any necessary resource consent to be sought from ORC at a later date.

3.3 Variation to RM220327

The application will require a variation to RM220327 in regard to condition 1 to add plans and remove plans related to the managers residence.

A new condition is also proposed limiting the use of the manager's unit to sole occupation of the unit by the manager and its family, being the manager of the storage facility as approved in the consent.



4 Statutory provisions

4.1 Resource Management Act 1991

Section 127 of the RMA sets the requirements for applications to change or cancel resource consent conditions.

Section 127(3)(a) of the RMA requires that applications for changes to resource consent conditions be presented as if the application were for a **Discretionary Activity**, and thus an assessment of any effects that the proposed changes may have on the environment in accordance with Section 88 and the Fourth Schedule of the RMA follows.

Section 127(3)(b) stipulates that only the change of conditions and the resultant potential effects of these changes are to be considered.

Section 127(3) forms the first of two limbs of the test for the application. The second limb of the test is described in Section 127(4), where it is stated that the local authority must consider the effects of the changes upon any affected parties.

4.2 Proposed Queenstown Lakes District Plan (PDP)

The activity and buildings are located entirely within the **Gibbston Character Zone** under the PDP, as shown in **Figure 9** below. The site is also located within the **Victoria Flats Landscape Priority Area**. The national grid corridor also passes through a section of the site. The balance of the site includes some land zoned Rural however, the proposal does not engage with this land and therefore does not engage with the zoning.

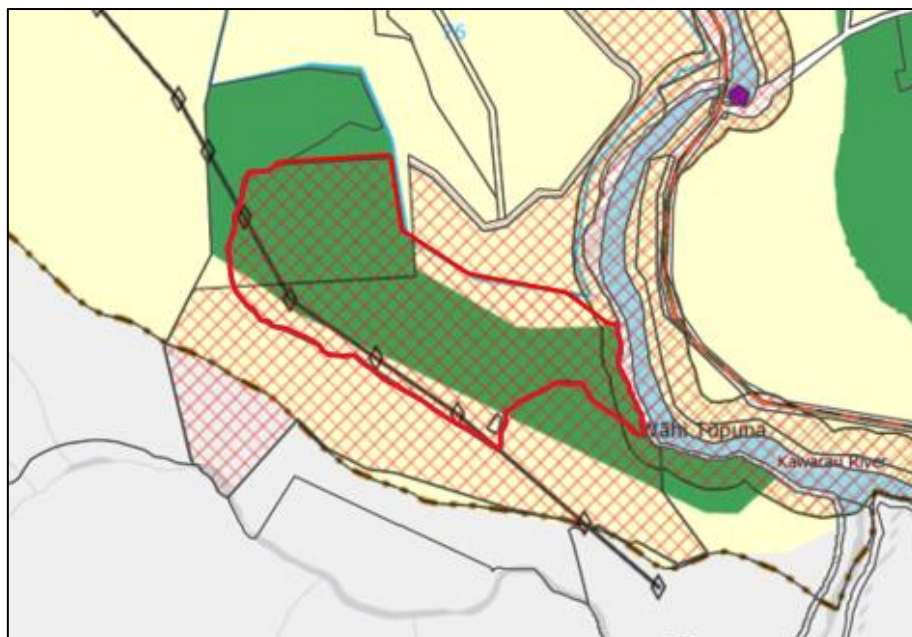


Figure 9: Zoning under the PDP with the site within the red boundary (PDP)

For the purposes of the following compliance assessment, the proposal is considered to defined as a residential activity under the District Plan, with this definition identified as follows.

Residential Activity: *means the use of land and buildings by people for the purpose of permanent residential accommodation, including all associated accessory buildings, recreational activities and the keeping of domestic livestock. For the purposes of this definition, residential activity shall include Community Housing, emergency refuge accommodation and the non-commercial use of holiday homes. Excludes visitor accommodation, residential visitor accommodation and homestays.*

Residential Unit: *Means a residential activity which consists of a single self contained household unit, whether of one or more persons, and includes accessory buildings. Where more than one kitchen and/or laundry facility is provided on the site, other than a kitchen and/or laundry facility in a residential flat, there shall be deemed to be more than one residential unit.*

Resource consent is required under the District Plan for the following:

4.2.1 Chapter 23 – Gibbston Character Zone

- Rule 23.4.8 states the use of land or buildings for Residential Activity except as provided for by any other rule. The proposal is for a manager's residence to be contained on the mezzanine floor within a consented storage unit. Therefore, resource consent is sought for a **Discretionary Activity** pursuant to Rule 23.4.8.

Overall, the proposal is to be treated as a **Discretionary Activity** under the District Plan.

4.3 National Environmental Standards

In terms of compliance or otherwise with National Environmental Standards ("NES"), the only NES that is of potential relevance to this proposal is the NES for Assessing and Managing Contaminants in Soil to Protect Human Health ("**NESCS**").

A review of the Otago Regional Council Listed Land Use Register has been undertaken for the site and a copy of the results of the Listed Land Use Register are shown below in **Figure 10**. There are no records of contamination nor HAIL activities having been undertaken on site.

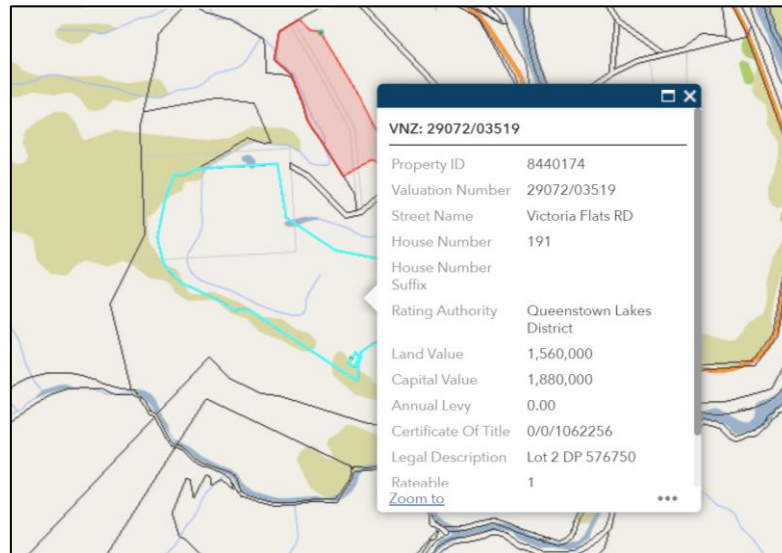


Figure 10: *Otago Listed Land Use Register (ORC)*

In consideration of the abovementioned, it is reasonable to conclude that the site is not defined as a 'piece of land' under Clause 7 of the NESCS.

5 Assessment of Effects

5.1 Overview

In accordance with Section 88 and Schedule 4 of the RMA an assessment of any actual or potential effects on the environment that may arise from the proposal is required with any details of how any adverse effects may be avoided, remedied or mitigated. Accordingly, the below is an assessment of effects relative to the scale and significance of the proposed activity.

This assessment is addressed under the following headings:

- Permitted Baseline
- Effects related to Landscape Character and Visual Amenity
- Effects related to Reverse Sensitivity
- Positive effects

5.2 Permitted baseline

Sections 95D(b), 95E(2)(a) and 104(2) of the RMA provide discretion to Council (for the purposes of forming an opinion as to actual or potential effects) to disregard any adverse effects of the proposal on the environment (or on a person) if the District Plan or National Environmental Standard permits an activity with that effect.

The District Plan recognises the Gibbston Character Zone as an area that provides for a range of housing, recreation, cultural and community activities. It is appropriate that a permitted baseline assessment be applied in this case, as to not apply such an assessment in this instance would be to overstate the potential adverse effects that may arise. The permitted baseline provides guidance as to the effects of a proposal. There are generally three limbs to determining the baseline:

- Unimplemented resource consents;
- Existing lawful activities on the site; and
- Activities which would be permitted as of right by the District Plan

Case Law has also determined that because a consent authority must grant consent to a Controlled Activity, Controlled Activities should also be considered as part of the baseline, albeit not a “permitted” baseline.

5.2.1 Activities which would be permitted as of right by the District Plan

Under Chapter 23 – Gibbston Character Zone of the District Plan, Rule 23.4.6 indicates one residential unit within a building platform is a Permitted Activity. Rule 23.4.7 indicates that a residential flat is a permitted activity.



There is an existing residential unit on the site and therefore utilises the permitted activity status. The proposal for a manager's residence in a consented storage unit could be considered a residential flat however is not located within a building platform granted by resource consent (Rule 23.4.4).

Overall, it is considered that the above permitted baseline scenarios present a useful comparison as to the nature and scale of development that could be carried out on the site, and the associated actual or potential adverse effects.

5.3 Effects related to Landscape Character and Visual Amenity

The Visual Landscape Assessment (VLA) presented with the application for RM220327 included a detailed assessment of the effects of the storage units and associated matters on the surrounding landscape character and amenity.

As the managers unit to occupy the first floor of a consented unit will not change in appearance from the outside. Further, it will only occupy the mezzanine. To this end, the VLA remains the same and the residential activity of the unit will not appear out of character to that approved consent under RM220327. Any effects on character and visual amenity are therefore considered to be appropriate in the context of the receiving environment, with the landscape able to absorb the residential activity in an already consented development.

5.4 Effects related to Reverse Sensitivity

Reverse sensitivity is generally described as new sensitive land uses or users coming into an area where existing land uses generate a range of adverse effects that were otherwise considered acceptable or tolerable. The new land uses/users may complain or otherwise be adversely affected by existing activities and thus demand changes to existing operations, placing operational or economic burdens on established business operators.

Such a consideration is relevant in the case of the present proposal due to the presence of the landfill which could generate nuisance effects, namely dust and odour, as part of landfill management and waste processing.

In consideration of the landfill, effects associated with odour and dust decrease relative to proximity to the landfill. In consideration of this, the proposed residential activity is wholly located outside of the landfill buffer zone. The site is also protected to a certain degree by a small hill which wraps around the site from north-east to the north and north-west, sheltering the site from dust and odour to some extent.

To evaluate reverse sensitivity effects arising from the location of the landfill, the constraints that the landfill must operate under have to be considered in terms of odour discharges through to 2034 (being the term of the landfill consents and Scope Resources Limited's lease tenure) as without evaluating the constraints on the activity,

it could be construed that the landfill is unfettered in terms of its odour effects on the environment, which is far from the case.

Condition 4 (g) (iv) of Designation 76 states that, as an ongoing requirement, the effects of odour, dust, vermin and litter are to be mitigated to ensure that any adverse effects associated within the site are minor.

Resource Consent 97164.V2 relates specifically to the nature of air discharges in association with the landfill and condition 3 of that discharge consent requires that the effects of any odour emission that is offensive or objectionable is limited to the boundary of the Council site, which notably excludes the buffer zone land.

Therefore, on the basis that the landfill is operated in accordance with the designation and consents, the effects of odour would not give rise to an undue risk of complaints from the proposed residential activity of a manager's residence, that would adversely affect landfill operations.

Reverse sensitivity effects will be less than minor.

5.5 Positive effects

The proposal is considered efficient and entirely appropriate given the Zone and subsequent provisions and will give rise to a number of positive effects, including:

- Providing a space for the manager to be on site at all times in order to be across all operational activities and provide a sense of security over the facility.
- Economic efficiencies in relation to having someone on site at all times to ensure that the storage facility operates efficiently and effectively.
- Having a manager on site at all times provides a valuable service to storage unit holders.

5.6 Conclusion

In consideration of the abovementioned, it is considered that there are no persons on adjacent sites that will be adversely affected by the proposed development. Any potential for adverse effects can be appropriately avoided, remedied or mitigated, and will be less than minor in the context of the receiving environment. The proposed use of land is generally considered efficient with the proposed land use compatible with the surrounding activities. As such, the proposed use of land is considered to be efficient and will have less than minor adverse effects on the surrounding environment.

6 Statutory assessment

6.1 Section 95, RMA

6.1.1 Section 95A assessment

Section 95A of the RMA considers the need for public notification and sets out four steps in a specific order to be considered in determining whether to publicly notify.

In terms of Step (1), public notification is not requested, Section 95C pertaining to notification in the event that further information is not provided under Section 92 is not applicable, and the application is not being made jointly with an application to exchange recreation reserve land under Section 15AA of the Reserves Act 1977.

In terms of Step (2), there are no relevant provisions to the application in the District Plan that precludes public notification.

Moving to Step (3), notification is not required by a rule in a Plan or a NES, and as demonstrated in Section 5 of this report, the adverse effects on the environment are considered to be less than minor.

Lastly, in terms of Step (4) as no special circumstances are considered to apply public notification is not required under any of the pathways in Section 95A.

6.1.2 Section 95B assessment

While public notification is not necessary, any effects of the proposal on the local environment and upon particular parties must still be considered. This is addressed through Section 95B of the RMA, which has four steps similar to Section 95A.

In terms of Step (1), there are no affected protected customary rights or customary marine title groups in terms of Subclause (2), nor is the proposed activity on or adjacent to, or may affect land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11 in terms of Subclause (3).

In terms of Step (2), there are no relevant provisions within the District Plan precluding limited notification. We therefore move to Step (3).

Step (3) requires the consent authority to determine, in accordance with Section 95E, whether there are any affected parties as a result of this proposal. Section 95E states that a person is an affected person if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but are not less than minor). There are not considered to be any affected persons in this instance for the reasons given in the above assessment of effects.

In terms of Step (4), no special circumstances exist therefore the application may be processed on a non-notified basis.



With respect to the above, in consideration of the conclusions of the AEE, it is concluded that the proposal will result in less than minor adverse effects on the environment, and there are no other circumstances requiring or warranting public or limited notification.

6.1.3 Section 95D Assessment

If a consent authority determines that for the purpose of Section 95A(8)(b), an activity will or is likely to have an adverse effect on the environment that is more than minor, the consent authority must disregard any potential effects in accordance with the following:

- (a) Persons who own or occupy the land or any land adjacent to that land; and*
- (b) Any effect permitted by a rule or national environmental standard; and*
- (c) In the case of a restricted discretionary activity, any effect that does not relate to a matter of discretion for which a rule or national environmental standard restricts discretion; and*
- (d) Trade competition; and*
- (e) Any person who has given their written approval.*

In accordance with point (a), effects on the Applicant may be disregarded. Points (b) and (c) may also be disregarded as they are not considered relevant.

In relation to point (d) and trade competitors, the presence of a manager's unit does not raise concerns in terms of trade competition.

In accordance with Section 95D(e), effects on person(s) may be disregarded if they have provided their written approval. No written approvals have been obtained.

6.2 Section 104(1), RMA

Section 104 (1) of the RMA requires that the consent authority must, subject to Part 2, have regard to a range of matters when considering an application.

Section 5 of this AEE addresses the matters contained in Section 104 (1) (a) and (ab). This section of the AEE considers those matters relevant under section 104 (1) (b). There are no other matters under Section 104 (1) (c) that are considered relevant and reasonably necessary to determine the application.

6.3 Section 104(1)(b), RMA

Section 104(1)(b) of the RMA requires that the provisions of any national policy statement, the Operative Plan, or any other matter the consent authority considers relevant and reasonably necessary, to be considered when assessing an application. In this instance, the most relevant planning document that requires consideration is the District Plan. No National Environmental Standards are considered relevant to this application. The key Objectives and Policies outlined in the abovementioned document are set out below.



6.3.1 Queenstown Lakes Proposed District Plan

Given the nature of the proposal and associated non-compliance, the relevant Objectives and Policies are considered to be focused on those associated with the quality of the environment, with these identified and assessed as follows.

Chapter 3 – Strategic Direction

Objective 3.2.6 The District's residents and communities are able to provide for their social, cultural and economic wellbeing and their health and safety.

Policy 3.2.6.1 The accessibility needs of the District's residents and communities to places, services and facilities are met.

The proposal provides for a manager's residence that provides for accommodation in association with a granted resource consent for the storage facility. The managers residence allows a staff member to always be on site for the ongoing operation of the storage facility and to provide someone for users to go to at all times of operation. Providing for this residential activity on the site not only benefits the landowner by having someone oversee the operations, use and safety of the facility but also contributes to the users ongoing wellbeing and also contributes to their safety.

By locating the residential activity of the managers unit within the storage facility it aids the accessibility to those using the storage facility as well as the manager being able to be present for operational purposes and provide for direct access when required.

Chapter 23 – Gibbston Character Zone

Objective 23.2.1 The economic viability, character and landscape values of the Gibbston Character Zone are protected by enabling viticulture and other appropriate activities that rely on the rural resource of the Gibbston Valley and managing the adverse effects resulting from other activities locating in the Zone.

Policy 23.2.1.3 Ensure activities not based on the rural resources of the area occur only where the character and productivity of the Gibbston Character zone and wider Gibbston Valley will not be adversely impacted.

Policy 23.2.1.10 Provide for the establishment of activities such as commercial recreation, visitor accommodation and rural living that are complementary to the character and viability of the Gibbston Character zone, providing they do not impinge on rural productive activities.

The structure of where the managers unit is to be located has already been consented and therefore is appropriate for the zone. In terms of the activity itself, as discussed at Section 5 of this report, the adverse effects of locating the managers unit within this zone will be less than minor. The residential unit provides for a member of staff to be located on site at all times, with this ensuring the ongoing operation complies with the relevant conditions of consent, whilst providing a means to ensure any issues or concerns (operationally or security wise) can be immediately addressed.

The manager's residential unit is integral to the operation of the storage facility that has already obtained resource consent. By having on-site management, the facility can operate efficiently, maintaining the economic viability and functionality of the area. The residential unit is a low-impact addition that does not detract from the zone's intended viticulture and any other rural activities.



The residential unit serves a supportive role to the storage facility. It ensures that the facility is managed effectively, contributing to the zone's overall productivity and character without undermining the viability of viticulture or other primary rural activities outside of the consented storage facility.

By providing on-site management, the residential unit contributes to the operational viability of the storage facility, which in turn supports the broader economic activities within the zone. This enhances the sustainable development of the Gibbston Character Zone, ensuring that it remains a productive and economically viable area.

In summary, the establishment of a manager's residential unit as part of the storage facility is consistent with the objectives and policies of the Gibbston Character Zone. It supports the zone's economic viability and character, complements rural activities, and is implemented in a way that minimizes any potential adverse effects on the landscape and productivity of the area.

6.4 Purpose and principles of the RMA

The purpose of the RMA, as set out under Section 5 (2) is to promote the sustainable management of natural and physical resources. The relevant matters in Sections 6, 7 and 8 of the RMA also require consideration. There are no matters of national importance under Section 6 that need to be recognised and provided for in this application.

