



AGENDA

Hearings Panel Meeting Tuesday, 27 February 2024

Date: Tuesday, 27 February 2024

Time: 9.30 am

**Location: Ngā Hau e Whā, William Fraser Building, 1
Dunorling Street, Alexandra**

Notice is hereby given that a Hearings Panel Meeting will be held in Ngā Hau e Whā, William Fraser Building, 1 Dunorling Street, Alexandra on Tuesday, 27 February 2024 at 9.30 am.

Order Of Business

1	Apologies	5
2	Confirmation of Minutes	5
N/A	5	
3	Reports	6
24.1.1	RC230317 Far Away Property	6

Members Cr Gary Rae (Chairperson), Cr M McPherson, Cr I Cooney

In Attendance T Lines (Minute Secretary)

1 APOLOGIES

2 CONFIRMATION OF MINUTES

N/A

3 REPORTS

24.1.1 RC230317 FAR AWAY PROPERTY

Doc ID: 1446752

1. Purpose

Land use consent to extend and convert existing packhouse to produce and sell food onsite with retail activity.

2. Attachments

- Appendix 1 - S42a Planners Report** [↓](#)
- Appendix 2 - Application** [↓](#)
- Appendix 3 - S95 Notification Report** [↓](#)
- Appendix 4 - Further Information request** [↓](#)
- Appendix 5 - Further Information Response** [↓](#)
- Appendix 6 - Engineering Advice** [↓](#)
- Appendix 7 - Demand Contribution** [↓](#)
- Appendix 8 - APA - 13 Fraser Road** [↓](#)
- Appendix 9 - APA - 20 Hanning Road** [↓](#)
- Appendix 10 - APA - 27 Fraser Road** [↓](#)
- Appendix 11 - APA - 6 Hanning Road** [↓](#)
- Appendix 12 - Resolution** [↓](#)

Central Otago District Council Report of Planning Officer

APPLICATION	RC 230317
APPLICANT	FAR AWAY PROPERTY LIMITED
ADDRESS	932 EARNSCLEUGH ROAD, ALEXANDRA
LEGAL DESCRIPTION	PART SECTION 146 BLOCK X LEANING ROCK SD (HELD IN RECORD OF TITLE OT12A/1364).
ACTIVITY DESCRIPTION	LAND USE CONSENT TO EXTEND AND COVERT EXISTING PACK HOUSE TO PRODUCE AND RETAIL FOOD ONSITE BEYOND THE SCOPE OF A RURAL SELLING PLACE AND ENGAING UP TO PERSONS IN A COMMERICAL ACTIVITY IN THE RURAL RESOURCE AREA
ACTIVITY STATUS	NON-COMPLYING

DESCRIPTION OF ACTIVITY

The application is thoroughly described in Sections 2.2 to 2.8 of the assessment of effects provided in support of the application and the response to a further information request dated 20 November 2023. This description is adopted for the purpose of this report. To summarise, the applicant proposes to convert and extend the existing packhouse of the site to incorporate a new food production facility and retail space/café. The retail area is proposed to sell a range of food and beverage products, such as chocolates, ice creams, other desserts roasted hazelnuts, coffee, and fruit from the on-site orchard. Three new signs are proposed, each with an area of approximately 8m², all located on the building. A dedicated 10 space carpark for customers, an additional 4 dedicated staff parking spaces and a grassed overflow parking area are proposed to accommodate staff and patrons. Access to the site is proposed to be from two vehicle crossings, one from Earnsclough Road and the other from Fraser Road, similar to the existing access arrangements for the site. Two loading areas are proposed around the side and rear of the building, both accessed primarily from Fraser Road. Up to 9 persons are expected to be engaged in the proposed commercial and retail activities, although the applicant considers that 6 employees would be a more “typical” amount of people working on the site.

SITE DESCRIPTION

The subject site is well described Section 2.1.2 of the assessment of effects provided in support of the application and is considered to accurately identify the key features of the site. The applicant’s site description is adopted for the purposes of this report.

REASONS FOR APPLICATION

Central Otago District Plan

The subject site is located within the Rural Resource Area of the Central Otago District Plan (the District Plan). Part of the site is located within a flood hazard overlay related to the Fraser River. No new structures or activities are proposed to be located in this area.

Retail activity in the Rural Resource Area beyond the scope of a rural selling place or winery provided for under Rules 4.7.2.iii, 4.7.2.v or 4.7.4.iv is a non-complying activity under Rule 4.7.5.iv of the District Plan.

Commercial activities engaging more than three persons breach Rule 4.7.6B.b.i of the District Plan and are discretionary activities under Rule 4.7.4.i.

Materials that breach Rule 4.7.6D.a.i of the District Plan are restricted discretionary activities under Rule 4.7.3.iii.

Signage that breaches the permitted activity standard in Rule 4.7.6H is a restricted discretionary activity under Rule 4.7.3.i of the Plan.

Earthworks in excess of 2,000m² breaches the permitted activity standard in Rule 4.7.6J.b and is a discretionary activity under Rule 4.7.4.i of the Plan.

Vehicle crossings onto a rural arterial road that fail to comply with the spacing distances between accesses and intersections specified in Rule 12.7.1.iii is a restricted discretionary activity under Rule 12.7.1.viii of the Plan.

Activities that do not provide on-site vehicle parking in accordance with Table 12.3 breach Rule 12.7.2.i of the Plan and are restricted discretionary activities under Rule 12.7.2.iii.

For completeness, given no works are proposed within the flood hazard notation, I note that Rule 4.7.5.i is not triggered by this application.

National Environmental Standards

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

The site is currently used for commercial activities in support of the horticultural operation of the site, and attracts the public to the rural selling place. The proposed change of use would keep these same basic features. Based on publicly available historic aerial photographs, the orchard was established some time between 1986 and 2006. Prior to this it was pastoral land. Given this, I do not consider the proposal to constitute a change of use that would increase the risk to human health from any potential soil contamination from the site's past use for horticultural and pastoral purposes in terms of Regulation 5(6) of the NES-CS. Therefore, I do not consider the NES-CS to be applicable to the application.

There are no other National Environmental Standards relevant to this application.

Overall Status

Under the particular circumstances of this case, I consider it appropriate that the bundling principle established in *Locke v Avon Motor Lodge* (1973) is applied, and that the application be considered, in the round, as a non-complying activity pursuant to sections 104 and 104B of the Resource Management Act 1991 ('the Act').

ASSESSMENT OF EFFECTS

Affected Persons

The written approval of the persons detailed in the table below has been obtained. In accordance with section 104(3)(a)(ii) of the Resource Management Act 1991, the Council cannot have regard to the effects of the activity on these persons.

Person	Owner	Occupier	Address	Obtained
Barry Driehuis	✓	✓	13 Fraser Road	13 November 2023
Travey Ballantyne		✓	13 Fraser Road	13 November 2023
Shane and Christine Hilton	✓	✓	20 Hanning Road	13 November 2023
Murray Miller	✓		27 Fraser Road	14 November 2023
Gerry and Jan Forde	✓		6 Hanning Road	18 November 2023

Effects on the Environment

Permitted Baseline

Under section 104(2) of the Resource Management Act 1991, the Council may disregard an adverse effect of an activity on the environment may be disregarded if the plan permits an activity with that effect. That is, an application can be assessed by comparing it to the existing environment and development that could take place on the site as of right, without a resource consent, but excluding development that is fanciful.

In this case, there are no permitted retail activities in rural areas under the Central Otago District Plan. There is no permitted baseline to be applied.

Receiving Environment

The existing and reasonably foreseeable receiving environment is made up of:

- The existing environment and associated effects from lawfully established activities;
- Effects from any consents on the subject site (not impacted by proposal) that are likely to be implemented;
- The existing environment as modified by any resource consents granted and likely to be implemented; and
- The environment as likely to be modified by activities permitted in the district plan.

For the subject site, the existing and reasonably foreseeable receiving environment comprises horticultural production and processing, including the retailing of fruit grown on the site in a rural selling place established under RC 040453.

For adjacent land, the existing and reasonably foreseeable receiving environment comprises a mixture of primary production, typically consisting of horticultural operations. The receiving environment also includes horticultural processing facilities and residential activities.

It is against these that the effects of the activity must be measured.

Assessment of Effects

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

Retail activities in rural areas can have adverse effects on the safe and efficient operation of the roading network through generating relatively large volumes of traffic, impact on landscape and amenity values through the proliferation of large signs and buildings, and the generation of noise and waste. They can also impact on convenience for people where they are required to travel longer distances to shop, relative to locating retail activities in the District's Business Resource Areas. Larger scale commercial activities more generally can also have effects on landscape and rural character values, noise and the operation of the roading network.

Traffic and Road Safety Effects

The proposal will increase vehicle movements to and from the site. Council's land development engineers have reviewed the proposed access provisions and have not raised any concerns with the safe and efficient operation of the roading network based on the access provisions proposed. This includes the location of the vehicle accesses onto Fraser and Earnsclough Roads. I consider that, if staff or visitors are required to park in the Earnsclough Road reserve at any point, this would likely result in a more than minor effect on the character of the area, and on the efficient operation of the road. Therefore, parking demand should be able to be accommodated within the site in order to avoid these effects.

As noted above, Council's land development engineers have not raised any concerns with the location of the access onto Earnsclough Road. It is located roughly in the same location as the existing vehicle crossing, equidistant from the intersections with Fraser and Hanning Roads. This puts it as the safest position it could hypothetically be along this road, giving the greatest sightlines relative to these intersections, and the most distance for both to limit potential for conflicts between vehicles. The access to Fraser Road is also located where it is as far back from the Earnsclough Road intersection as possible while not being located where the road narrows to one lane for a bridge across a water race, minimising the risk of disruption related to traffic entering or leaving the site from the one lane section of road. Council's land development engineer has recommended that the Fraser Road access be shifted back from the Earnsclough Road intersection as far as needed to comply with Part 29 of Council's Roding Policies 2015, with the new access also formed in accordance with the policy. This would require the crossing being at least 30m from the intersection, which would put it within the one lane approach to the bridge, beyond the hold line for west bound traffic. While I note that any vehicle entering or leaving the site would have to give way to all traffic, I consider that having the accessway beyond the hold point for the bridge would introduce new potential for confusion and conflict between road users. I consider the current accessway to be a compromise between effects on the operation of the one lane bridge and the intersection. In order to avoid any new effects on the operation of the one lane bridge, I have not adopted this recommendation by Council's Land Development Engineer. Instead I recommend a pragmatic approach to be to allow for the existing access to be formed to comply with Part 29 of Council's Roding policies continue to be used to service the facility, despite the breach of the separation distance from the Fraser Road and Earnsclough Road intersection.

Four on-site staff carparks and 10 formal customer parks are proposed. A grassed spillover parking area approximately 36m long is also proposed. Based on parking bays 2.6m wide¹ likely capacity for up to an additional 13-14 vehicles, assuming perfect spacing is achieved. In practice, it is likely to fit fewer. It would be useful if the applicant were to provide a diagram showing indicative parking and manouvering spaces for this parking area at the hearing.

¹ This dimension is taken from Figure 12.7 in the District Plan.

Based on Table 12.3 of the District Plan, 13 vehicle parks would be required for the shop and 14 for the manufacturing and office areas. When the overflow parking is included, there should be sufficient parking spaces to comply with Table 12.3. I note that Rule 12.7.2 of the District Plan does not require specific numbers for staff and customers, only that the required number of parks be provided.

The overflow area is proposed to be left as grass instead of being formed. This limits its usefulness in adverse weather as, depending on the rate of drainage, it may become muddy and suffer surface damage if used when the soil is wet. Conversely, if not clearly identified, there is a risk that customers may not recognise the area as parking and try to park elsewhere if the main carpark is full. Given the number of formal customer parks relative to the size of the facility, I consider it likely that the overflow parking will be used relatively frequently. In order to minimise damage to the area, and any resultant effects on the convenience of customers, I consider it appropriate to require signage be installed identifying this area as overflow parking only be installed. This would identify the area as a valid place to park while encouraging the use of the 10 formal parks in the first instance, limiting effects on customers.

Given the site is located in a rural area, with more reliance on private vehicles for transport, and an expected typical staffing of six persons, I do not consider providing four dedicated staff carparks to be adequate. Having four dedicated parks creates a risk that some staff vehicles would need to be accommodated elsewhere. In order to ensure adequate space for staff to park, I recommend that at least six spaces be reserved for staff in order to ensure that there is parking available for the “typical” staffing rate for the facility.

I note that the parking area is not proposed to be sealed, as would be the default under Rule 12.7.2.ii.a of the Plan. Instead, the customer parking area is proposed to be constructed from permeable pavers, with the loading area being gravelled. However, I consider that this formation of the proposed parking areas will not have significant adverse effects on amenity values or cause a notable dust nuisance in a rural context. The use of permeable pavers close to the vehicle crossings will also minimise the risk of material being tracked onto the roads from within the site as they provide space between vehicle crossings and sources of material, namely the loading and overflow parking areas, where it can fall off vehicle tires before being transported onto the road. Given this, I consider the proposed use of permeable pavers and gravel to be an appropriate formation for the formal parking and loading areas.

In an average week, the applicant anticipates 2-3 deliveries to service the development. Additional traffic will be generated by patrons of the facility. I anticipate that most, if not almost all, patrons will choose to drive to the café, given its location away from population centres along rural roads not set up for regular pedestrian use, in particular. Earnscliffe Road is an arterial road, and access to and from the site is proposed to be provided in locations that minimise the risk of conflict between road users and people accessing the site. Customer manoeuvring space within the site is considered to be adequate to avoid more than minor effects. Additional traffic will have an effect on the rural character of the area. However, I consider that traffic of the volumes anticipated is unlikely to have a more than minor effect on rural character or the operation of the roading network.

Loading and unloading of delivery vehicles is proposed to occur along the southern and western sides of the building. Delivery vehicles are proposed to enter and exit using the relocated Fraser Road vehicle crossing. Based on tracking curves, vehicles could be manoeuvred within the site to enter and exit in a forward direction with two reversing manoeuvres (A five point turn, Option 1), or one reversing manoeuvre (Three point turn) if a shed to the west of the loading area was to be removed (Option 2). Given the limitations on the site access, I consider it necessary to avoid situations where any vehicle reasonably expected to visit the site needs to reverse onto either Fraser Road or Earnscliffe Road. Given the proximity of the accesses to intersections and the classification of Earnscliffe Road as an arterial road, I consider that having vehicles reversing into either road would result in unacceptable adverse effects on the safe operation of the road.

I note that Section 12 of the District Plan does not have any requirements for manoeuvring within a site, only that vehicles do not need to reverse out onto any state highway or arterial road, or utilise any part of the road reserve to conduct loading or unloading. However, the design must be appropriate to the types of vehicles expected to visit the site. In this case, the applicant has designed the loading areas based on typical deliveries and pick-ups being from a 6m, one axle truck. Provided the manoeuvring areas are kept free of obstructions, I consider that this type of vehicle should be able to turn around in the site without significant difficulty, albeit in a less efficient and convenient manner than if fewer manoeuvres were required. Manoeuvres would be undertaken away from the vehicle crossings, avoiding effects on the operation of the roading network. Overall, I consider that allowing two reversing manoeuvres will have an adverse effect on the efficient provision of loading areas for the applicant and delivery drivers. However, I consider that the loading and unloading of vehicles will have minimal effects on the operation of the roading network, based on the information provided by the applicant. I do not consider that these effects on the operation of the manoeuvring area itself are sufficient that requiring the removal of the shed to allow vehicles to exit the site with one reversing manoeuvre is justified to reduce these effects in this case. I consider Option 1 to have adequate provision for vehicle manoeuvring. However, if Council is to grant consent, I recommend that a condition be imposed allowing for a review of the access and manoeuvring provisions in the event that larger vehicles are used and this results in an adverse effect, either on the roading network, or the operation of the loading areas. Any review should be sufficient in scope to allow consideration of the necessity of removing the shed per the applicant's Option 2.

Visual and Landscape Effects

The proposal is supported by expert design comment from Paddy Baxter. Mr Baxter considers that the surrounding landscape is dominated by established horticultural activities with limited rural residential activities also present. Infrastructure associated with horticulture, including packhouses, tree plantings, shelter belts, irrigation infrastructure and weather protection structures contribute to this working rural landscape. The application site is considered to be a fairly typical example of this, with horticultural plantings, packhouse and supporting buildings all open to views from nearby land. I consider that the buildings are likely in this location to maximise the area of the site that can be used for growing trees, and to minimise the need for extensive manoeuvring areas for vehicles picking up packed fruit by providing more direct road access. Mr Baxter considers that the proposal will upgrade the existing amenity through actions such as renovations to the building, landscape screening and the relocation of deliveries to the south side of the building, away from public views.

I consider that the current industrial presentation of the site is a feature of productive rural landscapes that is provided for as of right by the District Plan. Therefore, I do not consider that changing the amenity of the site in support of an activity not typically anticipated in a rural area will necessarily result in a positive landscape effect, as argued by Mr Baxter, even if the proposed development appears generally "tidier" and is more heavily screened from public view.

The proposed building is large, albeit not to a scale or design unanticipated in a rural area. The building retains the general form and materiality of the packhouse it is extended from. It is located on the valley floor, avoiding elevated or other visually prominent locations. While the proposed use of composite panels as the exterior cladding is technically non-compliant with Rule 4.7.6D.a.i, they will be recessively coloured, and I consider them unlikely to notably stand out from the landscape relative to a permitted material. The proposed signage is significant in size, with people travelling along Earnsclough Road also likely to have visibility of two signs at any one time. Signage is proposed to be recessive in colour and material, and not significantly stand out from the surrounding building. Given this, I consider the building and associated signage to have a visual effect that is minor, at most.

New landscaping is proposed to help provide a visual screen between public roads and the proposed parking area, in particular. This landscaping would also serve to break up the overall form of the proposed building and help screen parked cars from view. A concept landscaping plan provided with the application indicates that a mixture of olive, oak, ornamental pear, and lavender would be used for boundary treatments. This will be a change to the character of the landscape, which is currently much more open. The applicant also intends to retain the existing horticultural plantings on the site, helping to tie the development further into that horticultural context. However, I do not consider that it will have a more than minor effect in an area where rows of exotic trees are common in the landscape for screening and wind management.

I concur with Mr Baxter that the landscape has a predominantly productive rural character. It is a highly modified environment, with a range of built form and introduced vegetation present. This type of landscape is not considered to be particularly sensitive to appropriate activities. In this case, the proposal is in a building that is considered to generally fit the scale and design of buildings in this type of area in a manner that is not visually obtrusive. Parking areas are proposed to be screened from view. Most of the site is intended to continue to be used in primary production. In this context, I consider that the proposal will generally maintain the rural character of the area.

Rural Character Effects

The proposal would introduce new commercialisation indirectly associated with the existing horticultural activities on the site. The primary association with horticultural activities is the potential continuation of the sale of fruit produced on the site, and the use of fruit from the site in some of the products manufactured and sold from the building. I consider that this will change the nature of the effects of activities on the site compared to the existing activity. This will primarily occur through the greater attraction of members of the public to the site beyond the purchase of fruit grown on the property, the generation of heavy vehicle traffic for pick-ups and deliveries year-round, as opposed to seasonally, and the provision of landscaping and outdoor patron areas.

Neighbouring landowners and occupants in closest proximity to the proposed facility have provided their written approval of the proposal. Parties further afield are separated from the site by distance and intervening vegetation on both the applicant's and neighbouring properties. I consider this, along with the proposed operating hours, to reduce the effects on the amenity values of nearby properties to a point where they will be less than minor.

The proposed café, in particular, will result in the attraction of the public to the site. The factory activity, on the other hand, would not be expected to draw the public to the site in its own right. Public would be attracted to the site during "normal" business hours and weekends, between 9am and 5pm in winter, and 9am and 6pm in summer. This keeps the effects associated with people moving to and from the site to daylight hours when other activities in the area, such as residential activities, are typically less sensitive to noise, privacy effects etc. The operation of the café is also associated with the commercial activity on the site, instead of operating as a standalone activity. I consider it unlikely that the attraction of the public to the site between these times will have a significant effect on the ability of rural production sites in the vicinity to undertake the activities they need to do. I consider the effects on the rural environment associated with the attraction of the public to the site to be minor, at most.

The generation of traffic year-round expands the effects associated with people visiting the site beyond just during a particular season. Rural activities tend to have periods of more intensive activity, for example during harvests, interspersed by quieter periods. The owners and occupants of all land directly adjacent to the site's vehicle crossings have provided their written approval, requiring Council disregard any effects on their amenity due to this change in traffic generation. In terms of wider rural character, I consider that traffic will tend to be somewhat dispersed, with different groups arriving and departing at different times, limiting the generation of peaks in traffic generation that can be caused when larger groups all visit

and depart from a site at the same time. Traffic will be generated during daytime hours only and will be dispersed among other general traffic using Earnscliffe Road, in particular. In this context, I consider the effects of year round traffic generation on rural character to be minor, at most.

Landscaping proposed is primarily exotic species, relying primarily on olive tree hedging, ornamental pears and oaks to provide a visual screen of the facility. The site is currently open in character. The proposed hedging in particular will enclose the site and reduce this open character. I note that shelter trees for both visual screening and wind protection are prevalent throughout the area. Therefore, I do not consider this landscaping, which plays a similar screening function to result in a significant change to the rural character of the area.

Convenience for People and Energy Efficiency

The proposed location for a café will be less convenient for patrons and require greater expenditure of energy than may otherwise be required if the café were located in an urban area, for example. Effects on convenience are most pronounced for retail activities that tend to benefit from customers chaining trips together, either intentionally or in the moment, for example, taking one trip to visit a clothes store, hardware store and a lawyer's office in the same general locality, then a convenience store on the way home. This type of activity can also contribute to the vibrancy and vitality of business focused areas, with more activities encouraging more people to visit and linger in an area. I consider that cafés can be set up to benefit from this type of trip chaining activity, or function as a singular destination in their own right. Similarly, co-locating other businesses close to cafés can have positive effects for both the café and other businesses, which will not be the case for this proposal. I consider that both options are, inherently, less convenient for people and less energy efficient relative to locating the same café in an urban area. Trips cannot be chained as easily and patrons will need to travel further, typically by car instead of being able to take more active forms of transport, and at greater cost.

For some retail activities linked with rural production activities, such as rural selling places and wineries, these effects on convenience are anticipated by the District Plan as they are directly associated with rural areas and rural activities. I note that the café is proposed to be set up along the Central Otago Touring Route, meaning that there is expected to be a regular tourist market passing the site regardless of the café's presence. I also note that visiting a café is typically discretionary spending, not a necessity. Customers would not have to visit the proposed site on a regular basis. Therefore, if there is an effect on convenience for an individual or group of people, they could simply choose not to visit the site, with limited flow-on effects for their wellbeing. I also note that this results in a potential economic effect for the applicant insofar as their market may be limited by their location, encouraging them to set the café up to function as its own destination. In this context, and noting that the café can be set up to operate as a destination in its own right, I consider that the effects on convenience for people and energy consumption due to its location in a rural area will be adverse but not more than minor.

Other matters

Council's land development engineers have assessed the proposal for development and financial contributions to help offset additional demand on Council's roading assets. They have determined that a development contribution of \$14,615.36 + GST would be payable. I note that this appears to be based on larger floor areas than proposed. For example, the retail area is assumed to be 235.32m² and the overall increase in footprint is assumed to be 915m². Based on the information provided with the application, the café area would be approximately 191m² and the increase in the building area is 816m². This may affect the DC calculation. Council's engineers have been approached to clarify this, but have not been able to do so before this report needs to be circulated to the applicant. I anticipate that this will be clarified prior to the hearing and a new DC demand notice calculated as needed. In the interim, the current notice stands.

Council's land development engineers also note that the site has a domestic water allocation of 3,000 litres per day. It has a consented seasonal workers accommodation facility for up to 6 persons, which could be expected to use between 1,000 and 1,320 litres per day, leaving between 1,680 and 2,000 litres per day for the proposed manufacturing and retail activities. It is not clear from the application how much potable water would likely be required to service the facility. Therefore, I cannot definitively say whether the proposal will have adequate provision for water. Council's engineers recommend the availability of an increased supply be investigated by the applicant prior to a decision being made on the application. Potable water will be required in association with food preparation, cleaning and personal hygiene in the facility. I note that this will also be a requirement of any approvals for the operation of a commercial kitchen under the Food Act 2014. The applicant considers that the existing 3,000 litre per day allocation will be adequate for all activities on the site. For a commercial activity, water demand tends to be more variable than for residential activity, and Council typically places more onus on commercial operators to source their own water supplies to meet their needs than residential activities, on which Council typically imposes stricter requirements. Given this, I consider it adequate that the applicant be allowed to source sufficient water as they consider necessary to service their development.

Council's land development engineers recommend a condition be imposed requiring firefighting water storage of at least 30,000 litres (With a 20,000 litre static reserve). This is Council's standard for firefighting water storage for a rural dwelling in Clause 6.3.16 of Council's 2008 addendum to NZS 4404:2004. I do not consider this to be appropriate. Clause 6.3.16 requires, in the first instance, fire fighting capacity in accordance with SNZ PAS 4509:2008, New Zealand's code of practice for firefighting water supplies. The proposal includes higher potential fire load than a dwelling, being most likely an FHC 3 building in Table 1, which includes manufacturing, processing and bulk storage up to 3 metres. Based on Tables 1 and 2, the facility would require at least 180,000 litres of water storage to a fire service coupling within 90m of the building.² However, I do not have sufficient information about the fire load on the building, or its design, to determine the exact volume of firefighting storage that would be required to comply with SNZ PAS 4509:2008. This would need to be determined as part of the detailed design works for the building. Given this, I consider it adequate to impose a condition requiring the water storage required for compliance with SNZ PAS 4509:2008 be demonstrated at the time building consent is lodged for the additions to the buildings, and for that storage to be in place prior to the commencement of commercial or retail activity from the building.

