AGENDA

Hearings Panel Meeting
Monday, 15 December 2025

Date: Monday, 15 December 2025

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 Monday, 15 December 2025 at 9:30 am.

Order Of Business

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Members Independent Commissioner N Gillespie (Chairperson), Independent Commissioner M McPherson, Independent Commissioner I Cooney

In Attendance T Lines (Minute Secretary), A Rodgers (Panel Advisory)

1 APOLOGIES

2 REPORTS

25.16.1 MINUTES TO BE CONFIRMED

Doc ID: 2656328

1. Attachments

Appendix 1 - Minutes - 8 July 2025 ⇩
Appendix 2 - Minutes - 14 October 2025 ⇩

MINUTES OF CENTRAL OTAGO DISTRICT COUNCIL
HEARINGS PANEL MEETING
HELD IN NGĀ HAU E WHĀ, WILLIAM FRASER BUILDING, 1 DUNORLING STREET, ALEXANDRA
ON TUESDAY, 8 JULY 2025 AT 9.30 AM

PRESENT: Cr N Gillespie (Chairperson), Cr M McPherson, Cr I Cooney, Cr T Paterson

IN ATTENDANCE: K Smith (Minute Secretary), A Rodgers (Panel Advisory)

1 APOLOGIES – N/A

2 CONFIRMATION OF MINUTES

Recommendations

That the public minutes of the Hearings Panel Meeting held on 21 January 2025 be confirmed as a true and correct record.

T Paterson / I Cooney

3 REPORTS

25.6.2 RC250134 - MICHAEL CONROY

A report to consider a subdivision consent to realign the boundary between two allotments at 141 and 157 Lower Manorburn Dam Road, Galloway.

Also circulated was the report of the Planning Officer in relation to the application.

Report of the Planning Officer has been read M McPherson / T Paterson.

Hearing opened at 9.30am.

In attendance:

Adam Vincent – Planning Officer

Peter Kloosterman – Applicant Planner

Michael Conroy – Applicant – Owner of 157 Lower Manorburn Dam Road

Darcy Prendergast – Owner of 141 Lower Manorburn Dam Road

Note: Peter Kloosterman spoke to their evidence at 9.34am.

Note: Panel directed questions to Peter Kloosterman at 9.36am.

Note: Ann Rodgers requested points of clarification to Peter Kloosterman, Michael Conroy and Darcy Prendergast at 9.43am.

Note: Panel directed questions to Peter Kloosterman at 9.47am.

Note: Adam Vincent spoke to their evidence at 9.48am.

Note: Panel directed questions to Adam Vincent at 9.52am.

Note: Adam Vincent continued to speak to their evidence at 9.56am.

Note: Peter Kloosterman gave their right of reply at 9.57am.

Note: Panel directed questions to Darcy Prendergast at 9.59am.

Note: Hearing adjourned at 10.00am.

Note: Peter Kloosterman, Michael Conroy and Darcy Prendergast left the meeting at 10.01am.

THE PANEL IN CLOSED MEETING

RESOLVED that the public be excluded from the following parts of the proceedings of the meeting, namely items 25.6.2

The general subject 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(1) 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(1) for the passing of this resolution.**
25.6.2	**Application for Resource Consent – RC250134 – Michael Conroy, 157 Lower Manorburn Dam Road, Galloway (2846221702)**	An application for subdivision consent to realign the boundary between two allotments at 141 and 157 Lower Manorburn Dam Road, Galloway.	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."

RESOLVED that Adam Vincent (Planning Officer) and Ann Rodgers (Panel Advisory) be permitted to remain during the closed session because of their knowledge that would be of assistance to the Panel in its deliberations.

N Gillespie / I Cooney

The Meeting closed at 10.30am.

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CHAIR / /

ITEMS TO BE CONSIDERED WHILST THE PUBLIC IS EXCLUDED

25.6.2 Application for Resource Consent – RC250134 – Michael Conroy, 157 Lower Manorburn Dam Road, Galloway (2846221702)

RESOLVED that pursuant to sections 104, 104B and 104D of the Resource Management Act 1991, the application be granted for the reasons appended hereto.

N Gillespie / T Paterson

MINUTES OF CENTRAL OTAGO DISTRICT COUNCIL
HEARINGS PANEL MEETING
HELD IN NGĀ HAU E WHĀ, WILLIAM FRASER BUILDING, 1 DUNORLING STREET, ALEXANDRA
ON TUESDAY, 14 OCTOBER 2025 AT 9.30 AM

PRESENT: Independent Commissioner N Gillespie (Chairperson), Independent Commissioner I Cooney, Independent Commissioner T Paterson

IN ATTENDANCE: K Smith (Minute Secretary), A Rodgers (Panel Advisory)

1 APOLOGIES

Recommendations

That the apology received from Independent Commissioner Martin McPherson be accepted.

N Gillespie / T Paterson

2 CONFIRMATION OF MINUTES

Recommendations

That the public minutes of the Hearings Panel Meetings held on 8 April 2025 and 10 June 2025 be confirmed as a true and correct record.

N Gillespie / I Cooney

3 REPORTS

25.12.2 RC240323 - NOEL & MARGARET TREVATHAN

A report to consider a subdivision consent to subdivide four existing titles into six, resulting in two additional titles and establish two residential building platforms at 360 Ardgour Road, Tarras is attached.

Also circulated was the report of the Planning Consultant in relation to the application.

Report of the Planning Consultant has been read T Paterson / I Cooney

Hearing opened at 9.34am.

In attendance:

Oli McIntosh – Planning Consultant – via Microsoft Teams.

Maddy Albertson – Applicant Planner

Noel (Beau) Trevathan – Applicant

Jonny Trevathan – Applicant

Note: Maddy Albertson spoke to their evidence at 9.38am.

Note: Panel directed questions to Maddy Albertson and Jonny Trevathan at 9.44am.

Note: Beau Trevathan spoke to their evidence at 9.55am.

Note: Panel directed questions to Beau Trevathan at 9.59am.

Note: Oli McIntosh spoke to their evidence at 10.01am.

Note: Panel directed questions to Oli McIntosh at 10.04am.

Note: Oli McIntosh continued to speak to their evidence at 10.07am.

Note: Panel directed questions to Oli McIntosh at 10.08am.

Note: Maddy Albertson gave points of clarification at 10.09am.

Note: Maddy Albertson gave their right of reply at 10.11am.

Note: Hearing adjourned at 10.13am.

Note: Maddy Albertson, Beau Trevathan and Jonny Trevathan left the meeting at 10.15am.

25.12.3 RC250169 & RC220396V4 - NEW ZEALAND CHERRY CORP (LEYSER) LP

A report to consider a subdivision consent for a 9-lot subdivision and land use consent to authorise the establishment of buildings on hazard prone lots at 112 & 144 Ripponvale Road, Cromwell is attached.

Also circulated was the report of the Planning Consultant in relation to the application.

Report of the Planning Consultant has been read T Paterson / I Cooney.

Hearing reconvened at 10.21am.

In attendance:

Oli McIntosh – Planning Consultant – via Microsoft Teams.

Jake Woodward – Applicant Planner

Paul Croft – Applicant

Jerome O'Sullivan – Project Manager

Barry McDowell – Tonkin and Taylor – Applicant Expert – via Microsoft Teams.

Note: Jake Woodward spoke to their evidence at 10.24am.

Note: Panel directed questions to Jake Woodward at 10.30am.

Note: Barry McDowell gave points of clarification at 10.35am.

Note: Panel continued to direct questions to Jake Woodward at 10.36am.

Note: Oli McIntosh spoke to their evidence at 10.45am.

Note: Panel directed questions to Oli McIntosh at 10.48am.

Note: Paul Croft gave points of clarification at 10.49am.

Note: Oli McIntosh continued to respond to Panel questions at 10.50am.

Note: Jake Woodward and Paul Croft gave points of clarification at 10.51am.

Note: Oli McIntosh continued to speak to their evidence at 10.54am.

Note: Panel directed questions to Oli McIntosh at 10.56am.

Note: Barry McDowell gave points of clarification at 10.57am.

Note: Panel directed questions to Barry McDowell and Jake Woodward at 11.01am.

Note: Jake Woodward gave their right of reply at 11.02am.

Note: Hearing adjourned at 11.03am.

Note: Jake Woodward, Paul Croft, Jerome O'Sullivan and Barry McDowell left the meeting at 11.05am.

THE PANEL IN CLOSED MEETING

RESOLVED that the public be excluded from the following parts of the proceedings of the meeting, namely items 25.12. 2 and 25.12.3.

The general subject 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(1) 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(1) for the passing of this resolution.
25.12.2	**Application for Resource Consent – RC240323 – Noel & Margaret Trevathan, 360 Ardgour Road, Tarras (2841110700)**	An application for subdivision consent to subdivide four existing titles into six, resulting in two additional titles and establish two residential building platforms.	Section 48(1)(a)
25.12.3	**Application for Resource Consent – RC250169 & RC220396V4 – New Zealand Cherry Corp (Leyser) LP, 112 & 144 Ripponvale Road, Cromwell (2842121800)**	An application for subdivision consent for a 9-lot subdivision and land use consent to authorise the establishment of buildings on hazard prone lots.	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."

RESOLVED that Oli McIntosh (Planning Consultant) and Ann Rodgers (Panel Advisory) be permitted to remain during the closed session because of their knowledge that would be of assistance to the Panel in its deliberations.

N Gillespie / T Paterson

The Meeting closed at 12.02pm.

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CHAIR / /

ITEMS TO BE CONSIDERED WHILST THE PUBLIC IS EXCLUDED

25.12.2 Application for Resource Consent – RC240323 – Noel & Margaret Trevathan, 360 Ardgour Road, Tarras (2841110700)

RESOLVED that pursuant to sections 104, 104B and 104D of the Resource Management Act 1991, the application be granted for the reasons appended hereto.

N Gillespie / I Cooney

25.12.3 Application for Resource Consent – RC250169 & RC220396V4 – New Zealand Cherry Corp (Leyser) LP, 112 & 144 Ripponvale Road, Cromwell (2842121800)

RESOLVED that pursuant to sections 104, 104B and 104D of the Resource Management Act 1991, the application be granted for the reasons appended hereto.

N Gillespie / T Paterson

25.16.2 RC250157 - KEVIN JARVIS

Doc ID: 2655792

1. Purpose

A report to consider Subdivision consent for a two lot subdivision and land use consent to construct a multi-unit development, in the rural resource area is attached.

2. Attachments

Appendix 1 - Section 42A Planners Report ⇩
Appendix 2 - Section 95 Notification Report ⇩
Appendix 3 - Application ⇩
Appendix 4 - Further Information Request ⇩
Appendix 5 - Further Information Response ⇩
Appendix 6 - Further Information Response HDRB Approval ⇩

CENTRAL OTAGO DISTRICT COUNCIL
REPORT OF PLANNING CONSULTANT

APPLICATION	**RC 250157**
APPLICANT	**KEVIN JARVIS**
ADDRESS	**8 HIGHLANDS AVENUE, CROMWELL**
LEGAL DESCRIPTION	**LOT 220 DP 556783 (HELD IN RECORD OF TITLE 973362).**
ACTIVITY DESCRIPTION	**SUBDIVISION CONSENT FOR A TWO LOT SUBDIVISION AND LAND USE CONSENT TO CONSTRUCT A MULTI-UNIT DEVELOPMENT, IN THE RURAL RESOURCE AREA**
ACTIVITY STATUS	**NON-COMPLYING**

BACKGROUND

While the subject site is zoned Rural Resource Area under the Operative Central Otago District Plan, the land use and subdivision consents that apply to the Highlands Innovation and Technology Park (HITP) — particularly RC150225 and RC200231 — establish a bespoke planning framework that effectively supplants the default zone provisions. This includes a tailored set of land use controls, built form and design standards, and a Design Review Board approval process that collectively define the operative expectations for development within the HITP. As such, this consented environment forms the primary basis for assessing resource consent applications within the HITP. To this end, a detailed consent background for the site is outlined below:

On 23 December 2009, the Environment Court issued a final decision that granted land use consent for the Highlands Motorsport Park at Cromwell (RC070149). This decision, and accompanying conditions, identify Area “A” and Area “B” as shown in Figure 1 below:

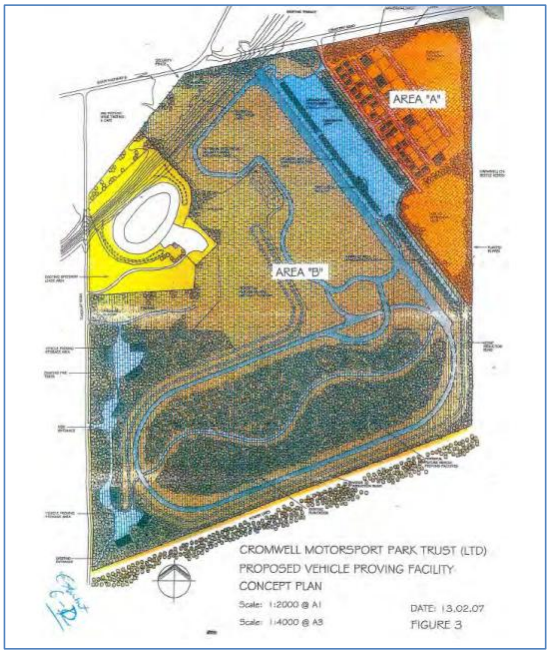


Figure 1: RC 070149 Area “A” and Area “B”

Area “A” is permitted to be utilised as a commercial park and Condition 14(i)(b) of RC070149 permits residential accommodation above ground level within the commercial park.

On 3 September 2013, subdivision consent was granted (RC 130153) for Area “A” to be subdivided into 42 allotments to be used for automotive related purposes[1] and for residential accommodation above ground level, consistent with the relevant conditions of the earlier land use consent (RC 070149).

In 2014 a further subdivision consent (RC 140009) was granted for the creation of 12 additional allotments from two lots initially created by RC130153. The built development on these allotments was authorised by the original land use consent RC 070149.

In 2015 a new land use consent (RC 150225) was granted to replace RC 070149 as it related to the Highlands Motorsport Park. The land use consent was to resolve ambiguities associated with conditions relating to the management effects on the environment, and in particular noise and provided for the reconfiguration of use of the site with the land use consent RC 070149 that allowed construction of buildings on a part of Area “A” being surrendered.

The site subject to the current application was created by a further subdivision consent (RC 200231) that was granted on 4 November 2020 (and subsequently amended pursuant to section 127 of the Resource Management Act 19910. The subdivision component of the consent authorised the creation of 56 allotments with 51 allotments to be used for activity associated with vehicles and residential activity. A range of land use activities within the new lots was also authorised at this time and to authorise a discretionary activity under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS)

As part of this subdivision consent the following conditions are confirmed through Consent Notice 12451331.5 that is registered on the record of title as follows:

“9. The consent holder or successor shall be responsible for constructing heavy vehicle entranceways between the carriageway in Lot 501 and the boundaries of Lots 201-251 in accordance with Part 29 of the Councils Roading Policies January 2015.

12. Stormwater from buildings and impermeable surfaces on Lots 201-251 shall be discharged to soakpits(s) contained entirely within those lots.

Use and Development of Lots 201-251

30. Use of land and buildings on Lots 201-251 shall be for the primary purpose of servicing, maintenance, repair, design, manufacture, fabrication, testing or storage of vehicles, vehicle parts and other associated industries.

31. Residential accommodation on Lots 201-251 shall only occur above ground level associated with activities permitted under Condition 30 above.

32. Any development on Lots 201-251 shall comply with the following:

Bulk and Location of Buildings

(a) The height of any building shall not exceed 8m, and no yards are required except that no buildings are to be established within 25 meters of the eastern

[1] Being the servicing, maintenance, repair, design, manufacture, fabrication, testing or storage of vehicles, vehicle parts and other associated industries.

boundary of the site where that boundary adjoins the Cromwell Chafer Beetle Reserve (Lot 1 DP 18203).

(b) All lots shall have a maximum coverage of 75%, except for Lots 233-238 that are permitted to have a maximum building coverage of 100%.

Cladding

(c) All buildings shall be finished using a combination of some or all of the following materials:
- *(i) Timber/Composite Weatherboard (vertical and horizontal);*
- *(ii) Plaster/Adobe/Rammed Earth/Masonry Products/Concrete;*
- *(iii) Stone;*
- *(iv) Coloured steel excluding unpainted zincalume and unpainted corrugated iron;*
- *(v) Weathered corrugated iron; and*
- *(vi) Brick.*

Colours - Finishes

(d) 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;
Browns, greens, grey blue, greys, terracotta, tussock and dark reds provided that such colours shall have a Reflectivity Value (RV) of less than 30%.

(e) The roofs of all buildings shall be in a low sheen in any colour that has a RV of less than 32% or shall be unpainted natural products such as timber shingles or slate.

Visual Amenity

(f) No shipping containers or temporary buildings (other than during construction) are to be located on-site.

(g) All areas open to the public and visible to the public shall be maintained in a clean and tidy state.

Signage

(h) Signage shall be incorporated into the building design, and shall not be free standing unless expressly approved by the Design Review Board.

(i) No sign shall be erected or painted on a building in a position that is higher than the carriageway façade of that part of the building upon which the sign is placed or affixed.

(j) Any sign suspended under a verandah shall have a minimum clearance of 2.5 meters from the footpath.

(k) The maximum area of an individual sign shall not exceed $3m^2$.

(l) Plastic and/or internally illuminated & neon signage shall not be permitted. The use of fabricated and off set metal lettering is encouraged.

(m) Any signage on perimeter allotments facing out of the Commercial Park of the Highlands Motorsport Park is to be kept to a maximum height of 2.5m and is to be coloured in muted tones to blend with the background. It is intended that texture and shadowing for signage be used instead of strong colours.

Landscaping

(n) All lots over 200m2 in total area shall include 15% landscaping of the total area, consisting of 80% native plants selected from the plant list that is attached at Appendix 2 and clearly set out and described in a Landscape Plan that details the quantities and sizes of all species, such Landscape Plan to be submitted to and approved by the Design Review Board. All landscaping is to include a permanent in ground watering system complete with automatic timer.

(o) All landscape plantings shall be established within 3 months of the building being erected.

(p) Landscaping strips and planting protection areas adjacent to a car park shall be provided with wheel stop barriers. Such wheel stop barriers shall be located at least 1m from any tree.

(q) All areas of landscaping shall be maintained by the landowner and any dead, damaged or diseased plants shall be replaced within 3 months of identification as such.

Outdoor Services, Storage Areas & Fencing

(r) All outdoor service and storage areas shall be screened from all carriageways.

(s) No picket fence type enclosures shall be erected on the carriageway boundary of any allotments.

(t) No fencing shall be erected on any part of a lot, other than to screen outdoor service/storage areas or for security. Materials and finishes are to be identified on plans to be submitted to the Design Review Board.

Parking & Manoeuvring

(u) All activities shall comply with Rule 12.7.2 Parking and Rule 12.7.3 Loading and Manoeuvring and Table 12.3 – Vehicle Parking Requirements of the Operative Central Otago District Plan.

Design Review Board

(v) All developments on Lots 201-251 within the Highlands Innovation and Technology Part at Highlands Motorsport Park will require Design Review Board approval. No construction may commence until such approval is given in writing.

Note: For the avoidance of doubt the Design Review Board is the Design Review Board that has been appointed pursuant to Condition 27 of RC 130153.

33. (a) Any application for building consent received by the Council for new buildings on Lots 201-205 shall be accompanied by an acoustic design certificate prepared by a acoustics engineer acceptable to the Chief Executive, that certifies that the design of the buildings is sufficient to ensure sound levels arising from activities beyond the premises will not exceed the maximum recommended design and sound levels (LA_{eq} dB) for habitable rooms in houses and apartments located near major roads set out within Table 1 (page 11) of NZS 2107:2000 "Acoustics-Recommended Design Sound levels and Reverberation Times For Building Interiors', when measured in accordance with section 6 of that standard excluding between the hours of 8am to 6pm on any day.

OR

(b) Any application for building consent for any new buildings located on Lots 201-251 shall include written confirmation from an Licensed Building Practitioner that the design of habitable spaces within any building or part of a building used for residential purposes has been checked and is confirmed to be constructed to meet or exceed the minimum specifications for each Building Element (as applicable) listed within the following table:

BUILDING ELEMENT	*REQUIRED CONSTRUCTION*
External Wall	*Exterior: 20mm timber or 6mm fibre cement* *Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar two layers of 12.5mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass)*
Windows	*Up to 40% of wall area: Maximum thickness 6mm glazing*** *Up to 60% of wall area: Maximum thickness 8mm glazing*** *Up to 80% of wall area: Maximum thickness 8mm laminated glass or minimum 10mm double glazing*** *Aluminium framing with compression seals (or equivalent)*
Pitched Roof	*Cladding: 0.5mm profiled steel or tiles or 6mm corrugated fibre cement* *Frame: Timber truss with 100mm acoustic banket (R2.2 Batts or similar)* *Ceiling: 12.5 gypsum plaster board**
Skillion Roof	*Cladding: 0.5mm profiled steel or tiles or 6mm fibre cement* *Sarking: 20mm particle board or plywood* *Frame: 100mm gap containing 100mm acoustic banket (R2.2 Batts or similar)* *Ceiling: 2 layers of 9.55 gypsum plasterboard**
External Door	*Solid core door (min 24kg/m2) with weather seals*

** Where exterior walls are of brick veneer or stucco plaster in the internal linings need to be no thicker than 9.5mm gypsum plasterboard*

*** Typical acoustic glazing usually involves thick single panes or laminated glass. Where two or more layers of glass are employed with an air gap between, total thickness of window glass may be calculated as the total of all glass layers (excluding air gap) provided that at least one glass layer shall be of a different thickness to other layer(s)*

34. Noise levels at the boundary of the site shall not exceed an L(maz) of 65 dBA provided that:

- *Corrected noise levels (L10) shall not exceed the following limit at the boundary of any Residential Resource Area or at the notional boundary building designed to accommodate people for any purpose located within the Rural Resource Area existing at the time this consent was granted:*
  - *7.00am – 10.00pm 55 dBA L10*
  - *10.00pm – 7.00am 40 dBA L10*

40. Exterior lighting on the rear elevation of buildings on Lots 201-218 shall be:

- *Shielded from above in such a manner that the edge of the shield shall be below the whole of the light source*
- *Have a filter to filter out the blue or ultraviolet light, provided the light source would have more than 15% of the total emergent energy flux (Watts per nanometer) in the spectral region below 440nm. The filters used must transmit less than 10% of the light at any wavelength less than 440nm. This therefore includes, but is not limited to, florescent, mercury vapor and metal halide lamps."*

DESCRIPTION OF ACTIVITY

Following a request for further information under section 92 of the Resource Management Act 1991, the applicant has clarified and amended aspects of the proposal. In particular, the applicant has confirmed that the parking spaces previously shown partially overhanging the road berm are not required to meet the site's parking requirements and consent for them to breach parking dimensions is no longer sought. The applicant has also confirmed that consent is sought to exceed the site coverage standard, and that a corresponding variation to the applicable consent notice under section 221(3) of the RMA is included. The following assessment is based on the proposal as modified by that information

The application seeks land use and subdivision consent to establish two attached three-storey mixed-use units at 8 Highlands Avenue, Cromwell, within the Highlands Innovation and Technology Park (HITP). Each unit will be contained on its own freehold title following subdivision of the existing 600m² site into two allotments of approximately 300m² each. A shared party wall is proposed along the internal boundary.

Each unit comprises a ground floor vehicle-oriented workshop space, with upper levels accommodating a single residential dwelling. The first floors contains bedrooms, bathrooms, and a study, while the top floors comprise the main living area with elevated views toward the Highlands track.

Vehicle access to both lots will be from Highlands Avenue. Parking is provided internally within each garage. The sealed apron in front of each garage is not relied on for parking and is now intended solely for access and manoeuvring.

Water, stormwater, power, and telecommunications services will be provided to each lot via existing infrastructure within HITP. Wastewater will connect to the private HITP system, although the applicant has requested flexibility to pursue an alternative disposal method, subject to approval by Highlands.

The application includes a request to vary Consent Notice CN12451331.5 pursuant to section 221(3) of the RMA. The specific standards proposed to be breached are:

- Condition 32(b): Site Coverage
  "All lots shall have a maximum coverage of 75%, except for Lots 233–238 that are permitted to have a maximum building coverage of 100%."

  The site is not within Lots 233–238. The proposed building coverage is:

- Lot 1: approximately 88% site coverage
- Lot 2: approximately 82% site coverage
- 84% overall site coverage

- Condition 32(n): Landscaping
  "All lots over 200m² in total area shall include 15% landscaping of the total area…"

  Both proposed lots are 300m^2 in area. As such, the required minimum landscaped area required by this condition is 45m² per lot The landscaping proposed for each lot is significantly below this threshold:

  - Lot 1: 1.5 m² (0.5%)
  - Lot 2: 23.8 m² (7.9%)

  Both lots are therefore non-compliant with CN12451331.5 and the application seeks to vary the notice accordingly.

Figure 1: 3D render of proposed development (Application).

SITE DESCRIPTION

The subject site is located at 8 Highlands Avenue, Cromwell, and is legally described as Lot 220 DP 556783. It comprises a single freehold allotment of approximately 600m² within the Highlands Innovation and Technology Park (HITP), a bespoke mixed-use precinct established through a series of land use and subdivision consents.

The site is currently vacant and flat, with a compacted gravel surface. It is serviced by an existing vehicle crossing from Highlands Avenue and is positioned within a row of similarly sized allotments developed for vertically integrated mixed-use activities. The surrounding area is characterised by similar multi-storey, mixed-use, vehicle-oriented development with residential dwellings above. The site is located approximately 80 metres north of the Cromwell Chafer Beetle Reserve.

Essential services (including water, wastewater, stormwater, power, and telecommunications) are available to the site via infrastructure provided as part of the HITP subdivision.

REASONS FOR APPLICATION

Central Otago District Plan
The subject site is located in the Rural Resource Area of the Central Otago District Plan (the Plan). There are no other annotations included in the District Plan for the site.

Subdivision:

Rule 4.7.4(iii)(b) of the Central Otago District Plan states that where a subdivision will create lots with an average size of no less than 8 hectares (ha) and a minimum lot size of no less than 2ha within the Rural Resource Area, then, this is a discretionary activity. In this instance, the proposal will result in the creation of two 300m^2 lots. As such, the application is assessed as a non-complying activity, in accordance with Rule 4.7.5(iii) of the Plan.

Consent Notice Variation – Section 221(3) RMA

The subject site is encumbered by Consent Notice 12451331.5, registered on the record of title pursuant to section 221 of the Resource Management Act 1991. The proposed development doesn't comply with the site coverage and landscaping standards stipulated by Conditions 32(b) and 32(n) of CN 12451331.5.

This application includes a request to vary the relevant condition accordingly. The assessment of effects in this report considers the implications of the proposed variation and whether the proposed change remains consistent with the intent of the original consent framework for the Highlands Innovation and Technology Park. The variation itself is specifically assessed under s104(b) 'Other Matters'.

Land Use:

I note the application seeks land use consent for residential activity. For the avoidance of any doubt I note that, as RC200231 already authorised 'above ground floor' residential uses. As such, land use consent for the residential use proposed by this application is already anticipated by the underlying consent and no further consent for residential activity is considered necessary. This report does not further assess that aspect of the proposal.

The application also originally included a request for consent under Rule 12.7.2 of the Plan due to a shortfall in on-site parking. However, Council raised concerns regarding scope and vires, as the proposed parking was partially located outside the subject site boundaries. In response, the applicant confirmed, via further information dated 25 August 2025, that they no longer seek consent for this aspect of the proposal..

National Environmental Standards

Council and Otago Regional Council records indicate that the sites has not, or is not likely to, have had HAIL use in accordance with the NESCS Regulation. Further, Council's decision on RC 200231 records that *"… given the history of the site, the Council accepts that it is highly unlikely that there will be a risk to human health resulting from the proposal*". On this basis, I therefore consider that the NESCS is not relevant to this application.

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

Overall Status

Where an activity requires resource consent under more than one rule, and the effects of the activity are inextricably linked, the general principle from case law is that the different components should be bundled and the most restrictive activity classification applied to the whole proposal.

In this case, there is more than one rule involved, and the effects are linked. As such, 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, 104B and 104D of the Resource Management Act 1991 ('the Act').

EFFECTS ASSESSMENT

Affected Persons

The written approval of the persons detailed in the table below has been obtained. In accordance with sections 95D(a) and s95D(e) of the Resource Management Act 1991, the Council cannot have regard to the effects of the activity on these persons.

Person	Address	Obtained
RJ Carter & GP Carter	Owners of the south adjoining 10 Highlands Avenue (LOT 219 DP 556783)	6.6.25
Josie Spillane	On behalf of: Highlands Motorsport Trust Limited (RoT 973394), and Highlands Industrial Park Services Limited (RoT 973395)	11.6.2025

In addition to the above, the applicant has submitted a letter from the Highlands Design Review Board confirming that the proposed design has been approved by the Board. An updated letter from the DRB, which specifically acknowledges the building coverage breach was received on 30 September 2025.

Permitted Baseline

Under sections 95D(b) and 104(2) of the Resource Management Act 1991, the Council may disregard an adverse effect of an activity on the environment 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.

There are no permitted subdivisions in 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 and adjacent land, the existing and reasonably foreseeable receiving environment comprises multi-storey mixed-use development with light commercial activities associated with the motorsport industry being the predominating land use in line with the requirements of RC150225 and Consent Notice Consent Notice 12451331.5. This underlying consent also authorises above-ground-floor residential activity.

The receiving environment is also notable for comprising a number of sites that have undergone comparable ‘infill’ style subdivisions within the HITP.

Assessment Matters

The application is for a non-complying activity and Council discretion extends to any matter it deems reasonably relevant to the prosed activity. For expediency, consideration of the subdivision and s221 related matters have been grouped and considered holistically below. No regard has been given to any trade competition or any effects of trade competition.

1. Visual Amenity and Built Form

The proposed dwellings are attached to one another and also share a party wall with the adjoining development on Lot 219 DP 556783. Written approval has been obtained from the owners of Lot 219, and effects on that property are therefore not considered further under sections 95D(e) and 104(3)(a)(ii) of the Act.

While attached buildings are not unusual within the Highlands Innovation and Technology Park (HITP), the level of site coverage proposed here is materially greater than what is typical for sites in this part of the HITP. However, the potential adverse effects of this departure are internalised to the HITP and do not impact the wider public realm. The built form integrates well within the existing context of mixed motorsport-related and residential development. The architectural design has been reviewed and approved by the HITP Design Review Board and is considered to exhibit a high level of design quality and visual coherence, which has been accepted as a mitigating factor with respect to the relatively high site coverage and low provision of landscaping.

Overall, while the proposal does not strictly adhere to the built form and coverage expectations of the consent notice, the internalised nature of its effects and the architectural merit of the design mitigate any adverse visual amenity effects beyond the HITP and internal effects have been disregarded in line with the written approval of the Design Review Board and the motorsport park themselves (Highlands Motorsport Trust Limited and Highlands Industrial Park Services Limited).

2. Character and Consistency with HITP

The Highlands Innovation and Technology Park (HITP) has been established through a series of bespoke land use and subdivision consents, notably RC150225 and RC200231. These consents, together with Consent Notice 12451331.5, establish a planning framework that is distinct from the underlying Rural Resource Area zoning. The consent notice defines expectations regarding land use, built form, landscaping, signage, and architectural materials, and sets out a formal role for the HITP Design Review Board (DRB) in maintaining quality and coherence across the precinct.

The proposed development continues the vertically integrated live/work typology anticipated by the HITP framework. Each unit comprises a ground-floor commercial tenancy suitable for motorsport-related or light industrial use, with an upper-floor residential component. This arrangement aligns with the intent of Conditions 30 and 31 of the consent notice.

While the architectural design and mixed-use form are consistent with the established character of the HITP, the development departs from the norm in relation to site coverage and landscaping. The subject site does not benefit from the 100% site coverage exemption afforded to Lots 233–238, yet proposes a site coverage of 96.7% with landscaping of only 3.2%. This is a marked deviation from Condition 32(n), which requires 15% landscaping for sites over 200m², and Condition 32(b), which limits site coverage to 75%.

Despite these departures, the effects are considered to be internalised within the HITP and are mitigated in part by the high standard of architectural design and the written support of the HITP Design Review Board. While this approval is not determinative under the Resource Management Act, it provides strong evidence that the proposal aligns with the design intentions and functional aspirations of the wider precinct. Furthermore, written approval has been provided by the Highlands Motorsport Park entity and adjoining landowners, further mitigating concerns about precinct character and consistency.

Overall, the proposal is considered to maintain the functional integrity and built character of the HITP. While the reduced landscaping and elevated site coverage represent a departure from the consent notice framework, the internalised nature of these effects and strong design response suggest that any adverse effects on the character of the HITP will be less than minor.

3. Traffic, Access, and Onsite Circulation

The proposal involves the creation of two mixed-use units, each with direct vehicle access from Highlands Avenue via individual crossings. The ground floors are designed as vehicle-oriented workshop or showroom areas, with sufficient internal space to accommodate multiple vehicles. Each unit also includes a garage area, which provides the required parking for the residential component of the development.

The application originally showed external parking spaces forward of the garages, some of which did not meet the minimum dimensions of Rule 12.7.2 of the District Plan. Following Council's section 92 request, the applicant clarified that these external spaces are not relied upon to meet the parking requirements of the District Plan. Parking demand for the residential units is instead met through the garages, while the ground floor commercial areas provide additional internal capacity for vehicle parking and manoeuvring.

Traffic generation associated with the proposed units is expected to be modest and consistent with the established live/work typology within the Highlands Innovation and Technology Park (HITP). Vehicle movements will be comparable to those generated by other mixed-use developments in the precinct, and will not adversely affect the safe or efficient operation of Highlands Avenue or the wider road network.

Condition 9 of Consent Notice 12451331.5 requires that vehicle entrances are constructed in accordance with Part 29 of Council's Roading Policies (January 2015). While detailed engineering drawings have not yet been submitted, compliance with this requirement can be ensured at the subdivision certification stage.

Overall, the development provides adequate parking and manoeuvring space for both the residential and commercial components, and traffic generation will be consistent with that anticipated in the HITP. Any adverse traffic or access effects are therefore considered to be less than minor.

4. Servicing and Infrastructure

Each unit will be independently serviced for potable water, wastewater, stormwater, power, and telecommunications. The subject site is within a fully serviced part of the Highlands Innovation and Technology Park (HITP), with reticulated Council water and wastewater services available at the Highlands Avenue road frontage.

The application confirms that each unit will connect separately to these networks, with no shared laterals or rights-of-way proposed. This individualised approach to servicing is appropriate for a fee simple subdivision of this scale and typology, and is consistent with the expectations for development within HITP.

Stormwater is to be managed on-site via soakage, in accordance with Condition 12 of Consent Notice 12451331.5. This condition requires that stormwater from buildings and impervious areas be disposed of entirely within each lot boundary. Concept plans illustrate soak pit locations at the rear of each unit, and the site's flat topography, combined with compact site boundaries, is generally conducive to this approach. Detailed design of soakage systems will need to confirm ground infiltration capacity, but there is no indication of site constraints that would preclude compliance with the consent notice condition.

Other utilities, including electricity and telecommunications, are readily available within the road reserve. Each unit will be individually connected, with no shared service infrastructure or easements proposed or required.

Council's Development Engineer has reviewed the servicing proposal and confirmed it is acceptable, subject to standard engineering conditions.

5. Landscaping and Site Presentation

The application includes only minimal landscaping detail, limited to notations on the site plan and a brief written description within the plan set. Areas of landscaping are shown on the Plan of Subdivision (Drawing 01, Rev B) as shaded green areas located at the site frontage between each vehicle crossing.

No formal landscape plan or planting schedule has been provided, and there is no qualitative assessment of how the proposed landscaping has been specifically designed to mitigate the shortfall with the 15% landscaped area requirement under Condition 32(n) of Consent Notice 12451331.5. However, it is acknowledged that the proposal was reviewed and approved by the Highlands Innovation and Technology Park (HITP) Design Review Board, which includes consideration of landscaping adequacy under that condition.

In terms of presentation, the proposed landscaping is modest in extent and largely restricted to narrow strips along the road frontage. These are intended to soften the interface between the buildings and public realm but do not contribute significantly to on-site amenity.

Although landscaping provision is minimal, it aligns with the general expectations of the HITP built environment, and no adverse effects are anticipated beyond the HITP. The DRB's written approval is accepted as an indication that the proposed architectural design is appropriate mitigation for the shortfall in landscaped area and that the proposed site presentation is consistent with the established character of the Park.

6. Sustainable use of productive land and soil resource and reverse sensitivity effects

The site forms part of the constructed Highlands Innovation and Technology Park (HITP), enabled by a land use consent that has already shifted the site away from any productive rural use. The existing built environment and infrastructure are incompatible with primary production, and the land has no remaining productive value.

The proposal aligns with established activities and does not introduce any increased reverse sensitivity risks.

7. Hazards

No natural hazards have been identified in the planning maps for this site, and no site-specific hazard risks have been identified.

8. Earthworks

The site is already fully levelled and only minor earthworks will be required for the foundations and services.

9. Esplanade Reserves and Strips

There is no waterbody adjoining the site, and esplanade provisions do not apply.

10. Financial Contributions

Council's Policy on Development and Financial Contributions effective from 1 July 2021, and updated $/HUE rates as published in CODC's Schedule of Fees and Charges 2024-2025. Based on Council's assessment methodology, financial contributions are required as follows:

Activity	Payment
Water Supply	$Nil
Wastewater	$1,520.80 +GST
Reserves	$1,261.74 +GST
Roading	$1,242.00 +GST
Total	**$4,024.54 +GST**

11. Amalgamations and Easements

No amalgamations are proposed or required. A condition of consent should be imposed to require any easements necessary for servicing or access to be confirmed at the time of survey.

12. Matters under Sections 106 and 220 of the RMA

No actual or potential hazards have been identified that would trigger section 106 of the Act. The lots are considered suitable for the purpose for which they are created. There are no unusual or site-specific matters under section 220 that require bespoke conditions. Subject to standard conditions of consent, no impediments to subdivision consent are identified under these sections.

SUBSTANTIVE DECISION ASSESSMENT

Effects

In accordance with sections 95D and 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 less than minor and appropriate for the receiving environment.

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

In accordance with section 104(1)(b) of the Resource Management Act 1991, the following objectives and policies of the Central Otago District Plan were taken into account when assessing the application.

4.3.1 Objective - Needs of the District's People and Communities

To recognise that communities need to provide for their social, economic, and cultural wellbeing, and for their health and safety at the same time as ensuring environmental quality is maintained and enhanced.

4.3.3 Objective - Landscape and Amenity Values

To maintain and where practicable enhance rural amenity values created by the open space, landscape, natural character and built environment values of the district's rural environment, and to maintain the open natural character of the hills and ranges.

4.4.2 Policy – Landscape and Amenity Values

To manage the effects of land use activities and subdivision to ensure that adverse effects on the open space, landscape, natural character, and amenity values of the rural environment are avoided, remedied or mitigated through:

(a) The design and location of structures and works, particularly in respect of the open natural character of hills and ranges, skylines, prominent places and natural features,
(b) Development which is compatible with the surrounding environment including the amenity values of adjoining properties,
(c) The ability to adequately dispose of effluent on site, (d) Controlling the generation of noise in back country areas,
(d) The location of tree planting, particularly in respect of landscape values, natural features and ecological values,
(e) Controlling the spread of wilding trees.

(f) 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.
(g) Strongly discouraging buildings in the Rural Resource Area of the Wooing Tree Overlay Area to ensure a vineyard or treed park-like character with an absence of built form.

4.4.8 Policy - Adverse Effects on the Amenity Values of Neighbouring Properties.
To ensure that the effects associated with some activities including (but not limited to):
(a) Noise (including noise associated with traffic generation, night-time operations), and vibration,
(b) The generation of a high level of traffic, in particular heavy vehicles,
(c) Glare, particularly from building finish,
(d) A reduction in visual amenity due to excessive signage and the storage of goods or waste products on the site,
(e) The generation of odour, dusts, wastes and hazardous substances, and
(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.

16.3.1 Objective - Adverse Effects on the Roading Network
To ensure that subdivision avoids, remedies or mitigates adverse effects on the safe and efficient operation of the District's roading network.

16.3.2 Objective - Services and Infrastructure
To ensure that subdivisions provide all necessary services and infrastructure without adversely affecting the public interest and the ongoing viability of those services and infrastructure.

16.3.4 Objective - Amenity Values
To ensure, where appropriate, that amenity values of the District created by the open space, landscape and natural character values, and areas of significant indigenous vegetation, significant habitat of statutorily managed sports fish and game are not adversely affected by subdivision.

16.3.5 Objective - Water and Soil Resources
To ensure that subdivision does not facilitate development that may compromise the life-supporting capacity of the District's water and soil resources.

16.4.3 Policy - Adequate Infrastructure
To require that the land to be subdivided is supplied with services and infrastructure that are adequate for the intended use of the land to be subdivided without the public interest being adversely affected.

16.4.6 Policy – Construction Standards
To require that all physical works within subdivisions are designed and constructed in accordance with NZS 4404:1981 which is the Council's Subdivision Code of Practice unless Council determines modification of this code is necessary given the local conditions and particular circumstances affecting the subdivision.

16.4.7 Policy - Subdivision Design
To require that the design of subdivision, where relevant to the intended use, provides for the following matters:
(a) Facilitates convenient, safe and efficient access to all allotments including pedestrian access where appropriate.
(b) Facilitates the safe and efficient provision and operation of services and infrastructure.

(c) Facilitates access to passive solar energy resources.
(d) Facilitates any foreseeable subsequent development or redevelopment including the economic provision of roading and network utility services.
(e) Facilitates adequate provision of, or contribution to, the open space, recreational and reserve needs of the community with physical links to existing reserve areas where this is practicable.
(f) Facilitates an appropriate level of access to heritage sites, natural features and water bodies where appropriate.
(g) Facilitates development which keeps earthworks to a minimum. (h) Facilitates retention of the heritage values of a site or area.

The proposed subdivision does not comply with the allotment sizes within the Rural Resource Area and is generally inconsistent with the kind of rural environment anticipated by the Rural Resource Area. Notwithstanding this I note that site's zoning is somewhat incongruous with the well-established development of the Highlands Motorsport and Technology Parks and the underlying HITP consents have effectively superseded the District Plan controls for these sites.

Subsequently this is a relatively unique situation wherein the proposal itself is difficult to reconcile with the zone's policy framework, however, it is consistent with its receiving environment and in and of itself does not give rise to any notable adverse effects. Overall, having particular regard to the site's extenuation contextual circumstances I do not consider the proposal to be contrary to the relevant objectives and policies of the Central Otago District Plan.

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 (Proposed RPS 21) was notified on 26 June 2021. An assessment of the provisions of both documents relevant to this proposal are set out in the application and are adopted for the purposes of this report.

After taking into consideration the Partially Operative and proposed Regional Policy Statements for Otago, I consider that the policy direction given by the District Plan is certain and complete as it relates to this application and, as such, there is no need to revert to higher order planning instruments.

Other Matters

Section 104(1)(c) of the Resource Management Act 1991 requires the Council to have regard to any other matters considered relevant and reasonably necessary to determine the application.

Consent Notice Variation

The application includes a request to vary Conditions 32(b) and 32(n) of CN 12451331.5, which stipulate site coverage and landscaping standards:

- Condition 32(b): Site Coverage
  "All lots shall have a maximum coverage of 75%, except for Lots 233–238 that are permitted to have a maximum building coverage of 100%."

  The site is not within Lots 233–238. The proposed building coverage is:

  - Lot 1: approximately 88% site coverage
  - Lot 2: approximately 82% site coverage
  - 84% overall site coverage

- Condition 32(n): Landscaping
  "All lots over 200m² in total area shall include 15% landscaping of the total area…"

  Both proposed lots are 300m^2 in area. As such, the required minimum landscaped area required by this condition is 45m² per lot The landscaping proposed for each lot is significantly below this threshold:

  - Lot 1: 1.5 m² (0.5%)
  - Lot 2: 23.8 m² (7.9%)

The variation sought would alter these standards as they relate to proposed Lots 1 and 2 only.

Nature and Purpose of the Consent Notice Standards

I note that, although the relevant standards were volunteered by the applicant for the underlying consent, this does not diminish their planning purpose or weight. They formed part of the context of the proposal in which Council (and the Court) granted consent, and have since been relied upon by landowners, the consent authority, and the public as defining the expected scale, character and amenity of the development within HITP. In my opinion, these standards were adopted specifically to compensate for the fact that the operative zoning (Rural Resource Area) is otherwise poorly aligned with the development form anticipated by the consent. In this context they have been a proxy for zoning standards that are more suited to the development anticipated for the HITP site.

It is also relevant that the consent notice standards operate in tandem with the requirement for Design Review Board (DRB) approval, rather than being superseded by it. If the intention was to rely solely on the DRB, it is likely the consent would not have included these numeric thresholds. In this context, I consider the applicant's suggestion that the DRB process was always the primary regulatory mechanism is not persuasive.

Public Interest and Stakeholder Expectations
The HITP is a private, gated light-industrial estate with a bespoke character centred on motorsport-related activities with residential activities being generally ancillary to site's primary use as vehicle storage, workshops and the like. I accept that the key audience for the consent notice conditions in this instance is relatively narrow — limited to the DRB, other HITP landowners, and the underlying consent holders (Highlands Motorsport Park Trust Ltd and Highlands Industrial Park Services Ltd). The internalised nature of the estate means wider public interest is more limited than would typically be the case.

However, consent notices still carry broader regulatory significance. They are enforceable instruments relied on by Council, landowners, and the Environment Court to establish and uphold consistent planning outcomes. Their variation is not a trivial matter, and precedents arising from such changes may influence the treatment of future applications both within HITP and beyond. Accordingly, even where direct environmental effects are negligible, such proposals require careful scrutiny.

Assessment of the Applicant's Case
The applicant makes several arguments in support of the variation, which are addressed below:

1. *Internal Greenspace within the Road Reserve Serves a Similar Amenity Function*
   The applicant argues that open greenspace within the road reserve (owned by the Highlands Motorsport Park Trust) offsets the reduction in on-site landscaping. This argument is not accepted. Road berms and shared open space cannot be considered equivalent to private on-site landscaping in terms of residential amenity, stormwater catchment, spatial relief, or softening the built form. The intent of Condition 32(n) is to ensure a minimum proportion of planted, unbuilt area on each site. A site with only 0.5–7.9% landscaping does not meet that intent.

2. *DRB and Underlying Consent Holder Approval as Sufficient Mitigation*
   The applicant points to the written support of the DRB and the underlying consent holders/developer (Highlands Motorsport Trust Limited and Highlands Industrial Park Services Limited). In this instance, I place considerable weight on that support due to the unique character and planning context of the HITP. The zoning provisions of the District Plan are largely rendered obsolete by the underlying consent, and the DRB plays a key role in maintaining the architectural integrity, character and amenity of the estate. That said, DRB support alone does not negate the need to assess the underlying purpose and effects of the consent notice standard being varied.

3. *The Design Outcome is High-Quality and Consistent with the HITP Character*
   I accept that the proposed architectural design is consistent with the HITP aesthetic, and will likely maintain the visual quality, amenity and character of the estate despite the non-compliance with numeric standards. This is a relevant mitigating factor, particularly given the internalised effects and specialist context. However, it does not justify a blanket departure from standards without sufficient cause.

4. *Precedent Risk is Mitigated by the Unique Qualities of the Proposal*
   I consider there is a risk that granting this variation may encourage similar applications across other HITP sites. While this is not inherently undesirable, it does increase the importance of ensuring that any decision is justified on the basis of clear and distinguishing features — namely, DRB/Highlands support, neighbour support, architectural merit, and the limited scale and effects of the variation.

   In all circumstances, I am satisfied that the circumstances of the this case, and the HITP more broadly, are sufficiently unique that granting consent to this proposal would not risk creating a precedent for proposals to vary consent notices outside of the HITP.

5. *Circumstances Have Changed Since the Consent Notice was Imposed*

   No substantive change in circumstances has been demonstrated. The HITP is now more built out, but this does not alter the relevance of the consent notice standards or their role in maintaining consistent outcomes.

6. *Consent Notices Should Not Be Treated Rigidly*

   While that principle is broadly accepted in planning law, it does not override the need to assess whether the original rationale for the standard remains valid. In this case, no compelling justification has been provided to show that the landscaping and site coverage standards are no longer necessary, and no alternative mechanisms have been proposed beyond the purported architectural merits of the proposed buildings.

Conclusion on Consent Notice Variation
On balance, I consider the proposal to vary Condition 32 for Lots 1 and 2 is finely balanced. I do not consider the arguments advanced regarding shared greenspace or redundancy of the standard to be compelling. However, I accept that:

- The effects of the non-compliance will be internalised to the HITP;
- The architectural design is of high quality and has been endorsed by the DRB & Highlands and the most immediately affected neighbour;
- The design maintains a level of amenity and a character that is generally consistent with the rest of the HITP and the intent of the subject consent notice and;
- The HITP has a unique planning context that sets it apart from standard subdivisions.

Accordingly, I am prepared to support the variation, but only on the basis that:

- It is limited to Lots 1 and 2 only;
- The design remains consistent with that assessed and endorsed by the DRB; and

- The decision clearly records the unique context and mitigating factors that distinguish this case from broader precedent.

Precedent and Plan Integrity

In addition to the precedent considerations relating specifically to the proposed consent notice variation, I note that this proposal is also a non-complying activity because it does not comply with the average and minimum allotment sizes for the Rural Resource Area. In this respect, however, I consider the fact the site is part of the Highlands Technology Park to be an extenuating circumstance wherein the existing environment is significantly different from what is generally anticipated by the Rural Resource Area zone. In this unique context, I do not consider the proposed subdivision will set an undesirable precedent in the Rural Resource Area, and the approval of the application will not undermine the integrity of the District Plan.

Section 104D

Section 104D of the Resource Management Act 1991 specifies that resource consent for a non-complying activity must not be granted unless the proposal can meet at least one of two limbs. The limbs of section 104D require that the adverse effects on the environment will be no more than minor, or that the proposal will not be contrary to the objectives and policies of both the district plan and the proposed district plan. It is considered that the proposal meets the first limb as any adverse effects arising from this proposed activity will be no more than minor. Given the unique nature of this site and its relationship with the underlying motorsport park and technology park consents I consider the objectives and policies of the Rural Resource Area to be somewhat incongruous with the existing development and to be of less relevance to this proposal than would be the case elsewhere in the Rural Resource Area.