The RMA specifies that particular regard shall be had to the relevant other matters listed in Section 7 including:

- 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.*

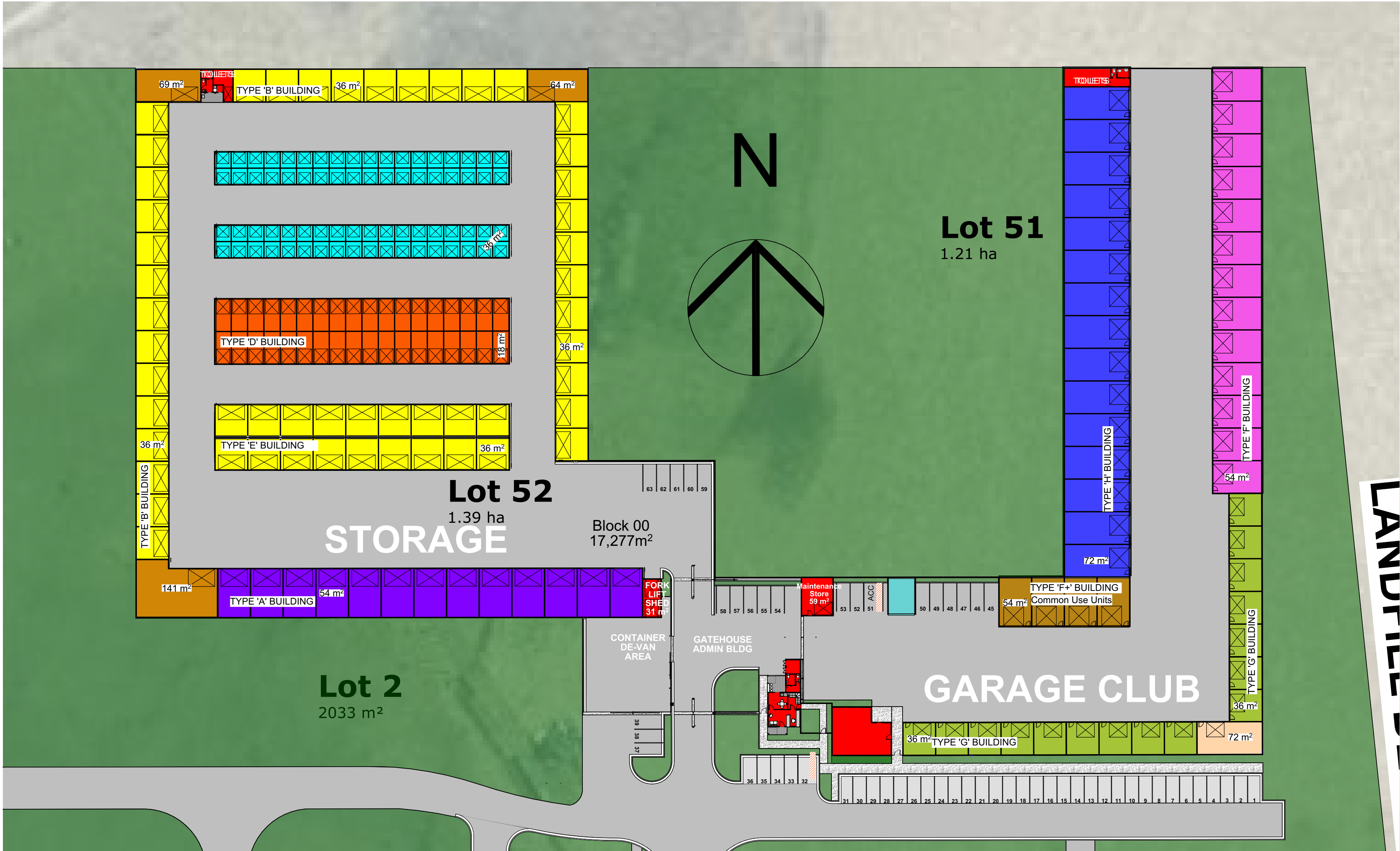
On the whole, the proposal is considered to efficiently use the natural and physical resources of the site by providing an on-site manager to a consented storage facility to ensure overall operations and safety are upheld. The amenity values of the site and surrounding area will be maintained through the location of the manager's unit and residential activity locating within one of the consented storage units therefore no changes are proposed to the anticipated exterior design or view of the storage facility. For these reasons, the proposal is considered to appropriately maintain the quality of the surrounding environment.

There are no matters under Section 8 that require consideration with respect to this application. The site is not identified in the District Plan or otherwise known to be of any cultural significance.

For the reasons outlined in this report, the proposal is consistent with the purpose and principles under Section 5, and the associated matters under Part 2 of the RMA. The

proposal represents an efficient use of natural and physical resources, and will be undertaken in a manner which avoids, remedies, and mitigates potential adverse effects on the environment. It is considered that the proposal is consistent with the purpose and principles of the RMA.





STORAGE & GARAGE CLUB UNITS

1:500

PLANNING INFORMATION- Storage & Garage Club

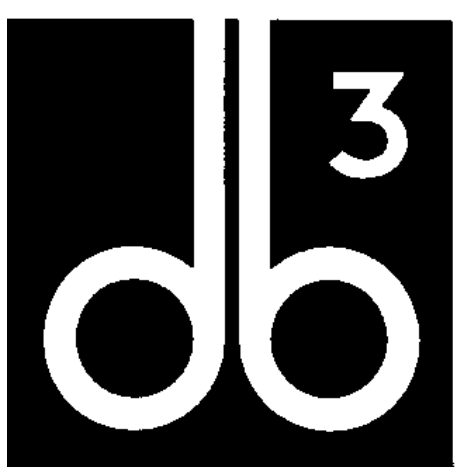
Storage Units Nominal area	Quantity
A 54 m ² 9 x 6 54 m ²	13
B E 36 m ² 6 x 6 36 m ²	52
C 36 m ² 4 of 3 x 3 36 m ²	72
D 18 m ² 3 x 6 18 m ²	36
Varies Make Up Cnr Units - Vary	3
Total Storage Unit Qty	176
Storage Unit Site Coverage Area (Extent of slab)	4,242 m2
Amenity Toilets / Back of House 36 m ² Forklift Shed 24m ²	
Amenity Buildings Site Coverage Area (Extent of slab)	60m2
TOTAL Storage Bldgs Site Coverage Area (Extent of slab)	4,302 m2

Administration Buildings	
First Floor 58m2 File Storage	
Administration Buildings Site Coverage Area (Extent of slab)	116 m2

Storage Units & Garage Club Combined Calculations	
Site Surfaces Impervious Surface -Bitumous Seal -Pathways	9,336 m2
Landscaping	475 m ²
Total Built Form Area	7,240 sq.m
Site Area	17,277 sq.m

Garage Club Units Nominal area	Quantity
F 54 m ² 9 x 6 54 m ²	13
G 36 m ² 6 x 6 36 m ²	16
H 72 m ² 12 x 6 72 m ²	15
F+ 54 m ² 9 x 6 54 m ² Common Use Units	4
72 m ² Make Up Cnr Units - Vary	1
Total Garage Club Unit Qty	49
Garage Club Unit Site Coverage Area (Extent of slab)	2,692 m2
Amenity Toilets / Back of House 41 m ² Clubhouse 89 m ²	
Amenity Buildings Site Coverage Area (Extent of slab)	130m2
TOTAL Garage Club Bldgs Site Coverage Area (Extent of slab)	2,822 m2

Materials	
Walls - Solid Concrete construction - either tilt slab or in-situ formwork. Structural Engineer Designed.	
Roof - Dimond LT7 Cladding or similar on Steel Purlins. Structural Engineer Designed.	
Guttering & Fascia - Dimond Colorsteel Zincalume 150 box gutters and fascia	
Roller Doors - Traditional rolled steel slat doors. Powder coated.	
Exterior Joinery - Aluminium DG units	
Colours Resene "Half Ironsand" X200 Finish To all exterior walls (except Admin Bldg & Clubhouse) LVR 10	
Resene "Ebony Clay" All exterior aluminium Joinery, Steel Roller Doors, Solidcore Doors and Roof LVR 8	



dee bee cubed

Project Queenstown Affordable Storage

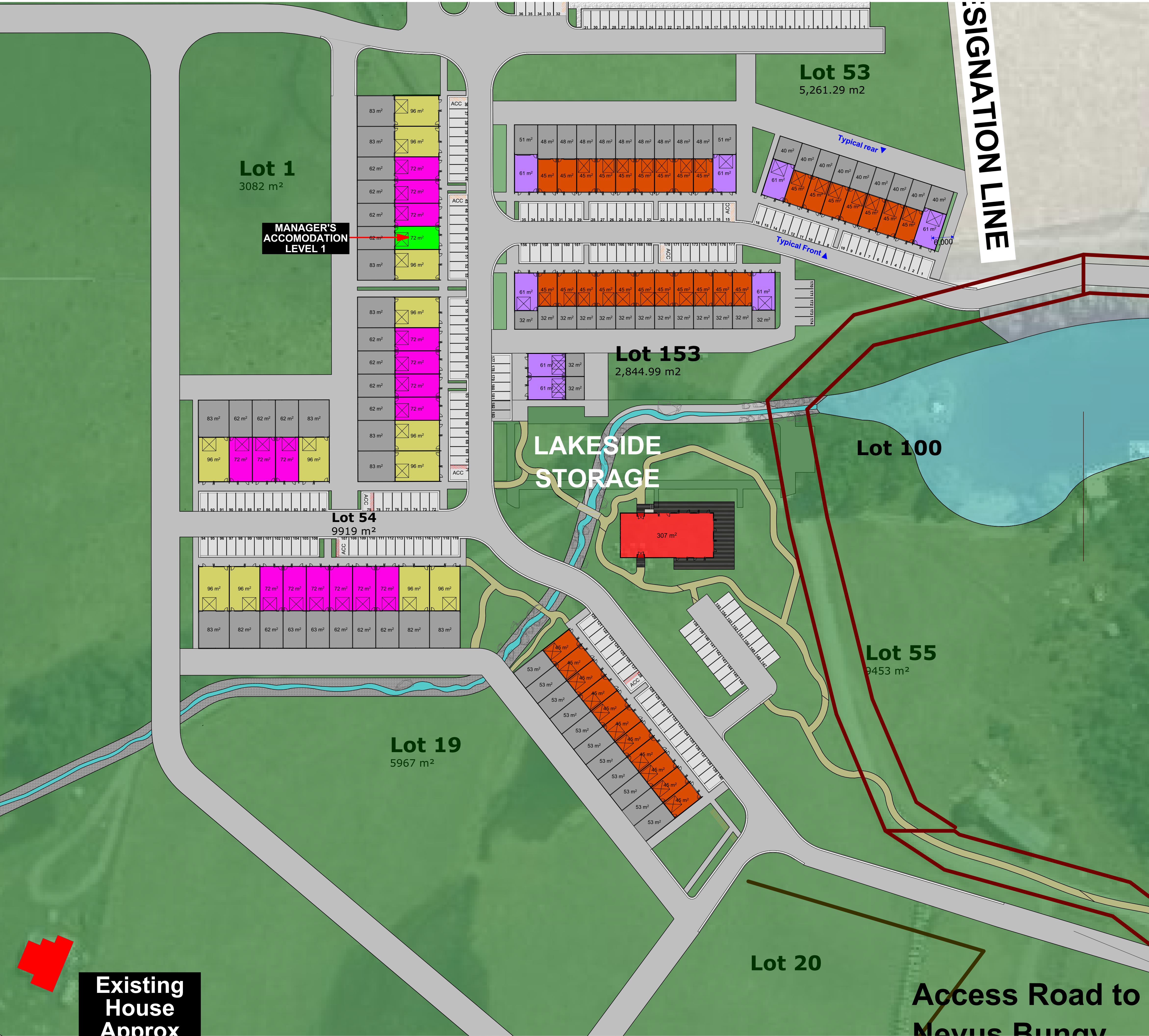
Project Address Victoria Flats Road Victoria Flats, Gibbston

Issue Amended Storage Manager's Unit 11/08/2025
WCs removed from Lakeside Units 08/11/22
Existing House update 31/10/22
Amended Road Widths 18/08/22

Drawn db
Date 18/08/22
Scale 1:500 on A1

Drawing Title Storage & Garage Club Layout

Drawing Number A01.01

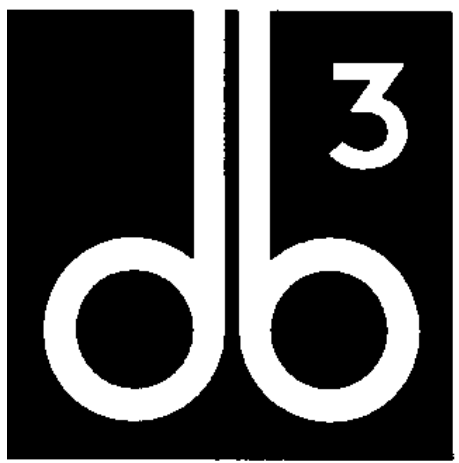


PLANNING INFORMATION
Lakeside Storage Units

Lakeside Storage Units Nominal Area	Quantity
J-M Manager's Accommodation Level 1 75 m ² 64 m ² 12 x 6.25 75 m ² Yard = 62m ²	1
I 99 m ² 84 m ² 12 x 8.25 99 m ² Yard = 82m ²	12
J 75 m ² 64 m ² 12 x 6.25 75 m ² Yard = 62m ²	16
K 63 m ² 32 m ² 10.15 x 6.25 63.44 m ² Yard var 32m ² to 51m ²	8
L 47 m ² 33 m ² 9 x 5.25 47.25 m ² Yard var 32m ² to 53m ²	38
2m High Concrete panel walls to yard sides Steel Security Fencing with gates to rear. 2m high	
Total Lakeside Storage Units Qty	73
Lakeside Storage Units Site Coverage Area (Extent of slab)	4,751m2
Amenity CAFE- ADMIN 307 m ² Lakeside Cafe - Administration 307m ² -Cafe -Office -Toilets	
Lakeside Amenity Bldg Site Coverage Area (extent of slab)	307m2

Lakeside Storage Units Calculations	
Site Surfaces Impervious Surface -Bituminous Seal -Pathways Landscaping	8,741m ² 8,143m ²
Total Built Form Area Site Area (Blocks 01 to 05)	5,058 sq.m 22,364 sq.m

NOTE: Roadway area through development and any landscape terrain not inside development Blocks 01 to 05 NOT incl. in calculations.



dee bee cubed

Project
Queenstown
Affordable Storage

Project Address
Victoria Flats Road
Victoria Flats,
Gibbston

Issue
Amended Storage
Manager's Unit
WCs removed from
Lakeside Units
Existing House update
Amended Road Widths

11/08/2025
08/11/22
31/10/22
18/08/22

Drawn
db

Date
18/08/22

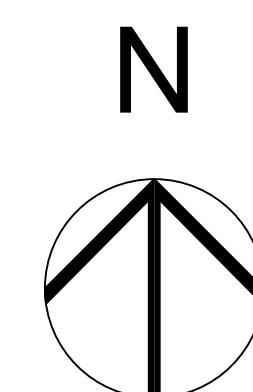
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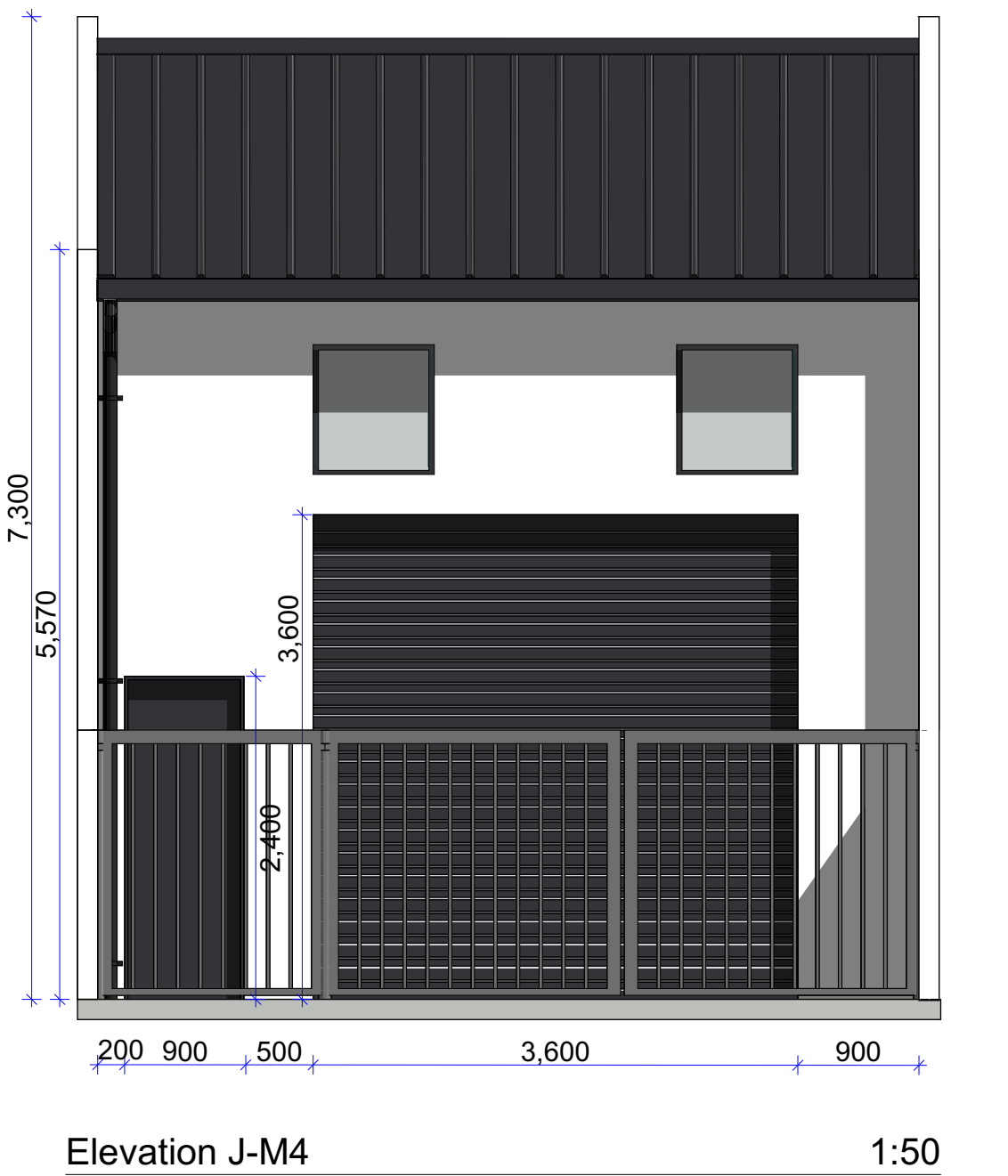
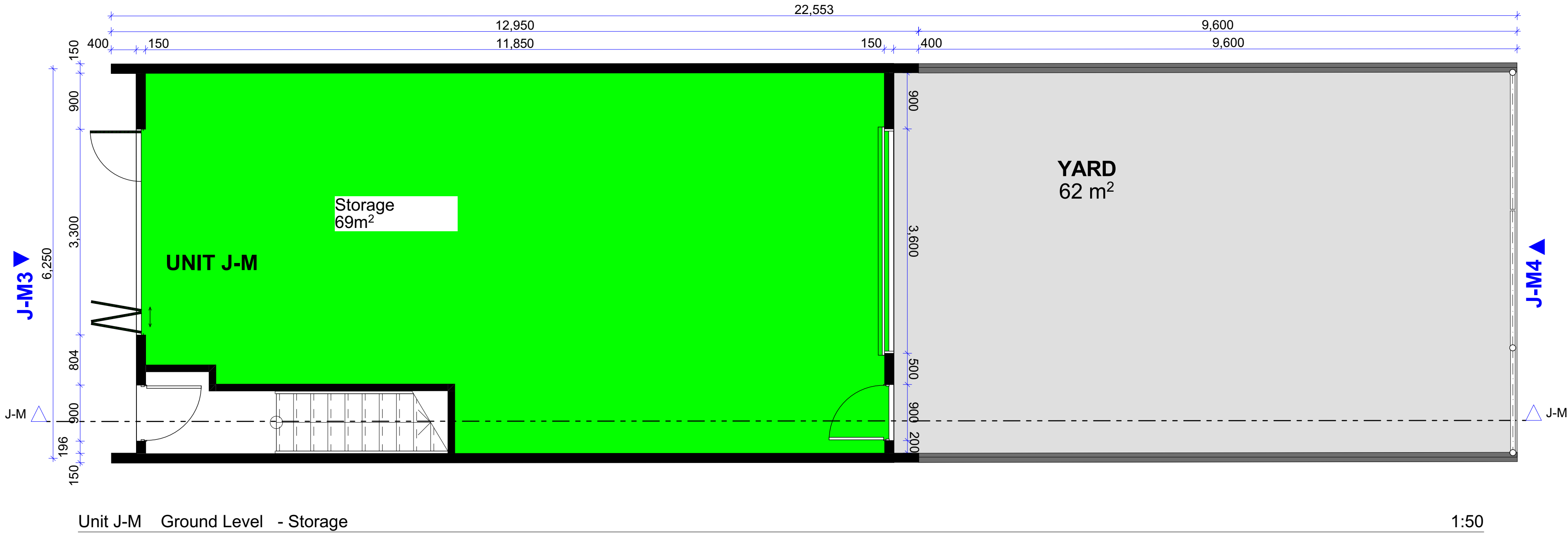
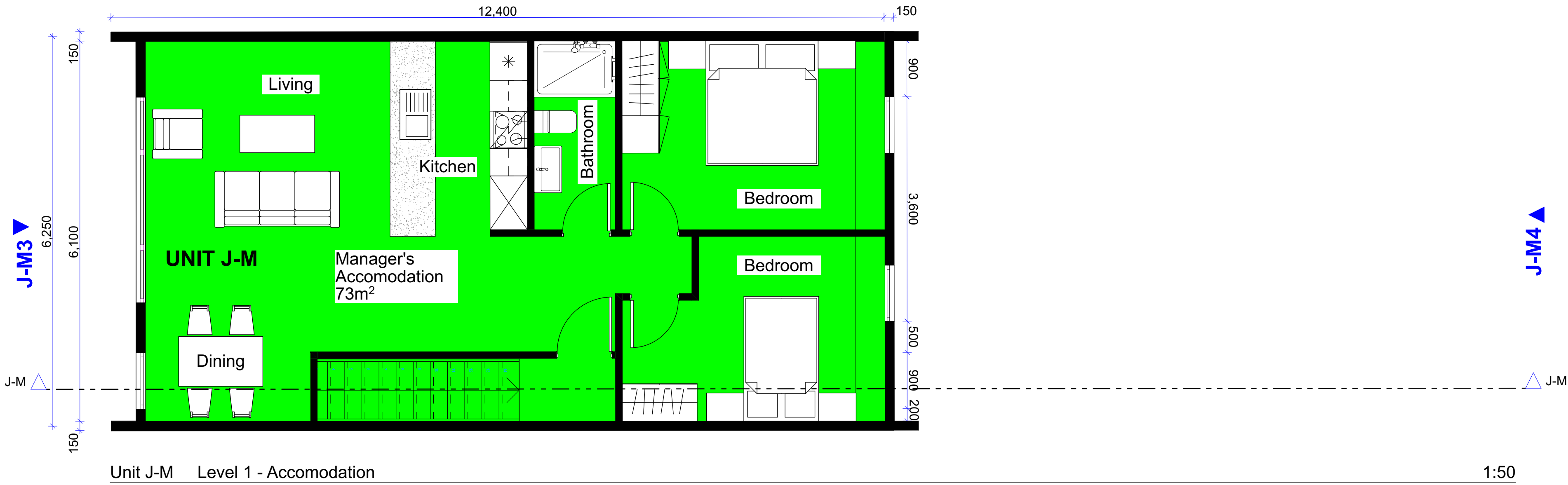
Drawing Title