A new wastewater treatment system is proposed to service the development. Council's land development engineers consider this to be practicable, provided the new system is designed and constructed to comply with AS/NZS 1547:2012. I note that the discharge may also require resource consent from the Otago Regional Council, for example if more than 2,000 litres of wastewater is proposed to be discharged per day. This would allow more in depth consideration of any effects on the environment of that discharge. However, for the purposes of CODC's jurisdiction, given the size of the site and a lack of obvious limitations on discharge, such as rocky or poor draining ground, I consider that, in principle, the proposal can have adequate provision for wastewater management, subject to compliance with AS/NZS 1547:2012.

² Based on Tables 1 and 2 in SNZ PAS 4509:2008, for an FHC 3 building, 180,000 litres would be required if the smallest fire cell in the building was up to 199m². If the entire building was one single fire cell (1,400m²), a special assessment from a fire engineer would be required.

SUBSTANTIVE DECISION ASSESSMENT

Effects

In accordance with section 104(1)(a) of the Resource Management Act 1991, the actual and potential adverse effects associated with the proposed activity have been assessed and outlined above. It is considered that the adverse effects on the environment arising from the proposal are no more than minor.

Offsetting or Compensation Measures

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

Objectives and Policies

The following objectives and policies of the District Plan are relevant to the proposal:

Objectives:

- 4.3.1 – Needs of the District's People and Communities
- 4.3.3 – Landscape and Amenity Values
- 4.3.7 – Soil Resource
- 12.3.1 – Safe and Efficient Roading Network
- 12.3.3 – Reducing the Adverse Effects of Signs

Policies:

- 4.4.2 – Landscape and Amenity Values
- 4.4.3 – Sustainable Management of Infrastructure
- 4.4.6 – Adverse Effects on the Soil Resource
- 4.4.8 – Adverse Effects on the Amenity Values of Neighbouring Properties
- 4.4.9 – Effects of Rural Activities
- 4.4.10 – Rural Subdivision and Development
- 12.4.1 – Parking, Loading and Manoeuvring
- 12.4.4 – Signs

The overall intent of Objective 4.3.3 and Policy 4.4.2 is to maintain or enhance rural amenity and landscape values through measures such as the design of buildings and other works, controlling the location of tree planting, particularly of species with wilding potential, the ability of sites to accommodate wastewater discharges, and the compatibility of development with surrounding land uses. The proposed building works reflect the size, materiality and form of existing buildings in the area and is not in a visually prominent location. Landscape plantings intended to help screen the building and parking areas do not utilise species with wilding potential and are generally considered sufficient to fulfil their intended role. The site is anticipated to be able to accommodate wastewater discharges from the facility. The development adds additional commercialisation to the area only loosely associated with primary production. However, I note that it takes up a small part of the site, with the remainder intended to be kept as horticultural plantings, with the fruit both being sold from the site directly, and being used in some of the products produced on the site. The proposal is not anticipated to significantly affect the amenity values of nearby landowners and occupants. Overall, I do not consider the proposal to be incompatible with surrounding land uses, and I consider the proposal to be consistent with Policy 4.4.2 and Objective 4.3.3.

The proposal seeks to utilise a small part of what is otherwise a productive rural site for a non-rural business. The horticultural activities elsewhere on the site are intended to continue to operate, with the fruit being sold from the site and used in food products manufactured on the site. I consider the proposal to be consistent with Policy 4.4.6 and Objective 4.3.7.

Policies 4.4.8 and 4.4.9 seek to regulate the different interplay between activities, seeking to ensure that consented activities do not significantly adversely affect the amenity values of neighbouring properties and requiring new activities recognise that existing activities in rural areas, including various permitted activities, can have effects beyond the boundaries of their site, and for new activities to accept these prevailing environmental characteristics. In this case, I have concluded that the proposal will not significantly adversely affect the amenity values of nearby land. Conversely, I do not anticipate the proposal to have any significant risk of reverse sensitivity effects. I consider the proposal to be consistent with these provisions.

Policy 12.4.1 and Objective 12.3.1 seek to ensure the provision of safe and efficient access points to the roading network, and adequate provision of off-street parking, loading and manoeuvring areas, in order to maintain the safe and efficient operation of the roading network. Policy 4.4.3 also requires the development of infrastructure that maintains and enhances the safe and efficient operation of the roading network. The proposal will increase the number of vehicles entering and leaving the site in a location where separation distances between accessways and intersections are already compromised along Earnsclough Road. Council's land development engineers consider that the current crossing locations are likely the most appropriate for the site, taking into consideration the location of other features along both Earnsclough and Fraser Roads. Conditions are proposed by the applicant limiting the size of delivery vehicles, and adequate on-site parking, loading and manoeuvring areas are proposed, subject to the ability for Council to review these conditions. Both crossings will be upgraded to avoid detritus from the site being carried into the road carriageway by vehicles. In this context, I consider that there will be an adverse effect on the operation of the roading network through the increase in vehicle traffic entering and exiting the site. However, I do not consider this effect to be sufficient that the operation of Earnsclough Road will be significantly degraded. The location and design of access points, and proposed limitations on the side of delivery vehicles visiting the site is considered to sufficiently avoid and mitigate the effects of the proposal to a point where it is consistent with Policy 12.4.1 and Objective 12.3.1.

Under Policy 12.4.4, signs are considered suitable based on their potential effects on the operation of the roading network, landscape and amenity values in the area, the character and scale of the building or site it is located on, and any heritage values present. Objective 12.3.3 recognises that, provided effects on these matters are adequately managed, signage is a necessary adjunct to many activities. However, in considering this objective, it is also necessary to consider the appropriateness of the activity the sign is supporting. Just because a sign supports a particular activity does not mean it is appropriate in a specific area if that activity is not. I have already concluded that the proposed activity will not be inappropriate in this location. The proposed signage is located on the building, set back from the road, and is scaled to the building so as to be visible from a reasonable distance along Earnsclough Road. It is proposed to be limited to words, without graphics or other more complicated design elements that can increase the visual impact of the sign. Proposed text size exceeds that required by Rule 12.7.5.v.a. People will typically only be able to see two signs at a time (With one typically being viewed more straight on, the other being at a more oblique angle), reducing their visual impact further. In this context, I consider the proposal to be consistent with Policy 12.4.4.

Policy 4.4.10 is a catchall policy intended to ensure development manages its adverse effects on a range of matters, such as open space, landscape and natural character values, the character of surface water bodies, the amenity values of neighbouring properties, the operation of the roading network, and heritage values. For the reasons provided throughout this report, I consider that the proposal adequately addresses its effects on these matters. I consider the proposal to be consistent with Policy 4.4.10.

Objective 4.3.1 is a catchall objective intended to provide for a range of activities in rural areas that have various social and economic benefits, while ensuring that these activities maintain or enhance rural environmental qualities. I have no reason to doubt that the proposal will provide an economic benefit to both the applicant and the wider community through increased

commercial activity and employment in the facility. Therefore, the outstanding question is whether it will maintain or enhance the rural environment. The proposal will result in a change to the rural environment through increased commercial development, attracting greater numbers of public to the area and changes to the visual character of the site. The proposed retail activity is linked to the production of food products on the site for distribution to other cafés in the region and existing primary production activities are proposed to be retained, in part to support the food production activity. The proposed building is not considered out of scale with the surrounding environment. Parking areas will be partially screened from view. In this context, I consider that the proposal will not detract from the rural character of the area, and I consider the proposal to be consistent with Objective 4.3.1.

Section 104D Assessment

Under Section 104D of the RMA, Council can only consider approving an application for a non-complying activity under s104B if it is satisfied that the proposal will either have no more than minor effects on the environment, or will be consistent with the relevant objectives and policies in the District Plan. In this case, the proposal is considered to have effects that are minor, at most

Partially Operative and Proposed Regional Policy Statements

The Partially Operative Otago Regional Policy Statement 2019 (PORPS2019) was declared partially operative on 15 March 2021. The Proposed Otago Regional Policy Statement 2021 (PRPS2021) was notified on 26 June 2021. The following objectives and policies of both documents are relevant to the proposal:

PORPS2019 Objectives:

5.3 – Sufficient Land is Managed and Protected for Economic Production

PORPS2019 Policies:

5.3.1 – Rural Activities

5.3.2 – Distribution of Commercial Activities

PRPS2021 Objectives

EIT-TRAN-O7 – Effective, Efficient and Safe Transport

EIT-TRAN-O8 – Transport System

EIT-TRAN-O9 – Effects of the Transport System

UFD-O4 – Development in Rural Areas

PRPS2021 Policies

EIT-TRAN-P18 – Integration of the Transport System

EIT-TRAN-P19 – Transport System Design

EIT-TRAN-P21 – Operation of the Transport System

UFD-P7 – Rural Areas

While I note that Section 104(1)(b)(v) requires Council have regard to any proposed regional policy statement, I note that the PRPS2021 has been notified and hearings were held in the first half of 2023. However, no decisions have been notified at the time of writing. Therefore, the PRPS2021 should still be considered uncertain in its effect as its final wording is yet to be determined. I consider that comparatively less weight should be given to the PRPS2021, relative to the PORPS2019.

PORPS2019

Policy 5.3.1 seeks to enable (Among other things) primary production and supporting rural activities and restrict the establishment of incompatible activities into rural areas where this may result in reverse sensitivity effects. In this case, the proposal involves taking a relatively small part of a site currently used to support horticultural activities on the site and, instead, use

it for a non-supporting industry. I understand that the applicant intends the remainder of the site to be kept in primary production. The proposed non-residential activities are not anticipated to be notably at risk of reverse sensitivity. Given this, I consider the proposal to be consistent with Policy 5.3.1 and Objective 5.3.

Policy 5.3.2 seeks to ensure commercial activities outside town and commercial centres that do not serve local community needs are restricted where they are likely to undermine the vitality and viability of those centres. As a general rule, I would prefer cafes and similar activities be located in or on the periphery of existing urban areas. This helps to improve convenience for more people and contributes to the vibrancy of that area. However, in this case, I do not consider it likely that the location of the proposed café and food production facility will significantly undermine the vitality of Central Otago's commercial areas. The café, in particular, represents a location for discretionary spending that will not require individuals visit it on a regular basis. It can operate as a destination in its own right, reducing, albeit not eliminating, the benefits that can be gained from trip chaining in commercial or business oriented areas. I also consider it unlikely to act as an attractor for other retail activities to move away from established commercial areas, given these factors. Given this, I consider the proposal to be consistent with Policy 5.3.2.

I consider the proposal to be consistent with the relevant provisions of the PORPS2019.

PRPS2021

The overall thrust of the PRPS2021 provisions as they relate to transport is that transport and land use should be integrated in a manner that promotes consolidated urban form, reduces reliance on fossil fuels and private vehicles for transportation and avoids adverse effects of activities on the functioning of the transport system. EIT-TRAN-P21, specifically, would require the maintenance of the transport system by avoiding³ adverse effects on the functioning of the transport system. The policy gives no threshold for a level of effect that would be appropriate in the context of the policy. Therefore, it stands to reason that any effect on the operation of the roading network would cause an application to be inconsistent with this policy. It also, more broadly, requires promotion of methods for reduced reliance on, or more efficient use of private motor vehicles. The proposal utilises two existing vehicle crossings in locations that do not comply with Council's standards for access. The proposal includes increasing the use of these crossings. While I consider that the effects of the proposal on the operation of Earnsclough Road, in particular, will be minimised, there will still be an effect on the safe and efficient functioning of the road that cannot be avoided due to the increased density of access points to Earnsclough Road in this location relative to Council's standards, introducing more points for conflict on an arterial road. Given these outstanding effects, I cannot consider the proposal to be consistent with EIT-TRAN-P21, in particular.

The proposal does little to contribute to reducing Otago's greenhouse gas emissions due to its location in a rural area making it more reliant on private vehicles that have to be driven further to access it (Compared to if the facility were located in an urban area). Overall, I do not consider the proposal to be consistent with the transport objectives and policies in the PRPS2021.

UFD-O4 and P7 will seek to ensure that the management of rural areas facilitates rural industry and supporting activities, restricts the establishment of non-rural businesses that may cause reverse sensitivity effects unless they can demonstrate an operational need for a specific location, and maintains the productive capacity, amenity and character of rural areas. In this case, a level of rural primary production will be maintained on the site. The proposed non-rural activities are not anticipated to result in a notable risk of reverse sensitivity. Nor are they anticipated to significantly detract from rural character more generally. I consider the proposal to be consistent with UFD-O4 and UFD-P7.

³ "Avoid" in this context means to "not allow" or "prevent the occurrence of" derived from *Environmental Defence Society Inc v The New Zealand King Salmon Company Ltd* [2014] NZSC 38 at [92] to [97].

I consider that the proposal is consistent with the PORS2019, but inconsistent with the transport provisions PRPS2021. While the “avoid” directive in EIT-TRN-P21 in particular, is a strong policy direction with little room for discretion, as already noted, I must give comparatively less weight to the PRPS2021 than other planning documents as it is not yet a finalised, operative document. I have previously concluded that, while the proposal will have an effect on the roading network, I consider these to be adequately managed having regard to the limitations of the site, minimising the effects to levels that are acceptable in terms of the District Plan and Council's Roding Policies. Given this, I do not consider that the inconsistency with some provisions in the PRPS2021 should be fatal to the application.

Other Matters

Having regard to section 104(1)(c) of the Resource Management Act 1991, no other matters are considered relevant.

Part 2

Based on the findings above, I consider that the proposal would satisfy Part 2 of the Resource Management Act 1991. Granting of consent would promote the sustainable management of District's natural and physical resources.

RECOMMENDATION

After having regard to the above planning assessment, I recommend that:

1. The Council grant consent to the proposed activity under delegated authority, in accordance with sections 104 and 104B of the Resource Management Act 1991, subject to the conditions imposed under section 108 of the Act listed below.



Adam Vincent

PLANNING OFFICER - CONSENTS

Date: 16 January 2024

Conditions:

1. The proposed food production and retail activity must be undertaken in general accordance with the information provided in support of the application, and further information received 19 November 2023, as amended by the following conditions.
2. The expansion to the existing packhouse building must be undertaken in general accordance with the plans and elevations attached as Appendix One and in the location shown in the concept site master plan attached as Appendix Two.
3. The exterior walls of the building must be clad in composite panels coloured “Lichen or similar, and thereafter maintained accordingly.
4. The café is permitted to operate between the following hours:

09:00 to 17:00 – 01 April to 30 November

09:00 to 18:00 – 01 December to 31 March
5. The food production facility is permitted to operate between the following hours:

07:00 to 17:00 – 01 April to 30 November

07:00 to 18:00 – 01 December to 31 March
6. Products able to be sold from the site are limited to the following:
 - a) Fruit grown on the site
 - b) Food products produced on-site, including ice creams, chocolates, baked goods, roasted coffee, roasted hazelnuts, and prepared meals intended for consumption on site
 - c) Non-alcoholic hot and cold beverages for consumption on or off the site
 - d) Other goods provided for within the definition of “Rural Selling Place” as defined in the Operative Central Otago District Plan 2008.
7. Up to nine (9) persons may be engaged in the retail and food manufacturing activities on the site.

Note: For the avoidance of doubt, the nine persons referenced in Condition 7 is additional to any persons engaged in horticultural activities on the site.

8. Prior to the commencement of commercial or retail activity, landscaping along the boundary of the site with Earnsclough and Fraser Roads must be established in general accordance with the concept site master plan attached as Appendix Two.
9. Landscaping established under Condition 8 must be maintained on an ongoing basis, with any plants that die being replaced before the end of the next growing season.
10. No more than three signs are permitted on the building.
11. Signage on the building must be undertaken in general accordance with the shop signage plans attached as Appendix Three.
12. Prior to the commencement of commercial or retail activity, the vehicle crossings to Earnsclough and Fraser Roads must be upgraded to a formation compliant with the

requirements of Part 29 of Council's Roading Policies 2015, provided that both crossings may remain in their existing locations.

13. Prior to the commencement of commercial or retail activity, on-site water storage must be provided to comply with SNZ PAS 4509:2008 requirements for firefighting water storage on a non-reticulated water supply. Evidence of how the required firefighting water storage has been determined and how it will be supplied must be provided in support of any building consent application for the extension to the existing building.

Note: Firefighting water supply may be provided by alternative means to the above if the written approval of Fire and Emergency New Zealand is provided in support of the building consent

14. Prior to the commencement of commercial or retail activity, an on-site wastewater disposal system to serve the proposed extended building encompassing the retail activity and food manufacturing activity shall be designed and installed by a suitably qualified and experienced person, in compliance with AS/NZS1547:2012.
15. Stormwater from buildings and impervious surfaces must be disposed of by soak-pit designed by a suitably qualified and experienced professional or stored for beneficial reuse within the property boundary
16. The area identified on the concept site masterplan provided with the application as spill-over parking must be clearly signposted as being for overflow parking only.
17. Vehicle parking for customers must be provided in general accordance with the concept site masterplan attached in Appendix Two.
18. A minimum of six (6) on-site vehicle parks must be made available to facility staff at all times.
19. Loading areas must be provided in general accordance with the site concept masterplan attached as Appendix Two
20. No delivery vehicle more than 6.025m in length may visit the facility.
21. In accordance with Section 128 of the Resource Management Act 1991, the conditions of this consent may be reviewed on and in the period within 6 (six) months upon each anniversary of the date of this consent, if, on reasonable grounds, the consent authority finds that:
 - a) On-site vehicle parking, loading and manouvering areas are not functioning as anticipated and this is resulting in an adverse effect on the operation of these areas or on the roading network;
 - b) There is or is likely to be an adverse environmental effect as a result of the exercise of this consent, which was unforeseen when the consent was granted;
 - c) Monitoring of the exercise of the consent has revealed that there is or is likely to be an adverse environmental effect; or
 - d) There has been a change in the circumstances and the conditions of consent are no longer appropriate in terms of the purpose of the Act.

Advice Notes:

1. *Development contributions of \$14,615.36 + GST are payable for roading pursuant to the Council's Policy on Development and Financial Contributions contained in the Long Term Council Community Plan. Payment is due within 90 days of the issue of the Building Consent, or prior to the issue of the Code of Compliance certificate under the Building Act, whichever comes first.*
2. *In addition to the conditions of a resource consent, the Resource Management Act 1991 establishes through sections 16 and 17 a duty for all persons to avoid unreasonable noise, and to avoid, remedy or mitigate any adverse effect created from an activity they undertake.*
3. *Resource consents are not personal property. The ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.*
4. *It is the responsibility of any party exercising this consent to comply with any conditions imposed on the resource consent prior to and during (as applicable) exercising the resource consent. Failure to comply with the conditions may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.*
5. *The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.*
6. *This is a resource consent. Please contact the Council's Building Team, about any building consent requirements for the work.*

The floor plan shows the following rooms and dimensions:

- WALK IN FREEZER: 19,000 (width) x 3,500 (depth)
- BLAST FREEZER: 3,500 (width) x 150 (depth)
- WALK IN FRIDGE: 3,500 (width) x 150 (depth)
- STAFF TOILETS: 6,150 (width) x 150 (depth)
- STORAGE 1: 8,500 (width) x 150 (depth)
- STORAGE 2: 8,000 (width) x 150 (depth)
- FRUIT PROCESSING ROOM: 5,250 (width) x 200 (depth)
- ICE CREAM ROOM: 3,500 (width) x 150 (depth)
- HAZELNUT ROASTER: 6,150 (width) x 150 (depth)
- COFFEE ROASTER: 8,500 (width) x 150 (depth)
- SHOP: 11,650 (width) x 200 (depth)
- CHOCOLATE ROOM: 4,150 (width) x 150 (depth)
- ELECTRICAL ROOM: 3,700 (width) x 150 (depth)
- OFFICE ACCESS: 4,150 (width) x 150 (depth)
- DRY STORAGE: 7,000 (width) x 200 (depth)
- PASTEURISATION ROOM: 11,150 (width) x 150 (depth)
- WAFLE ROOM: 11,150 (width) x 150 (depth)
- HALLWAY TOUR: 14,400 (width) x 150 (depth)

Overall dimensions: 50,000 (total width) x 28,000 (total depth).

MODULO LIMITED
10 Venning Crescent,
Cromwell | New Zealand | 9310
Phone: 64 029 126 1122
Email: info@modulo.nz
www.modulo.nz

FLOOR PLAN 1:100

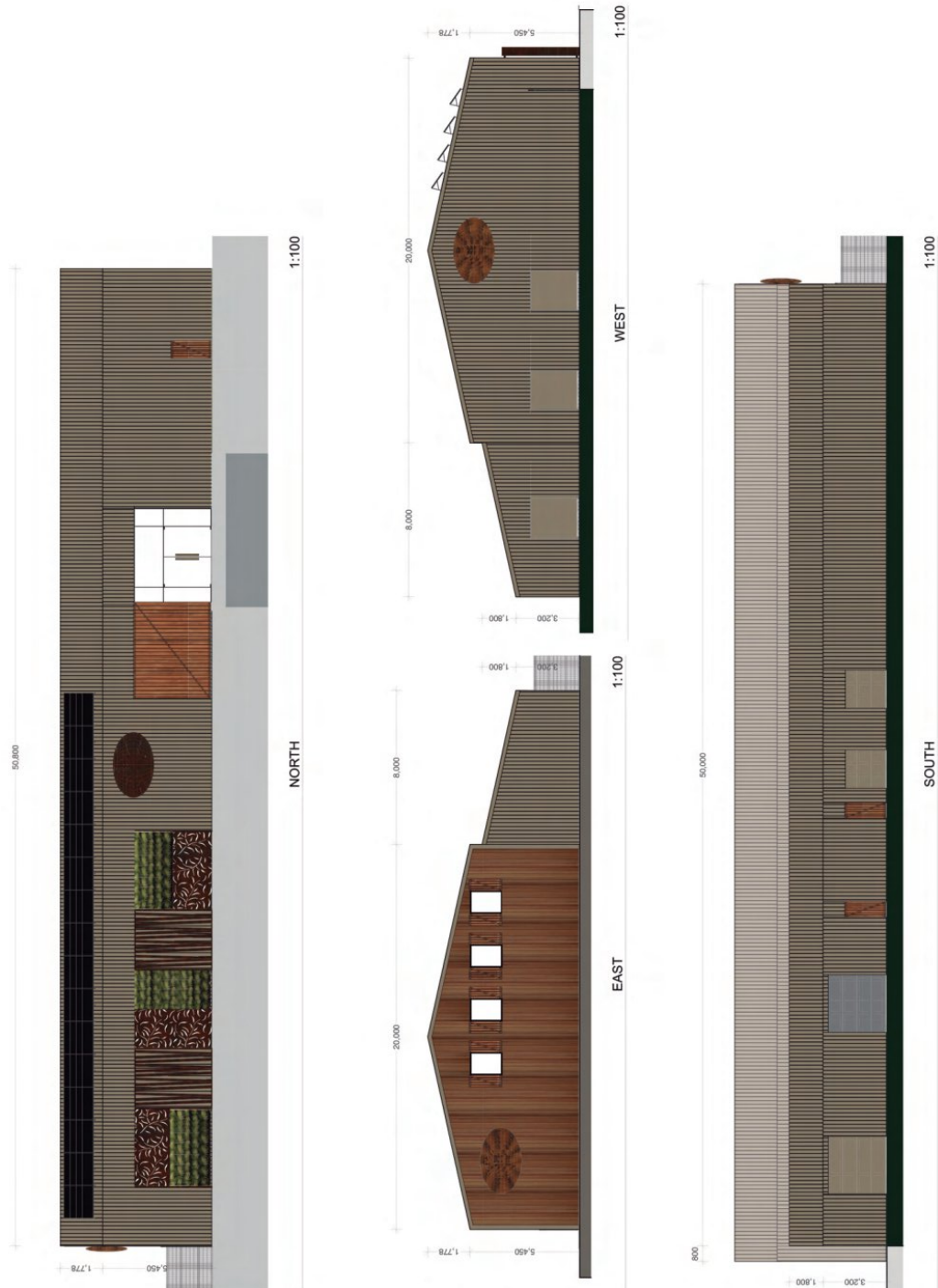
Patagonia Chocolates by **modulo^e**



FLOOR PLAN OFFICE 1:100

Patagonia Chocolates by **modulo.**

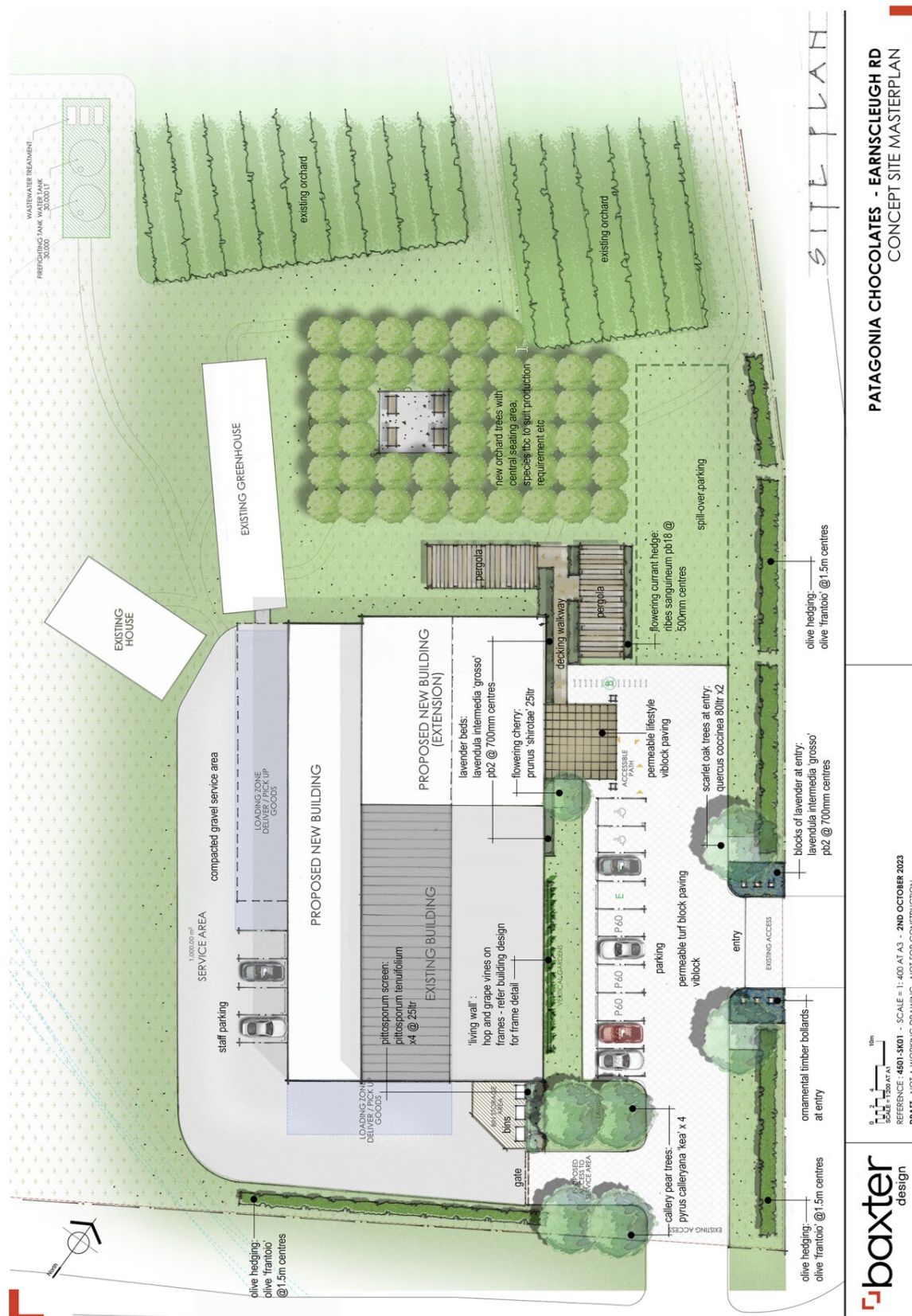
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 10 Vanning Crescent,
 Ormston, New Zealand 1310
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 www.modulo.nz