As the proposal meets at least one limb, the consent authority can exercise its discretion under section 104D to grant consent.

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

2. That, pursuant to Section 221(3) of the Resource Management Act 1991, the Panel approves changes to Consent Notice 12451331.5 as outlined below.

Oli Monthule-McIntosh
Consultant Planner

Date: 7 October 2025

CENTRAL OTAGO DISTRICT COUNCIL
1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand
03 440 0056
Info@codc.govt.nz
www.codc.govt.nz

Consent Type: Subdivision and Land Use Consent

Consent Number: RC 250157

Purpose: Subdivision consent for a two lot subdivision and land use consent to construct a multi-unit development, in the rural resource area.

Location of Activity: 8 Highlands Avenue, Cromwell

Legal Description: LOT 220 DP 973362 (HELD IN RECORD OF TITLE 973355).

Lapse Date: [Day and Month] 2030, unless the consent has been given effect to before this date.

SUBDIVISION CONDITIONS:

1. The proposed activity must be undertaken in general accordance with the approved plans attached to this certificate as Appendix One, and the information provided with the resource consent application received by the Council on 11 March 2025, and further information received on 14 April 2025, except as modified by the following conditions.

2. Unless modified by other conditions, all designs and approvals are to be in accordance with NZS 4404:2004 and the July 2008 CODC Addendum. Together these two documents form the Council's Code of Practice for subdivision

3. Prior to commencement of any physical work the consent holder must apply for and receive council Engineering Acceptance (EA) via the CODC online portal at: CODC Home > Services > Planning > Land Development and Subdivision Engineering.

   This EA application must include:

   - Confirming who their representative is for the design and execution of the engineering work.
   - Provide of design: reports, calculations, specifications, schedules, and drawings, as applicable.

4. Producer Statements/Certificates where appropriate are to be submitted as per NZS 4404:2004 in the form of:
   - Schedule 1A,
   - Schedule 1B,
   - Schedule 1C, and
   - Standalone Schedule 1B for 3 waters work.

5. As-built drawings are to be lodged with the Council in accordance with clause 1.5.10(b) of NZS 4404:2004 and must comply with Council's "Specifications for as-built drawing

documentation version 3.1". The as-built drawings are to be provided in *.dwg/*.dxf or *12da, and in *.pdf file format. New Zealand Vertical Datum (NZVD2016) must be used

6. Prior to certification of the survey plan, pursuant to section 223 of the Resource Management Act 1991, the subdivider must ensure the following:

    a) If a requirement for any easements for services, including private drainage, is incurred during the survey then those easements must be granted or reserved and included in a Memorandum of Easements on the cadastral dataset.

7. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the subdivider must complete the following:

Water

    a) A new standard HDPE (PE100) DN25 (~20mm ID) residential connection must be provided off the existing 100mm PE water principal main in Highlands Avenue (as shown on GIS) to proposed Lot 2. An Acuflo toby and meter assembly must be installed at the street boundary. If water toby boxes must be within vehicle accesses or entranceways/crossings because other solutions are not feasible, they must be cast iron to support sustained traffic.

    b) The existing water supply connection to serve proposed Lot 1 must be inspected by a suitably qualified and experienced person to confirm in writing that it is in good working order. Should the connection be found in poor condition, or if the lateral is exposed as part of the works and found to be of sub-standard size or made of copper, or galvanised iron, then this must be communicated with the Council so that arrangements can be made to have the lateral replaced if necessary. If water toby boxes must be within vehicle accesses or entranceways/crossings because other solutions are not feasible, they must be cast iron to support sustained traffic. If water toby boxes must be within vehicle accesses or entranceways/crossings because other solutions are not feasible, they must be cast iron to support sustained traffic

Wastewater

    c) The existing wastewater lateral to serve proposed Lot 2 must be inspected by a suitably qualified and experienced person to confirm in writing that it is in good working order, and a cleaning eye must be installed on the street side of the street-property boundary if not already installed. Should the lateral be found to be in a poor condition then a new lateral must be provided as for Lot 1 below.

    d) A new standard 150mm ID residential wastewater connection must be installed from the 150mm wastewater main in Highlands Avenue to proposed Lot 1, with a cleaning eye installed on the street side of the street-property boundary.

Electricity and telecommunications

    e) Operational power and telecommunication connections must be provided underground to proposed Lots 1 and 2.

Access

f) New vehicle entranceways/crossings from Highlands Avenue to serve proposed Lots 1 and 2 must be constructed in accordance with the requirements of Part 29 of Council's Roading Policies January 2015. Crossings onto sealed roads must include a cutout 300mm into the sealed road or until the full thickness of the sealed road is reached, whichever is greater. The interface must have tape seal banding over all joins for new asphalt crossings.

Financial Contributions

g) Payment of a reserves contribution of $1,261.74 (exclusive of Goods and Services Tax) calculated in terms of Rule 15.6.1(1)(a)(i) of the Operative District Plan on the basis of one additional dwelling equivalent.

LAND USE CONDITIONS:

1. The proposed buildings and associated residential activities and commercial vehicle oriented activities must be established in general accordance with the approved plans attached to this certificate as Appendix Two, and the information provided with the resource consent application received by the Council on 11 June 2025, and further information received on 25 August 2025, except as modified by the following conditions:

2. Prior to occupation all stormwater runoff from buildings and other impervious surfaces within each of proposed Lots 1, and 2 must be stored for beneficial reuse or disposed of by soak-pit designed by a suitably qualified and experienced person within the boundary of each respective lot.

3. Prior to occupation, the landscaped areas shall be fully planted, mulched and appropriately irrigated.

4. No unit shall be occupied until all subdivision conditions of consent RC250157 that relate to infrastructure servicing, access formation, and payment of financial contributions have been complied with to the satisfaction of Council.

5. The development and ongoing use of the site shall comply with all applicable conditions of Consent Notice 12451331.5, including (but not limited to) those relating to permitted activities, signage, acoustic design, landscaping, and design approval by the Design Review Board. In particularly, Conditions 33(a)/(b) require certification the building meets the specified acoustic requirements to be provided with an application for building certification.

6. It is resolved that pursuant to Section 221(3) of the Resource Management Act 1991 that condition 32(b) and 32(n) of CN 12451331.5 must be amended as follows:

   *(b) All lots shall have a maximum coverage of 75%, except for Lots 233-238 that are permitted to have a maximum building coverage of 100%**, and the development on Lot 220 approved by RC250157**.*

(n) ***Except for the development on Lot 220 approved by RC250157,*** *All lots over 200m^2 in total area shall include 15% landscaping of the total area, consisting of 80% native plants selected from the plant list that is attached at Appendix 2 and clearly set out and described in a Landscape Plan that details the quantities and sizes of all species, such Landscape Plan to be submitted to and approved by the Design Review Board. All landscaping is to include a permanent in ground watering system complete with automatic timer.*

Evidence of the updated consent notice must be provided to Council once this process is completed and prior to occupation of the units.

Note: This decision is does not automatically change the consent notice on the Record of Title. The consent notice held by Land Information New Zealand on the Record of Title remains the legally binding document. It is the responsibility of the consent holder to deposit notice of the change with LINZ to update the relevant consent notice(s). A copy of the certificate of variation to the consent notice signed by Council is attached to this decision and needs to be submitted to LINZ prior to giving effect to this resource consent. Please provide evidence of the updated consent notice to Council once this process is completed.

7. The consent holder shall pay to the Council all required administration charges fixed by the Council pursuant to section 36 of the Act in relation to:

   a) Administration, monitoring and inspection relating to this consent; and
   b) Charges authorised by regulations.

ADVICE NOTES:

Financial Contributions

1. All charges incurred by the Council relating to the administration, inspection and supervision of conditions of subdivision consent must be paid prior to Section 224(c) certification.

2. Development contributions for water, wastewater and roading of $1,520.80, and $1,242.00 (exclusive of goods and services tax) are payable for pursuant to the Council's Policy on Development and Financial Contributions contained in the Long Term Council Community Plan. Payment is due upon application under the Resource Management Act 1991 for certification pursuant to Section 224(c). The Council may withhold a certificate under Section 224(c) of the Resource Management Act 1991 if the required Development and Financial Contributions have not been paid, pursuant to section 208 of the Local Government Act 2002 and Section 15.5.1 of the Operative District Plan.

3. Prior to connecting to Council's wastewater network, an approved 'Application to Connect' submission is required, in addition to approved plans for wastewater servicing via the 'Engineering Acceptance process.

4. An approved 'Application to Connect' submission is required prior to connecting to Council's potable water network.

General

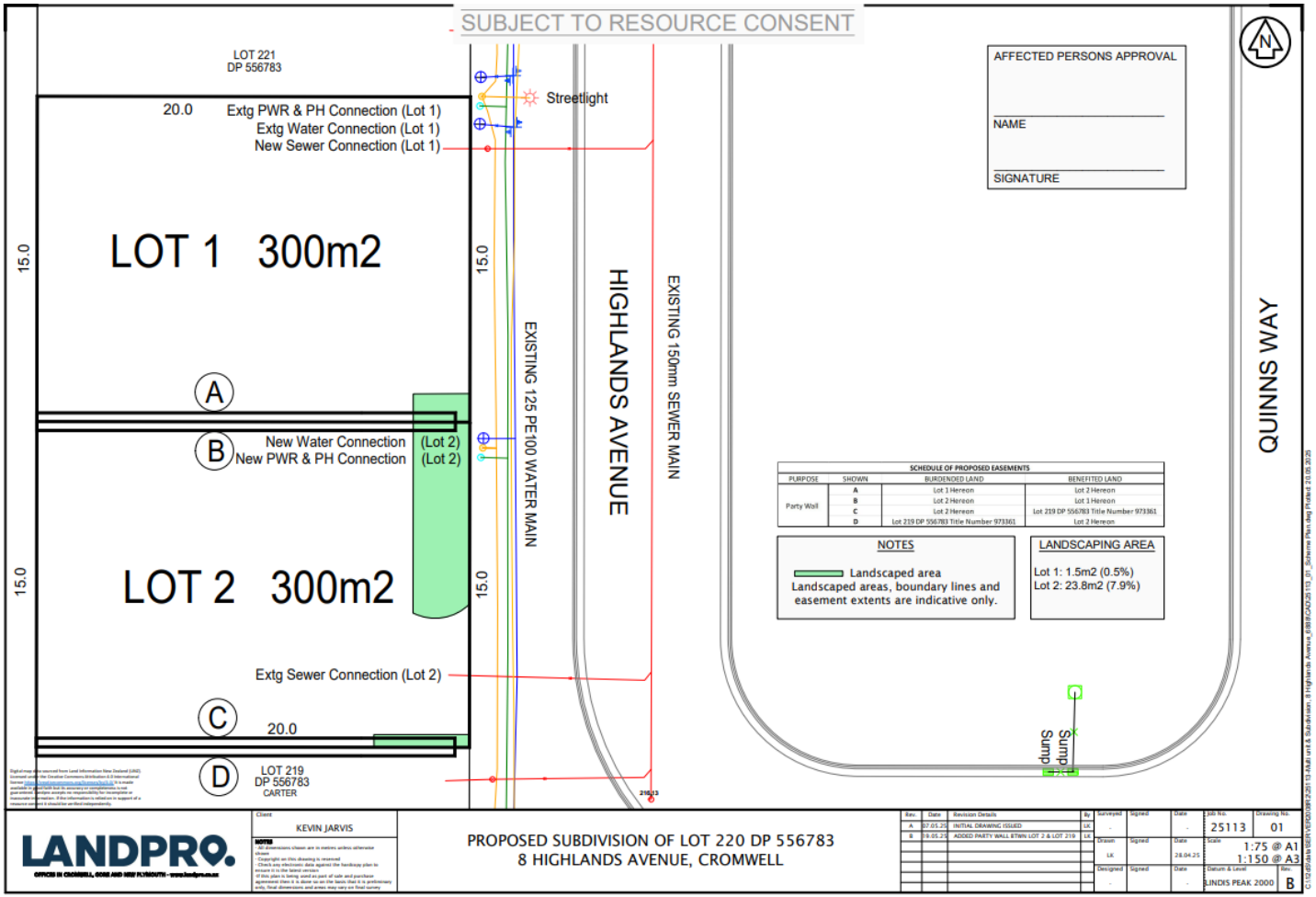
5. In addition to the conditions of a resource consent, the Resource Management Act 1991 establishes through sections 16 and 17 a duty for all persons to avoid unreasonable noise, and to avoid, remedy or mitigate any adverse effect created from an activity they undertake.

6. 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.

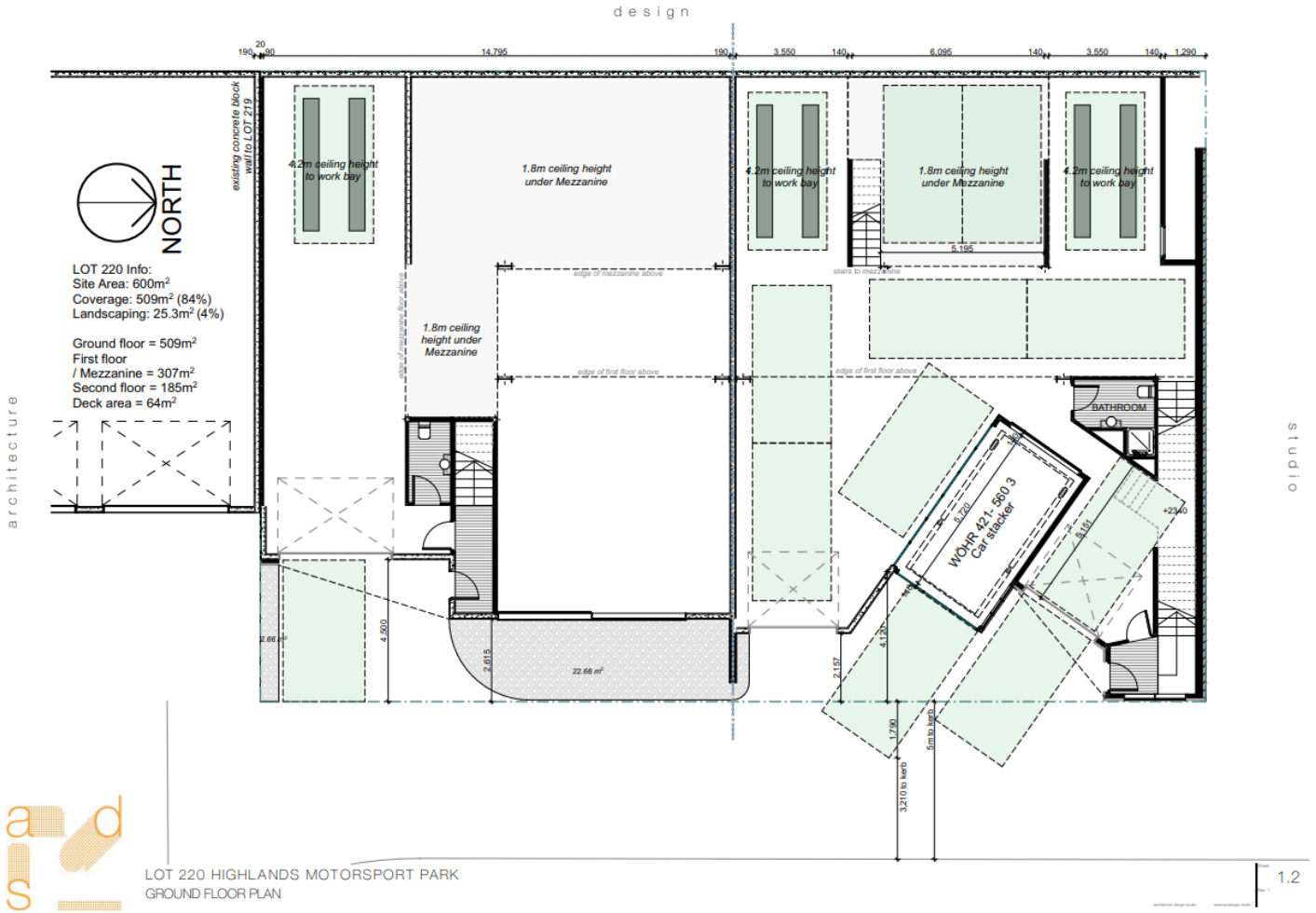
7. It is the responsibility of any party exercising this consent to comply with any conditions imposed on the resource consent prior to and during (as applicable) exercising the resource consent. Failure to comply with the conditions may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.
8. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.

9. This is a resource consent. Please contact the Council's Building Services Department, about the building consent requirements for the work.

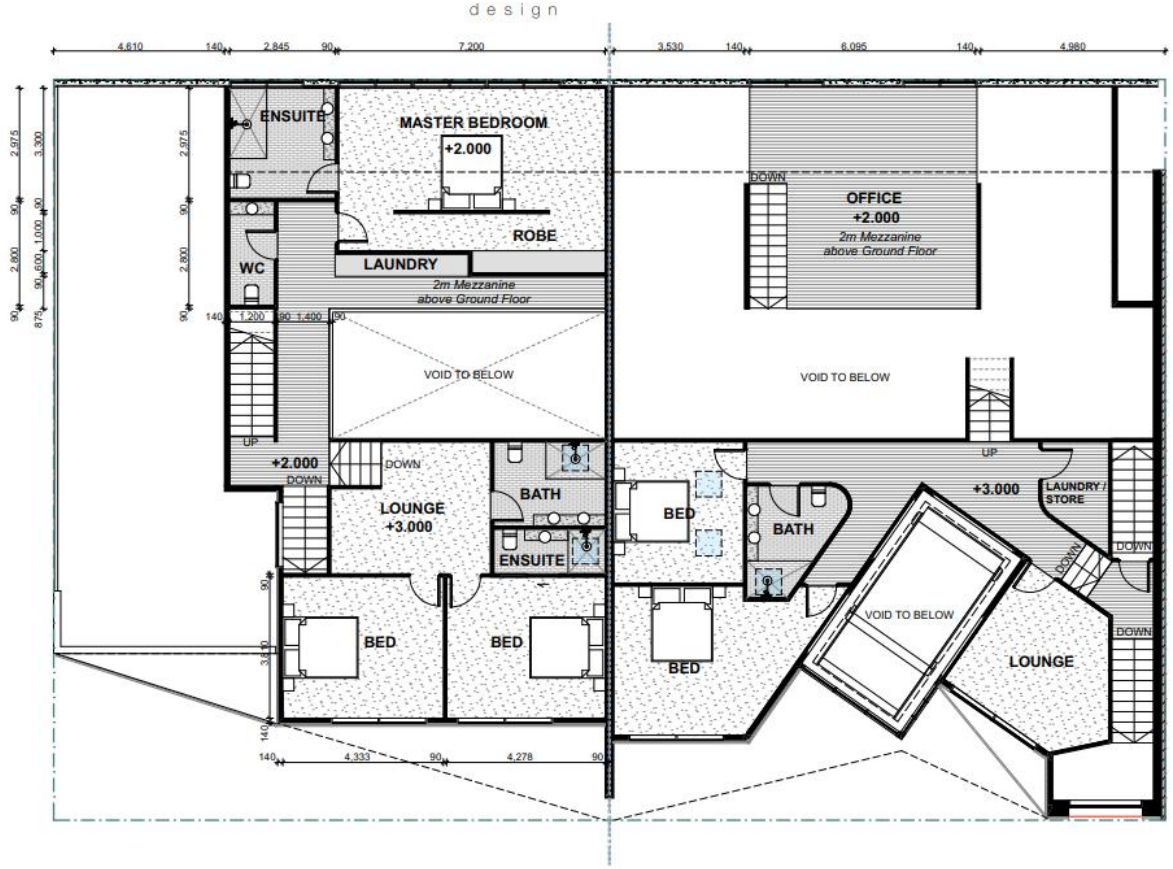
Appendix One: Approved Plan/s for RC 250157 (scanned image(s), not to scale)



Appendix Two: Approved Plan/s for RC 250157 (scanned image(s), not to scale)



design

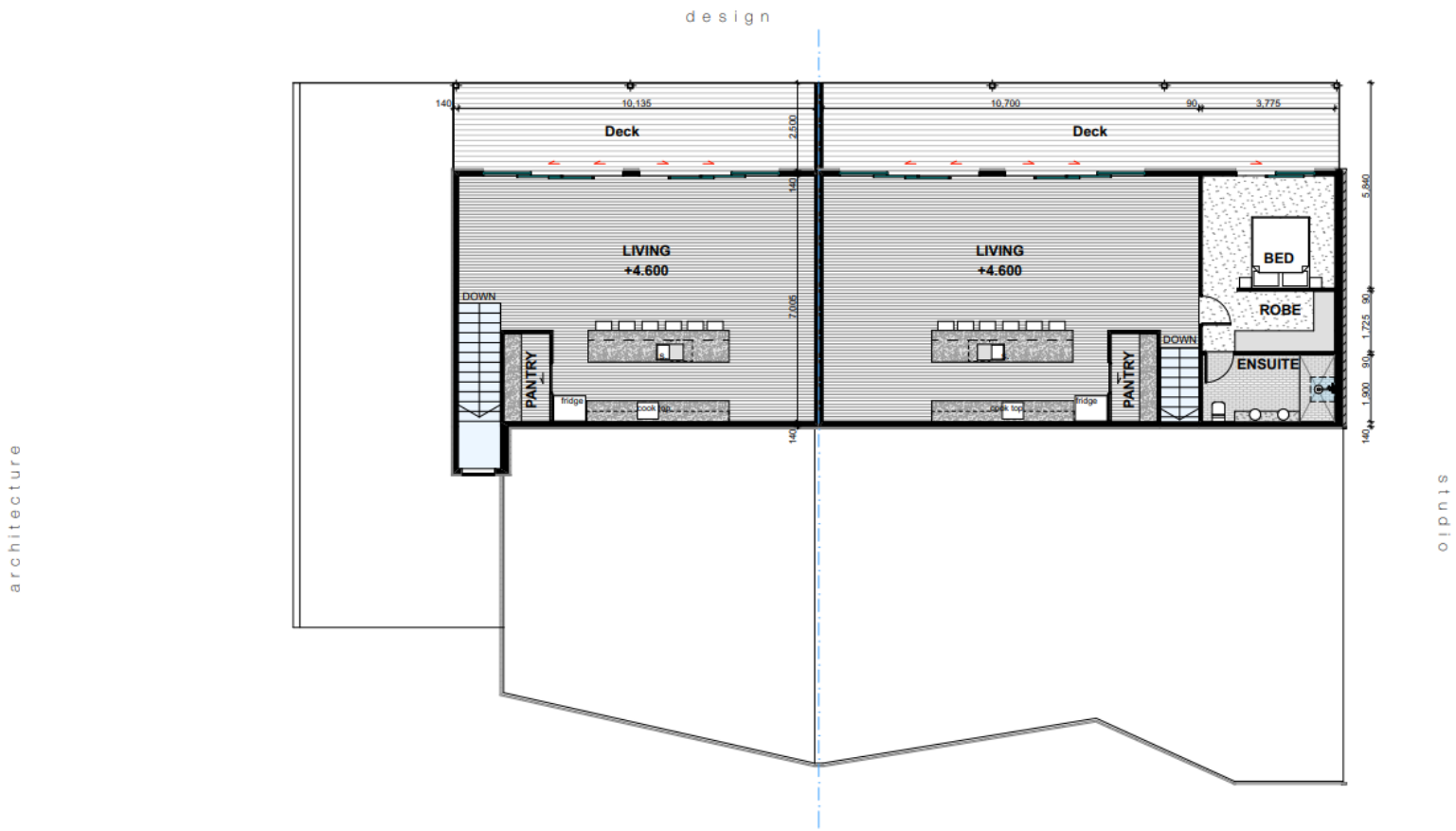


architecture

studio

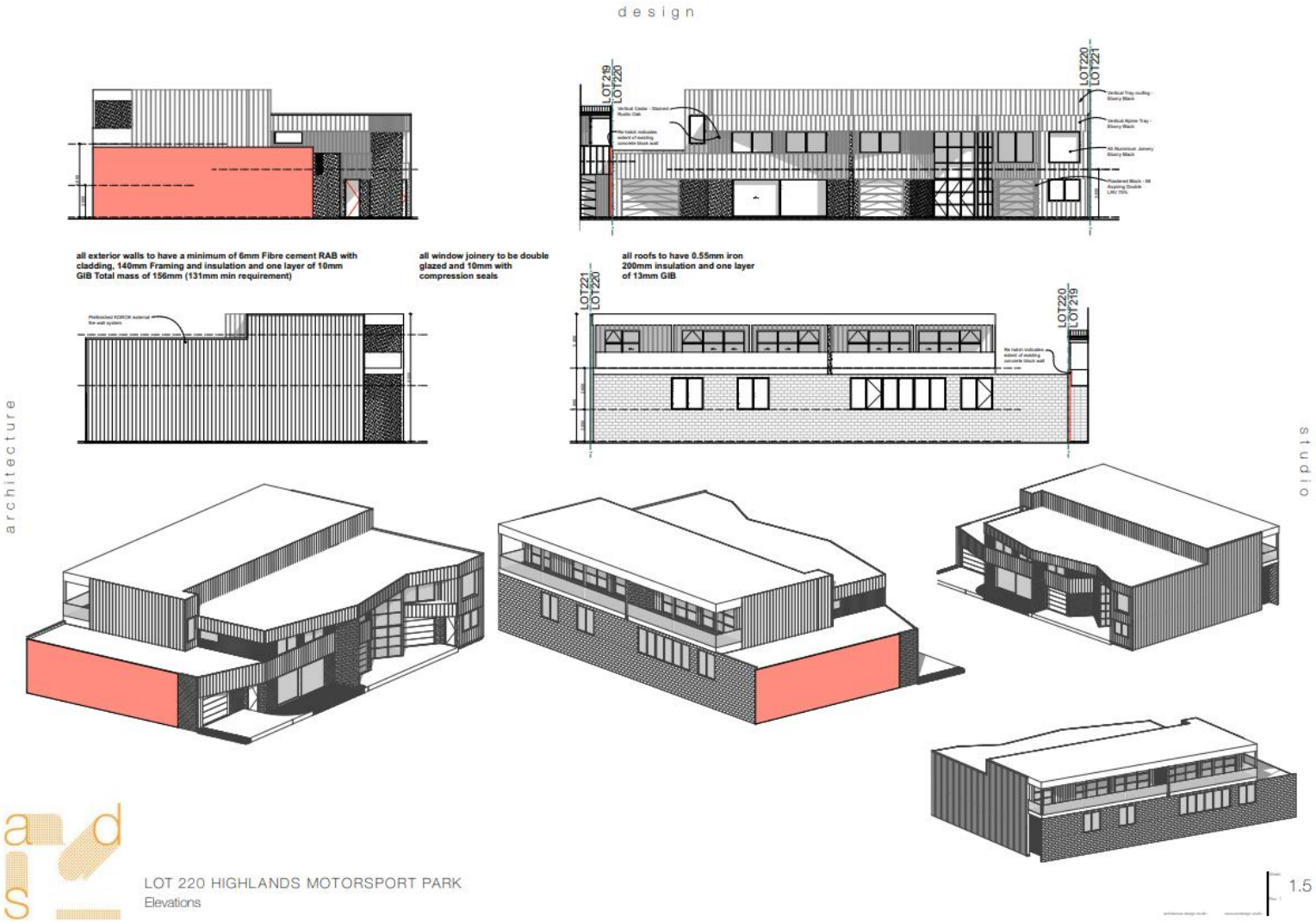
LOT 220 HIGHLANDS MOTORSPORT PARK
FIRST FLOOR PLAN

1.3



LOT 220 HIGHLANDS MOTORSPORT PARK
SECOND FLOOR PLAN

1.4


design
LOT219
LOT220
LOT221
all exterior walls to have a minimum of 6mm Fibre cement RAB with cladding, 140mm Framing and insulation and one layer of 10mm GIB Total mass of 156mm (131mm min requirement)
all window joinery to be double glazed and 10mm with compression seals
all roofs to have 0.55mm iron 200mm insulation and one layer of 13mm GIB
architecture
studio
LOT 220 HIGHLANDS MOTORSPORT PARK
Elevations
1.5

design

APPENDIX 2.

Plant List - Highlands Motorsport Park

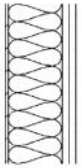
The following list of native species shall be used in association with landscaping in the industrial Subdivision at the Highlands Motorsport Park. Of the total area of landscaping, 80% shall comprise natives from the list below:

- Acaena inermis purpurea
- Anamanthele lessonia
- Astelia nervosa
- Carex secta
- Carex testacea
- Carex virgata
- Coprosma crassifolia
- Coprosma repens
- Corokia cotoneaster
- Corokia buddleioides
- Corokia 'Red Wonder'
- Cordyline australis
- Dianella nigra 'Margaret Pringle'
- Griselinia littoralis
- Hebe speciosa
- Hebe albicans
- Hebe diomifolia
- Hebe 'Dazzler'
- Hebe buchananii
- Hebe cockayniana
- Hebe 'Goldrush'
- Hebe 'First Light'
- Libertia peregrinans
- Muehlenbeckia astonii
- Phormium cookianum 'Purpurea'
- Phormium cookianum 'Evening Glow'
- Phormium cookianum 'Little Cracker'
- Poa cita
- Poa colensoi
- Pittosporum tenufolium
- Pittosporum eugeniodes
- Sophora microphylla

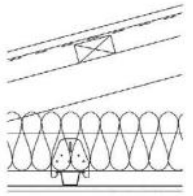
14. acoustic

14.1. Due to the proximity to the Highlands Racetrack, all buildings on Lots 201-251 must be designed to incorporate the following elements (Table 1) in order to meet the internal noise attenuation requirements.

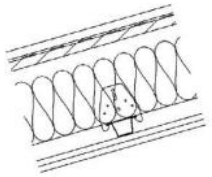
BUILDING ELEMENT / REQUIRED CONSTRUCTION
External Wall
• Exterior: 20mm timber or 6mm fibre cement
• Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar)
Two layers of 12.5mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass)
Window
• All window glazing shall be double glazed and a minimum thickness of 10mm
• Aluminium framing with Compression seals or Equivalent
Pitched Roof
• Cladding: 0.5mm profiled steel or tiles or 6mm corrugated fibre cement.
• Frame: Timber truss with 100mm acoustic blanket (R2.2 Batts or similar)
• Ceiling: 12.5 gypsum plaster board*
Skillion Roof
• Cladding: 0.5mm profiled steel or 6mm fibre cement
• Sarking: 20mm particle board or plywood
• Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar)
• Ceiling: 2 layers of 9.55mm gypsum plasterboard
External Door
• Solid core door (min 24kg/m2) with weather seals



External wall construction



Pitched roof construction



Skillion roof construction

architecture

studio

LOT 220 HIGHLANDS MOTORSPORT PARK
PLANTING

1.10

CENTRAL OTAGO DISTRICT COUNCIL
S95A-F DECISION FOR RC250157
8 Highlands Avenue, Cromwell

INTRODUCTION

BACKGROUND

While the subject site is zoned Rural Resource Area under the Operative Central Otago District Plan, the land use and subdivision consents that apply to the Highlands Innovation and Technology Park (HITP) — particularly RC150225 and RC200231 — establish a bespoke planning framework that effectively supplants the default zone provisions. This includes a tailored set of land use controls, built form and design standards, and a Design Review Board approval process that collectively define the operative expectations for development within the HITP. As such, this consented environment forms the primary basis for assessing resource consent applications within the HITP. To this end, a detailed consent background for the site is outlined below:

On 23 December 2009, the Environment Court issued a final decision that granted land use consent for the Highlands Motorsport Park at Cromwell (RC070149). This decision, and accompanying conditions, identify Area "A" and Area "B" as shown in Figure 1 below:

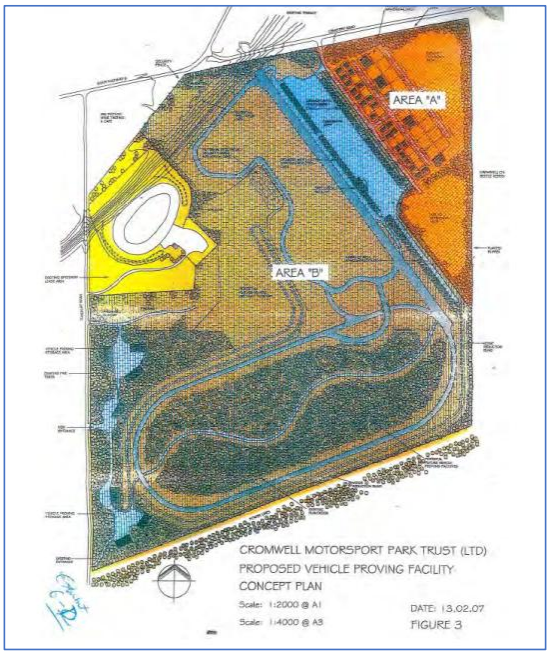


Figure 1: RC 070149 Area "A" and Area "B"

Area "A" is permitted to be utilised as a commercial park and Condition 14(i)(b) of RC070149 permits residential accommodation above ground level within the commercial park.

On 3 September 2013, subdivision consent was granted (RC 130153) for Area "A" to be subdivided into 42 allotments to be used for automotive related purposes[1] and for residential accommodation above ground level, consistent with the relevant conditions of the earlier land use consent (RC 070149).

In 2014 a further subdivision consent (RC 140009) was granted for the creation of 12 additional allotments from two lots initially created by RC130153. The built development on these allotments was authorised by the original land use consent RC 070149.

In 2015 a new land use consent (RC 150225) was granted to replace RC 070149 as it related to the Highlands Motorsport Park. The land use consent was to resolve ambiguities associated with conditions relating to the management effects on the environment, and in particular noise and provided for the reconfiguration of use of the site with the land use consent RC 070149 that allowed construction of buildings on a part of Area "A" being surrendered.

The site subject to the current application was created by a further subdivision consent (RC 200231) that was granted on 4 November 2020 (and subsequently amended pursuant to section 127 of the Resource Management Act 19910. The subdivision component of the consent authorised the creation of 56 allotments with 51 allotments to be used for activity associated with vehicles and residential activity. A range of land use activities within the new lots was also authorised at this time and to authorise a discretionary activity under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS)

As part of this subdivision consent the following conditions are confirmed through Consent Notice 12451331.5 that is registered on the record of title as follows:

"9. The consent holder or successor shall be responsible for constructing heavy vehicle entranceways between the carriageway in Lot 501 and the boundaries of Lots 201-251 in accordance with Part 29 of the Councils Roading Policies January 2015.

12. Stormwater from buildings and impermeable surfaces on Lots 201-251 shall be discharged to soakpits(s) contained entirely within those lots.

Use and Development of Lots 201-251

30. Use of land and buildings on Lots 201-251 shall be for the primary purpose of servicing, maintenance, repair, design, manufacture, fabrication, testing or storage of vehicles, vehicle parts and other associated industries.

31. Residential accommodation on Lots 201-251 shall only occur above ground level associated with activities permitted under Condition 30 above.

32. Any development on Lots 201-251 shall comply with the following:

Bulk and Location of Buildings

(a) The height of any building shall not exceed 8m, and no yards are required except that no buildings are to be established within 25 meters of the eastern boundary of the site where that boundary adjoins the Cromwell Chafer Beetle Reserve (Lot 1 DP 18203).

[1] Being the servicing, maintenance, repair, design, manufacture, fabrication, testing or storage of vehicles, vehicle parts and other associated industries.

(b) All lots shall have a maximum coverage of 75%, except for Lots 233-238 that are permitted to have a maximum building coverage of 100%.

Cladding

(c) All buildings shall be finished using a combination of some or all of the following materials:
- *(i) Timber/Composite Weatherboard (vertical and horizontal);*
- *(ii) Plaster/Adobe/Rammed Earth/Masonry Products/Concrete;*
- *(iii) Stone;*
- *(iv) Coloured steel excluding unpainted zincalume and unpainted corrugated iron;*
- *(v) Weathered corrugated iron; and*
- *(vi) Brick.*

Colours - Finishes

(d) 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;
Browns, greens, grey blue, greys, terracotta, tussock and dark reds provided that such colours shall have a Reflectivity Value (RV) of less than 30%.

(e) The roofs of all buildings shall be in a low sheen in any colour that has a RV of less than 32% or shall be unpainted natural products such as timber shingles or slate.

Visual Amenity

(f) No shipping containers or temporary buildings (other than during construction) are to be located on-site.

(g) All areas open to the public and visible to the public shall be maintained in a clean and tidy state.

Signage

(h) Signage shall be incorporated into the building design, and shall not be free standing unless expressly approved by the Design Review Board.

(i) No sign shall be erected or painted on a building in a position that is higher than the carriageway façade of that part of the building upon which the sign is placed or affixed.

(j) Any sign suspended under a verandah shall have a minimum clearance of 2.5 meters from the footpath.

(k) The maximum area of an individual sign shall not exceed 3m^2.

(l) Plastic and/or internally illuminated & neon signage shall not be permitted. The use of fabricated and off set metal lettering is encouraged.

(m) Any signage on perimeter allotments facing out of the Commercial Park of the Highlands Motorsport Park is to be kept to a maximum height of 2.5m and is to be coloured in muted tones to blend with the background. It is intended that texture and shadowing for signage be used instead of strong colours.

Landscaping

(n) All lots over 200m2 in total area shall include 15% landscaping of the total area, consisting of 80% native plants selected from the plant list that is attached at Appendix 2 and clearly set out and described in a Landscape Plan that details the quantities and sizes of all species, such Landscape Plan to be submitted to and approved by the Design Review Board. All landscaping is to include a permanent in ground watering system complete with automatic timer.

(o) All landscape plantings shall be established within 3 months of the building being erected.

(p) Landscaping strips and planting protection areas adjacent to a car park shall be provided with wheel stop barriers. Such wheel stop barriers shall be located at least 1m from any tree.

(q) All areas of landscaping shall be maintained by the landowner and any dead, damaged or diseased plants shall be replaced within 3 months of identification as such.

Outdoor Services, Storage Areas & Fencing

(r) All outdoor service and storage areas shall be screened from all carriageways.

(s) No picket fence type enclosures shall be erected on the carriageway boundary of any allotments.

(t) No fencing shall be erected on any part of a lot, other than to screen outdoor service/storage areas or for security. Materials and finishes are to be identified on plans to be submitted to the Design Review Board.

Parking & Manoeuvring

(u) All activities shall comply with Rule 12.7.2 Parking and Rule 12.7.3 Loading and Manoeuvring and Table 12.3 – Vehicle Parking Requirements of the Operative Central Otago District Plan.

Design Review Board

(v) All developments on Lots 201-251 within the Highlands Innovation and Technology Part at Highlands Motorsport Park will require Design Review Board approval. No construction may commence until such approval is given in writing.

Note: For the avoidance of doubt the Design Review Board is the Design Review Board that has been appointed pursuant to Condition 27 of RC 130153.

33. (a) Any application for building consent received by the Council for new buildings on Lots 201-205 shall be accompanied by an acoustic design certificate prepared by a acoustics engineer acceptable to the Chief Executive, that certifies that the design of the buildings is sufficient to ensure sound levels arising from activities beyond the premises will not exceed the maximum recommended design and sound levels (LA_{eq} dB) for habitable rooms in houses and apartments located near major roads set out within Table 1 (page 11) of NZS 2107:2000 "Acoustics- Recommended Design Sound levels and Reverberation Times For

Building Interiors', when measured in accordance with section 6 of that standard excluding between the hours of 8am to 6pm on any day.

OR

(b) Any application for building consent for any new buildings located on Lots 201-251 shall include written confirmation from an Licensed Building Practitioner that the design of habitable spaces within any building or part of a building used for residential purposes has been checked and is confirmed to be constructed to meet or exceed the minimum specifications for each Building Element (as applicable) listed within the following table:

BUILDING ELEMENT	*REQUIRED CONSTRUCTION*
External Wall	*Exterior: 20mm timber or 6mm fibre cement* *Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar two layers of 12.5mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass)*
Windows	*Up to 40% of wall area: Maximum thickness 6mm glazing*** *Up to 60% of wall area: Maximum thickness 8mm glazing*** *Up to 80% of wall area: Maximum thickness 8mm laminated glass or minimum 10mm double glazing*** *Aluminium framing with compression seals (or equivalent)*
Pitched Roof	*Cladding: 0.5mm profiled steel or tiles or 6mm corrugated fibre cement* *Frame: Timber truss with 100mm acoustic banket (R2.2 Batts or similar)* *Ceiling: 12.5 gypsum plaster board**
Skillion Roof	*Cladding: 0.5mm profiled steel or tiles or 6mm fibre cement* *Sarking: 20mm particle board or plywood* *Frame: 100mm gap containing 100mm acoustic banket (R2.2 Batts or similar)* *Ceiling: 2 layers of 9.55 gypsum plasterboard**
External Door	*Solid core door (min 24kg/m2) with weather seals*

** Where exterior walls are of brick veneer or stucco plaster in the internal linings need to be no thicker than 9.5mm gypsum plasterboard*

*** Typical acoustic glazing usually involves thick single panes or laminated glass. Where two or more layers of glass are employed with an air gap between, total thickness of window glass may be calculated as the total of all glass layers (excluding air gap) provided that at least one glass layer shall be of a different thickness to other layer(s)*

34. Noise levels at the boundary of the site shall not exceed an L(maz) of 65 dBA provided that:

- *Corrected noise levels (L10) shall not exceed the following limit at the boundary of any Residential Resource Area or at the notional boundary building designed to accommodate people for any purpose located within the Rural Resource Area existing at the time this consent was granted:*
  - *7.00am – 10.00pm 55 dBA L10*
  - *10.00pm – 7.00am 40 dBA L10*

40. Exterior lighting on the rear elevation of buildings on Lots 201-218 shall be:

- *Shielded from above in such a manner that the edge of the shield shall be below the whole of the light source*
- *Have a filter to filter out the blue or ultraviolet light, provided the light source would have more than 15% of the total emergent energy flux (Watts per nanometer) in the spectral region below 440nm. The filters used must transmit less than 10% of the light at any wavelength less than 440nm. This therefore includes, but is not limited to, florescent, mercury vapor and metal halide lamps."*

DESCRIPTION OF ACTIVITY

Following a request for further information under section 92 of the Resource Management Act 1991, the applicant has clarified and amended aspects of the proposal. In particular, the applicant has confirmed that the parking spaces previously shown partially overhanging the road berm are not required to meet the site's parking requirements and consent for them to breach parking dimensions is no longer sought. The applicant has also confirmed that consent is sought to exceed the site coverage standard, and that a corresponding variation to the applicable consent notice under section 221(3) of the RMA is included. The following assessment is based on the proposal as modified by that information

The application seeks land use and subdivision consent to establish two attached three-storey mixed-use units at 8 Highlands Avenue, Cromwell, within the Highlands Innovation and Technology Park (HITP). Each unit will be contained on its own freehold title following subdivision of the existing 600m² site into two allotments of approximately 300m² each. A shared party wall is proposed along the internal boundary.

Each unit comprises a ground floor vehicle-oriented workshop space, with upper levels accommodating a single residential dwelling. The first floors contain bedrooms, bathrooms, and a study, while the top floors comprise the main living area with elevated views toward the Highlands track.

Vehicle access to both lots will be from Highlands Avenue. Parking is provided internally within each garage. The sealed apron in front of each garage is not relied on for parking and is now intended solely for access and manoeuvring.

Water, stormwater, power, and telecommunications services will be provided to each lot via existing infrastructure within HITP. Wastewater will connect to the private HITP system,

although the applicant has requested flexibility to pursue an alternative disposal method, subject to approval by Highlands.

The application includes a request to vary Consent Notice CN12451331.5 pursuant to section 221(3) of the RMA. The specific standards proposed to be breached are:

- Condition 32(b): Site Coverage
  "All lots shall have a maximum coverage of 75%, except for Lots 233–238 that are permitted to have a maximum building coverage of 100%."

  The site is not within Lots 233–238. The proposed building coverage is:

  - Lot 1: approximately 88% site coverage
  - Lot 2: approximately 82% site coverage
  - 84% overall site coverage

- Condition 32(n): Landscaping
  "All lots over 200m² in total area shall include 15% landscaping of the total area…"

  Both proposed lots are 300m^2 in area. As such, the required minimum landscaped area required by this condition is 45m² per lot The landscaping proposed for each lot is significantly below this threshold:

  - Lot 1: 1.5 m² (0.5%)
  - Lot 2: 23.8 m² (7.9%)

  Both lots are therefore non-compliant with CN12451331.5 and the application seeks to vary the notice accordingly.

Figure 1: 3D render of proposed development (Application).

SITE DESCRIPTION

The subject site is located at 8 Highlands Avenue, Cromwell, and is legally described as Lot 220 DP 556783. It comprises a single freehold allotment of approximately 600m² within the Highlands Innovation and Technology Park (HITP), a bespoke mixed-use precinct established through a series of land use and subdivision consents.

The site is currently vacant and flat, with a compacted gravel surface. It is serviced by an existing vehicle crossing from Highlands Avenue and is positioned within a row of similarly sized allotments developed for vertically integrated mixed-use activities. The surrounding area is characterised by similar multi-storey, mixed-use, vehicle-oriented development with residential dwellings above. The site is located approximately 80 metres north of the Cromwell Chafer Beetle Reserve.

Essential services (including water, wastewater, stormwater, power, and telecommunications) are available to the site via infrastructure provided as part of the HITP subdivision.

REASONS FOR APPLICATION

Central Otago District Plan
The subject site is located in the Rural Resource Area of the Central Otago District Plan (the Plan). There are no other annotations included in the District Plan for the site.

Subdivision:
Rule 4.7.4(iii)(b) of the Central Otago District Plan states that where a subdivision will create lots with an average size of no less than 8 hectares (ha) and a minimum lot size of no less than 2ha within the Rural Resource Area, then, this is a discretionary activity. In this instance, the proposal will result in the creation of two 300m^2 lots. As such, the application is assessed as a non-complying activity, in accordance with Rule 4.7.5(iii) of the Plan.

Consent Notice Variation – Section 221(3) RMA
The subject site is encumbered by Consent Notice 12451331.5, registered on the record of title pursuant to section 221 of the Resource Management Act 1991. The proposed development doesn't comply with the site coverage and landscaping standards stipulated by Conditions 32(b) and 32(n) of CN 12451331.5.

This application includes a request to vary the relevant condition accordingly. The assessment of effects in this report considers the implications of the proposed variation and whether the proposed change remains consistent with the intent of the original consent framework for the Highlands Innovation and Technology Park. The variation itself is specifically assessed under s104(b) 'Other Matters'.

Land Use:
I note the application seeks land use consent for residential activity. For the avoidance of any doubt I note that, as RC200231 already authorised 'above ground floor' residential uses. As such, land use consent for the residential use proposed by this application is already anticipated by the underlying consent and no further consent for residential activity is considered necessary. This report does not further assess that aspect of the proposal.

The application also originally included a request for consent under Rule 12.7.2 of the Plan due to a shortfall in on-site parking. However, Council raised concerns regarding scope and vires, as the proposed parking was partially located outside the subject site boundaries. In response, the applicant confirmed, via further information dated 25 August 2025, that they no longer seek consent for this aspect of the proposal..

National Environmental Standards

Council and Otago Regional Council records indicate that the sites has not, or is not likely to, have had HAIL use in accordance with the NESCS Regulation. Further, Council's decision on RC 200231 records that *"… given the history of the site, the Council accepts that it is highly unlikely that there will be a risk to human health resulting from the proposal*". On this basis, I therefore consider that the NESCS is not relevant to this application.

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

Overall Status

Where an activity requires resource consent under more than one rule, and the effects of the activity are inextricably linked, the general principle from case law is that the different components should be bundled and the most restrictive activity classification applied to the whole proposal.

In this case, there is more than one rule involved, and the effects are linked. As such, 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, 104B and 104D of the Resource Management Act 1991 ('the Act').

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 and/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)).

The written approval of the persons detailed in the table below has been obtained. In accordance with sections 95D(a) and s95D(e) of the Resource Management Act 1991, the Council cannot have regard to the effects of the activity on these persons.

Person	Address	Obtained
RJ Carter & GP Carter	Owners of the south adjoining 10 Highlands Avenue (LOT 219 DP 556783)	6.6.25
Josie Spillane	On behalf of: Highlands Motorsport Trust Limited (RoT 973394), and Highlands Industrial Park Services Limited (RoT 973395)	11.6.2025

In addition to the above, the applicant has submitted a letter from the Highlands Design Review Board confirming that the proposed design has been approved by the Board. An updated letter from the DRB, which specifically acknowledges the building coverage breach was received on 30 September 2025.

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 activity subdivisions under the Central Otago District Plan and there is no permitted baseline to be applied.

ASSESSMENT: EFFECTS ON THE ENVIRONMENT

The application is for a non-complying activity and Council discretion extends to any matter it deems reasonably relevant to the proposed activity. For expediency, consideration of the subdivision and s221 related matters have been grouped and considered holistically below. No regard has been given to any trade competition or any effects of trade competition.

1. Visual Amenity and Built Form

The proposed dwellings are attached to one another and also share a party wall with the adjoining development on Lot 219 DP 556783. Written approval has been obtained from the owners of Lot 219, and effects on that property are therefore not considered further under sections 95D(e) and 104(3)(a)(ii) of the Act.

While attached buildings are not unusual within the Highlands Innovation and Technology Park (HITP), the level of site coverage proposed here is materially greater than what is typical for sites in this part of the HITP. However, the potential adverse effects of this departure are internalised to the HITP and do not impact the wider public realm. The built form integrates well within the existing context of mixed motorsport-related and residential development. The architectural design has been reviewed and approved by the HITP Design Review Board and is considered to exhibit a high level of design quality and visual coherence, which has been accepted as a mitigating factor with respect to the relatively high site coverage and low provision of landscaping.

Overall, while the proposal does not strictly adhere to the built form and coverage expectations of the consent notice, the internalised nature of its effects and the architectural merit of the design mitigate any adverse visual amenity effects beyond the HITP and internal effects have been disregarded in line with the written approval of the Design Review Board and the motorsport park themselves (Highlands Motorsport Trust Limited and Highlands Industrial Park Services Limited).