Lakeside Storage Layout

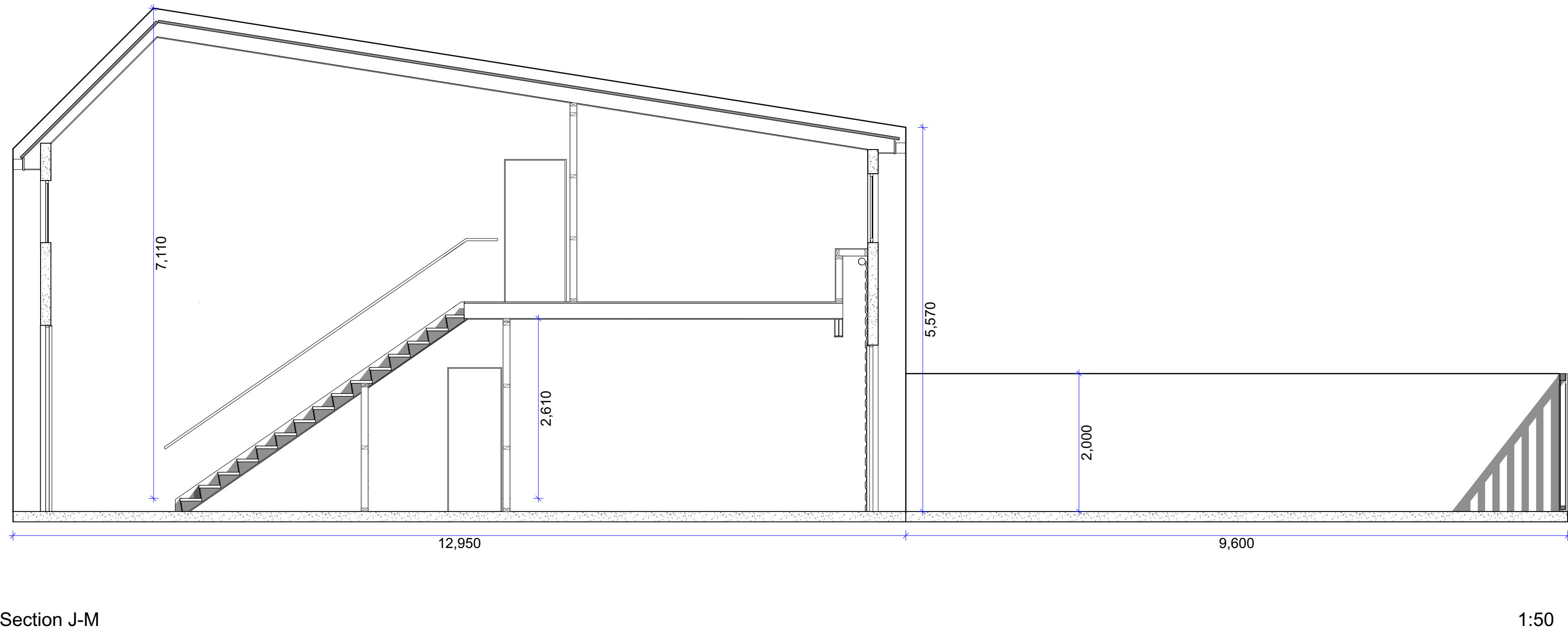
Drawing Number

A01.02





Materials	
Walls - Solid Concrete construction - either tilt slab or in-situ formwork. Structural Engineer Designed.	
Roof - Dimond LT7 Cladding or similar on Steel Purlins. Structural Engineer Designed.	
Guttering & Fascia - Dimond Colorsteel Zincalume 150 box gutters and fascia	
Roller Doors - Traditional rolled steel slot doors. Powder coated.	
Exterior Joinery - Aluminium DG units	
Colours	
	Resene "Half Ironsand" X200 Finish To all exterior walls (except Admin Bldg & Clubhouse) LVR 10
	Resene "Ebony Clay" All exterior aluminium Joinery, Steel Roller Doors, Solidcore Doors and Roof LVR 8





dee bee cubed

Project

Queenstown Affordable Storage

Project Address

Victoria Flats Road
Victoria Flats,
Gibbston

Issue	
Amended Storage Manager's Unit	11/08/2025
WCs removed from Lakeside Units	08/11/22
Existing House update	31/10/22
Amended Road Widths	18/08/22

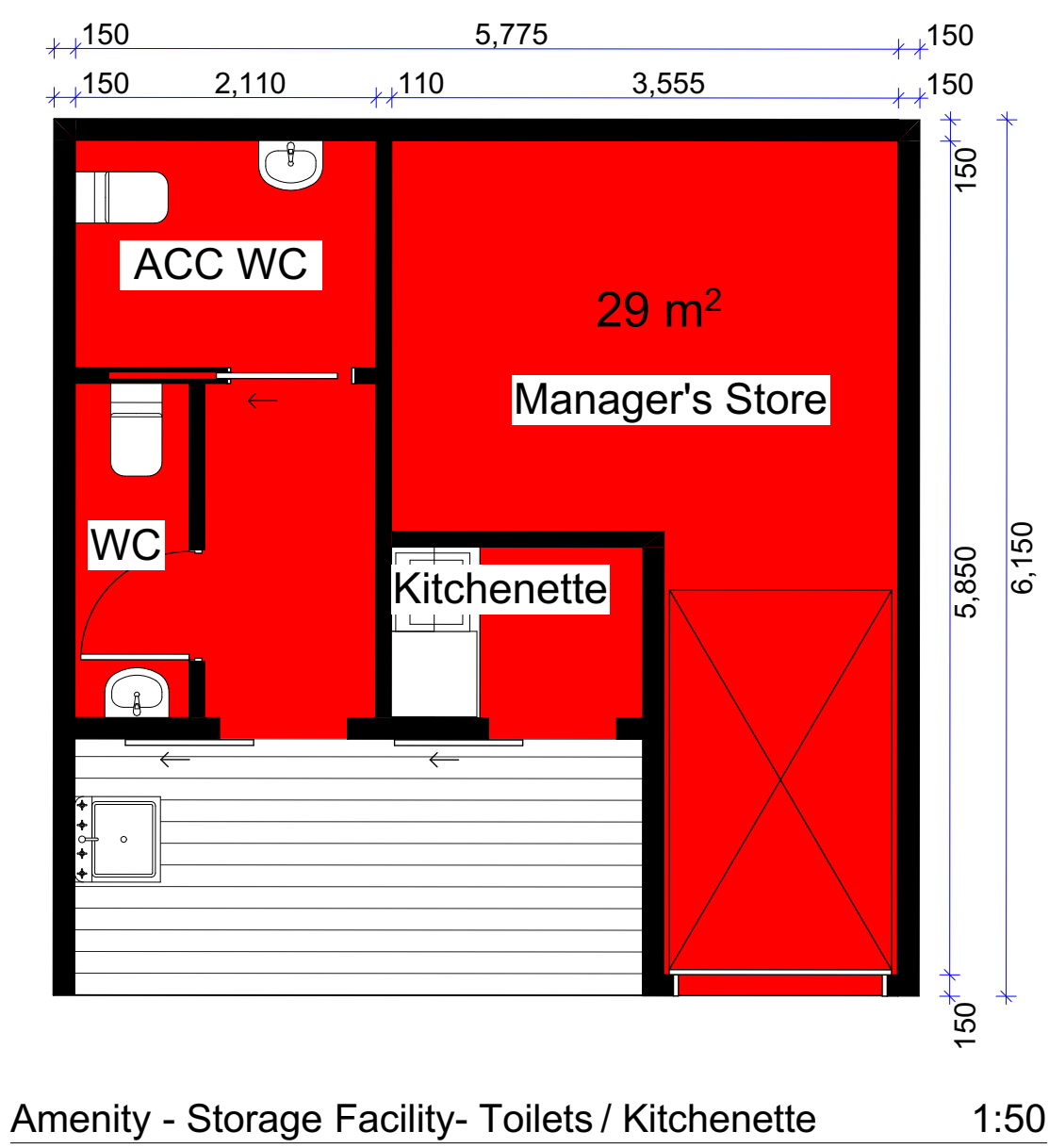
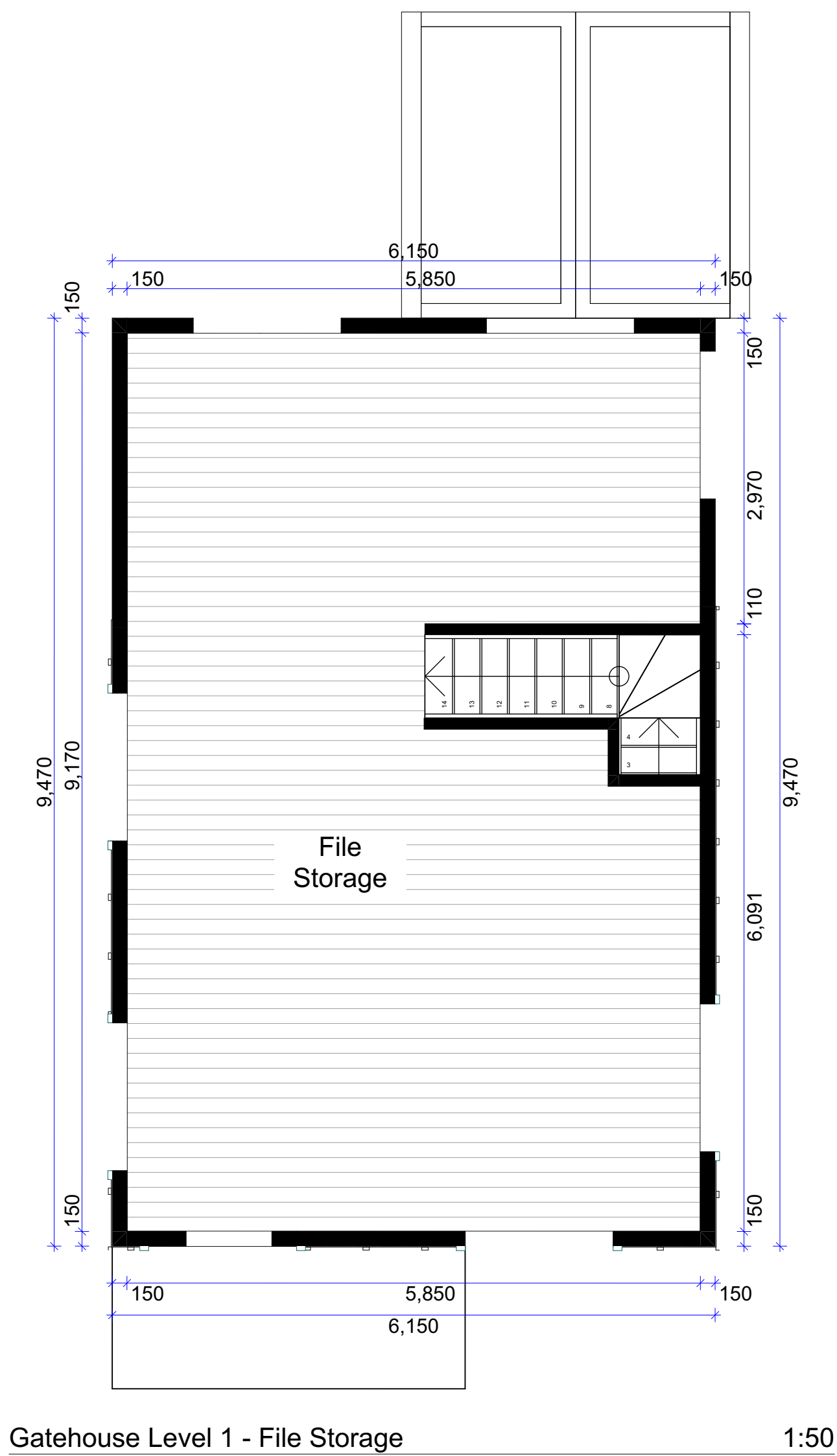
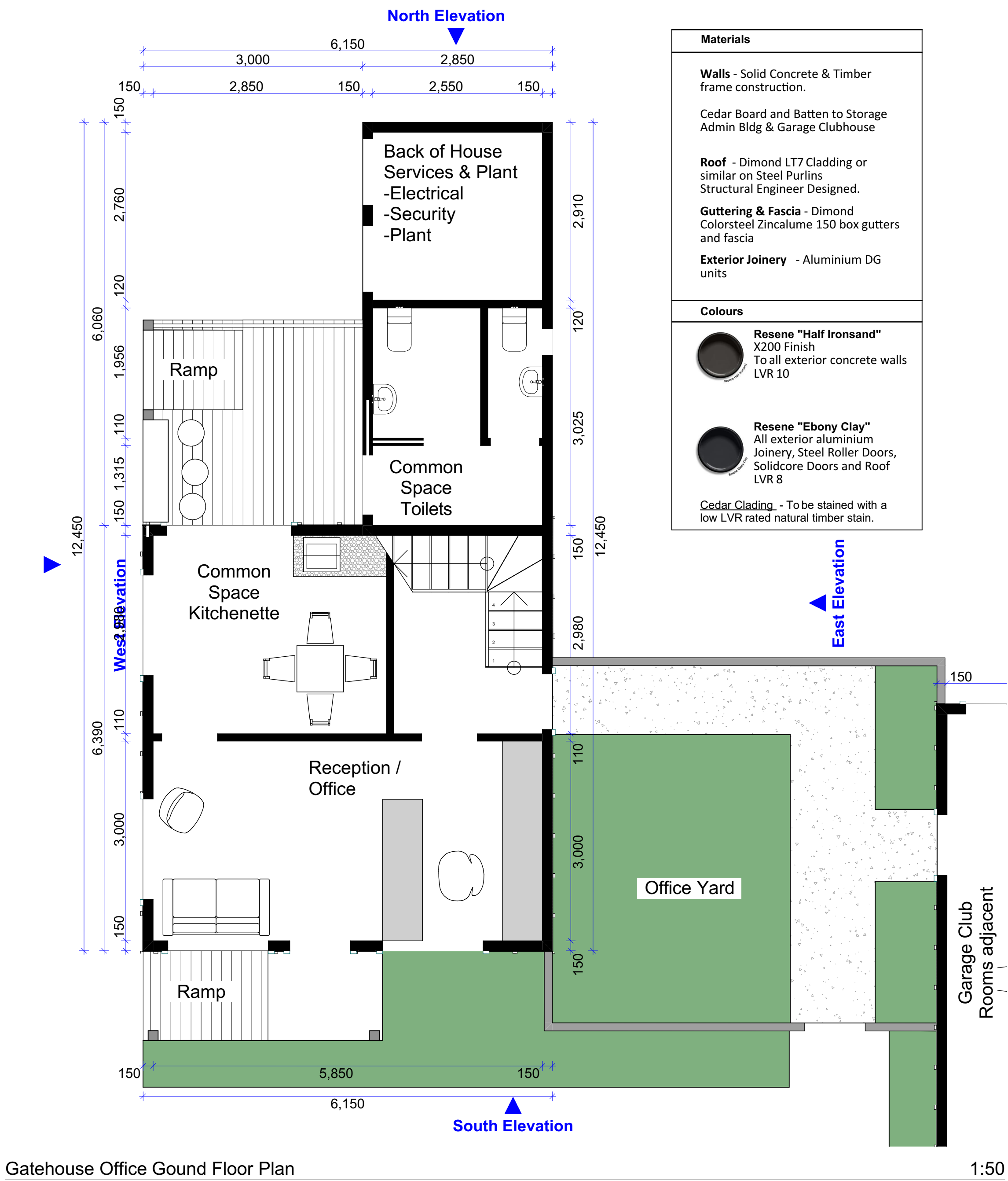
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Date	18/08/22
Scale	1:50
	on A1

Drawing Title

Unit J-M Details- Lakeside Manager's Accomodation Level 1 & Storage Ground Level

Drawing Number

A04.04



db 3

dee bee cubed

Project **Queenstown Affordable Storage**

Project Address **Victoria Flats Road
Victoria Flats,
Gibbston**

Issue	
Amended Storage Manager's Unit	11/08/2025
WCs removed from Lakeside Units	08/11/22
Existing House update	31/10/22
Amended Road Widths	18/08/22

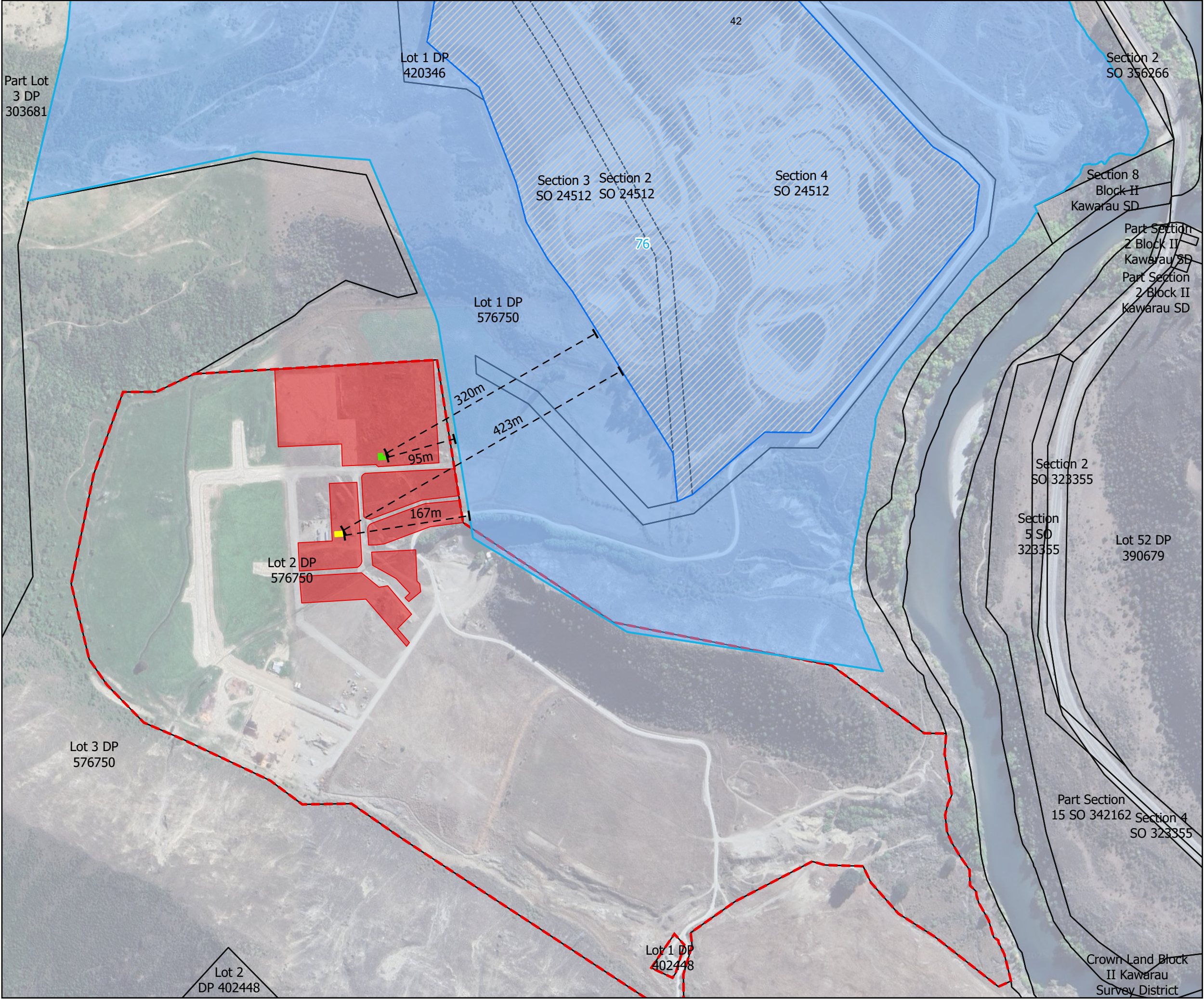
Drawn db

Date 18/08/22

Scale 1:50, 1:500 on A1

Drawing Title **Gatehouse Office & Manager's Storage**

Drawing Number **A04.06**



LEGEND

- Site
- Managers unit
- Previous Managers Unit
- Storage areas
- Gibbston Landfill
- Landfill Buffer

SITE PLAN

Managers Unit

The Cardrona Cattle Co.