Patagonia Chocolates by **modulo.**

MODULO LIMITED
 100/101 The Arcade
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 www.modulo.nz

Appendix Two: Concept Site Master Plan (scanned image, not to scale)



Appendix Three: Signage Plans (Scanned image, not to scale)

PATAGONIA SHOP SIGNAGE



MAIN TEXT SIZE



SUPPORTING TEXT SIZE

OVERALL SIZE OF SIGN
3500X2120

7,420,000 Sq M

SPECIFICATION

MATERIALAlloy - Powdercoated Black
Depth TBC**COLOUR**

Black

QUANTITY

3X (One per side)



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

1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

03 440 0056

Info@codc.govt.nz
www.codc.govt.nz



Email to: resource.consents@codc.govt.nz

Post to: The Chief Executive
Central Otago District Council
PO Box 122
Alexandra 9340

CONTACT DETAILS OF APPLICATION

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

Far Away Property Lintied

Postal Address

15 Whitechapel Road, Queenstown

alex@patagoniachocolates.co.nz

03 442 2891

Email

Phone

CEIVED
10/2023
CODC

Full name(s) and contact details for service of application *(if different from above)* e.g. Agent:

Matt Curran

Postal Address

13 Pinot Noir Drive, Cromwell

matt@landpro.co.nz

0273088424

Email

Phone

DETAILS OF PROPERTY

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

42 Fraser Road, Earnscleugh

Legal description of land:

Part Section 146 Block X Leaning Rock SD

DETAILS OF APPLICATION

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

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

Description of proposal:

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

Or

- ☐ The following additional resource consents are needed for the proposed activity. *(give details)*

They have / have not been applied for: *(please highlight)*

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

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

PAYMENT DETAILS

I confirm amount and date paid:

Reference used (if applicable):

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

APPLICATION CHECKLIST

The following is attached to this application:

(please tick boxes as appropriate)

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

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

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

Note to applicant:

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

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

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

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

(List all documents that you are attaching)

Subdivision consent requirements

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

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

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



Signature

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

Date



LANDPRO

Make the most of your land

Resource Consent Application to Central Otago District Council

Prepared for Far Away Property Limited

Prepared For

Far Away Property Limited

Prepared By

Landpro Ltd

13 Pinot Noir Drive

PO Box 302

Cromwell

Tel +64 3 445 9905

QUALITY INFORMATION

Reference: C:\12d5\data\SERVER2008R2\23402-Landuse consent for new retail business_5869\Planning\Patagonia development Assessment of Environmental Effects.docx

Date: 17 October 2023

Prepared by: Matt Curran

Reviewed by: Walt Denley

Version Number: Final

Disclaimer:

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1. INTRODUCTION

1.1 Overview of Proposal

Resource consent is sought by Far Away Property Limited (the applicant) to extend and convert an existing packhouse located at 42 Fraser Road, Earnscliffe (the application site) to enable/establish the manufacture of ice cream and chocolate, coffee roasting, retail activity, including the sale of food produced onsite and other associated food products and goods some of which use the fruit products grown on-site, a café and associated office area.

The applicant is the owner of 'Patagonia Chocolates' which is a well-established brand and business in the Southern Lakes area with five existing cafes/shops specialising in the sale of ice cream, chocolate and coffee.

The Central Otago District Council (CODC) has statutory jurisdiction for the effects of the activities proposed. The Operative Central Otago District Plan (COPD) provide a framework of objectives, policies and rules for the proposed activities. The applicant requires resource consent as a non-complying activity, the specific reasons for resource consent being required are set out in Section 3 of this report. The assessment of effects in Section 4 of this report concludes that the effects of proposed activities will be acceptable.

1.2 The Applicant

Applicant Address: Far Away Property Limited
15 Whitechapel Road
Queenstown

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

1.3 Purpose of Documentation

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

2. THE PROPOSAL

2.1 Location

The application site is located at 42 Fraser Road, Earnscleugh, refer to the Location Plan included as Figure 1 below.

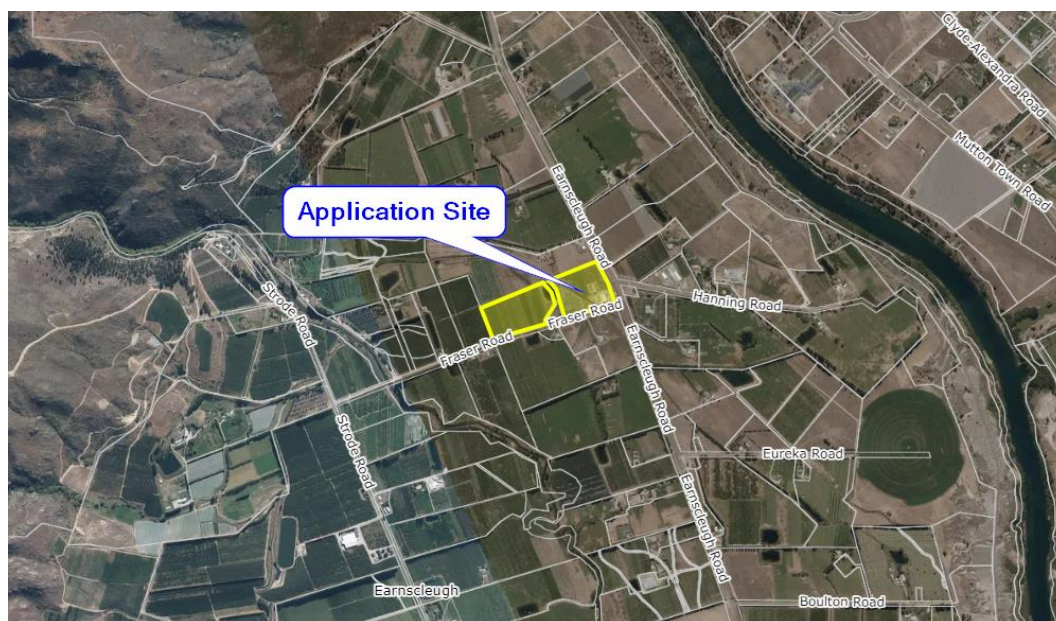


Figure 1: Location of application site

2.1.1 Legal description

The subject site is legally described as Part Section 146 Block X Leaning Rock SD contained in Record of Title OT12A/1364. A copy of the Record of Title is attached as Appendix 1 to this application.

2.1.2 Site description

The existing site is 6.95 ha in size and occupies a flat section of land located on the northern corner of Fraser Road and Earnscleugh Road.

The site includes an established packing shed and ancillary buildings, informal carparking spaces, a large greenhouse and outdoor storage areas. Ancillary buildings include; a small residential building that used as seasonal workers accommodation, a greenhouse and a shed. The wider site extends approximately 480m to the southwest over flat land and includes established orchard, shelterbelts, an irrigation pond and an existing irrigation channel that cuts across the site to the southeast. Portions of the established orchard area are covered with hail netting frames.

In general, the site can be described as an established working horticultural block with all the components

traditionally associated with this use. The existing site infrastructure, structures and associated working areas are currently open to views and highly visible from both Earnsclough Road and Fraser Road.



Figure 2, Figure 3 and Figure 4 are photographs of the proposed building site location.



Figure 2: Rear of site viewed from Fraser Road



Figure 3: Front of site viewed from Earnscleugh Road



Figure 4: irrigation channel to rear of site

2.1.3 Surrounding environment

The wider surrounding landscape character of Earnscleugh Road includes a well-established horticultural

landscape with lifestyle properties visible to a lesser degree. This landscape exhibits the typical components of a working horticultural landscape including packing sheds and infrastructure associated with that industry, established horticultural rows, shelter belts, irrigation ponds and channels and weather protection frames.

2.1.4 Exiting consents

Included in Table 1 is a summary of resource consents that apply to the application site.

Table 1: Existing consents

Consent number	Description of consented activity
RC040453	land use consent to operate fruit stall from existing pack house building
RC180345	Land use consent for seasonal workers accommodation for up to six persons in the Rural Resource Area and to breach the Rural Colour Palette.
RC190096	Application for change of condition to Condition 3 of RC180345 to increase the number of persons for the seasonal workers accommodation.
190086V1	Change of condition 17 of RC190086.

The existing consented environment includes seasonal workers accommodation and the sale of fruit from the existing pack house. It is noted that the sale fruit is now a permitted activity under the CODP.

2.2 Proposed activity

The applicant proposes to expand and convert an existing packing shed which is also used for onsite sales of fruit, located on the application site to allow for the manufacture and sale of chocolate, ice cream and the sale of associated products. Some of the products will contain fruit grown from the onsite orchard. The proposal also includes a café and office space. The proposed development is detailed on the plans and elevations contained in Appendix 2. Key features of the proposal include:

- Extending an existing pack house by 816 m²;
- Internal fit out to include space for food production (chocolate and ice cream), coffee and hazelnut roasting, a café, office space and a shop;
- Retail activity, including the sale of food produced onsite (ice cream, chocolate, hazelnuts and coffee) and other associated food products and goods. Various food products produced onsite will contain fruit from the onsite orchard;
- Retail activity, including the sale of fruit from the onsite orchard;
- Operation of a Café;
- Site wide earthworks and landscaping;
- Construction of a car park with capacity for 14 vehicles, including two disabled car parks and four staff car parks;
- Upgrade the existing access on Earnscleugh Road to council standards;
- Relocate the existing access on Fraser Road to comply with council standards ;

- Signage;
- Demolition activities, including existing shed to rear of packhouse and the extensions to the packhouse;
- Upgrade of essential service connections for power, water and wastewater.

The existing residential building will continue to be utilised as seasonal workers accommodation under RC190096.

2.3 Design approach

The applicant acknowledges the significance of the proposed development for the neighbouring properties and the wider character of Earnscleugh. The design of the proposed extension to the existing packhouse and wider site has been undertaken with consideration of the surrounding residential uses, while recognising the extent to which the character of surrounding environment is defined by large agricultural and horticultural buildings. The design of the proposed development has taken account of the following key parameters:

- The need to adopt a design that is sympathetic to the surrounding environment and which recognises the amenity values and character of the location;
- The desire to provide for some activation of the road side environment within the constraints of the development;
- The need to apply a good standard of hard and soft landscape and building treatments;
- The potential to shape and contribute to the character of Earnscleugh; and
- Consultation undertaken with neighbouring landowners.

2.4 Bulk and Location

The proposed extension to the packhouse has a total area of 816 m², it can be described as consisting of two sections. One section extends the pitch of the existing pack house to the north by xx m, it has an area of 416 m² and a maximum height of 7.2 m. The other section extends the entire southern elevation by 8 m, it has a mono pitched roof with a maximum height of 4.8 m.

Key points to note:

- The maximum height of the existing pack house is not proposed to increase;
- Proposed setbacks to road boundaries have been maintained;
- The loading/service delivery area (including rubbish skips) is located to the rear of the building and occupies approximately 190 m².

2.5 Signage

In total three signs are proposed, each is approximately 8 m² in area. One sign is proposed on each of the north, east and west elevations. The design and location of the proposed signs is shown on elevations included within Appendix 2.

2.6 Operating hours

Proposed operational hours vary depending on the activity being undertaken the and time of the year.

Food production:

- 7 am to 5pm - 1 April to 30 November
- 7 am to 6 pm – 1 December to 31 March

Café and shop:

- 9 am to 5pm - 1 April to 30 November
- 9 am to 6 pm – 1 December to 31 March

No operational time restrictions are proposed for the use of office facilities.

2.7 Traffic and Transportation Elements

2.7.1 Site Access

The site benefits from two existing vehicle access points, one from Earnscleugh Road and one from Fraser Road. The applicant is proposing to upgrade both vehicle access points, including relocating the vehicle access point from Fraser Road to ensure they both comply with CODC's roading standards.

2.7.2 Car Parking

A total of 14 car parking spaces are proposed on-site, including six customer spaces, four staff spaces, two disabled spaces and two electric spaces. Staff car parks are located to the rear of the building alongside the loading/delivery area. To the north of the proposed visitor car parking area is a grassed area that will cater for overspill parking.

2.7.3 Servicing and Loading

Delivery vehicles will access the loading/delivery area from the vehicle asses off point Fraser Road. It is anticipated that the site will receive two deliveries each day, however there may be days where three deliveries are made. Sufficient manoeuvring space has been provided to allow delivery vehicles reverse into the loading area and exit the site in a forward direction.

2.8 Servicing

2.8.1 Water supply

Potable and washdown water will be supplied via the water scheme operated by the Earnscleugh Domestic Water Company. A 30,000 lite storage tank for potable and washdown water is located to the rear of the building as identified in the Site Plan included within Appendix 2.

2.8.2 Wastewater

Wastewater will be discharged to ground via a treatment system located to the rear of the building as identified in the Site Plan included within Appendix 2.

2.8.3 Firefighting water

A firefighting water storage tank, separate from the tank to store potable and washdown water, will be located to the rear of the building as identified in the Site Plan included within Appendix 2.

2.8.4 Stormwater

Stormwater will be either collected in rainwater tanks for reuse or discharged to ground via soak pits.

3. ACTIVITY CLASSIFICATION

3.1 Operative Central Otago District Plan

3.1.1 Zoning

The application site is located within the Rural Resource Area as shown on Map 42 of the CODP, refer Figure 5 below. The application site is subject to a flood hazard annotation, however the proposed activities are located outside its extent.

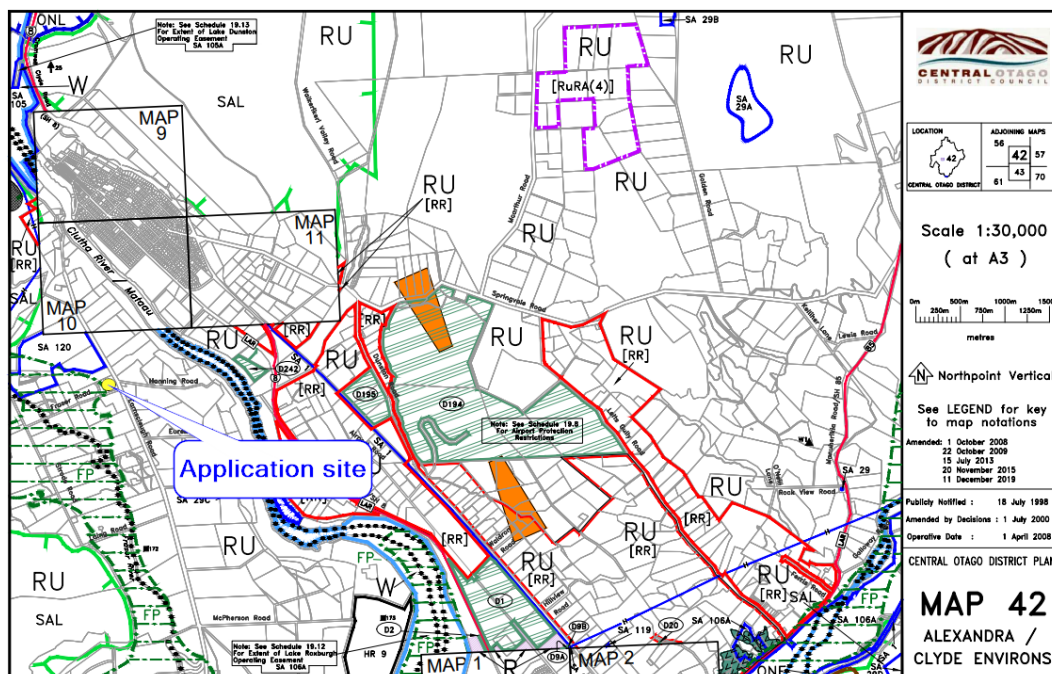


Figure 5: Extract from Operative CODP Map 8 identifying proposed building site**3.1.2 Activity status assessment****Retail activity**

The CODP provides for a 'rural selling place' as a controlled activity under Rule 4.7.2(iii) subject to compliance with the relevant standards. The CODP defines a 'rural selling place' as:

'Rural selling place' means a rural retail facility that is EITHER:

(a) Ancillary to the growing of produce on the site and may in addition offer for sale any of the following goods:

- *Fresh fruit and vegetables and nursery plants, whether grown on the property or not.*
- *Processed fruit and vegetable products, including dried fruit and vegetables, jams, sauces, preserves, juices and other cold drinks (excluding alcoholic beverages).*
- *Nuts, honey and eggs.*
- *Fertilisers, manure and garden mixes.*

Through preapplication advice the applicant has confirmed that the sale of products where fruit grown on the application site is a key component would meet the definition of a 'rural selling place'. While the sale of some products proposed to be sold by the applicant would meet the relevant criteria, the applicant intends to sell a variety of products, some of which would not fit the criteria.

The proposed retail activity is therefore captured as a non-complying activity under Rule 4.7.5(iv).

Extension of the existing packhouse

Proposed construction activities are not captured by a specific rule in the CODP however must comply with standards that apply under 4.7.6 to be considered a permitted activity under Rule 4.7.1(i). Table 2 provides an assessment of the relevant standards.

Table 2: Assessment of the relevant Operative CODP rules and standards

Rule	Activity	Activity condition/standards	Assessment and activity status
Standards			
4.7.6 A. (a)	Yard	A minimum yard of 10 m applies to all non-residential buildings in the Rural Resource Area.	Complies – a minimum yard of 15 m will be maintained to all property boundaries.
4.7.6 A. (c)	Waterbodies	No building shall be located within 20 metres of the bank of any stream or river.	Does not comply – the existing packhouse is located approximately 17 m from the water race that intersects the application site to the rear of the building. No part of the shed extension will breach this setback.
4.7.6 A. (f)	Height	The maximum height of 'Other Buildings' is 10 m outside of Outstanding Natural Landscapes and 'Significant Amenity Landscapes'	Complies – the maximum height of the proposed building is 7.2 m.
4.7.6 B.	Traffic Generation and Characteristics of Activities	(b) No more than 3 persons shall be engaged in any activity of a commercial, industrial or manufacturing nature.	Does not comply – Up to six people will be employed on a full time basis at the site.
4.7.6 C.	Tree planting	(a) No trees shall be planted on a property in such a manner that they obstruct the vision of motorists on the road or cause the root system to have an adverse effect on the road surface.	Complies – refer Concept Landscape Plan attached as Appendix 3.
4.7.6 C.		(b) No trees shall be planted adjacent to any road in a position that will shade the carriageway between the hours of 1000 and 1400 on the shortest day of the year where the speed limit is above 50km/hour and the topography is not already preventing direct sunlight	

Rule	Activity	Activity condition/standards	Assessment and activity status
		onto the carriageway.	
		(e) No tree shall be planted on a property in such a manner that it is likely to have an adverse effect on the existing electricity network.	
4.7.6 D.	Visual Effect of Buildings and Structures	<p>(a) i) All buildings shall be finished in any of the following materials:</p> <p>(i) Timber/Composite Weatherboard (vertical and horizontal).</p> <p>(ii) Plaster/Adobe/Rammed Earth/Masonry products/Concrete.</p> <p>(iii) Stone.</p> <p>(iv) Coloured steel excluding unpainted zincalume and unpainted corrugated iron.</p> <p>(v) Weathered corrugated iron</p> <p>(vi) Brick</p>	Complies - Proposed exterior panels are Bondor Eco panels which are not permitted by the CODP as 'coloured steel'.
4.7.6 D. (a) ii)	Finish	<p>(a) i) The exterior walls, accents and trim for all buildings and structures shall be in a colour or colours selected from the following colour palette, provided that the colours of exterior walls shall be in a low sheen:</p> <p>Browns, greens, grey blue, greys, terracotta, tussock and dark reds provided that such colours shall have a Reflectivity Value (RV) of less than 38%.</p>	Complies - Exterior walls, accents and trims will be coloured within brown palette (Lichen from Coloursteel – LRV: 28%)
4.7.6 D.	Colour : Exterior Walls, Accents and Trim	(a) ii) Any extraction of material shall not exceed 1 metre in depth within 2 metres of any site boundary.	Complies – no excavation is proposed within 2 m of the site boundary.

Rule	Activity	Activity condition/standards	Assessment and activity status
4.7.6 E.	Noise	<p>(a) All activities shall be conducted so as to ensure the following noise limits are not exceeded at any point within the notional boundary of any dwelling,</p> <p>On any day 7:00am to 10:00pm 55 dBA L10 10:00pm to 7:00am the following day 40 dBA L10 70 dBA Lmax</p>	Complies – all mechanical plant will be located inside the building.
4.7.6 F. Storage		Any area used for or proposed to be used for storage purposes (including contractors yards and the stockpiling of material for a period that exceeds 6 months but excluding stock feed, stock yards and grain silos) that is not enclosed or partly enclosed by a covered building shall be screened from the view of any public road, reserve, other public land or any other adjacent site boundary or resource area boundary.	Complies - The storage of material will occur within internal storage rooms and the delivery area that is partly cover and screened from Fraser Road.
4.7.6 G. Provision of Services	(a) Effluent Disposal	The site shall be capable of effective disposal of effluent safely within the site.	Complies - Soil conditions are considered suitable and the site is large enough to locate the proposed effluent treatment system 50 m from the water race (adopting a precautionary approach where the water race is considered a waterbody).
	(b) Water Supply	At the time of subdivision or prior to the issue of building consent to erect a residential building, the owner shall provide a safe and adequate water supply	Complies - Although no subdivision or residential use is proposed, the proposed supply of water is safe for domestic purposes.

Rule	Activity	Activity condition/standards	Assessment and activity status
	(c) Access, Loading and Manoeuvring	Access, loading and manoeuvring requirements shall be provided in accordance with Rule 12.7.1 page 12:13 and Rule 12.7.3 page 12:17.	Complies – refer site plan attached as Appendix 2.
	(d) Parking	Parking shall be provided in accordance with Rule 12.7.2 (pg 12:16) and Table 12.3 (pg 12:25).	Complies – Parking can be provided in accordance with the relevant standards.
4.7.6 H. Signs		<p>Signs on any site shall comply with the following standards. Signs:</p> <ol style="list-style-type: none"> 1. Shall be situated on the property to which they relate provided that no more than two pre warning signs having a maximum area of 1m² each are permitted within 500 metres of the site entrance. 2. Shall comprise a single sign not exceeding a total of 3m² in area. 3. Shall not obscure driver visibility to and from access ways 4. Shall not be constructed using reflective material, or flashing or animated components. 5. Shall not be illuminated. 6. Shall comply with Rule 12.7.5(v) at page 12:21. 	Does not comply – three signs are proposed all exceeding 3 m ² .
4.7.6 I. Riparian Margins		<p>Within 10 metres of any water body, no:</p> <ol style="list-style-type: none"> (a) dumping of fill, spoil or any substance to waste (except cleanfill), (b) earthworks exceeding 20m³, or (c) the removal of vegetation, 	Complies – no earthworks exceeding 20 m ³ are proposed within 10 m of the water race. Some minor scaping for site clearance will occur.