2. Character and Consistency with HITP

The Highlands Innovation and Technology Park (HITP) has been established through a series of bespoke land use and subdivision consents, notably RC150225 and RC200231. These consents, together with Consent Notice 12451331.5, establish a planning framework that is distinct from the underlying Rural Resource Area zoning. The consent notice defines expectations regarding land use, built form, landscaping, signage, and architectural

materials, and sets out a formal role for the HITP Design Review Board (DRB) in maintaining quality and coherence across the precinct.

The proposed development continues the vertically integrated live/work typology anticipated by the HITP framework. Each unit comprises a ground-floor commercial tenancy suitable for motorsport-related or light industrial use, with an upper-floor residential component. This arrangement aligns with the intent of Conditions 30 and 31 of the consent notice.

While the architectural design and mixed-use form are consistent with the established character of the HITP, the development departs from the norm in relation to site coverage and landscaping. The subject site does not benefit from the 100% site coverage exemption afforded to Lots 233–238, yet proposes a site coverage of 96.7% with landscaping of only 3.2%. This is a marked deviation from Condition 32(n), which requires 15% landscaping for sites over 200m², and Condition 32(b), which limits site coverage to 75%.

Despite these departures, the effects are considered to be internalised within the HITP and are mitigated in part by the high standard of architectural design and the written support of the HITP Design Review Board. While this approval is not determinative under the Resource Management Act, it provides strong evidence that the proposal aligns with the design intentions and functional aspirations of the wider precinct. Furthermore, written approval has been provided by the Highlands Motorsport Park entity and adjoining landowners, further mitigating concerns about precinct character and consistency.

Overall, the proposal is considered to maintain the functional integrity and built character of the HITP. While the reduced landscaping and elevated site coverage represent a departure from the consent notice framework, the internalised nature of these effects and strong design response suggest that any adverse effects on the character of the HITP will be less than minor.

3. Traffic, Access, and Onsite Circulation

The proposal involves the creation of two mixed-use units, each with direct vehicle access from Highlands Avenue via individual crossings. The ground floors are designed as vehicle-oriented workshop or showroom areas, with sufficient internal space to accommodate multiple vehicles. Each unit also includes a garage area, which provides the required parking for the residential component of the development.

The application originally showed external parking spaces forward of the garages, some of which did not meet the minimum dimensions of Rule 12.7.2 of the District Plan. Following Council's section 92 request, the applicant clarified that these external spaces are not relied upon to meet the parking requirements of the District Plan. Parking demand for the residential units is instead met through the garages, while the ground floor commercial areas provide additional internal capacity for vehicle parking and manoeuvring.

Traffic generation associated with the proposed units is expected to be modest and consistent with the established live/work typology within the Highlands Innovation and Technology Park (HITP). Vehicle movements will be comparable to those generated by other mixed-use developments in the precinct, and will not adversely affect the safe or efficient operation of Highlands Avenue or the wider road network.

Condition 9 of Consent Notice 12451331.5 requires that vehicle entrances are constructed in accordance with Part 29 of Council's Roading Policies (January 2015). While detailed engineering drawings have not yet been submitted, compliance with this requirement can be ensured at the subdivision certification stage.

Overall, the development provides adequate parking and manoeuvring space for both the residential and commercial components, and traffic generation will be consistent with that anticipated in the HITP. Any adverse traffic or access effects are therefore considered to be less than minor.

4. Servicing and Infrastructure

Each unit will be independently serviced for potable water, wastewater, stormwater, power, and telecommunications. The subject site is within a fully serviced part of the Highlands Innovation and Technology Park (HITP), with reticulated Council water and wastewater services available at the Highlands Avenue road frontage.

The application confirms that each unit will connect separately to these networks, with no shared laterals or rights-of-way proposed. This individualised approach to servicing is appropriate for a fee simple subdivision of this scale and typology, and is consistent with the expectations for development within HITP.

Stormwater is to be managed on-site via soakage, in accordance with Condition 12 of Consent Notice 12451331.5. This condition requires that stormwater from buildings and impervious areas be disposed of entirely within each lot boundary. Concept plans illustrate soak pit locations at the rear of each unit, and the site's flat topography, combined with compact site boundaries, is generally conducive to this approach. Detailed design of soakage systems will need to confirm ground infiltration capacity, but there is no indication of site constraints that would preclude compliance with the consent notice condition.

Other utilities, including electricity and telecommunications, are readily available within the road reserve. Each unit will be individually connected, with no shared service infrastructure or easements proposed or required.

Council's Development Engineer has reviewed the servicing proposal and confirmed it is acceptable, subject to standard engineering conditions.

5. Landscaping and Site Presentation

The application includes only minimal landscaping detail, limited to notations on the site plan and a brief written description within the plan set. Areas of landscaping are shown on the Plan of Subdivision (Drawing 01, Rev B) as shaded green areas located at the site frontage between each vehicle crossing.

No formal landscape plan or planting schedule has been provided, and there is no qualitative assessment of how the proposed landscaping has been specifically designed to mitigate the shortfall with the 15% landscaped area requirement under Condition 32(n) of Consent Notice 12451331.5. However, it is acknowledged that the proposal was reviewed and approved by the Highlands Innovation and Technology Park (HITP) Design Review Board, which includes consideration of landscaping adequacy under that condition.

In terms of presentation, the proposed landscaping is modest in extent and largely restricted to narrow strips along the road frontage. These are intended to soften the interface between the buildings and public realm but do not contribute significantly to on-site amenity.

Although landscaping provision is minimal, it aligns with the general expectations of the HITP built environment, and no adverse effects are anticipated beyond the HITP. The DRB's written approval is accepted as an indication that the proposed architectural design is appropriate mitigation for the shortfall in landscaped area and that the proposed site presentation is consistent with the established character of the Park.

6. Sustainable use of productive land and soil resource and reverse sensitivity effects
The site forms part of the constructed Highlands Innovation and Technology Park (HITP), enabled by a land use consent that has already shifted the site away from any productive rural use. The existing built environment and infrastructure are incompatible with primary production, and the land has no remaining productive value.

The proposal aligns with established activities and does not introduce any increased reverse sensitivity risks.

7. Hazards
No natural hazards have been identified in the planning maps for this site, and no site-specific hazard risks have been identified.

8. Earthworks
The site is already fully levelled and only minor earthworks will be required for the foundations and services.

9. Esplanade Reserves and Strips
There is no waterbody adjoining the site, and esplanade provisions do not apply.

10. Financial Contributions
Council's Policy on Development and Financial Contributions effective from 1 July 2021, and updated $/HUE rates as published in CODC's Schedule of Fees and Charges 2024-2025. Based on Council's assessment methodology, financial contributions are required as follows:

Activity	Payment
Water Supply	$Nil
Wastewater	$1,520.80 +GST
Reserves	$1,261.74 +GST
Roading	$1,242.00 +GST
Total	**$4,024.54 +GST**

11. Amalgamations and Easements
No amalgamations are proposed or required. A condition of consent should be imposed to require any easements necessary for servicing or access to be confirmed at the time of survey.

12. Matters under Sections 106 and 220 of the RMA
No actual or potential hazards have been identified that would trigger section 106 of the Act. The lots are considered suitable for the purpose for which they are created. There are no unusual or site-specific matters under section 220 that require bespoke conditions. Subject to standard conditions of consent, no impediments to subdivision consent are identified under these sections.

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 site is located within the Highlands Innovation and Technology Park (HITP), a purpose-built, motorsport-oriented, mixed-use precinct consented under RC150225 and RC200231. All properties within the HITP, including those adjoining the subject site, are subject to the same underlying consent notice controls, which were volunteered at the time of subdivision and have since set clear expectations for the built form and amenity outcomes sought across the Park.

The proposed activity will not result in materially different effects on adjoining owners than those already anticipated or consented under the existing approvals. Acoustic, visual, and traffic-related effects are largely internalised within the HITP and are managed through the existing consent notice framework, including oversight by the Highlands Design Review Board (DRB).

Written approvals have been obtained from:

- R.J. Carter and G.P. Carter, owners of the site immediately to the south (Lot 219 DP 556783), dated 6 June 2025.
- Josie Spillane, on behalf of both the *Highlands Motorsport Trust Limited (RoT 973394)* and the *Highlands Industrial Park Services Limited (RoT 973395)*, dated 11 June 2025.

In addition, the applicant has submitted updated written confirmation from the Highlands Design Review Board, dated 30 September 2025, specifically acknowledging the proposed building coverage breach and confirming the Board's approval of the design. This endorsement represents the views of the DRB and the underlying consent holder, and Council has previously accepted such approval as a valid proxy for affected persons within the HITP given the internalised nature of the development.

On the basis of the written approvals obtained and the internalised effects of the proposal, no person is considered to be subject to adverse effects that are minor or more than minor. Accordingly, no persons are considered adversely affected for the purposes of section 95E.

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:

Oli Monthule-McIntosh
Planning Officer

Date: 7 October 2025

Approved under Delegated Authority by:

Tanya Copeland
Team Leader – Planning

Date: 8 October 2025

Application for a resource consent - Form 9

APP250621508

1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand
03 440 0056
Info@codc.govt.nz
www.codc.govt.nz

Date and Time Created	09/06/2025 02:56
Submitted to Council	11/06/2025 10:19

To cross reference Datacom with MAGIQ please click Here. to add the Resource Consent number.

Property Details

Property Address	8 Highlands Avenue, Cromwell
Valuation Number	28421/27820
Record of Title Number	973362
Legal Description(s) of the specific parcels that the resource consent application is for	Lot 220 DP 556783

What is your role in this application?	Agent acting on behalf of the applicant

Agent details

An agent acts on behalf of the applicant in the submission and processing of the application.

Organisation	Landpro Limited
First name	Caera
Last name	Joyce
Phone number	027 233 3778
Email address	caera@landpro.co.nz

Note that the applicant will also receive a copy of all correspondence.

Postal address:	13 Pinot Noir Drive, Cromwell 9384
Confirm that you have approval to act on behalf of the applicant	Yes

The applicant is the person(s) or organisation making the application.

Applicant details

Is this applicant an individual or an organisation?	Individual
First name	Kevin
Last name	Jarvis
Phone number	0211600508
Email address	kevjarvs@yahoo.co.nz
Postal address:	16 Gillaly Way, Bridge Hill, Alexandra 9320

Invoicing

Who is paying the invoice?	Applicant

DETAILS

Activity or works proposed

Application type	Subdivision consent
Short description of your proposal	The applicant, Kevin Jarvis, wishes to undertake a two lot (2) subdivision at their property at 8 Highlands Avenue, Cromwell. Located in Highlands Innovation and Technology Park, near Cromwell. The applicant also wishes to construct a multi-unit development at 8 Highlands Avenue and breach a parking overhang on the underlying consent notices.

Provide a detailed description in the Assessment of Environmental Effects (AEE) or other document.

Assessment of Environmental Effects (AEE)

An application cannot be accepted for processing by the Council under Section 88 of the Resource Management Act 1991, without an Assessment of Environmental Effects (AEE).

Refer to the guidelines for Assessment of Environmental Effects.

Subdivision Application - CODC Jarvis.pdf (10 mb)

Assessment of the activity

You may need to provide an assessment of the activity against the following provisions:

- **The matters set out in Schedule 4 of the Resource Management Act 1991.**
- **Any relevant objectives, policies, or rules in a document.**
- **Any relevant requirements, conditions, or permissions in any rules in a document.**
- **Any other relevant requirements in a document (e.g. in a national environmental standard or other regulation).**

Please do not load the same document that you loaded for AEE above

Other activities

Other applications

Are you required to apply for any other resource consents for this project?	No
Is this project related to a building consent?	No

Pre-application information

Have you discussed this proposal with Council staff prior to this application?	No prior discussion

Site visit requirements

Who is the site contact?	Applicant

Affected party approvals

All affected property owners, including trustees where properties are held in a trust, must sign written approval forms AND a copy of your plans.

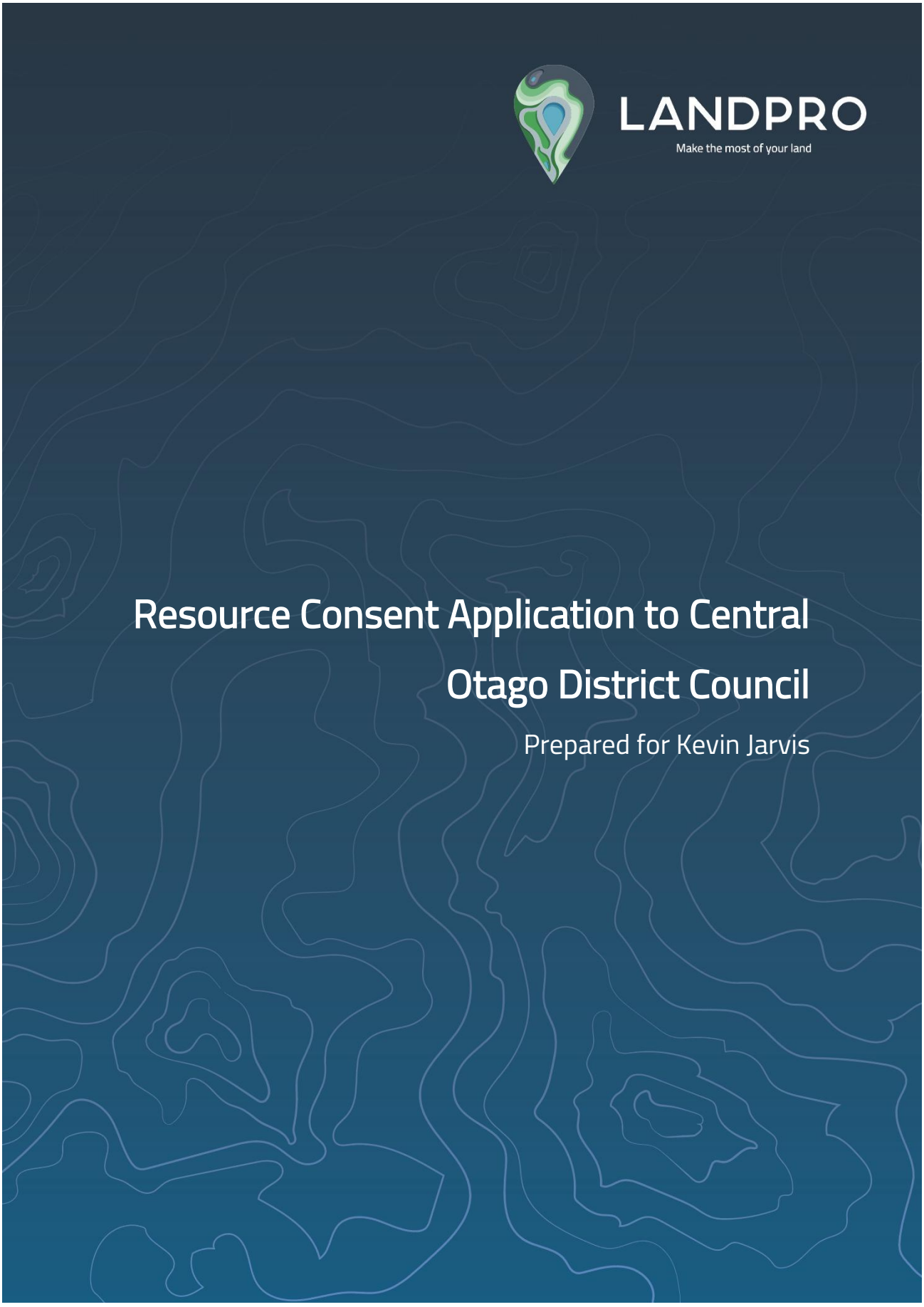
- **If an affected party does not give approval to your proposal this may impact on the way that the application is processed.**
- **Council's duty planner can provide you with advice on which parties may be affected by your proposal.**

Download an affected party approval template form.

Do you need affected party approval?	Yes
Affected Persons Approval for Resource Consent.pdf (2 mb) **HDRB Approval - Lot 220 - Approval Letter.pdf** (68 kb) **Lot 220 - Approved design plan.pdf** (4 mb)	
National Environmental Standard – Contaminated Soil - option selected	An activity listed on the HAIL has more likely than not taken place on the piece of land which is subject to this application. I have addressed the NES requirements in the AEE.

LIST OF FILES

Subdivision Application - CODC Jarvis.pdf (10 mb)
Affected Persons Approval for Resource Consent.pdf (2 mb)
HDRB Approval - Lot 220 - Approval Letter.pdf (68 kb)
Lot 220 - Approved design plan.pdf (4 mb)
25113_01_Scheme Plan.pdf (144 kb)
Lot 220 Highlands Motorsport Park-compressed.pdf (2 mb)
973362_Title_Search_Copy.pdf (185 kb)


LANDPRO
Make the most of your land
Resource Consent Application to Central Otago District Council
Prepared for Kevin Jarvis

Prepared For
Kevin Jarvis

Prepared By
Landpro Ltd
13 Pinot Noir Drive
PO Box 302
Cromwell
Tel +64 3 445 9905

QUALITY INFORMATION

Reference: Synergy12d://LPSYNSRV01?File=1250500_63d3d5be_7bed_45e3_9abe_3dc2413a04c4

Date:	11 June 2025
Prepared by:	Caera Joyce
Reviewed by:	Zoe McCormack
Client Review:	Kevin Jarvis
Version Number:	Final

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1. INTRODUCTION

1.1 Overview of Proposal

The applicant, Kevin Jarvis, wishes to undertake a two lot (2) subdivision at their property at 8 Highlands Avenue, Cromwell. Located in Highlands Innovation and Technology Park, near Cromwell. The applicant also wishes to construct a multi-unit development at 8 Highlands Avenue, and breach a parking overhang on the underlying consent notice.

The Central Otago District Council (CODC) has statutory jurisdiction for the effects of certain activities within the area covered by this application. These effects are managed through the Central Otago District Plan (CODP) which sets out rules for managing the effects of subdivision and land use.

As part of this report an Assessment of Environmental Effects (AEE) of the proposal has been undertaken in accordance with Section 88 and the Fourth Schedule of the Resource Management Act 1991. This AEE provides further information to support the resource consent application.

The assessment prepared in this report concludes that the actual or potential adverse effects of the proposal on the environment will be no more than minor and no persons are considered adversely affected in a minor, or more than minor, manner.

1.2 The Applicant

Applicant Address: Kevin Jarvis
16 Gillaly Way,
Alexandra 9320

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

1.3 Purpose of Documentation

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

2. DETAILS OF PROPOSAL

2.1 Location

The applicant's property is located within the Highlands Innovation and Technology Park (HITP), off Cemetery Road near Cromwell. The HITP is zoned as being a Rural Resource Area in the Central Otago District Plan (CODP), as shown on Plan Map 44. While located in a rural area, the HITP is developed to an urban density, containing over 70 lots ranging between 122 m^2 – 1200 m^2. The area is partially developed, containing multi-units, apartments, and traveller accommodation in the nearby vicinity.

The subject site is described as follows:

- 8 Highlands Avenue – 600 m^2 – legally described as Lot 220 DP 556783, on Record of Title 973362.

The title for the site is attached as Appendix A.

Figure 1: General location of the subject site, as shown by yellow area (Source: GRIP).

2

2.2 Details

The applicant is proposing to subdivide their existing property into Two (2) lots. The lots are to be sized as follows:

- Lot 1 – 300 m^2
- Lot 2 – 300 m^2

The two dwellings will be located on each respective lot, with shared party walls between adjacent boundaries.

A scheme plan and concept design for the dwellings is attached as Appendix B.

The subject site and surrounding area have undergone multiple subdivisions, with several being of a similar lot size or smaller than proposed as part of this application. Several of these subdivisions allowed for the subdivision of lots and construction of buildings sharing a common party wall, such as those proposed here.

The building will be three storeys, consisting of a ground floor garaging area, first floor bedrooms, office and bathrooms, with the main living area on the second floor overlooking the highlands track. The dwellings will be sympathetic with the construction immediately to the south of the site on Lot 219 DP 556783.

2.2.1 Consent notice Variation

The landscaping proposed is less than 15% required by the underlying consent notice, and parking will overhang the verge.

The applicant has approval from the Highlands Design Review Board (Attachment C) for these discrepancies, and the following variations to the underlying consent notice is sought:

Landscaping

Condition 8(n) of the underlying subdivision for the site (RC130153) states that lots larger than 200m^2 need to include 15% landscaping of the total area, as shown below.

Landscaping
(n) All lots over 200m2 in total area shall include 15% landscaping of the total area, consisting of 80% native plants selected from Schedule C of the landscape plan provided in the context of Condition 11 of RC070149 and clearly set out and described in a Landscape Plan that details the quantities and sizes of all species, such Landscape Plan to be submitted to and approved by the Design Review Board. All landscaping is to include a permanent in ground watering system complete with automatic timer.

Figure 2: Condition 8(n) of RC130153.

The applicant wishes to change the above consent notice on the properties as per s221(3) of the RMA. They are seeking to revise this consent notice from 15% landscaping to 10% landscaping, as Lots 2 and 3 are proposed to have landscape coverage below this percentage area specified under this consent notice. The

applicant has sought and received the approval of the Highlands Design Board for this, as attached as Appendix C. The proposed revised wording is as follows:

Landscaping

(n) All lots over 200m² in total shall include ~~15%~~ 0.5% for Lot 1 and 7.9% for Lot 2 landscaping of the total area, consisting of 80% native plants selected from Schedule C of the landscape plan provided in the context of Condition 11 of RC 070149 and clearly set out and described in a Landscape Plan that details the quantities and sizes of all species, such Landscape Plan to be submitted and approved by the Design Review Board. All landscaping is to include permanent in ground watering system complete with automatic timer.

Parking and Manoeuvring

Parking & Manoeuvring
(u) All activities shall comply with rule 12.7.2 Parking and Rule 12.7.3 Loading and Monoeuvring and Table 12.3 – Vehicle Parking Requirements of the Operative Central Otago District Plan.

Figure 3: consent notice 32 (u)

The applicant wishes to vary consent notice 32 (u) as they applying for a consent under the rule 12.7.2 due to the decreased width of the external parking space that overhangs the berm.12.7.3 is not relevant as the loading and unloading of goods is an integral part of an activity.

All activities shall comply with ~~rule 12.7.2 Parking Rule 12.7.3 Loading and Manoeuvring~~ the plans provided 09 May 2025 and Table 12.3- Vehicle Parking Requirements of the Operative Central Otago District Plan.

2.2.2 Services

Access for the site will be via Highlands Avenue. The accesses will conform to Council standards and be developed to a level that will ensure the proposed subdivision does not have an adverse effect on the safe and efficient operation of nearby roads.

Water is provided to the site via the local system. Electricity and telecommunication services have been provided as part of the underlying subdivision for the Highland Innovation Technology Park (HITP). The lots will have separate internal water, wastewater, power, and telecommunication connections.

The wastewater network is a private network system, owned by Highlands. The subdivision plan has been approved to connect to the private wastewater system. The applicant wishes to include a consent condition that allows the consent holder to find an alternative wastewater disposal method, if approved by the Highlands is provided. Please see below for an example consent condition:

'Wastewater disposal may be attained by an alternative method to the Highlands private wastewater disposal network, if written approval of the operator of the private wastewater main is

obtained and provided to the council with any application for building consent for the residential units'

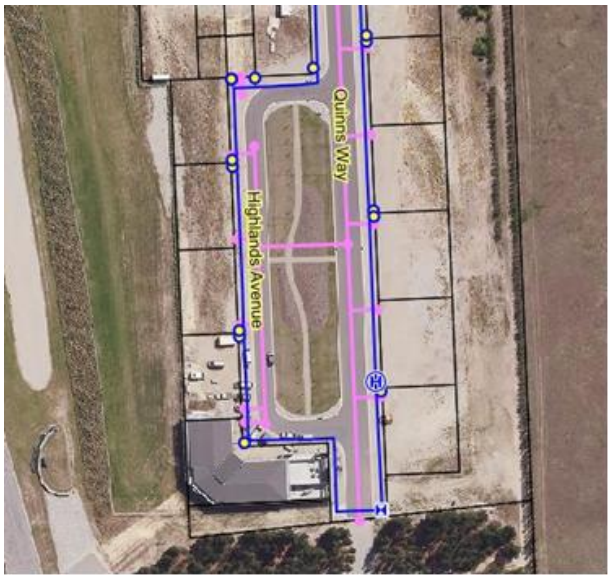


Figure 4: Connections CODC Maps

Stormwater

Stormwater will be properly serviced, being part of the wider infrastructure provided within the HITP.

Access and Parking

There will be formed access to both lots complying with CODC requirements.

Parking will be provided within the garage, however, there will be no parking provided externally at a length of 4.77m as per Figure 12.7 of the CODC Plan. Please see the car parking external from the garage door identified by red circles in figure 5. One of the lots has space with a length of 4.5m and the other 2.157m which has been approved by the Hampton Downs Design board.

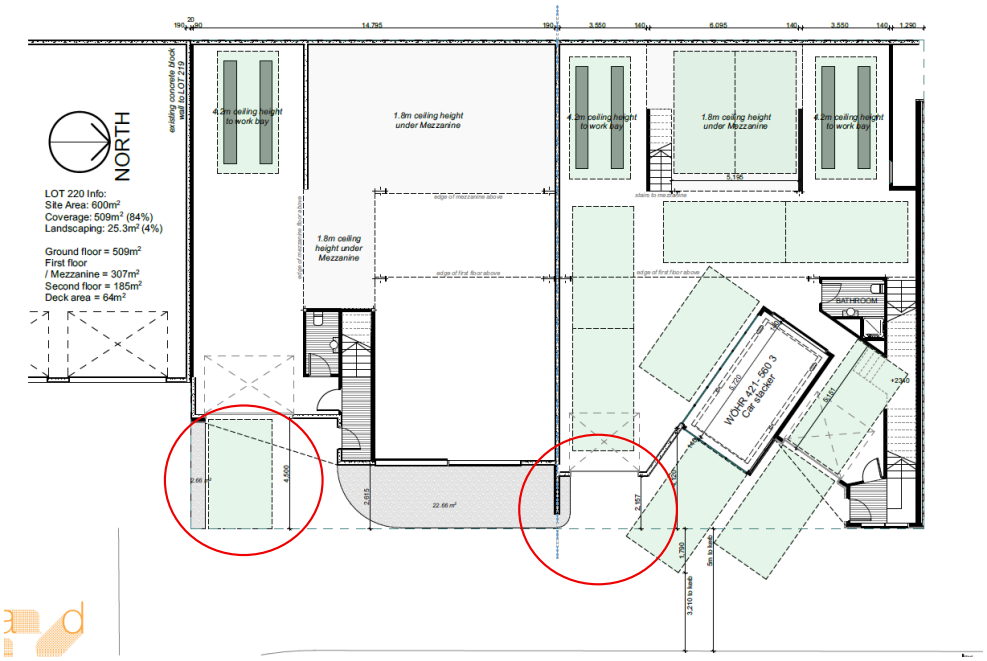


Figure 5: Bottom floor layout

3. ACTIVITY CLASSIFICATION

The proposal requires the following consents:

- Rule 4.7.3(vii) states that residential activity is a **restricted discretionary activity**.
- Rule 12.7.2 states parking is a **restricted discretionary activity**
- Rule 4.7.5(iii) states that subdivision that creates allotments with an average area of no less than 8 hectares and minimum allotment area of no less than 2 hectares in a Rural Resource area is a **non-complying activity.**
- s221 states that a change in consent notice is a **discretionary activity.**

Overall, this application is for a **non-complying activity.**

3.1 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS)

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS) took effect on 1 January 2012. It creates a framework for assessing and managing the actual or potential adverse effects of contaminants in soil on human health from five activities being

subdivision, land-use change, soil disturbance, soil sampling and removing fuel storage systems. The NESCS only applies to land that is potentially or actually affected by contaminants because of historical and/or current use. As the applicant is proposing to subdivide on land that is not potentially or actually contaminated, the NESCS does not apply.

For completeness, a desktop Investigation has been undertaken. Eleven bores are within 1km of the subject site. There are two verified non-HAIL sites to the southwest, where a brief PSI determined that no HAIL activities exist as determined by a search of the ORC Hazardous Activities & Industries List and Bore locations GIS.

The nearest verified HAIL site is the Cerise Orchard Ltd, which is approximately 0.71km (from the property boundary) to the north. The HAIL site is likely to contain heavy metals such as As, Cd, Cu, Pb and Zn that exceed natural concentrations in most of the samples. The property shown in relation to the nearest sites of interest is shown in Figure 6 below.

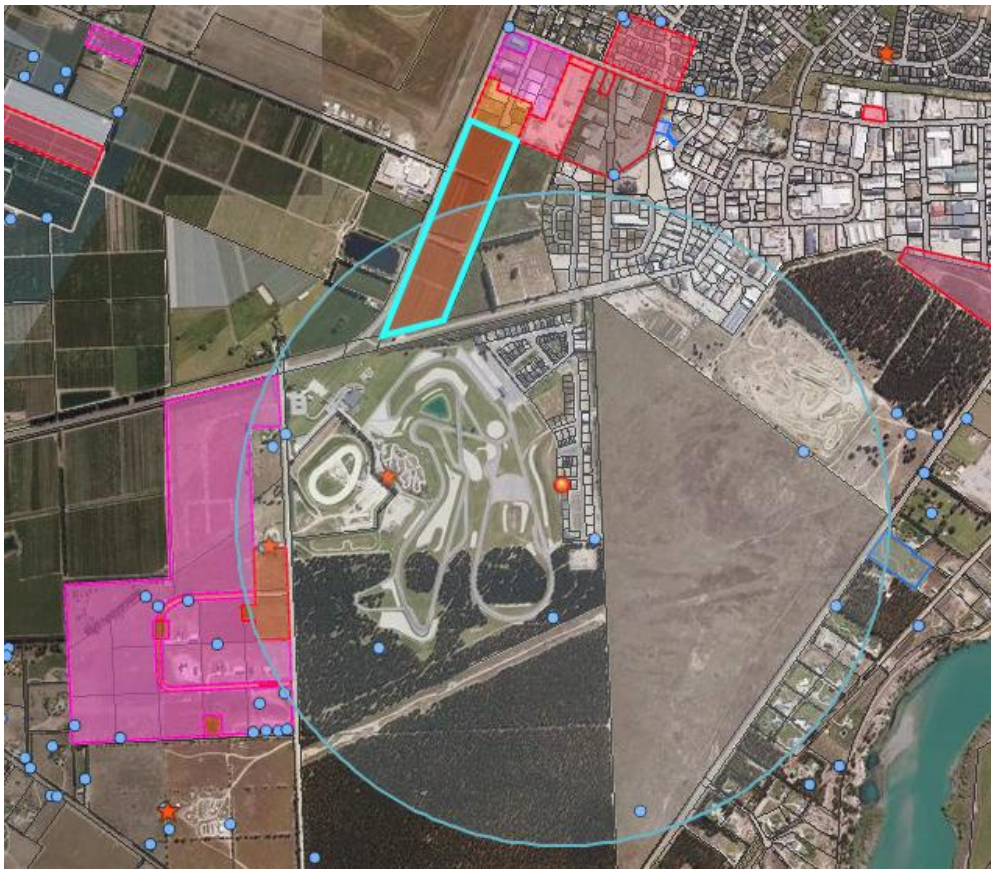


Figure 6: HAIL sites of interest

The subject site is not considered to be at risk from this HAIL site, due to the contaminated soil with highest concentrations being contained within an encapsulated HDPE-lined bund on the western boundary and the topography of the area between.

4. NON-NOTIFICATION & CONSULTATION

A consent authority has the discretion whether to publicly notify an application unless a rule or National Environmental Standard (NES) precludes public notification (in which case the consent authority must not publicly notify) or section 95A(2) applies.

The effects of the activities will be no more than minor, the applicants do not request public notification and there are no rules or NES' which require the public notification of the application. In addition, there are no special circumstances relating to the application. As such, notification of the application is not necessary.

Clause 6(1)(f) of Schedule 4 of the RMA requires the identification of, and any consultation undertaken with, persons affected by the activity. The applicant has sought approval from the Highlands Design Board, and the owner of number 10 Highlands Avenue which will share a party wall with this development. These are contained in Appendix C. The applicant has also requested the express written approval for this resource consent application from the Highlands Motorsport Park and will provide their written approval in due course. Given that the design board has already approved the proposal, the written approval of the Motorsport Park is expected to be forthcoming.

No other persons are considered to be adversely affected by the proposal, as determined by the larger assessment of environmental effects (Section 6 below). However, Council must decide that a person is affected pursuant to Section 95E of the RMA.

Overall, it is considered that this application should be processed non-notified.

5. ASSESSMENT OF ENVIRONMENTAL EFFECTS

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

5.1 Subdivision

Noting resource consent is required for a non-complying activity, the below assessment of effects associated with the proposed subdivision in the Rural Resource Area has been guided by matters of discretion under restricted discretionary Rule 4.7.4, and where appropriate these matters have been expanded upon.

Council provides particular consideration to the following matters:

1. *The effects of subdivision and future development on:*
    - *Open space, landscape, natural character and amenity values,*
    - *Reserves, all public conservation land managed by the Department of Conservation and recreation facilities, including the provision and maintenance of such facilities,*
    - *Heritage sites, including archaeological sites and waahi tapu, and heritage landscapes.*
    - *Sites, lakes and rivers and their margins and other features of cultural value to Kai Tahu ki Otago,*
    - *Notable trees, and areas of significant indigenous vegetation and significant habitats of indigenous fauna, and,*
    - *The natural character of water bodies and their margins.*

The surrounding environment is no longer considered rural in nature.

The proposal will result in two lots, each lot of sufficient size to support the residential activities proposed and in keeping with the planned character of the motorsport park within the Cromwell Masterplan as well as the previous subdivision consent for Hampton Downs Motorsport Park. It supports the same separation and density of the existing environment. Each lot will contain a dwelling with shared firewall and design approved by the Highlands Design Board. There are no reserves or public conservation land, heritage sites, notable trees or areas of significant indigenous vegetation, or named water bodies located within or adjacent to subject site.

2. *Potential for visual absorption of future built development with particular attention being given to those areas identified as outstanding natural landscapes and significant amenity landscapes on the planning maps.*

The development is located in a physically urban environment, and there are no areas of outstanding natural landscape or significant amenity landscape that are relevant to this application.

3. *Capability for sustainable use of the productive land and soil resource.*

The underlying land use consent is for a technology park, which has been constructed. The land is not suitable for productive land use given the existing environment.

4. *The potential for reverse sensitivity effects and methods to address such effects on existing rural production activities and on existing infrastructure, including the use of separation distances and yards.*

Overall, it is considered that the proposal will not give rise to reverse sensitivity effects.

5. *The adequacy of the allotment in respect of its ability to safely dispose of effluent and stormwater on-site, without compromising health, and the quality of ground and surface water resources.*

Stormwater and wastewater are properly serviced, being part of the wider infrastructure provided within the

HITP. Both lots will have separate wastewater connections.

6. *The provision of an adequate water supply, given the intended use of the allotments, unless an allotment is incapable of being occupied by a dwelling.*

Water will be provided to both lots via the local supply and with separate connections.

7. *The location, design and construction of access, and its adequacy for the intended use of the allotments.*

Both lots will have suitable access as described above, which will conform with Council standards, and will be designed and constructed to a level to ensure that the proposal will not have an adverse effect on the safe and efficient operation of nearby roads.

8. *The provision of adequate utility services, (including roading), and in particular the location, design and construction of these services.*

All utilities are or will be provided to the respective proposed lots.

9. *Earthworks necessary to prepare the site for occupation and/or use.*

Not relevant to this proposal, as no earthworks are required other than for installing services, which will be permitted activities.

10. *The provision of access to back land.*

N/A

11. *The provision of esplanade reserves and strips and access to them.*

N/A

12. *Any financial contributions necessary for the purposes set out in Section 15 of this Plan.*

It is anticipated that suitable financial contributions will be calculated based on the level of development proposed, and those will be calculated as of the date of application.

13. *Any amalgamations or easements that are appropriate.*

There are no proposed amalgamations. All appropriate easements will be provided for.

14. *The identification of potential building platforms that are encouraged in locations that will maintain the open natural character of hills and ranges, without compromising the landscape and amenity values of prominent hillsides and terraces.*

There are no open natural character of hills and ranges that will be affected by the building platform.

15. *Whether or not the clustering of lots would be beneficial in terms of avoiding or mitigating adverse environmental effects.*

Clustering does not apply to this proposal; however, the underlying subdivision can be considered as clustered.

16. *Whether or not the applicant will commit or has committed to work or services as environmental compensation (such as the control of wilding pines) and if so committed, whether it is or will be:*
    - *to remedy at least in part any adverse effects of onsite works; or*
    - *on the site or within the same general area, landscape or environment as the proposed activity; and/or*
    - *effective by way of conditions, bond or covenant; and/or*
    - *the product of public consultation or participation.*

No compensatory works are proposed at this time.

17. *The appropriate size of any allotment bearing in mind any of the above factors.*

The proposed allotments are considered to be of an appropriate size and shape factor to provide for their intended purposes given the location.

18. *Any objectives and policies relevant to the above matters.*

Relevant objectives and policies are addressed below.

19. *Any other matters provided for in section 220 of the Act.*

No other matters are considered relevant to this application.

5.2 Building Platform

1. *Whether or not the building and associated development or future building located on the residential building platform can be appropriately screened from public view by topographical features appropriate planting or other screening having regard to the open space, landscape, natural character and amenity values of the rural environment.*

The proposed building platform will not conform to the screening requirements set out for rural zoning as the surrounding area is residential in character.

2. *Whether the siting of the building and associated development or future building located on the residential building platform will give rise to earthworks including access carriageways and planting, which will adversely affect the open space, natural character and amenity values.*

Some minor earthworks may be required to prepare the building platform. Overall, the effects of these minor earthworks are anticipated to be minor.

3. *Whether the building and associated development or future building located on the residential building platform will maintain the open natural character of hills and ranges, without compromising the landscape and amenity values of prominent hillsides and terraces, including any skyline or terrace edge.*

The surrounding environment of the Highland Motorsport Park does not contain open natural character or hills and ranges. The landscape and amenity of the area is residential and commercial in nature. The building will be in the planned character and design of the Highlands Motorsport Park.

4. *The colour scheme for the building which should in general be darker than the background in which it is set.*

The colour scheme for the dwelling will comply with the standards set out by the District Plan, although the final colours have not been confirmed.

5. *Whether the building and associated development or future building located on the residential building platform will have adverse cumulative effects when assessed in conjunction with existing and consented unimplemented built development including any residential building platforms established by way of resource consent.*

This is addressed in the discussion above.

6. *Any objectives and policies relevant to the above matters.*

Relevant objectives and policies are addressed below.

7. *Methods to avoid, remedy or mitigate the effects of existing activities including potential for reverse sensitivity, the provision of screening, landscaping and methods for noise control.*

The building with be acoustically designed as required for the Highlands Motorsport Park. The landscaping requirements as required by covenant will not be met but agreed upon by Highlands Design Board that the architectural design compensates and mitigates the effects.

8. *Provision of services, including fire fighting water supply.*

This is addressed in the discussion above.

5.3 Parking

Effect on the adjoining roading network

The adjacent berm mitigates the effects of occupants parking overhanging onto the berm. This has been signed off by the Highlands Design board as appropriate mitigation.

The effect on any heritage values of the site or the area

N/A

The amenity values of the neighbourhood

The effects on amenity values of the surrounding area will be insignificant as it is common practice within the Highlands subdivision see figure 8 below.

Figure 4: Image of surrounding neighbourhood

5.4 Positive Effects

The development of the Highlands Motorsport Park and this proposal result in the increased opportunity and demand for housing within the district. It provides an opportunity for increased housing in a unique location and creates variety within the park with appropriate accessibility to employment opportunities within the park or in the industrial area of Cromwell. Providing increased housing within an area of planned urban development decreases the pressure on rural character and production areas.

5.5 Summary of Effects

The applicant proposes an appropriate subdivision design, and siting of a building platform which ensures that they and the community can provide for the social and economic well-being whilst protecting the wider local landscape and amenity values of the area.

6. 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.

6.1 Part 2 of the RMA

The proposal is consistent with the purpose and principles of the RMA, as outlined in Section 5. The proposal

will have less than minor effect on lands ability to meet the reasonably foreseeable needs of future generations, or on the life-supporting capacity of the land and any ecosystems associated with them. The proposal ensures that adverse effects on the environment are mitigated.

There are no matters of national importance under Section 6 of the RMA that will be affected by the proposal. The proposal is also consistent with the requirements of Section 7 of the RMA, with particular regard given to the efficient use and development of natural and physical resources. 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.

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

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

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

Under the RMA, regional plans need to give effect to NPSs, NESs and RPSs. For an application of this scale, an assessment of the application against the regional plans is often adequate as these plans ultimately give effect to the higher order statutory instruments.

6.2.1 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 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 key objective of the NPS HPL is that "highly productive land is protected for use in land-based primary production, both now and for future generations."

WDC 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.

Figure 5: Land use classification (Source: Maanaki Whenua Landcare Research).

The site is classified as class 6. The site is zoned rural in the district plan; however, the site has an underlying subdivision consent enabling urban development, therefore, an assessment of the policies in HPL is not required.

6.2.2 District Plan

The following policies, which give effect to the plan's objectives, are relevant to this application for resource consent.

4.4.2 Policy – Landscape and Amenity Values

To manage the effects of land use activities and subdivision to ensure that adverse effects on the open space,

landscape, natural character and amenity values of the rural environment are avoided, remedied or mitigated through:

a. *The design and location of structures and works, particularly in respect of the open natural character of hills and ranges, skylines, prominent places and natural features,*
b. *Development which is compatible with the surrounding environment including the amenity values of adjoining properties,*
c. *The ability to adequately dispose of effluent on site,*
d. *Controlling the generation of noise in back country areas,*
e. *The location of tree planting, particularly in respect of landscape values, natural features and ecological values,*
f. *Controlling the spread of wilding trees.*
g. *Encouraging the location and design of buildings to maintain the open natural character of hills and ranges without compromising the landscape and amenity values of prominent hillsides and terraces.*

4.4.3 Policy 4.4.3 – Sustainable Management of Infrastructure

To ensure that the development of infrastructure in the rural environment promotes sustainable management by:

a. *Requiring developers to contribute a fair and reasonable proportion of the costs involved, and*
b. *Maintaining and enhancing the safe and efficient operation of the infrastructure network (including roading), while avoiding, remedying or mitigating adverse effects.*

4.4.9 Policy – Effects of Rural Activities

To recognise that some rural activities, particularly those of a short duration or seasonal nature, often generate noise and other effects that can disturb neighbours by ensuring that new developments locating near such activities recognise and accept the prevailing environmental characteristics associated with production and other activities found in the Rural Resource Area.

4.4.10 Policy – Rural Subdivision and Development

To ensure that the subdivision and use of land in the Rural Resource Area avoids, remedies or mitigates adverse effects on:

a. *The open space, landscape and natural character amenity values of the rural environment in particular the hills and ranges,*
b. *The natural character and values of the District's wetlands, lakes, rivers and their margins,*
c. *The production and amenity values of neighbouring properties,*
d. *The safety and efficiency of the roading network,*
e. *The loss of soils with special qualities,*
f. *The ecological values of significant indigenous vegetation and significant habitats of indigenous fauna,*

g. The heritage and cultural values of the District,

h. The water quality of the District's surface and groundwater resources, and

i. Public access to or along the rivers and lakes of the District, particularly through the use of minimum (and average) allotment sizes.

12.4.1 - Policy - Parking, Loading and Manoeuvring

To avoid, remedy or mitigate adverse effects on the safe and efficient operation of the roading network by requiring:

a. Safe and efficient access points to the roading network, and

b. Off-road loading and manoeuvring space and facilities, and

c. Off-street parking,

where these are appropriate.

In terms of Objective 4.3.1, the proposal will create a new opportunities for property buyers and will help in addressing the current demand for housing in the district. The proposal can provide for the social and economic well-being of the owners and the community.

In terms of Objective 4.3.3 and Policy 4.4.2, it is considered that the effects of the subdivision can be managed to ensure that adverse effects on the open space, landscape, natural character and amenity values of the rural environment can be avoided or mitigated.

In terms of Policy 4.4.3, the proposal will not result in significant new traffic on the roading network.

Policy 4.4.9 addresses reverse sensitivity, which is not considered relevant to this proposal. Property owners in the HITP are required to sign an encumbrance, which addresses reverse sensitivity effects for those living within the HITP.

The above discussions also address Policy 4.4.10. The proposal is consistent with Policy 4.4.10 given the context of the subdivision within the wider development.

The proposal is consistent with Policy 12.4.1. The access point will be formed to the appropriate standards. The parking overhang is consistent with the policy as the adjacent berm mitigates the effects of occupants parking overhanging onto the berm. This piece of road will not be a high traffic area and often only accessed by the occupants of the street themselves.

It is considered that the proposed subdivision with its mitigating measures is not contrary to the relevant objectives and policies of the Operative District Plan.

6.2.3 Cromwell 'Eye to the Future' Masterplan - Stage 1: Spatial Plan

The Cromwell Spatial Plan sets out the objectives for planning future development in Cromwell. Several of these objectives are of relevance to this application.

Objective 2: manage urban form and settlement to achieve an effective and efficient pattern of development

- Enable greenfield development and/or infill opportunities where consistent with a consolidated urban form and higher density objectives, in locations contiguous with existing subdivision and development and existing infrastructure.
- Retain the productive capacity of rural areas, protecting rural land around the town and within wider Basin in a considered and strategic manner, acknowledging the significance of climatic and other factors to localised growing environments, allied productivity outputs, and GDP.
- Manage subdivision and land use development to an improved standard of amenity and design.
- Manage reverse sensitivity impacts by segregating polluting or noisy industrial and commercial recreation uses, farming activities and strategic infrastructure, from residential and commercial environments.

Objective 5: residential development and amenity

- Address current and future housing needs for all sectors of the community.
- Provide sufficient residential capacity to meet demand and housing choice as it arises including visitor and seasonal worker accommodation.
- Provide a wider range of housing types and sizes ('typologies') in order to ensure a greater choice of accommodation and livability for all segments of the Cromwell community.
- Retain, enhance and extend the greenways of Cromwell including within new residential developments and infill areas.
- Identify the design outcomes sought and where appropriate, create precinct-based design guidelines to promote considered development and a high quality of amenity.

The proposal is consistent with the strategic approach of urban development and expansion. The underlying zone is rural; however, the underlying subdivision consent currently allows for residential development. The productive capacity of the land will not be reduced as the current land use is residential. The subdivision will be managed with the current covenants in place with the proposed changes to these mentioned above and signed off by the Highlands Design Board. The dwellings will be acoustically designed, and all residents will have to sign an encumbrance, which addresses reverse sensitivity effects for those living within the HITP.

There is a lack of land for future residential development within the Cromwell township, along with increasing property prices and affordability issues in the area. This proposal would assist in accommodating future growth, while addressing key issues facing the Cromwell area and providing additional lots in a desirable central Otago location. The proposed area is adjacent to other residential development and has access through to nearby recreational areas. The proposal represents a significant boost to Cromwell's housing supply, to address current and future housing needs for Cromwell.

6.3 Section 104D of the RMA

As the proposal is for a non-complying activity, the consent authority must have regard to section 104D of the RMA:

Despite any decision made for the purpose of notification in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either—

a. the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or
b. the application is for an activity that will not be contrary to the objectives and policies of—
    i. the relevant plan, if there is a plan but no proposed plan in respect of the activity; or
    ii. the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or
    iii. both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.

Section 104D of the Act requires that in order for an application to a non-complying activity to be able to be considered under Section 104 of the Act, it must first pass one of two threshold or 'gateway' tests.

These tests are that either the adverse effects of the activity on the environment will be minor, or the application is for an activity that will not be contrary to the objectives and policies of the relevant plan.

In this instance, the effects of the proposal have been assessed as being no more than minor in terms of landscape, servicing and overall character of the area. As the site has underlying subdivision consents for residential subdivision this application is made under a non-complying activity status due to technicality.

7. Consent Duration, Review and Lapse

A term for a land use consent is unlimited.

The applicant intends to begin subdividing the site as soon as the necessary authorisations have been secured (subject to granting). However, it is not uncommon for projects of this nature to experience some level of delay outside of a consent holders' control. As such, a 5-year lapse period would be appropriate with regards to any resulting subdivision consent. This is a standard lapse period as outlined in Section 125(1)(a) of the RMA.

Council may review any consent in accordance with Sections 128 and 129 of the RMA.

8. CONCLUSION

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

that:

a) the adverse effects on the environment are virtually certain to be insignificant;
b) The proposal is consistent with the requirements of the RMA, relevant district plan 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. The proposed activities are highly unlikely to result in adverse effects and any potential adverse effects will be mitigated as far as practicable.