Source: LINZ, QLDC

Date: 12/08/2025
Scale: 1:4,759 @ A3
Project: 2138-18



Revision:
2





DECISION OF THE QUEENSTOWN LAKES DISTRICT COUNCIL
RESOURCE MANAGEMENT ACT 1991

Applicant:	Cardrona Cattle Company Limited
RM reference:	RM220327
Location:	Gibbston Highway RD1, Queenstown
Proposal:	<p>Land use consent to construct buildings and operate a storage facility with associated water tanks, earthworks, access and parking, staff facilities, club room and manager's residence.</p> <p>Application under section 221 of the RMA to change Condition (a) of Consent Notice 7793537.3 to allow a fencing type alternative to post and wire.</p>
Type of Consent:	Land use
Legal Description:	Lot 2 Deposited Plan 420346 and Lot 8 Deposited Plan 402448, and Section 32 Block II Kawarau SD, held in Records of Title 477524 and OT14B/1179, respectively
Proposed Plan Zoning:	Gibbston Character
Activity Status:	Non-Complying
Notification:	Public
Commissioner:	Commissioners Sweetman and Taylor
Date Issued:	15 November 2022
Decision:	Granted subject to conditions

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

**of an Application to QUEENSTOWN
LAKES DISTRICT COUNCIL by CARDRONA
CATTLE COMPANY LIMITED**

(RM 220327)

**DECISION OF COMMISSIONERS GINA SWEETMAN AND JANE TAYLOR
APPOINTED BY QUEENSTOWN LAKES DISTRICT COUNCIL**

The Hearing and Appearances

Hearing Date: Friday 28th October 2022 at the Crowne Plaza Hotel, Queenstown

Appearances for the Applicant:

Mr Brett Giddens, Consultant Planner

Mr Tony Milne, Consultant Landscape Architect

Mr Dave Henderson, Applicant

Mr James Gardner-Hopkins, Project Manager

Appearances for the Queenstown Lakes District Council

Ms Hannah Clowes, Consultant Planner

Ms Kris Macpherson, Consultant Landscape Architect

Abbreviations

The following abbreviations are used in this decision:

Cardrona Cattle Company Ltd	“the Applicant”
Queenstown Lakes District Council	“the Council”
Operative Queenstown Lakes District Plan	“the ODP”
Proposed Queenstown Lakes District Plan	“the PDP”
Resource Management Act 1991	“the RMA”
National Policy Statement on Urban Development 2020	“the NPS-UD”
National Policy Statement on Highly Productive Land 2022	“the NPS-HPL”
Proposed (Partially Operative) Otago Regional Policy Statement 2019	“the ORPS”
Proposed Otago Regional Policy Statement 2021	“the PORPS”
Victoria Flats Landfill	“the landfill”

The land subject to this application is referred to as “the site”.

1. INTRODUCTION AND PROPOSAL

- (1) The Applicant seeks land use consent to construct buildings and operate a storage facility, with associated water tanks, earthworks, access and parking, staff facilities, club room and manager's residence at Victoria Flat Road, Gibbston Valley. The Applicant also seeks to change condition (a) of Consent Notice 7793537.3 to allow a fencing type other than post and wire. The proposal would encompass approximately 7.2ha of the wider 50ha application site.
- (2) The proposal was amended through the process. The final details of the proposal that is subject to this application are set out in paragraphs 14 to 18 of Mr Milne's evidence:¹
 - a. A gate house / office with footprint of 57 m², including toilets, kitchen and a second storey.
 - b. A maintenance store of 59 m², toilets / back of house of 36 m², forklift shed of 31 m², and rubbish yard of 30 m².
 - c. General purpose rentable storage units of 4,242 m² (176 units of varying sizes) including boat wash down area and container de-van area.
 - d. 'Garage Club' rental storage units of 2,692 m² (49 units of varying sizes) with a club room of 89 m² and a toilets / back of house of 41 m².
 - e. Along the pond, the proposed 'Lakeside Storage Units' will provide storage of 4,751 m² (73 units), each with a yard ranging from 32 to 82 m².
 - f. An administration building of 307 m² adjacent to the pond which is a single storey and includes office, kitchenette and toilet facilities.
 - g. Buildings would have the following finishes/colours:
 - i. Resene 'Half Ironsand' with a LVR of 10 for exterior walls, except for the administration building, gatehouse and clubhouse.
 - ii. Cedar board and batten exterior walls stained with a low LRV rated natural timber stain for the administration building, gatehouse and clubhouse.
 - iii. Resene 'Ebony Clay' with a LVR of 8 for the roof and all doors and joinery.
 - h. The building heights would range as follows:
 - i. Between 4.4 and 6.15m for the general storage and garage club storage.
 - ii. The units along the western side of the property would range between 5.2 and 6.0m.
 - iii. The lakeside storage units would be 7.3m high.
 - i. Seven 30,000l water tanks for firefighting purposes (210,000l total).
 - j. A main access and entrance via Victoria Flats Road on the eastern boundary of the property.
 - k. The sealing of Victoria Flats Road with asphalt from the intersection with the landfill entrance through the site.
 - l. A planted buffer area along the eastern boundary, with native trees and an understory of native shrubs and grasses, setback at least 1.2m from the storage units.

¹ Statement of Evidence of Tony Douglas Milne dated 14 October 2022

- m. Native planting and a customised entry feature at the site entrance. Street trees underplanted with tussock and clusters of native trees within wider planting areas.
 - n. The existing stream corridor would be enhanced with through riparian planting and native shrubs. The existing pond would be retained, and its edge naturalised with boulders and native planting.
 - o. The existing residential unit on site, to the south of the storage units (as identified on the 'Site Plan – Drawing Number A00.02') and as approved by RM120375, is proposed to be removed, and RM120375 is proposed to be rescinded if consent is granted to this application.
 - p. The rescinding of RM060342, so that no part of the site continues to be used by Offroad Adventures.
- (3) Aside from the manager's residence, there would be no residential activity occurring on the site.
- (4) There were other aspects of the proposal which were withdrawn through the process which are also relevant to outline:
- a. A cycle path through the site.
 - b. The increase in pond size.
 - c. The upgrade to the intersection of Victoria Flats Road with SH6.
 - d. The inclusion of toilets within individual storage units.
- (5) By the time of the hearing, there were no submitters wishing to be heard. The Council had determined under s100 of the RMA that a hearing should be held. The Council's s42A report recommended that consent be approved, subject to conditions of consent.
- (6) The National Policy Statement on Highly Productive Land (NPS-HPL) had come into effect between the time the s42A report was released and the hearing, and we were required to have regard to it under s104(1)(b) of the RMA.
- (7) Given that the reporting officer had recommended approval and submitters no longer wished to be heard, had withdrawn their submission or had provided affected parties approval, we have focused this decision on the key matters where we felt the evidence needed to be tested.
- (8) To ensure an efficient hearing, we circulated a list of questions in Minute 3 to be addressed before or at the hearing. These questions covered a range of topics, including:
- a. The current status of the appeal to the PDP in respect to the zone, and the relevance to this application.
 - b. Reverse sensitivity effects associated with the proposed manager's residence.
 - c. The nature of the tests under s104D of the RMA.

- d. Consistency with the NPS-HPL.
 - e. Whether the proposal constituted urban development and was consistent with relevant objectives and policies in Chapters 3 and 4 of the PDP.
 - f. Consistency with other Chapters of the PDP.
 - g. The relevance of the NPS-UD to this application.
 - h. The landscape approach taken to assessment of the proposal.
 - i. How would assurance be given of rescinding existing resource consents.
 - j. Whether required changes to the proposal had been sufficiently addressed through the plans and recommended consents.
 - k. Whether all matters that had been raised by Council's landscape architect had been addressed.
 - l. How the number of FTE jobs created and contribution to the economy of the proposal had been calculated.
 - m. The extent to which ss6(e), 7(a) and 8 and 7(j) of the RMA had been considered and addressed.
- (9) The hearing focussed on the topics, as does this decision.
- (10) We undertook a site visit on the afternoon of Thursday 27th October. The hearing was closed on 7 November 2022 following receipt of an updated set of recommended conditions and final plans.

2. THE SITE, SURROUNDINGS AND RELEVANT BACKGROUND

- (11) The site, its surroundings and the relevant background are well described in the application, Mr Giddens' evidence and the s42A report. We adopt those descriptions. However, there are pertinent aspects to each of these that we do set out below, which provides key context to this application.
- (12) The site is located in an area that is known as Victoria Flats within the Gibbston Valley and it is zoned Gibbston Valley Character Zone under the PDP. The site itself has recently been created through a boundary adjustment between three allotments. The site is located on Lot 2. Lot 1 to the north is located adjacent to the Victoria Flats Landfill (the landfill) and is owned by Scope Resources Limited. Lot 3 to the south is owned by The Station at Waitiri Limited. Victoria Flats is in close proximity to the District Boundary with Central Otago District Council.
- (13) The landfill is a significant element in this part of Victoria Flats. The landfill is owned by Queenstown Lakes District Council, is also used by the Central Otago District Council as its primary landfill, and it is operated by Scope Resources Ltd. The landfill is designated² under the PDP and its underlying zoning is Rural. It holds consents for its

² Designation 76

operation until 2034; however, we were advised that it's likely lifetime was another 40 years, if not more.

- (14) Victoria Flats Road extends beyond the site, providing access to the landscaping bulk storage, the Nevis bungy and off road adventures 4WD tracks.
- (15) There were a number of resource consent applications that were brought to our attention as providing relevant context to this application and the surrounding area. We set these out below:

Consent Reference	Address	Application	Status
RM191130	3207 Gibbston Highway (Victoria Flats Road)	Self-storage facility in the Rural Zone and within Designation 76	Refused
RM191166	2677 Gibbston Highway	Ashphalt Plant	Approved 8 May 2020
RM201935	186 Victoria Flats Road	Landscaping bulk storage and supply operation	Approved 27 May 2022 and being established
RM220401	2696 Gibbston Highway	Establish and operate a bar associated with Oxbow Adventures	Approved 7 June 2022
RM220722	Subject site	Civil contracting yard	Decision yet to be made ³

- (16) Mr Giddens also referred to RM070603 for a large scale recycling processing facility and RM060059 for a large scale whiskey distillery, bar and restaurant facility, both of which were approved but their consents have lapsed. He also referred to a pending consent for a large-scale film studio being proposed to be processed through the Fast Track legislation. We heard from Mr Henderson that this was intended to be located on the other side of the Gibbston Highway. We note these but consider them of little current relevance as they do not form part of the existing environment.
- (17) In the wider context, we note that the Kowarau River is a Wāhi Tūpuna and that part of the surrounding area that is zoned Rural is located within an Outstanding Natural Landscape.

³ We noted that there was some storage of equipment occurring already on this site.

3. RELEVANT PLANNING PROVISIONS

- (18) Both planners agreed that there are no relevant rules in the ODP, as the relevant rules under the PDP are treated as operative pursuant to s86F of the RMA. During the hearing we also questioned whether the objectives and policies of the ODP continued to be relevant. We were advised that they too had fallen away. We accept their advice and do not consider the ODP any further in this decision.
- (19) It was agreed that that part of the site which is subject to the application is located in the Gibbston Character Zone (GCZ). As outlined in Policy 6.3.1.3, there is a separate regulatory regime for the Gibbston Valley GCZ, whereby the Outstanding Natural Feature, Outstanding Natural Landscape and Rural Character Landscape categories and policies of Chapter 6, Landscapes & Rural Character, do not apply unless otherwise stated.
- (20) When lodged, the proposed water tanks were located in the Rural Zone, and accordingly would have been subject to the Outstanding Natural Landscape (ONL) overlay. They were subsequently relocated to be within the GCZ. The remainder of the site sits within a Rural Character Landscape.
- (21) Section 5 of the s42A report sets out the reasons for which consent is required under the PDP, as follows:
- A **discretionary activity** resource consent pursuant to Rule 23.4.8 for use of the 'Manager's Residence' for residential activity.
 - A **discretionary activity** resource consent pursuant to Rule 23.4.10 for the construction of any building, and the physical activity associated with buildings including roading, access, lighting, landscaping and earthworks, not provided for by any other rule.
 - A **restricted discretionary activity** resource consent pursuant to Rule 23.5.2 for building size where the ground floor of any building must not exceed 500m². The proposal seeks to construct multiple rows of storage unit buildings that are in excess of 500m². Council's discretion is restricted to the following matters:
 - external appearance;
 - visibility from public places;
 - landscape character;
 - visual amenity; and
 - privacy, outlook and amenity from adjoining properties.
 - A **restricted discretionary activity** resource consent pursuant to Rule 23.5.7 related to the setback of buildings from water bodies. Some of the 'Lakeside Storage Units' and the 'Admin Building' are located within 20m of the existing lake/pond, as well as the stream that feeds it. Council's discretion is restricted to the following matters:
 - any indigenous biodiversity values;
 - visual amenity values;

- landscape character;
 - open space;
 - whether the waterbody is subject to flooding or natural hazards and any mitigation to manage the location of the building.
 - A **restricted discretionary activity** resource consent pursuant to Rule 29.5.17 for minimum sight distance from a vehicle access on a road other than a State Highway. In this instance, the proposal requires a minimum sightline distance of 250m, and a minimum sightline distance of 60m is provided at the intersection of Victoria Flats Road and the access road to the subject site. Council's discretion is restricted to the following matters:
 - Effects on safety, efficiency, and amenity of the site and of the transport network, including the pedestrian and cycling environment.
 - A **non-complying** resource consent pursuant to Rule 23.4.20 for an activity not listed in Table 1. The proposal is considered to fall within the following activities defined by the District Plan, which are not listed in Table 1:
 - Service activity
 - Office
 - Outdoor storage
 - Urban Development
- (22) The variation to the consent notice also requires a resource consent for the following reason:
- A **discretionary** activity consent pursuant to s87B in accordance with section 221 of the RMA which specifies a variation to a consent notice shall be processed in accordance with sections 88 to 121 and 127(4) to 132. It is proposed to change Consent Notice Instrument 7793537.3 as it relates to the subject site (Lot 2 DP 547764 as approved by RM210879). Changes shown in **bold underline** and ~~strikethrough~~):
- ~~Proposed~~ **Parameter boundary** fencing shall be in standard post and wire only traditional livestock fencing).
- (23) The s42A report confirms that consent is not required under the National Environment Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.
- (24) Both the Council and Applicant concur that it is appropriate to bundle the consents and consider the application as a **non-complying activity**. We accept their advice and proceed accordingly.
- #### 4. NOTIFICATION AND SUBMISSIONS
- (25) The application was publicly notified on 26 May 2022, with submissions closing on 24 June 2022. Five submissions were received, one of which was in opposition to the application and four which were neutral. By the time of the hearing, all three of the

submitters who had wished to be heard had withdrawn their requests and two had withdrawn their submissions entirely.

- (26) Affected party approvals were provided by:

Person (owner/occupier)	Address (location in respect of the subject site)
Scope Resources	Owners of 186 Victoria Flats Road Occupiers and operators of the QLDC landfill (Lot 1)
The Station at Waitiri Limited	Owner of 3207 Gibbston Highway (Lot 3) – opposite side of Gibbston Highway to the site, and to the south of the site
Rock Supplies New Zealand limited	Owner of 2677 Gibbston Highway (opposite side of Gibbston Highway to Victoria Flats Road)

- (27) We note that these approvals were provided with the application, prior to the introduction of the manager's residence. We approach the affected parties' approvals on that basis.
- (28) Further, Bungy New Zealand who had submitted in opposition to the application, withdrew their submission and provided written approval to the application on 18 October 2022.

5. STATUTORY FRAMEWORK

- (29) Section 104 of the RMA sets out the matters we must have regard to when considering the application, the relevant parts of which are set out below:

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 and potential effects on the environment of allowing the activity; and*
 - (ab) *any measure proposed or agreed to by the Applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from 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.*

- (2) *When forming an opinion for the purposes of subsection (1)(a), a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect.*
- (2A) ...⁴
- (3) *A consent authority must not,—*
- (a) *when considering an application, have regard to—*
 - (i) *trade competition or the effects of trade competition; or*
 - (ii) *any effect on a person who has given written approval to the application:*
 - (c) *grant a resource consent contrary to—*
 - (i) *section 107, 107A, or 217:*
 - (ii) *an Order in Council in force under section 152:*
 - (iii) *any regulations:*
 - (iv) *wāhi tapu conditions included in a customary marine title order or agreement:*
 - (v) *section 55(2) of the Marine and Coastal Area (Takutai Moana) Act 2011:*
 - (d) *grant a resource consent if the application should have been notified and was not.*
- (4) *A consent authority considering an application must ignore subsection (3)(a)(ii) if the person withdraws the approval in a written notice received by the consent authority before the date of the hearing, if there is one, or, if there is not, before the application is determined.*
- (5) *A consent authority may grant a resource consent on the basis that the activity is a controlled activity, a restricted discretionary activity, a discretionary activity, or a non-complying activity, regardless of what type of activity the application was expressed to be for.*
- (6) *A consent authority may decline an application for a resource consent on the grounds that it has inadequate information to determine the application.*
- (7) *In making an assessment on the adequacy of the information, the consent authority must have regard to whether any request made of the Applicant for further information or reports resulted in further information or any report being available.*
- (30) Given this is a non-complying activity s104D of the RMA is relevant, and one of its threshold tests must be “passed” in order for us to grant consent. Section 104D (Particular Restrictions on non-complying activity) states that:
- (1) *Despite any decision made for the purpose of section 95A(2)(a) in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either –*
- (a) *the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or*
 - (b) *the application is for an activity that will not be contrary to the objectives and policies of-*

⁴ Not relevant to this application.

- (i) *the relevant plan, if there is a plan but no proposed plan in respect of the activity; or*
- (ii) *the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or*
- (iii) *both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.*

(31) We note here that it is only the PDP that is relevant to consider under s104D(b)(ii).

6. HEARING, APPEARANCES AND SITE VISIT

(32) The hearing was held at the Crowne Plaza on Friday 28 October 2022.

(33) The Council planning officer's s42A report were circulated prior to the hearing and taken as read. The evidence presented at the hearing responded to the issues and concerns identified in the Council planning officer's s42A report, the application itself and the questions that were pre-circulated by the Commission.

(34) Given the targeted nature of our questioning, we do not separately summarise the evidence presented covered here, but we refer to or quote from that material as appropriate in the remainder of this decision. We took our own notes of any answers given to verbal questions that we posed to Hearing participants. The hearing was also recorded and made available to us. Material produced at the hearing and the recording are available from the Council.

(35) Mr Henderson and Mr Gardner-Hopkins provided their right of reply at the conclusion of the hearing. They also volunteered to circulate an updated set of conditions within the following two working days. We requested that the conditions be provided to Ms Clowes to review and comment on and that these be provided by close of the day on Tuesday 1 November 2022, if not sooner. Following minor points of clarification, the updated set of conditions and final plans were provided on 4 November 2022, and we closed the hearing on 7 November 2022.

7. RELEVANT MATTERS

(36) Our decision focusses on the relevant matters that we considered needed to be evaluated to determine whether consent could be approved. As outlined earlier, we have grouped these into topics. In all other regards, we accept the evaluation undertaken by Mr Giddens in the AEE and in his evidence and Ms Clowes' s42A report and do not address these in this decision. This decision therefore needs to be read alongside Ms Clowes' s42A report, as amended by her verbal advice at the hearing with respect to cumulative effects on the landscape and the manager's residence.