Rule	Activity	Activity condition/standards	Assessment and activity status
4.7.6 J. Earthworks for Access Tracks and Extraction Activities	(b) Extraction and Displacement Activities	the extraction (including excavation and/or displacement) of material shall not exceed an area of 2000 m ² or a quantity of 3000 m ³ from any one site provided that: ...	Does not comply – earthworks will occur over an area larger than 2000 m ² .
12.7.1 Access Standards from Roads	(i) Construction and Maintenance	All vehicular accesses from a road shall be designed, constructed and maintained to ensure that: 1. They are able to be used in all weather conditions. 2. They have no adverse impact upon road drainage systems. 3. Stormwater and detritus (including gravel and silt) do not migrate on to the road. 4. They intersect with the property boundary within 15 degrees of a right angle.	Complies – it is anticipated that conditions will be imposed to manage the construction of proposed access ways.
	(ii) Sight distances	Clear visibility along the road in both directions from intersections and vehicular access shall comply with Table 12.1. <i>Refer to CODP for Table 12.1</i>	Complies – sight lines are in excess of the required distances for both access points, noting that the Fraser Road access is located approximately 30 m from the centre line of Earnsclough Road.
	(iii) Access to Rural State highways and Arterial Roads	(a) The access shall be sealed to the same standard as the adjacent road carriageway. (b) Where the speed limit is 100 kph, spacing between accesses shall be not less than 200 metres (regardless of the side of road on which they are located), and no vehicle access shall be constructed within 100 metres	Does not comply – existing access locations do not meet set back distances to intersections. It is otherwise the applicant's intention to upgrade and relocate as necessary vehicle access points to comply with council's standards.

Rule	Activity	Activity condition/standards	Assessment and activity status
		<p>of road intersections AND spacing between intersections (ie road intersections) shall be not less than 800 metres.</p> <p>(c) Except as provided for in (d) below, width of vehicular access ways at the property boundary are to be no greater than 6 metres.</p> <p>(d) Heavy vehicular accesses shall be designed and constructed to:</p> <ul style="list-style-type: none"> i) A minimum width of nine metres. ii) Carry the volume and weight of traffic likely to use the access. iii) Ensure heavy vehicles do not have to cross the road centre line when making a left turn. iv) Ensure the surface is constructed to the same standard as the adjacent road carriageway. v) Have sufficient width to accommodate the swept path of the largest vehicle anticipated to use it. <p>(e) Driveways shall not be parallel to and level with roads within 20 metres of the road reserve.</p> <p>(f) Figures 12.2 and 12.3 on pages 12:32 and 12:33 establish the minimum design standards for access determined by activity type.</p> <p>(g) Access to State highways shall be to Transit New Zealand design specifications.</p>	

Rule	Activity	Activity condition/standards	Assessment and activity status
12.7.2 Parking		<p>(i) Every activity shall make sufficient provision for vehicular parking in accordance with Table 12.3 (page 12:30) and the minimum dimensions stated in Figures 12.7 and 12.8 on pages 12:36 and 12:37 Vehicles shall not be required to undertake more than one reverse manoeuvre when manoeuvring out of any parking space to depart the site.</p>	Does not comply – the proposal includes six marked visitor car parks which complies with number required for a shop floor sized 168 m ² . However, the proposed six marked staff car parks falls short of the 13 car parks required for an industrial premise and office sized 1160 m ² and 126 m ² respectively.
		<p>(ii) Construction of parking areas to accommodate in excess of 3 carspaces including vehicle access and turning spaces, shall be constructed in accordance with the following standards;</p> <p>(a) Parking areas shall be formed and sealed or otherwise constructed, so as not to create a dust nuisance or permit vehicles to carry deleterious materials such as mud, stone, chip or gravel onto the road or footpath.</p> <p>(b) Stormwater originating from the parking areas shall be disposed of to an approved outfall either within the confines of the site or by pipe (of adequate diameter given the size of the parking area), to a road channel or stormwater drain.</p>	Does not comply – the proposed overspill carparking area will not be sealed.

Rule	Activity	Activity condition/standards	Assessment and activity status
		<p>(c) Traffic safety is to be ensured by:</p> <ol style="list-style-type: none"> 1. Vehicles using the parking area being prevented from entering or leaving the site except by the vehicle access and crossing provided. 2. The parking area and turning spaces shall be laid out with sufficient manoeuvring space so that access can be obtained to the required parking space without the necessity for reversing onto or off the site. 3. Any part of the parking area which cannot be used for the parking shall be landscaped. 	
12.7.3 Loading and Manoeuvring	Servicing Activities	<p>(i) Where the loading and unloading of goods is an integral part of an activity, loading facilities are to be provided.</p> <p>All such loading areas shall be so located that no vehicle or machinery engaged in any loading or unloading operation shall stand on or be required to manoeuvre on any part of the formed road or cause vehicles to reverse onto State highways or any other road nominated in the rules that apply to a particular Resource Area.</p> <p>Design shall be appropriate to the type of vehicles that have occasion to visit the site.</p>	Complies – the delivery/loading area has been designed and located so trucks turn straight into the property and exit in forward direction.
12.7.4 Noise	Construction Noise	<p>(ii) Construction noise within the district which is ancillary to the principal use of the site shall not exceed</p>	Complies - Construction noise will comply with NZS 6803P:1984.

Rule	Activity	Activity condition/standards	Assessment and activity status
		the recommended limits in and shall be measured and assessed in accordance with the provisions of NZS 6803P:1984	
12.7.5 Signs			Does not comply – refer assessment of 4.7.6 H. Signs.
12.7.6 Lightspill	Lightspill Standard	(i) No activities shall result in greater than 10 lux spill (horizontal and vertical) of light onto any adjoining property or road, measured at the boundary of a road or the notional boundary of a neighbouring property...	Complies – no external lighting is proposed.

3.2 Regional consents not required

3.2.1 Regional Plan: Water

The proposed discharge of effluent to land is permitted by Rule 12.A.1.4 of the Otago Regional Council Regional Plan: Water (Water Plan). Rule 12.A.1.4 permits the discharge human sewage through any on-site waste water treatment system installed after 28 February 1998 subject to compliance with the relevant conditions. In terms of confirming compliance with Rule 12.A.1.4, it is noted that:

- Onsite systems are being designed to ensure no more than 2000 litres of waste water is discharge per day; and
- There will be no direct discharge of human effluent to the water race that intersects the property, the applicant has adopted a precautionary approach and installed waste water treatment system 50 m from the water race.

The specification document for the proposed effluent treatment system is attached as Appendix 4.

3.2.2 Regional Plan: Air for Otago

The proposed discharge of contaminants to air assoicated with coffee and hazelnut roasting is permitted by Rules 16.3.1.4 (Discharges from cookers in Air Zone 3), and 16.3.5.1 (Discharges from the processing of plant or animal matter). In terms of confirming compliance with Rules 16.3.1.4 and 16.3.5.1, it is noted:

- The roaster does not burn fuel, it is electric;
- The maximum capacity of the roasters is 36 kg per hour;
- Any discharge to air will not be offensive or objectionable; and
- The proposed chimney extends 300 mm from the roof line.

The specification document for the proposed roaster is attached as Appendix 5.

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

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

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

Following a preapplication meeting with CODC planner Adam Vincent, the applicant was informed that given existing and proposed uses it would not be necessary to support an application for resource consent with a Preliminary Site Investigation or a Detailed Site Investigation.

4. ASSESSMENT OF ENVIRONMENTAL EFFECTS

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

4.1 Positive effects

Included below are the anticipated positive effects of the proposed development:

- The activity will provide employment opportunities, both during construction and when operational. It is estimated that the six people will be employed in roles manufacturing food and serving customers in the café.
- Proposed landscaping and the modern building design will contribute positively to the amenity values of the surrounding area; and
- The proposed activity closely reflects what the CODP defines as a 'rural selling place', in that it will utilise and sell produce grown on the property, thereby enabling primary production.

4.2 Effects on landscape character and visual amenity values

Baxter Design Group Limited (Baxter Design) was commissioned to provide Design Statement (Appendix 6) and Concept Landscape Plan (Appendix 3).

The degree to which landscape character and visual amenity effects are considered adverse depends to a large extent on the landscape context, including its existing degree of naturalness and/or modification, vegetation patterns, scale, visibility and levels of public appreciation, allied with the public expectation of what can reasonably be expected to occur in the landscape.

In determining the degree of effect of the proposed activities on natural character and visual amenity values, the following matters were considered:

- The subject site is not located in an Outstanding Natural Landscape (ONL) or a Significant Amenity Landscape (SAL) as scheduled in the CODP.
- The wider surrounding landscape character of Earnsclough Road includes a well-established horticultural landscape with lifestyle properties visible to a lesser degree. This landscape exhibits the typical components of a working horticultural landscape including packing sheds and infrastructure associated with that industry, established horticultural rows, shelter belts, irrigation ponds and channels and weather protection frames.

- The site includes an established packing shed and ancillary buildings, informal carparking spaces, a large greenhouse, outdoor storage areas and established fruit store.
- The existing site infrastructure, structures and associated working areas are currently open to views and highly visible from both Earnscleugh Road and Fraser Road.
- The application is located in rural resource area which permits 'other buildings'¹ with a maximum height of 10 m and no restriction on their area.
- The proposed building will be finished in the natural range of browns and greens with a reflectivity value of less than 36%.
- The landscape plan attached as Appendix 3 provides for screen planting along both Earnscleugh and Fraser Roads to permanently screen proposed parking and service areas and to mitigate views from the neighbour to the south.
- No external lighting is proposed.
- Signage is limited to the facades of the proposed building and has been designed to be visually unobtrusive.

4.2.1 Effects on landscape character

With respect to effects on landscape and natural character, it is considered that the proposal will accord with the past and present pattern of development that contributes to the character of the application site and surrounding environment.

The site contains a packhouse that is proposed to be extended to accommodate the proposed activities. The extended building will not be unlike the existing and other packhouses in the surrounding environment in terms of its scale and design, noting that various measures are proposed to make the site more visually appealing and conducive to the proposed retail and commercial activities.

While it is acknowledged that products that are not ancillary to the growing of products will be sold on site, the proposal largely meets the definition of a 'rural selling place'² included in the CODP. It is important to note that the site does include an existing retail activity (sale of fruit from the onsite orchard), and while the proposal will increase scale/intensity of the that activity, the effects associated with retail activity, for example traffic, are not out of character for the application site and the surrounding environment.

¹ The term 'other buildings' is not defined in the CODP, however it can be taken to included buildings that are not dwellings or buildings accessory to dwellings.

² Rural Selling Place means a rural retail facility that is EITHER:

(a) Ancillary to the growing of produce on the site and may in addition offer for sale any of the following goods:

- Fresh fruit and vegetables and nursery plants, whether grown on the property or not.
- Processed fruit and vegetable products, including dried fruit and vegetables, jams, sauces, preserves, juices and other cold drinks (excluding alcoholic beverages).
- Nuts, honey and eggs.
- Fertilisers, manure and garden mixes...

The commercial element (offices) will be largely hidden and is subsidiary to the manufacturing and selling of food products. It is anticipated that three people will work in the café and three people in food production. The three people in working in food production will also utilise the office space. The applicant's main offices will remain in the Queenstown.

Although a change in character of the site is proposed, given activities across the site will remain focused on primary production, the proposed building will primarily be for the purpose of manufacturing food and the retail element will closely reflect other rural selling places in the Rural Resource Area, it is considered that the proposal will accord with the past and present pattern of development that contributes to the character of the application site and surrounding environment.

4.2.2 Effects on visual amenity

Baxter Design have assessed potential visual effects in the Design Statement attached as Appendix 6, concluding "that the proposed development will have a positive effect on the existing established landscape character of the Earnscleugh Road corridor and will not give rise to any adverse effects".

In addition to the above the statement, Baxter Design included the following advice on the proposal:

The current site presents a sparse, industrial face to the highway with no separation of the buildings and associated materials from outside view. The proposed development will significantly upgrade the existing amenity of that site whilst still providing an aesthetic which will not appear dissimilar to the existing site amenity, to the benefit of viewers from both Earnscleugh and Fraser Roads, and to adjacent landowners.

Proposed public parking to the Earnscleugh Road side of the building east will be screened by hedging, sufficient to cover this activity whilst still allowing glimpses of the building. Delivery will be confined to the south side of the building, away from sight of Earnscleugh Road. The access to the south side of the building will be mitigated by hedging along Fraser Road.

4.2.3 Summary of landscape and visual amenity effects

Providing recommended mitigations are adopted as resource consent conditions, potential effects on natural character and visual amenity values are considered acceptable.

4.3 Noise effects

All mechanical plant that produces noise, for example refrigeration units and pumps, will be located internally where they will benefit from significant acoustic insulation. It is anticipated that mechanical plant will comply with the applicable day and nighttime noise limits as stated in the CODP.

Noise associated with the customers and staff arriving and departing the site and the use of the shop and ice cream gardens by customers will be limited to operating hours (9 am to 5 pm Monday to Sunday) and is not considered out of character with the other rural selling places that exist along Earnscleugh Road.

Providing the noise levels comply with CODP standards for the rural resource area and appropriate resource consent conditions are adopted to restrict operational hours, it is considered that noise effects will be acceptable and not out of character with the surrounding environment.

4.4 Transport effects

4.4.1 Access

Associated with the proposed activities will be an increase in the volume of traffic that enters and exits the site. Currently the site attracts vehicles typical of a horticulture operation that includes a packhouse e.g. light vehicles associated with pickers and pack house staff and heavy vehicles associated with the pick up of produce and delivery of machinery. The applicant anticipates that six staff members will work onsite and that the site will receive on average two (max three) deliveries each week by light trucks³.

The site has been designed so staff and delivery vehicles use the access point off Fraser Road and customers use the access off Earnsclough Road. The delivery area has been designed so trucks enter and exit in a forward direction, reversing only to allow goods to be unloaded directly from the truck into the storage areas. The service delivery area will be accessed through security gates.

The applicant acknowledges that the existing vehicle access points are not constructed to council's standards and proposes to relocate and upgrade the access points as appropriate to address this, noting that certain setback distances cannot be complied with given the location of nearby intersections. The applicant sought advice from council regarding the proposed activities and received the following comments from Council's engineering department:

Bringing the entranceways up to standard would be one of the engineering conditions of any resource consent for the site.

There is no viable spot on Earnsclough road to move the entranceway to, so we would just require it be brought up to standard in terms of shape, width, and surfacing.

The entranceway on Fraser Road would have to be moved further west to achieve the compliant distance from intersections, with appropriate shape, width, and surfacing.

The applicant would accept resource consent condition(s) that confirm the appropriate design/construction standard for the proposed vehicle access points.

4.4.2 Parking

A total of 14 marked car parking spaces are proposed on-site, including six customer spaces, six staff spaces, two disabled spaces and two electric spaces. Staff car parks are located to the rear of the building alongside

³ 6 tonne.

the delivery area. To the north of the proposed visitor car parking area is an area that will cater for overspill parking.

Given the likely variability in customer numbers it is considered appropriate to cater for average demand while providing access to overspill parking for busy periods. Included below in Figure 6 is an area that can be made available for overspill parking.

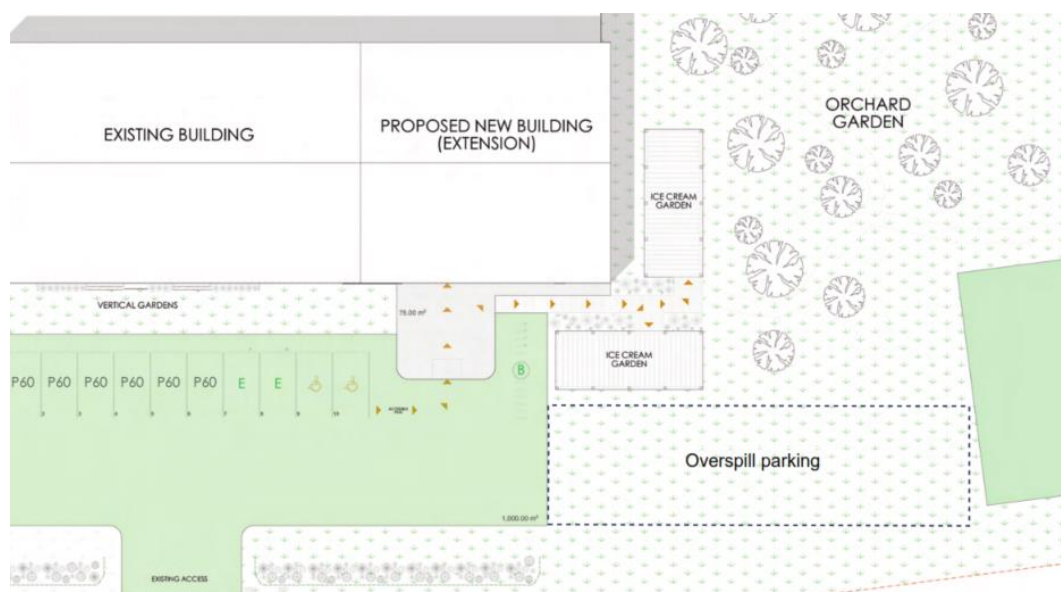


Figure 6: Location of overspill parking

4.4.3 Transport effects summary

Providing the necessary access upgrades described by council's roading engineer are implemented and the area for overspill parking is available for busy periods, it is considered that the roading network will continue to operate safely and efficiently.

4.5 Cultural effects

Proposed activities have the potential to effect cultural values. Discharges to air associated with coffee roasting and to land associated with effluent disposal are key activities that need to be managed effectively to support Kāi Tahu wellbeing.

It is considered appropriate that works are undertaken with an accidental discovery protocol in place and install filters in coffee roasting equipment to manage potential effects air quality. Providing these mitigation measures are adopted, and noting that the proposed discharge of effluent complies with rules for the discharge of effluent to land in the Water Plan, it is considered that potential effects on cultural values will be appropriately addressed.

4.6 Lighting and glare effects

No external lighting is proposed, and the external materials will be finished in Bondor Eco panels in lichen (colour steel colour) which has a reflectivity value of 27% in compliance with 4.7.6(a)(ii). Accordingly, effects associated with lighting and glare are considered acceptable.

4.7 Natural Hazards

The application site is subject to a flood risk overlay that is included in the CORDP and the ORC Natural Hazards database. Included as Figure 7 is map that identifies the extent to which the application is subject to the flood risk overlay. Proposed activities are located outside of the flood overlay, mitigating the risk associated with flooding to an acceptable level. It is noted that CORDP planning provisions, in particular Policy 17.4.6, allow for landowners or consent applicants to accept a level of risk, provided that this risk is not considered generally unacceptable, or if that risk would impact third parties.

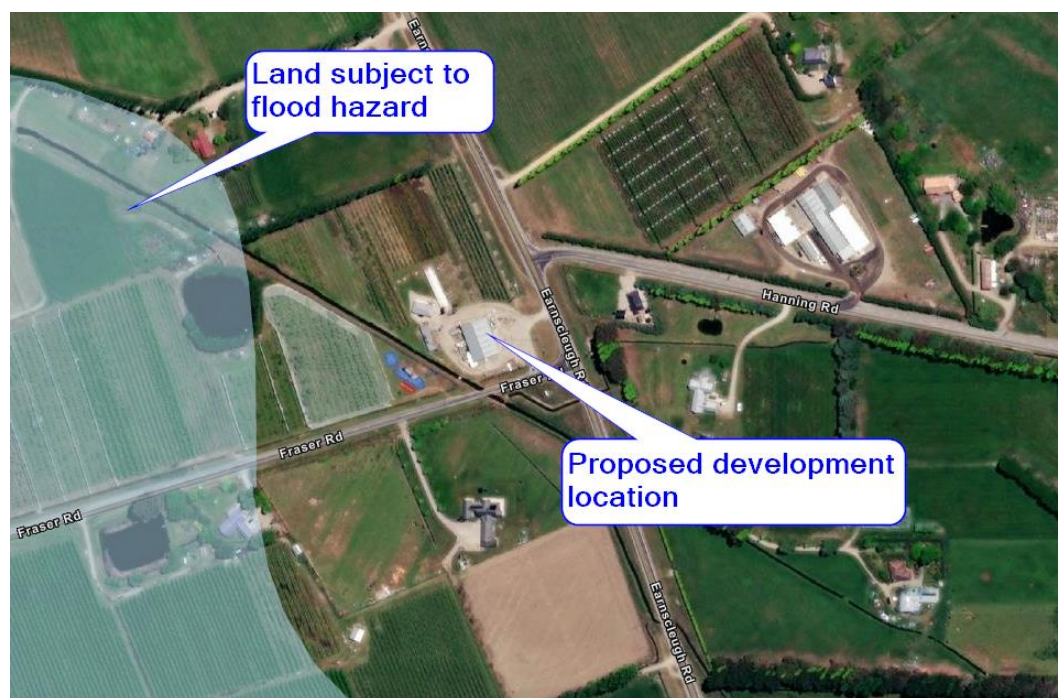


Figure 7: Flood Hazard overlay

4.8 Construction effects

Activities associated with the construction phase of the proposed development, including earthworks, have the potential to create adverse effects on the environment. Effects associated with construction are short term (cease when construction is completed) and can be effectively managed through good practice. Given the scale of the proposed development a Construction Management Plan(CMP) is not considered necessary.

5. STATUTORY CONSIDERATIONS

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

5.1 Part 2 of the RMA

The proposal is consistent with the purpose and principles of the RMA, as outlined in Section 5; the proposal enables the applicant to provide for their economic and social wellbeing while appropriately avoiding or mitigating adverse environment effects. There are no matters of national importance under Section 6 of the RMA that will be affected by the proposal. Particular regard has been given to Section 7 matters, specifically Section 7(c) the maintenance and enhancement of amenity values. Regarding Section 8, the proposed activity is not inconsistent with the principles of the Treaty of Waitangi.

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

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

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

- i. a National Environmental Standard;
- ii. other regulations;
- iii. a National Policy Statement;
- iv. a New Zealand Coastal Policy Statement;
- v. a Regional Policy Statement or Proposed Regional Policy Statement;
- vi. a plan or proposed plan.

An assessment against the National Policy Statement for Highly Productive Land (NPSHPL), Partially Operative Otago Regional Policy Statement 2019 (Partially Operative RPS), Proposed Otago Regional Policy Statement 2021 (Proposed RPS) and CODP is considered appropriate in this instance.

5.2.1 National Policy Statement for Highly Productive Land

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

...land that has been mapped in accordance with clause 3.4 and is included in an operative regional policy

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

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

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

(a) is

(i) zoned general rural or rural production; and

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

(b) is not:

(i) identified for future urban development; or

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

The application site (Part Section 146 Block X Leaning Rock SD) is zoned in Rural Resource Area and contains 3 ha of Class 3 soils which are considered HPL and 3 ha of Class 4 soils which are not considered HPL.

The National Policy Statement for Highly Productive Land Guide to Implementation (NPS-HPL Implementation Guide) provides guidance on how the NPS-HPL should be applied to parcels where the definition of HPL only applies to the part of a parcel. The NPS-HPL Implementation Guide includes the following statements on the issue:

...if a land-use activity is proposed on the portion of the lot that is not HPL, then the NPS-HPL is less likely to be relevant to the decision-making process.

Policy 8 requiring local authorities to protect HPL from inappropriate use and development and Policy 9 of relating to managing reverse sensitivity effects on land-based primary production on adjacent/nearby HPL may still be relevant, depending on the proposed land-use activity.

Proposed activities are not located on HPL and do not affect the productive capacity of the HPL that exists within the application site. Fruit harvested from the property will be either sold onsite, transferred to an offsite packhouse or used in the production of food products to be sold onsite. Proposed activities will utilise the existing 3000 L/day domestic water allocation from Earnsclough Water Scheme and will not impact the irrigation water allocation supplied by the Earnsclough Irrigation Company that used to irrigate existing crops of HPL.

It is considered that the NPS-HPL does not apply to proposed activities.

5.2.2 Otago Regional Policy Statement

The Otago Regional Policy Statement provides an overview of the resource management issues facing Otago and sets policies and methods to manage Otago's natural and physical resources.

The Partially Operative Otago Regional Policy Statement 2019 (Partially Operative RPS) was declared partially operative on 15 March 2021. The Proposed Otago Regional Policy Statement 2021 (Proposed RPS) was notified on 26 June 2021.

An assessment of the relevant objectives and policies set out in the Partially Operative RPS and Proposed RPS is included in Table 3, policies and objectives have been grouped and assessed as they relate to common issues in each policy statement.

5.2.3 Central Otago District Plan

An assessment of relevant objectives and policies set out in the CODP is included in Table 4.