Appendix A: Record of Title

RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD

Search Copy

R.W. Muir
Registrar-General
of Land

Identifier **973362**
Land Registration District **Otago**
Date Issued 31 October 2022

Prior References
663001

Estate Fee Simple
Area 600 square metres more or less
Legal Description Lot 220 Deposited Plan 556783
Registered Owners
Kevin Jarvis, Marie Claire Goodman and Rodgers Trustees Limited

Interests

5323967.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 23.8.2002 at 1:42 pm

Land Covenant in Easement Instrument 7849017.1 - 17.6.2008 at 9:00 am

Appurtenant hereto is a right of way, right to drain water and sewage, right to store, pump and drain sewage and rights to convey water, electricity, telecommunications and computer media created by Easement Instrument 9809952.10 - 27.11.2014 at 4:17 pm

Some of the easements created by Easement Instrument 9809952.10 are subject to Section 243 (a) Resource Management Act 1991 (see DP 466637)

12451331.5 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 31.10.2022 at 4:54 pm

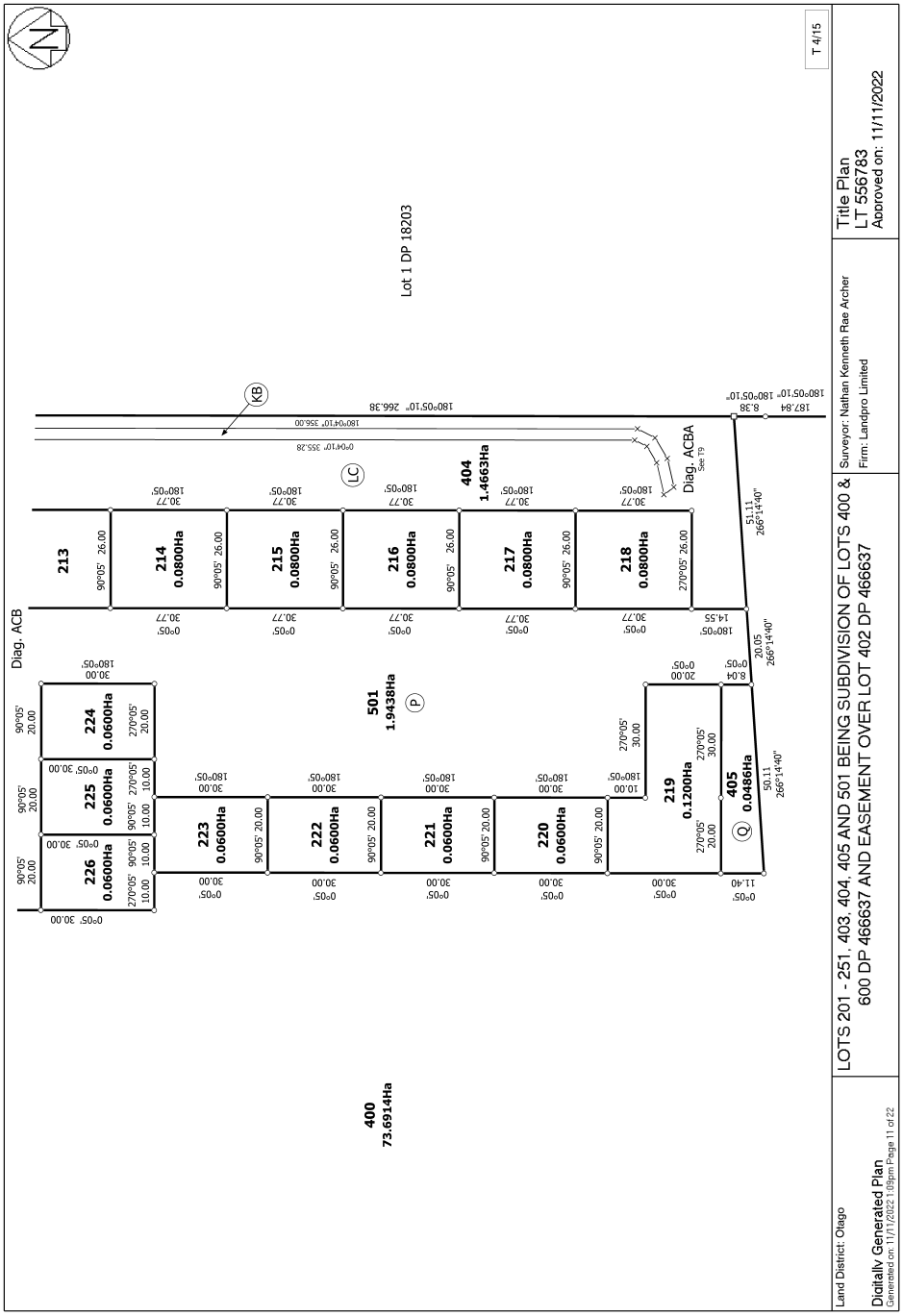
Appurtenant hereto is a right of way, right to drain water and sewage, a right to store, pump and drain sewage easement and a right to pump sewage easement created by Easement Instrument 12451331.10 - 31.10.2022 at 4:54 pm

The easements created by Easement Instrument 12451331.10 are subject to Section 243 (a) Resource Management Act 1991

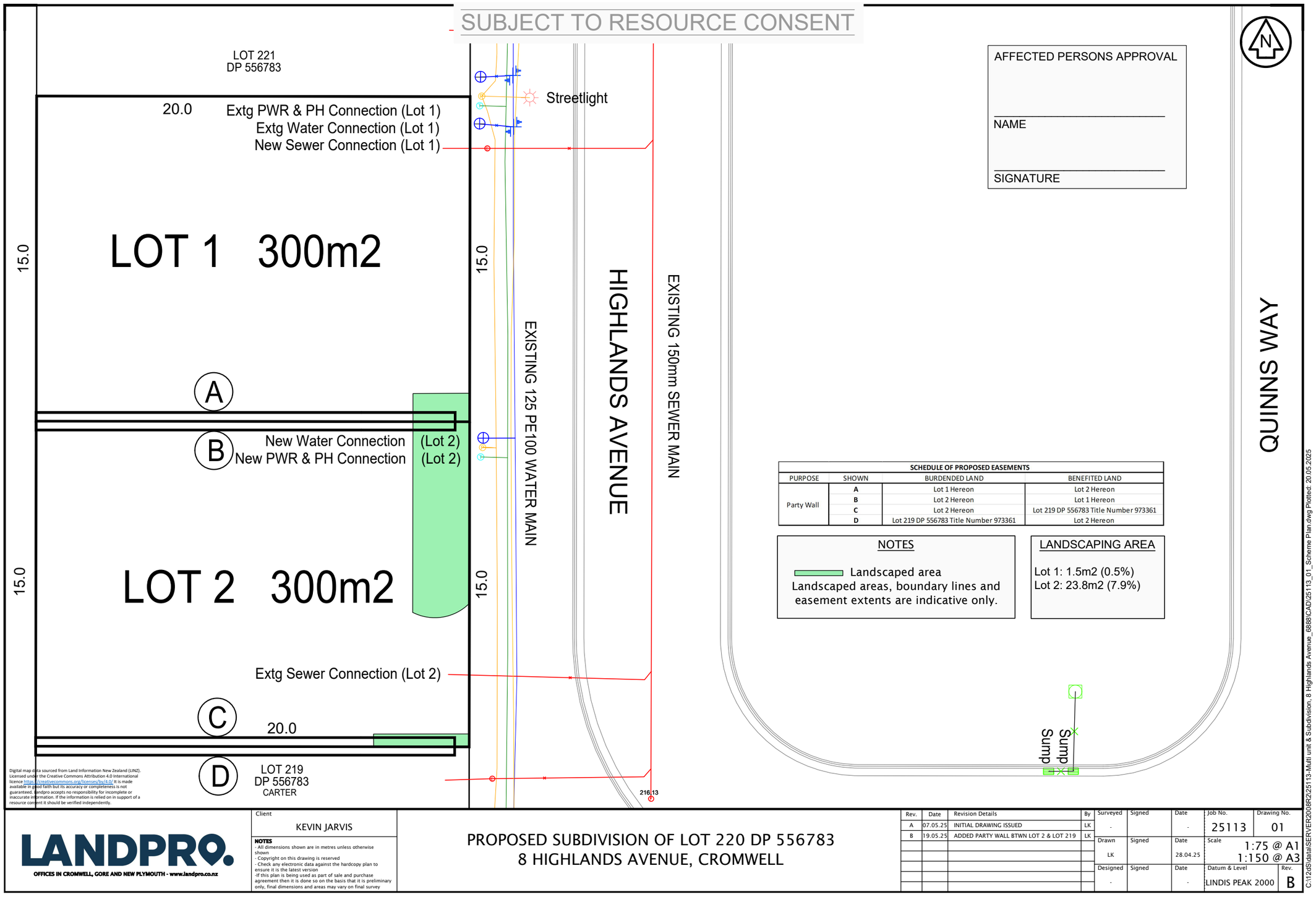
12451331.12 Encumbrance to Highlands Industrial Park Services Limited - 31.10.2022 at 4:54 pm

13003911.2 Mortgage to Kiwibank Limited - 10.5.2024 at 3:15 pm

Identifier **973362**



Appendix B: Scheme Plan and Concept Design

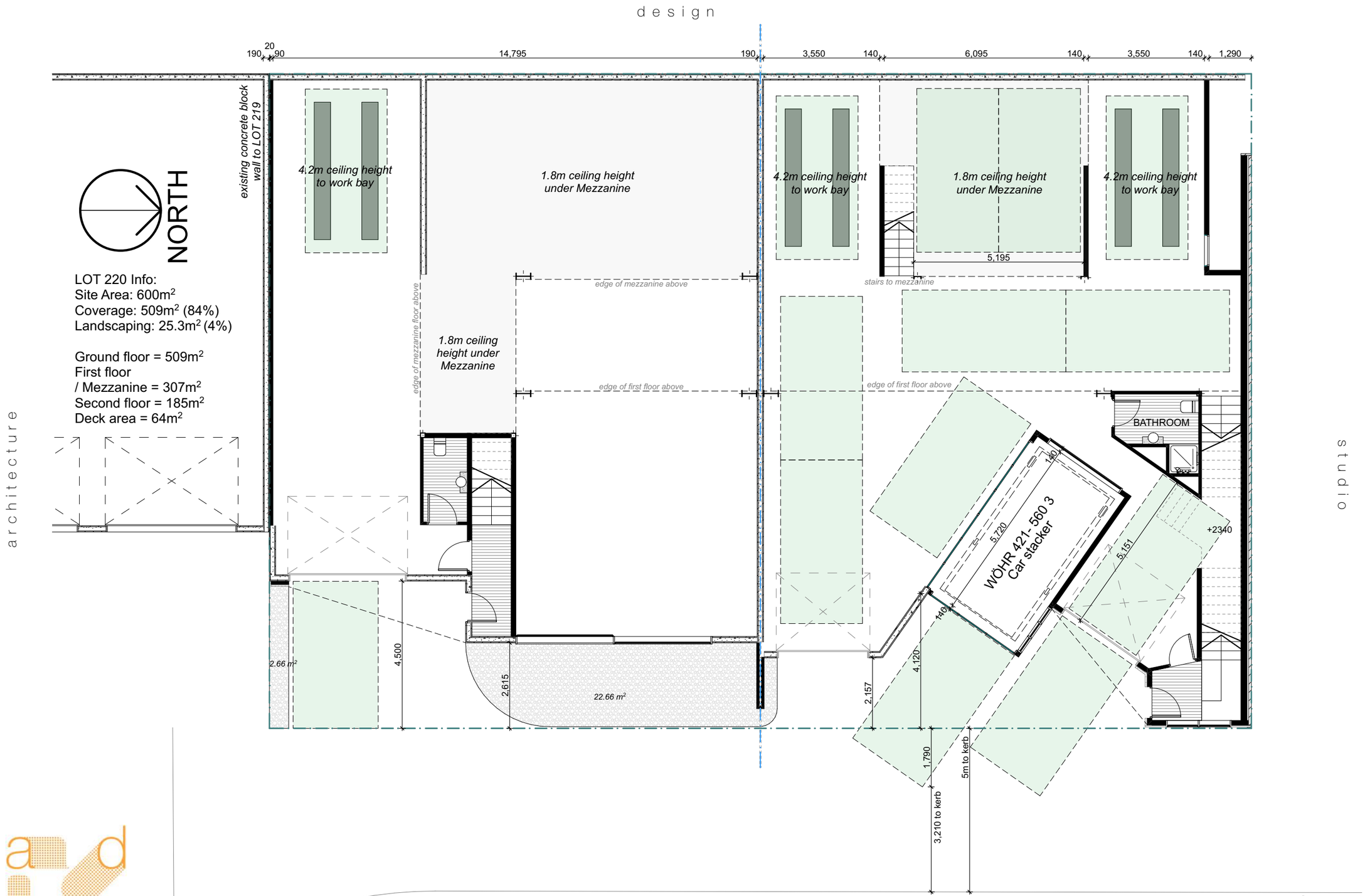

SUBJECT TO RESOURCE CONSENT
LOT 221
DP 556783
20.0
Extg PWR & PH Connection (Lot 1)
Extg Water Connection (Lot 1)
New Sewer Connection (Lot 1)
Streetlight
LOT 1 300m2
15.0
15.0
A
B
New Water Connection (Lot 2)
New PWR & PH Connection (Lot 2)
LOT 2 300m2
15.0
Extg Sewer Connection (Lot 2)
C
20.0
D
LOT 219
DP 556783
CARTER
EXISTING 125 PE100 WATER MAIN
HIGHLANDS AVENUE
EXISTING 150mm SEWER MAIN
216.13
QUINNS WAY
Sump
Sump
AFFECTED PERSONS APPROVAL
NAME
SIGNATURE
N
SCHEDULE OF PROPOSED EASEMENTS
PURPOSE | SHOWN | BURDENDED LAND | BENEFITED LAND
Party Wall | A | Lot 1 Hereon | Lot 2 Hereon
B | Lot 2 Hereon | Lot 1 Hereon
C | Lot 2 Hereon | Lot 219 DP 556783 Title Number 973361
D | Lot 219 DP 556783 Title Number 973361 | Lot 2 Hereon
NOTES
Landscaped area
Landscaped areas, boundary lines and easement extents are indicative only.
LANDSCAPING AREA
Lot 1: 1.5m2 (0.5%)
Lot 2: 23.8m2 (7.9%)
Digital map data sourced from Land Information New Zealand (LINZ). Licensed under the Creative Commons Attribution 4.0 International licence https://creativecommons.org/licenses/by/4.0/ It is made available in good faith but its accuracy or completeness is not guaranteed. Landpro accepts no responsibility for incomplete or inaccurate information. If the information is relied on in support of a resource consent it should be verified independently.
LANDPRO.
OFFICES IN CROMWELL, GORE AND NEW PLYMOUTH - www.landpro.co.nz
Client
KEVIN JARVIS
NOTES
- All dimensions shown are in metres unless otherwise shown
- Copyright on this drawing is reserved
- Check any electronic data against the hardcopy plan to ensure it is the latest version
-If this plan is being used as part of sale and purchase agreement then it is done so on the basis that it is preliminary only, final dimensions and areas may vary on final survey
PROPOSED SUBDIVISION OF LOT 220 DP 556783
8 HIGHLANDS AVENUE, CROMWELL
Rev. | Date | Revision Details | By
A | 07.05.25 | INITIAL DRAWING ISSUED | LK
B | 19.05.25 | ADDED PARTY WALL BTWN LOT 2 & LOT 219 | LK
Surveyed - | Signed | Date - | Job No. 25113 | Drawing No. 01
Drawn LK | Signed | Date 28.04.25 | Scale 1:75 @ A1, 1:150 @ A3
Designed - | Signed | Date - | Datum & Level LINDIS PEAK 2000 | Rev. B
C:\12d\5\data\SERVER2008R2\25113-Multi unit & Subdivision, 8 Highlands Avenue, 6888\CAD\25113_01_Scheme Plan.dwg Plotted: 20.05.2025

d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 220 HIGHLAND MOTORSPORT PARK



LOT 220 HIGHLANDS MOTORSPORT PARK
GROUND FLOOR PLAN

Sheet: 1.2
Rev: 1

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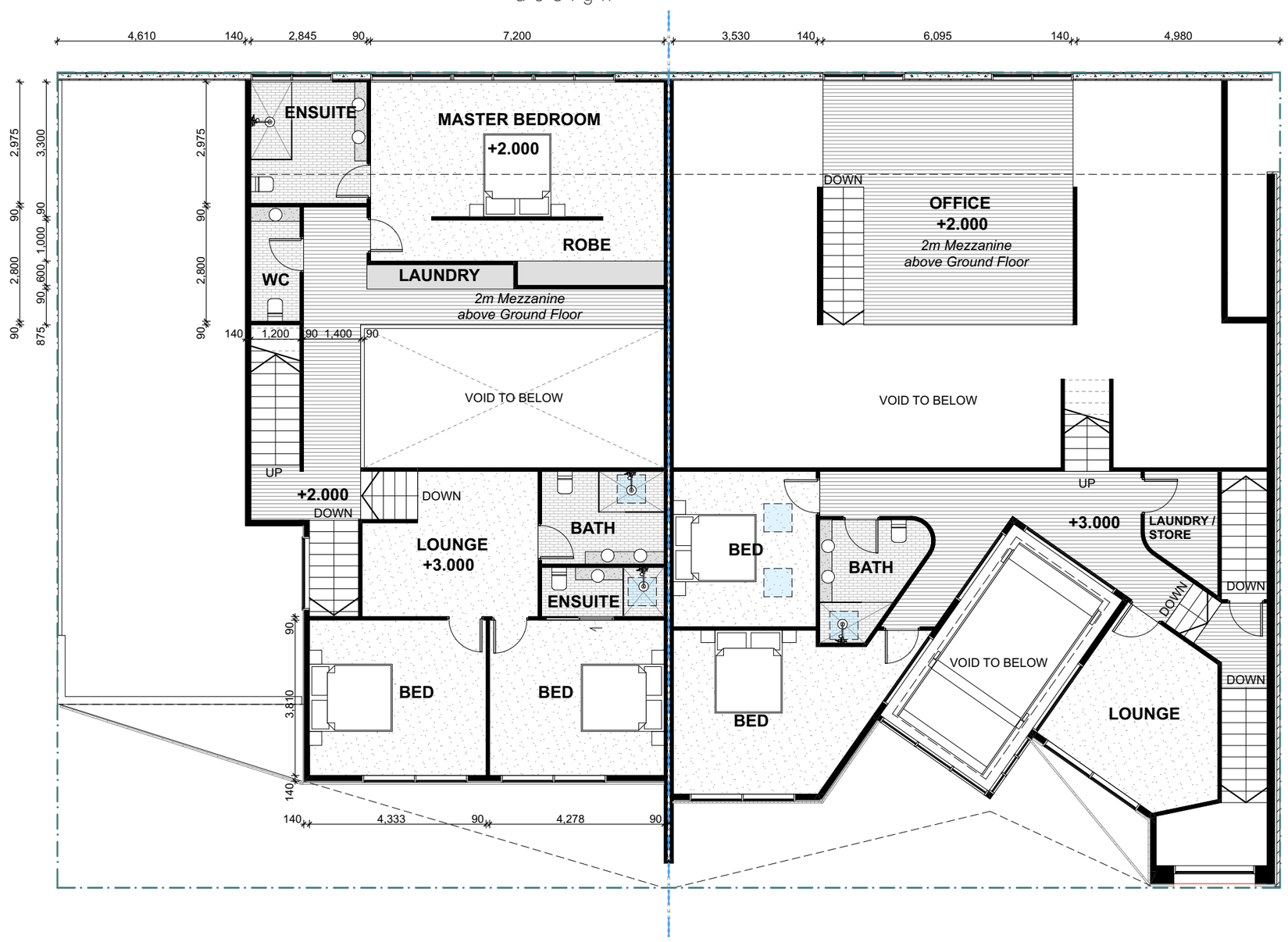
design



architecture

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LOT 220 HIGHLANDS MOTORSPORT PARK
FIRST FLOOR PLAN

Sheet: 1.3
Rev: 1

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design
architecture
studio

LOT 220 HIGHLANDS MOTORSPORT PARK
SECOND FLOOR PLAN

Sheet: 1.4
Rev: 1

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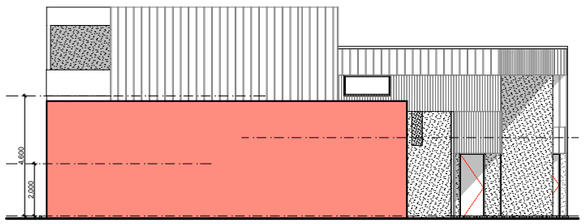
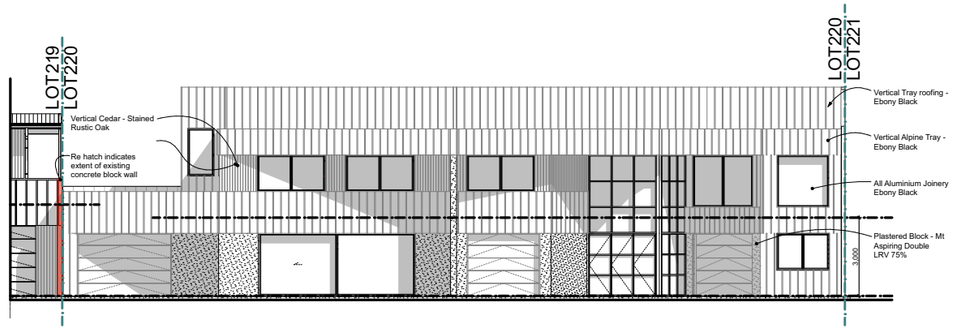
d e s i g n

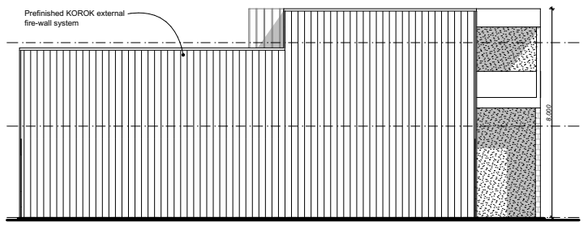


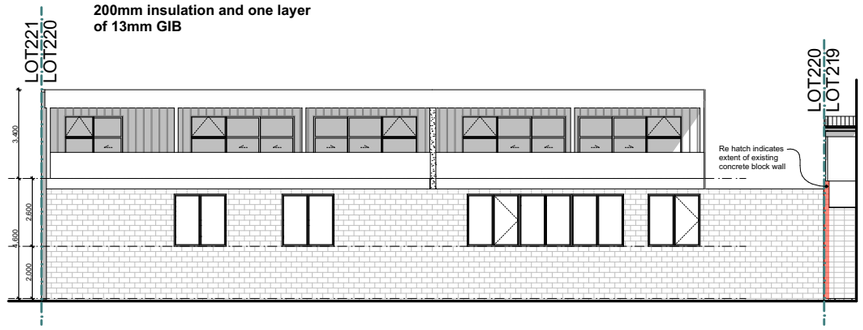


all exterior walls to have a minimum of 6mm Fibre cement RAB with cladding, 140mm Framing and insulation and one layer of 10mm GIB Total mass of 156mm (131mm min requirement)

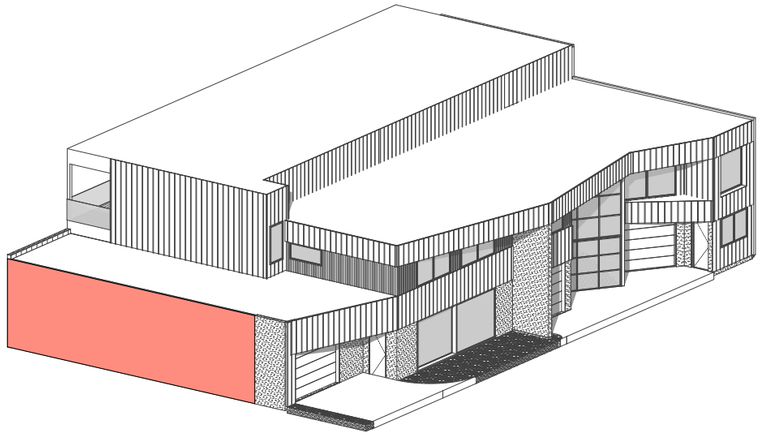
all window joinery to be double glazed and 10mm with compression seals

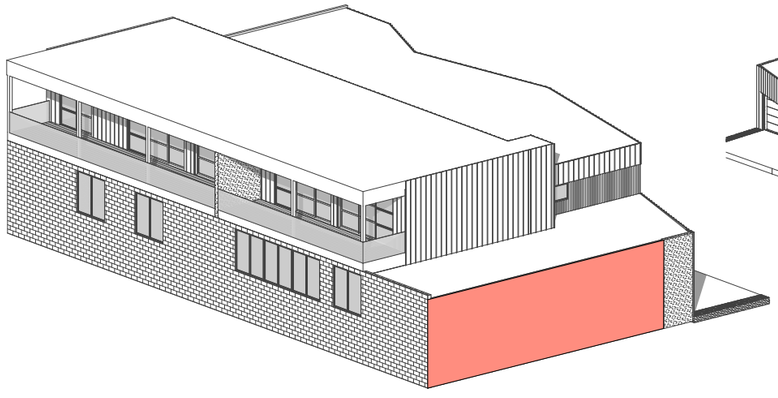
all roofs to have 0.55mm iron 200mm insulation and one layer of 13mm GIB

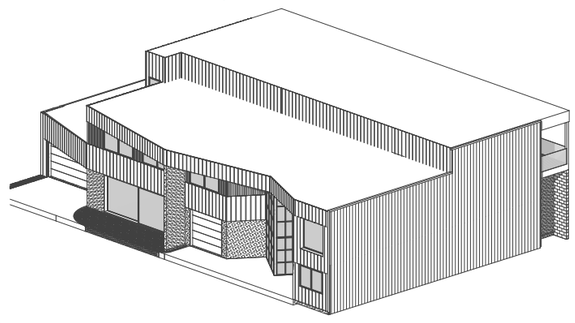


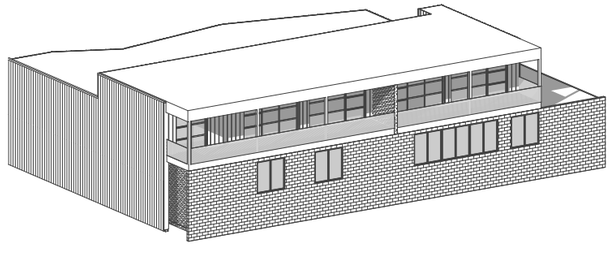


a r c h i t e c t u r e









d i p l o m a t i c s t u d i e s

LOT 220 HIGHLANDS MOTORSPORT PARK
Elevations

Sheet: 1.5
Rev: 1

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design

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LOT 220 HIGHLANDS MOTORSPORT PARK
PRESPECTIVE

Sheet: 1.6
Rev: 1

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design

architecture

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LOT 220 HIGHLANDS MOTORSPORT PARK
PRESPECTIVE

Sheet: 1.7
Rev: 1

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design

architecture studio

LOT 220 HIGHLANDS MOTORSPORT PARK
PRESPECTIVE

Sheet: 1.8
Rev: 1

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design

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LOT 220 HIGHLANDS MOTORSPORT PARK
PRESPECTIVE

Sheet: 1.9
Rev: 1

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APPENDIX 2.

Plant List - Highlands Motorsport Park

The following list of native species shall be used in association with landscaping in the industrial Subdivision at the Highlands Motorsport Park. Of the total area of landscaping, 80% shall comprise natives from the list below:

- Acaena inermis purpurea
- Anamanthele lessonia
- Astelia nervosa
- Carex secta
- Carex testacea
- Carex virgata
- Coprosma crassifolia
- Coprosma repens
- Corokia cotoneaster
- Corokia buddleioides
- Corokia 'Red Wonder'
- Cordyline australis
- Dianella nigra 'Margaret Pringle'
- Griselinia littoralis
- Hebe speciosa
- Hebe albicans
- Hebe diomifolia
- Hebe 'Dazzler'
- Hebe buchananii
- Hebe cockayniana
- Hebe 'Goldrush'
- Hebe 'First Light'
- Libertia peregrinans
- Muehlenbeckia astonii
- Phormium cookianum 'Purpurea'
- Phormium cookianum 'Evening Glow'
- Phormium cookianum 'Little Cracker'
- Poa cita
- Poa colensoi
- Pittosporum tenufolium
- Pittosporum eugeniodes
- Sophora microphylla

14. acoustic

14.1. Due to the proximity to the Highlands Racetrack, all buildings on Lots 201-251 must be designed to incorporate the following elements (Table 1) in order to meet the internal noise attenuation requirements.

BUILDING ELEMENT / REQUIRED CONSTRUCTION

External Wall

- Exterior: 20mm timber or 6mm fibre cement
- Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar)

Two layers of 12.5mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass)

Window

- All window glazing shall be double glazed and a minimum thickness of 10mm
- Aluminium framing with Compression seals or Equivalent

Pitched Roof

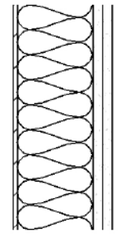
- Cladding: 0.5mm profiled steel or tiles or 6mm corrugated fibre cement.
- Frame: Timber truss with 100mm acoustic blanket (R2.2 Batts or similar)
- Ceiling: 12.5 gypsum plaster board*

Skillion Roof

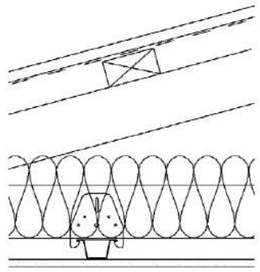
- Cladding: 0.5mm profiled steel or 6mm fibre cement
- Sarking: 20mm particle board or plywood
- Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar)
- Ceiling: 2 layers of 9.55mm gypsum plasterboard

External Door

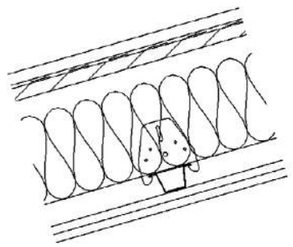
- Solid core door (min 24kg/m2) with weather seals



External wall construction



Pitched roof construction



Skillion roof construction

Appendix C: Affected Persons Approval

17 March 2025

Highlands Design Review Board
7 Sandflat Road, Cromwell

Kevin Jarvis
C/- Kyle O'Neill (kyle@arcdesign.studio)

Dear Kevin

The Highlands Design Review Board (HDRB) has reviewed your resubmission and we are pleased to inform you that the submitted design for your property at **Lot 220 (8 Highlands Avenue)** has been approved.

In considering this approval, the HDRB notes the following:

- While the landscaping is under the required size, the combination of good urban design and architectural style balances out the shortfall and therefore the HDRB as satisfied that an overall good outcome is achieved.

- While the parking overhangs the verge, the combination of a wide berm located off of the main thoroughfare of Quinn's Way are mitigating factors that has enabled the HDRB to sign off.

You are now permitted to submit the appropriate documentation to the Central Otago District Council for Building and/or Resource Consent.

Please note, design approval from the HDRB does not guarantee approval by the Central Otago District Council and we encourage that you check any other requirements of the District Council accordingly.

Kind Regards,

Jake Woodward
Resource Management Planner
on behalf of the Highlands Design Review Board

Attachments:

Appendix [A] - Approved Plans

d e s i g n

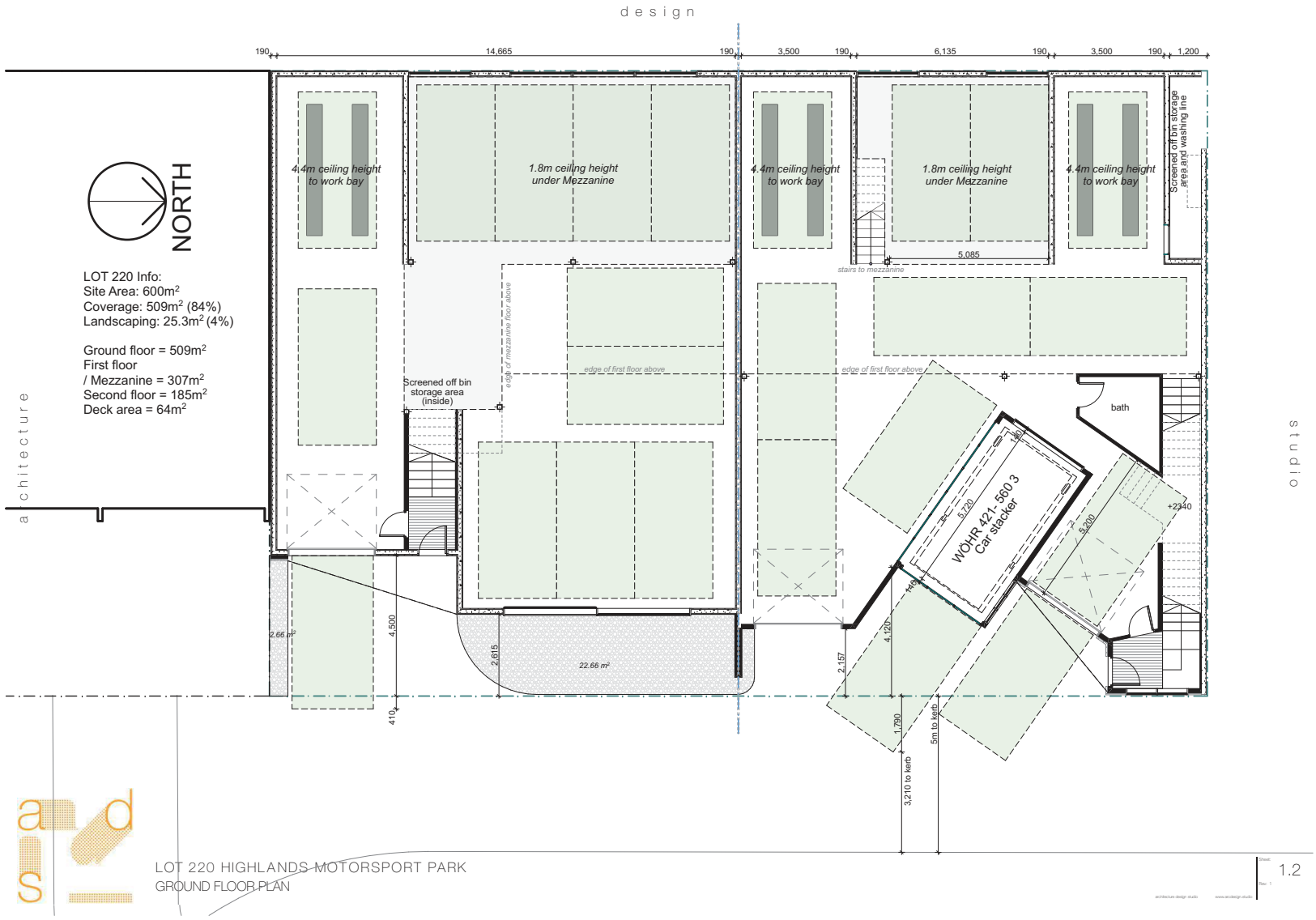
a r c h i t e c t u r e

s t u d i o

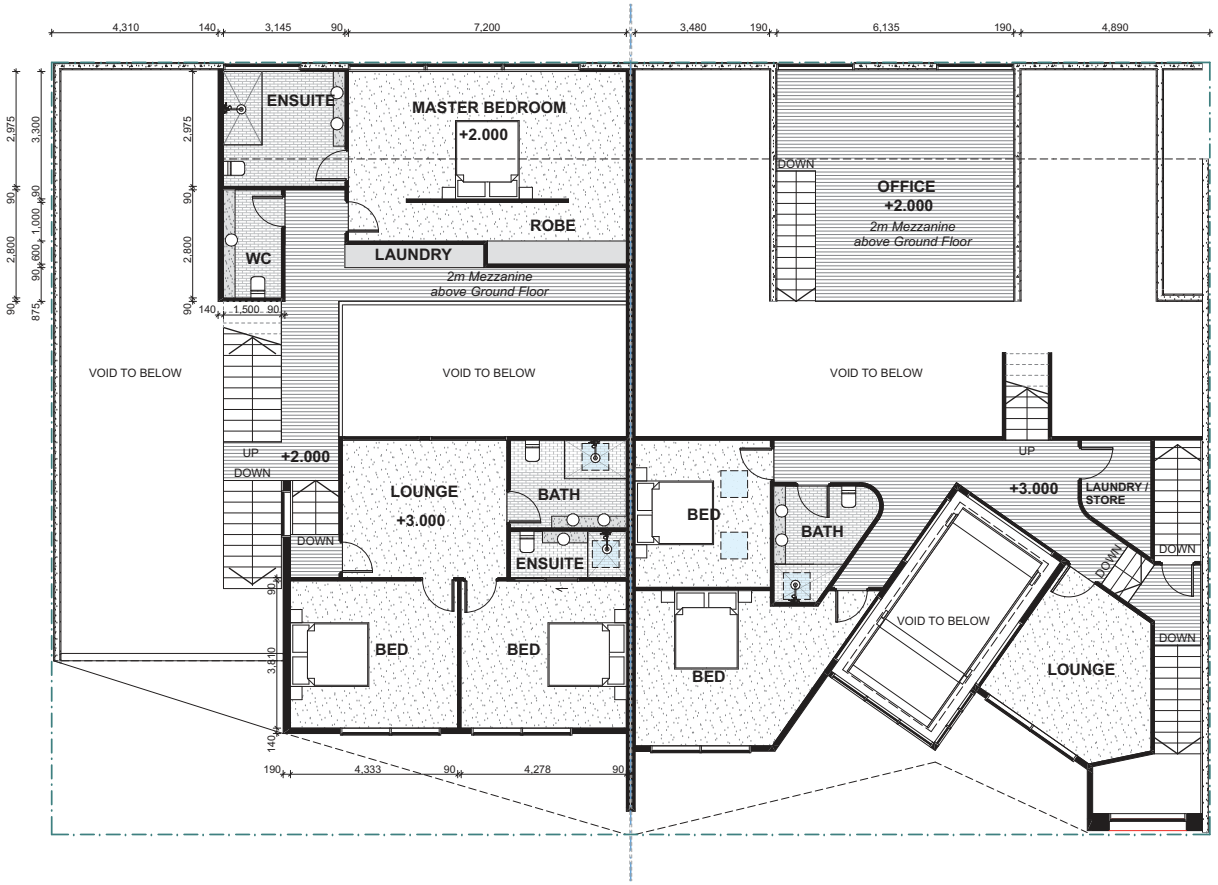
Highlands Design Review Board hereby gives written approval to the development shown on the plan for the purposes of satisfying the requirement for all developments to be reviewed and endorsed by the HDRB. This approval does not imply the development shown will comply with any other relevant Local Authority Requirements.

Jake Woodward and Annaliese Mirus
Highlands Design Review Board

LOT 220 HIGHLAND MOTORSPORT PARK


design
architecture
studio
NORTH
LOT 220 Info:
Site Area: 600m²
Coverage: 509m² (84%)
Landscaping: 25.3m² (4%)
Ground floor = 509m²
First floor
/ Mezzanine = 307m²
Second floor = 185m²
Deck area = 64m²
4.4m ceiling height to work bay
1.8m ceiling height under Mezzanine
4.4m ceiling height to work bay
1.8m ceiling height under Mezzanine
4.4m ceiling height to work bay
Screened off bin storage area and washing line
5,085
stairs to mezzanine
edge of mezzanine floor above
edge of first floor above
edge of first floor above
Screened off bin storage area (inside)
bath
WÖHR 421-560 3 Car stacker
5,720
5,200
+2340
2.66 m²
22.66 m²
4,500
2,615
4,120
2,157
1,790
3,210 to kerb
5m to kerb
190
14,665
3,500
6,135
3,500
1,200
LOT 220 HIGHLANDS MOTORSPORT PARK
GROUND FLOOR PLAN
1.2

design



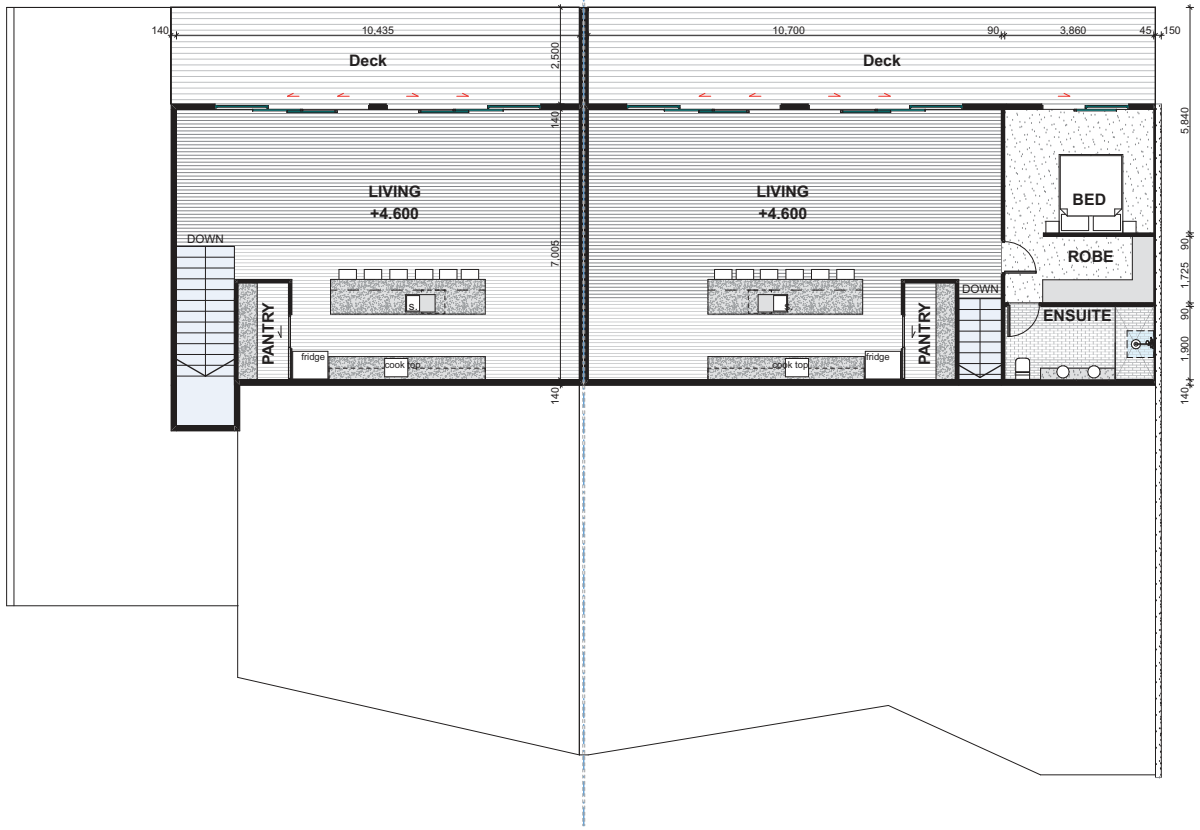
architecture

studio

LOT 220 HIGHLANDS MOTORSPORT PARK
FIRST FLOOR PLAN

1.3

design



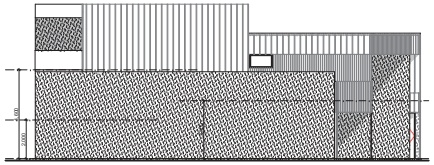
architecture

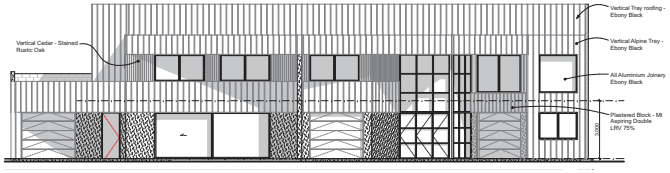
studio

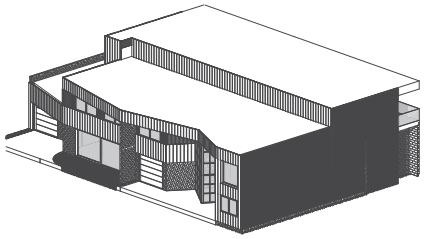
LOT 220 HIGHLANDS MOTORSPORT PARK
SECOND FLOOR PLAN

Sheet 1.4
Rev 1

design







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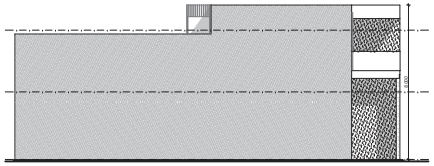

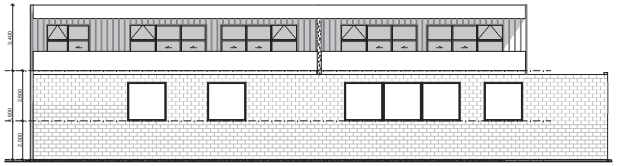

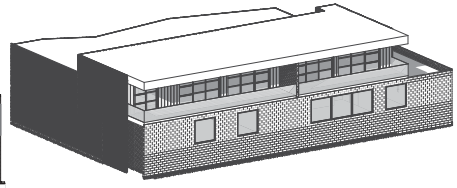

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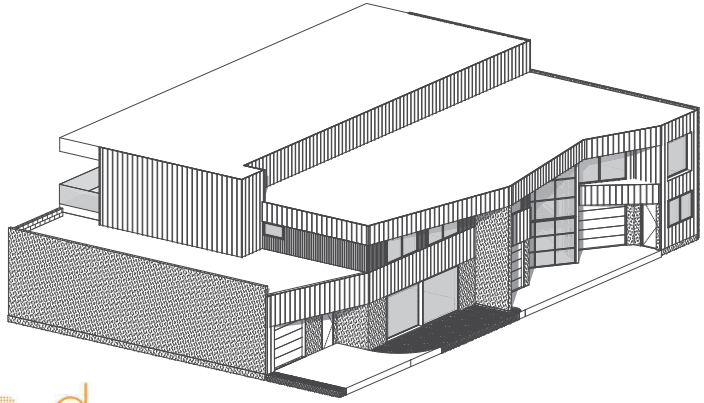

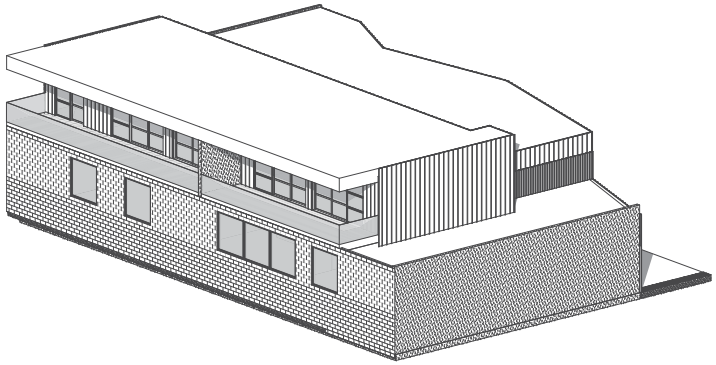

LOT 220 HIGHLANDS MOTORSPORT PARK
Elevations

Sheet 1.5
Rev 1

d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 220 HIGHLANDS MOTORSPORT PARK
PRESPECTIVE

Sheet 1.6
Rev 1

d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 220 HIGHLANDS MOTORSPORT PARK
PRESPECTIVE

Sheet: 1.7
Rev: 1

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d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 220 HIGHLANDS MOTORSPORT PARK
PRESPECTIVE

1.8

d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 220 HIGHLANDS MOTORSPORT PARK
PRESPECTIVE

1.9

APPENDIX 2.

Plant List - Highlands Motorsport Park

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- Carex testacea
- Carex virgata
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- Coprosma repens
- Corokia cotoneaster
- Corokia buddleioides
- Corokia 'Red Wonder'
- Cordyline australis
- Dianella nigra 'Margaret Pringle'
- Griselinia littoralis
- Hebe speciosa
- Hebe albicans
- Hebe diomifolia
- Hebe 'Dazzler'
- Hebe buchananii
- Hebe cockayniana
- Hebe 'Goldrush'
- Hebe 'First Light'
- Libertia peregrinans
- Muehlenbeckia astonii
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- Phormium cookianum 'Evening Glow'
- Phormium cookianum 'Little Cracker'
- Poa cita
- Poa colensoi
- Pittosporum tenufolium
- Pittosporum eugeniodes
- Sophora microphylla

14. acoustic

14.1. Due to the proximity to the Highlands Racetrack, all buildings on Lots 201-251 must be designed to incorporate the following elements (Table 1) in order to meet the internal noise attenuation requirements.

BUILDING ELEMENT / REQUIRED CONSTRUCTION
External Wall
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• Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar)
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• All window glazing shall be double glazed and a minimum thickness of 10mm
• Aluminium framing with Compression seals or Equivalent
Pitched Roof
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• Ceiling: 12.5 gypsum plaster board*
Skillion Roof
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• Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar)
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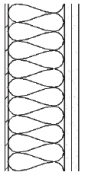
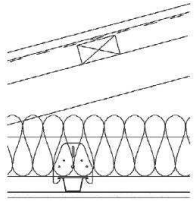
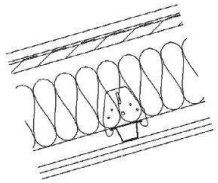
• Solid core door (min 24kg/m2) with weather seals



External wall construction



Pitched roof construction



Skillion roof construction

Affected Persons Approval for Resource Consent

CENTRAL OTAGO DISTRICT COUNCIL
1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand
+64 3 440 0056
info@codc.govt.nz
www.codc.govt.nz

(Form 8A)
Section 95E(3), Resource Management Act 1991

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

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

TO BE COMPLETED BY THE PERSON(S) REQUESTING APPROVAL

Applicant Name: Kevin Jarvis

Type of resource consent (circle all appropriate): Land-use / Subdivision

Proposed activity:
2 Lot subdivision at Lot 220 Highlands Innovation Technology Park and multi unit development with party wall with Lot 219 DP 556783

Location of site:
8 Highlands Avenue, Cromwell

CONTACT DETAILS OF AFFECTED PARTY

Full Name/s: *(name of person giving written approval)* Garry & Robyn Carter

Email gpandrjcarter@gmail.com Phone 021 885020

Address of the property *(I am the owner of the following property)*: 10 Highlands Cres Cromwell

The full name of all other owners of the property: *(owners of the affected property)*
Kevin Jarvis

I have authority to sign on behalf of all the other owners of the property:

☐ Yes ☑ No other owners

Affected Persons Approval for Resource Consent

CENTRAL OTAGO DISTRICT COUNCIL
1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand
+64 3 440 0056
info@codc.govt.nz
www.codc.govt.nz

(Form 8A)
Section 95E(3), Resource Management Act 1991

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

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

TO BE COMPLETED BY THE PERSON(S) REQUESTING APPROVAL

Applicant Name: Kevin Jarvis

Type of resource consent (circle all appropriate): Land-use / Subdivision

Proposed activity:
2 Lot subdivision at Lot 220 Highlands Innovation Technology Park and multi unit development with party wall with Lot 219 DP 556783

Location of site:
8 Highlands Avenue, Cromwell

CONTACT DETAILS OF AFFECTED PARTY

Full Name/s: *(name of person giving written approval)* Garry & Robyn Carter

Email gpandrjcarter@gmail.com Phone 021 885020

Address of the property *(I am the owner of the following property)*: 10 Highlands Clve Cromwell.