- (37) Before we undertake this evaluation, we consider it appropriate to comment on what we consider to be the unique and special characteristics of the site, which Mr Henderson and Mr Giddens addressed through the hearing, and were also addressed in the AEE, evidence and the s42A report. The characteristics that provide context to our evaluation include:
- a. Victoria Flats is different to the rest of the Gibbston Valley, which is more commonly associated with grape growing, cellar doors and associated visitor accommodation. There are no such activities in Victoria Flats.
 - b. It is highly unlikely that the site could ever be used for grape growing and related viticulture activities.
 - c. There is no farming or rural-based activity on the site. While there is some rural-based activity, none is primary production.
 - d. The site and surrounding area are a “frost trap” from late March to mid-May and is affected by a lack of sunlight hours.
 - e. The landfill is likely to be in Victoria Flats for at least another 40 years.
 - f. The landfill is attracting seagulls, rats, feral cats, rabbits and windblown litter to the site and the adjacent Victoria Flats area.
 - g. Grapes may be impacted by the odour from the landfill.
 - h. There are no residential dwellings in the area, apart from the one family home on the Applicant’s property. The “houses” that we observed near or on the Lake will be removed and are not occupied.
 - i. There are no nearby residential activities.
 - j. Within the wider Victoria Flats area, there is now:
 - i. A large quarry;
 - ii. Stone and gravels processing and retailing;
 - iii. An asphalt plant;
 - iv. A gun club;
 - v. The Oxbow facility, and
 - vi. The Nevis bungy.
- (38) Mr Giddens advised that the only pastoral use had been on the Applicant’s property, which had been grazing. He noted that there were also climatic conditions affecting this area, including fog and an inversion layer.

Relevance and status of the appeal to the PDP

- (39) We are cognisant that the Applicant has filed a submission on Stage 3 of the PDP review, seeking an industrial zoning with respect to the application site and surrounding land. The submission was rejected by the Independent Hearings Commissioners in Report 20.3 Chapter 18A dated 12 January 2021, and Council’s decision has subsequently been appealed by the Applicant to the Environment Court. We understand that the Environment Court hearing is expected to be scheduled during the first quarter of 2023.

- (40) At the hearing, Mr Giddens advised that the appeal had been deliberately kept separate from this proposal, due to the evolving nature of rezoning submission (through the process) and uncertainty of the final outcome. We accept Mr Giddens' position and note that there is nothing in the RMA that prevents a party from seeking resource consent while a rezoning proposal is "live" before the courts. Mr Giddens helpfully acknowledged that Council's decision and accompanying reports on the Applicant's Stage 3 submission were contextually relevant, although he was of the opinion these should not be given much weight.
- (41) In our view, Council's decision on the rezoning submission is a relevant matter under s104(1)(c) of the RMA to the extent that it discusses and makes findings on the issues currently before us, particularly the relevance and application of the objectives and policies of the PDP. In this respect, the Independent Hearing Panel's findings with regard to strategic planning issues and, in particular, urban development and the economic justification for rezoning at paragraphs 280 to 309 of Report 20.3 Chapter 18A are considered relevant.
- (42) We note that the urban development findings are largely consistent with the evidence presented in Ms Clowes' s42A report and with our subsequent conclusions below. While the discussion of landscape effects, which primarily concerned effects on the ONL, was helpful in terms of context, the nature and scale of the rezoning proposal is materially different to that of the resource consent proposal before us (which is located in the GCZ not the ONL), and to that extent the findings are not considered particularly relevant. Similarly, the other issues canvassed in Council's decision are not material to our assessment in the context of this application. We discuss the economic justification, as it applies to this proposal, further below.

Urban development – Chapters 3 and 4

- (43) It was common ground that the proposal is located outside of the Urban Growth Boundary, and that it is not located within or adjacent to an urban town or rural settlement. However, there was disagreement between the Applicant and Council experts as to whether the proposed development comprises "urban development" as defined in the PDP and, consequently, the extent to which the objectives and policies in Chapter 4 of the PDP are relevant to our assessment.
- (44) The PDP defines urban development as follows:
- Means **development** which is not of a rural character and is differentiated from rural development by its scale, intensity, visual character and the dominance of built structures. Urban development may also be characterised by a reliance on reticulated services such as water supply, wastewater and stormwater and by its cumulative generation of traffic. For the avoidance of doubt, a resort development*

in an otherwise rural area does not constitute urban development, nor does the provision of regionally significant infrastructure within rural areas. [Our emphasis]

- (45) At the hearing, Ms Clowes was of the very firm opinion that the proposal falls within the definition of urban development, although it was not a “clean fit”. Ms MacPherson, in a similar vein, considered the development was not of a rural character, and that it can be differentiated from rural development due to the intensity of the proposed built form and associated rectangular streetscape, landscaping and underground services, which results in a “semi-suburban” form.
- (46) Mr Milne, on the other hand, maintained that the development must be assessed within the “wider context of the site”, and that we should not ‘zero in’ on the relatively small area of built form coverage, which Mr Giddens told us comprises 2.5% of the entire site. In his opinion, while there were elements of “urban form”, overall, rural character would still prevail in the context of the wider site. In other words, although Mr Milne accepted that the proposal comprises an aggregation of built form (as specifically located within the application site), the PDP definition of urban development was not satisfied because rural character was currently maintained across the ‘wider context’ of the 50 ha site.
- (47) While we accept Mr Gardner-Hopkins representation that both components of the first sentence of the definition (which are conjunctive) must be satisfied, we are not persuaded that the landscape character of the remainder of the undeveloped subject site is relevant to whether the proposal meets the PDP definition of urban development. In our view, the word *development*, which in this context acts as a qualifier, is key to the interpretation of the definition.
- (48) We prefer the evidence of Council’s experts and find the proposal plainly comprises urban development, notwithstanding that it is located within a rural setting. We do not consider the surrounding undeveloped land (comprising the Applicant’s legal landholding), which currently has a rural character, to be relevant to our assessment; rather, it is the character, scale, intensity, visual character and dominance of built form *that comprises the proposed development* that must be evaluated when interpreting the definition. To find otherwise would be to adopt an interpretation that is capable of resulting in arbitrary and somewhat perverse conclusions that are potentially inconsistent with the strategic directions and outcomes sought by the PDP.
- (49) Notwithstanding our conclusion above, we accept Mr Giddens’ evidence at paragraph 62 of his pre-circulated evidence, in which he notes that (1) there is no plan to install or reliance on reticulated services, (2) that the number of traffic movements and expected human activity on the site are of a relatively minor nature and scale compared to other urban developments, and (3) the presence of the landfill and other activities including Oxbow, the Wakatipu Gun Club and NZ Rock Supplies “provide a particular setting that is unique in the District”. We have factored these

considerations into our overall conclusion on the weighting to be given to the Chapter 4 and Policies 3.3.15 and 6.3.2.1 provisions (see further below).

- (50) Accordingly, we find the objectives and policies of Chapter 4 of the PDP to be relevant to our assessment. In this respect, we prefer the evidence of Ms Clowes, and find the proposal to be contrary to Objective 4.2.1, which seeks to utilise urban growth boundaries as a tool to manage the growth of urban areas, and key Policies 4.2.1.2 (urban development should be concentrated on land within and adjacent to existing larger urban areas) and 4.2.1.3 (urban development is to be contained within defined Urban Growth Boundaries and, aside from urban development within existing towns and rural settlements, is to be avoided outside those boundaries). The proposal is also contrary to Policy 4.2.2.20, and inconsistent with Policy 4.2.2.1.

- (51) Overall, we find, based on the evidence of Ms Clowes, that the proposal is largely contrary to the Chapter 4 objectives and policies, which seek to avoid urban development outside of urban growth boundaries. For completeness, we accept Ms Clowes evidence that the proposal is also contrary to Policy 3.3.15, which seeks to avoid urban development outside the Urban Growth Boundary.

- (52) We note that Mr Giddens addressed Policy 6.3.2.1, which directs that "urban development and subdivision to urban densities be avoided in *rural zones*" (our emphasis). Ms Clowes did not consider this policy to apply and did not assess the proposal against it. Although the policy comes under 6.3.2 of Chapter 6 (which includes the GCZ), Policy 6.3.2.1 specifically refers to "rural zones" only and does not reference the GCZ. Applying Policy 6.3.1.3, which provides a separate regulatory regime for the Gibbston Valley unless otherwise stated, we therefore find that Policy 6.3.2.1 does not apply to this proposal. Had it done so, we note the outcome of the threshold test in s104D(1)(b) may have been different, but we make no findings in that regard.

- (53) Notwithstanding her conclusion that the proposal is contrary to the Chapter 4 provisions and Policy 3.3.15, Ms Clowes found the application to be "largely consistent" with the relevant objectives and policies of the PDP. Accordingly, she considered that, applying overall judgement, the proposal passes the gateway test in s104D(1)(b). At the hearing, she explained that although the proposal was contrary to several of the key objectives and policies in Chapter 4, it nonetheless sits comfortably within the "wider framework", which takes into account the unique characteristics of the Victoria Flats area, including the neighbouring landfill and other existing or consented activities of a more industrial nature (albeit with some connection to the rural land resource). Having had regard to Mr Giddens' evidence in a similar vein, as set out above, we accept Ms Clowes recommendation in this regard for the reasons given, although we note that our judgement is very finely balanced. The unique character of the Victoria Flats area as it has been developed to date, which is heavily

impacted by the landfill and existing consented activities, has had a material bearing on our weighting in this regard.

Evaluation against the NPS-HPL

- (54) As outlined earlier, the NPS-HPL came into effect after the consent had been lodged with the Council and prior to a decision being made. Accordingly, it is a matter that we are obliged to have regard to under s104(1)(b). It is not a relevant plan to consider under s104D(1)(b). Both planners had briefly addressed the NPS in their evidence and s42A respectively, but not in the detail we considered was required. Accordingly, we asked them to address us on it at the hearing.

- (55) Mr Henderson was also able to provide some context on the productivity of the site and surrounding area, which we have set out earlier. He acknowledged, and we accept, that he is not an expert on primary production; however, we do accept that he has detailed knowledge of this area.

- (56) Mr Giddens confirmed that the site is identified as Land Use Capability Class 3 and is therefore subject to the NPS-HPL. He usefully tabled a map showing the location of highly productive land within the Queenstown Lakes District. He identified Policy 8 as being the key policy, with implementation Policies 3.9 and 3.10 determining whether a use is appropriate or not.

- (57) Mr Giddens considered that the proposal meets Policy 3.9(2)(g), as it is small scale and has no impact on the productive capacity of the land as a whole. He identified that there are other factors in play that impact the primary productive capacity of the land. In terms of Policy 3.10, he identified that there are long term constraints on the land that mean that the use of the land for land-based primary production would not be economically viable for at least 30 years.

- (58) Ms Clowes generally agreed with Mr Giddens but did note that Policy 3.9(g) talked about “no impact on the productive capacity of the land”. She considered that the context to the site is more relevant, including the long term constraints, as addressed under Policy 3.10.

- (59) We accept the planners’ advice in respect to the NPS-HPL. We consider that there are site specific constraints that impact the primary productive capacity of the land and long term constraints presented by the landfill. We are satisfied that there are no potential reverse sensitivity effects on existing primary production activities, given there are none in the immediate area. Accordingly, we find that the proposal is generally consistent with the NPS-HPL.

Landscape considerations

- (60) It was common ground that the proposed development falls within the GCZ. At the hearing, the Applicant and the Council agreed that the water tanks, previously understood to be in the Rural Zone, are wholly located within the GCZ. As we outlined earlier, Policy 6.3.1.3 of the PDP provides that a separate regulatory regime applies to the GCZ with respect to landscape matters, which is set out in Chapter 23 of the PDP. Most of the remainder of the Chapter 6 objectives and policies, which are focused largely on District wide landscape outcomes, are therefore not applicable to our assessment.
- (61) Accordingly, it is mainly the zone purpose and the specific landscape objectives and policies found in Chapter 23, of which there are relatively few, that are relevant to the landscape assessment. We observe that the exclusion of the majority of the Chapter 6 landscape provisions, coupled with the application of the more permissive GCZ zoning, has had a material and determinative impact on the outcome of this proposal. In particular, as we addressed earlier, Policy 6.3.2.1, which directs that urban development be avoided, is not applicable to the GCZ.
- (62) Objective 23.2.1 seeks to ensure the economic viability, character and landscape values of the GCZ are protected by enabling viticulture and other appropriate activities that rely on the rural resource of the Gibbston Valley and managing the adverse effects of other activities locating within the zone. Ms Clowes has carried out a comprehensive analysis of the effects on visual amenity and landscape quality and character, as informed by the landscape evidence and the relevant Chapters 6 and 23 objectives and policies, which we accept. We address the other relevant aspects of the objectives and policies further in this decision.
- (63) The main findings and key points of contention in respect to landscape are summarised as follows:
- a. Within Victoria Flats the character of the Gibbston Valley GCZ has yet to eventuate. This is largely attributable to the localised topography and physical separation of Victoria Flats from Gibbston Valley, and the evolving patterns of land use which have occurred across Victoria flats since implementation of the landfill. The presence of the landfill renders the site unsuitable for growing grapes and advancement of viticultural tourism, hospitality and visitor accommodation activities, although other more industrial uses, such as wineries and large-scale storage facilities, could be accommodated.
 - b. The proposal is highly visually contained and is not visible from SH6 or any public place, excluding a small section of the Mt Rosa walking track and the unformed section of Victoria Flats Road. Importantly, the proposal will not detract from the open character of the adjacent ONL from public viewpoints. Any potential adverse effects relating to visual amenity, including on the adjacent ONL, will therefore be no more than minor.

- c. The likelihood of future viticultural development, both within the application site and the wider Victoria Flats landscape unit, has already been undermined by the presence of the neighbouring landfill and other industrial activities, including the existing quarry. Ms MacPherson, referring to these “existing highly intrusive industrial activities”, considered that they “already undermine the GCZ potential of the Victoria Flats landscape unit”. Ms Clowes concluded that any adverse landscape effects on the wider Victoria Flats landscape are therefore not more than minor.
- d. Any adverse effects on the wider GCZ will be less than minor due to the physical separation of the Victoria Flats landscape unit from the main GCZ (Gibbston Valley). Ms MacPherson noted that: “The proposal will have very limited additional adverse effects on audiences outside the landscape unit [Victoria Flats]”.
- e. The main area of contention between the landscape experts was in relation to cumulative effects. Ms Macpherson, who based her analysis on a landscape “sub-unit” of the Victoria Flats landscape unit (as shown in the Figure at paragraph 6 of her Peer Review dated 5 July 2022), assessed the cumulative effects to be moderate to high. She was of the opinion that, when combined with other existing non-rural activities in the Victoria Flats landscape unit:
“The proposal will push human activity, not associated with rural or viticultural activities, deeper into the landscape unit. It would over domesticate (or industrialise) the receiving landscape unit when considered in conjunction with the landfill. This will tip the Flats landscape unit, as a whole, past the point where it could maintain its current inherent landscape values or its potential as either a rural or ONL landscape unit”.

Mr Milne was of the view that the landscape ‘sub-unit’ adopted by Ms MacPherson for the purposes of her assessment is not a term or descriptor used in the PDP and was too fine-grained. He considered the Victoria Flats landscape unit to be the appropriate geographical area for the assessment of effects. Mr Milne did not agree that the proposal would be a “tipping point”, as the landscape values and rural character of the wider Victoria Flats, and the balance of the application site, will be maintained. At the hearing, Ms Clowes was of the opinion that the wider context of the Victoria Flats was the appropriate landscape unit. As a result, she considered the cumulative effects of the proposal to be less than minor. While we accept this evidence, we note that impact of cumulative effects is highly correlated to the landscape unit adopted, which is a matter of judgement.

- f. Surrounding landowners, including the Applicant, Scope Resources Limited, The Station at Waitiri Limited and Bungy New Zealand limited have given written approval to the proposal. Accordingly, any adverse visual and landscape character

and quality effects of the proposal on these landowners are required to be disregarded.

- (64) Policy 6.3.2.2 remains relevant to this application. This policy aims to ensure that the location and direction of lights does not cause excessive glare and avoids unnecessary degradation of views of the night sky and of landscape character, including of the sense of remoteness where it is an important part of that character. We are satisfied that lighting and glare can be managed by appropriate conditions of consent, as volunteered by the Applicant.
- (65) Overall, we accept the evidence of Mr Giddens, Mr Milne and Ms Clowes that the effects on visual amenity, landscape character and cumulative effects will be less than minor, and that the proposal is largely consistent with the applicable landscape objectives and policies of the PDP.

Evaluation against objectives and policies for the Gibbston Character Zone

- (66) The relevant objectives and policies for the GCZ are contained in Chapter 23 of the PDP. As we outlined earlier, the GCZ applies only to the Gibbston Valley, and the Chapter 6 Landscapes and Rural Character objectives and policies do not apply, unless the GCZ is explicitly referred to.
- (67) Both planners addressed the relevant objectives and policies in the AEE, evidence and the s42A report. There was a lot of discussion at the hearing about how Victoria Flats “fits” within the GCZ, given that it does not contain any viticultural activity and is unlikely to in future. Objective 23.2.1 states the intended outcome of the GCZ:

The economic viability, character and landscape values of the Gibbston Character Zone are protected by enabling viticulture and other appropriate activities that rely on the rural resource of the Gibbston Valley and managing the adverse effects resulting from other activities locating in the Zone.

- (68) We note that this objective explicitly acknowledges that there may be other activities occurring in the GCZ, beyond viticulture and other appropriate activities. We consider that this provides the “open door” for this particular proposal to be considered and potentially approved, subject to adverse effects being managed. We anticipate that this is how other non-viticulture type activities have recently obtained consent within the surrounding area.
- (69) Mr Giddens drew our attention to Policy 23.2.1.1 which enables viticulture activities and provides for appropriate activities that rely on the rural resource of the Gibbston Valley. We preferred Ms Clowes’ advice that the proposal is inconsistent with this policy, as we agreed with her the only reliance on rural resource was the use of the land to put the storage facility on.

- (70) Both planners addressed Policy 23.2.1.2, which seeks that land with potential value for productive activities is not compromised by development and buildings. Mr Giddens outlined how the land is already compromised by the landfill. Ms Clowes considered the proposal to be inconsistent with this policy, as it has rural productive value. We prefer Mr Giddens' advice, based on the land being compromised by the landfill, and the other matters we addressed under the NPS-HPL evaluation.
- (71) In our view, Policy 23.2.1.3 is the key to this proposal. It seeks to ensure that activities not based on the resources of the area occur only where the character and productivity of the GCZ and the wider Gibbston Valley will not be adversely impacted. We accept both planners' advice that the proposal is consistent with this Policy, based on the unique and special characteristics of the site and its immediate context. In particular, we find that the character and productivity of the GCZ and the wider Gibbston Valley will not be adversely impacted.
- (72) Neither planner addressed Policy 23.2.1.4, and we agree that it is not relevant. Based on the assessment on landscape matters which we addressed earlier and the economics evidence, we accept the planners' advice that the proposal is consistent with Policies 23.2.1.5 and 23.2.1.6. Ms Clowes addressed Policy 23.2.1.7 in respect to the location of structures, and we accept her advice that the proposal is consistent with this policy.
- (73) Mr Giddens did not address Policy 23.2.1.11, but Ms Clowes did. She found that the proposal was consistent with respect to the impacts of lighting. We raised this at the hearing, as Ms MacPherson had expressed concern about lighting effects. The planners subsequently recommended a condition requiring a lighting plan, which we are satisfied will ensure any lighting effects are appropriately managed, and that the proposal will be consistent with this policy.
- (74) We also accept Ms Clowes advice on consistency with Policies 23.2.13 and 23.2.1.14. Having reviewed Policies 23.2.1.8, 9, 10 and 12, we are satisfied that these are not directly relevant.
- (75) Overall, we accept both planners' advice and find that the proposal is consistent with, and is not contrary to, the GCZ objectives and policies.

Relevance of the NPS-UD

- (76) We asked the planners to what extent the NPS-UD is relevant to our consideration of this matter. They both agreed that it is relevant as a whole, particularly as Mr Giddens noted Queenstown is listed as being Tier 2.

- (77) They both agreed that the NPS-UD has limited relevance to an application of this scale. Ms Clowes had not addressed the NPS-UD in her s42A report, but at the hearing identified clause c of Objective 3, clause c of Objective 6 and policy 5 being of relevance. Objective 3 and policy 5 relate to the content of district plans, and as such, are not of particular relevance in our view. Objective 6 relates to planning decisions, and proposals that would supply significant development capacity, which is of more relevance.
- (78) In his evidence, Mr Giddens referred back to section 6.3.1 of the AEE, which provides a more detailed evaluation of the NPS-UD. He considered that policies 2 and 8 were relevant. Policy 2 relates to Tier 2 councils (in this instance) providing at least sufficient development capacity to meet expected demand for housing and for business land over the short, medium and long terms. Policy 8 relates to decisions relating to plan changes. This is not a plan change, so in our view, this is not relevant. Mr Giddens acknowledges this in the AEE, identifying the current appeal to the plan change. He considers that this application is a bespoke solution to the lack of industrial land in Queenstown.
- (79) There was a lot of discussion in the Applicant's AEE and evidence of the lack of availability of industrial land at an affordable cost within Queenstown, in particular for storage units, in the immediate future. We were advised of some pending rezoning and of work underway through the Future Development Strategy to identify new land.
- (80) Irrespective, the evidence we had before us was that the NPS-UD is of limited relevance and neither planner raised any concerns as to any inconsistency with it. We accept their advice and find that the proposal is not inconsistent with the NPS-UD, noting it will provide approximately 2.7ha of industrially-used land within the District, for the express purpose of a storage facility.