Table 3: Assessment of relevant objectives and policies included in the Partially Operative RPS and Proposed RPS

Mana whenua - Kāi Tahu values and interests are recognised and kaitiakitaka is expressed		
Proposed RPS Objectives		
<p><u>MW–O1 – Principles of Te Tiriti o Waitangi</u></p> <p>The principles of Te Tiriti o Waitangi are given effect in resource management processes and decisions, utilising a partnership approach between councils and Papatipu Rūnaka to ensure that what is valued by mana whenua is actively protected in the region.</p>		
Partially Operative RPS Objectives		
<p><u>Objective 2.1</u></p> <p>The principles of Te Tiriti o Waitangi are taken into account in resource management processes and decisions</p>		
<p><u>Objective 2.2</u></p> <p>Kāi Tahu values, interests and customary resources are recognised and provided for</p>		
Partially Operative RPS Policies	Proposed RPS Policies	Assessment
<p><u>Policy 2.2.1 Kāi Tahu wellbeing</u></p> <p>Manage the natural environment to support Kāi Tahu wellbeing by all of the following:</p> <p>a) Recognising and providing for their customary uses and cultural values in Schedules 1A and B; and,</p> <p>b) Safeguarding the life-supporting capacity of natural resources.</p>	<p><u>MW–P3 – Supporting Kāi Tahu well-being</u></p> <p>The natural environment is managed to support Kāi Tahu well-being by:</p> <p>(1) protecting customary uses, Kāi Tahu values and relationships of Kāi Tahu to resources and areas of significance, and restoring these uses and values where they have been degraded by human activities,</p> <p>(2) safeguarding the mauri and life-supporting capacity of natural resources, and</p> <p>(3) working with Kāi Tahu to incorporate mātauraka in resource management.</p>	<p>According to the relevant regional and district plans, there are no specific sites of significance to iwi within or adjoining the application site, however it is acknowledged that the wider area could include high value sites that may not be mapped.</p> <p>Given the extent to which the application site has been modified and that the applicant will comply with permitted activity standards for the discharge of wastewater, it is considered that that Kāi Tahu wellbeing can be adequately provided for by imposing a condition of consent that requires works to be completed under an accidental discovery protocol.</p>
Hazards and risks - Communities in Otago are resilient, safe and healthy		

Proposed RPS Objectives		
HAZ–NH–O1 – Natural hazards		
Levels of risk to people, communities and property from natural hazards within Otago do not exceed a tolerable level.		
Partially Operative RPS Objectives		
Objective 4.1		
Risks that natural hazards pose to Otago's communities are minimised		
Partially Operative RPS Policies	Proposed RPS Policies	Assessment
<u>Policy 4.1.4 Assessing activities for natural hazard risk</u> Assess activities for natural hazard risk to people, property and communities, by considering all of the following: a) The natural hazard risk identified, including residual risk; b) Any measures to avoid, remedy or mitigate those risks, including relocation and recovery methods; c) The long-term viability and affordability of those measures; d) Flow-on effects of the risk to other activities, individuals and communities; e) The availability of, and ability to provide, lifeline utilities, and essential and emergency services, during and after a natural hazard event.	<u>HAZ–NH–P2 – Risk assessments</u> Assess the level of natural hazard risk by determining a range of natural hazard event scenarios and their potential consequences in accordance with the criteria set out within APP6.	The application site is not subject to natural hazard overlays defined in the ORC Natural Hazards Database or CODP. The risk of natural hazards impacting the site is therefore considered low. If in the unlikely event that a natural hazard did impact the site, the lack of any lifeline utility or residential element further reduces the potential for natural hazard effects.

<p><u>Policy 4.1.6 Minimising increase in natural hazard risk</u></p>	<p><u>HAZ–NH–P3 – New activities</u></p>	<p>Proposed activities have a low risk of contributing to natural hazard effects. It is therefore considered appropriate to enable the proposed activities while maintaining the existing level of risk associated with natural hazards.</p>
<p>Minimise natural hazard risk to people, communities, property and other aspects of the environment by:</p> <ul style="list-style-type: none"> a) Avoiding activities that result in significant risk from natural hazard; b) Enabling activities that result in no or low residual risk from natural hazard; c) Avoiding activities that increase risk in areas potentially affected by coastal hazards over at least the next 100 years; d) Encouraging the location of infrastructure away from areas of hazard risk where practicable; e) Minimising any other risk from natural hazard. 	<p>Once the level of natural hazard risk associated with an activity has been determined in accordance with HAZ–NH–P2, manage new activities to achieve the following outcomes:</p> <ul style="list-style-type: none"> 1. when the natural hazard risk is significant, the activity is avoided, 2. when the natural hazard risk is tolerable, manage the level of risk so that it does not become significant, and 3. when the natural hazard risk is acceptable, maintain the level of risk. 	<p>The existing level of risk primarily relates to potential damage to farm infrastructure, this is not proposed to change i.e., the level of risk will be maintained.</p>
<p>Urban form and development - People are able to use and enjoy Otago's natural and built environment</p>		
<p>Proposed RPS Objectives</p>		
<p><u>UFD–O4 – Development in rural areas</u></p>		
<p>Development in Otago's rural areas occurs in a way that:</p> <ul style="list-style-type: none"> 1. avoids impacts on significant values and features identified in this RPS, avoids as the first priority, land and soils identified as highly productive by LF–LS–P19 unless there is an operational need for the development to be located in rural areas, 2. only provides for urban expansion, rural lifestyle and rural residential development and the establishment of sensitive activities, in locations identified through 		

strategic planning or zoned within district plans as suitable for such development, and		
3. outside of areas identified in (3), maintains and enhances the natural and physical resources that support the productive capacity, rural character, and long-term viability of the rural sector and rural communities		
Partially Operative RPS Objectives		
<u>Objective 5.3</u> Sufficient land is managed and protected for economic production.		
<u>Objective 5.4</u> Adverse effects of using and enjoying Otago's natural and physical resources are minimised.		
Partially Operative RPS Policies	Proposed RPS Policies	Assessment
<u>Policy 5.3.1 Rural activities</u> Manage activities in rural areas, to support the region's economy and communities, by: a) Enabling primary production and other rural activities that support that production; b) Providing for mineral exploration, extraction and processing; c) Minimising the loss of significant soils; d) Restricting the establishment of incompatible activities in rural areas that are likely to lead to reverse sensitivity effects; e) Minimising the subdivision of productive rural land into smaller lots that may result in a loss of its productive capacity or productive efficiency;	<u>UFD-P5 – Commercial activities</u> Provide for commercial activities in urban areas by: 1. enabling a wide variety and scale of commercial activities, social activities and cultural activities in central business districts, town centres and commercial areas, especially if they are highly accessible by public transport and active transport 2. enabling smaller local and neighbourhood centres and rural settlements to accommodate a variety of commercial activities, social activities and cultural activities of a scale appropriate to service local community needs, 3. providing for the expansion of existing areas or establishment of new areas identified in (1)	While the proposal includes retail/commercial activities in the rural environment, it is largely characterised by food production which will utilise fruit harvested onsite. The proposal can at least in part be considered to support primary production by providing for the processing of fruit harvested on the property. No loss of significant soils will occur, and proposed activities will not result in reverse sensitivity effects on surrounding rural land uses. Given the scale and type of the activity proposed, it is considered highly unlikely that the proposed commercial activity will undermine the vibrancy and viability of nearby town centres.

f) Providing for other activities that have a functional need to locate in rural areas.	and (2) by first applying UFD–P1 and UFD–P2, and 4. outside the areas described in (1) and (2), allow for small scale retail and service activities, home occupations and community services to establish within or close to the communities they serve.	The proposal includes repurposing and extending an existing packhouse to create a multi-use building that provides for food production, café facilities and retail activities.
<p><u>Policy 5.3.2 Distribution of commercial activities</u></p> <p>Manage the distribution of commercial activities by:</p> <p>a) Enabling a wide variety of commercial, social and cultural activities in central business districts, and town and commercial centres;</p> <p>b) Enabling smaller commercial centres to service local community needs;</p> <p>c) Restricting commercial activities outside of a) and b) when such activities are likely to undermine the vibrancy and viability of those centres;</p> <p>d) Encouraging the adaptive reuse of existing buildings.</p>	<p><u>UFD–P7 – Rural Areas</u></p> <p>The management of rural areas:</p> <p>1 provides for the maintenance and, wherever possible, enhancement of important features and values identified by this RPS,</p> <p>2. outside areas identified in (1), maintains the productive capacity, amenity and character of rural areas,</p> <p>3. enables primary production particularly on land or soils identified as highly productive in accordance with LF–LS–P19,</p> <p>4. facilitates rural industry and supporting activities;</p> <p>5. directs rural residential and rural lifestyle development to areas zoned for that purpose in accordance with UFD–P8,</p> <p>6. restricts the establishment of residential activities, sensitive activities, and non-rural</p>	

	<p>businesses which could adversely affect, including by way of reverse sensitivity, the productive capacity of highly productive land, primary production and rural industry activities, and</p> <p>7. otherwise limits the establishment of residential activities, sensitive activities, and non-rural businesses to those that can demonstrate an operational need to be located in rural areas.</p>	
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Table 4: Assessment of relevant objectives and policies included in the CODP

Section 4: Rural Resource Area	
Objectives	
<u>4.3.1 Objective - Needs of the District's People and Communities</u> To recognise that communities need to provide for their social, economic and cultural wellbeing, and for their health and safety at the same time as ensuring environmental quality is maintained and enhanced.	
<u>4.3.3 Objective - Landscape and Amenity Values</u> To maintain and where practicable enhance rural amenity values created by the open space, landscape, natural character and built environment values of the District's rural environment, and to maintain the open natural character of the hills and ranges.	
Policies	Assessment
<u>4.4.2 Policy – Landscape and Amenity Values</u>	(a) The application does not hold any natural character value and the proposed development will not affect hills, ranges, skylines or prominent places.

<p>To manage the effects of land use activities and subdivision to ensure that adverse effects on the open space, landscape, natural character and amenity values of the rural environment are avoided, remedied or mitigated through:</p> <p>(a) The design and location of structures and works, particularly in respect of the open natural character of hills and ranges, skylines, prominent places and natural features,</p> <p>(b) Development which is compatible with the surrounding environment including the amenity values of adjoining properties,</p> <p>(c) The ability to adequately dispose of effluent on site,</p> <p>(d) Controlling the generation of noise in back country areas,</p> <p>(e) The location of tree planting, particularly in respect of landscape values, natural features and ecological values,</p> <p>(f) Controlling the spread of wilding trees.</p> <p>(g) Encouraging the location and design of buildings to maintain the open natural character of hills and ranges without compromising the landscape and amenity values of prominent hillsides and terraces.</p>	<p>(b) Section 5 confirms that providing appropriate mitigations are adopted, effects on open space, landscape character amenity values and the amenity of neighbouring properties are acceptable.</p> <p>(c) The site is large enough to easily accommodate the proposed wastewater treatment system.</p> <p>(d) The site is not located in a back country environment.</p> <p>(e) Tree planting will be implemented as per the Landscape Plan attached as Appendix 3 which has been produced by a suitably qualified and experienced professional.</p> <p>(f) The proposal will not contribute to the spread of wilding pine.</p> <p>(g) As per the assessment of 4.4.2(a)</p>
<p><u>4.4.8 Policy - Adverse Effects on the Amenity Values of Neighbouring Properties.</u></p> <p>To ensure that the effects associated with some activities including (but not limited to):</p> <p>(a) Noise (including noise associated with traffic generation, night time operations), and vibration,</p> <p>(b) The generation of a high level of traffic, in particular heavy vehicles,</p> <p>(c) Glare, particularly from building finish,</p>	<p>a) All mechanical plant has been located within the proposed building to mitigate noise effects to an acceptable level. It is anticipated that noise levels will comply with CODP standards for the Rural Resource Area.</p> <p>b) Sufficient parking and proposed landscape treatments will ensure that potential effects on amenity values associated with an increase in traffic generated by the site will be appropriately mitigated.</p> <p>c) Glazing has been kept to a minimum and materials/colours selected for the exterior of the building to mitigate potential adverse effects associated with glare.</p>

<p>(d) A reduction in visual amenity due to excessive signage and the storage of goods or waste products on the site,</p> <p>(e) The generation of odour, dusts, wastes and hazardous substances, and</p> <p>(f) The use and/or storage of hazardous goods or substances do not significantly adversely affect the amenity values and privacy of neighbouring properties or the safe and efficient operation of the roading network.</p>	<p>(d) The amount of signage proposed corresponds to the size of the building and has been designed so it is not visually intrusive, for example proposed signs are not illuminated, do not extend from the façade of the building and only one sign per elevation visible from Earnscleugh Road and Fraser Road is proposed.</p> <p>e) and f) No odour, dust or waste will be generated by the proposed activities. Any storage/use of hazardous substances will be undertaken in compliance with the HSNQ.</p>
<p><u>4.4.10 Policy – Rural Subdivision and Development*</u></p> <p>To ensure that the subdivision and use of land in the Rural Resource Area avoids, remedies or mitigates adverse effects on:</p> <p>(a) The open space, landscape and natural character amenity values of the rural environment in particular the hills and ranges,</p> <p>(b) The natural character and values of the District’s wetlands, lakes, rivers and their margins,</p> <p>(c) The production and amenity values of neighbouring properties,</p> <p>(d) The safety and efficiency of the roading network,</p> <p>(e) The loss of soils with special qualities,</p> <p>(f) The ecological values of significant indigenous vegetation and significant habitats of indigenous fauna,</p> <p>(g) The heritage and cultural values of the District,</p> <p>(h) The water quality of the District’s surface and groundwater resources, and</p> <p>(i) Public access to or along the rivers and lakes of the District, particularly through the use of minimum (and average) allotment sizes.</p>	<p>(a) Section 5 confirms that providing appropriate mitigations are adopted, effects on open space, landscape character amenity values and the amenity of neighbouring properties are acceptable.</p> <p>(b) the application site located approximately 630 m from the nearest waterbody, the Earnscleugh River.</p> <p>(c) As per the above assessment of Policy 4.4.8, potential effects on the amenity values of neighbouring dwellings are considered acceptable.</p> <p>(d) Providing vehicle access points are upgraded as per advice received from CODC roading engineers prior to submission (refer Section XX), it is considered that the roading network will continue to operate safely and efficiently.</p> <p>(e) and (f) The application site does not contain soils with special qualities or any indigenous vegetation or habitat for indigenous fauna.</p> <p>(g) The application site has been extensively worked in association with past horticulture activities, including the construction of the existing packhouse. The risk of encountering something of heritage or archaeological value is considered very low and can be appropriately mitigated by working under an accidental discovery protocol.</p>

	<p>(h) All discharges to land will comply with the relevant Regional Plan Water: for Otago. permitted activity rules.</p> <p>(i) Public access to waterbodies will not be affected.</p>
Section 12: District Wide Rules and Performance Standards	
Objective	
<p>12.3.1 Objective - Safe and Efficient Rooding Network</p> <p>To promote the safe and efficient operation of the District's rooding network.</p>	
<p>12.3.2 Objective - Protection from Noise</p> <p>To avoid, remedy or mitigate the adverse effects of noise on the District's amenity values and the health and wellbeing of the District's people.</p>	
<p>12.3.3 Objective - Reducing the Adverse Effects of Signs</p> <p>To avoid, remedy or mitigate the adverse effects of signs on traffic and the general amenity values of the District while recognising that signs are a necessary adjunct to many activities.</p>	
<p>12.3.4 Objective - Avoidance, Remedying or Mitigation of Nuisances</p> <p>To ensure that activities avoid, remedy or mitigate nuisance to adjoining properties from odour, dust, lightspill, glare and electrical interference.</p>	
Policy	Assessment
<p>12.4.1 Policy - Parking, Loading and Manoeuvring</p> <p>To avoid, remedy or mitigate adverse effects on the safe and efficient operation of the rooding network by requiring:</p> <p>(a) Safe and efficient access points to the rooding network, and</p> <p>(b) Off-road loading and manoeuvring space and facilities, and</p> <p>(c) Off-street parking, where these are appropriate</p>	<p>(a) Providing vehicle access points are upgraded as per advice received from CODC rooding engineers following the applicant's preapplication meeting (refer Section XX), it is considered that the rooding network will continue to operate safely and efficiently.</p> <p>(b) The site has been designed to provide loading and manoeuvring space for heavy vehicles.</p> <p>(c) It is considered that sufficient visitor and staff parking has been provided to cater for proposed activities, with a balance struck between providing marked car parks and an area for overspill carpark to maintain the rural character of the site.</p>

<p><u>12.4.2 Policy – Noise</u></p> <p>To determine the suitability of noise generating activities in any given locality by having regard to:</p> <ul style="list-style-type: none"> (a) The specific characteristics and amenity values of the locality from which the noise originates, and (b) The sound pressure level of the proposed activity, and (c) The frequency that the noisy activity takes place, and (d) The length of time that the noise continues, and (e) Any special characteristics of the noise, <p>to ensure that the adverse effects of noise on other activities and the natural and physical resources of the locality (including cumulative effects) reflect standards acceptable to the community.</p>	<p>All mechanical plant has been located within the proposed building to mitigate noise effects to an acceptable level. It is anticipated that noise levels will comply with CODP standards for the Rural Resource Area.</p>
<p><u>12.4.4 Policy – Signs</u></p> <p>To determine the suitability of signs in any given location by having regard to the sign's effect on the following matters:</p> <ul style="list-style-type: none"> (a) The safe and efficient operation of the roading network, and (b) The amenities of the locality, and (c) Landscape values, and (d) The character and scale of the building, site or area, and (e) Any heritage, historical or cultural values present. 	<p>The amount of signage proposed corresponds to the size of the building and has been designed so it is not visually intrusive, for example proposed signs are not illuminated, do not extend from the façade of the building and only one sign per elevation visible from Earnscleugh Road and Fraser Road is proposed.</p>
<p><u>12.4.7 Policy – Management of Nuisance Effects</u></p> <p>To encourage resource users to adopt management practices that avoid, remedy or mitigate the adverse effects of:</p> <ul style="list-style-type: none"> (a) odour, (b) lightspill and glare, 	<p>No exterior lighting is proposed, and no odour, dust or waste will be generated by the proposed activities.</p>

(c) dust, and (d) electrical interference, on the use and enjoyment of neighbouring properties.	
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5.3 Iwi Management Plans

The proposed activities are subject to the following Iwi Management Plans:

- Kāi Tahu Ki Otago Natural Resource Management Plan 2005 (Kai Tahu Ki Otago NRMP)
- Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008 (Te Tangi a Tauira)

5.3.1 Kāi Tahu Ki Otago Natural Resource Management Plan

Included below is a list of policies included in the Kai Tahu Ki Otago NRMP that are considered relevant to the proposed activities:

- 5.3.4 Wai Māori General Policies
 - 8. To require land disposal for human effluent and contaminants.
- 5.7.3 Policies (air and atmosphere)
 - 1. To require earthworks and discharges to air consider the impact of dust and other air-borne contaminants on health, mahika kai, cultural landscapes, indigenous flora and fauna, wāhi tapu and taoka.
- 10.2.3 Wai Māori Policies in the Clutha/Mata-au Catchment
 - 9. To encourage the adoption of sound environmental practices, adopted where land use intensification occurs.
 - 10. To promote sustainable land use in the Clutha/Mata-au Catchment.
- 10.3.3 Wāhi Tapu Policies in the Clutha/Mata-au Catchment
 - 1 To require that wāhi tapu sites are protected from further loss or destruction.
 - 2. To require accidental discovery protocols for any earth disturbance activities

5.3.2 Ngāi Tahu ki Murihiku Natural Resource and Environmental Management Plan

Included below is a list of policies included in Te Tangi a Tauira that are considered relevant to the proposed activities.

- 3.2.1 Discharges to Air
Industry and farming
 - 1. Discourage discharges from industrial and trade premises that will have an impact on mahinga kai, taonga species, biodiversity, wāhi tapu and wāhi taonga.
 - 2. Ensure that the processes used during activities that discharge to air are supervised and monitored to ensure that contaminant emissions are minimised.
- Social/cultural effects and iwi engagement*
 - 9. Discourage and prevent discharges to air that will have impacts on cultural well-being and community health.

10. Ensure that discharges of contaminants into the air such as dust, smoke and odour do not affect the amenity values of areas which are of cultural and historical significance to iwi.

▪ 3.2.2 Amenity Values

Visual amenity and intrusion

1. Limit through promotion of improved production and techniques, visual and physical effects from activities associated with exhaust emissions, dust, unacceptable and intense odour, smoke and lighting.

▪ 3.5.7 Subdivision and Development

9. Encourage installation of rainwater storage facilities for external water use (e.g. on gardens) by residential or commercial development.

15. Any proposed activity that may affect an archaeological site must obtain an archaeological authority from the New Zealand Historic Places Trust.

▪ 3.5.8 Earthworks

1. Consent applicants who are undertaking earthworks may be required to enter into Accidental Discovery Protocol and monitoring agreements with Ngāi Tahu ki Murihiku, stating that any earthworks, fencing, landscaping or other such activity has the potential to uncover archaeological sites. Procedures and processes associated with such an occurrence should also be outlined.

▪ 3.5.10 General Water Policy

3. Protect and enhance the mauri, or life supporting capacity, of freshwater resources throughout Murihiku.

4. Manage our freshwater resources wisely, mō tātou, ā, mō ngā uri ā muri ake nei, for all of us and the generations that follow.

▪ 3.5.12 Discharge to Water

1. Avoid the use of water as a receiving environment for the direct, or point source, discharge of contaminants. Even if the discharge is treated and therefore considered “clean”, it may still be culturally unacceptable. Generally, all discharge must first be to land. This general policy is a baseline or starting point. From this point, the Rūnanga can assess applications on a case by case basis.

5.4 Assessment of Iwi Management Plans

As per the assessment of effects on cultural values included in Section 5.7, it is considered that cultural values will be appropriately addressed by consent conditions volunteered by the applicant. Accordingly, it is considered that the proposed activity is not contrary to the policy direction set out in the Kai Tahu Ki Otago NRMP and Te Tangi a Tauira.

6. NOTIFICATION ASSESSMENT

6.1 Public Notification

Section 95A of the RMA sets out the steps which must be followed by a consent authority when determining whether to publicly notify applications for resource consent. The proposed development is assessed against Section 95A below in Table 5.

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

Step 1	<p>Mandatory public notification in certain circumstances.</p> <p>An application must be publicly notified if any of the following criteria are met:</p> <ul style="list-style-type: none"> the applicant has requested public notification; or public notification is required under section 95C; or the application is made jointly with an application to exchange recreation reserve land. 	<p>The applicant does not request public notification and public notification is not required under s95C.</p>
Step 2	<p>If notification is not required by step 1, public notification is precluded in certain circumstances.</p> <p>An application cannot be publicly notified if either of the following criteria are met:</p> <ul style="list-style-type: none"> the application is for one or more activities and each activity is subject to a rule or NES that precludes notification; or the application is for a resource consent for 1 or more of the following but no other activities: <ul style="list-style-type: none"> a controlled activity a restricted-discretionary, discretionary or non-complying activity but only if the activity is a boundary activity. 	<p>Public notification is not precluded by a rule or NES.</p> <p>The proposed activities are beyond the scope of a boundary activity.</p>
Step 3	<p>If not precluded by step 2, public notification is required in certain circumstances.</p> <p>Public notification is required if:</p> <ul style="list-style-type: none"> the application is for a resource consent for 1 or more activities, and any of those activities is subject to a rule or NES which requires public notification; or the consent authority decides, in accordance with s95D, that the activity will have, or is likely to 	<p>Public notification is not required by a rule or NES.</p> <p>Environmental effects are considered less than minor.</p>

	have, adverse effects on the environment that are more than minor.	
Step 4	Public notification in special circumstances If notification is precluded under step 2, or isn't required under step 3, consideration must be given to whether special circumstances exist that warrant public notification of the application. If no such circumstances exist, the application must not be publicly notified but the consent authority must determine whether to give limited notification of the application under Section 95B.	Special circumstances are those that are unusual or exceptional, but they may be less than extraordinary or unique. No such circumstances exist in relation to this proposal, therefore public notification of the application is precluded.

6.2 Limited Notification

Where a consent authority determines that public notification is not required by Section 95A, it must then follow the relevant steps to determine if limited notification is required under Section 95B. The proposed development is assessed against the Section 95B steps below in Table 6.

Table 6: Assessment of proposed activities against Section 95B of the RMA

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

	<ul style="list-style-type: none"> the application is for a controlled activity (but no other activities) that requires a resource consent under a district plan (other than a subdivision of land). 	
Step 3	<p>If not precluded by step 2, certain other affected persons must be notified.</p> <ul style="list-style-type: none"> In the case of a boundary activity, an owner of an allotment with an infringed boundary; and In the case of any other activity, determine whether a person is an affected person in accordance with Section 95E. 	<p>The proposed activities are beyond the scope of a boundary activity.</p> <p>No persons are considered to be affected in minor or more than minor way.</p>
Step 4	<p>Further notification in special circumstances.</p> <p>If the consent authority determines special circumstances exist that warrant limited notification of the application to any other persons not already determined to be eligible for limited notification (excluding persons assessed under section 95E as not being affected persons), the council must give limited notification to those persons.</p>	<p>As per the assessment of Step 4 in Table 5, there are no special circumstances that would warrant notification of the proposed activities.</p>

6.3 Summary of notification assessment

The assessment of the proposed activities against Section 95A and 95B of the RMA suggests that the application to extend and convert an existing packhouse to provide for the activities described in Section 2, can be processed without notification.

7. CONSULTATION

Clause 6(1)(f) of Schedule 4 of the RMA requires the identification of, and any consultation undertaken with, persons affected by the activity. In this case no persons are considered affected, however the applicant has attempted to consult with the owners/occupiers of dwellings located at 20 Hanning Road (1), 6 Hanning Road (2), 13 Fraser Road (3) and 27 Fraser Road (4), identified below in Figure 8. Noting no parties are considered affected parties under Section 95E of the RMA, the purpose of consultation was to obtain feedback on the proposal and incorporate suggested mitigation measures where possible. At the date of submission, the applicant had visited each property, however had not been able to speak with the owners of each property.