The full name of all other owners of the property: *(owners of the affected property)*
Kevin Jarvis

I have authority to sign on behalf of all the other owners of the property:

☐ Yes ☑ No other owners

NOTES

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

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

DECLARATION

- ☑ I have sighted all the attached plans and supporting information for the above activity.
- ☑ I have read the full application for resource consent, the Assessment of Environmental Effects, and any site plans as follows
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Signature

6.6.25
Date

If you have any questions, please contact the Central Otago District Council by phoning 03 440 0056 or email resource.consents@codc.govt.nz

RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD

Search Copy

R.W. Muir
Registrar-General
of Land

Identifier **973362**
Land Registration District **Otago**
Date Issued 31 October 2022

Prior References
663001

Estate Fee Simple
Area 600 square metres more or less
Legal Description Lot 220 Deposited Plan 556783
Registered Owners
Kevin Jarvis, Marie Claire Goodman and Rodgers Trustees Limited

Interests

5323967.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 23.8.2002 at 1:42 pm

Land Covenant in Easement Instrument 7849017.1 - 17.6.2008 at 9:00 am

Appurtenant hereto is a right of way, right to drain water and sewage, right to store, pump and drain sewage and rights to convey water, electricity, telecommunications and computer media created by Easement Instrument 9809952.10 - 27.11.2014 at 4:17 pm

Some of the easements created by Easement Instrument 9809952.10 are subject to Section 243 (a) Resource Management Act 1991 (see DP 466637)

12451331.5 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 31.10.2022 at 4:54 pm

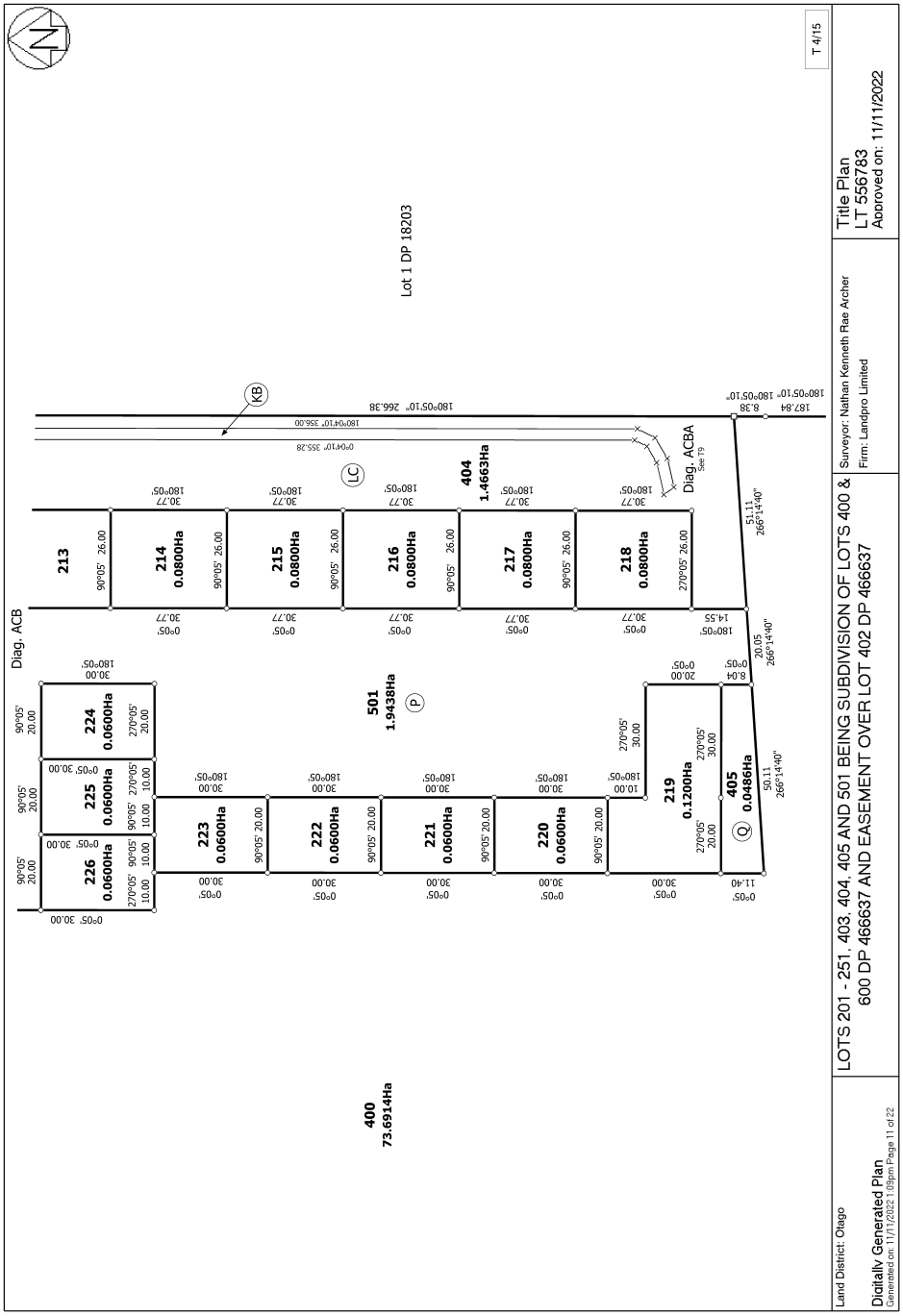
Appurtenant hereto is a right of way, right to drain water and sewage, a right to store, pump and drain sewage easement and a right to pump sewage easement created by Easement Instrument 12451331.10 - 31.10.2022 at 4:54 pm

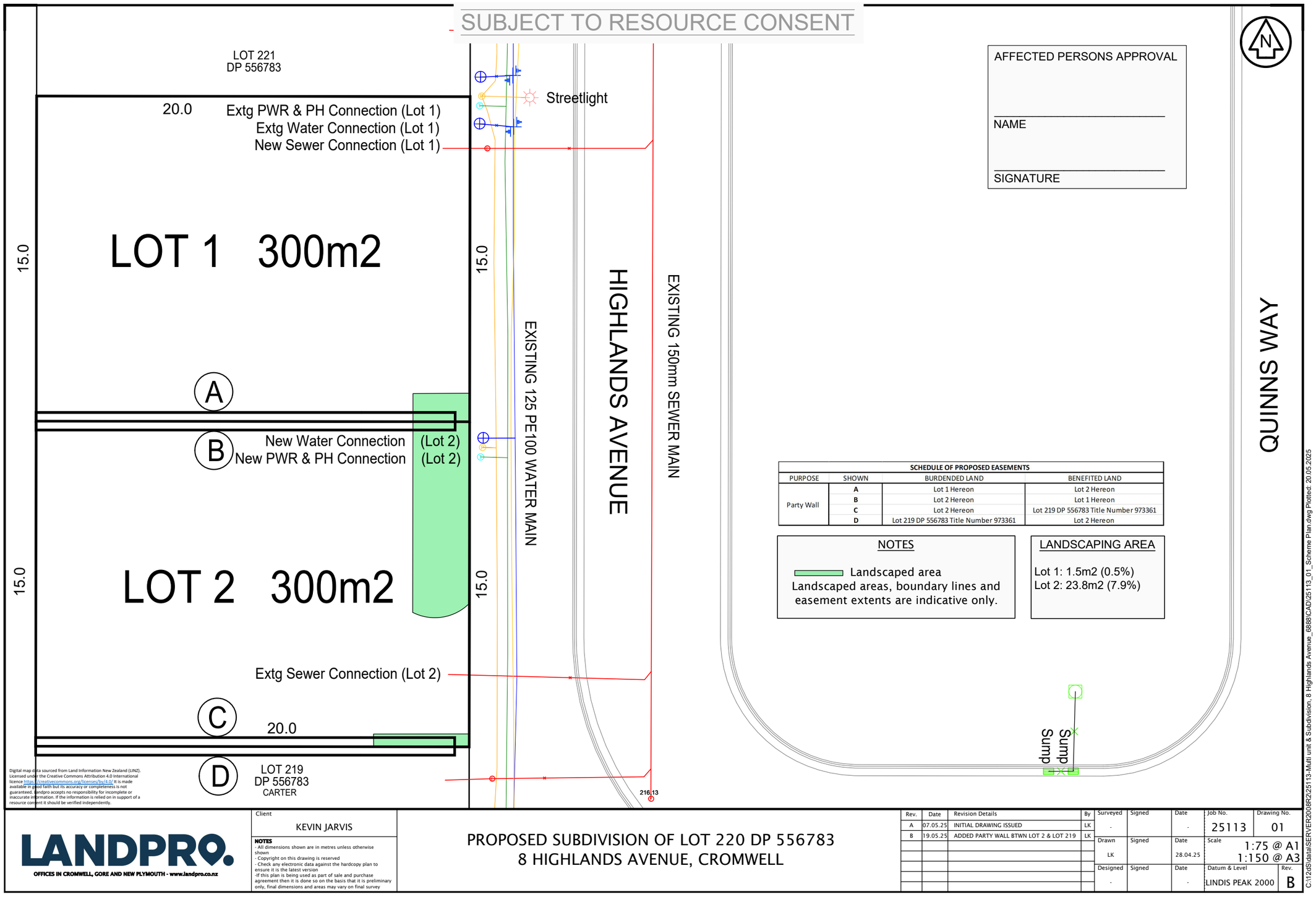
The easements created by Easement Instrument 12451331.10 are subject to Section 243 (a) Resource Management Act 1991

12451331.12 Encumbrance to Highlands Industrial Park Services Limited - 31.10.2022 at 4:54 pm

13003911.2 Mortgage to Kiwibank Limited - 10.5.2024 at 3:15 pm

Identifier **973362**




SUBJECT TO RESOURCE CONSENT
LOT 221
DP 556783
20.0
Extg PWR & PH Connection (Lot 1)
Extg Water Connection (Lot 1)
New Sewer Connection (Lot 1)
Streetlight
LOT 1 300m2
15.0
15.0
A
B
New Water Connection (Lot 2)
New PWR & PH Connection (Lot 2)
LOT 2 300m2
15.0
Extg Sewer Connection (Lot 2)
C
20.0
D
LOT 219
DP 556783
CARTER
EXISTING 125 PE100 WATER MAIN
HIGHLANDS AVENUE
EXISTING 150mm SEWER MAIN
216.13
QUINNS WAY
AFFECTED PERSONS APPROVAL
NAME
SIGNATURE
N
SCHEDULE OF PROPOSED EASEMENTS
PURPOSE | SHOWN | BURDENDED LAND | BENEFITED LAND
Party Wall | A | Lot 1 Hereon | Lot 2 Hereon
B | Lot 2 Hereon | Lot 1 Hereon
C | Lot 2 Hereon | Lot 219 DP 556783 Title Number 973361
D | Lot 219 DP 556783 Title Number 973361 | Lot 2 Hereon
NOTES
Landscaped area
Landscaped areas, boundary lines and easement extents are indicative only.
LANDSCAPING AREA
Lot 1: 1.5m2 (0.5%)
Lot 2: 23.8m2 (7.9%)
Sump
Sump
Digital map data sourced from Land Information New Zealand (LINZ). Licensed under the Creative Commons Attribution 4.0 International licence https://creativecommons.org/licenses/by/4.0/ It is made available in good faith but its accuracy or completeness is not guaranteed. Landpro accepts no responsibility for incomplete or inaccurate information. If the information is relied on in support of a resource consent it should be verified independently.
LANDPRO.
OFFICES IN CROMWELL, GORE AND NEW PLYMOUTH - www.landpro.co.nz
Client
KEVIN JARVIS
NOTES
- All dimensions shown are in metres unless otherwise shown
- Copyright on this drawing is reserved
- Check any electronic data against the hardcopy plan to ensure it is the latest version
-If this plan is being used as part of sale and purchase agreement then it is done so on the basis that it is preliminary only, final dimensions and areas may vary on final survey
PROPOSED SUBDIVISION OF LOT 220 DP 556783
8 HIGHLANDS AVENUE, CROMWELL
Rev. | Date | Revision Details | By
A | 07.05.25 | INITIAL DRAWING ISSUED | LK
B | 19.05.25 | ADDED PARTY WALL BTWN LOT 2 & LOT 219 | LK
Surveyed - Signed - Date - Job No. 25113 Drawing No. 01
Drawn LK Signed - Date 28.04.25 Scale 1:75 @ A1 1:150 @ A3
Designed - Signed - Date - Datum & Level LINDIS PEAK 2000 Rev. B
C:\12d\SudataSERVER2008R2\25113-Multi unit & Subdivision, 8 Highlands Avenue, 6888\CAD\25113_01_Scheme Plan.dwg Plotted: 20.05.2025

Affected Persons Approval for Resource Consent

CENTRAL OTAGO DISTRICT COUNCIL
1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand
+64 3 440 0056
info@codc.govt.nz
www.codc.govt.nz

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17 March 2025

Highlands Design Review Board
7 Sandflat Road, Cromwell

Kevin Jarvis
C/- Kyle O'Neill (kyle@arcdesign.studio)

Dear Kevin

The Highlands Design Review Board (HDRB) has reviewed your resubmission and we are pleased to inform you that the submitted design for your property at **Lot 220 (8 Highlands Avenue)** has been approved.

In considering this approval, the HDRB notes the following:

- While the landscaping is under the required size, the combination of good urban design and architectural style balances out the shortfall and therefore the HDRB as satisfied that an overall good outcome is achieved.

- While the parking overhangs the verge, the combination of a wide berm located off of the main thoroughfare of Quinn's Way are mitigating factors that has enabled the HDRB to sign off.

You are now permitted to submit the appropriate documentation to the Central Otago District Council for Building and/or Resource Consent.

Please note, design approval from the HDRB does not guarantee approval by the Central Otago District Council and we encourage that you check any other requirements of the District Council accordingly.

Kind Regards,

Jake Woodward
Resource Management Planner
on behalf of the Highlands Design Review Board

Attachments:

Appendix [A] - Approved Plans

d e s i g n

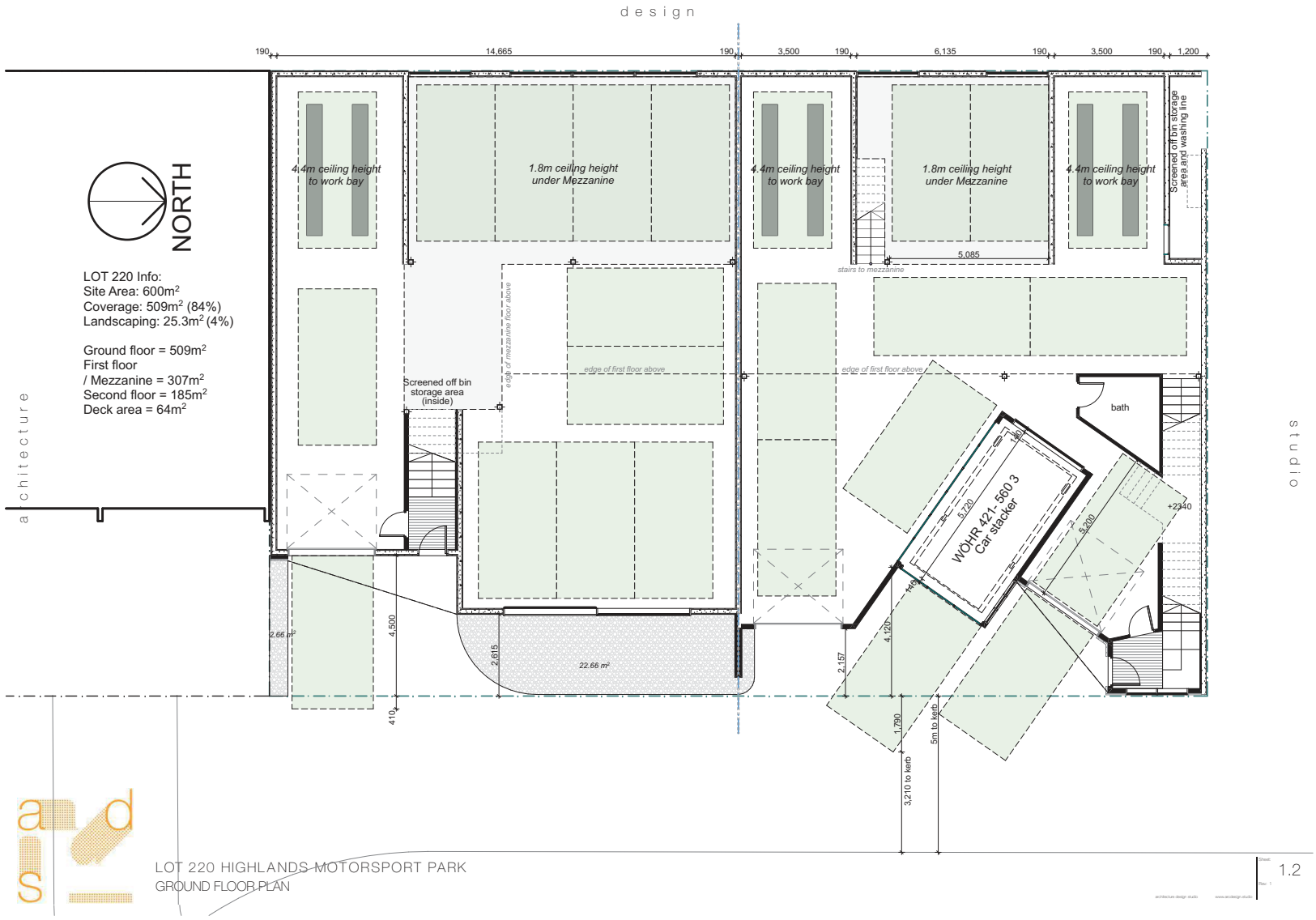
a r c h i t e c t u r e

s t u d i o

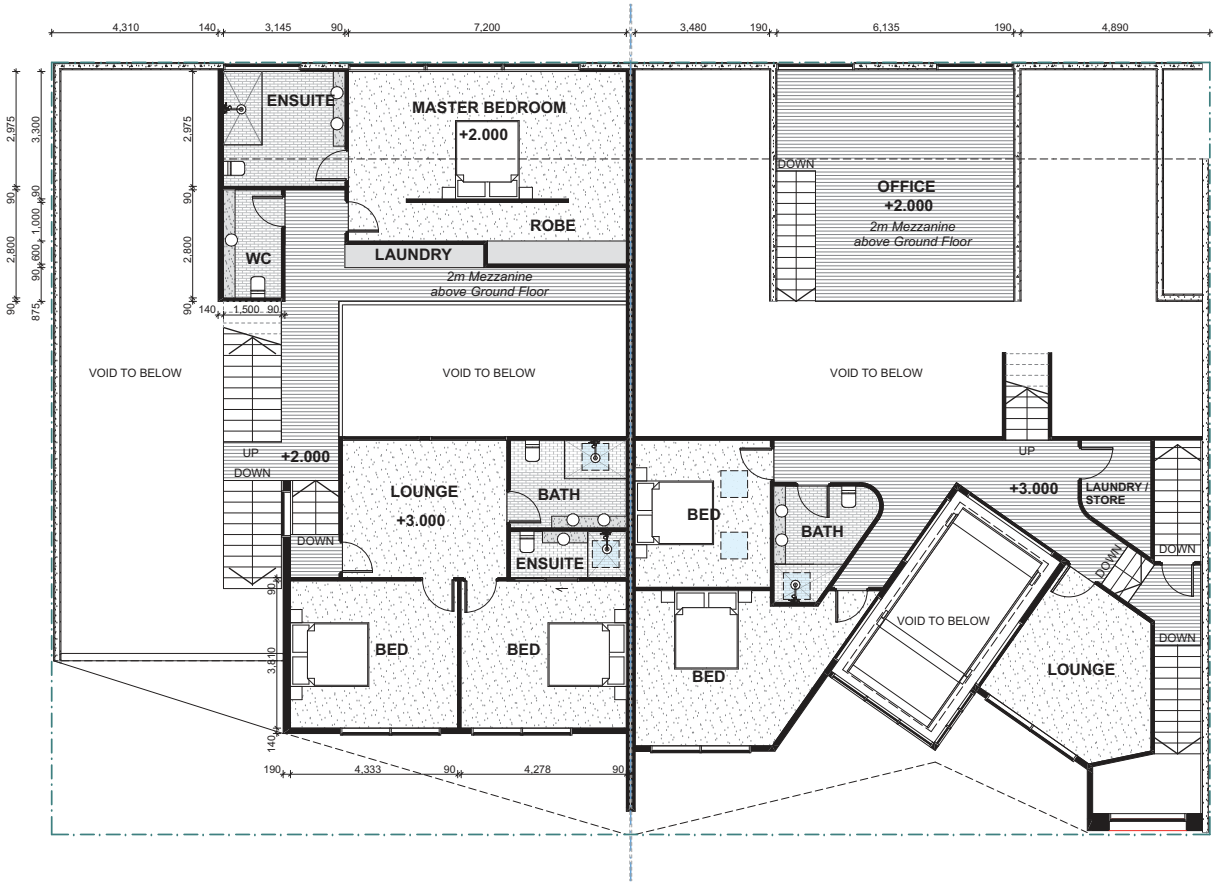
Highlands Design Review Board hereby gives written approval to the development shown on the plan for the purposes of satisfying the requirement for all developments to be reviewed and endorsed by the HDRB. This approval does not imply the development shown will comply with any other relevant Local Authority Requirements.

Jake Woodward and Annaliese Mirus
Highlands Design Review Board

LOT 220 HIGHLAND MOTORSPORT PARK


design
architecture
studio
NORTH
LOT 220 Info:
Site Area: 600m²
Coverage: 509m² (84%)
Landscaping: 25.3m² (4%)
Ground floor = 509m²
First floor
/ Mezzanine = 307m²
Second floor = 185m²
Deck area = 64m²
4.4m ceiling height to work bay
1.8m ceiling height under Mezzanine
4.4m ceiling height to work bay
1.8m ceiling height under Mezzanine
4.4m ceiling height to work bay
Screened off bin storage area and washing line
5,085
stairs to mezzanine
edge of mezzanine floor above
edge of first floor above
edge of first floor above
Screened off bin storage area (inside)
bath
WÖHR 421-560 3 Car stacker
5,720
5,200
+2340
2.66 m²
4,500
2,615
22.66 m²
4,120
2,157
1,790
3,210 to kerb
5m to kerb
190
14,665
190
3,500
190
6,135
190
3,500
190
1,200
410
LOT 220 HIGHLANDS MOTORSPORT PARK
GROUND FLOOR PLAN
1.2

design

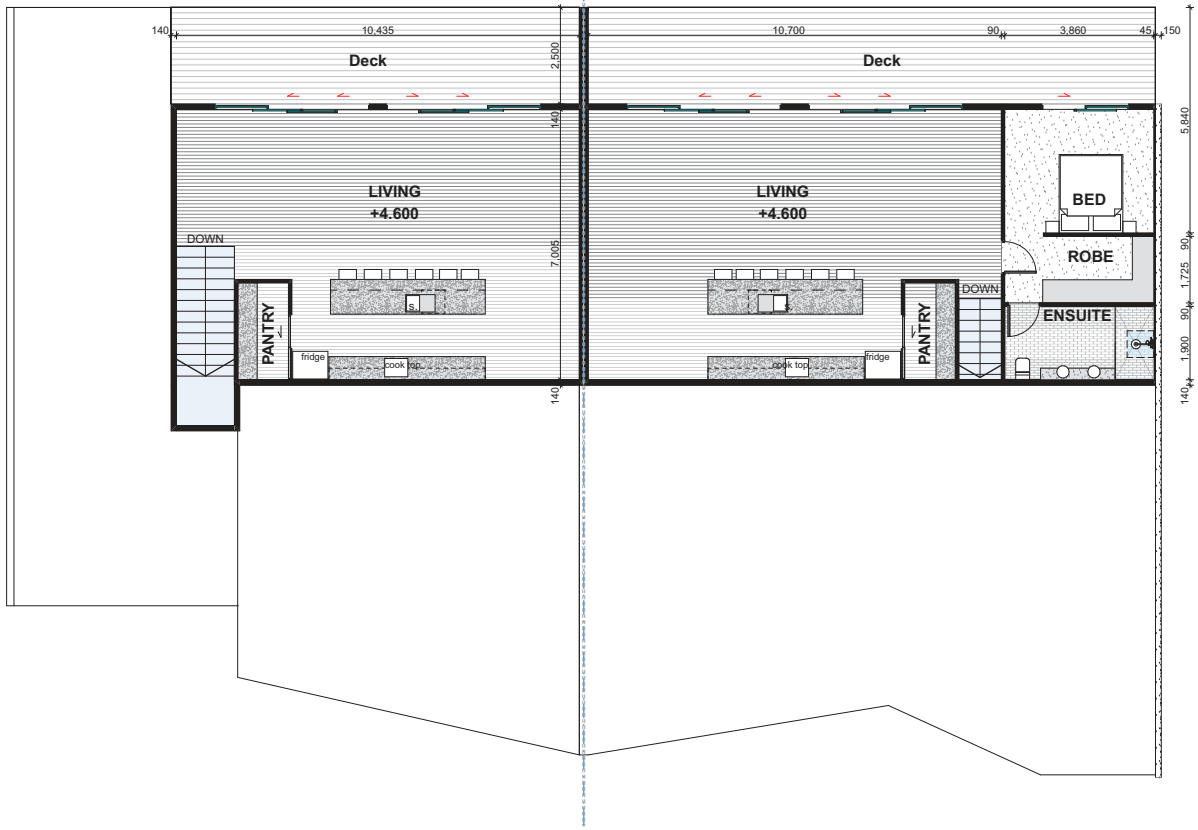


architecture

studio

LOT 220 HIGHLANDS MOTORSPORT PARK
FIRST FLOOR PLAN

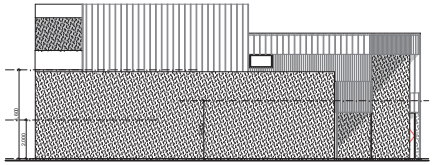
1.3

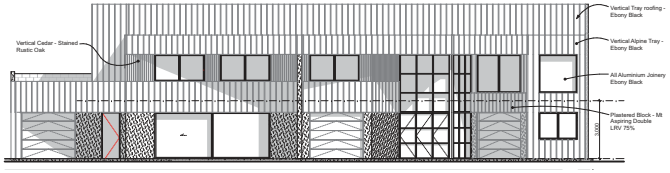


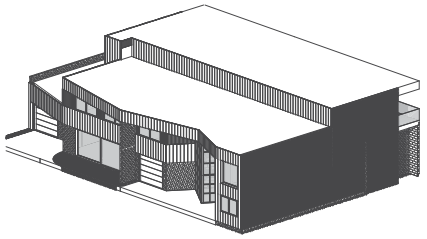
LOT 220 HIGHLANDS MOTORSPORT PARK
SECOND FLOOR PLAN

1.4

design



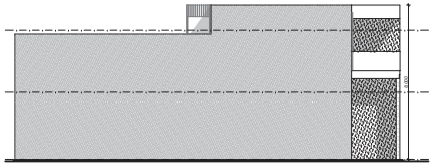


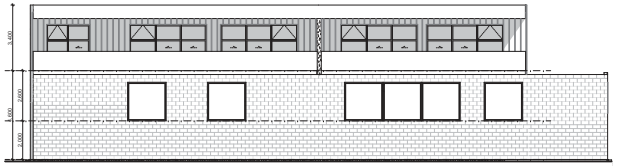


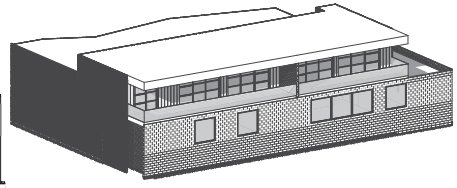
all exterior walls to have a minimum of 6mm Fibre cement RAB with cladding, 140mm Framing and insulation and one layer of 10mm GIB Total mass of 156mm (131mm min requirement)

all window joinery to be double glazed and 10mm with compression seals

all roofs to have 0.55mm iron 200mm insulation and one layer of 13mm GIB

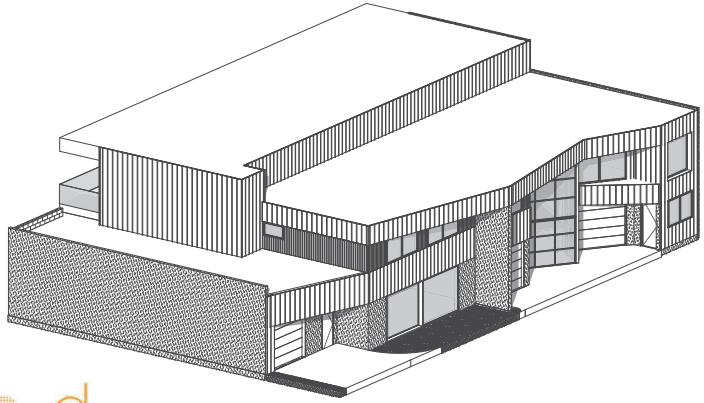


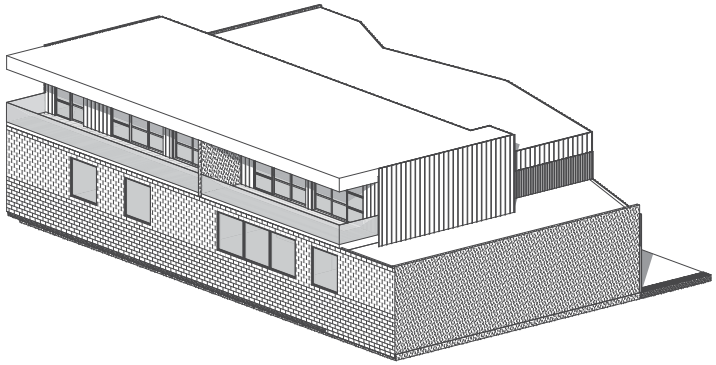




architecture

studio





LOT 220 HIGHLANDS MOTORSPORT PARK
Elevations

Sheet 1.5
Rev 1

d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 220 HIGHLANDS MOTORSPORT PARK
PRESPECTIVE

Sheet 1.6
Rev: 1

d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 220 HIGHLANDS MOTORSPORT PARK
PRESPECTIVE

1.7

d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 220 HIGHLANDS MOTORSPORT PARK
PRESPECTIVE

1.8

d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 220 HIGHLANDS MOTORSPORT PARK
PRESPECTIVE

1.9

APPENDIX 2.

Plant List - Highlands Motorsport Park

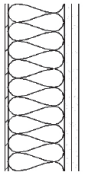
The following list of native species shall be used in association with landscaping in the industrial Subdivision at the Highlands Motorsport Park. Of the total area of landscaping, 80% shall comprise natives from the list below:

- Acaena inermis purpurea
- Anamanthele lessonia
- Astelia nervosa
- Carex secta
- Carex testacea
- Carex virgata
- Coprosma crassifolia
- Coprosma repens
- Corokia cotoneaster
- Corokia buddleioides
- Corokia 'Red Wonder'
- Cordyline australis
- Dianella nigra 'Margaret Pringle'
- Griselinia littoralis
- Hebe speciosa
- Hebe albicans
- Hebe diomifolia
- Hebe 'Dazzler'
- Hebe buchananii
- Hebe cockayniana
- Hebe 'Goldrush'
- Hebe 'First Light'
- Libertia peregrinans
- Muehlenbeckia astonii
- Phormium cookianum 'Purpurea'
- Phormium cookianum 'Evening Glow'
- Phormium cookianum 'Little Cracker'
- Poa cita
- Poa colensoi
- Pittosporum tenufolium
- Pittosporum eugeniodes
- Sophora microphylla

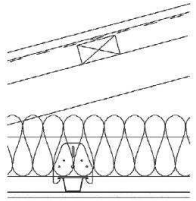
14. acoustic

14.1. Due to the proximity to the Highlands Racetrack, all buildings on Lots 201-251 must be designed to incorporate the following elements (Table 1) in order to meet the internal noise attenuation requirements.

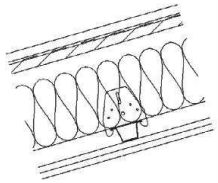
BUILDING ELEMENT / REQUIRED CONSTRUCTION
External Wall
• Exterior: 20mm timber or 6mm fibre cement
• Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar)
Two layers of 12.5mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass)
Window
• All window glazing shall be double glazed and a minimum thickness of 10mm
• Aluminium framing with Compression seals or Equivalent
Pitched Roof
• Cladding: 0.5mm profiled steel or tiles or 6mm corrugated fibre cement.
• Frame: Timber truss with 100mm acoustic blanket (R2.2 Batts or similar)
• Ceiling: 12.5 gypsum plaster board*
Skillion Roof
• Cladding: 0.5mm profiled steel or 6mm fibre cement
• Sarking: 20mm particle board or plywood
• Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar)
• Ceiling: 2 layers of 9.55mm gypsum plasterboard
External Door
• Solid core door (min 24kg/m2) with weather seals



External wall construction



Pitched roof construction



Skillion roof construction

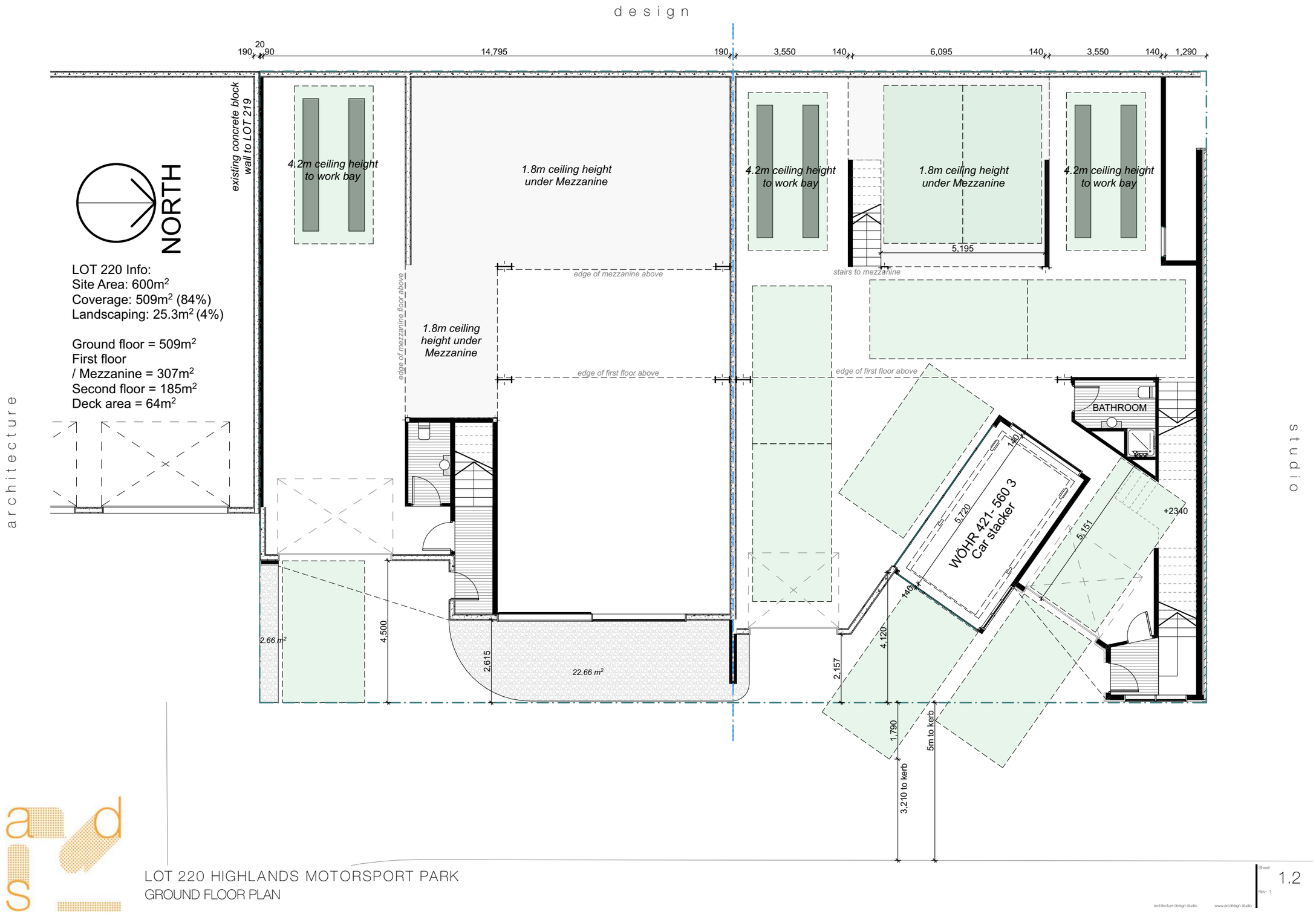
LOT 220 HIGHLANDS MOTORSPORT PARK
PLANTING

d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 220 HIGHLAND MOTORSPORT PARK

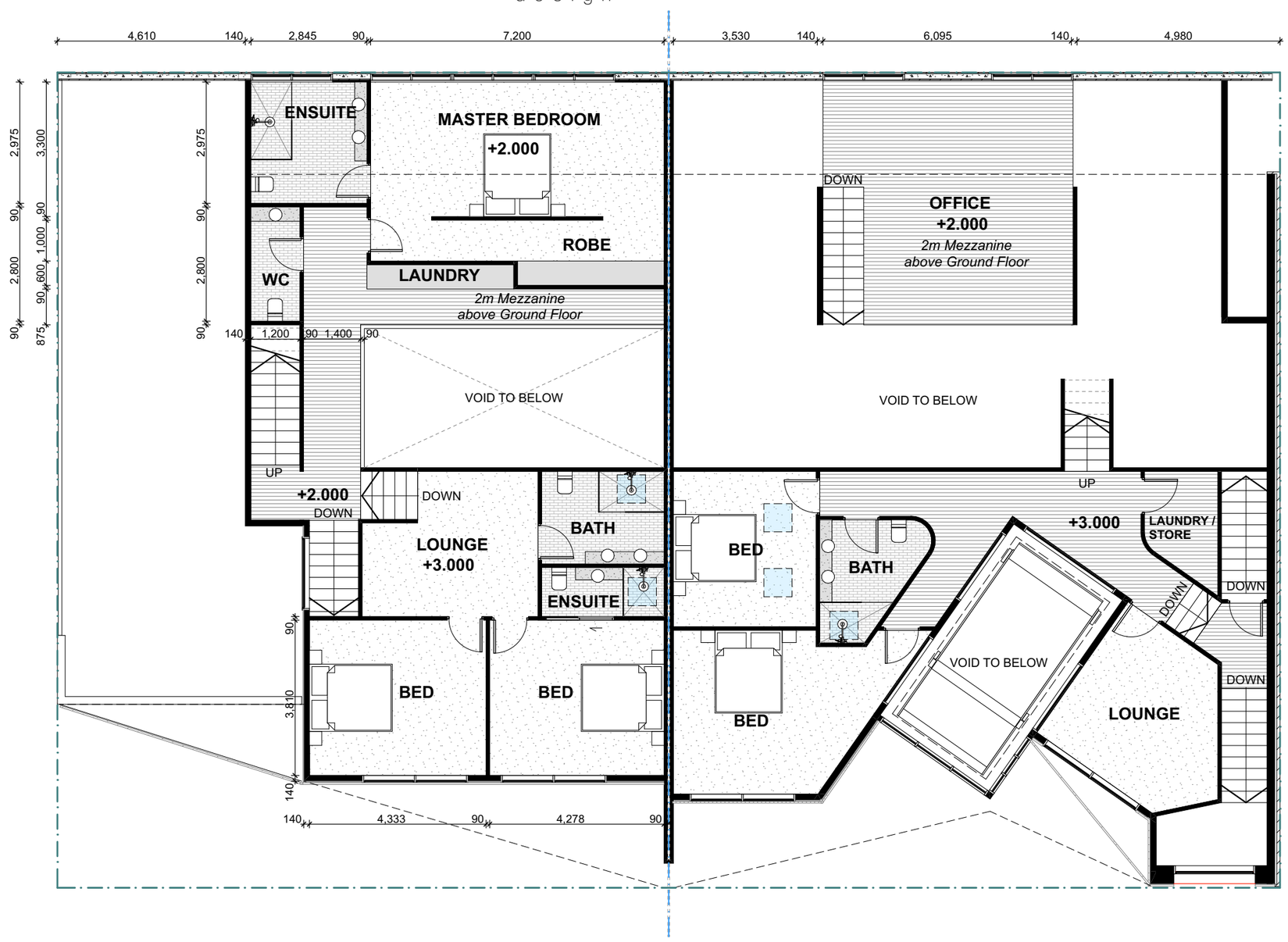


LOT 220 HIGHLANDS MOTORSPORT PARK
GROUND FLOOR PLAN

Sheet: 1.2
Rev: 1

architecture design studio www.arcdesign.studio

design



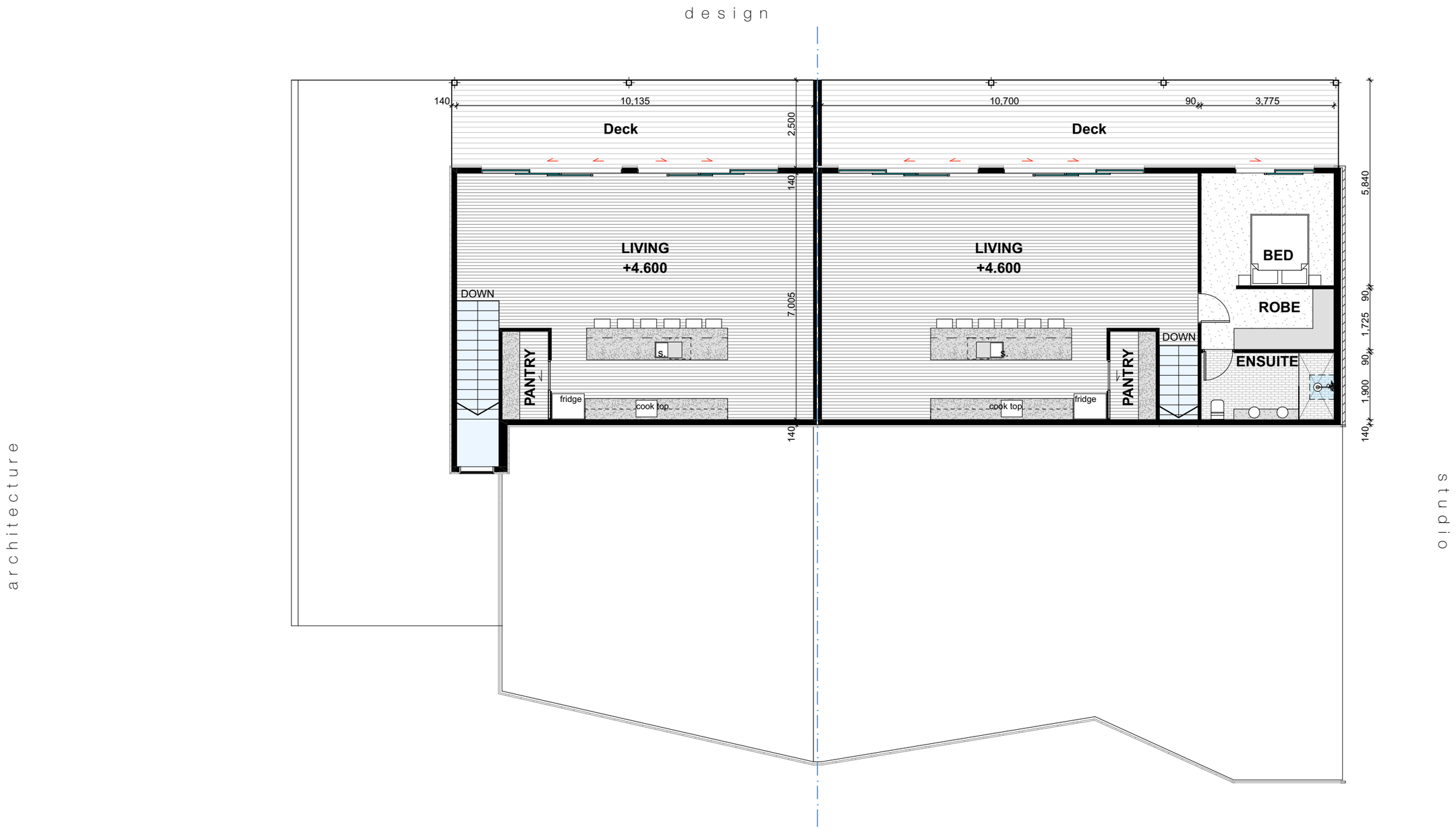
architecture

studio

LOT 220 HIGHLANDS MOTORSPORT PARK
FIRST FLOOR PLAN

Sheet: 1.3
Rev: 1

architecture design studio www.ardesign.studio

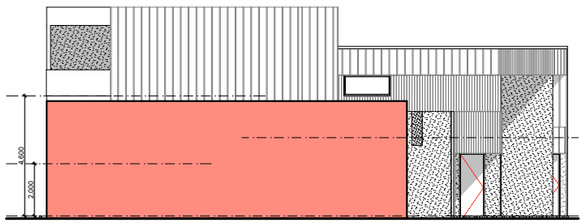


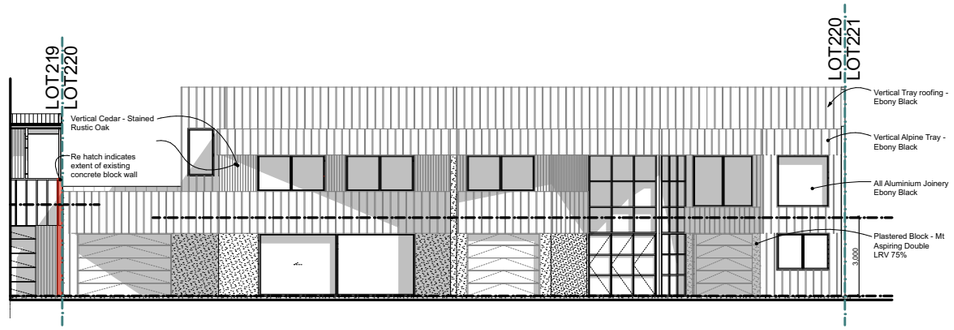
LOT 220 HIGHLANDS MOTORSPORT PARK
SECOND FLOOR PLAN

Sheet: 1.4
Rev: 1

architecture design studio www.ardesign.studio

d e s i g n





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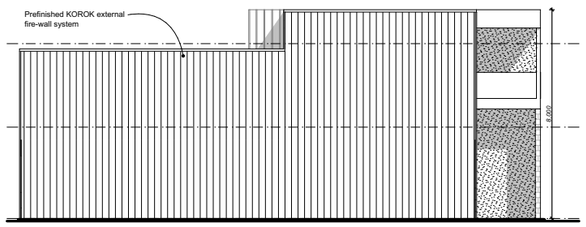
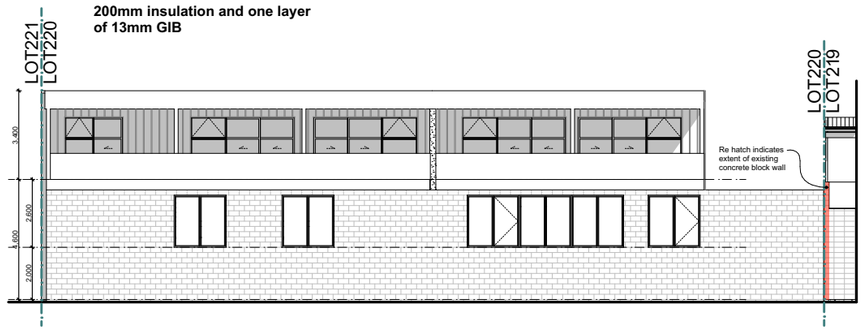
all roofs to have 0.55mm iron 200mm insulation and one layer of 13mm GIB





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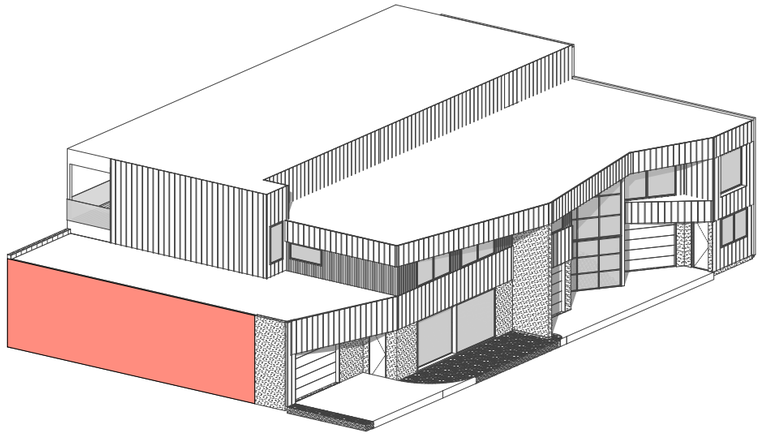

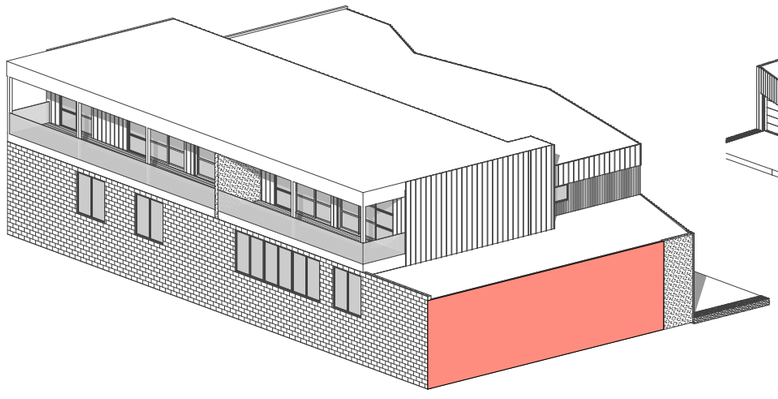

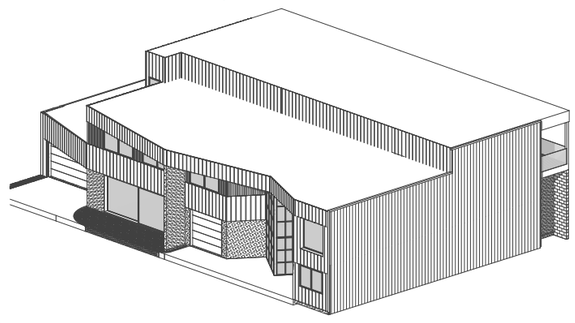

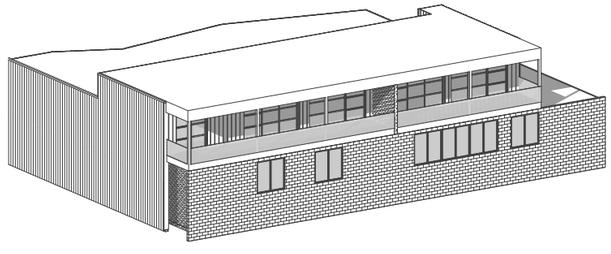

d i o

LOT 220 HIGHLANDS MOTORSPORT PARK
Elevations

Sheet: 1.5
Rev: 1

d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 220 HIGHLANDS MOTORSPORT PARK
PRESPECTIVE

Sheet: 1.6
Rev: 1

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LOT 220 HIGHLANDS MOTORSPORT PARK
PRESPECTIVE

Sheet: 1.7
Rev: 1

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LOT 220 HIGHLANDS MOTORSPORT PARK
PRESPECTIVE

Sheet: 1.8
Rev: 1

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d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 220 HIGHLANDS MOTORSPORT PARK
PRESPECTIVE

Sheet: 1.9
Rev: 1

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APPENDIX 2.