Reverse sensitivity and the manager's residence; rescinding consent for existing residential dwelling

- (81) We considered the issue of potential reverse sensitivity effects on the landfill site, and other surrounding sites, carefully. As we noted earlier, the affected party approvals had been obtained prior to the manager's residence being included in the application, but prior to notification. While no parties submitted against the manager's residence, we must still consider the potential effects arising. Mr Henderson advised us that Scope Resources, who operate the landfill, are contractually obliged to provide written approval for anything other than residential activity on the site. We had no evidence presented to confirm this.
- (82) Mr Gardner-Hopkins reinforced that the Applicant had offered an Augier condition for the rescinding of the consent and removal of the existing residential unit. That offer was conditional on the manager's residence being approved. He considered that there would largely be a substitution of effects. We asked Mr Gardner-Hopkins if it would be

a substitution, given the manager's residence would be located closer to the landfill than the existing residence. His view was there would be little difference, but we had no expert evidence on this.

- (83) Mr Giddens advised that both the Oxbow and Gun Club consents have "no-complaints" conditions on their consents. In his evidence and at the hearing, Mr Giddens talked through the relatively prescriptive and restrictive conditions imposed on the landfill operation through both Designation 76 and Resource Consent 97164.V2. Between them, these require that the effects of odour, dust, vermin and litter are to be mitigated so that any adverse effects associated with the site are minor, and that the effects of any odour emission that is offensive or objectionable is limited to the boundary of the Council site, excluding the buffer zoned land.
- (84) Ms Clowes had expressed significant concerns about reverse sensitivity effects arising from the manager's residence in her s42A report. She was particularly concerned given the proximity of the landfill and its district and regional importance, and the sensitive and permanent nature that residential occupation and activity may bring, including future complaints.
- (85) During discussion, the planners agreed that "no complaints" conditions could be imposed on the consent to address potential reverse sensitivity effects. Ms Clowes also advised that she did not see a need to rescind the existing residential unit resource consent should consent be granted, including "no complaints" conditions.
- (86) The planners' recommended conditions included two recommended conditions requiring a site management plan that would address how the potential for complaints from anyone on the site about the operation of the landfill. They also included a condition for rescinding the existing residential unit consent if we considered it necessary.
- (87) Having considered the planners' evidence and hearing their advice, we find that any reverse sensitivity effects on the landfill could be appropriately managed through the site management plan conditions, as well as the conditions that already apply to operation of the landfill. In our view, this proposal differs from a standard residential development, in that there is only one manager's residence involved, and whoever that manager is will be well aware of any conditions on the resource consent. Users of the facility will generally not be on the site for any long periods of time, and the conditions would also ensure that they are aware of the landfill and the effects that it generates. However, we have amended the conditions slightly, so that the reference is not just to adverse odour effects, but rather adverse effects, including odour.
- (88) With these conditions in place, we agree with Ms Clowes that there is no need to require that the existing residential unit be removed and its consent rescinded.

Economic contribution

- (89) Both the Applicant and Ms Clowes in her s42A report have placed significant weight on the economic benefits arising from the proposal, relying heavily on the economic and property market evidence of Mr Thompson. In considering the positive effects of the proposal, Ms Clowes was of the opinion that: *“ Loss of the rural potential of the site is considered acceptable in the context of the existing demand, and lack of supply, for industrial service land within the District, as identified by expert economic assessment, for which the proposal will have a significant positive effect”*.
- (90) We note that Mr Thompson’s economic and property market evidence was not peer reviewed by Council. Given the findings of Council in its decision on Stage 3 of the PDP review, which held at paragraph 306 that the economic argument in relation to rezoning the land as industrial (GIZ) was not strong, we consider this may have been prudent. Council’s evidence at paragraphs 303 and 305 of the decision was preferred to that of the Applicant, which concluded that *“there is currently capacity for short to medium term demand growth for industrial activity in the Wakatipu Ward, notwithstanding that the proposed Coneburn land is not yet development ready”*. The Council evidence also addressed relevant policy considerations and the importance, through the FDS (Spatial Plan) process, of not only identifying suitable areas for industrial activities, but of not pre-empting the process through the plan review process. While we cannot place undue weight on the PDP review decision, it does call into question the veracity of Mr Thompson’s uncontested evidence in relation to the availability of alternative locations within the UGB.
- (91) Prior to the hearing, we requested clarification of the calculations Mr Thompson had relied on in forming his opinion that the proposal would generate a significant economic contribution to GDP and employment. At paragraph 33, he stated that: *“The ongoing operation of the storage facilities within the centre is estimated to generate 96 FTE jobs and contribute \$15.3 m to GDP. Over a 30 year time period, the net present value (NPV) of this ongoing operation is approximately \$275.6 m at a discount rate of 4% per annum”*. Mr Thompson subsequently advised that the estimate of 96 FTE was based on an assumption of 25 jobs per hectare, which is “a typical employment density for this type of activity”. The Applicant confirmed at the hearing that the facility was likely to employ “the number of persons that could be accommodated in the proposed manager’s residence” plus part time cleaning and maintenance staff or contractors. As such, the actual FTE number is likely to be considerably less than 96, and potentially under five, which renders Mr Thompson’s evidence on the economic benefits, of which this calculation is a material component, completely lacking in credibility and hence unreliable.
- (92) For the reasons given above, we have placed very little weight on the economic justification for this proposal, although we recognise that it will generate positive effects of a less significant nature, particularly, in this case, for the Applicant.

Relevance and consideration of s6(e), 7(a), 7(j) and 8 of the RMA

- (93) As neither planner had addressed ss6(e), 7(a), 7(j) and 8 of the RMA and their relevance in their evidence, we asked them to do so at the hearing. Mr Giddens advised that they had undertaken a site visit with the local Rūnanga, but they did not obtain an affected parties' approval from them. He noted that the river is a wāhi tūpuna but considered that the application site itself has no cultural significance. In respect of the effects of climate change, he considered that this was of no consequence to this application. Ms Clowes agreed with Mr Giddens.
- (94) Mr Henderson noted that the proposal would result in fewer trips beyond Queenstown for storage facilities; however, this is not the test under s7(j). It was noted that the NPS-UD Policy 1 does seek to achieve well-functioning urban environments that support reductions in greenhouse gas emissions.
- (95) We find that there is little in ss6(e), 7(a), 7(j) and 8 of the RMA that is of direct relevance to this application.

The application of s104D of the RMA

- (96) In forming her opinion as to whether the proposal satisfied the s104D(1)(a) gateway in relation to the effects on the environment in the s42A report, Ms Clowes concluded that "on balance" the threshold test was passed, notwithstanding the expert evidence of Ms MacPherson that the potential cumulative landscape effects resulting from the proposal would be significantly more than minor.
- (97) At the hearing it was accepted by all parties that it is well established law that only the adverse effects on the environment are relevant to the application of the threshold test in s104D(1)(a) and, accordingly, any positive effects of the proposal (that are not directly related to an adverse effect), such as economic benefits, cannot be considered or weighed in reaching a conclusion. Should the proposal pass both of the s104D gateway tests, positive effects may, however, be taken into account in reaching an overall finding under s104. We are grateful to Mr Gardner-Hopkins for his helpful representations on behalf of the Applicant in this respect.
- (98) At the hearing Ms Clowes amended the advice in her s42A report, stating that notwithstanding Ms MacPherson's opinion, and having had the benefit of the Applicant's pre-circulated evidence, she considered the adverse cumulative landscape effects would be less than minor due to the very low visibility of the development and the maintenance of rural character over the wider site. As a result, in her opinion the adverse cumulative effects on the landscape would be less than minor and, accordingly, she was of the opinion that the proposal unequivocally passed the gateway in s104D(1)(a).

- (99) We accept Ms Clowes' considered opinion in this respect, taking into account our own conclusions on the landscape effects as set out above. Accordingly, we are satisfied that the proposal meets the threshold test in s104D(1)(a).
- (100) For completeness, as we have outlined earlier, we also find that while there are some objectives and policies that the proposal does not sit comfortably with, overall the proposal is not contrary *as a whole* to the objectives and policies of the PDP. Accordingly, we find that the proposal passes the threshold test in s104D(1)(b).

Final plans and recommended conditions

- (101) Through the processing of the consent, the s42A report, evidence and the hearing, there were a few changes made to the proposal. This included removal of the toilets from the units, so that there was no doubt they would not be used for residential purposes, and the provision of a lighting plan to ensure any potential lighting effects would be appropriately addressed. We have reviewed the final plan set and recommended conditions and find that these are appropriate, subject to the minor amendments we have made to them for clarity and certainty of implementation and monitoring.

8. PART 2 AND SECTION 104 RMA

- (102) As outlined earlier, s104D of the RMA provides that a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that the adverse effects of the activity on the environment will be minor, or that it is not contrary to the objectives and policies of the relevant plan or proposed plan.
- (103) We have found in our evaluation that both "tests" of 104D of the RMA have been met and that there are no constraints to granting consent to the proposal. Having considered the proposal under s104 as a whole, we find that the effects of the proposal are acceptable, subject to compliance with conditions of consent, and that the proposal is largely consistent with the relevant objectives and policies of the relevant plans and policy statements. We considered the appeal to the PDP as a relevant matter under s104(1)(c), and do not find that an impediment to granting consent. We also carefully considered the issue of precedent in terms of granting consent. As we have outlined through this decision, we find that there are special and unique circumstances relating to this proposal, the site and its immediate surroundings that have addressed potential precedent effects of urban development occurring outside of an urban growth boundary.
- (104) We have not considered it necessary to traverse Part 2, as we consider there are no matters that are not substantively and sufficiently traversed through the relevant planning documents and no areas of conflict to reconcile.

(105) We note for completeness that we accept Ms Clowes' recommendation with respect to the change to the consent notice.

(106) We are therefore satisfied that the proposal can be granted consent.

9. DECISION

(107) We have resolved that pursuant to sections 104, 104D and 108 of the RMA, that the application as described in Section 1 of this decision, be **granted**, subject to the conditions of consent in Appendix 1.

(108) We have resolved that pursuant to section 127 of the RMA, that Condition (a) of consent notice 7793537.3 as it relates to the subject site (Lot 2 DP 547764 as approved by RM210879) be amended to read as follows (added text underlined and deleted text struck out):

(a) ~~Proposed~~ Perimeter boundary fencing shall be in standard post and wire only (traditional livestock fencing).



Gina Sweetman

Hearings Commissioner



Jane Taylor

Hearings Commissioner

14 November 2022

RM220327 CONDITIONS OF CONSENT

General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
 - 'Location Plan' Drawing Number A00.01 Dated 16/08/22 Prepared by dee bee cubed.
 - 'Site Plan' Drawing Number A00.02 Dated 16/08/22 Prepared by dee bee cubed.
 - 'Storage and Garage Club Layout' Drawing Number A01.01 Dated 16/08/22 Prepared by dee bee cubed.
 - 'Lakeside Storage Layout' Drawing Number A01.02 Dated 16/08/22 Prepared by dee bee cubed.
 - 'Storage Unit Layout Detail' Drawing Number A01.03 Dated 16/08/22 Prepared by dee bee cubed.
 - 'Garage Club Unit Layout Detail' Drawing Number A01.04 Dated 16/08/22 Prepared by dee bee cubed.
 - 'Lakeside Storage Unit Layout Detail Blocks 01 and 02' Drawing Number A01.05 Dated 16/08/22 Prepared by dee bee cubed.
 - 'Lakeside Storage Unit Layout Detail Block 03' Drawing Number A01.06 Dated 16/08/22 Prepared by dee bee cubed.
 - 'Lakeside Storage Unit Layout Detail Blocks 04 and 05' Drawing Number A01.07 Dated 16/08/22 Prepared by dee bee cubed.
 - 'Storage and Garage Club Elevations' Drawing Number A02.01 Dated 16/08/22 Prepared by dee bee cubed.
 - 'Lakeside Storage Elevations' Drawing Number A02.02 Dated 16/08/22 Prepared by dee bee cubed.
 - 'Lakeside Storage Unit Typical Elevations' Drawing Number A02.03 Dated 16/08/22 Prepared by dee bee cubed.
 - 'Unit Details Storage Facility' Drawing Number A04.01 Dated 16/08/22 Prepared by dee bee cubed.
 - 'Unit Details Garage Club' Drawing Number A04.02 Dated 16/08/22 Prepared by dee bee cubed.
 - 'Lakeside Details Lakeside Storage Unit I' Drawing Number A04.03 Dated 16/08/22 Prepared by dee bee cubed.
 - 'Lakeside Details Lakeside Storage Unit J' Drawing Number A04.04 Dated 16/08/22 Prepared by dee bee cubed.
 - 'Lakeside Details Lakeside Storage Unit K & L' Drawing Number A04.05 Dated 16/08/22 Prepared by dee bee cubed.
 - 'Gatehouse Office/Manager's Accommodation – Storage & Garage Club' Drawing Number A04.06 Dated 16/08/22 Prepared by dee bee cubed.
 - 'Garage Club Rooms and Club Amenity' Drawing Number A04.07 Dated 16/08/22 Prepared by dee bee cubed.
 - 'Lakeside Admin Building Floor Plan' Drawing Number A04.08 Dated 16/08/22 Prepared by dee bee cubed.

- 'Lakeside Admin Building Elevations' Drawing Number A04.09 Dated 16/08/22 Prepared by dee bee cubed.
- 'Landscape Concept and Mitigation Plan' Sheet 26 Dated 30 September 2021 Prepared by Rough & Milne Landscape Architects.
- 'Storage and Garage Club Elevations Sheet 27 Dated 30 September 2021 Prepared by Rough & Milne Landscape Architects.
- 'Lakeside Storage Unit Elevations' Sheet 28 Dated 30 September 2021 Prepared by Rough & Milne Landscape Architects.
- 'Proposed Plant Palette' Sheets 29 & 30 Dated 30 September 2021 Prepared by Rough & Milne Landscape Architects.

stamped as approved on 15 November 2022

and the application as submitted, with the exception of the amendments required by the following conditions of consent.

2. This consent must not be exercised and no work or activity associated with it may be commenced or continued until the following charges have been paid in full: all charges fixed in accordance with section 36(1) of the Resource Management Act 1991 and any finalised, additional charges under section 36(3) of the Act.
3. The consent holder is liable for costs associated with the monitoring of this resource consent under Section 35 of the Resource Management Act 1991.

Landscaping

4. The consent holder must implement all planting shown on the approved landscaping plan (with the exception of the Liquidambar Styraciflua, which must be replaced with a native tree species of similar mature form), within the first planting season following the implementation of this consent, and the plants must thereafter be maintained and irrigated in accordance with that plan. If any plant or tree should die or become diseased it must be replaced within the next available planting season.
5. The consent holder must ensure that all trees are firmly double staked and have pest protection installed around the base of the trunk to deter browsing pest (tree cages or trunk spirals).
6. The consent holder must ensure that all revegetation planting have a drip irrigation installed and be operational, a compostable protection sleeve installed for each plant, and planting areas fenced with rabbit proof netting to a height of not less than 800m and in ground depth or across ground distance of 500mm. Rabbit proof fencing must be secure and form a perimeter around planting. Revegetation planting shall have a compostable mulch applied over the planting area to suppress weeds and retain moisture, and a slow release fertiliser installed for each plant.

7. The consent holder must advise the Council within three months of the planting has been completed, to enable the Council to inspect the planting and certify that it is in accordance with the approved landscape plan and conditions 4 to 6 of this consent. In the event that the Council finds that the planting is not in accordance with the landscape plan and conditions 4 to 6, the consent holder must rectify the planting within the following planting season, and contact the Council for certification. This condition is not satisfied until such time as the Council has certified the planting.

Site Management Plan

8. Prior to the implementation of the consent, the consent holder must provide a Site Management Plan which meets the objective set out in condition 9, to the Council's Monitoring Department for certification. The approved Site Management Plan must be implemented at all times while the storage facility is in operation.
9. The objective of the Site Management Plan is to detail any management and mitigation techniques that will be adopted to minimise the potential for complaints made by the storage facility operator, unit leaseholders or owners, and visitors to the site, regarding the lawful operation of the Victoria Flats Landfill. The Site Management Plan must contain evidence that the lease and / or rental agreements to be signed by the occupier of the manager's residence and unit users includes a "no complaints" clause, and must include a statement of acceptance that the lawful operation of the landfill may result in adverse effects, including odour. The "no complaints" requirements above must be maintained as long as the storage facility is in operation.

Lighting Plan

10. Prior to the operation of the facility, the consent holder must submit a lighting plan for any exterior lighting (including accessway lighting internal to the development) for certification to the Monitoring Planner of the Council. The purpose of the lighting plan is to reduce light spill, with possible methods to reduce light spill including (but not limited to) temporary sensor lighting, the direction of lights, shading or screening of lights, and light intensity. Any lighting must be consistent with the certified lighting plan.

Engineering

General

11. All engineering works must be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 8th October 2020 and subsequent amendments to that document up to the date of issue of any resource consent.

Note: The current standards are available on Council's website via the following link:
<https://www.qldc.govt.nz>

12. All water, stormwater, and sewer infrastructure related to this development must remain in private ownership at all times. The consent holder acknowledges that at the date of this decision there are no reticulated water, stormwater or sewer infrastructure at or near the site.

Note: The water, stormwater and sewer infrastructure will not be accepted for vesting in the ownership or administration of the QLDC for public reticulated services.

To be completed prior to the commencement of any works on-site

13. The owner of the land being developed must provide a letter to the Manager of Resource Management Engineering at Council advising who their representative is for the design and execution of the engineering works and construction works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under Sections 1.7 & 1.8 of QLDC's Land Development and Subdivision Code of Practice, in relation to this development.
14. At least seven (7) days prior to commencing earthworks associated with this resource consent, the consent holder must provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified geo-professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who the consent holder must ensure supervises the earthworks and undertake inspection and assessment as necessary to provide a Schedule 2A certificate and geotechnical completion report as required under Condition (21).
15. The consent holder must obtain and implement a traffic management plan approved by Council prior to undertaking any works within or adjacent to Council's road reserve that affects the normal operating conditions of the road reserve through disruption, inconvenience or delay. The Traffic Management Plan must be prepared by a certified Temporary Traffic Management Planner (TTMP) as validated on their CoPTTM ID certification. The consent holder must ensure that all contractors are obligated to implement temporary traffic management plans and employ a qualified Site Traffic Management Supervisor (STMS) to manage the site in accordance with the requirements of the NZTA's "*Traffic Control Devices Manual Part 8: Code of practice for temporary traffic management*". The consent holder must ensure that the STMS implements the Traffic Management Plan. A copy of the approved plan must be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.
16. Prior to commencing works on the site associated with this resource consent, the consent holder must obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application must include all

development items listed below unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) must be submitted to the Manager of Resource Management Engineering at Council for review, prior to acceptance being issued. At Council's discretion, specific designs may be subject to a Peer Review, organised by the Council at the Applicant's cost. The 'Engineering Review and Acceptance' application(s) must include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition (11), to detail the following requirements:

- a) The provision of a private potable water supply to the development. This must include:
 - (i) A water demand assessment for each of the different facilities proposed that will receive a supply of water, including but not limited to the three car wash facilities, the clubhouse amenities, the staff amenities and the managers residence.
 - (ii) Details of water storage to meet the assessed demand. This must include a static firefighting reserve in accordance with the maximum necessary firefighting fire water classification for the development reliant on the supply.
 - (iii) An overland flow path for the purposes of preventing downslope damage to structures or utilities from any water released from the storage tanks.
 - (iv) The results of chemical test results no more than five (5) years old and bacterial test results no more than three (3) months old at the time of submitting the test results. The testing must be carried out by a Ministry of Health recognised laboratory (refer to <http://www.drinkingwater.esr.cri.nz/mohlabs/labmain.asp>) and be accompanied by a laboratory report with non-compliances highlighted and outlining any necessary means of remedial treatment.
 - (v) Details of treatment to consistently comply with the requirements of the Drinking Water Standard for New Zealand 2005 (Revised 2018).
 - (vi) The location and specifications of all water supply internal to the development.
 - (vii) Provision of a suitable firefighting water supply and fire hydrants with adequate pressure and flow to service the development and accompanying report from a suitably qualified professional demonstrating compliance with the NZ Fire Service Code of Practice for Firefighting Water Supplies 2008 (SNZ PAS 4509:2008). Any buildings must either be fitted with a sprinkler system and/or be designed with an appropriate fire cell size to meet the requirements of SNZ PAS 4509 for the relevant water supply classification prior to the commercial use of any buildings. Evidence of adequate flow testing to hydrants shall be submitted to Council prior to occupation.