Figure 8: Properties targeted for consultation

8. CONSENT LAPSE AND REVIEW

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

9. CONCLUSION

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

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

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

Appendix 1: Record of title



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



R. W. Muir
Registrar-General
of Land

Identifier **OT12A/1364**

Land Registration District **Otago**

Date Issued 20 June 1988

Prior References

OT6D/1408

Estate	Fee Simple
Area	6.6318 hectares more or less
Legal Description	Section 137 and Part Section 146 Block X Leaning Rock Survey District

Registered Owners

Dennys Limited

Interests

Section 137 is subject to Section 168A Coal Mines Act 1925

Section 137 is subject to Section 8 Mining Act 1971

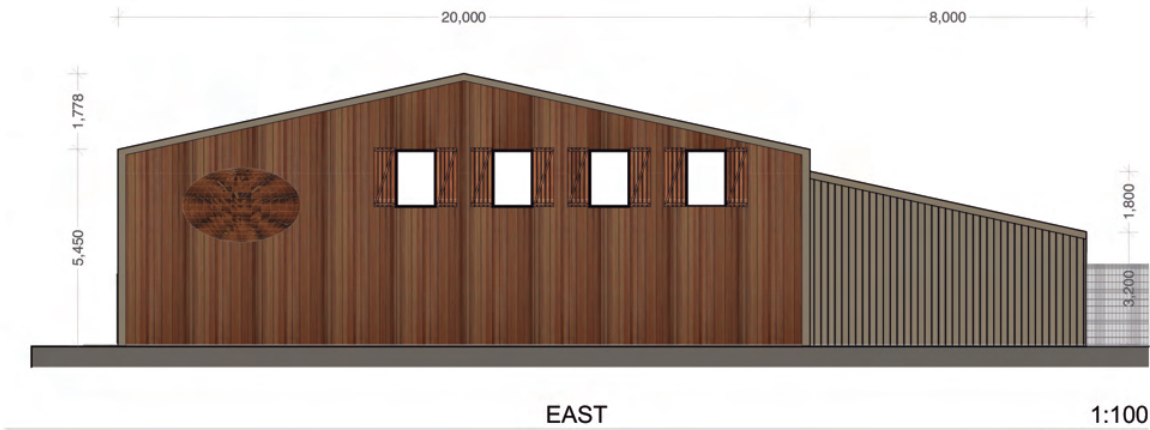
Part Section 146 is subject to Section 206 Land Act 1924

885926 Transfer creating the following easements in gross - 3.7.1995 at 9.46 am

Type	Servient Tenement	Easement Area	Grantee	Statutory Restriction
Convey water	Section 137 and Part Section 146 Block X Leaning Rock Survey District - herein	Black line Transfer 885926	Earnsclough Irrigation Company Limited	

5521677.7 Mortgage to The National Bank of New Zealand Limited - 17.3.2003 at 9:00 am

Appendix 2: Site and Building Plans



Patagonia Chocolates by **modulo**[®]

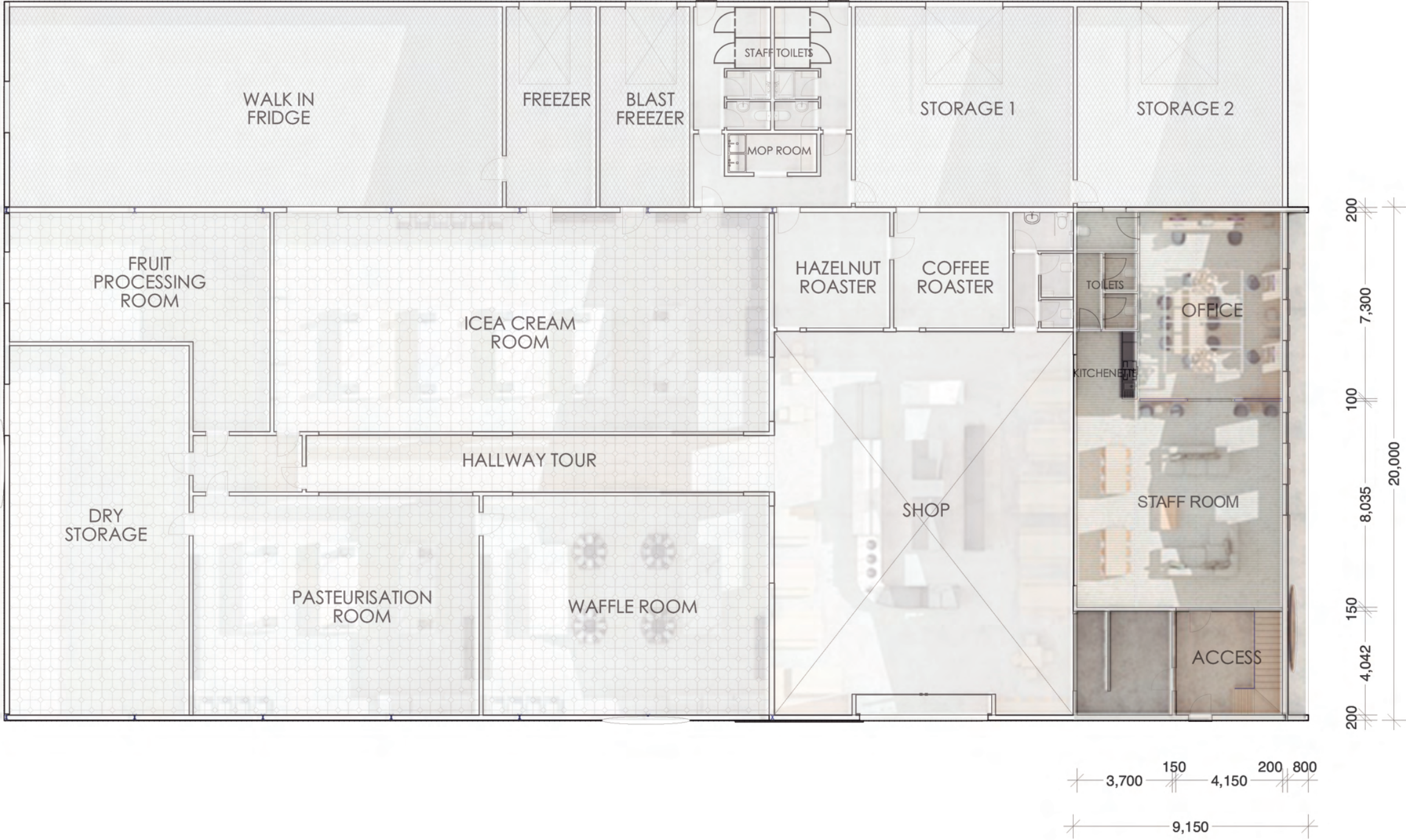
MODULO LIMITED
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Cromwell | New Zealand | 9310
Phone: 64 029 126 1122
Email: Info@modulo.nz
www.modulo.nz



FLOOR PLAN 1:100

Patagonia Chocolates by modulo.

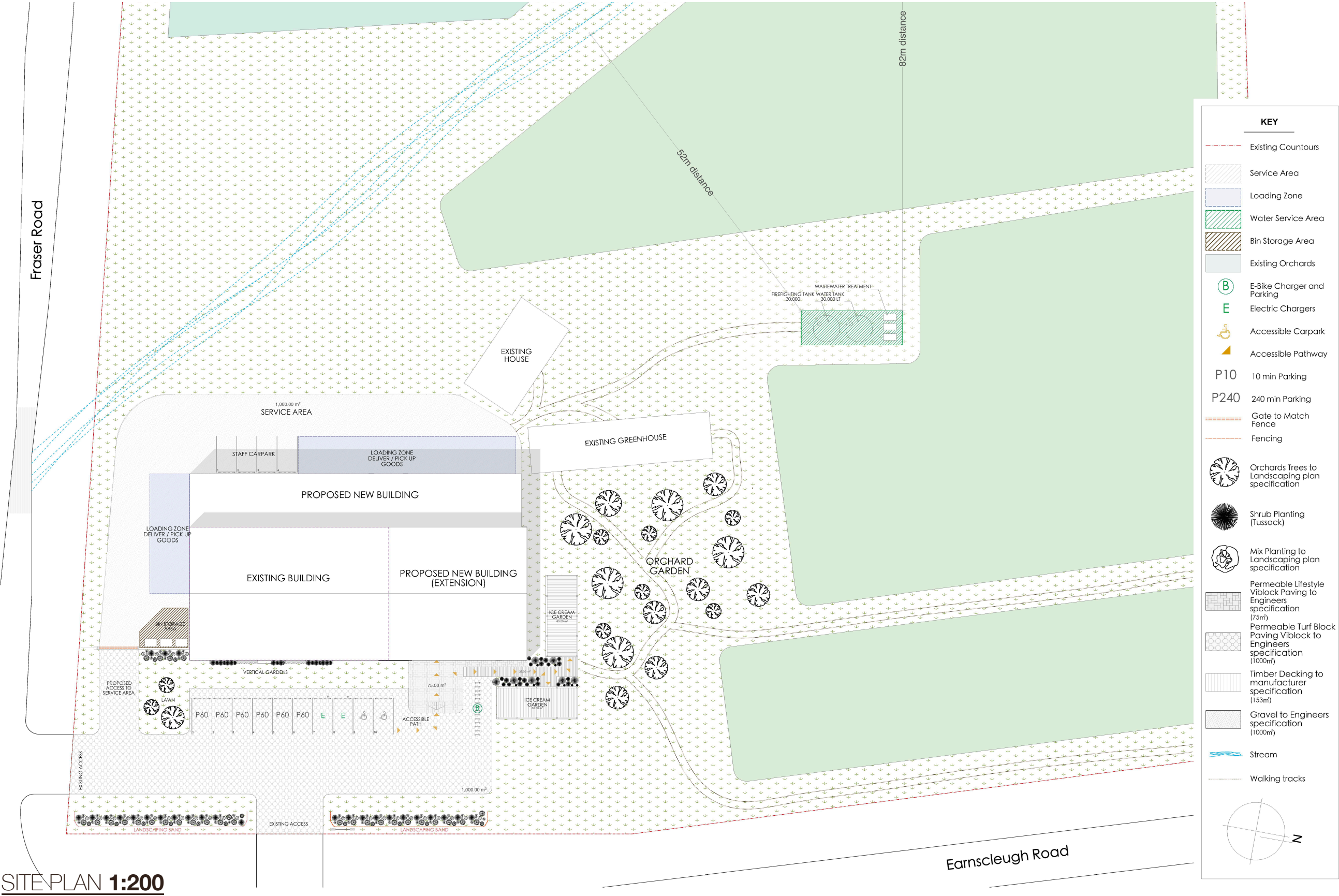
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FLOOR PLAN OFFICE 1:100

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Patagonia Chocolates by **modulo**

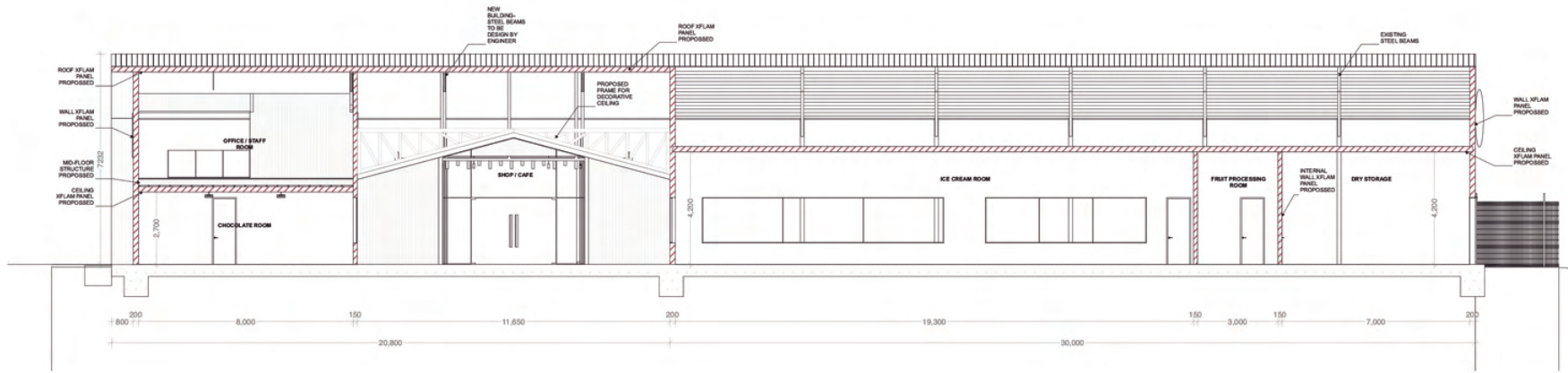
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SITE PLAN 1:400

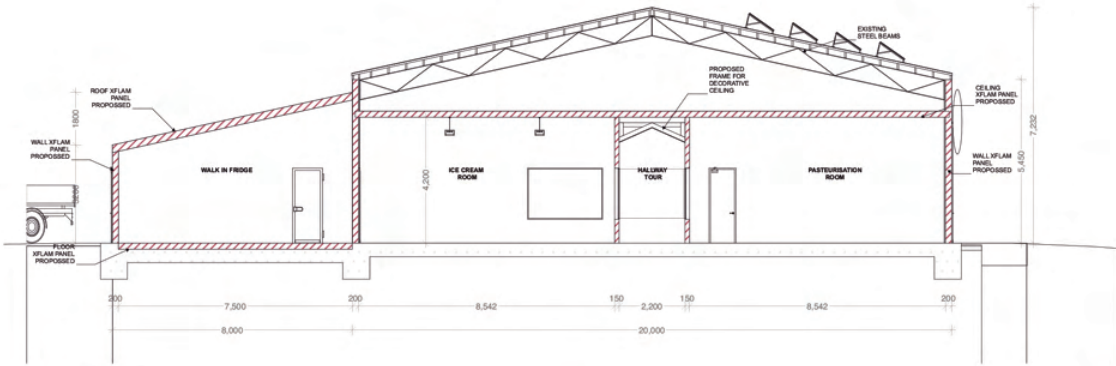
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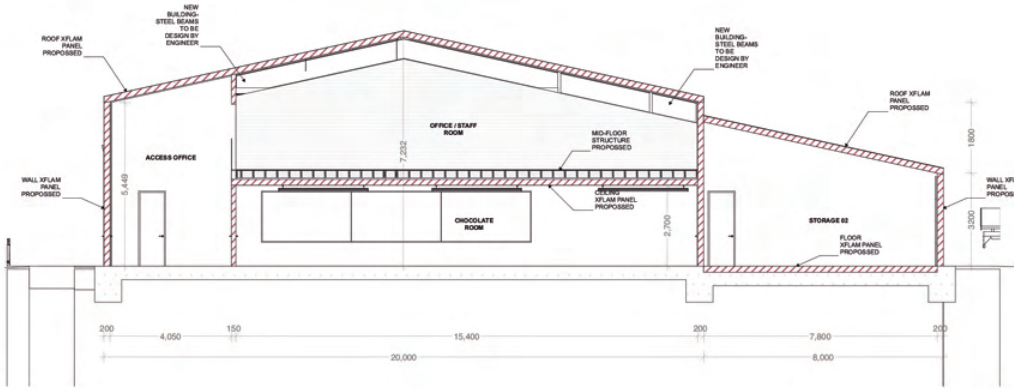
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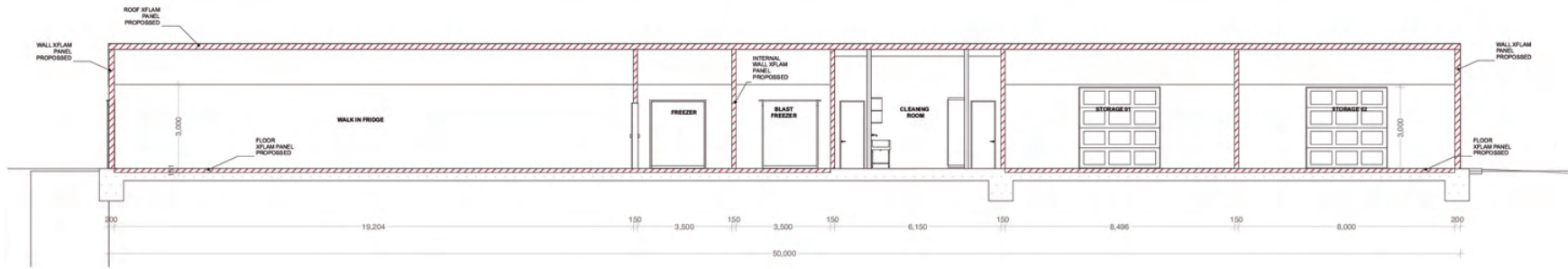
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S-3

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S-04

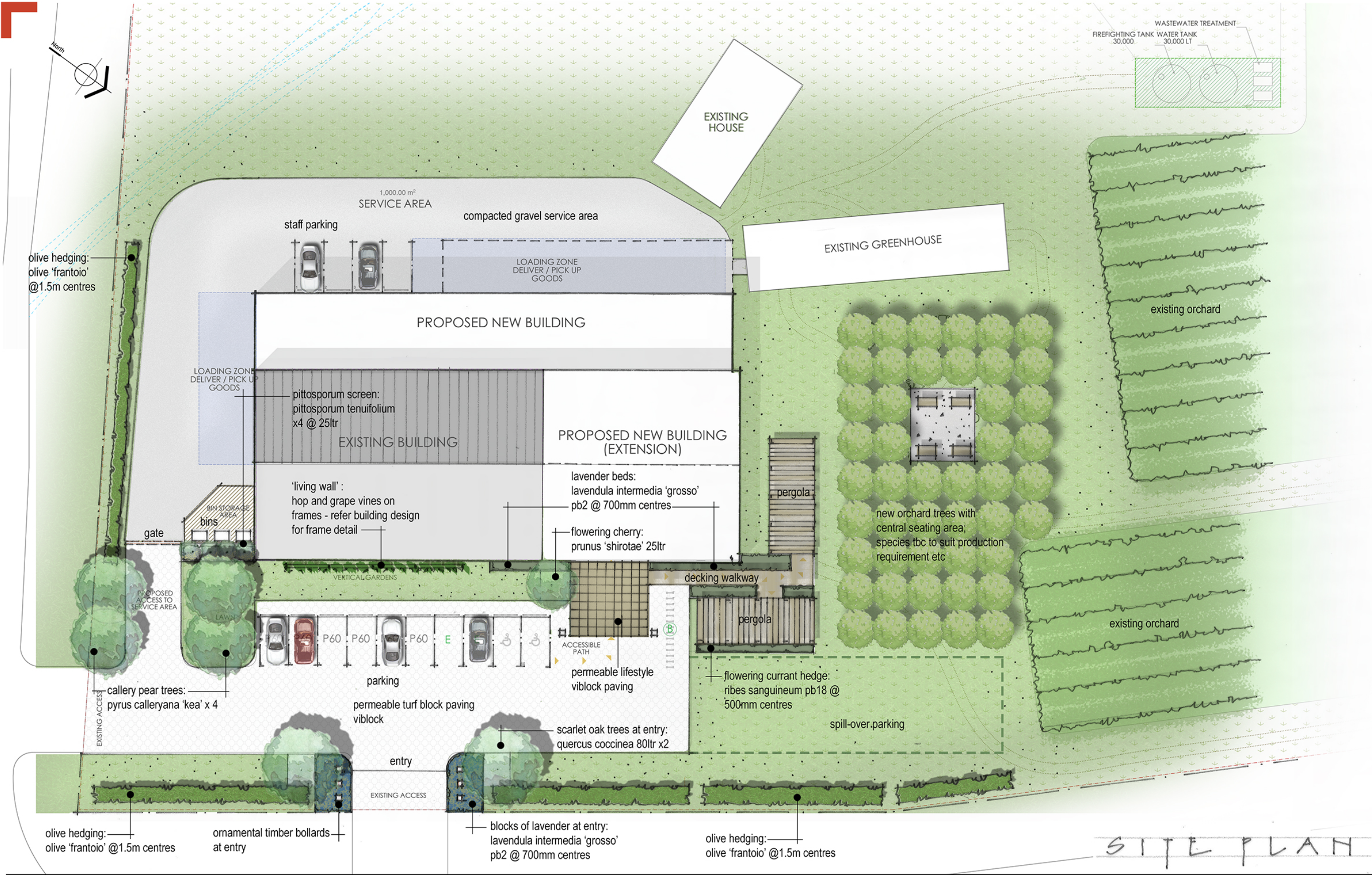
1:100

SECTIONS 1:100

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Appendix 3: Concept Landscape Plan



Appendix 4: Effluent treatment system design specification



Hynds Concrete Septic Tanks

Technical Guide WW 5

Hynds manufacture robust, high-quality concrete Elite Series septic tanks.



Applications

Residential houses
Small industrial units
For low environmental impact areas

Product Attributes

Range of sizes available
Accepts a variety of filters
Easy installation

Quality

ISO 9001:2008 Quality Management

We are the supply partner of choice for New Zealand's civil construction industry, specialising in water and infrastructure based solutions.

HYNDS
WASTEWATER

Hynds Elite Series Septic Tanks - robust, high-quality concrete.

The tank's purpose is to separate solids from the household wastewater, store and partially decompose as much solid material as possible, while allowing the liquid (or effluent) to travel into the drain field which further assists break down of the waste to be safely taken into the environment.

Design Specifications

- 3300, 4500, 5000, 7600 litre working capacities available.
- Tank and lid components manufactured from steel reinforced high strength concrete.
- Rebated lid allows a water-tight seal between the precast lid and the tank walls.
- Air breathing space located above working level results in optimum performance.
- Precast concrete lid load capacity please refer to page 3.
- Inverted precision steel moulds fabricate each tank within a single production casting.
- Fitted internally with standard, 100 mm diameter, uPVC septic tank square junctions on inlet and outlet.

Fitout Options

- To allow complete versatility when planning a septic tank installation, the Elite Series Septic Tank offers factory-fitted options to increase treatment performance onsite:
 - Single chamber – outlet filter T100.
 - Dual chamber – outlet filter T100. Fitted with leak-proof baffle to enhance flow control and solids settling.
 - Triple chamber with filter and pump, or gravity dose options.

Lifting

- Lifted by integrated foot anchors or by securing equal length chains or straps beneath the outside lifting steps.
- Safe lifting practices should be followed during lifting and manoeuvring of the septic tank.
- Lifting equipment specifications as per document D10.1 Lifting Equipment and Lifestyle Technical Support Sheet – Installation Procedures Information

All Hynds Concrete Septic Tanks incorporate Swiftlift lifting anchors for safe lifting and must be used with the correct lifting clutch.

Hynds Pipe Systems has designed and manufactured Hynds Concrete Septic Tanks with a minimum dynamic factor of 1.2. This dynamic factor requires that all the following conditions are observed when lifting, moving or placing the pipes:

1. Lifting with mobile plant (*such as an excavator or similar*) where equipment is specifically exempt from the requirements of the PECPR Regulations 1999, subject to the conditions outlined in the New Zealand Gazette, No. 104, September 2015 and
2. Lifting, travelling and placing over rough or uneven ground where anchor failure is not anticipated to cause harm or injury, by adopting procedures such as:
 - a. Transporting the element as close as practical to ground level (300mm recommended)
 - b. Establishing and maintaining exclusion zones
 - c. Transporting only precast concrete elements that are unlikely to topple if they were to hit the ground
 - d. Inspecting lifting anchors both after transportation and before final lifting into place

Refer to "Safe work with precast concrete - Handling, transportation and erection of precast concrete elements" published by Worksafe New Zealand (October 2018) Shock loads resulting from travelling with suspended Hynds Concrete Septic Tanks over rough terrain and uneven ground may exceed design, dynamic and safety factors of the lifting systems. It is essential that care is taken during lifting and transporting as additional stresses could result in anchor failure.

Installation

- Septic tanks should be installed in stable soil conditions.
- Surface storm water should be diverted away from the tank and drainage field location to prevent water ingress.
- Ensure the horizontal joint between the lid and tank can be sealed.
- Check with your local council drainage authority for requirements on septic tank location and the drainage system for your site.
- Following installation, tanks should be immediately filled with water to avoid floatation.

TABLE 1 Septic Tanks North Island

Product Code	Description	Dim A (mm)	Dim B (mm)	Dim C (mm)	Dim D (mm)	Dim E (mm)	Mass (kg)	Load case
3300 HAMILTON & AUCKLAND								
SEP3300T	Septic tank conc 3300L 1 Chamber - no lid	1200	2575	1700	1515	1450	2230	1
SEP3300DT	Septic tank conc 3300L 2 Chambers - no lid	1200	2575	1700	1515	1450	2573	1
SEP3300LZ150	Septic tank Lid conc 3300L 150mm thick (lid only)	1200	2575	150			1165	1
3300 PALMERSTON NORTH								
SEP3300T3	Septic tank conc 3300L 1 Chamber - no lid	1200	2575	1700	1515	1450	2632	1&2
SEP3300T3D	Septic tank conc 3300L 2 Chambers - no lid	1200	2575	1700	1515	1450	2928	1&2
SEP3300T3L150S (No cover above inspection chamber)	Septic tank lid conc 3300L 150mm thick (1 x IC600300) (lid only)	1220	2595	150			1170	1
SEP3300T3L150D (No cover above inspection chamber)	Septic tank lid conc 3300L 150mm thick (2 x IC600300) (lid only)	1220	2595	150			1150	1
4500 HAMILTON, AUCKLAND & PALMERSTON NORTH (Made to NZ standard) AS/NZS 1546								
SEP4500EST	Septic tank conc 4500L 1 chamber - no lid	1240	3300	1815	1600	1545	3800	1&2
SEP4500EDT	Septic tank conc 4500L 2 chambers - no lid	1240	3300	1815			4100	1&2
SEP4500EL150	Septic tank Lid 1 Chamber conc 4500L 150mm thick (2 conc Plug) (lid only)	1240	3300	150			1500	1&2
SEP4500EL150S	Septic tank Lid 1 Chamber conc 4500L 150mm thick (1 x 150mm riser & conc) (lid only)	1240	3300	150				1
SEP4500EL150D	Septic tank Lid 2 Chambers conc 4500L 150mm thick (2 x 150mm riser & conc) (lid only)	1240	3300	150				1
7600 HAMILTON & AUCKLAND								
SEP7600T	Septic tank conc 7600L 1 chamber - no lid	2145	3240	1510	1330	1280	4260	1&2
SEP7600TFB	Septic tank conc 7600L 1 chamber, flange base - no lid	2425	3540	1510	1330	1280	5215	1&2
SEP7600L150	Septic tank lid conc 7600L 150mm thick (lid only)	2145	3240	160			2580	1&2

TABLE 2 Septic Tanks South Island

3300L HORNBY								
SEP3300MC	Septic tank conc 3300L 1 chamber - no lid	1166	2350	1840	1655	1590	2450	1&2
SEP3300PMC	Septic tank conc 3300L 2 chambers - no lid	1166	2350	1840	1655	1590	2950	1&2
SEP3300MCT	Septic tank lid conc 3300L 150mm (1 conc Plug) (lid only)	1166	2350	150			510	1
SEP3300MCTH	Septic tank lid conc 3300L 200mm (1 conc Plug) (lid only)	1166	2350	200			965	1&2
5000L HORNBY								
SEP5000F	Septic tank conc 5000L 3 chambers including 80mm lid & T300 Filter	1610	3610	1535	1300	1250	5920	3
SEP5000FP	Septic tank conc 5000L 3 chambers including 80mm lid, T300 Filter & JX180 Pump	1610	3610	1535	1300	1250	5920	3
SEP5200MC	Septic tank conc 5200L 3 Chambers including 80mm lid & footing	1610	3610	1535	1300	1250	5920	3
SEP5200MCS	Septic tank conc 5200L 1 Chamber including 80mm lid & footing	1610	3610	1535	1300	1250	5920	3
4500L WINTON								
SEP4500ESTFBW	Septic tank conc 4500L 1 Chamber including footing - no lid	1280	2990	1910	1690	1610	3590	1&2
SEP4500EL150W	Septic tank Lid conc 4500L 150mm thick (lid only)	1260	2990	150			1220	1&2

Notes:

- Load case 1 – 300mm cover above lid + 1.5kPa(150kg/m²) surcharge unless otherwise stated
- Load case 2 – No cover above lid + 20kN(2T) single wheel load
- Load case 3 – 80mm thick lid, no soil on top, 1.5kPa (150kg/m²) surcharge unless otherwise stated
- All measurements are external dimensions
- The combination of tank and lid must conform to identical load cases.
(eg. If load case 2 is selected, then both tank and lid must comply with load case 2).