Plant List - Highlands Motorsport Park

The following list of native species shall be used in association with landscaping in the industrial Subdivision at the Highlands Motorsport Park. Of the total area of landscaping, 80% shall comprise natives from the list below:

- Acaena inermis purpurea
- Anamanthele lessonia
- Astelia nervosa
- Carex secta
- Carex testacea
- Carex virgata
- Coprosma crassifolia
- Coprosma repens
- Corokia cotoneaster
- Corokia buddleioides
- Corokia 'Red Wonder'
- Cordyline australis
- Dianella nigra 'Margaret Pringle'
- Griselinia littoralis
- Hebe speciosa
- Hebe albicans
- Hebe diomifolia
- Hebe 'Dazzler'
- Hebe buchananii
- Hebe cockayniana
- Hebe 'Goldrush'
- Hebe 'First Light'
- Libertia peregrinans
- Muehlenbeckia astonii
- Phormium cookianum 'Purpurea'
- Phormium cookianum 'Evening Glow'
- Phormium cookianum 'Little Cracker'
- Poa cita
- Poa colensoi
- Pittosporum tenufolium
- Pittosporum eugeniodes
- Sophora microphylla

14. acoustic

14.1. Due to the proximity to the Highlands Racetrack, all buildings on Lots 201-251 must be designed to incorporate the following elements (Table 1) in order to meet the internal noise attenuation requirements.

BUILDING ELEMENT / REQUIRED CONSTRUCTION

External Wall

- Exterior: 20mm timber or 6mm fibre cement
- Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar)

Two layers of 12.5mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass)

Window

- All window glazing shall be double glazed and a minimum thickness of 10mm
- Aluminium framing with Compression seals or Equivalent

Pitched Roof

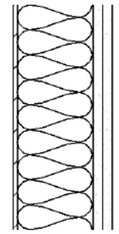
- Cladding: 0.5mm profiled steel or tiles or 6mm corrugated fibre cement.
- Frame: Timber truss with 100mm acoustic blanket (R2.2 Batts or similar)
- Ceiling: 12.5 gypsum plaster board*

Skillion Roof

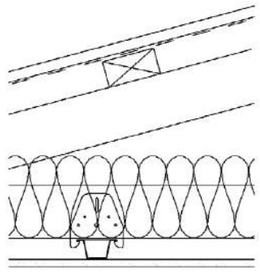
- Cladding: 0.5mm profiled steel or 6mm fibre cement
- Sarking: 20mm particle board or plywood
- Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar)
- Ceiling: 2 layers of 9.55mm gypsum plasterboard

External Door

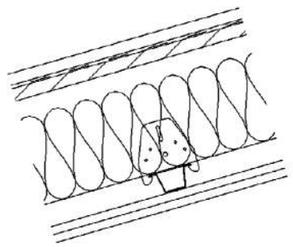
- Solid core door (min 24kg/m2) with weather seals



External wall construction



Pitched roof construction



Skillion roof construction

Affected Persons Approval for Resource Consent

1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

+64 3 440 0056
info@codc.govt.nz
www.codc.govt.nz

(Form 8A)
Section 95E(3), Resource Management Act 1991

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

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

TO BE COMPLETED BY THE PERSON(S) REQUESTING APPROVAL

Applicant Name: Kevin Jarvis

Type of resource consent (circle all appropriate): Land-use / Subdivision

Proposed activity:
2 Lot subdivision at Lot 220 Highlands Innovation Technology Park and multi unit development
with party wall with Lot 219 DP 556783

Location of site:
8 Highlands Avenue, Cromwell

CONTACT DETAILS OF AFFECTED PARTY

Full Name/s: *(name of person giving written approval)* Josie Spillane

josie@highlands.co.nz (Email) 0270224334 (Phone)

Address of the property *(I am the owner of the following property)*: Records of Title 973394 and 973395

The full name of all other owners of the property: (owners of the affected property)
Highlands Motorsport Park Trust Limited (Record of Title 973394)
Highlands Industrial Park Services Limited (Record of Title 973395)

I have authority to sign on behalf of all the other owners of the property:

☒ Yes ☐ No other owners

NOTES

Conditional written approvals cannot be accepted.

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

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

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

DECLARATION

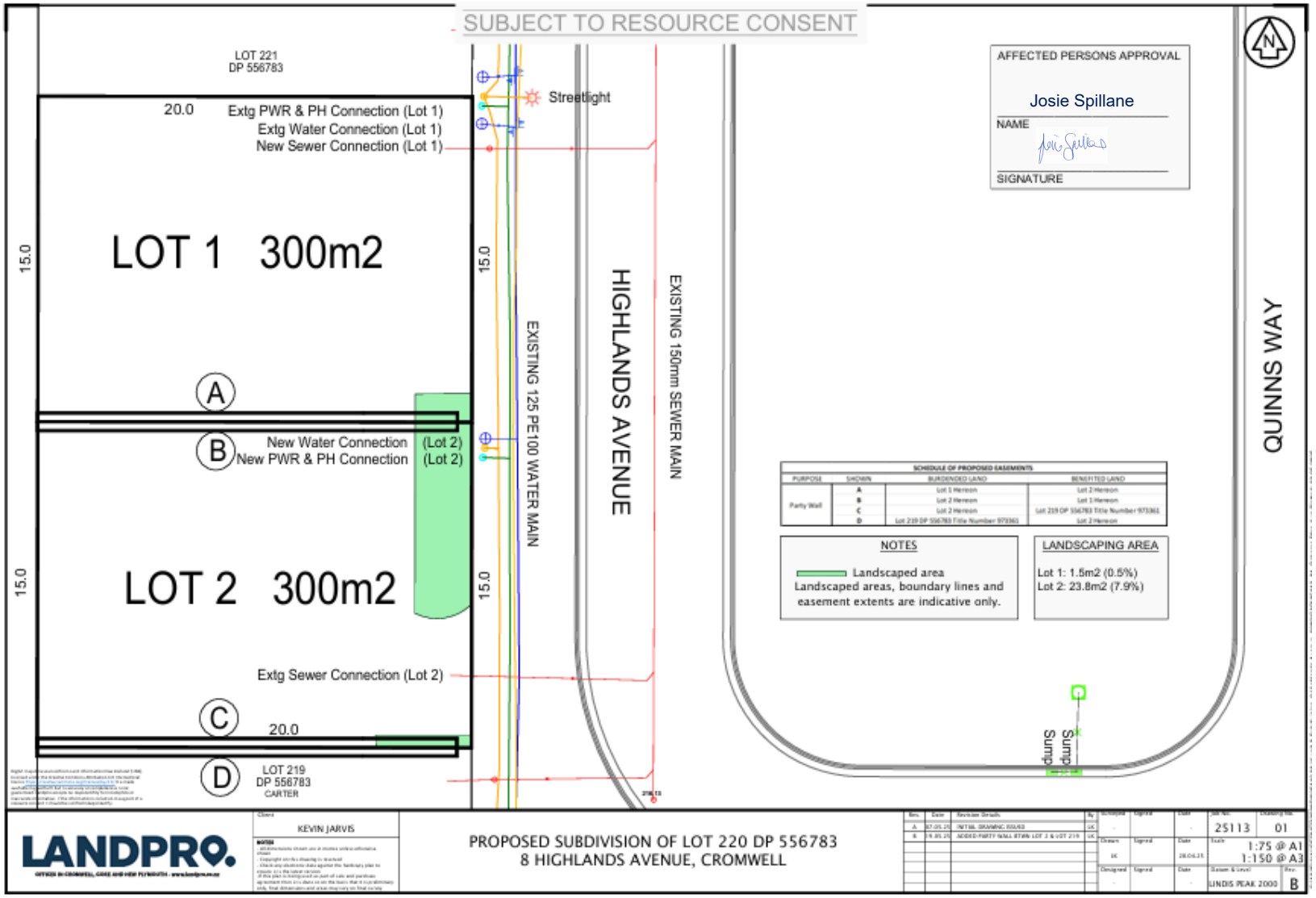
- ■ I have sighted all the attached plans and supporting information for the above activity.
- ■ I have read the full application for resource consent, the Assessment of Environmental Effects, and any site plans as follows
- ■ In signing this written approval, I understand that the consent authority must decide that I am no longer an affected person, and the consent authority must not have regard to any adverse effects on me.
- ■ I understand that I may withdraw my written approval by giving written notice to the consent authority before the hearing, if there is one, or, if there is not, before the application is determined.

Signature

11/06/2025

Date

If you have any questions, please contact the Central Otago District Council by phoning 03 440 0056 or email resource.consents@codc.govt.nz


SUBJECT TO RESOURCE CONSENT
LOT 221
DP 556783
20.0
Extg PWR & PH Connection (Lot 1)
Extg Water Connection (Lot 1)
New Sewer Connection (Lot 1)
Streetlight
LOT 1 300m2
LOT 2 300m2
15.0
15.0
15.0
15.0
A
B
C
D
New Water Connection (Lot 2)
New PWR & PH Connection (Lot 2)
Extg Sewer Connection (Lot 2)
20.0
LOT 219
DP 556783
CARTER
EXISTING 125 PE100 WATER MAIN
HIGHLANDS AVENUE
EXISTING 150mm SEWER MAIN
QUINNS WAY
AFFECTED PERSONS APPROVAL
Josie Spillane
NAME
SIGNATURE
SCHEDULE OF PROPOSED EASEMENTS
PURPOSE
SHOWN
BURDENED LAND
BENEFITED LAND
Party Wall
A
Lot 1 Hereon
Lot 2 Hereon
B
Lot 2 Hereon
Lot 1 Hereon
C
Lot 2 Hereon
Lot 219 DP 556783 Title Number 973361
D
Lot 219 DP 556783 Title Number 973361
Lot 2 Hereon
NOTES
Landscaped area
Landscaped areas, boundary lines and easement extents are indicative only.
LANDSCAPING AREA
Lot 1: 1.5m2 (0.5%)
Lot 2: 23.8m2 (7.9%)
Sump
Sump
LANDPRO
KEVIN JARVIS
PROPOSED SUBDIVISION OF LOT 220 DP 556783
8 HIGHLANDS AVENUE, CROMWELL
25113
01
1:75 @ A1
1:150 @ A3
LINDIS PEAK 2000
B

2842127820
RC250157

CENTRAL OTAGO DISTRICT COUNCIL
1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand
03 440 0056
Info@codc.govt.nz
www.codc.govt.nz

09 July 2025

Kevin Jarvis
16 Gillaly Way
Alexandra 9320

Dear Sir/Madam

FURTHER INFORMATION REQUIRED FOR RC 250157
Location: 8 HIGHLANDS AVENUE, CROMWELL
Proposal: SUBDIVISION CONSENT FOR A TWO LOT SUBDIVISION AND LAND USE CONSENT TO CONSTRUCT A MULTI-UNIT DEVELOPMENT, IN THE RURAL RESOURCE AREA

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

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

1. Clarification of Vehicle Parking Arrangements and Use of Adjacent Berm

   The application states:

   > *""The adjacent berm mitigates the effects of occupants parking overhanging onto the berm. This has been signed off by the Highlands Design Board as appropriate mitigation."*
   >
   > *"The amenity values of the neighbourhood will be insignificant as it is common practice within the Highlands subdivision."*

   These statements raise concerns that require clarification. Specifically, Council seeks confirmation on the following matters:

   - How the berm is considered to mitigate any actual or potential effects of vehicles overhanging into it;
   - Whether reliance on the berm forms part of the parking provision for the site; and
   - Whether legal use of this land has been secured or authorised (e.g. via easement or licence to occupy), noting that the berm forms part of third-party land and any such reliance may raise procedural issues under the RMA.

   Council also notes that the ground floor layout for each unit appears capable of accommodating multiple vehicles internally, which may mean that the minimum on-site parking requirement is already met without the need for the overhanging spaces. If this is the case, you are invited to consider removing the overhanging parking spaces from the plans. This would likely resolve the above issues without requiring reliance on off-site space.

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OFFICIAL REGIONAL IDENTITY PARTNER
www.centralotagonz.com

If the overhanging spaces are to be retained, please:

- Explain how legal use of the berm has been secured (e.g. easements) and
- Provide a revised assessment of effects, including any urban design implications.

2. Landscaping Non-Compliance – Condition 32(n)–(q), Consent Notice 12451331.5

The application states:

> *"The landscaping requirements as required by covenant will not be met but agreed upon by Highlands Design Board that the architectural design compensates and mitigates the effects."*

It also states that the required landscaping area (15%) is proposed to be reduced to 10% via an application under section 221(3) of the RMA. However, the submitted site plans indicate a significantly greater shortfall:

- Lot 1: 1.5m² (~0.5%)
- Lot 2: 23.8m² (~7.9%)

Council notes that Condition 32(n)–(q) of Consent Notice 12451331.5 is intended to maintain a consistent level of high-quality landscaping across the HITP, which contributes meaningfully to the precinct's visual amenity and environmental performance. The landscaping expectations are integrated with other design controls and form part of the overall development framework anticipated by the original consents.

Consent notices are intended to provide a high degree of certainty to future landowners regarding development expectations. As confirmed in Ballantyne Barker Holdings Ltd v Queenstown Lakes District Council [2019] NZHC 2844, consent notices should not be varied lightly. Variations under section 221(3) should generally only be approved where a material change in circumstances renders the original condition ineffective or unnecessary in light of its purpose.

Council is not satisfied that any such change has occurred. Furthermore, the landscaping shortfall is more substantial than described, and Council is not satisfied that the architectural design alone constitutes sufficient mitigation..

Please provide:

- A clear justification for the reduction in landscaping to below even the stated 10%, with explanation of how this meets the tests under *Ballantyne Barker*;
- A detailed landscape plan showing the extent and treatment of all soft landscape areas, to a particularly high degree to mitigate the shortfall;
- Explanation of how the proposed built form and architectural detailing compensate for the landscaping deficit, and how this contributes to the overall design-led expectations of the HITP.

Please note that, in the absence of compelling site-specific justification or meaningful mitigation, Council is unlikely to support the proposed variation.

3. Site Coverage Breach – Condition 32(b), Consent Notice 12451331.5

Upon review of the submitted plans, Council notes that the proposed development appears to exceed the maximum 75% site coverage limit imposed by Condition 32(b) of Consent Notice 12451331.5. Based on the information provided, the site coverage appears to be in the order of 84% overall.

This breach has not been identified in the application, and no corresponding request to vary Condition 32(b) has been included. This appears to be an oversight. Given the scale of the exceedance, and its relationship to the concurrent landscaping shortfall, Council considers the matter to be significant.

As established in *Ballantyne Barker Holdings Ltd v Queenstown Lakes District Council [2019] NZHC 2844*, consent notices should not be varied lightly, and variations under section 221(3) are only appropriate where a material change in circumstances has occurred, such that the condition is no longer effective or necessary in light of its original purpose.

In this case, the site coverage breach appears to directly undermine the design-led intent of the HITP consent framework and it is not apparent what circumstances have changed that would justify the departure from the underlying consent notice.

Please confirm:

- Whether the applicant intends to seek a formal variation to Condition 32(b) to authorise the proposed site coverage;
- If so, provide:
    - A clear and robust justification for the exceedance, with explanation of how this meets the tests under *Ballantyne Barker*;
    - Details of any mitigation measures proposed to address the bulk and dominance of the development;
    - An explanation of how the proposed built form aligns with the design-led principles of the HITP and maintains the precinct's intended visual amenity and functional quality.

In the absence of a compelling justification and design-led response, Council is unlikely to support the proposed exceedance.

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 9 July 2025.

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.

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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 of 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 me if you have any queries.

Yours faithfully

OLI MONTHULE-MCINTOSH
CONSULTANT PLANNER

Better
environments
Better returns

LANDPRO.

25 August 2025

Landpro Reference: 25113
Council Reference: RC250157

Central Otago District Council

1 Dunorling Street
PO Box 122
Alexandra 9340
Attention: Oli Monthule-McIntosh

Dear Oli,

Re: Request for Further Information under Section 92(1) of the Resource Management Act 1991 – Application for RC 250157

In reference to your request for further information dated 9 July 2025 please find outlined below our response to this request.

1 Clarification of Vehicle Parking Arrangements and Use of Adjacent berm

1.1 How the berm is considered to mitigate any actual or potential effects of vehicles overhanging into it

The berm mitigates actual and potential effects due to the width. The overhang of max 1790 mm will leave ample room (3210 mm) within the berm having insignificant effects on the transport system. The width of the berm with vehicles overhanging is wider than many other berms within the motorsport park. Some surrounding properties have berms of 1.5-2m widths. It is common for vehicles to park on berms in urban settings, with no formalised pedestrian footpath within the berm, there is no risk of impeding the pedestrian access of footpaths.

Highlands Motorsport Park (who own the berm) have provided unconditional written approval for the proposal, including berm overhang. The Highlands design board have also provided written approval from a visual effects perspective. Therefore, no persons are adversely affected, and no formal agreement is required.

There have been multiple consents granted in this same subdivision with berm overhang.

However, given that there are ample parking spaces provided in the buildings, there is no breach in terms of the parking provisions for the proposed subdivision, the applicant does not require council approval on this matter. Lot 1 provides 11 internal carparking spaces and Lot 2 provides 10 carparking spaces. Rule 12.7.2 of the CODP requires one space per dwelling.

1.2 Whether reliance on the berm forms part of the parking provision for the site

The reliance of the berm does not form part of the parking provision as there is ample parking internally.

1.3 Whether legal use of this land has been secured or authorised

It is not common practice to formalise this through easement and is not necessary due to the approval from the Highlands design board, and written approval from Highlands Motorsport Park, which represent Highlands Industrial Park Services Limited and Cromwell Motorsport Park Trust Limited and the landowners.

2 Landscaping Non-compliance

The proposal is to reduce landscaping requirement from 15% to 0.8% and 7.9% for Lots 1 and 2 respectively. The following condition would facilitate this:

> *"All lots over 200m^2 in total shall include sufficient landscaping coverage to maintain the amenity values of the area as agreed by the Highland Design Review Board"*

The landscape footprint within the plans for each new title is correct, the overall footprint for the title as it stands will be 4.2% (25.3 m^2 in total). Post subdivision Lot 2 will have 7.9% and Lot 1 will have 0.5%. The landscaping will be less than 15% required as per condition 32(n) of Consent Notice 12451331.5. the Council notes that Conditions 32(n)-(q) is intended to maintain a high level of high-quality landscaping across the HITP, which contributes meaningfully to the precinct's visual amenity and environmental performance. As detailed accurately in the request for further information, the Consent Notice integrates a range of design controls that form the overall development framework anticipated by the original consents.

Consent notices are intended to provide a high degree of certainty to future landowners regarding development expectations. As confirmed in Ballantyne Barker Holdings Ltd v Queenstown Lakes District Council [2019] NZHC 2844, consent notices should not be varied lightly. Variations under section 221(3) should generally only be approved where a material change in circumstances renders the original condition ineffective or unnecessary in light of its purpose. Council is not satisfied that any such change has occurred. Furthermore, the landscaping shortfall is more substantial than described, and Council is not satisfied that the architectural design alone constitutes sufficient mitigation.

The response below provides the context for *Ballantyne Barker Holdings Ltd v Queenstown Lakes District Council [2019] NZHC 2844* and then compares that decision to the specifics of this application. We detail the context and expectation of the design controls on the subdivision and the anticipated development by the developer and applicant of RC150225 which forms the underlying land use consent for the site that established the consent notice.

2.1 Justification for the reduction in landscaping below 15% in the context of the *Ballantyne Barker* decision.

Summary of Ballantyne Barker

Ballantyne Barker concerned an appeal to the High Court from an Environment Court decision that granted subdivision consent, but on terms the applicant had not proposed.

The applicant had originally offered a consent notice preventing further subdivision, but with an expiry if the land was rezoned, which would otherwise enable further subdivision. The Environment Court instead imposed a stricter notice that prohibited all future subdivision. The applicant opposed this "no subdivision at all costs" approach, however the applicant felt that they *must* accept this stricter consent notice, and as such it was imposed. Through the application before the Environment Court, the Court suggested a smaller subdivision with clustered housing instead would be more appropriate (than the applicant's original subdivision design). The court's reasons to impose stricter consent notices and suggest a smaller subdivision design were to avoid 'over domestication' of the landscape.

The High Court found that the Environment Court had erred in imposing a consent notice that prohibited all further subdivision.

In reaching its decision, the High Court referred to earlier case law, including Foster, (application to vary consent notices). The Foster decision determined that consent notices could not be cancelled or varied, as it was determined that the consent notice was pertinent today as it was in 2001.[1] The Court interpreted that to confirm that consent notices remain binding unless circumstances change in a way that undermines their purpose.

The High Court concluded that the Environment Court was wrong to reject the applicant's proposed consent notice (and later covenant) and to impose its own restrictive version. Key reasons included:

- It is more logical to link the end of the restriction to a planning change (such as rezoning) rather than an arbitrary timeframe (the Court had suggested three generations).
- That not limiting the timeframe is more in keeping with the RMA's purpose of sustainable management.

In the matter of *Barker Ballantyne*, it was concluded that because a consent notice gives a high degree of certainty both to the immediately affected parties at the time subdivision consent was granted, and to the public at large, it should only be altered when there is a material change in circumstances (such as a rezoning through a plan change process), which means the consent notice condition no longer achieves, but rather obstructs, the sustainable management purposes of the RMA.

However, it was ultimately found that the Environment Court was wrong in law to reject the appellant proposed consent notice (and the subsequently proffered covenant in similar terms). The consent notice should not have been assumed to be ineffective to stop future inappropriate subdivision merely because an application to amend or remove it would have discretionary activity status. There was no evidence to support that assumption, and it is contrary to case law which indicates there must be a material change in circumstances which renders the consent notice of no further value or, in fact, obstructs the sustainable management purpose of the RMA, before the consent notice can be removed.

[1] Foster v Rodney District Council [2010] NZRMA 159 at [128]

Therefore, the Court erred in applying a stricter consent notice and the application is remitted back to the Environment Court for reconsideration in light of this decision.

The context for consent notice 12451331.5

The consent notices subject to this application, were proposed as conditions of consent for the original subdivision consent in 2013 (RC130153) which created stage 1 of the HITP subdivision. The subsequent stage 2 subdivision (RC150225) carried over the same consent notices.

The purpose of the consent notice was to insert some legal requirement for future landowners to comply with the Highlands Design Board requirements for development in this zone and ensure certainty that future development is of a high standard, including all of the design conditions. The applicant proffered the consent notice as a means to avoid ad hoc development that was not in keeping with the design board's intention for the site, and that it was sympathetic to the motorsport park which is the primary purpose of the site. The consent notices form the entirety of the Highlands Design Board requirements.

Whilst consent notices do give a high degree of certainty, in this instance the key audience for that certainty is the land developer, being Highlands Motorsport Park. Any deviation from the requirements, necessitates the approval of the highlands design board, who will consider designs on a case-by-case basis as whether they are in keeping with the general intent of the area as determined by them. HITP, the neighbour and the Highlands design board have provided their unconditional written approval for the proposal.

The consent notices were accepted by the CODC at the time of granting consent and were not questioned in 2015 when the stage 2 consent was granted. The assessment provided in the original applications is light on detail in regard to the protection the consent notices provide for the subdivision land, however the application was for a number of activities (at least 18) detailed in paragraphs 10 to 12 of the decision for RC150225.

Is the consent notice still relevant?

The Court has emphasised that *"good planning practice should require an examination of the purpose of the consent notice and an inquiry into whether some change of circumstances has rendered the consent notice of no further value".*[2] Therefore, it is appropriate to question the proposed consent notice variations.

The proposed changes to the consent notice (increased site coverage and reduced landscaping) will not affect the public at large. This is because consent notices were proposed by the applicant as a means to control the design of development so that it is in keeping with the existing development at the site. Additionally, access to this part of the park is by key card entry, and not readily accessible by the public. Visitors to Lot 222 will be the landowners or visitors of landowners.

The consent notice is relevant for the owners of the lots within the HITP to understand the type of development that is expected of a landowner, which was the purpose of the consent notices offered by the applicant. The consent notices were not commented on by the CODC in their decision.

Practically the design of each of the lots in the HITP is similar, and the design of these developments are unique to the HITP. The development is centred around the primary use of the site which is the motorsport park, and the residential activities are ancillary to the purpose of motorsport. The design of the buildings therefore provides for a 15% landscaping provision, which is essentially to provide for streetscape and street appeal when viewed from within the HITP. The landscaping is not fundamental to the enjoyment of each of the owners as they reside as that is provided for by the presence of the motorsport park. The reduction in the landscaping area then allows for a greater area for the primary purpose of the overall HIPT for the enjoyment of motorsport, garaging, showing and parking.

The overall design is therefore in keeping with the HITP design board with the large glass frontages, modern design and colour palette of the building and that it complies with the other conditions of the consent notice (with the exception of the site coverage, which provides for additional covered car space).

The consent notice is relevant for imposing design controls on landowners in the HITP at the behest of the Highlands Design Review Board. It is not as pertinent today for protecting landscaping values in the HITP as it was in 2013, given that the overall

[2] Green v Auckland Council [2013] NZHC 2364, (2013) 17 ELRNZ 737 at [129].

site itself is fundamentally different in nature and character than when the original application was made.

A material change as a rezoning of land

It is useful to establish that:

- The original council decision was declined for the Barker Road subdivision when the district council had both an operative and proposed district plan. The planning framework at the time of Barker Ballantyne was relevant for the site in considering the communities' values and vision for the expansion and appropriate subdivision and development of rural land in the Queenstown Lakes district.
- The current government direction means that a CODP plan change cannot be notified, meaning that a material change such as rezoning cannot occur, even though the land is clearly no longer rural in nature.
- It is a broad statement to uphold that consent notices may only be varied if there is a material change, such as a plan change, as this assumes that plan changes follow the 10-year review period under the RMA, therefore may not be upholding sustainable management.

It is not appropriate to use the rezoning of land as the only mechanism for substantiating that a material change has occurred because:

- Rezoning of the land by way of a plan change is not likely to occur due to the current government's direction to stop new plan changes until after 31 December 2027 unless CODC applies for an exemption.
- CODC have indicated the next plan change to the CODP will be the rural chapter but have not yet notified the plan change.
- Highlands have been in ongoing communication with CODC regarding any future zoning change that affected HITP. It had previously been agreed that Highlands wouldn't apply for a private plan change so as to not co0nflict with the CODC rural chapter drafting and create unnecessary workload for CODC.
- That any rezoning of the land is more likely than not complement the HITP and establish a special use zone for the HITP which is conducive to development;
- That even without a plan change the land itself is no longer rural in nature and that has been authorised by the underlying subdivision and land use consents. It is no longer relevant to assess the proposal only in terms of the underlying rural zoning, particularly as a change to landscaping provisions; and

- The specifics of the *Ballantyne Barker* related to zoning of land being the premise for controlling domestication and the ability to further subdivide in future.

Fundamentally the site is urban in nature and design, and there has been a number of consent notice variations approved in this same subdivision which further enforces the perception that the site is no longer rural land, including colour schemes and allowing houses that are painted or clad in white (although that is not the case here).

As we have established, the developed receiving environment is its own unique zone. The designs are considered in light of the evolution of the innovation technology park. The effect of the proposal on reduced landscaping provision is offset by the look of the building and how it fits with neighbouring and nearby properties.

Eventually the whole site will be developed, and as it currently looks, it is fundamentally different from the site since the approval of the first application for subdivision and development.

The shared greenspace within the road reserve owned by Cromwell Motorsport Park Trust Limited maintains the integrity of the area and offers greenspace for users to view from their residences and the road, therefore overall, the reduced onsite landscaping will be balanced by the surrounding greenspace already provided for.

Is the underlying reason for the consent notice imposed by the Environment Court 'over domestication' or 'protecting the values of the soil resource' as relevant in the context of the HITP?

The caselaw concludes that a consent variation shall only be allowed when there is a material change (such as rezoning through a plan change process).

The HITP is fundamentally different to Ballantyne Road, Wanaka, in that the established density at HITP is already urban in nature with lots as small as 150m^2.

The site is also much closer to the Cromwell Township than Ballantyne Road is to Wanaka, and therefore considerations such as establishing satellite communities is not relevant.

As detailed in the original application the LUC for the land is classified as class 6. While the site is still zoned rural in the CODP; the site has an underlying subdivision consent enabling urban development which distinguishes it from rural land and the potential productive capacity that concerns protect values of a soil resource.

On balance, the change to the consent notice, change the effects of the landscaping, to not have significant effects beyond that provided for in the existing environment, established by the underlying consents, given that so much development has occurred and that significantly more domestication is permitted in this zone that if it were rural.

The consent notice applied to vary here is a reflection of the HDRB preferences for development in their precinct, it does not address concerns with over domestication or protecting the soil resource. The consent notice applied by the Environment Court in *Ballantyne Barker* was for the purpose of restricting development and therefore its application is very specific to the subdivision and overall design of the surrounding Wanaka area.

Therefore, as there are consents allowing development that is concentrated and with less landscaping overall in the HITP, and the greenspace across the road, it is not contrary to sustainable management to vary the consent notices, and the condition is no longer necessary in light of the evolution of the development in the HITP.

2.2 A detailed landscape plan showing the extent and treatment of all soft landscape areas, to mitigate shortfall.

A detailed landscape plan is not necessary as the proposal will comply with all other requirements of condition 32(n), that the plants will comprise 80% native species selected from the plant list, and that a plan will be provided to the Design Review board prior to planting. Planting must be completed within 3 months of the building being erected.

The shortfall in the landscaped area is mitigated by the overall design of the building as assessed by the Highlands Design Review Board.

2.3 Explanation of how proposed built form and architectural detailing compensate for landscaping deficit and how it contributes overall design led expectations of the HITP.

The built form and architectural detail compensate for the reduced landscaped area by complying with all other design conditions (apart from maximum site coverage, as discussed further below) including colour scheme, height, materials and is in keeping with the wider HITP development area.

The zone is unique, being a motorsport park with car enthusiasts, the design of the three-level internal carpark contributes to the overall design of the expected environment.

The fact that the architectural detail contributes to the overall expectations has been approved by the design board themselves.

3 Site Coverage Breach

The proposed development exceeds the maximum 75% site coverage imposed by condition 32 (b) of Consent Notice 12451331.5. The applicant will seek the explicit approval of the Highlands Design Board, although this is already provided implicitly as the design review board have already sited the plans for development and agreed to these in principle.

As established in relation to question 3 above,

Consent notice 12451331_5

2. Bulk and location of buildings:

The height of any building shall not exceed 8m.

All lots shall have a maximum building coverage of 75%, except Lots 233-238.

This proposal will result in a coverage of 84%.

3.1 Formal variation to Condition 32 (b)

Ample, well designed internal carparking has resulted in increased site coverage. A variation to this consent notice is required as part of this application.

3.2 Justification for the exceedance and meets tests under *Ballantyne Barker*

As detailed above, the site-specific assessment of this application in relation to *Ballantyne Barker* is that and it does not undermine the design led intent of the HITP because the building will comply with all other conditions and meets the overall intention for the place that is primarily a motorsport park. The design is in keeping with the established development in the HITP, including other lots where consent notices have been varied. The same reasons that apply to the reduction in landscape area apply to the increased building footprint as already assessed above.

3.3 Mitigation measures proposed to address bulk and dominance

The bulk and dominance elements of this proposal are similar to that which is found in urban landscapes (which is the nature of the environment now despite the underlying rural zoning), therefore further mitigation is not considered necessary. However, the building is opposite greenspace which will be maintained, and wide-open space of the racetrack and grounds, which overall contributes to the maintenance of open space to contrast the perceived bulk and dominance of the proposed building. The design of the development is to allocate all built form to one area of the park which the application complies with by construction within one area of the HITP.

3.4 How proposed built form aligns with design led expectations of HITP and maintains precincts intended visual amenity and functional quality

The design has been approved by the board, therefore, complies with their expectations.

We trust that the site-specific justification above is sufficient for the Council to support the proposed consent variations. However, if the Council still has concerns or further comments, we welcome the opportunity to discuss these further.

Ngā mihi nui,

Caera Joyce and Zoe McCormack

E: caera@landpro.co.nz and zoe@landpro.co.nz | P: 03 445 9905

30 September 2025

Highlands Design Review Board
7 Sandflat Road, Cromwell

Kevin Jarvis
C/- Kyle O'Neill (kyle@arcdesign.studio)

Dear Kevin

The Highlands Design Review Board (HDRB) has reviewed your resubmission and we are pleased to inform you that the submitted design for your property at **Lot 220 (8 Highlands Avenue)** has been approved.

In considering this approval, the HDRB notes the following:

- While the landscaping is under the required size, the combination of good urban design and architectural style balances out the shortfall and therefore the HDRB as satisfied that an overall good outcome is achieved.

- While the parking overhangs the verge, the combination of a wide berm located off of the main thoroughfare of Quinn's Way are mitigating factors that has enabled the HDRB to sign off.

- In terms of the exceedance to building coverage, the HDRB are satisfied that the overall design, including the variability to the façade, its proximity to the open space immediately adjoining, and design coherence/compatibility with the adjoining Lots, are mitigating factors that results in an outcome that is appropriate.

You are now permitted to submit the appropriate documentation to the Central Otago District Council for Building and/or Resource Consent.

Please note, design approval from the HDRB does not guarantee approval by the Central Otago District Council and we encourage that you check any other requirements of the District Council accordingly.

Kind Regards,

Jake Woodward
Resource Management Planner
on behalf of the Highlands Design Review Board

Attachments:

Appendix [A] - Approved Plans

25.16.3 RC250282 - DEAN AND MICHELLE TELFER

Doc ID: 2655808

1. Purpose

A report to consider a subdivision consent to amend boundaries between two sites, land use consent to construct a residential unit and vehicle servicing facility, in the rural resource area, is attached.

2. Attachments

Appendix 1 - Section 42A Planners Report ⇩
Appendix 2 - Section 95 Notification Report ⇩
Appendix 3 - Application ⇩

CENTRAL OTAGO DISTRICT COUNCIL
REPORT OF PLANNING CONSULTANT

APPLICATION	**RC 250282**
APPLICANT	**DEAN AND MICHELLE TELFER**
ADDRESS	**12 AND 14 QUINNS WAY, CROMWELL**
LEGAL DESCRIPTION	**LOT 247 AND LOT 248 DP 556783(HELD IN RECORD OF TITLES 973390 and 973389).**
ACTIVITY DESCRIPTION	**SUBDIVISION CONSENT TO AMEND BOUNDARIES BETWEEN TWO SITES, LAND USE CONSENT TO CONSTRUCT A RESIDENTIAL UNIT AND VEHICLE SERVICING FACILITY IN THE HITP.**
ACTIVITY STATUS	**NON-COMPLYING**

STATUS OF THIS REPORT

1. The attention of the applicants is drawn to the fact that the purpose of this report is to bring to the attention of the Hearings Panel all relevant factual information or issues which should be considered in deliberating on the proposal. It must be emphasised that any conclusions reached or recommendations made in this report are not binding on the Hearings Panel, and it should not be assumed that the Hearings Panel will reach the same conclusion or decision having considered all the evidence.

AUTHOR

2. My name is Kirstyn Jane Royce and I am the sole director and employee of Southern Planning Solutions Limited. I hold a Masters in Planning from the University of Otago. I am an accredited RMA commissioner (Chairs endorsement) and hold full NZPI membership. I have 20 years' experience in district and regional planning. I currently provide planning assistance to a number of southern Councils, including Central Otago District Council (Council), and I also assist a number of private clients with planning work.

3. I have been contracted by Council to report on this application.

4. I confirm that I have read the Environment Court's Code of Conduct for Expert Witnesses 2023 and, while this is not an Environment Court hearing, I agree to comply with the code. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

BACKGROUND

5. The subject sites are located within the Highlands Innovation and Technology Park (HITP), off Cemetery Road near Cromwell. Although located in a Rural Resource Area, the HITP contains approximately 150 lots ranging between 0.0122ha and 0.1202 ha. The area is partially developed, containing multi-units, apartments, or traveller accommodation in the nearby vicinity.

6. RC070149 is a land use consent granted to Cromwell Motorsport Trust Limited for the development and operation of a motorsport park which was granted by the Environment Court in December 2009. The decision provided for Area "A" and Area "B". Area "A" is to be utilised as a Commercial Park as provided for in Condition 14 of RC070143 and included the potential for sites to be created for the development of commercial buildings, yards, and offices. Condition 14(i)(b) provides for residential activity above ground level.

7. RC130153 related to the identified as Area "A" of RC070149. The subdivision authorised by RC1300153 created 47 allotments, with 42 of the allotments to be used for the primary purpose of servicing, maintenance, repair, design, manufacture, fabrication, testing or storage of vehicles, vehicle parts and other associated industries and residential activities above ground level. The subdivision was assessed as non-complying but was anticipated by RC070149. The subject site is Lot 139 of that subdivision.

8. RC140009 authorised further subdivision to create a total of 12 allotments from Lot 129 and Lot 143 of RC130153; and for land use consent for residential activity, being 12 apartments to be constructed on each of the proposed allotments. Residential activity is to only be authorised on the first floor.

9. RC150225 replaced RC070149 and sought to resolve ambiguities associated with conditions relating to the management of environmental effects, notably noise. It was considered, in the context of RC 150225 that undeveloped land, being Lot 600 DP 466637, would be better utilised for the motorsport park *per se* rather than the HITP; and accordingly, the land use consent RC 070149 that allowed construction of buildings on this part of Area "A" as part of the HITP was surrendered.

10. RC160276 provided for a 22-lot subdivision from Lots 118-124 DP 466637 (being the land bounded by Silverstone Drive, Monaco Drive and Daytona Avenue) and land use consent for 21 residential apartments to be used as either residential activity and/or accommodation facilities. The residential activity was also authorised on the ground floor. This application was publicly notified.

11. RC200231 authorised a subdivision consent to create 56 allotments (with 51 of the allotments to be used for activity associated with vehicles and residential activity) from Lot 400 DP 466637 and Lot 600 DP 466637 as contained in Records of Title (RT) 663001 and 663003.

12. The sites subject to this application are Lots 247 and 247 of RC200231. RC200231V1 varied RC200231 but the variation did not affect the subject sites.

DESCRIPTION OF ACTIVITY

13. Resource Consent is sought for a subdivision and land use consent. The proposed subdivision will transfer land between Lots 247 and 248 DP 556783; being 12 and 14 Quinns Way. The application retains the lot number of 247 and 248. The proposal will result in Lot 248 comprising an area of 856m^2 and Lot 247 comprising an area of 343m^2 (300m^2 net).

14. For all intents and purposes, the subdivision is a boundary adjustment and no new titles are created as a result of the proposal. The applicant proposes to establish one vehicle servicing facility and one residential unit on each site. The units will present as a cohesive development as these which will be joined along the internal boundary by a party wall. Lot 247, being the smaller proposed allotment, will support a three-bedroom unit located above the vehicle servicing facility located on the ground floor. The reduced lot area will not obstruct the future development from complying with the Consent Notice conditions such as the 75% building coverage and the 15% landscaping around the periphery of the allotment.

15. The increased allotment size for Lot 248 enables the applicant to provide for a larger vehicle servicing area and ancillary residential unit. The second residential unit will include a four-bedroom unit on the upper level with the vehicle servicing provided on the ground floor.

16. All servicing to the allotments will continue to meet the Councils subdivision code of practice and no additional servicing is required.

17. Both units will comply with the Consent Notice conditions imposed on the record of title in respect to the use of materials and colouring. This will include the use of precast concrete, vertical shiplap cedar stained in natural colour and alpine tray roofing in dark colour such as ironsand.

18. The proposal included the breach of one Consent Notice condition that restricts fencing for screening service areas only or for security purposes. The development includes a small picket fence within the site to contain the family dog. A variation to Condition 32 (t) of the Consent Notice 12451331.5, which reads as follows is therefore required:

    (t) No fencing shall be erected on any part of a lot, other than to screen outdoor service/storage areas or for security. Materials and finishes are to be identified on plans to be submitted to the Design Review Board.

19. This aspect of the proposal has been separated out and processed as RC250330. RC250330 was granted on 14 November 2025 and no further consideration is given to this variation to the consent notice.

SITE DESCRIPTION

20. The subject site is well described in the application and is considered to accurately identify the key features of the site. Notably the receiving environment comprises the HITP and departs significantly from the standards for the Rural Resource Area. The applicant's site description is adopted for the purposes of this report.

REASONS FOR APPLICATION

Central Otago District Plan

21. The subject site is located within the Rural Resource Area (RRA) of the Central Otago District Plan (the District Plan).

22. Rule 4.7.4(iii)(b) of the Central Otago District Plan states that where a subdivision will create lots with an average size of no less than 8 hectares (ha) and a minimum lot size of no less than 2ha within the Rural Resource Area, then, this is a discretionary activity.

23. In this instance, the existing sites were created as part of the Highland Park development and have an area of 600m^2. The proposed transfer of land will not create an additional title but will still fall well below the minimum lot size for each lot as is typical for lots within HITP. As such, the application is assessed as a non-complying activity, in accordance with Rule 4.7.5(iii) of the Plan.

24. Rule 4.7.3(i) states that yard setback breaches are a restricted discretionary activity. In this instance, the underlying lot size means that the yard setbacks cannot be met. The units will share a party wall along the new internal boundary and 1.0m from the external boundaries. The buildings will also breach the boundary setback to Quinns Way. Again, this is typical of development within HITP.

National Environmental Standards

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

26. A NESCS assessment was undertaken as part of the underlying subdivision consent. It is understood no further development or activity has occurred on the site since issue of this previous consent. The NESCS Is not triggered by this application.

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

Overall Status

28. Where an activity requires resource consent under more than one rule, and the effects of the activity are inextricably linked, the general principle from case law is that the different components should be bundled and the most restrictive activity classification applied to the whole proposal.

29. In this case, there is more than one rule involved, and the effects are linked. As such, 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, 104B and 104D of the Resource Management Act 1991 ('the Act').

AFFECTED PERSONS AND NOTIFICATION

30. The written approval of the party detailed in the table below has been obtained. In accordance with sections 95D(e) and 104(3)(a)(ii) of the Resource Management Act 1991, the Council cannot have regard to the effects of the activity on this party.

Person	Obtained
Highland Innovation and Technology Park Design Review Board	21 August 2025

31. A separate decision was made under s95A and s95B on 24 October 2025, the application was able to be processed on a non-notified basis.

32. For completeness, when determining the effects of the proposal for notification purposes, I was cognisant of the underlying RRA zone and the rural values that it sought to protect. I noted that the existing HITP, and the lots specific to this application, depart significantly from the standards anticipated by the RRA zoning, such as productive capacity, open space and natural character. As such, this is a severe disconnect between the receiving environment and the underlying zoning and it is difficult to reconcile this proposal in light of the zone standards. However, when relying on the consented environment, I consider that this proposal will not give rise to greater adverse effects on the values of the RRA zone than what is already present.

33. When considering the effects on the neighbours and the HITP, I accept that the area is unique and, notwithstanding the need to obtain a resource consent from Council, development is typically controlled by the existing consent notices and the HITP Design Review Board (HITPDRB). The HITPDRB ensures that all development within the HITP

maintains the intended character of the area as established by the preceding consent history.

34. In this instance, the applicant obtained the written approval of the HITPDRB and, as such, the proposal is considered to maintain the design philosophy of the HITP. I also note that the proposal does not result in an additional lot or create additional development opportunities. Furthermore, the development within each lot will continue to be developed in accordance with the consent notice conditions. As such, the proposal will retain the intended level of development in the area, and maintain the character of the area such that there are no adverse effects on any neighbouring properties.

EFFECTS ASSESSMENT

Effects on the Environment

Permitted Baseline

35. Under sections 95D(b) and 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.

36. There are no permitted subdivisions in the Central Otago District Plan. There is no permitted baseline to be applied.

Receiving Environment

37. 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.

38. For the subject sites, the existing and reasonably foreseeable receiving environment comprises vacant site with a flat topography. The allotments were created for vehicle activities with ancillary residential activity, which aligns with the preceding consents and consent notice conditions.

39. For adjacent land, the existing and reasonably foreseeable receiving environment comprises the HITP.

Assessment of Effects

40. 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.

The effects of the subdivision and future development

41. The proposal will transfer 256m^2 between Lots 247 and 248. Lot 248 will comprise an area of 856m^2 and Lot 247 will comprise an area of 343m^2 (300m^2 net). No new titles will be created.

42. Consent Notice 12451331.5 are registered on the existing titles which includes development controls conditions. These include a requirement for heavy vehicle entranceways, specific stormwater design, ensuring that the primary activity on site is for vehicle servicing, maintenance, design, manufacturing, fabrication, testing and storage of vehicles. Residential activity must be a secondary activity on site and must be located above the ground level of any buildings. The conditions also include design controls such as an 8m height limited, 75% building coverage, specific cladding and colouring, signage and 15% landscaping on site. The consent notice conditions will be carried down onto the new titles.

43. The proposed lot sizes are a significant departure from the Rural Resource Area but are commensurate with the receiving environment within the HITP as created by preceding consents. The sites and their immediate locality have unusual characteristics when assessed in the context of the Rural Resource Area and, as such, little consideration is given to the values of the Rural Resource Area in respect of the lot form, and the design and location of the buildings. Furthermore, the resultant lots will be developed together in a cohesive project with a party wall between the units.

44. Overall, I consider the effects of the proposed subdivision and land use to be acceptable and will not give rise to any greater adverse effects than if the lots had been developed in their current configuration.

Noise and reverse sensitivity

45. The HITP is a high noise environment especially during motorsport events. This noise environment was recognised at the time that the preceding subdivisions and authorisation for the land use activities. A requirement for acoustic insulation was imposed for habitable rooms established in each lot. Any reverse sensitivity effects will be limited to HITP and the immediate neighbours and will not have adverse effects on the wider environment. It is noted that the written approval has been provided by the HITP Design and Review Panel and all effects on HITP are to be disregarded.

Servicing and access

46. The lots have established servicing connections which can be retained. Access to Lot 248 will be over Lot 247. The Vehicle crossings will be established in accordance with the consent notice condition.

Hazards

47. No hazards have been identified in the planning maps for this property.

Earthworks

48. No earthworks are identified for this proposal.

Esplanade reserves and strips

49. No requirement for an esplanade reserve or strip has been identified.

Financial contributions

50. No new titles are created as a result of this proposal and no additional contribution demand are generated.

Amalgamations and easements

51. No amalgamations are proposed or required as part of this subdivision. It is appropriate to include a condition of consent which provides for any additional easements required for servicing or access will be confirmed at the time of survey.

Other matters pursuant to sections 106 and 220 of the Act

52. Subject to conditions of consent, there are no matters identified pursuant to section 106 of the Act which would prevent subdivision consent being granted. There are no other matters set out in section 220 of the Act which apply to this subdivision. Overall, the lots are considered to be suitable for the purpose for which they are created.

SUBSTANTIVE RECCOMENDATION ASSESSMENT

Effects

53. 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 less than minor and able to be absorbed within the receiving environment.

Offsetting or Compensation Measures

54. 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

55. In accordance with section 104(1)(b) of the Resource Management Act 1991, the objectives and policies of the Central Otago District Plan were taken into account when assessing the application.

    Objectives:

    4.3.1 – Needs of the District's People and Communities
    4.3.3 – Landscape and Amenity Values

    Policies:

    4.4.2 – Landscape and Amenity Values
    4.4.3 – Sustainable Management of Infrastructure
    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

56. As noted above, the underlying HITP is a significant departure from a typical RRA environment. However, when considering the application in the context of the consented baseline and the receiving environment, I note that the proposal is not contrary to the above objectives and policies. In particular, the proposal is assessed as consistent with anticipated levels of built development and visual character within the HTIP, is able to be adequately serviced and will have less than minor effects on the amenity values of nearby landowners. Any adverse effects of nearby activities are adequately addressed through compliance with the conditions of underlying consent notice conditions. Furthermore, the proposal provides an economic and social benefit to the applicant while being consistent with the surrounding area.

57. Overall, the proposal is not contrary to the relevant objectives and policies of the Central Otago District Plan when considering the consented baseline as it relates to the modified HITP area.

Operative and Proposed Regional Policy Statements

58. After taking into consideration the operative and proposed Regional Policy Statements for Otago, I consider that the policy direction given by the District Plan is certain and complete as the proposal relates to the modified environment and, as such, there is no need to revert to higher order planning instruments.

Other Matters

59. Section 104(1)(c) of the Resource Management Act 1991 requires the Council to have regard to any other matters considered relevant and reasonably necessary to determine the application. The matters of precedent and Plan integrity are considered relevant here.

60. In this case, the proposal is non-complying because the lot sizes, while generally commensurate with the receiving environment, are a significant departure from the Rural Resource Area. Given the preceding subdivisions and resultant environment, it is considered that the non-compliance is largely technical in nature and any precedent set could not be considered undesirable and approval of the application will not undermine the integrity of the District Plan.

Section 104D

61. Section 104D of the Resource Management Act 1991 specifies that resource consent for a non-complying activity must not be granted unless the proposal can meet at least one of two limbs. The limbs of section 104D require that the adverse effects on the environment will be no more than minor, or that the proposal will not be contrary to the objectives and policies of both the district plan and the proposed district plan. It is considered that the proposal meets both limbs as any adverse effects arising from this proposed activity will be no more than minor, and the activity will not be contrary to the objectives and policies of both the District Plan. Therefore, the Council can exercise its discretion under section 104D to grant consent.