- b) The provision of transportation infrastructure to the development. This must include:
 - (i) Details of the sealed upgrades to Victoria Flats Road in accordance with Road Type E6. The upgrades must extend from the intersection with the Victoria

landfill entrance to where the internal site access road branches off and Victoria Flat Road continues as an unformed legal road only, a distance of approximately 1200m.

- (ii) Details of all internal sealed access roads. The primary access must be Road Type E5, the secondary access at 7m wide (aisle width) with adjacent 90 degree parking, and service lanes shall be 3m wide Road Type E10 with 2.6m wide parallel parking on one side. The lanes shall include passing opportunities every 50m and/or where practical.
- (iii) The circulation around the northern storage unit facility and Garage Club in general accordance with the dimensions in the application plans.
- (iv) Tracking curves that demonstrate manoeuvring for at least an 18m long articulated truck as required for the shipping container devanning facility.
- (v) Details of parking as shown on the application plans. All car parking areas must be designed to meet the dimensional standards for Class 1 users. A minimum of 5 mobility parks shall be provided.
- (vi) All signage and marking must be in accordance with MOTSAM and the TCD Manual.
- (vii) The provision of road lighting in accordance with Council's road lighting policies and standards, including the Southern Light lighting strategy. Any road lighting installed on private roads/rights of way/access lots must be privately maintained and all operating costs shall be the responsibility of the lots serviced by such access roads.

These designs shall be subject to review and acceptance by Council with any associated reasonable costs met by the consent holder.

- c) The provision of a private stormwater collection and disposal system which must provide both primary and secondary protection for future development within the development, in accordance with Council's standards. This must include:
 - (i) A primary stormwater system to collect and dispose of stormwater from all potential impervious areas within each lot to ground and/or to the Kowarau River. This must include details of an approved outfall, treatment solutions to avoid adverse water quality effects on receiving waters, low impact design solutions are encouraged, as a minimum there must be provision for the interception of settle-able solids, hydrocarbons and floatable debris prior to discharge from the site. The individual lateral connections shall be designed to provide gravity drainage for the entire area; and
 - (ii) A secondary protection system consisting of secondary flow paths to cater for the 1% AEP storm event and/or setting of appropriate building floor levels to ensure that there is no inundation of any buildable areas within the lot, and no increase in run-off onto land beyond the site from the pre-development situation.
- d) The provision of a private wastewater collection and disposal system to service the development including but not limited to the three car wash facilities, the

clubhouse amenities, the staff amenities and the managers residence. This must include either:

- (i) Details of the internal wastewater network within the development, any pump stations, and treatment. Any required pump stations / facilities must be designed with at least nine (9) hours of emergency storage. The design details must include evidence that sucker trucks can easily and readily service any pump stations if required. This must include the provision of an onsite trade effluent disposal system to treat all wastewater from the vehicle wash-down areas, these must be appropriately sized to accommodate the proposed use and any rainfall that may be captured within the wash-down area.
And/or
 - (ii) A copy of an Otago Regional Council resource consent to discharge wastewater and trade waste to land for the development if required (see Advice Note 4).
- e) The provision of Design Certificates for all engineering works associated with this development submitted by a suitably qualified design professional (for clarification this must include, but not limited to, all Roads, Water, Wastewater and Stormwater Infrastructure). The certificates must be in the format of the QLDC's Land Development and Subdivision Code of Practice Schedule 1A Certificate.

To be monitored throughout earthworks

- 17. No permanent batter slope within the site must be formed at a gradient that exceeds 1(V):2(H).
- 18. The consent holder must implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder must take immediate action, at their expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.
- 19. No earthworks that are not authorised by this consent, temporary or permanent, must breach the boundaries of the site.
- 20. All land use activities, including the construction of new buildings/structures, earthworks, fences, any operation of mobile plant and/or persons working near exposed line parts must comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) or any subsequent revision of the code.

On completion of earthworks and prior to the construction of any buildings

- 21. On completion of earthworks and prior to the construction of any buildings, the consent holder must provide to the Manager of Resource Management

Engineering at Council a geotechnical completion report and a Schedule 2A “Statement of professional opinion as to suitability of land for building construction” in accordance with Section 2.6.1 of QLDC’s Land Development and Subdivision Code of Practice that has been prepared by a suitably qualified geotechnical professional as defined in Section 1.2.2 and demonstrates to Council that the site is suitable for building development. The certification must include a statement on the risk of landslide hazard to the development water storage tanks, and a statement under Clause 3(e) covering Section 106 of the Resource Management Act (1991), including flood risk to any buildings within 20m of a waterbody. In the event that the conditions within the site are only found to be suitable for building construction subject to certain mitigation measures and/or remedial works being carried out, then the consent holder must full details of such works prepared by a suitably qualified and experienced professional to the Council for review and certification. The consent holder must be responsible for implementing all necessary mitigation measures and/or remedial works required to prepare the land for building construction. Where any buildings are to be founded on fill that has not been certified in accordance with NZS 4431:2022, the foundations of the building must be designed by a suitably qualified engineer and a corresponding producer statement must be submitted to the Manager of Resource Management Engineering at Council.

To be completed when works finish and before occupation of any buildings

22. Prior to the occupation of the manager’s residence or the commercial operation of the storage buildings, the consent holder must complete the following:
 - a) The submission of ‘as-built’ plans and information required to detail all engineering works completed in relation to or in association with this subdivision/development at the consent holder’s cost. This information must be formatted in accordance with Council’s ‘as-built’ standards and must include all roads (including right of ways and access lots), water, wastewater and stormwater reticulation.
 - b) The completion and implementation of all works detailed in Condition (16) and (21) above.
 - c) The submission of Completion Certificates from both the Contractor and Engineer advised in Condition (14) for all engineering works completed in relation to or in association with this development (for clarification this must include, but not limited to, all Roads, Water, Wastewater and Stormwater infrastructure). The certificates must be in the format of a Producer Statement, or the QLDC’s Land Development and Subdivision Code of Practice Schedule 1B and 1C Certificate.
 - d) The consent holder must submit to the Subdivision Planner at Council chemical and bacterial tests of the water supply that must clearly demonstrate compliance with the Drinking Water Standards for New Zealand 2005 (Revised 2018). The chemical test results must be no more than five (5) years old, and the bacterial test results

no more than three (3) months old, at the time of submitting the test results. The testing must be carried out by a Ministry of Health recognised laboratory (refer to <http://www.drinkingwater.esr.cri.nz/mohlabs/labmain.asp>).

- e) If either the test results required in Condition 22(d) above show the water supply does not conform to the Drinking Water Standards for New Zealand 2005 (Revised 2018) or the water source is anything other than a secure bore then the consent holder must provide a water treatment report prepared by a suitably qualified and experienced professional to the Subdivision Planner at Council for review and certification. The water treatment report must contain full details of any treatment systems required to achieve and maintain potability, in accordance with the Standard. The consent holder must install a treatment system that will treat the water supply to a potable standard on an ongoing basis, in accordance with Drinking Water Standards for New Zealand 2005 (Revised 2018). The design must be subject to review and certification by Council prior to installation.
- f) Hydrant testing must be carried out during the peak period of an average day to confirm that there are sufficient hydrants with adequate pressure and flow to service the development with a fire risk class in accordance with Appendix G of SNZ PAS 4509:2008 NZ Fire Service Code of Practice for Firefighting Water Supplies. Any lesser risk must be approved in writing by Fire & Emergency NZ, Queenstown Office. The consent holder must ensure that the testing is carried out by a suitably qualified and experienced person (SQEP) as defined in section 1.8 of QLDC's Land Development and Subdivision Code of Practice and evidence of the SQEP suitability to undertake or oversee such testing must be submitted with the hydrant testing results. The results must be submitted to Council and all related costs shall be borne by the consent holder.
- g) All vehicle access, maneuvering and parking areas associated with the development must be subject to a post construction safety audit by an independent traffic engineer in accordance with the NZTA Manual "Road Safety Audit Procedures For Projects" at the consent holders cost and the results must be submitted to Council for review and certification. Should the review recommend any further works required to achieve a safe traffic environment, the consent holder must have these works approved by Council and implemented prior to the use of any of the new buildings on site.
- h) Written confirmation must be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available to the development and that all the network supplier's requirements for making such means of supply available have been met.
- i) The consent holder must remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- j) All earthworked areas must be top-soiled and revegetated or otherwise permanently stabilised.

Advice Notes

1. Pedestrian facilities are not currently included in the design. The consent holder is encouraged to consider including these, or provision for them to be installed in the future, to facilitate changes of use in the future meeting Councils standards.
2. This consent triggers a requirement for Development Contributions, please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information, please contact the DCN Officer at Council.
3. The inactive fault(s) on this site are not expected to rupture but may represent area of weaker rock and hence may be of use for consideration during land development.
4. The consent holder is advised to obtain any necessary consents from the Otago Regional Council for the water supply / to discharge wastewater. The vehicle wash down facility may trigger the need for Otago Regional Council consent under Rule 12.B.4.1 and the consent holder is advised to obtain this consent prior to operation if it is required.



Queenstown Affordable Storage | Victoria Flats

Graphic Attachment for Hearing

3 November 2022

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM220327

Tuesday, 15 November 2022

DOCUMENT INFORMATION

project

QUEENSTOWN AFFORDABLE STORAGE

project no.

19095

client

CARDRONA CATTLE COMPANY LTD

status

FOR HEARING

revision

0	FOR RESOURCE CONSENT	30/09/2021
1	FOR EVIDENCE	14/10/2022
2	FOR HEARING	28/10/2022
3	FOR HEARING	31/10/2022
4	FOR HEARING	3/11/2022

reviewed by

AUTHOR:	AN
CHECKED BY:	TM

document

GRAPHIC ATTACHMENT TO ACCOMPANY LANDSCAPE AND VISUAL ASSESSMENT (A4 WRITTEN REPORT)

prepared by

ROUGH MILNE MITCHELL LANDSCAPE ARCHITECTS

disclaimer

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17	Viewpoint Photographs Location Map
18	Viewpoint Photographs 1 & 2
19	Viewpoing Photograph 3

plans

20	Architectural Concept Plan (dee bee cubed)
21	Storage & Garage Club Architectural Concept Plan (dee bee cubed)
22	Lakeside Units Architectural Concept Plan (dee bee cubed)
23	Gatehouse Office Architectural Concept Plan & Elevations (dee bee cubed)
24	Garage Club Architectural Concept Plan & Elevations (dee bee cubed)
25	Storage Facility Units Architectural Concept Elevations (dee bee cubed)
26	Garage Club Storage Units Architectural Concept Elevations (dee bee cubed)
27	Administration Building Architectural Concept Plan (dee bee cubed)
28	Administration Building Architectural Concept Elevations (dee bee cubed)
29	Lakeside Storage Units Typical Architectural Concept Elevations (dee bee cubed)
30	Lakeside Storage Unit I Architectural Concept Elevations (dee bee cubed)
31	Lakeside Storage Unit J Architectural Concept Elevations (dee bee cubed)
32	Lakeside Storage Units K & L Architectural Concept Elevations (dee bee cubed)
33	Landscape Concept & Mitigation Plan
34	Storage & Garage Club Elevations (dee bee cubed & r+m)
35	Lakeside Storage Units Elevations (dee bee cubed & r+m)
36	Proposed Plant Palette - Shrub Mix, Trees & Tussocks
37	Proposed Plant Palette - Riparian Mix

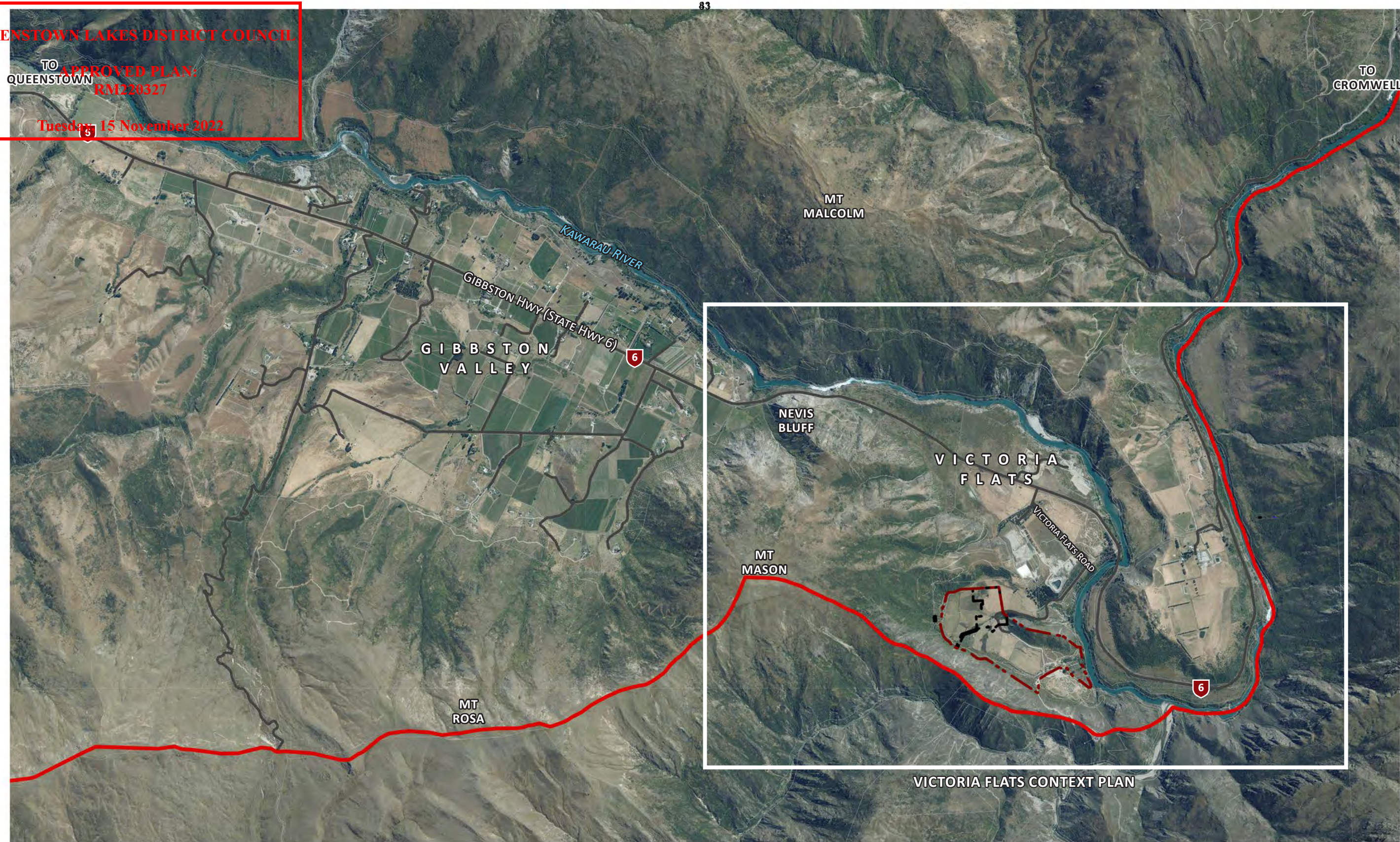
NB: This document is intended to be printed A3 Landscape format

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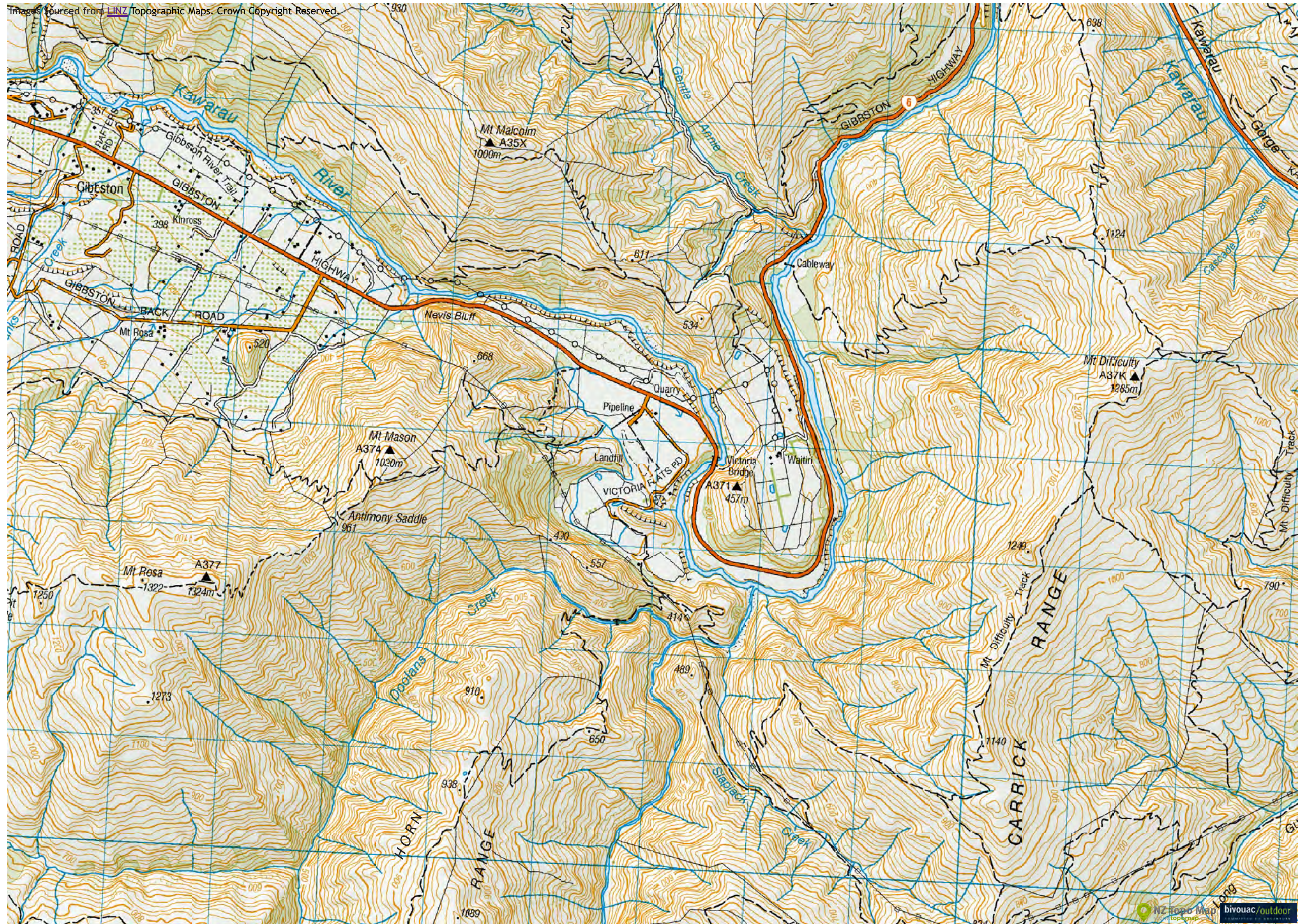
TO QUEENSTOWN