FIG. 1 Pumps



FIG. 2 T100 Filter

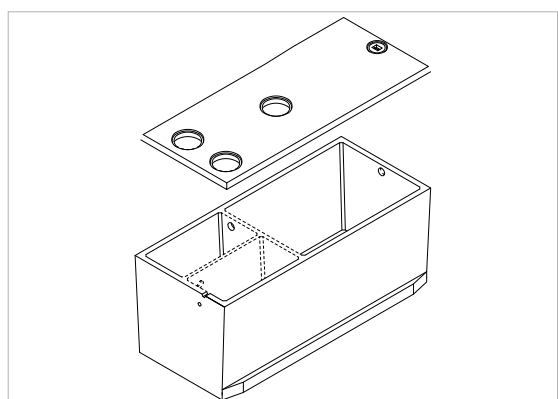


FIG. 3 Single, dual or triple Chamber

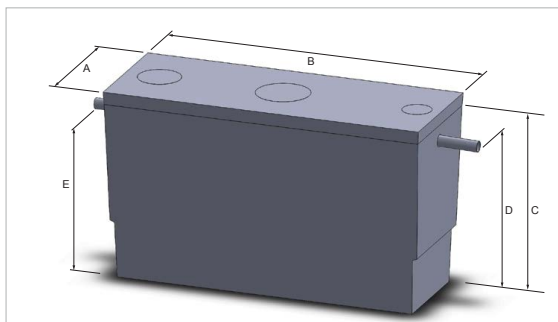


FIG. 4 Single, dual or triple Chamber

Septic Tank Use

- Size of tank: see council requirements for tank sizing
- Filter

A septic tank should have a well performing outlet filter which will prevent solid material entering the drainfield and reduce surging during peak period usage.
- Chemicals

All household cleaning products should be labelled septic tank friendly. Avoid inserting bleach and harsh chemicals which destroy the working bacteria within the tank.
- Drain field

Ensure the drainfield is not located in traffic areas or stock grazing areas.

Maintenance

- A septic tank requires routine emptying of solid indigestible matter which collects on the bottom of the tank. Recommended 3-5 yearly.
- The septic tank outlet filter should be checked for cleaning 6 monthly.
- Ensure the drainfield does not have any wet or saturated areas which might indicate failure.

Items that should not be inserted into a wastewater treatment system

- Sanitary towels, nappies, baby wipes
- Coffee grounds
- Antibiotics or pharmacy drugs
- Dyes
- Fatty or oily substances, e.g. food scraps
- Fibres, cloths
- Cigarette stubs
- Acids
- Pesticides, herbicides
- Pesticides
- Solvents
- Oil, lubes, thinners, spirit, paints
- Dressings, paper towels, plaster

ACCESSORIES

SM9020	Septic tank lid sealant	-
SEPTF100	Septic tank filter Taylex 100	-
SEPTFCONE	Septic tank filter cone Taylex T100	-
WALMAC3	Septic tank float switch	-
WALALARM	Septic tank high level alarm	-
SYPHONFK	Septic tank Flow King dose system	-
As required	Septic tank pump (sized accordingly)	-

Branches Nationwide Support Office & Technical Services 09 274 0316

Disclaimer: While every effort has been made to ensure that the information in this document is correct and accurate, users of Hynds product or information within this document must make their own assessment of suitability for their particular application. Product dimensions are nominal only, and should be verified if critical to a particular installation. No warranty is either expressed, implied, or statutory made by Hynds unless expressly stated in any sale and purchase agreement entered into between Hynds and the user.

hyndswastewater.co.nz
0800 425 433

HYNDS
 WASTEWATER

Appendix 5: Coffee and hazelnut roaster design specification

PRODUCT DATA SHEET

PROBATONE 12



Type of system:	Shop roaster (batch capacity of 12 kg)
Kind of system:	Drum roaster
Field of application:	Roasted coffee

THE ESSENTIAL ADVANTAGES OF THE PROBATONE 12 AT A GLANCE:

- High-quality bean appearance due to homogenous mixing of the coffee with special shovel mechanism
- Homogeneous roasting of the coffee bean with specific product-air ratio of Probat
- Quick, gentle cooling of the roasting product by a large cooling sieve and uniform mixing with food-safe plastic scrapers
- Classic, nostalgic design by many components made of high-quality cast iron
- Reduced cycle time by simultaneous roasting and cooling with separate suction for cooling and roasting exhaust air
- Efficient drive concept by separate motors for drum drive, cooling sieve stirring arm as well as roaster and cooler fan
- Great flexibility during the roasting by continuously adjustable gas regulation
- Safe heating by proven burner technology
- Simplified cleaning by automatic cleaning of the cooling sieve bottom and removable lateral walls
- Separate roasting cyclone for an effective chaff aspiration
- Clear operation with digital time and temperature display
- Emergency discharge in case of breakdown of power supply by delivered crank. Adapter alternatively renders possible the use of a cordless screw-driver

PRODUCT DATA SHEET

PROBATONE 12

MODE OF FUNCTIONING:

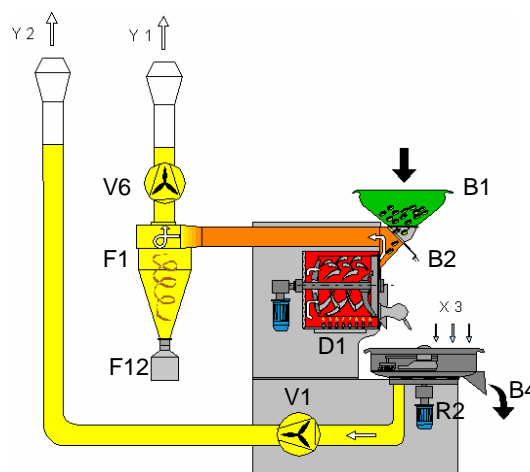
With its classic, nostalgic design, the PROBATONE 12 serves for batch-by-batch production of high-quality coffee. An excellent roasting quality as well as a planable, efficient roasting are surely the pre-conditions for a successful coffee roaster. The Probatone 12 is the perfect partner among other things due to the possibility of effecting roasting and cooling at the same time.

The green coffee has to be given into the filling hopper (B1) by batches of max. 12 kg. When the temperature has reached approx. 210°C, the filling slide gate (B2) is opened and the coffee is filled in the roasting drum. After the filling, the slide gate has to be closed again.

The roasting progress has to be monitored by a sight glass resp. with the help of the sampler whereas the heat supply for the roaster process is carried out via a gas burner under the roasting drum (D1). The product temperature is measured permanently and displayed per digital temperature display on the operating panel.

An even heat transfer as well as a very gentle and effective mixing of the coffee is achieved by the special shovel mechanism in the roasting drum.

The cooling of the coffee is carried out by a cooler fan (V1) which sucks the cooling air (X3) through the roasting product and the sieve bottom. In doing so, the roasting product emits heat to the air.



The cooling process can be accelerated by means of a gentle mixing of the coffee by a stirring mechanism (R2). Primary, the stirring mechanism serves to regularly distribute the coffee and to simplify the emptying.

After the cooling, the coffee is emptied via the emptying flap (B4) in a provided bin. During the cooling of a batch, a further batch can be filled and roasted in parallel when the filling temperature was reached.

The roasting exhaust gases occurring during the roasting are sucked via the roaster fan (V6). It conveys them to the roasting cyclone (F1) where coffee chaff and dust are separated from the roasting air by means of centrifugal force and gravity. A chaff collecting bin (F12) arranged under the roasting cyclone collects the chaff.

The mechanically cleaned air escapes via the chimney (Y1) into the open whereas the cooling air gets into the open via the chimney (Y2).

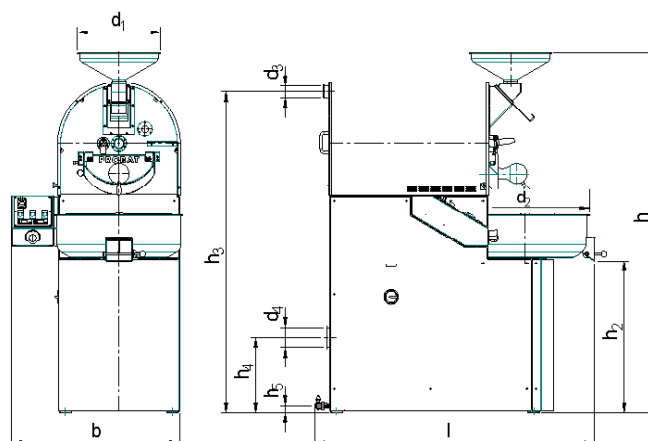
PRODUCT DATA SHEET

PROBATONE 12



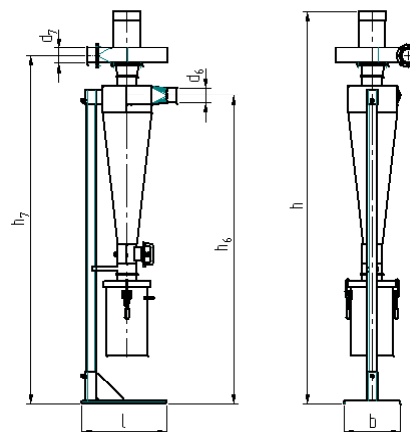
DIMENSIONS AND WEIGHT OF THE ROASTER

Dimensions in mm approx.	l	1,788
	b	1,045
	h	2,000
Filling hopper in mm approx.	Ø d ₁	600
Cooling sieve in mm approx.	Ø d ₂	874
Cooling sieve emptying in mm approx.	h ₂	737
Roasting exhaust air duct in mm approx.	Ø d ₃	NW 80
	h ₃	1,739
Cooling exhaust air duct in mm approx.	Ø d ₄	NW 120
	h ₄	425
Gas connection in mm approx.	h ₅	35
Operating weight in kg approx.	Roaster	430



DIMENSIONS AND WEIGHT OF THE ROASTING CYCLONE

Dimensions in mm approx.	l	600
	b	400
	h	2,149
Roasting exhaust air duct in mm approx.	Ø d ₆	NW 80
	h ₆	1.739
Exhaust air duct in mm approx.	Ø d ₇	NW 80
	h ₇	1.913
Operating weight in kg approx.	Cyclone	96,0



Probatone 12 -Product Data Sheet_080527.doc // Descriptions and illustrations contain optional functions and equipment characteristics deviating from the standard.

PRODUCT DATA SHEET

PROBATONE 12



CONNECTING AND CONSUMPTION DATA

Voltage supply			
Supply voltage (three-phase current)		400 V	
		50 Hz or 60 Hz	
Current consumption			
PROBATONE 12		< 0.5 kWh/12kg	
Nominal power			
Drum drive		0.18 kW	
Stirring mechanism drive		0.18 kW	
Roaster fan		0.45 kW	
Cooler fan		0.45 kW	
Kind of gas	Nozzle designation	Gas pressure	Nominal gas power
Natural gas	120	20 mbar	100 MJ/h (28 kW)
Propane	75	50 mbar	
Kind of gas	Calorific value H _u		Gas consumption during nominal power
Natural gas	10.3 kWh/Nm ³		2.72 m ³ /h
Propane	25.8 kWh/Nm ³		1.09 m ³ /h
Exhaust air volume flow			
Roasting		210 m ³ /h norm	
Cooling		360 m ³ /h norm	

Probatone 12 -Product Data Sheet_080527.doc // Descriptions and illustrations contain optional functions and equipment characteristics deviating from the standard.

Appendix 6: Design Statement



Patagonia Chocolates Proposed Development

Earnsclough Road

Earnsclough

Design Statement for Resource Consent

5th October 2023

Background:

This report describes the proposed design for the Patagonia Chocolates renovation, to be located on the corner of Earnsclough Road and Fraser Road, approximately 2km southeast of Clyde. The existing site is currently occupied by Denny's Orchard, a long-established orchard operation. This report describes the landscape design philosophy and provides a brief overview of the proposed development within the existing rural landscape.

A plan is attached to this report, referred to as 'Baxter Design: – October 2023 4501-SK01 – Patagonia Chocolates – Concept Site Masterplan – 2nd Oct 2023.

Background - General:

The Wider Site

The wider surrounding landscape character of Earnsclough Road includes a well-established horticultural landscape with lifestyle properties visible to a lesser degree. This landscape exhibits the typical components of a working horticultural landscape including packing sheds and infrastructure associated with that industry, established horticultural rows, shelter belts, irrigation ponds and channels and weather protection frames.

The Subject Site

The existing site is **6.95** ha in size and occupies a flat section of land located on the northern corner of Fraser Road and Earnsclough Road.

The site includes an established packing shed and ancillary buildings, informal carparking spaces, a large greenhouse and outdoor storage areas. The wider site extends approximately 480m to the southwest over flat land and includes established orchard, shelterbelts, an irrigation pond and an existing irrigation channel that

cuts across the site to the southeast. Portions of the established orchard area are covered with hail netting frames.

In general, the site can be described as an established working horticultural block with all the components traditionally associated with this use.

The existing site infrastructure, structures and associated working areas are currently open to views and highly visible from both Earnsclough Road and Fraser Road



Earnsclough Road View Looking West (source Google maps)



Fraser Road View Looking north (source Google maps)

A residential dwelling is located directly south of Fraser Road, approximately 110 metres from the existing packing shed on the site with clear views over the existing operation. Other residences are located east of the site, over Earnsclough Road, generally behind established shelter and amenity planting.

The Proposed Development

The proposed development seeks to establish a multi-use production facility that will retain (and renovate) the original building on site with an upgraded façade and extensions to that buildings north and west sides, with associated landscape amenity works (refer attached plan).

Design Philosophy - Landscape - Proposed Development:

- As the site is relatively flat, there are no significant earthworks proposed for the development.
- The landscape design seeks to integrate the new buildings into its surroundings through the use of screen planting and other elements.
- There are two light pergola structures proposed to the north of the proposed extensions of the main building for public use. The structures will be clothed with vines.
- Screen planting will be incorporated along both Earnscleugh and Fraser Roads to permanently screen any parking and service areas along and to mitigate views from the neighbour to the south.
- Outdoor parking areas will utilise permeable ground surfaces to mitigate stormwater runoff.
- The front face of the building (east side) will incorporate vertical gardens using climbers that will 'green' a significant section of the building's façade.
- The current orchard will be retained and incorporated into the production output with an emphasis on edible species.

Potential Visual Effects.

The current site presents a sparse, industrial face to the highway with no separation of the buildings and associated materials from outside view. The proposed development will significantly upgrade the existing amenity of that site whilst still providing an aesthetic which will not appear dissimilar to the existing site amenity, to the benefit of viewers from both Earnscleugh and Fraser Roads, and to adjacent landowners.

Proposed public parking to the Earnscleugh Road side of the building east will be screened by hedging, sufficient to cover this activity whilst still allowing glimpses of the building. Delivery will be confined to the south side of the building, away from sight of Earnscleugh Road. The access to the south side of the building will be mitigated by hedging along Fraser Road.

Overall, it is considered that the proposed development will have a positive effect on the existing established landscape character of the Earnscleugh Road corridor and will not give rise to any adverse effects.

**CENTRAL OTAGO DISTRICT COUNCIL
S95A-F DECISION FOR RC230317
932 Earnscliffe Road, Alexandra**

INTRODUCTION

The application seeks land use consent to extend the existing pack house by 816m², and to produce and sell various food products onsite, including ice creams, chocolates, nuts, coffee and associated products in a café environment at 932 Earnscliffe Road, Alexandra. Up to nine persons are proposed to be engaged in the proposed activities, although the applicant has stated that typical operations would involve up to six persons. Three signs, each more than 3m² are proposed, all being located on the building. Operating hours are proposed to be 09:00 to 17:00, seven days per week.

SECTION 95A NOTIFICATION

Step 1 – Mandatory public notification

Public notification has not been requested. (s95A(3)(a)).

There has been no failure or refusal to provide further information or the commissioning of a report under section 92(2)(b) of the Act (s95A(3)(b)).

The application does not involve the exchange of recreation reserve land under section 15AA of the Reserves Act 1977 (s95A(3)(c)).

Step 2 – Public notification precluded

There are no rules or national environmental standards precluding public notification (s95A(5)(a)).

The proposal is not exclusively for controlled activities or boundary activities (s95A(5)(b)).

Step 3 – If not precluded by Step 2, public notification is required in certain circumstances

The application is not for a resource consent for one or more activities, where those activities are subject to a rule or national environmental standard that requires public notification (s95A(8)(a)).

A consent authority must publicly notify an application if it decides under s95D(8)(b) that the activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(2)(a)). An assessment under s95D is therefore made below.

ASSESSMENT OF EFFECTS ON THE ENVIRONMENT (s95D)

MANDATORY EXCLUSIONS FROM ASSESSMENT (S95D)

- A: *Effects on the owners or occupiers of land on which the activity will occur and on adjacent land (s95D(a)).*
- B: *An adverse effect of the activity if a rule or national environmental standard permits an activity with that effect (s95D(b) (the permitted baseline, refer to section below).*
- C: *In the case of a restricted discretionary activity, any adverse effect that does not relate to a matter for which a rule or national environmental standard has restricted discretion (s95D(c)).*

D: Trade competition and the effects of trade competition (s95D(d)).

E: Adverse effects on any parties who have provided written approval must be disregarded (s95D(e)).

PERMITTED BASELINE (S95D(B))

Under Section 95D(b) of the RMA, an adverse effect of the activity on the environment may be disregarded if the plan permits an activity with that effect. That is, an application can be assessed by comparing it to the existing environment and development that could take place on the site as of right, without a resource consent, but excluding development that is fanciful. In this case, there are no permitted retail activities in rural areas under the Central Otago District Plan. There is no permitted baseline to be applied.

For completeness, I note that the site includes an existing packing shed and rural selling place. This forms part of the receiving environment.

ASSESSMENT: EFFECTS ON THE ENVIRONMENT

Retail activities in rural areas can have adverse effects on the safe and efficient operation of the roading network through generating relatively large volumes of traffic, impact on landscape and amenity values through the proliferation of large signs and buildings, and the generation of noise and waste. They can also impact on convenience for people where they are required to travel longer distances to shop, relative to locating retail activities in the District's Business Resource Areas. Larger scale commercial activities more generally can also have effects on landscape and rural character values, noise and the operation of the roading network.

Access to the site is proposed to be from existing vehicle crossings on Fraser and Earnscleugh Roads. 14 formal on-site vehicle parks are proposed (Including four staff parks, two accessible customer parks, and two with electric vehicle chargers), with an informal overflow parking area also proposed. This area appears capable of accommodating an additional 8-9 vehicles, when required. However, I note that this area not constructed in a manner that would be suitable for all-weather use, given it is grassed with no other treatment. The applicant has provided vehicle tracking curves that indicate delivery vehicles could enter and exit the site from Fraser Road while only requiring one reverse manoeuvre if an existing shed is removed. If the shed is retained, two reverse manoeuvres would be required. The applicant has stated that both options would be acceptable to them. In this context, I consider that there is sufficient on-site loading and manoeuvring space within the site to avoid more than minor effects on the operation of the roading network by avoiding a need for delivery vehicles to reverse out onto or undertake extensive tight reversing manoeuvres close to the site's access to Fraser Road, and avoiding delivery vehicles accessing the site directly from Earnscleugh Road.

The proposal will increase vehicle movements to and from the site. Council's land development engineers have reviewed the proposed access provisions and have not raised any concerns with the safe and efficient operation of the roading network based on the access provisions proposed. I consider that, if staff or visitors are required to park in the Earnscleugh Road reserve at any point, this would likely result in a more than minor effect on the character of the area, and on the efficient operation of the road. Therefore, parking demand should be able to be accommodated within the site in order to avoid these effects. Between the formal and informal parking areas, approximately 22 on-site vehicle parks are provided. While I note that some of the parking will be less useable in adverse weather, I consider this to be, overall, sufficient to mean that vehicles should not need to park in the road reserve. With this and adequate access and manoeuvring provisions within the site, I consider that effects on the roading network will be minor, at most.

The proposal will change the character of the landscape by replacing an existing commercial packhouse and rural selling place with a new café and manufacturing building, along with associated signage, landscaping, outdoor customer areas, and parking and manoeuvring areas. I consider that this will have an adverse effect on the character of the area as the site changes from having a rural production focus to more overt commercialisation. The applicant has proposed landscaping around the boundary of the site, intended to break up the form of the building and help screen parking areas from public view, and provided a written statement from Baxter Design confirming that, in Rod Baxter's expert opinion, the proposal will have an overall positive effect on the landscape character of the area. I do not disagree with the premise that the proposed development may be more visually attractive than the current appearance of the site. However, I respectfully disagree with some aspects of Mr Baxter's opinion when the proposal is considered in the context of the District Plan. In particular, I struggle to see how a change in character from a plan enabled packhouse supporting primary rural production to a comparatively public focused retail and commercial activity considered a non-complying activity in this area will have a positive effect on the rural landscape. I consider it necessary to undertake my own assessment of the likely effects of the proposal on rural character.

The proposed building is large, albeit not to a scale or design unanticipated in a rural area. The building retains the general form and materiality of the packhouse it is extended from. The proposed signage is significant in size, with people travelling along Earnscleugh Road also likely to have visibility of two signs at any one time. Signage is proposed to be recessive in colour and material, and not significantly stand out from the surrounding building. Given this recessive colouration, I consider the signage likely to have a visual effect that is minor, at most.

The proposal would introduce new commercialisation indirectly associated with the existing horticultural activities on the site. The primary association with horticultural activities is the potential continuation of the sale of fruit produced on the site, and the use of fruit from the site in some of the products manufactured and sold from the building. I consider that this will change the nature of the effects of activities on the site compared to the existing activity. This will primarily occur through the greater attraction of members of the public to the site beyond the purchase of fruit grown on the property, the generation of heavy vehicle traffic for pick-ups and deliveries year round as opposed to seasonally, and the provision of landscaping and outdoor patron areas.

The proposed café, in particular, will result in the attraction of the public to the site. The factory activity, on the other hand, would not be expected to draw the public to the site in its own right. Public would be attracted to the site during "normal" business hours and weekends, between 9am and 5pm in winter, and 9am and 6pm in summer. This keeps the effects associated with people moving to and from the site to daylight hours when other activities in the area, such as residential activities, are typically less sensitive to noise, privacy effects etc. I consider it unlikely that the attraction of the public to the site between these times will have a significant effect on the ability of rural production sites in the vicinity to undertake the activities they need to do. I consider the effects on the rural environment associated with the attraction of the public to the site to be minor, at most.

New landscaping is proposed to help provide a visual screen between public roads and the proposed parking, area, in particular. This landscaping would also serve to break up the overall form of the proposed building. A concept landscaping plan provided with the application indicates that a mixture of olive, oak, ornamental pear, and lavender would be used for boundary treatments. This will be a change to the character of the landscape, which is currently much more open. However, I do not consider that it will have a more than minor

effect in an area where rows of exotic trees are common in the landscape for screening and wind management.

In an average week, the applicant anticipates 2-3 deliveries to service the development. Additional traffic will be generated by patrons of the facility. I anticipate that most, if not almost all, patrons will choose to drive to the café, given its location away from population centres along rural roads not set up for pedestrian use, in particular. Earnsclough Road is an arterial road, and access to and from the site is proposed to be provided in locations that minimise the risk of conflict between road users and people accessing the site. Manoeuvring space within the site is considered to be adequate to avoid more than minor effects. Additional traffic will have an effect on the rural character of the area. However, I consider that heavy traffic of the volumes anticipated is unlikely to have a more than minor effect on rural character or the operation of the roading network.

I note that the parking area is not proposed to be sealed, as would be the default under Rule 12.7.2.ii.a of the Plan. However, I consider that the proposed parking areas will not have notable adverse effects on amenity values or cause a notable dust nuisance in a rural context.

The proposed location for a café will be less convenient for patrons and require greater expenditure of energy than may otherwise be required if the café were located in an urban area, for example. Effects on convenience are most pronounced for retail activities that tend to benefit from customers chaining trips together, either intentionally or in the moment, for example, taking one trip to visit a clothes store, hardware store and a lawyer's office in the same general locality, then a convenience store on the way home. This type of activity can also contribute to the vibrancy and vitality of business focused areas, with more activities encouraging more people to visit and linger in an area. I consider that cafés can be set up to benefit from this type of trip chaining activity, or function as a singular destination in its own right. Similarly, co-locating other businesses close to cafés can have positive effects for both the café and other businesses, which will not be the case for this proposal. I also note that the café is proposed to be set up along the Central Otago Touring Route, meaning that there can be a regular tourist market passing the site regardless of the café's presence. In this context, and noting that the café can be set up to operate as a destination in its own right, I consider that the likely effects on convenience for people and energy consumption due to its location in a rural area will be adverse but no more than minor.