Part 2

62. 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

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

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

REASONS FOR THE RECOMMENDATION

64. The assessment of effects set out in this report finds that the effects on the environment arising from the proposal to be acceptable for the following reasons:

    a) The subdivision is essentially a boundary adjustment and no new lots are created.

b) No new service connections are required and no new infrastructure demand is created.
c) The lots will be developed as a cohesive development and in accordance with the consent notice conditions (except for the inclusion of a fence which is assessed is a separate report)

d) The existing environment is a significant departure from the RRA zone and the proposal will not give rise to further adverse effects on the values associated with what RRA zone.

e) The proposal does not trigger the NESCS

f) The site can be appropriate serviced without adverse effects on the environment.

g) Lot 1 is already fully development and the lot boundaries positioned around the dwelling and the curtilage and there is a helpful consented baseline for development within that portion of land to be contained within proposed Lot 2 and the consent will be surrendered.

h) Each Lot will have legal and physical access.

i) The application passes the tests set out in S104D.

j) The granting of the consent will not set an undesirable precedent nor will it threaten the integrity of the District Plan beyond what have already occurred for the HITP.

k) No offsetting or compensation is required.

l) The proposal is consistent with the objectives and policy of the Operative District Plan.

m) The proposal is consistent with the objectives and policy of the RPS 2019 and pRPS2021.

n) The proposal reasonably gives effect to Part 2 of the Act.

65. A suite of conditions are attached at Appendix 1 for the decision maker to consider.

Kirstyn Royce
Planning Consultant

Date: 14 November 2025

CENTRAL OTAGO DISTRICT COUNCIL
1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand
03 440 0056
Info@codc.govt.nz
www.codc.govt.nz

Consent Type: Subdivision and Land Use Consent

Consent Number: RC 250282

Purpose: Subdivision consent to adjust the boundaries between two sites and land use consent to construct a residential unit and vehicle servicing facility on each lot within the Highland Innovation and Technology Park.

Location of Activity: 12 and 14 Quinns Way, Cromwell

Legal Description: Lots 247 and 248 DP 556783 (Record of Title 973390 and 973389).

Lapse Date: [Day and Month] 2030, unless the consent has been given effect to before this date.

SUBDIVISION CONDITIONS:

1. The proposed activity must be undertaken in general accordance with the approved plans attached to this certificate as Appendix One, and the information provided with the resource consent application received by the Council on 2 October 2025, except where modified by the following conditions.

2. Prior to certification of the survey plan, pursuant to section 223 of the Resource Management Act 1991, the subdivider must ensure the following:

    a) If a requirement for any easements for access (ROW A) or services, including private drainage, is incurred during the survey then those easements must be granted or reserved and included in a Memorandum of Easements on the cadastral dataset.

3. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the subdivider must construct ROW A in accordance with Council's July 2008 Addendum to NZS 4404:2004.

LAND USE CONDITIONS:

1. The residential development must be established in accordance with the plans submitted on 2 October 2025 as part of RC250282 and attached as Appendix 1 and the information contained in the consent application and supporting documents.

2. The consent holder shall pay to the Council all required administration charges fixed by the Council pursuant to section 36 of the Act in relation to:

    a) Administration, monitoring and inspection relating to this consent; and
    b) Charges authorised by regulations.

ADVICE NOTES:

Consent Notice

1. The consent holder is reminded of its duty to comply with the consent notice conditions included in 12451331.5.

General

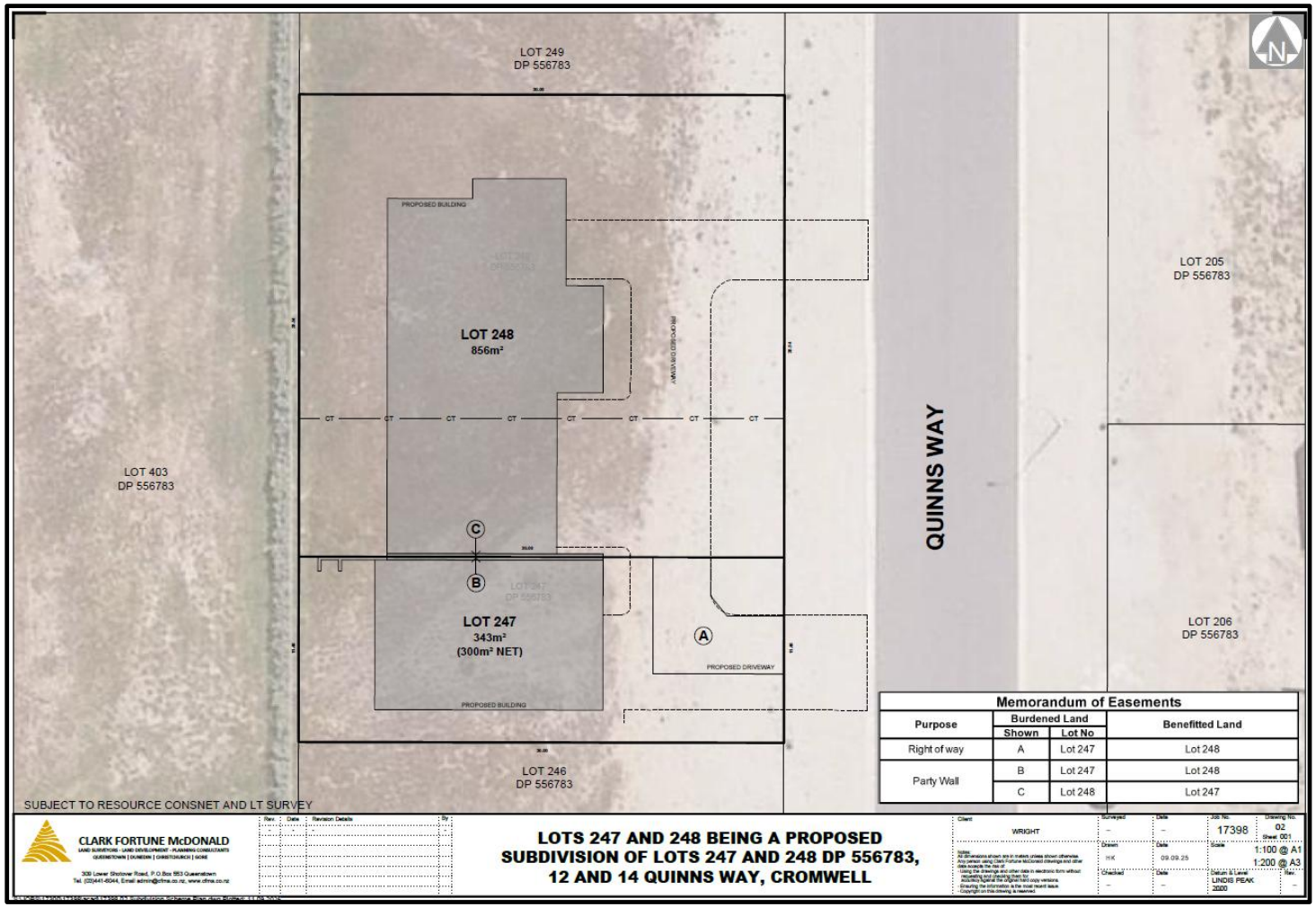
2. In addition to the conditions of a resource consent, the Resource Management Act 1991 establishes through sections 16 and 17 a duty for all persons to avoid unreasonable noise, and to avoid, remedy or mitigate any adverse effect created from an activity they undertake.

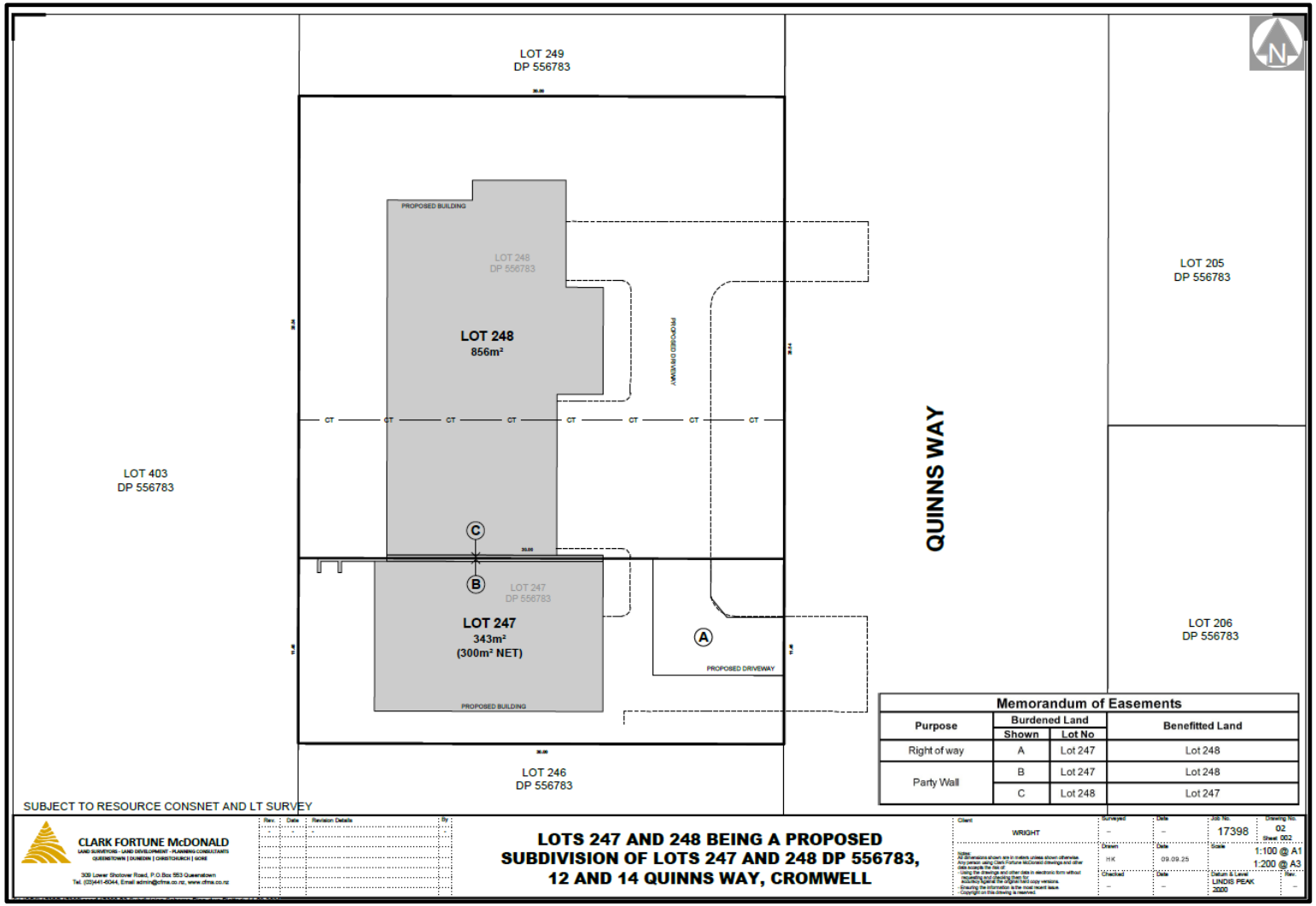
3. Resource consents are not personal property. The ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.

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.

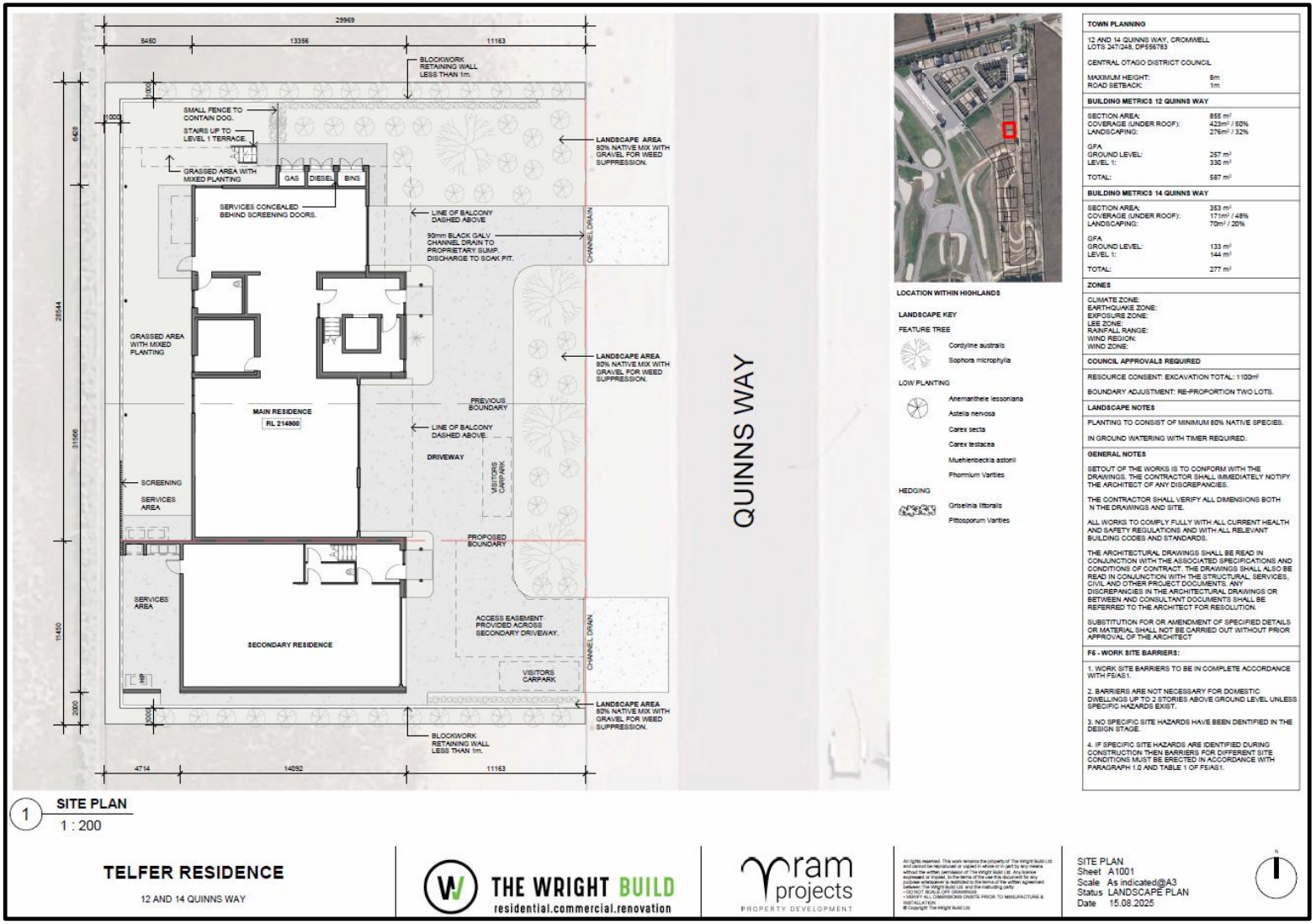
6. This is a resource consent. Please contact the Council's Building Services Department, about the building consent requirements for the work.

Appendix One: Approved Plans for RC 250282 (scanned images, not to scale)




LOT 249
DP 556783
LOT 205
DP 556783
LOT 403
DP 556783
LOT 248
856m²
LOT 248
DP 556783
PROPOSED BUILDING
PROPOSED DRIVEWAY
QUINNS WAY
LOT 247
343m²
(300m² NET)
LOT 247
DP 556783
PROPOSED DRIVEWAY
PROPOSED BUILDING
LOT 206
DP 556783
LOT 246
DP 556783
SUBJECT TO RESOURCE CONSNET AND LT SURVEY
Memorandum of Easements
Purpose
Burdened Land
Shown
Lot No
Benefitted Land
Right of way
A
Lot 247
Lot 248
Party Wall
B
Lot 247
Lot 248
C
Lot 248
Lot 247
CLARK FORTUNE McDONALD
LOTS 247 AND 248 BEING A PROPOSED SUBDIVISION OF LOTS 247 AND 248 DP 556783, 12 AND 14 QUINNS WAY, CROMWELL
WRIGHT
17398
02
1:100 @ A1
1:200 @ A3

TELFER RESIDENCE
12 AND 14 QUINNS WAY
HIGHLANDS DESIGN REVIEW
THE WRIGHT BUILD
residential.commercial.renovation
ram projects


29969
5450
13356
11163
BLOCKWORK RETAINING WALL LESS THAN 1m.
SMALL FENCE TO CONTAIN DOG.
STAIRS UP TO LEVEL 1 TERRACE
GRASSED AREA WITH MIXED PLANTING
GAS
DIESEL
BINS
SERVICES CONCEALED BEHIND SCREENING DOORS.
LANDSCAPE AREA 80% NATIVE MIX WITH GRAVEL FOR WEED SUPPRESSION.
LINE OF BALCONY DASHED ABOVE
90mm BLACK GALV. CHANNEL DRAIN TO PROPRIETARY SUMP. DISCHARGE TO SOAK PIT.
CHANNEL DRAIN
GRASSED AREA WITH MIXED PLANTING
LANDSCAPE AREA 80% NATIVE MIX WITH GRAVEL FOR WEED SUPPRESSION.
MAIN RESIDENCE
RL 214900
PREVIOUS BOUNDARY
LINE OF BALCONY DASHED ABOVE.
DRIVEWAY
VISITORS CARPARK
SCREENING
SERVICES AREA
PROPOSED BOUNDARY
SERVICES AREA
SECONDARY RESIDENCE
ACCESS EASEMENT PROVIDED ACROSS SECONDARY DRIVEWAY.
CHANNEL DRAIN
VISITORS CARPARK
LANDSCAPE AREA 80% NATIVE MIX WITH GRAVEL FOR WEED SUPPRESSION.
BLOCKWORK RETAINING WALL LESS THAN 1m.
QUINNS WAY
47/14
14092
11163
LOCATION WITHIN HIGHLANDS
LANDSCAPE KEY
FEATURE TREE
Cordyline australis
Sophora microphylla
LOW PLANTING
Anemanthele lessoniana
Astelia nervosa
Carex secta
Carex testacea
Muehlenbeckia astonii
Phormium Varities
HEDGING
Griselinia littorals
Pittosporum Varities
TOWN PLANNING
12 AND 14 QUINNS WAY, CROMWELL
LOTS 247/248, DP556783
CENTRAL OTAGO DISTRICT COUNCIL
MAXIMUM HEIGHT: 8m
ROAD SETBACK: 1m
BUILDING METRICS 12 QUINNS WAY
SECTION AREA: 855 m²
COVERAGE (UNDER ROOF): 423m² / 50%
LANDSCAPING: 276m² / 32%
GFA
GROUND LEVEL: 257 m²
LEVEL 1: 330 m²
TOTAL: 587 m²
BUILDING METRICS 14 QUINNS WAY
SECTION AREA: 353 m²
COVERAGE (UNDER ROOF): 171m² / 48%
LANDSCAPING: 70m² / 20%
GFA
GROUND LEVEL: 133 m²
LEVEL 1: 144 m²
TOTAL: 277 m²
ZONES
CLIMATE ZONE:
EARTHQUAKE ZONE:
EXPOSURE ZONE:
LEE ZONE:
RAINFALL RANGE:
WIND REGION:
WIND ZONE:
COUNCIL APPROVALS REQUIRED
RESOURCE CONSENT: EXCAVATION TOTAL: 1100m³
BOUNDARY ADJUSTMENT: RE-PROPORTION TWO LOTS.
LANDSCAPE NOTES
PLANTING TO CONSIST OF MINIMUM 80% NATIVE SPECIES.
IN GROUND WATERING WITH TIMER REQUIRED.
GENERAL NOTES
SETOUT OF THE WORKS IS TO CONFORM WITH THE DRAWINGS. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ARCHITECT OF ANY DISCREPANCIES.
THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS BOTH IN THE DRAWINGS AND SITE.
ALL WORKS TO COMPLY FULLY WITH ALL CURRENT HEALTH AND SAFETY REGULATIONS AND WITH ALL RELEVANT BUILDING CODES AND STANDARDS.
THE ARCHITECTURAL DRAWINGS SHALL BE READ IN CONJUNCTION WITH THE ASSOCIATED SPECIFICATIONS AND CONDITIONS OF CONTRACT. THE DRAWINGS SHALL ALSO BE READ IN CONJUNCTION WITH THE STRUCTURAL, SERVICES, CIVIL AND OTHER PROJECT DOCUMENTS. ANY DISCREPANCIES IN THE ARCHITECTURAL DRAWINGS OR BETWEEN AND CONSULTANT DOCUMENTS SHALL BE REFERRED TO THE ARCHITECT FOR RESOLUTION.
SUBSTITUTION FOR OR AMENDMENT OF SPECIFIED DETAILS OR MATERIAL SHALL NOT BE CARRIED OUT WITHOUT PRIOR APPROVAL OF THE ARCHITECT
F6 - WORK SITE BARRIERS:
1. WORK SITE BARRIERS TO BE IN COMPLETE ACCORDANCE WITH FS/AS1.
2. BARRIERS ARE NOT NECESSARY FOR DOMESTIC DWELLINGS UP TO 2 STORIES ABOVE GROUND LEVEL UNLESS SPECIFIC HAZARDS EXIST.
3. NO SPECIFIC SITE HAZARDS HAVE BEEN DENTIFIED IN THE DESIGN STAGE.
4. IF SPECIFIC SITE HAZARDS ARE IDENTIFIED DURING CONSTRUCTION THEN BARRIERS FOR DIFFERENT SITE CONDITIONS MUST BE ERECTED IN ACCORDANCE WITH PARAGRAPH 1.0 AND TABLE 1 OF FS/AS1.
1 SITE PLAN
1 : 200
TELFER RESIDENCE
12 AND 14 QUINNS WAY
THE WRIGHT BUILD
residential.commercial.renovation
ram projects
PROPERTY DEVELOPMENT
SITE PLAN
Sheet A1001
Scale As indicated@A3
Status LANDSCAPE PLAN
Date 15.08.2025

TERRACE
LIVING
KITCHEN
DINING
GAS FIRE
BED 1
WINDOW SEAT
BORROWED LIGHT ABOVE
WIR
CLERESTORY ABOVE
LAUNDRY
SKYLIGHT ABOVE
BED 3
BATHROOM
BED 2
ENSUITE
SPA
1.5m DIA
BBQ
ENSUITE 1
SHWR
CUPBD / SIDE TBL
LINEN
PANTRY
SHALLOW STORE
FRIDGE
SINK
VANITY
ROBE
POW
BED 4
BATH
LIFT
ENTRY
SIDE TABLE
LOUNGE
TV
GAS FIRE
WC
DESK
BED 2
SHWR
ENS 2
DN
A2001
A2002
A2003
A2004
A3001
TELFER RESIDENCE
12 AND 14 QUINNS WAY
THE WRIGHT BUILD
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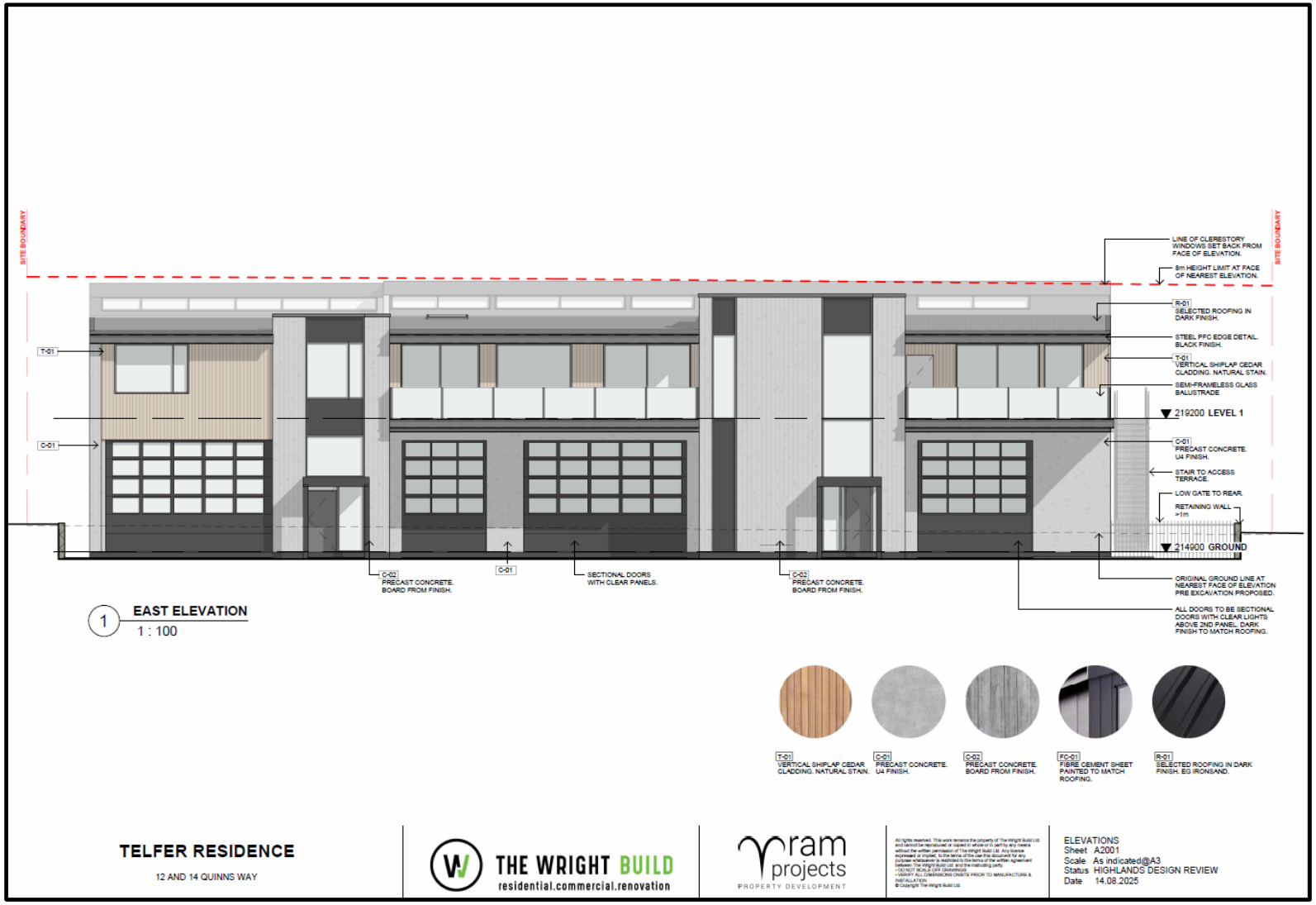
ram projects
PROPERTY DEVELOPMENT
LEVEL 1 PLAN
Sheet A1201
Scale 1 : 100@A3
Status HIGHLANDS DESIGN REVIEW
Date 14.08.2025


SITE BOUNDARY
SITE BOUNDARY
LINE OF CLERESTORY WINDOWS SET BACK FROM FACE OF ELEVATION.
8m HEIGHT LIMIT AT FACE OF NEAREST ELEVATION.
R-01 SELECTED ROOFING IN DARK FINISH.
STEEL PFC EDGE DETAIL. BLACK FINISH.
T-01 VERTICAL SHIPLAP CEDAR CLADDING. NATURAL STAIN.
SEMI-FRAMELESS GLASS BALUSTRADE
219200 LEVEL 1
C-01 PRECAST CONCRETE. U4 FINISH.
STAIR TO ACCESS TERRACE.
LOW GATE TO REAR.
RETAINING WALL >1m
214900 GROUND
T-01
C-01
C-02 PRECAST CONCRETE. BOARD FROM FINISH.
C-01
SECTIONAL DOORS WITH CLEAR PANELS.
C-02 PRECAST CONCRETE. BOARD FROM FINISH.
ORIGINAL GROUND LINE AT NEAREST FACE OF ELEVATION PRE EXCAVATION PROPOSED.
ALL DOORS TO BE SECTIONAL DOORS WITH CLEAR LIGHTS ABOVE 2ND PANEL. DARK FINISH TO MATCH ROOFING.
1 EAST ELEVATION
1 : 100
T-01 VERTICAL SHIPLAP CEDAR CLADDING. NATURAL STAIN.
C-01 PRECAST CONCRETE. U4 FINISH.
C-02 PRECAST CONCRETE. BOARD FROM FINISH.
FC-01 FIBRE CEMENT SHEET PAINTED TO MATCH ROOFING.
R-01 SELECTED ROOFING IN DARK FINISH. EG IRONSAND.
TELFER RESIDENCE
12 AND 14 QUINNS WAY
THE WRIGHT BUILD
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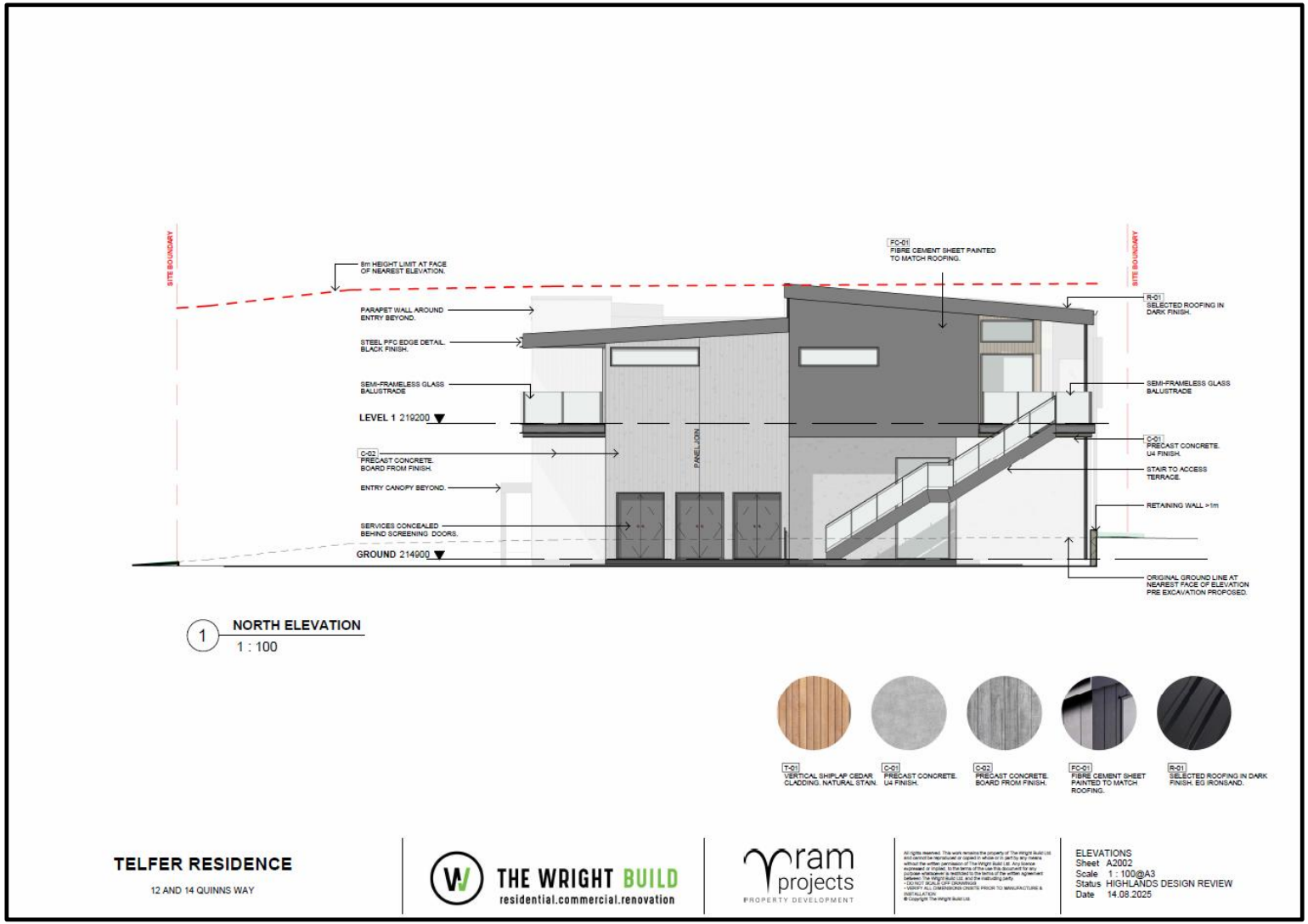
ram projects
PROPERTY DEVELOPMENT
ELEVATIONS
Sheet A2001
Scale As indicated@A3
Status HIGHLANDS DESIGN REVIEW
Date 14.08.2025


SITE BOUNDARY
8m HEIGHT LIMIT AT FACE OF NEAREST ELEVATION.
PARAPET WALL AROUND ENTRY BEYOND.
STEEL PFC EDGE DETAIL BLACK FINISH.
SEMI-FRAMELESS GLASS BALUSTRADE
LEVEL 1 219200
C-02 PRECAST CONCRETE. BOARD FROM FINISH.
ENTRY CANOPY BEYOND.
SERVICES CONCEALED BEHIND SCREENING DOORS.
GROUND 214900
PANELLING
FC-01 FIBRE CEMENT SHEET PAINTED TO MATCH ROOFING.
SITE BOUNDARY
R-01 SELECTED ROOFING IN DARK FINISH.
SEMI-FRAMELESS GLASS BALUSTRADE
C-01 PRECAST CONCRETE. U4 FINISH.
STAIR TO ACCESS TERRACE.
RETAINING WALL >1m
ORIGINAL GROUND LINE AT NEAREST FACE OF ELEVATION PRE EXCAVATION PROPOSED.
1 NORTH ELEVATION
1 : 100
T-01 VERTICAL SHIPLAP CEDAR CLADDING. NATURAL STAIN.
C-01 PRECAST CONCRETE. U4 FINISH.
C-02 PRECAST CONCRETE. BOARD FROM FINISH.
FC-01 FIBRE CEMENT SHEET PAINTED TO MATCH ROOFING.
R-01 SELECTED ROOFING IN DARK FINISH, EG IRONSAND.
TELFER RESIDENCE
12 AND 14 QUINNS WAY
THE WRIGHT BUILD
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PROPERTY DEVELOPMENT
ELEVATIONS
Sheet A2002
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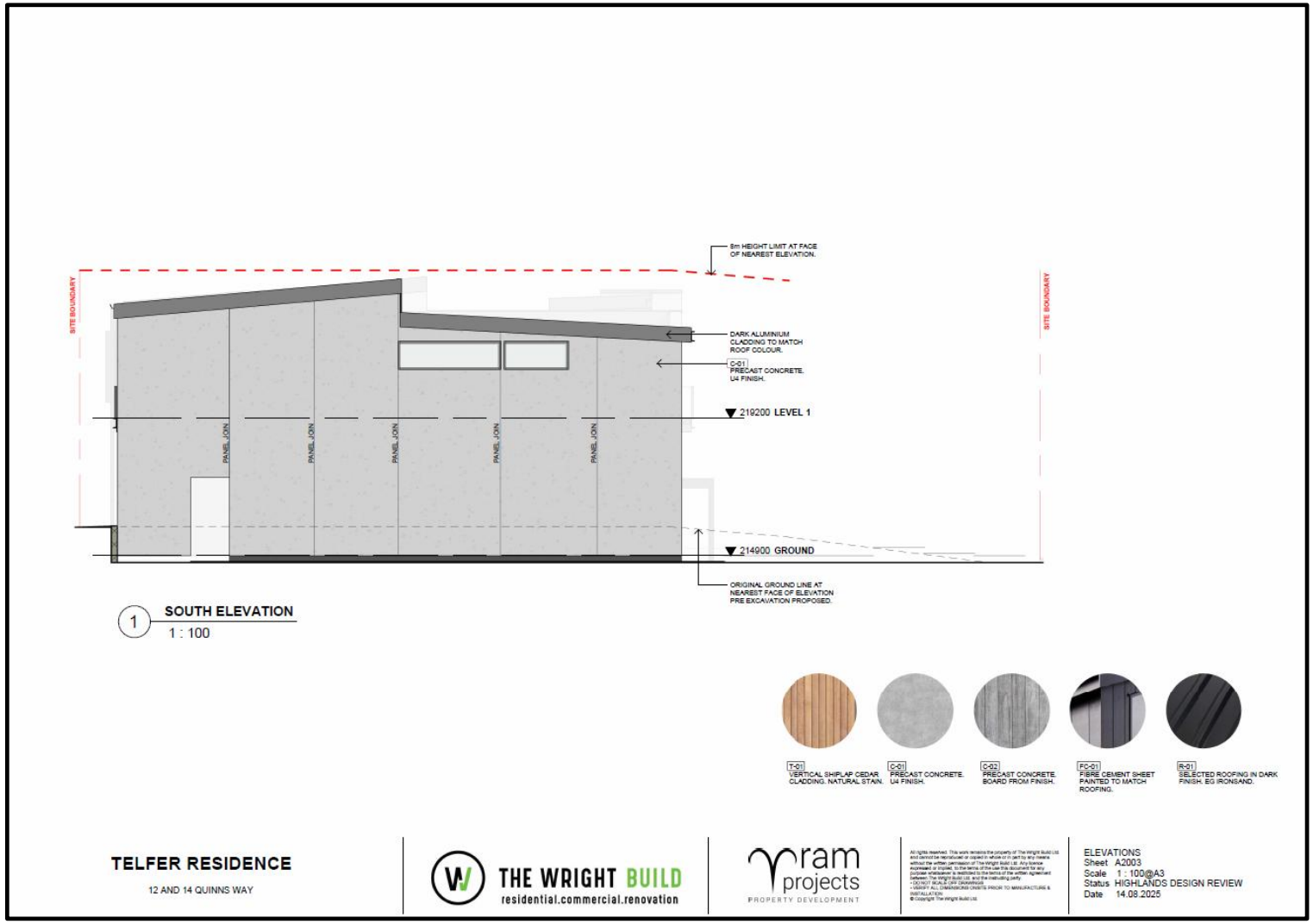
Status HIGHLANDS DESIGN REVIEW
Date 14.08.2025


8m HEIGHT LIMIT AT FACE OF NEAREST ELEVATION.
SITE BOUNDARY
SITE BOUNDARY
DARK ALUMINIUM CLADDING TO MATCH ROOF COLOUR.
C-01 PRECAST CONCRETE. U4 FINISH.
219200 LEVEL 1
PANEL JOIN
PANEL JOIN
PANEL JOIN
PANEL JOIN
PANEL JOIN
214900 GROUND
ORIGINAL GROUND LINE AT NEAREST FACE OF ELEVATION PRE EXCAVATION PROPOSED.
1 SOUTH ELEVATION
1 : 100
T-01 VERTICAL SHIPLAP CEDAR CLADDING. NATURAL STAIN.
C-01 PRECAST CONCRETE. U4 FINISH.
C-02 PRECAST CONCRETE. BOARD FROM FINISH.
FC-01 FIBRE CEMENT SHEET PAINTED TO MATCH ROOFING.
R-01 SELECTED ROOFING IN DARK FINISH. EG IRONSAND.
TELFER RESIDENCE
12 AND 14 QUINNS WAY
THE WRIGHT BUILD
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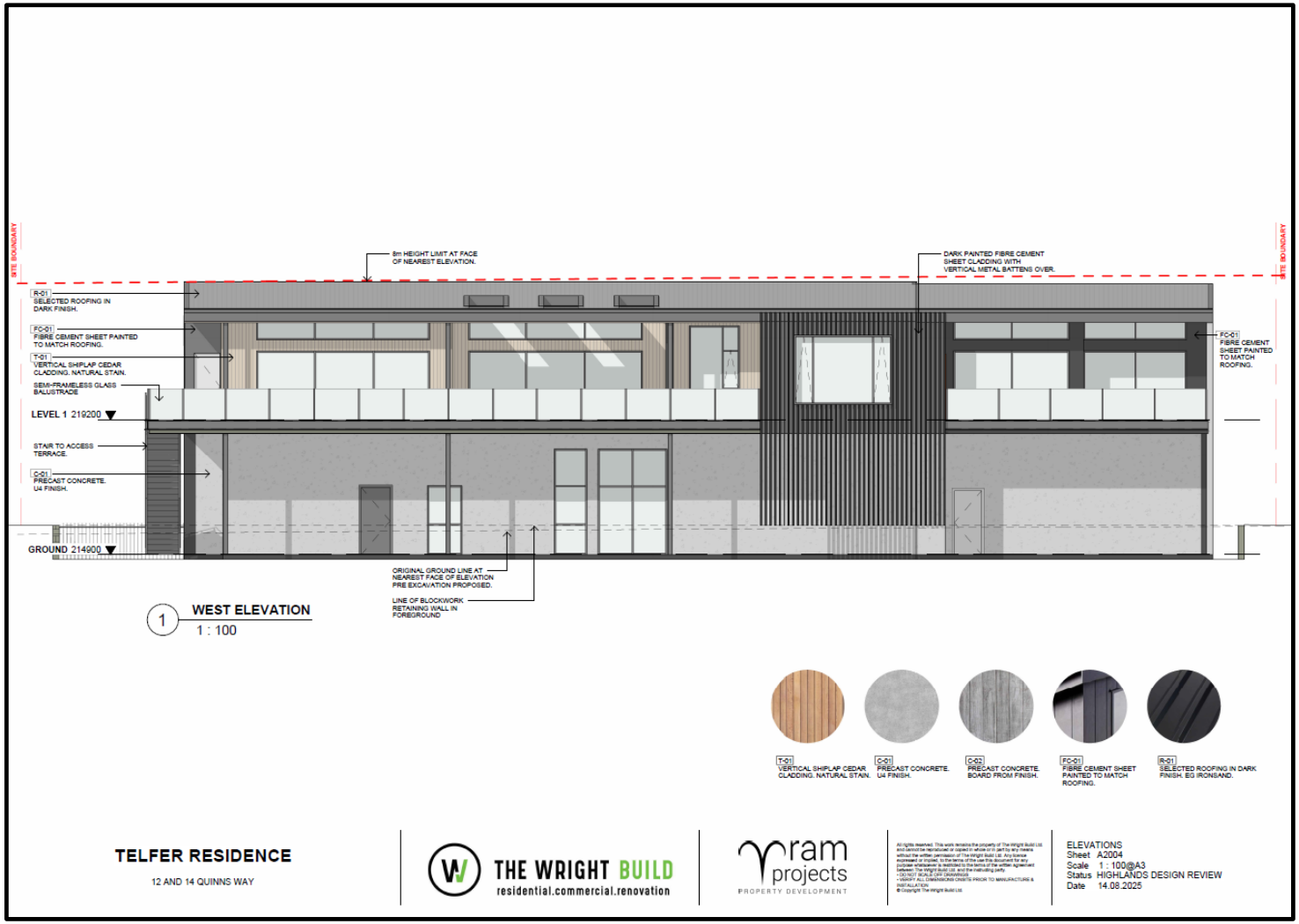
PROPERTY DEVELOPMENT
ELEVATIONS
Sheet A2003
Scale 1 : 100@A3
Status HIGHLANDS DESIGN REVIEW
Date 14.08.2025


SITE BOUNDARY
8m HEIGHT LIMIT AT FACE OF NEAREST ELEVATION.
DARK PAINTED FIBRE CEMENT SHEET CLADDING WITH VERTICAL METAL BATTENS OVER.
R-01 SELECTED ROOFING IN DARK FINISH.
FC-01 FIBRE CEMENT SHEET PAINTED TO MATCH ROOFING.
T-01 VERTICAL SHIPLAP CEDAR CLADDING. NATURAL STAIN.
SEMI-FRAMELESS GLASS BALUSTRADE
LEVEL 1 219200
STAIR TO ACCESS TERRACE.
C-01 PRECAST CONCRETE. U4 FINISH.
GROUND 214900
ORIGINAL GROUND LINE AT NEAREST FACE OF ELEVATION PRE EXCAVATION PROPOSED.
LINE OF BLOCKWORK RETAINING WALL IN FOREGROUND
1 WEST ELEVATION
1 : 100
T-01 VERTICAL SHIPLAP CEDAR CLADDING. NATURAL STAIN.
C-01 PRECAST CONCRETE. U4 FINISH.
C-02 PRECAST CONCRETE. BOARD FROM FINISH.
FC-01 FIBRE CEMENT SHEET PAINTED TO MATCH ROOFING.
R-01 SELECTED ROOFING IN DARK FINISH. EG IRONSAND.
TELFER RESIDENCE
12 AND 14 QUINNS WAY
THE WRIGHT BUILD
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PROPERTY DEVELOPMENT
ELEVATIONS
Sheet A2004
Scale 1 : 100@A3
Status HIGHLANDS DESIGN REVIEW
Date 14.08.2025

CENTRAL OTAGO DISTRICT COUNCIL
S95A-F DECISION FOR RC250282
12 Quinns Way, Cromwell

INTRODUCTION

Resource Consent is sought for a subdivision and land use consent. The proposed subdivision will transfer land between Lots 247 and 248 DP 556783; being 12 and 14 Quinns Way. The application retains the lot number of 247 and 248. The proposal will result in Lot 248 comprising an area of 856m^2 and Lot 247 comprising an area of 343m^2 (300m^2 net).

The applicant proposes to provide for one vehicle servicing facility and one residential unit on each site which will be joined along the internal boundary by a party wall. Lot 247, being the smaller proposed allotment, will support a three-bedroom unit located above the vehicle servicing facility located on the ground floor. The reduced lot area will not obstruct the future development from complying with the Consent Notice conditions such as the 75% building coverage and the 15% landscaping around the periphery of the allotment.

The increased allotment size for Lot 248 enables the applicant to provide for a larger vehicle servicing area and ancillary residential unit. The second residential unit will include a four-bedroom unit on the upper level with the vehicle servicing provided on the ground floor.

All servicing to the allotments will continue to meet the Councils subdivision code of practice.

Both units will comply with the Consent Notice conditions in respect to the use of materials and colouring. This will include the use of precast concrete, vertical shiplap cedar stained in natural colour and alpine tray roofing in dark colour such as ironsand.

The proposal will breach one Consent Notice condition that restricts fencing for screening service areas only or for security purposes. The development includes a small picket fence within the site to contain the family dog. A variation to Condition 32 (t) of the Consent Notice 12451331.5, which reads as follows is therefore required:

(t) No fencing shall be erected on any part of a lot, other than to screen outdoor service/storage areas or for security. Materials and finishes are to be identified on plans to be submitted to the Design Review Board.

The proposal for the consent notice variation is assessed in a separate 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).

Rule 4.7.4(iii)(b) of the Central Otago District Plan states that where a subdivision will create lots with an average size of no less than 8 hectares (ha) and a minimum lot size of no less than 2ha within the Rural Resource Area, then, this is a discretionary activity. In this instance, the existing sites were created as part of the Highland Park development and have an area of 600m^2. The proposed transfer of land will not create an additional title but will still fall well below the minimum lot size for each lot. As such, the application is assessed as a non-complying activity, in accordance with Rule 4.7.5(iii) of the Plan.

Rule 4.7.3(i) states that yard setback breaches are a restricted discretionary activity. In this instance, the underlying lot size means that the yard setbacks cannot be met. The units will share a party wall along the new internal boundary and 1.0m from the external boundaries. The buildings will also breach the boundary setback to Quinns Way.

National Environmental Standards

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

A NESCS assessment was undertaken as part of the underlying subdivision consent. It is understood no further development or activity has occurred on the site since issue of this previous consent. The NESCS Is not triggered by this application.

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

Overall Status

Where an activity requires resource consent under more than one rule, and the effects of the activity are inextricably linked, the general principle from case law is that the different components should be bundled and the most restrictive activity classification applied to the whole proposal.

In this case, there is more than one rule involved, and the effects are linked. As such, 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, 104B and 104D of the Resource Management Act 1991 ('the Act').

SECTION 95A NOTIFICATION

Public Notification

Section 95A of the Resource Management Act 1991 sets out a step-by-step process for determining public notification. Each step is considered in turn below.

Step 1: Mandatory public notification in certain circumstances

- Public notification has not been requested.
- There has been no failure or refusal to provide further information.
- There has been no failure to respond or refusal to a report commissioning request.
- The application does not involve the exchange of recreation reserve land.

Step 2: If not required by Step 1, public notification precluded in certain circumstances

- There are no rules or national environmental standards precluding public notification.
- The application does not involve: a controlled activity, nor a boundary activity. As a result, public notification is not precluded under Step 2.

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

- There are no rules or national environmental standards requiring public notification.
- The activity will not have, or be likely to have, adverse effects on the environment that are more than minor as discussed in the assessment above.

ASSESSMENT - EFFECTS ON THE ENVIRONMENT

1. *The effects of the subdivision and future development*
The proposal will transfer 256m^2 between Lots 247 and 248. Lot 248 will comprise an area of 856m^2 and Lot 247 will comprise an area of 343m^2 (300m^2 net). No new titles will be created.

Consent Notice 12451331.5 are registered on the existing titles which includes development controls conditions. These include a requirement for heavy vehicle entranceways, specific stormwater design, ensuring that the primary activity on site is for vehicle servicing, maintenance, design, manufacturing, fabrication, testing and storage of vehicles. Residential activity must be a secondary activity on site and must be located above the ground level of any buildings. The conditions also include design controls such as an 8m height limited, 75% building coverage, specific cladding and colouring, signage and 15% landscaping on site. The consent notice conditions will be carried down onto the new titles. The applicant seeks the consent notice condition restricting fencing be lifted for these lots but the assessment of this is contained within a separate report.
The lots sizes are a significant departure from the Rural Resource Area but are commensurate with the receiving environment within the HITP as created by preceding environments. The sites and their immediate locality have unusual characteristics in the context of the Rural Resource Area and, as such, little consideration to the values of the Rural Resource Area in respect of the lot form, and the design and location of the buildings. Furthermore, the resultant lots will be developed together. The applicant proposes to develop the new lots with a party wall between the units.

Overall, the effects of the subdivision and land use are considered to be acceptable.

2. *Noise and reverse sensitivity*
The HITP is a high noise environment especially during motorsport events. This noise environment was recognised at the time that the preceding subdivisions and authorisation for the land use activities. A requirement for acoustic insulation was imposed for habitable rooms established in each lot. Any reverse sensitivity effects will be limited to HITP and the immediate neighbours and will not have adverse effects on the wider environment. It is noted that the written approval has been provided by the HITP Design and Review Panel and all effects on HITP are to be disregarded.