APPROVED PLAN: RM220327

Tuesday 15 November 2022



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ROUGH MILNE MITCHELL
LANDSCAPE ARCHITECTS

**APPROVED PLAN:
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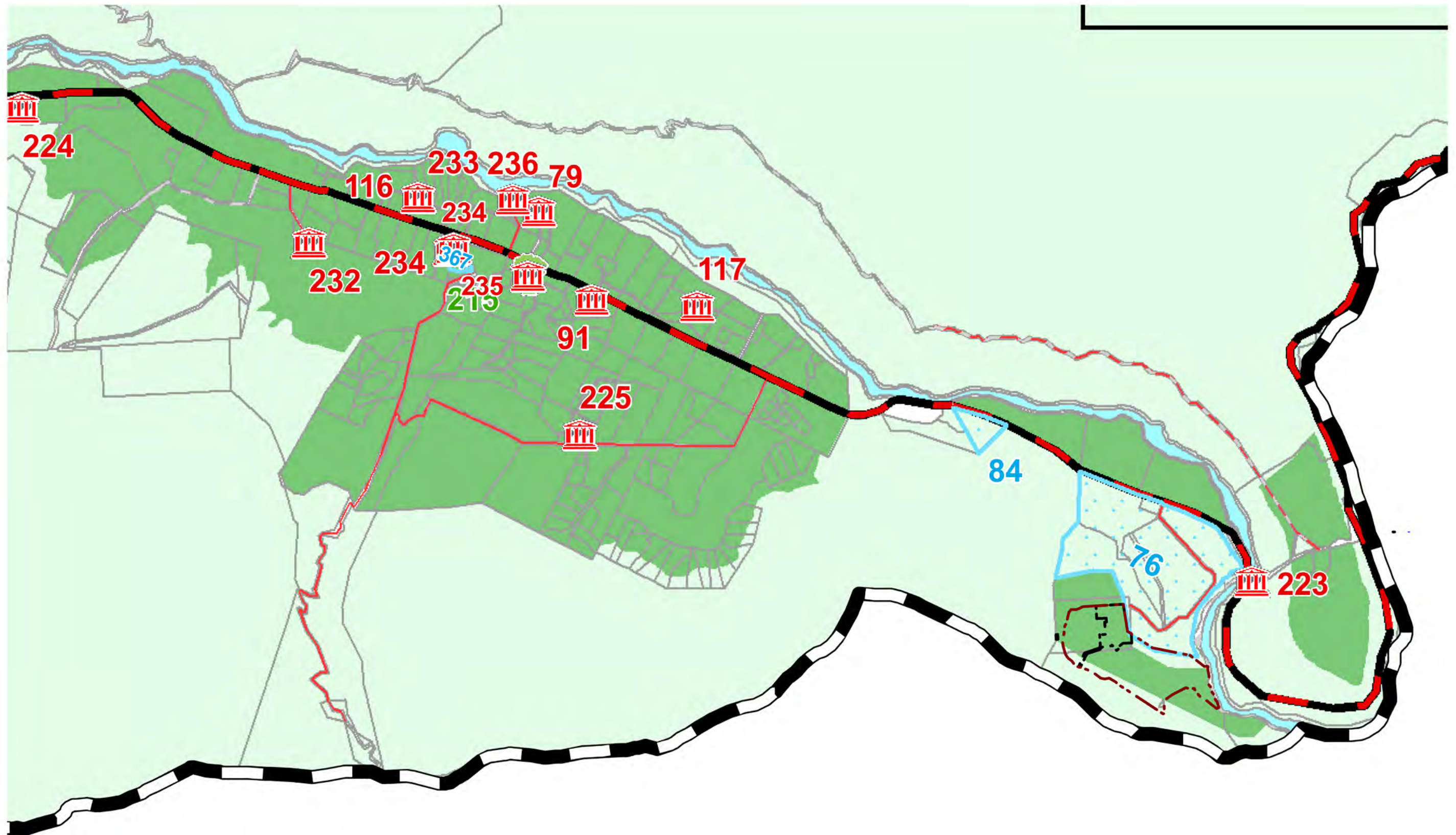
Tuesday, 15 November 2022

Data Source: NZ Topo 50 (topomap.co.nz)









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3 November 2022

SHEET
5



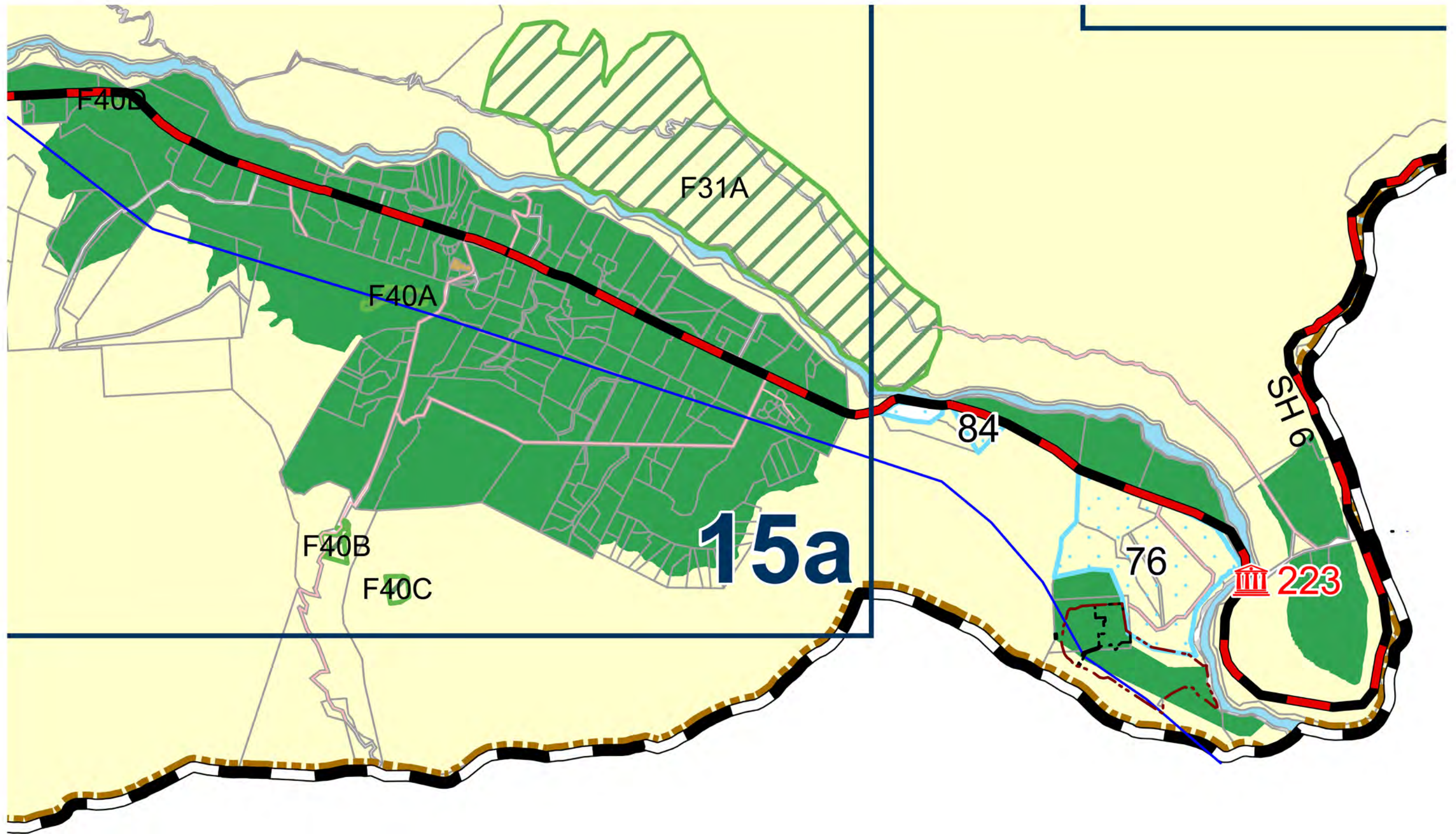
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- | | | | | | | | |
|---|---------------------------|---|-------------------|--|------------------------|---|---------------|
|  | District Boundary |  | Property Boundary |  | Gibston Character Zone |  | State Highway |
|  | Proposed Storage Boundary |  | Rural |  | Designation | | |

0 500 1000 1500 2000 2500 M

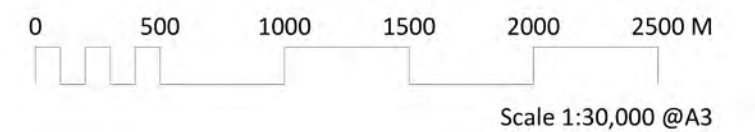
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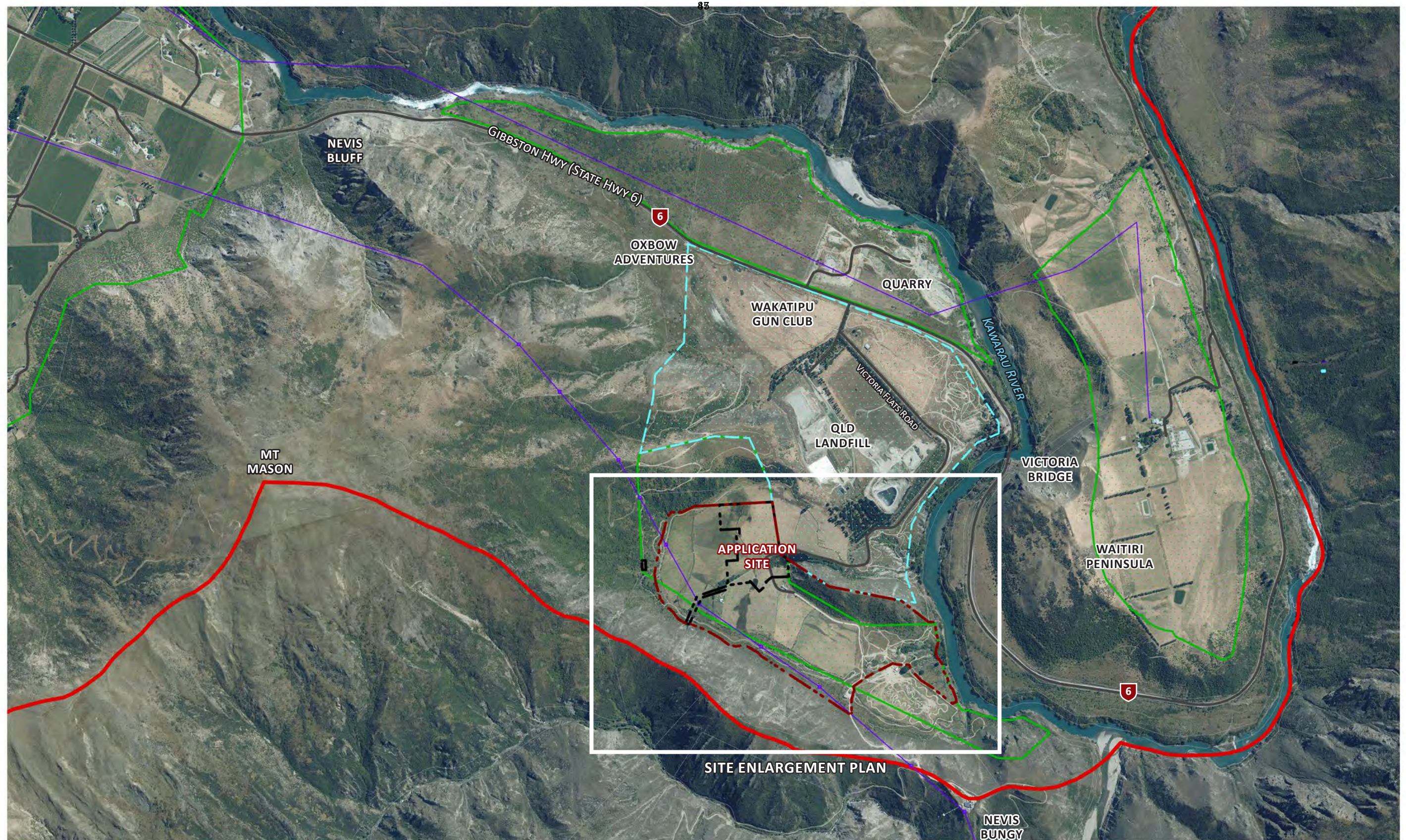




LEGEND

- | | | | | | | | | | |
|---|---------------------------|---|-------------------|--|-------------------------|---|---------------|---|--------------------|
|  | District Boundary |  | Property Boundary |  | Gibbston Character Zone |  | ONL Boundary |  | Transmission Lines |
|  | Proposed Storage Boundary |  | Rural |  | Designation |  | State Highway | | |





LEGEND

- | | | | |
|--|--|--|---|
| — District Boundary | - - - Property Boundary | — Roads | Gibbston Character Zone |
| - - - Proposed Storage Boundary | — Parcel Boundaries | — Transmission Lines | Designation 76 Overlay |

0 250 500 750 1000 M

Scale 1:15,000 @A3

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LANDSCAPE ARCHITECTS

Data Source: Land Information New Zealand (aerial & parcel boundaries)
Stats New Zealand (district boundary)
QLDC District Plan (zoning)

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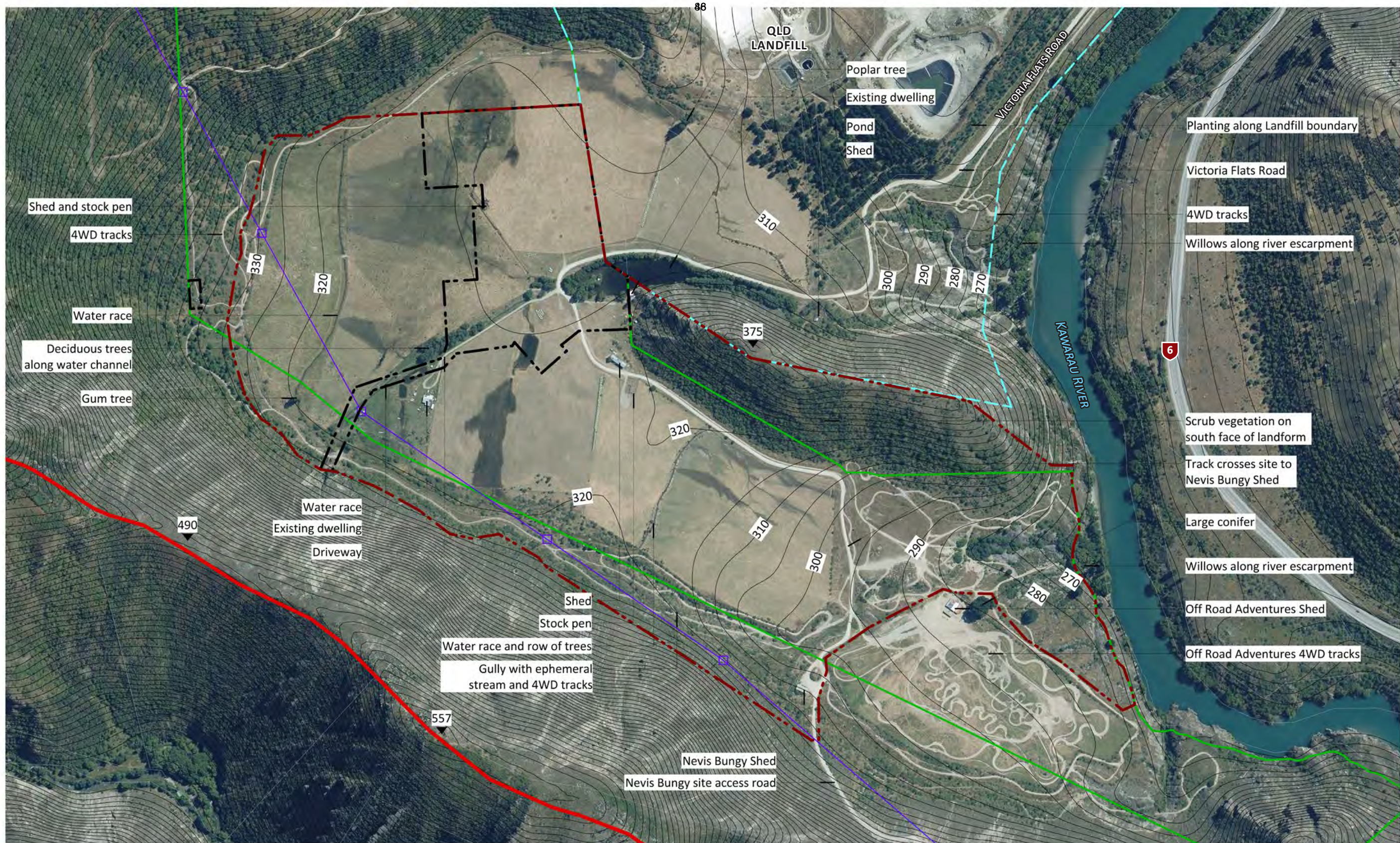
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Victoria Flats Context Plan

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LEGEND

- District Boundary
- Property Boundary
- Proposed Storage Boundary
- Parcel Boundaries
- Contours (5m Interval)
- Transmission Lines
- Gibbston Character Zone
- Designation 76 Overlay

0 50 100 150 200 M

Scale 1:5,000 @A3

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LANDSCAPE ARCHITECTS

Data Source: Land Information New Zealand (aerial, parcels, contours (8m DEM))
Stats New Zealand (district boundary)
QLDC District Plan (zoning)

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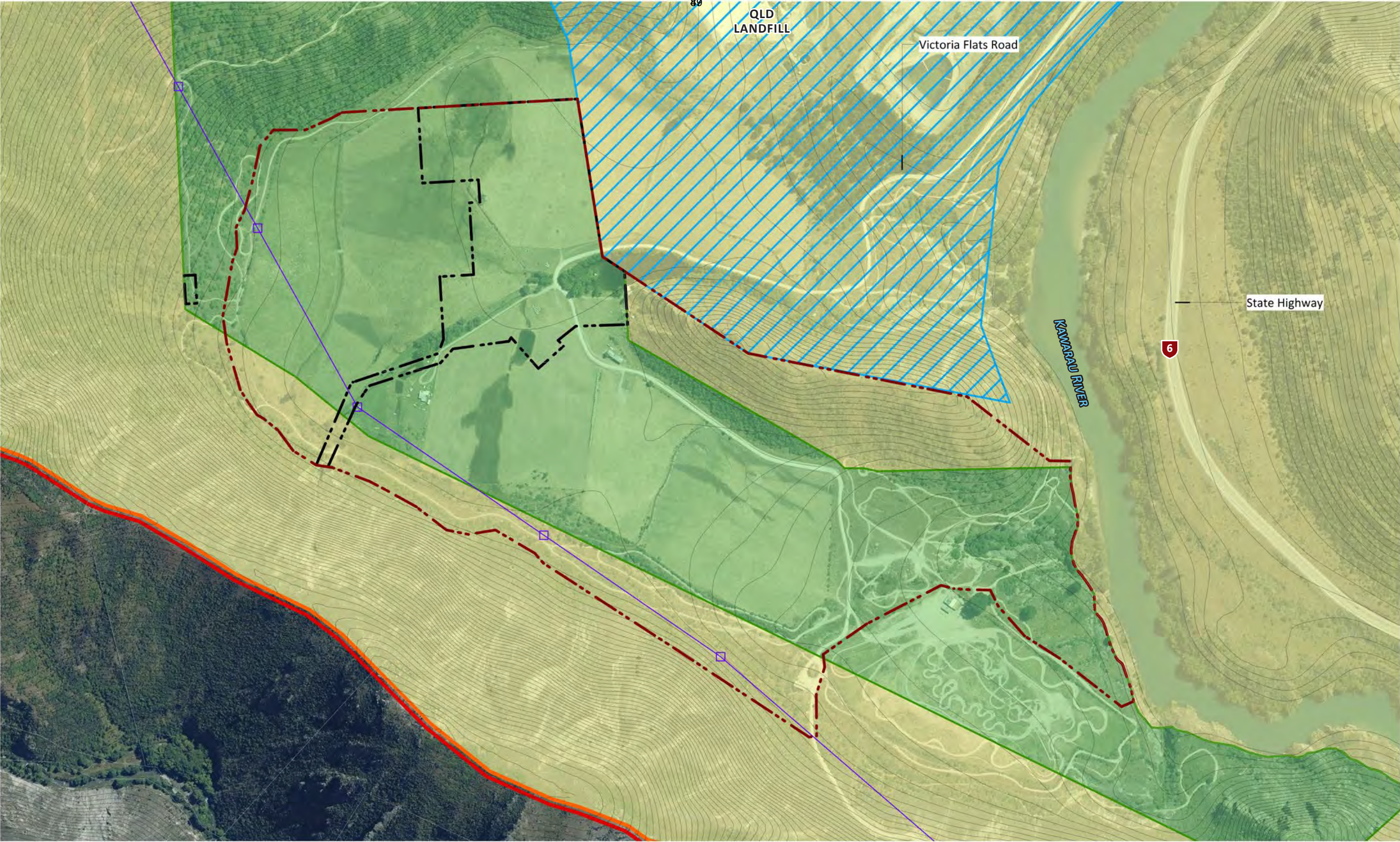
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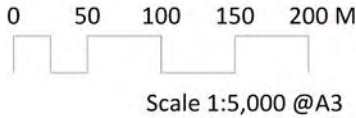
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9

Site Existing Features Plan



LEGEND

- | | | | |
|--|--------------------|---|---------------------------|
| Territorial Authority Boundary | Rural Zone | Gibbston Character Zone (excluded from ONL) | Property Boundary |
| Landscape Classification (ONF, ONL, RNL) | Transmission Lines | Designation 76 Overlay | Application Site Boundary |



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Data Source: Land Information New Zealand (aerial, parcels, contours (8m DEM))
Stats New Zealand (district boundary)
QLDC District Plan (zoning)

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Site Zoning Overlay Plan

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