The proposal would, in effect, introduce a new commercial and retail activity with a connection to the use of the site for primary production that is secondary, at best, to its primary purpose. However, for the reasons provided above, I consider this likely to have adverse effects on the rural character of the environment that are minor, at most.

DECISION: EFFECTS ON THE ENVIRONMENT (S95A(2))

Overall, the proposed activity is not likely to have adverse effects on the wider environment that are more than minor. Therefore, public notification is not required under Step 3.

Step 4 – Public Notification in Special Circumstances

Public notification is required if the consent authority decides such special circumstances exist as to warrant the application being publicly notified (s95(9)(a)).

Current case law has defined 'special circumstances' as those "*outside the common run of things which is exceptional, abnormal or unusual, but they may be less than extraordinary or unique.*" The court has also found that special circumstances are deemed to apply where there is likely to be high public interest in the proposal [*Murray v Whakatane DC* [(1997) NZRMA 433 (HC), *Urban Auckland v Auckland Council* [(2015) NZHC 1382, (2015) NZRMA 235].

There is nothing exceptional or unusual about the application that makes public notification desirable in this particular instance. As such, there are no special circumstances that warrant the application being publicly notified.

OVERALL DECISION - S95A NOTIFICATION

Pursuant to 95A(5)(b)(i), public notification is not required as identified in the assessment above.

EFFECTS ON PERSONS

Section 95B(1) requires a decision whether there are any affected persons (under s95E). The following steps set out in this section, in the order given, are used to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified under section 95A.

Step 1: certain affected groups and affected persons must be notified

Limited notification is not required under Step 1 as the proposal does not affect customary rights groups, customary marine title groups nor is it on, adjacent to or may affect land subject to a statutory acknowledgement.

Step 2: if not required by step 1, limited notification precluded in certain circumstances

Limited notification is not precluded under Step 2 as the proposal is not subject to a rule in the District Plan or is not subject to a NES that precludes notification.

Limited notification is not precluded under Step 2 as the proposal is not exclusively for a controlled land use activity.

Step 3: if not precluded by step 2, certain other affected persons must be notified

Limited notification is not required under Step 3 as the proposal is not a boundary activity where the owner of an infringed boundary has not provided their approval, and it is not a prescribed activity.

Limited notification is not required under Step 3 as the proposal falls into the 'any other activity' category and the effects of the proposal on persons are assessed below.

PERMITTED BASELINE (s95E(2)(a))

Under Section 95E(2)(a) of the RMA, an adverse effect of the activity on persons may be disregarded if the plan permits an activity with that effect. The permitted baseline has been established above.

ASSESSMENT: EFFECTS ON PERSONS

The written approval of the following parties has been obtained:

Tracey Ballantyne and Barry Driehuis
13 Fraser Road

Murray Miller
27 Fraser Road

Gerry and Jan Forde
6 Hanning Road

Shane and Christine Hilton
20 Hanning Road

Any effects on these parties must be disregarded.

The site is not identified as having elevated heritage, ecological or archaeological values. I do not consider any parties with an interest in these values to be affected by the proposal.

The site is located within a broader area with cultural significance to Ngāi Tahu associated with seasonal migration patterns. However, I do not consider the proposal likely to have significant effects on the cultural landscape, on water quality, or on mahinga kai, either on the site or off it. I consider it highly unlikely that the activity will have a notable effect on Ngāi Tahu cultural values.

Other nearby landowners are further afield, and typically have more visual screening between them and the application site due to tree plantings. The proposed opening hours limit the effects of the activity to "standard" daytime business hours, where greater activity levels are typically anticipated in rural areas. In this context, I do not consider the amenity values of other nearby landowners or occupants to be notably affected by the proposal.

Step 4: Further limited notification in special circumstances

Special circumstances do not apply that require limited notification.

DECISION: EFFECTS ON PERSONS (s95B(1))

In terms of Section 95E of the RMA, no person is considered affected by this proposal.

OVERALL NOTIFICATION DETERMINATION

Given the decisions made under s95A and s95B, the application is able to be processed on a non-notified basis. It is noted that the determination, as to whether an application should be notified or not, is separate from the issues to be considered in making a decision on the application itself.

Prepared by:



Adam Vincent
Planning Officer

Date: 15 December 2023

Reviewed by:



Tanya Copeland
Planner

Date: 22 December 2023

Approved under Delegated Authority by:

A handwritten signature in black ink, consisting of the letters 'TC' followed by a wavy line.

Tanya Copeland
Planner

Date: 22 December 2023

2845104905
RC230317



14 November 2023

Far Away Property Limited
c/- Matt Curran
13 Pinot Noir Drive
Cromwell 9310

1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

03 440 0056

Info@codc.govt.nz
www.codc.govt.nz



Dear Sir/Madam

FURTHER INFORMATION REQUIRED FOR RC 230317

Location: 932 EARNSCLEUGH ROAD, ALEXANDRA

**Proposal: LAND USE CONSENT TO EXTEND AND COVERT EXISTING PACK
HOUSE TO PRODUCE AND SELL FOOD ONSITE WITH RETAIL
ACTIVITY**

The application has been reviewed and has been found to require further information.

Please forward the following information/material at your earliest convenience:

- Tracking curves for a 90th percentile design two axle truck (Or other delivery vehicle expected to undertake deliveries and drop-offs to the site) demonstrating how delivery vehicles can manoeuvre into and out of loading zones without needing to reverse out of the gate to the service area. This is requested in order to allow Council to understand the operation of proposed loading and manoeuvring spaces.
- Designs for the proposed signage on the building. This is requested in order to allow Council to understand the potential effects of the proposed signage
- The application states that there will be up to 6 persons engaged across all proposed activities. The plans provided with the application suggest a larger capacity for staff. Please demonstrate how six persons would be the most necessary to undertake the activities proposed.

Pursuant to Section 92 of the Resource Management Act 1991, processing of the application will be suspended until the information is received.

Responding to this request:

Within 15 working days from the receipt of this letter you must either:

- Provide the requested information; or
- Provide written confirmation that you cannot provide the requested information within the time frame, but do intend to provide it; or
- Provide written confirmation that you do not agree to provide the requested information.

The processing of your application has been put on hold from 15 November 2023

If you cannot provide the requested information within this timeframe, but do intend to provide it, then please provide:

- Written confirmation that you can provide it,
- The likely date that you will be able to provide it by, and
- Any constraints that you may have on not being able to provide it within the set time frame.

The Council will then set a revised time frame for the information to be provided.

If you do not agree to provide the requested information, then please provide written confirmation of this to the Council. You may also choose to object to providing the information under s357 of the Resource Management Act 1991.

Restarting the processing of your application

The processing of your application will restart:

- When all of the above requested information is received (if received within 15 working days from the date of this letter), or
- From the revised date for the requested information to be provided, if you have provided written confirmation that you are unable to provide by the original date.
- From the date that you have provided written confirmation that you do not agree to providing the requested information, or
- 15 working days from the date of this letter (if you have not provided the requested information or written confirmation), at which time the application will be publicly notified.

Once the processing of the application restarts:

If you have not provided the requested information then your application will continue to be processed and determined on the basis of the information that you have provided with the application. The Council may decline the application on the basis of insufficient information.

If you have provided all the requested information, then we will consider its adequacy and make a decision on whether your application requires notification or limited notification, or, whether any parties are considered adversely affected from whom you will need to obtain written approval in order for the proposal to be considered on a non-notified basis.

If the application is to be notified, you will be advised within ten working days of our receiving your further information.

Please do not hesitate to contact the writer on (03 4400056 if you have any questions or concerns regarding the above request or the further processing of the application.

Please do not hesitate to contact me if you have any queries.

Yours faithfully



ADAM VINCENT
PLANNING OFFICER - CONSENTS



LANDPRO
Make the most of your land

20 November 2023

Council Reference: RC 230317

Central Otago District Council

Via: adam.vincent@codc.govt.nz and resource.consent@codc.govt.nz

Dear Adam

Re: Request for Further Information under Section 92(1) of the Resource Management Act 1991 – RC 230317

1. Tracking curves

Tracking curves for a 6.025 m long single axel truck are attached Appendix 1. Two scenarios have been provided, Option 1 sets out how a truck would enter and exit in a forward direction using a five point turn to turn around. Option 2 sets out how the truck would enter and exit in a forward direction using a three point to turn to turn around. Option 2 requires the partial demolition of the existing shed. It is applicant's preference to proceed with Option 1 and retain the existing shed, however, if this is not acceptable to council, the applicant would amend the proposed activities to include the demolition of the shed to enable a three point turn to be undertaken.

The applicant volunteers the following condition of consent to ensure delivery trucks longer than 6.025 m do not enter the site.

- x. Delivery trucks shall be no larger than 6.025 m.

The applicant would accept amendments to the above condition providing its effect remains the same.

2. Proposed signage

Attached as Appendix 2 is the proposed design of the signs on the north, east and west elevations of the proposed building.

3. Staff roles

Typical daily staff roles include:

- Ice cream production – 2 people
- Chocolate production – 1 person
- Waffle cone production – 1 person
- Shop floor – 2 people

0800 023 318
13 Pinot Noir Drive
PO Box 302
Cromwell 9342
Central Otago, NZ
info@landpro.co.nz
landpro.co.nz

It is noted that the bulk of the space proposed in food production areas will be occupied by equipment that requires minimal labour to operate. Roasting occurs twice a week and is completed on days when waffle cones are not being produced. The office will be used by those in food production roles to manage ordering and other administrative jobs.

The applicant acknowledges that during busy periods, for example in the summer, staff onsite may increase to 9 personnel. Although the site plan includes four marked staff parks, it is considered that there is ample space to the rear of the building to accommodate staff car parking, for example around the existing dwelling.

If you have any further queries, please do not hesitate to contact me.

Kind Regards

A handwritten signature in black ink, consisting of a stylized 'M' followed by a long horizontal stroke.

Matt Curran
Consultant Planner

Appendix 1: Tracking curves



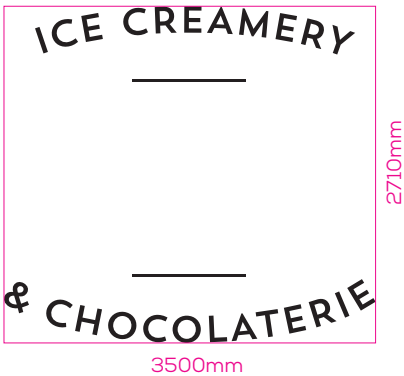


Appendix 2: Sign design

PATAGONIA SHOP SIGNAGE



MAIN TEXT SIZE



SUPPORTING TEXT SIZE



OVERALL SIZE OF SIGN
3500X2120

7,420,000 Sq M

SPECIFICATION

MATERIAL	COLOUR	QUANTITY
Alloy - Powdercoated Black Depth TBC	Black	3X (One per side)

Created 03/11/2023
Revised 06/11/2023



Engineering Advice

Resource Consent Number: RC230317

Planner/Overseer: Adam Vincent

Short Description/Proposal: Land use consent to extend by 816m² and convert existing pack house to produce and sell food onsite with retail activity.

Potable Water Supply

Commentary:

The application does not state the quantity of water allocated to the site from the Earnsclough Domestic Water Company, but documentation from RC180345 confirms the supply is 3000 litres per day.

There is an existing dwelling on the site currently consented as seasonal worker accommodation for 6 people. It would be expected to use between 1000 litres per day (standard rural dwelling) and 1320 litres per day (campground style water use of 220 litres per person per day).

This leaves between 1680 and 2000 litres per day supply the proposed food manufactory and café.

I recommend that prior to issue of resource consent, the applicant shall investigate the water use expected by their proposed activities, and if necessary, seek to expand their water allocation from the Earnsclough Domestic Water Company's scheme, or alternatively provide a separate or additional water supply.

There is no risk to the Council or wider community here, so I am not proposing this as a consent condition.

A dedicated 30,000L water tank is proposed by the applicant to be provided for domestic water storage. This shall provide a reserve in case of fluctuating demand or supply.

Firefighting Water Supply

Commentary:

A dedicated 30000L water tank is provided for firefighting.

The proposed firefighting provisions look mostly acceptable, but I note that 90m away from the proposed tank only encompasses a corner of the building. While this appears to meet the wording of the condition, it is less than excellent. This could be improved by siting the firefighting hose coupling / hardstand closer to the building extension.

Conditions:

1) At the time of construction of the building extension, minimum domestic water and firefighting storage is to be provided by a standard 30,000 litre tank. Of this total capacity, a minimum of 20,000 litres shall be always maintained as a static firefighting reserve. Alternatively, an 11,000-litre firefighting reserve is to be made available to the building in association with a domestic sprinkler system installed in the building to an approved

Created 03/11/2023
Revised 06/11/2023



standard. A separate 30,000 litre tank for each of domestic water and firefighting reserve shall be acceptable. A firefighting connection is to be located within 90 metres of any proposed building on the site. To ensure that connections are compatible with Fire and Emergency New Zealand (FENZ) equipment the fittings are to comply with the following standards:

- a) Either: For flooded sources, a 70 mm Instantaneous Couplings (Female) NZS 4505 or, for suction sources, a 100 mm and 140 mm Suction Coupling (Female) NZS 4505 (hose tail is to be the same diameter as the threaded coupling e.g. 100 mm coupling has 100 mm hose tail), provided that the consent holder shall provide written approval of Fire and Emergency New Zealand to confirm that the couplings are appropriate for firefighting purposes.
- b) All connections shall be capable of providing a flow rate of 25 litres per second at the connection point.
- c) The connection shall have a hardstand area adjacent to it to allow a Fire and Emergency New Zealand appliance to park on it. The hardstand area shall be located at the centre of a clear working space with a minimum width of 4.5 metres. Access shall be always maintained to the hardstand area.
- d) Underground tanks or tanks that are partially buried (provided the tank is no more than 1 metre above ground) may be accessed by an opening in the top of the tank, removing the need for couplings.
- e) Any new water tank shall be coloured dark green/grey/brown or similar, and located to ensure it is not visible against the skyline when viewed from any public place.

Advice Note 1: For more information on how to comply with this Condition or on how to provide for FENZ operational requirements refer to the Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008.

Advice Note 2: Firefighting water supply may be provided by alternative means to the above with written approval of FENZ.

Wastewater

Commentary:

The applicant appears to want to construct a new onsite wastewater disposal system. Condition below.

Conditions:

- 2) An on-site wastewater disposal system to serve the proposed extended building encompassing the retail activity and food manufactory activity shall be designed and installed by a suitably qualified and experienced person, in compliance with Clauses 5.5 b), c), d), and e) of Council's July 2008 Addendum to NZS4404:2004 (note compliance with

Created 03/11/2023
Revised 06/11/2023



2012 version of AS/NZS1547 required), and sited in compliance with Otago Regional Council requirements

Stormwater

Conditions:

3) Stormwater from the extended building and other impervious surfaces shall be disposed of by soak-pit designed by a suitably qualified and experienced professional or stored for beneficial reuse within the property boundary.

Access

Commentary:

The applicant intends to upgrade the two entranceways. This was identified during pre-application correspondence.

The existing entranceway to Fraser Road can be moved to meet all Part 29 Roding Policy requirements. Condition below.

There is no valid spot on the Earnscleugh Road road-frontage for that existing entranceway to meet the separation requirements, so its pre-existing location will be considered acceptable. It will still be required to be upgraded to the correct material standard. Condition below.

Conditions:

4) The existing vehicle accessway/crossing from Earnscleugh Road serving the property shall be upgraded in accordance with the requirements of Part 29 of Council's Roding Policies January 2015. It will be considered acceptable in its present location.

5) The existing vehicle accessway/crossing from Fraser Road serving the property shall be upgraded in accordance with the requirements of Part 29 of Council's Roding Policies January 2015, including relocating the accessway/crossing and remediating the berms and swales as required.

Power

Commentary:

The existing power connection may require upgrading, but the applicant will carry this out as necessary regardless of whether I proposed a condition saying : "The existing power connection to the property shall be upgraded if necessary",
So I've not proposed the condition.

Telecommunications

Commentary:

Existing telecommunications will be acceptable.

Created 03/11/2023
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Flood Risk

Commentary:

The Lot/parcel is not in the mapped flood hazard zone, but the title is. I consider that short of the irrigation channel overflowing, the flood risk appears to-be-low.

Geotech

Commentary:

The property is not within a mapped alluvial fan zone, and the closest fault line is the Dunstan Fault Zone - Earnscliffe Fault of Likely certainty. I consider that the greatest seismic risk is yet the Alpine Fault Line.

The Ground is classification "D - Deep or Soft Soil"

No actions required.

Yours sincerely

Dominic Haanen

A handwritten signature in blue ink, appearing to read "Dominic Haanen", is written over the printed name.

Environmental Engineer

Create 03/11/2023

RC 230317



1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

03 440 0056

Info@codc.govt.nz
www.codc.govt.nz



LOCAL GOVERNMENT ACT 2002 AND RESOURCE MANAGEMENT ACT 1991 DEVELOPMENT/FINANCIAL CONTRIBUTION DEMAND

Application Reference: RC 230317

Name: Far Away Property Limited

Site: 932 Earnscliffe Road, Alexandra

Description of proposal: Extension of existing packhouse and shop into a food-processing area, packhouse, and cafe.

This demand has been issued in accordance with Council's Policy on Development and Financial Contributions effective from 1 July 2021.

This demand is an indication of the amount payable by the Applicant should the consent proceed in its current form.

Calculations

Note: A "Household unit equivalent" (HUE) means demand for Council services equivalent to that produced by a nominal household in a standard residential unit. Non-residential activities, such as industrial and commercial, can be converted into HUE's using land use differentials.

All calculation costs are quoted exclusive of GST

1. Water Supply

Asset Contributing Area	Development Contribution per HUE	Financial Contribution per HUE



Calculation Notes:

 Private water supply – not applicable.

Payment due = \$Nil

2. Wastewater

Asset Contributing Area	Development Contribution per HUE	Financial Contribution per HUE

Calculation Notes:

 On site disposal – not applicable.

Payment due = \$Nil

3. Reserves

Contributing Area	Development Contribution per HUE	Financial Contribution per HUE
District Wide		

Calculation Notes:

 Business activities do not attract Reserves Contributions – not applicable.


Payment due = \$Nil


4. Roothing

Asset Contributing Area	Development Contribution per HUE	Financial Contribution per HUE
District Wide	\$1,494.68	

Calculation Notes:

 Credit occupied by existing activities. This assessment based on additional demand.

 Business activities are assessed based on gross floor area, where possible.

 Proposed increase of 915m²GFA. This shall be assessed as retail of 235.32 m²GFA, and Industrial of 679.68m²GFA.

 Retail is assessed as generating 3.0HUE demand per 100m²GFA, and Industrial of 0.4HUE demand per 100m²GFA.

$$\text{Demand} = (679.68\text{m}^2\text{GFA} \times 0.4\text{HUE} / 100\text{m}^2\text{GFA}) + (235.32\text{m}^2\text{GFA} \times 3.0\text{HUE} / 100\text{m}^2\text{GFA})$$

$$= 9.778255\text{HUE}$$

$$\text{Contribution} = (9.778255\text{HUE proposed}) \times \$1,494.68$$

$$= \$14,615.36$$



Payment due = \$14,615.36+ GST

Summary of payments due

Activity	Payment
Water Supply	\$Nil
Wastewater	\$Nil
Reserves	\$Nil
Roading	\$14,615.36 +GST
Total	\$14,615.36 +GST

Payment

Development contributions must be paid by the due dates in the table below.

	Payment due date
Building consent	20 th of the month following the issue of the invoice
Certificate of acceptance	At issue of the certificate of acceptance
Resource consent for subdivision	Prior to release of the certificate under section 224(c) of the RMA
Resource consent (other)	20 th of the month following the issue of the invoice
Service connection	At issue of the connection approval

On time payment is important because, until the development contributions have been paid in full, Council may:

- Prevent the commencement of a resource consent.
- Withhold a certificate under section 224(c) of the RMA.
- Withhold a code compliance certificate under section 95 of the Building Act 2004.
- Withhold a service connection to the development.
- Withhold a certificate of acceptance under section 99 of the Building Act 2004.

Where invoices remain unpaid beyond the payment terms set out in the Policy, Council will start debt collection proceedings, which may involve the use of a credit recovery agent. Council may also register the development contribution under the Land Transfer Act 2017, as a charge on the title of the land in respect of which the development contribution was required.

A development contribution may be generated when granting a resource consent, building consent or service connection and a financial contribution may be generated when granting a resource consent. Where one development requires different types of consent and these



are processed concurrently, more than one invoice may be generated for the same contribution, however a contribution only needs to be paid once.

If on a subsequent application more detailed information reveals that a proposal will generate more demand than initially assessed a higher contribution may be required. If a payment has been made in the interim a further payment of the balance will be required.

Address for Service

Invoices will be sent to the following address for service:

c/- Matt Curran
13 Pinot Noir Drive
Cromwell 9310

matt@landpro.co.nz

If you have any queries or would like to discuss any aspect of this notice, please contact:

Dominic Haanen
Environmental Engineer
Email: dominic.haanen@codc.govt.nz

Affected Persons Approval



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

TO BE COMPLETED BY THE PERSON(S) REQUESTING APPROVAL

Applicant(s): Far Away Property Limited

Type of resource consent: Land use

Proposed activity: To extend and convert an existing packhouse to enable/establish the manufacture of ice cream and chocolate, coffee roasting, retail activity, including the sale of food produced onsite and other associated food products and goods, a cafe and dedicated office area.

Location of site: 42 Fraser Road, Earnsclough

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

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

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

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

Name: Tracey Lee Ballantyne

Organisation: Housekeeper

Address: 13 Fraser Rd Rd 1 ALEXANDRA

T Ballantyne

Signature

13-11-23

Date

Name: Barry Dineen

Organisation: Owner

Address: 13 Fraser Rd, Rd 1, Alexandra

B Dineen

Signature

13-11-23

Date

Checklist:

☒ Signature of all legal owners

☒ Site and/or subdivision plan with all required signatures

☒ Elevations with all required signatures (if applicable)

Affected Persons Approval

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

TO BE COMPLETED BY THE PERSON(S) REQUESTING APPROVAL

Applicant(s): Far Away Property Limited

Type of resource consent: Land use

Proposed activity: To extend and convert an existing packhouse to enable/establish the manufacture of ice cream and chocolate, coffee roasting, retail activity, including the sale of food produced onsite and other associated food products and goods, a cafe and dessicated office area.

Location of site: 42 Fraser Road, Earnsclough

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

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

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

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

Name: Shane Hilton

Organisation: Hilton Family Trust

Address: 20 Hanning Road RDI, Alexandra

S. R. Hilton

13-11-23

Signature

Date

Name: Christine Hilton

Organisation: Hilton Family Trust

Address: 20 Hanning Road, RDI, Alexandra

Christine

13/11/23

Signature

Date

Checklist:

☒ Signature of all legal owners

☒ Site and/or subdivision plan with all required signatures

☒ Elevations with all required signatures (if applicable)

Affected Persons Approval



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

TO BE COMPLETED BY THE PERSON(S) REQUESTING APPROVAL

Applicant(s): Far Away Property Limited
Type of resource consent: Land use
Proposed activity: To extend and convert an existing packhouse to enable/establish the manufacture of ice cream and chocolate, coffee roasting, retail activity, including the sale of food produced onsite and other associated food products and goods, a cafe and dessicated office area.
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I hereby give unconditional approval for the application to be processed without public notification.

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

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

Name: Murray Cyril Miller
Organisation: _____
Address: 27 Fraser Road

[Signature] 14/11/2023
Signature Date

Name: _____
Organisation: _____
Address: _____

Signature Date

Checklist:

- | | | |
|--|--|--|
| <input type="checkbox"/> Signature of all legal owners | <input type="checkbox"/> Site and/or subdivision plan with all required signatures | <input type="checkbox"/> Elevations with all required signatures (if applicable) |
|--|--|--|

Affected Persons Approval



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

TO BE COMPLETED BY THE PERSON(S) REQUESTING APPROVAL

Applicant(s): Far Away Property Limited

Type of resource consent: Land use

Proposed activity: To extend and convert an existing packhouse to enable/establish the manufacture of ice cream and chocolate, coffee roasting, retail activity, including the sale of food produced onsite and other associated food products and goods, a cafe and dessicated office area.

Location of site: 42 Fraser Road, Earnscliffe

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

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

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

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

Name: Gerry Forde

Organisation:

Address: 6 Hanning Road

Signature

Date

18/11/23

Name: Jan Forde

Organisation:

Address: 6 Hanning Rd

Signature

Date

18/11/23

Checklist:

☐ Signature of all legal owners

☐ Site and/or subdivision plan with all required signatures

☐ Elevations with all required signatures (if applicable)

THE PANEL IN CLOSED MEETING**RESOLUTION**

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
RC230317 Far Away Property	To enable the Panel to deliberate in private on its decision or recommendation in any proceedings where the right of appeal lies to any Court or tribunal against the final decision of the local authority in those proceedings.	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above (in brackets) with respect to each item.

NOTE: Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4) Every recommendation to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof) –

“(a) Shall be available to any member of the public who is present. and Shall form part of the minutes of the local authority.”

RECOMMENDED that Ann Rodgers (Panel Advisor) be permitted to remain during the closed session because of their knowledge that would be of assistance to the Panel in its deliberations.