3. *Servicing and access*
The lots have established servicing connections which can be retained. Access to Lot 248 will be over Lot 247. The Vehicle crossings will be established in accordance with the consent notice condition.

4. *Hazards*
No hazards have been identified in the planning maps for this property.

5. *Earthworks*
No earthworks are identified for this proposal.

6. Esplanade reserves and strips
No requirement for an esplanade reserve or strip has been identified.

Effects determination

In accordance with sections 95D 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 less than minor and able to be absorbed within the receiving environment.

Step 4: Public notification in special circumstances

- There are no special circumstances that warrant the application being publicly notified. There is nothing exceptional or unusual about the application that makes public notification desirable.

SECTION 95B NOTIFICATION

Limited Notification

Section 95B of the Resource Management Act 1991 sets out a step-by-step process for determining limited notification. Each step is considered in turn below.

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

- The activity is not in a protected customary rights area; the activity is not an accommodated activity in a customary marine title area; and, the activity is not on or adjacent to, or might affect, land that is the subject of a statutory acknowledgement.

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

- There are no rules or national environmental standards precluding limited notification.
- The application does not involve a controlled activity that is not a subdivision.

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

- The application does not involve a boundary activity.
- 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.
- The proposal falls into the 'any other activity' category. The effects of the proposal on persons are assessed below.

ASSESSMENT - EFFECTS ON PERSONS

In accordance with section 95E(3) of the Act, a person is not an affected person in relation to an application for a resource consent for an activity if they have given their written approval to the application. In this particular instance, affected persons approvals have been received from the Highland Innovation and Technology Park Design Review Board.

No other persons are considered to be adversely affected by this proposal because as assessed in this report, the environmental effects of the proposal are limited to effects on parties that are less than minor because the development will be commensurate with the other development in the area and was anticipated by the consent notice conditions.

Step 4: Further notification in special circumstances

- There are no special circumstances that warrant the application being limited notified. There is nothing exceptional or unusual about the application that makes limited notification to any other persons desirable.

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:

Kirstyn Royce Date: 24 October 2025
Planning Officer

Approved under Delegated Authority by:

Tanya Copeland / Tim Anderson Date: 24 October 2025
Team Leader – Planning

Application for a resource consent - Form 9

APP251003679

CENTRAL OTAGO DISTRICT COUNCIL
1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand
03 440 0056
Info@codc.govt.nz
www.codc.govt.nz

Date and Time Created	02/10/2025 01:49
Submitted to Council	02/10/2025 02:10

To cross reference Datacom with MAGIQ please click Here. to add the Resource Consent number.

Property Details

Property Address	12 and 14 Quinns Way
Record of Title Number	RT 973390 and 973389
Legal Description(s) of the specific parcels that the resource consent application is for	Lot 247 and Lot 248 DP 556783

What is your role in this application?	Agent acting on behalf of the applicant

Agent details

An agent acts on behalf of the applicant in the submission and processing of the application.

Organisation	CFMA
First name	KAREN
Last name	PAGE
Phone number	0274147884
Email address	kpage@cfma.co.nz

Note that the applicant will also receive a copy of all correspondence.

Postal address:	309 lower shotover road, queenstown, queenstown, otago 9371, New Zealand
Confirm that you have approval to act on behalf of the applicant	Yes

The applicant is the person(s) or organisation making the application.

Applicant details

Is this applicant an individual or an organisation?	Individual
First name	Dean and Michelle
Last name	Telfer
Phone number	0211184574
Email address	thom@thewrightbuild.co.nz
Postal address:	14 Quinns Way, Cromwell, Otago , New Zealand

Invoicing

Who is paying the invoice?	Applicant

DETAILS

Activity or works proposed

Application type	Land use and subdivision consent
Short description of your proposal	land use and subdivision consent to amend boundaries between 2 sites. Variation to consent notice condition

Provide a detailed description in the Assessment of Environmental Effects (AEE) or other document.

Assessment of Environmental Effects (AEE)

An application cannot be accepted for processing by the Council under Section 88 of the Resource Management Act 1991, without an Assessment of Environmental Effects (AEE).

Refer to the guidelines for Assessment of Environmental Effects.

Assessment of Environmental Effects Quinns Way.pdf (452 kb)

Assessment of the activity

You may need to provide an assessment of the activity against the following provisions:

- **The matters set out in Schedule 4 of the Resource Management Act 1991.**
- **Any relevant objectives, policies, or rules in a document.**
- **Any relevant requirements, conditions, or permissions in any rules in a document.**
- **Any other relevant requirements in a document (e.g. in a national environmental standard or other regulation).**

Please do not load the same document that you loaded for AEE above

Other activities

Other applications

Are you required to apply for any other resource consents for this project?	No
Is this project related to a building consent?	No

Pre-application information

Have you discussed this proposal with Council staff prior to this application?	No prior discussion

Site visit requirements

Who is the site contact?	Applicant

Affected party approvals

All affected property owners, including trustees where properties are held in a trust, must sign written approval forms AND a copy of your plans.

- **If an affected party does not give approval to your proposal this may impact on the way that the application is processed.**
- **Council's duty planner can provide you with advice on which parties may be affected by your proposal.**

Download an affected party approval template form.

Do you need affected party approval?	Yes

Appendix E HDRB Approval - 12 and 14 Quinns Way - Approval Letter (1).pdf (93 kb)

Appendix E Lots 247 148 - 12 14 Quinns Way - Approved (1).pdf (7 mb)

National Environmental Standard – Contaminated Soil (NES-CS)

National Environmental Standard – Contaminated Soil - option selected	A review has been undertaken of District and Regional Council records and no records have been found suggesting an activity on the HAIL has taken place on the piece of land which is subject to this application. NOTE: depending on the scale and nature of your proposal you may be required to provide details of the records reviewed and the details found.

Fast-Track Processing

Under section 87AAC a controlled activity or deemed permitted boundary activity may be eligible for fast-track processing. Please select one:	I do not opt out of the fast-track consent process

Public Notification

Please confirm whether you request public notification for this application. If you choose "Yes" - Please note a "notified to formal hearing" deposit fee is payable. Please refer to Council's current Fees and Charges on our website.	No

LIST OF FILES

Assessment of Environmental Effects Quinns Way.pdf (452 kb)

Appendix E HDRB Approval - 12 and 14 Quinns Way - Approval Letter (1).pdf (93 kb)

Appendix E Lots 247 148 - 12 14 Quinns Way - Approved (1).pdf (7 mb)

Appendix B Proposed Scheme Plan Quinns Way.pdf (244 kb)

Appendix C Proposed Development Plans Quinns Way.pdf (15 mb)

Appendix D RM200231.pdf (1 mb)

Appendix A RT 973390.pdf (271 kb)

Appendix A RT 973389.pdf (272 kb)

Appendix A CN 12451331.5.pdf (423 kb)

Appendix A CN 5323967.2.pdf (16 kb)

Assessment of Environmental Effects

Land Use and Subdivision Consent
Variation to Consent Notice Condition

12 and 14 Quinns Way, Cromwell

Dean and Michelle Telfer

Prepared by: Karen Page

CLARK FORTUNE MCDONALD & ASSOCIATES
REGISTERED LAND SURVEYORS, LAND DEVELOPMENT & PLANNING CONSULTANTS

This Assessment of Effects on the Environment (AEE) has been prepared for Land Use and Subdivision Consent to reduce a 600m2 allotment to 343m2 which will breach the density provisions of the Rural Resource Zone as well as two site standards. The AEE accompanies an application for resource consent made under Section 88 of the Resource Management Act 1991 and has been prepared in accordance with the Forth Schedule of the Resource Management Act 1991 in such detail as corresponds with the scale and significance of the effects that the proposal may have on the environment.

1.0 A DETAILED DESCRIPTION OF THE PROPOSAL:

1.1 Site Description

The subject site is made up of two Certificates of Titles, identified as 973390 and 973389, that have been established under subdivision and land use consent RC200231. This consent approved 56 lots ranging from 150m2 to 800m2 and over 1 hectare in area (including the balance lot of 73.5ha). Fifty-one of these lots were consented for activities associated with vehicles and residential activity with the overall development being approved alongside the Cromwell Highlands Motorsports Park (that occupies the balance allotment), see figure 1 below.

Figure 1: Subject site

The two allotments are legally identified as Lot 247 and Lot 248 DP 556783 and both have areas of 600m2. They are both vacant of any built development, support no established vegetation and have a flat topography. The allotments were created for vehicle activities with ancillary residential activity, which aligns with the proposed development as outlined below.

As outlined above, the surrounding neighbourhood is made up of a mixed-use environment that consists of lots ranging in size from 150m2 to 800m2, as well as larger rural allotments. These allotments support a mix of residential and vehicle activities which are aligned with the Highlands Motor Park which is located immediately to the west of the site, see figure 2 below for detail:

Figure 2: Surrounding Environment

A copy of the Record of Titles are contained within Appendix A.

A number of encumbrances are registered on the titles that are of relevance to this application. Of particular relevance is Consent Notice 12451331.5 that includes conditions that relate to development controls on site. This includes requirement for heavy vehicle entranceways, specific stormwater design, ensuring that the primary activity on site is for vehicle servicing, maintenance, design, manufacturing, fabrication, testing and storage of vehicles. Residential must be a secondary activity on site and must be located above the ground level of any buildings. The conditions also include design controls such as an 8m height limited, 75% building coverage, specific cladding and colouring, signage and 15% landscaping no site. It also includes specific fencing controls as discussed below.

With the exception of one fencing condition, the proposed activity will comply with all the above Consent Notice conditions.

The site and its surrounds have a complex consenting history as outlined below:

RC070149- Highlands Motorsports Park consented. This development also identified several activity areas adjoining the park including Activity Area A that permitted residential activity above ground within the commercial park.

RC130153 – subdivision consent of Activity Area A for 42 allotments.

RC14009 – subdivision consent for an additional 12 allotments over and above the 42 consented above.

RC150225 – granted to replace RC070149 and resolve a number of ambiguities with the original consent.

RC200231 – granted November 2023 to created an additional 56 allotments included the subject site being Lots 247 and 248. This consent has been varied several times but these allotments are not relevant to the subject site.

1.2 The Proposal

Consent is sought to reduce the lot area of Lot 247 from 600m2 to 343m2 in area. This will subsequently increase Lot 248 from 600m2 to 856m2, see figure 3 below and Appendix B for detail.

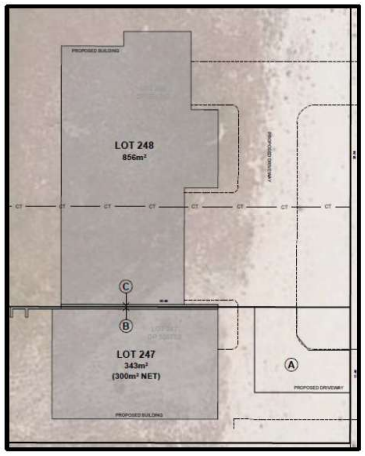

Figure 3: Proposed subdivision.

The Applicant proposes to provide for one vehicle servicing facility and one residential unit on each site which will be joined along the internal boundary by a party wall. Lot 247, being the smaller proposed allotment, will support a three bedroom unit located above the vehicle servicing facility located on the ground floor. The reduced lot area will continue to enable the development to comply with the Consent Notice conditions such as the 75% building coverage and the 15% landscaping around the periphery of the allotment.

The second residential unit will include a four bedroom unit on the upper level with the vehicle servicing provided on the ground floor. The increased allotment size enables the Applicant to provide for a larger vehicle servicing area and ancillary residential unit.

Figure 4: Proposed built development

Both units will comply with the Consent Notice conditions in respect to the use of materials and colouring. This will include the use of precast concrete, vertical shiplap cedar stained in natural colour and alpine tray roofing in dark colour such as ironsand.

All servicing to the allotments will continue to meet the Councils subdivision code of practice.

The proposal will breach one Consent Notice condition that restricts fencing for screening service areas only or for security purposes. The development includes a small picket fence within the site to contain the family dog. A variation to Condition 32 (t) of the Consent Notice 12451331.5, which reads as follows is therefore required:

(t) No fencing shall be erected on any part of a lot, other than to screen outdoor service/storage areas or for security. Materials and finishes are to be identified on plans to be submitted to the Design Review Board.

2. DISTRICT PLAN PROVISIONS

The subject site is located within the Rural Resource Area of the Central Otago District Plan. It is not subject to any identified hazard under the GIS Maps or any current Plan Change. The site has been created under RM200231 with future development subject to the design controls included in the Consent Notice conditions. Given the site is still zoned Rural Resource under the CODP some consideration must also be given to the site and zone performance standards of the zone, as outlined below.

Figure 5: Operative District Plan Zoning

2.1 Consents Required and Status of the Activity

2.1.1 Operative District Plan (ODP)

Consent under the CODP is required for the following:

(a) *A Non-Complying Activity* consent pursuant to Rule 4.7.5 (iii) for subdivision in the Rural Resource Zone where the minimum allotment size is less than an 8ha average with a minimum 2 ha. The proposed development will result in an allotment size of 343m2 and 856m2.

(b) *A Restricted Discretionary Activity* consent pursuant to Ryle 4.7.3 (i) for development that fails to comply with the yard setback standards. The proposed units will be set off the boundary by 1m.

Consent is therefore required as a Non-Complying Activity

Consent is also sought to vary the conditions of the following Consent Notice, as follows:

- A Discretionary Activity consent pursuant to 87B in accordance with Section 221 of the Resource Management Act 1991 which specifies a variation to a Consent Notice shall be processed in accordance with Sections 88 to 121 and 127(4) to 132.

It is proposed to vary Condition 32 (t) of Consent Notice 12451331.5 as follows:

(t) No fencing shall be erected on any part of a lot, other than to screen outdoor service/storage areas or for security. Materials and finishes are to be identified on plans to be submitted to the Design Review Board.

with the exception of the development approved under RC…….

3. NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSMENT AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH 2012.

A NESCS assessment was undertaken as part of the underlying subdivision consent. It is understood no further development or activity has occurred on the site since issue of this previous consent. As a result, it is considered that no consent under this legislation is required.

4.0 ASSESSMENT OF THE ACTIVITY'S EFFECTS ON THE ENVIRONMENT

4.1 If it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:

It is considered that the proposal will not result in any significant adverse effect on the environment and the location proposed is considered appropriate.

4.2 An assessment of the actual or potential effect on the environment of the activity:

The subject site has been created as part of a larger land use and subdivision consent that saw the approval of up to 56 residential allotments on this rural zoned land. These allotments ranged in size from 150m2 up to 800m2, with some larger 1 ha plus allotments and the balance allotment of 75ha. The purpose of this previous development was to provide primarily for vehicle activity associated with the Highlands Motorsport Park with residential activity secondary to this land use. This activity was specifically anticipated in Activity Area A under the original consent RC070149 as outlined above.

The proposed development will reduce Lot 247 from 600m2 as originally approved under RM200231, to 343m2. It will not, however be out of character in size with existing allotments in the subdivision that range upwards of 150m2. Further to this, it is noted that more recent Council approval has been granted under RC230257 to subdivide two 600m2 allotments into four lots on Spillane Grove to the south of the site.

The subdivision will be entirely in character with the consented development and surrounding environment and, with the exception of the fencing, will comply with the design controls imposed under the Consent Notice as discussed above. Compliance with the Consent Notice conditions ensure developments meet the anticipated character and design outcomes for the subdivision. Alternatively, the effects of any non-compliance must be considered on a case by case scenario. Given the development will generally comply with the conditions, it can be concluded that any adverse effects on this environment as a result of this proposal will be negligible. In respect to the one breach, the fence has been approved by the design review board and its visual effects will be mitigated by the proposed landscape and retaining wall.

The site is located in a neighbourhood that reflects a mixed-use environment supporting a density akin to high - low density, and supports both commercial and residential activity, as discussed above. This area, however, is zoned Rural Resource under the District Plan where allotments are anticipated no less than 2ha with an average of 8 ha and land used activity generally anticipated for primary productive purposes. This zoning is an anomaly and undertaking a comprehensive assessment of the development under the site and zone standards of this rural zone is not considered relevant or necessary.

In brief, the development is a non-complying activity, therefore, Council is not restricted in its consideration of any potential adverse effects. The site will breach the rural density provisions, building coverage and yard setbacks. Any adverse effects as a result of these non-compliances, however, will be negligible as the proposal will be entirely in keeping with the character of this area as consented under RC070149 and subsequent approvals. The proposal will not compromise any productive primary land, nor will it compromise any vegetation, stormwater quality or the rural amenity or character of any rural environment.

The change in boundary will not affect any servicing to this site including the servicing requirements outlined in the Consent Notice. As stated, all servicing will continue to meet the subdivision Code of Practice.

Further to the above, Highlands Design Review Board have reviewed the subdivision and proposed development and have given their approval, see Appendix E. No additional parties are considered adversely affected by the development.

Accordingly, any adverse effects as a result of this development will be negligible.

5.0 DISTRICT PLAN: OBJECTIVES AND POLCIES ASSESSMENT

5.1 Rural Resource Area - Objectives and Policies

The Objectives and Policies of the Rural Resource Zone under 4.1-4.3 seek to protect rural amenity and landscape character, vegetation, water quality and soil resource. As stated above, this zone is an anomaly given the consented environment. Given, however, it will not compromise any of the above characteristics it can be concluded that the proposed development will not be inconsistent with these Objectives and Policies.

5.2 Objectives and Polices: Subdivision

16.3.1 Objective - *Adverse Effects on the Roading Network*
To ensure that subdivision avoids, remedies or mitigates adverse effects on the safe and efficient operation of the District's roading network.

16.3.2 Objective - *Services and Infrastructure*
To ensure that subdivisions provide all necessary services and infrastructure without adversely affecting the public interest and the ongoing viability of those services and infrastructure.

16.3.4 Objective *– Amenity Values*
To ensure, where appropriate, that amenity values of the District created by the open space, landscape and natural character values, and areas of significant indigenous vegetation, significant habitat of statutorily managed sports fish and game are not adversely affected by subdivision.

16.3.5 Objective *- Water and Soil Resources*
To ensure that subdivision does not facilitate development that may compromise the life-supporting capacity of the District's water and soil resources

16.3.9 Objective *- Physical Works Involved in Subdivision*

To ensure that the physical works involved in preparing land that is part of the subdivision avoids, remedies or mitigates adverse effects on: (a) The stability of land. (b) Water quality within natural watercourses and the stability of their margins. (c) Neighbouring properties in respect of the effects of noise, dust and vibration.

***16.3.11 Objective** - Effluent Disposal*

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

***16.4.1 Policy** - Adequate Access*

To require that all subdivisions have legal and physical access that: (a) Is of a standard that is adequate for the intended use of allotments having regard to current and likely future traffic levels and the safe and convenient movement of vehicles and pedestrians, and (b) That integrates with the existing roading network in a safe and efficient manner, except in circumstances where Council is satisfied that section 321(2) and (3) of the Local Government Act 1974 is to apply or where no new lots are to be created.

***16.4.3 Policy** - Adequate Infrastructure*

To require that the land to be subdivided is supplied with services and infrastructure that are adequate for the intended use of the land to be subdivided without the public interest being adversely affected.

***16.4.4 Policy** – Unreticulated Areas*

To require that subdivisions within unreticulated areas are designed to ensure that each allotment:

(a) Has the ability to adequately dispose of effluent and stormwater on site without compromising health, the life-supporting capacity of soil resources, the quality of ground and surface water resources, and the drainage and amenity values of adjoining properties: and that,

(b) An adequate supply of water can be provided, where this is appropriate to the intended use of the allotment.

***16.4.6 Policy** – Construction Standards*

To require that all physical works within subdivisions are designed and constructed in accordance with NZS 4404:1981 which is the Council's Subdivision Code of Practice unless Council determines modification of this code is necessary given the local conditions and particular circumstances affecting the subdivision.

Comments

The two lots are already serviced and the proposed boundary change will not compromise any access to these services. The new lots will continue to provide for complying access from Quinns Way.

6.0 RESOURCE MANAGEMENT ACT 1991: PART 2

The development will promote sustainable management of natural and physical resources within the site, whilst ensuring that social, economic, and cultural well-being is provided for. The proposal will avoid, remedy, and mitigate adverse effects of activities on the environment.

Overall, the proposal is in keeping with the purpose and principles of the RMA.

Prepared by **Karen Page**
CLARK FORTUNE MCDONALD & ASSOCIATES
October 2025

Appendix A: Records of Title and Consent Notices

Appendix B: Proposed Scheme Plan

Appendix C: Proposed Development Plan

Appendix D: RM200231

Appendix E: Highlands Design Review Board approval

COMO 5323967.2 CONSENT UNDER S22
CPV-01/01.POS-001.23/08/02.14:28

DocID: 110368458

Consent Notice

PURSUANT TO SECTION 221 OF THE RESOURCE MANAGEMENT ACT 1991

THE CENTRAL OTAGO DISTRICT COUNCIL hereby requests the District Land Registrar to annotate his memorial with the following Consent Notice issued with respect to Lots 1 & 2 Deposited Plan 307492

1. "Access to serve Lot 1 from Sandflat Road shall be located at least 50 metres from the intersection of Sandflat Road and State Highway 6."

2. "Access to serve Lot 1 via the right of way to Cemetery Road shall be located at least 70 metres from the intersection of Cemetery Road and State Highway 6. "

SIGNED at Alexandra this 16th day of May 2002

..... ~~Principal Administrative Officer~~ / Authorised Officer

View Instrument Details

Instrument No	12451331.5
Status	Registered
Date & Time Lodged	31 October 2022 16:54
Lodged By	Askham, Janine Lee
Instrument Type	Consent Notice under s221(4)(a) Resource Management Act 1991

Affected Records of Title	Land District
973344	Otago
973345	Otago
973346	Otago
973347	Otago
973348	Otago
973349	Otago
973350	Otago
973351	Otago
973352	Otago
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973396	Otago

Annexure Schedule Contains 5 Pages.

Signature

Signed by Helen Eileen Clarke as Territorial Authority Representative on 28/10/2022 04:08 PM

***** End of Report *****

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IN THE MATTER of Section 221 of the Resource Management Act 1991

AND

IN THE MATTER of an Application for Subdivision Consent by CROMWELL MOTORSPORT PARK TRUST LTD

CONSENT NOTICE

BACKGROUND

A. CROMWELL MOTORSPORT PARK TRUST LTD of Cromwell have applied to the Central Otago District Council pursuant to provisions of the Resource Management Act 1991 for its consent to subdivide land comprised and described in Record of Title 663001 & 663003 (Otago Registry) ("the land").

B. Council has granted subdivision consent (RC200231) subject to certain conditions which are required to be complied with on a continuing basis by the Owner of the land being those conditions specified in the Operative Part.

C. CROMWELL MOTORSPORT PARK TRUST LTD have since applied to vary certain conditions of RC200231. Council has granted subdivision consent variation (RC200231V1) subject to certain conditions which are required to be complied with on a continuing basis by the Owner of the land being those conditions specified in the Operative Part.

OPERATIVE PART

The following conditions pertaining to this Consent Notice are to be registered against the titles of the following allotments: -

Lot 201– 251 DP 556783

CONDITION:

9. The consent holder or successor shall be responsible for constructing heavy vehicle entranceways between the carriageway in Lot 501 and the boundaries of Lots 201- 251 in accordance with Part 29 of the Councils Roading Policies January 2015.

12. Stormwater from buildings and impermeable surfaces on Lots 201 -251 shall be discharged to soakpits(s) contained entirely within those lots.

Use and Development of Lots 201-251

30. Use of land and buildings on Lots 201 – 251 shall be for the primary purpose of servicing, maintenance, repair, design, manufacture, fabrication, testing or storage of vehicles, vehicle parts and other associated industries.

31. Residential accommodation on Lots 201 – 251 shall only occur above ground level associated with activities permitted under Condition 30 above.

32. Any development on Lots 201 – 251 shall comply with the following:

Bulk and Location of Buildings

(a) The height of any building shall not exceed 8m; and no yards are required except that no buildings are to be established within 25 meters of the eastern boundary of the site where that boundary adjoins the Cromwell Chafer Beetle Reserve (Lot 1 DP 18203).

(b) All lots shall have a maximum coverage of 75%, except for Lots 233-238 that are permitted to have a maximum building coverage of 100%.

Cladding

(c) All buildings shall be finished using a combination of some or all of the following materials:
   (i) Timber/Composite Weatherboard (vertical and horizontal);
   (ii) Plaster/Adobe/Rammed Earth/Masonry Products/Concrete;
   (iii) Stone;
   (iv) Coloured steel excluding unpainted zincalume and unpainted corrugated iron;
   (v) Weathered corrugated iron; and
   (vi) Brick.

Colours - Finishes

(d) 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;
Browns, greens, grey blue, greys, terracotta, tussock and dark reds provided that such colours shall have a Reflectivity Value (RV) of less than 38%.

(e) The roofs of buildings shall be in a low sheen in any colour that has a RV of less than 32% or shall be unpainted natural products such as timber shingles or slate.

Visual Amenity

(f) No shipping containers or temporary buildings (other than during construction) are to be located on-site.

(g) All areas open to the public and visible to the public shall be maintained in clean and tidy state.

Signage

(h) Signage shall be incorporated into the building design, not be free standing unless expressly approved by the Design Review Board.

(i) No sign shall be erected or painted on a building in a position that is higher than the carriageway facade of that part of the building upon which the sign is placed or affixed.

(j) Any sign suspended under a verandah shall have a minimum clearance of 2.5 meters from the footpath.

(k) The maximum area of an individual sign shall not exceed 3m².

(l) Plastic and/or internally illuminated & neon signage shall not be permitted. The use of fabricated and off set metal lettering is encouraged.

(m) Any signage on perimeter allotments facing out of the Commercial Park of Highlands Motorsport Park is to be kept to a maximum height of 2.5m and is to be coloured in muted tones to blend with the background. It is intended that texture and shadowing for signage be used instead of strong colours.

Landscaping

(n) All lots over 200m2 in total area shall include 15% landscaping of the total area, consisting of 80% native plants selected from the plant list that is attached at Appendix 2 and clearly set out and described in a Landscape Plan detailing quantities and size of all species to be submitted to and approved by the Design Review Board. All landscaping is to include a permanent in ground watering system complete with automatic timer.

(o) All landscape plantings shall be established within 3 months of the building being erected.

(p) Landscaping strips and planting protection areas adjacent to a car park shall be provided with wheel stop barriers. Such wheel stop barriers shall be located at least 1m from any tree.

(q) All areas of landscaping shall be maintained by the landowner and any dead, damaged or diseased plants shall be replaced within 3 months of identification as such.

Outdoor Services, Storage Areas & Fencing

(r) All outdoor service and storage areas shall be screened from all carriageways.

(s) No picket fence type enclosures shall be erected on the carriageway boundary of any allotments.

(t) No fencing shall be erected on any part of a lot, other than to screen outdoor service/storage areas or for security. Materials and finishes are to be identified on plans to be submitted to the Design Review Board.

Parking & Manoeuvring

(u) All activities shall comply with rule 12.7.2 Parking and Rule 12.7.3 Loading and Monoeuvring and Table 12.3 – Vehicle Parking Requirements of the Operative Central Otago District Plan.

Design Review Board

(v) All developments on Lots 201 – 251 within the Highlands Innovation and Technology Part at Highlands Motorsport Park will require Design Review Board approval. No construction may commence until such approval is given in writing.

Note: For the avoidance of doubt the Design Review Board is the Design Review Board that has been appointed pursuant to Condition 27 of RC 130153.

33. (a) Any application for building consent received by the Council for new buildings on Lots 201-205 shall be accompanied by an acoustic design certificate prepared by an acoustics engineer acceptable to the Chief Executive, that certifies that the design of the building is sufficient to ensure sound levels arising from activities beyond the premises will not exceed the maximum recommended design and sound levels (LAeq dB) for habitable rooms in houses and apartments located near major roads set out within Table 1 (page 11) of NZS 2107:2000 "Acoustics – Recommended Design Sound levels and Reverberation Times For Building Interiors", when measured in accordance with section 6 of that standard excluding between the hours of 8am to 6pm on any day.
OR

(b) Any application for building consent for any new buildings located on Lots201-251 shall include written confirmation from an Licensed Building Practitioner that the design of habitable spaces within any building of part of a building used for residential purposes has been checked and is confirmed to be constructed to meet or exceed the minimum specifications for each Building Element (as applicable) listed within the following table:

BUILDING ELEMENT	REQUIRED CONSTRUCTION	
External Wall	Exterior:	20mm timber or 6mm fibre cement
	Frame:	100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar two layers of 12.5mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass)
Windows	Up to 40% of wall area:	Maximum thickness 6mm glazing**
	Up to 60% of wall area:	Maximum thickness 8mm glazing**
	Up to 80% of wall area:	Minimum thickness 8mm laminated glass or minimum 10mm double glazing**
	Aluminum framing with compression seals (or equivalent)	
Pitched Roof	Cladding:	0.5mm profiled steel or tiles or 6mm corrugated fiber cement
	Frame:	Timber truss with 100mm acoustic blanket (R2.2 Batts or similar)
	Ceiling:	12.5 gypsum plaster board*
Skilion Roof	Cladding:	0.5mm profiled steel or 6mm fiber cement
	Sarking:	20mm particle board or plywood
	Frame:	100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar)
	Ceiling:	2 layers of 9.55mm gypsum plasterboard

External Door	Solid core door (min 24kg/m2) with weather seals

* Where exterior walls are of brick veneer or stucco plaster in the internal linings need to be no thicker than 9.5mm gypsum plasterboard
** Typical acoustic glazing usually involves thick single panes or laminated glass. Where two or more layers of glass are employed with an air gap between, total thickness of window glass may be calculated as the total of all glass layers (excluding air gap) provided that at least one glass layer shall be of a different thickness to other layer(s)

34. Noise levels at the boundary of the site shall not exceed an L(max) of 65 dBA provided that:
    - Corrected noise levels (L10) shall not exceed the following limit at the boundary of any Residential Resource Area or at the notional boundary of any building designed to accommodate people for any purpose located within the Rural Resource Area existing at the time this consent was granted:
        - 7.00am – 10.00pm 55 dBA L10
        - 10.00pm – 7.00am 40 dBA L10

40. Exterior lighting on the rear elevation of buildings on Lots 201-218 shall be:
    - Shielded from above in such a manner that the edge of the shield shall be below the whole of the light source
    - Have a filter to filter out the blue or ultraviolet light, provided the light source would have more than 15% of the total emergent energy flux (Watts per nanometer) in the spectral region below 440nm. The filters used must transmit less than 10% of the light at any wavelength less than 440nm. This therefore includes, but is not limited to, fluorescent, mercury vapor and metal halide lamps.

Dated this 7 day of October 2022

SIGNED for and on behalf
Of the CENTRAL OTAGO
DISTRICT COUNCIL by its
Principal Administrative Officer

RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD

Search Copy

R.W. Muir
Registrar-General
of Land

Identifier **973389**
Land Registration District **Otago**
Date Issued 31 October 2022

Prior References
663003

Estate Fee Simple
Area 600 square metres more or less
Legal Description Lot 247 Deposited Plan 556783
Registered Owners
Dean Bruce Telfer and Michelle Louise Telfer

Interests

5323967.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 23.8.2002 at 1:42 pm

Together with such parts of mines of coal or other minerals (if any) which are not taken by Proclamation 1503

Land Covenant in Easement Instrument 7849017.1 - 17.6.2008 at 9:00 am

Appurtenant hereto is a right of way, right to drain water and sewage and a right to convey water, electricity, telecommunications and computer media created by Easement Instrument 9809952.10 - 27.11.2014 at 4:17 pm

Some of the easements created by Easement Instrument 9809952.10 are subject to Section 243 (a) Resource Management Act 1991 (see DP 466637)

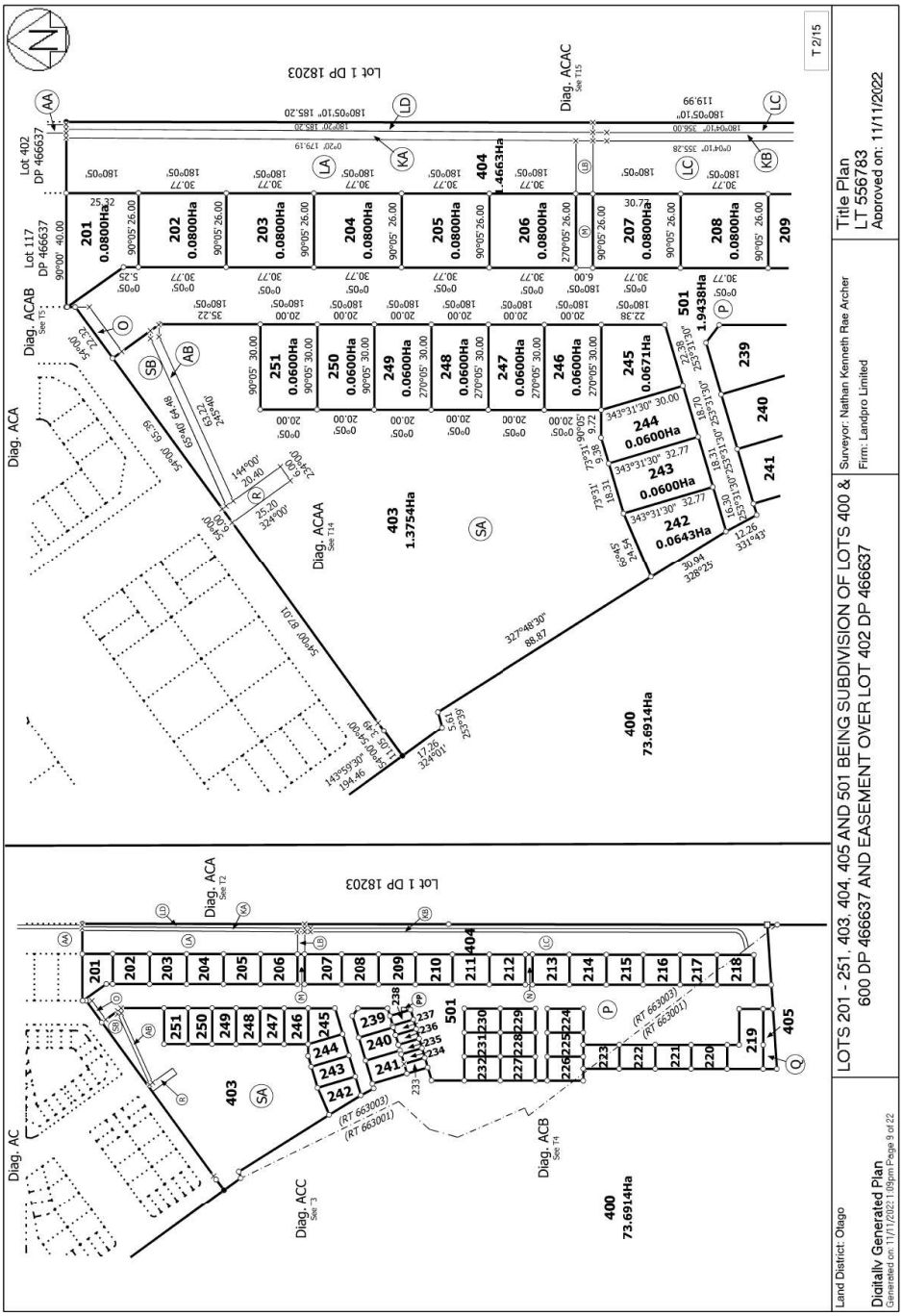
12451331.5 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 31.10.2022 at 4:54 pm

Appurtenant hereto is a right of way, right to drain water and sewage, a right to store, pump and drain sewage easement and a right to pump sewage easement created by Easement Instrument 12451331.10 - 31.10.2022 at 4:54 pm

The easements created by Easement Instrument 12451331.10 are subject to Section 243 (a) Resource Management Act 1991

12451331.12 Encumbrance to Highlands Industrial Park Services Limited - 31.10.2022 at 4:54 pm

Identifier **973389**



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD

Search Copy

R.W. Muir
Registrar-General
of Land

Identifier **973390**
Land Registration District **Otago**
Date Issued 31 October 2022

Prior References
663003

Estate Fee Simple
Area 600 square metres more or less
Legal Description Lot 248 Deposited Plan 556783
Registered Owners
Dean Bruce Telfer and Michelle Louise Telfer

Interests

5323967.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 23.8.2002 at 1:42 pm

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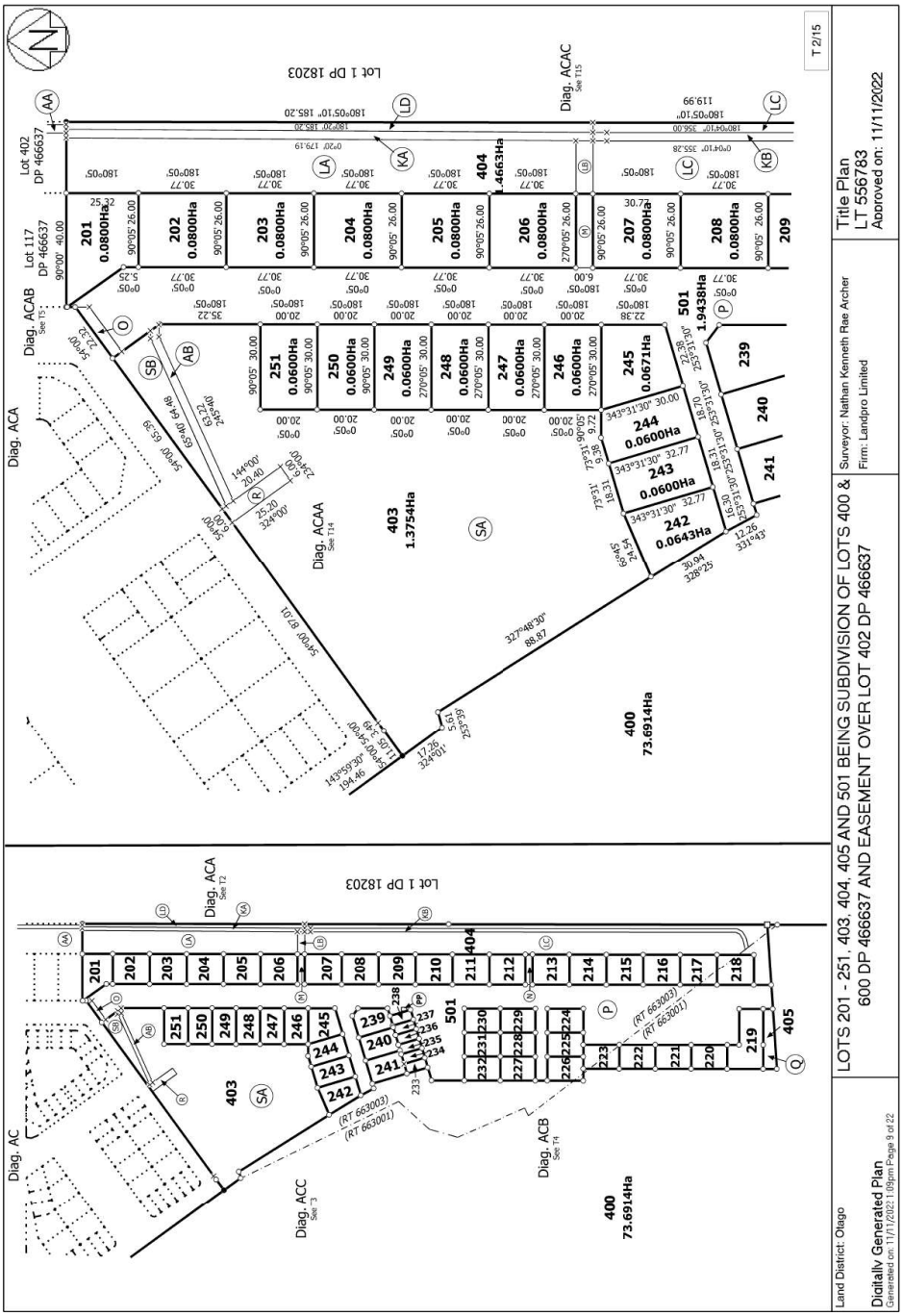
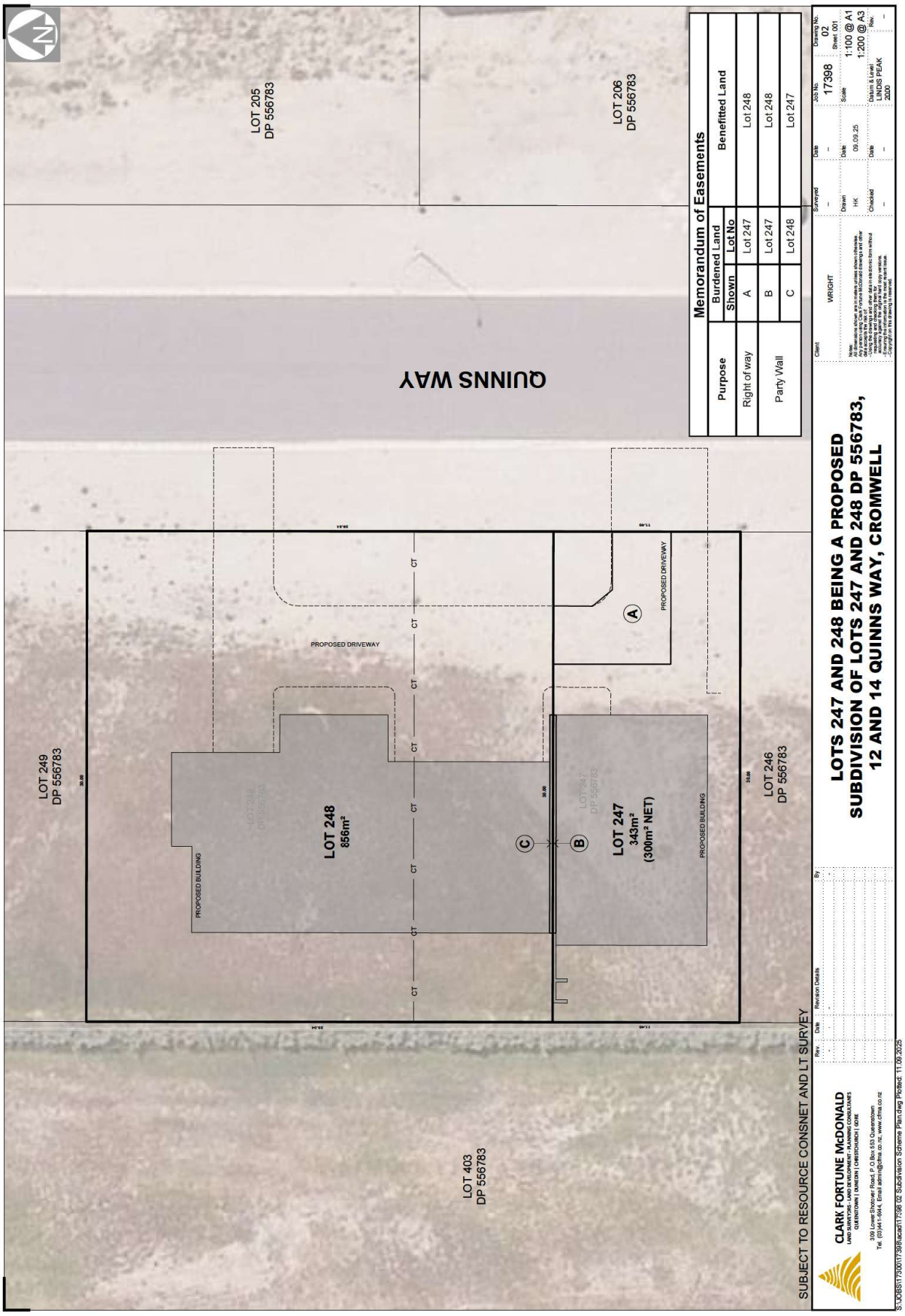
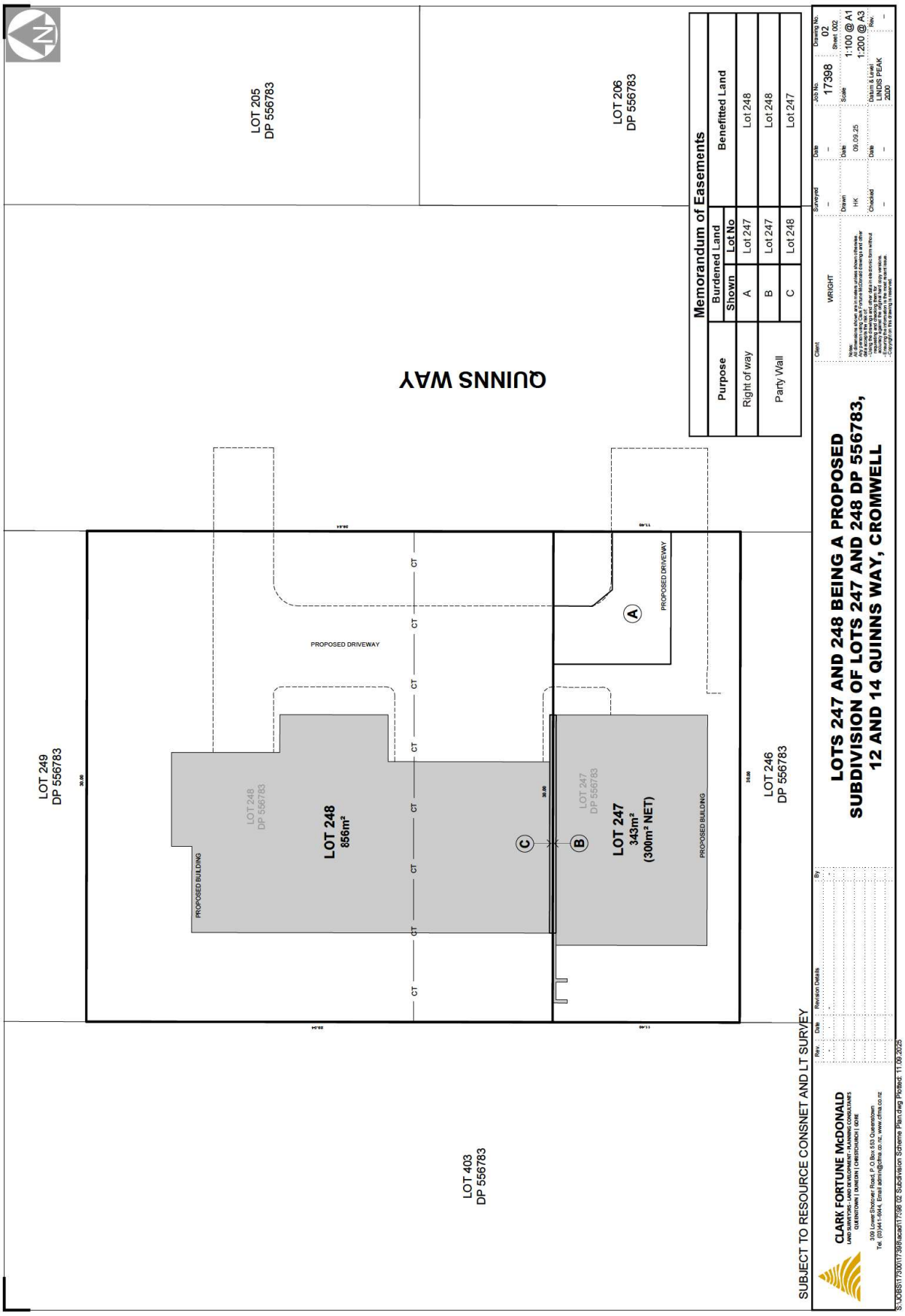
Identifier **973390**




LOTS 247 AND 248 BEING A PROPOSED SUBDIVISION OF LOTS 247 AND 248 DP 556783, 12 AND 14 QUINNS WAY, CROMWELL
QUINNS WAY
LOT 205 DP 556783
LOT 206 DP 556783
LOT 249 DP 556783
LOT 246 DP 556783
LOT 403 DP 556783
LOT 248 856m²
LOT 247 343m² (300m² NET)
PROPOSED DRIVEWAY
PROPOSED BUILDING
Memorandum of Easements
Purpose
Burdened Land
Shown
Lot No
Benefitted Land
Right of way
A
Lot 247
Lot 248
Party Wall
B
Lot 247
Lot 248
C
Lot 248
Lot 247
SUBJECT TO RESOURCE CONSNET AND LT SURVEY
CLARK FORTUNE McDONALD
LAND SURVEYORS - LAND DEVELOPMENT - PLANNING CONSULTANTS
QUEENSTOWN | DUNEDIN | CHRISTCHURCH | GORE
339 Lower Shotover Road, P O Box 553 Queenstown
Tel: (03)441-8944. Email admin@cfma.co.nz, www.cfma.co.nz
Client
WRIGHT
Surveyed
Drawn
HK
Checked
Date
09.09.25
Job No.
17398
Drawing No.
02
Sheet 001
Scale
1:100 @ A1
1:200 @ A3
Datum & Level
LINDIS PEAK 2000
Rev.
Date
Revision Details
By
S:\JOBS\17300\17398\acad\17398 02 Subdivision Scheme Plan.dwg Plotted: 11.09.2025


LOT 205
DP 556783
LOT 206
DP 556783
QUINNS WAY
Memorandum of Easements
Purpose
Burdened Land
Shown
Lot No
Benefitted Land
Right of way
A
Lot 247
Lot 248
Party Wall
B
Lot 248
Lot 247
C
Lot 248
Lot 247
LOT 249
DP 556783
LOT 248
856m²
LOT 247
343m²
(300m² NET)
PROPOSED DRIVEWAY
PROPOSED BUILDING
LOT 246
DP 556783
LOT 403
DP 556783
SUBJECT TO RESOURCE CONSNET AND LT SURVEY
LOTS 247 AND 248 BEING A PROPOSED
SUBDIVISION OF LOTS 247 AND 248 DP 556783,
12 AND 14 QUINNS WAY, CROMWELL
CLARK FORTUNE McDONALD
Client
WRIGHT
Surveyed
Drawn
HK
Checked
Date
09.09.25
Job No.
17398
Drawing No.
02
Sheet 002
Scale
1:100 @ A1
1:200 @ A3
Datum & Level
LINDIS PEAK
2000
Rev.
Date
Revision Details
By

TELFER RESIDENCE
12 AND 14 QUINNS WAY
HIGHLANDS DESIGN REVIEW
THE WRIGHT BUILD
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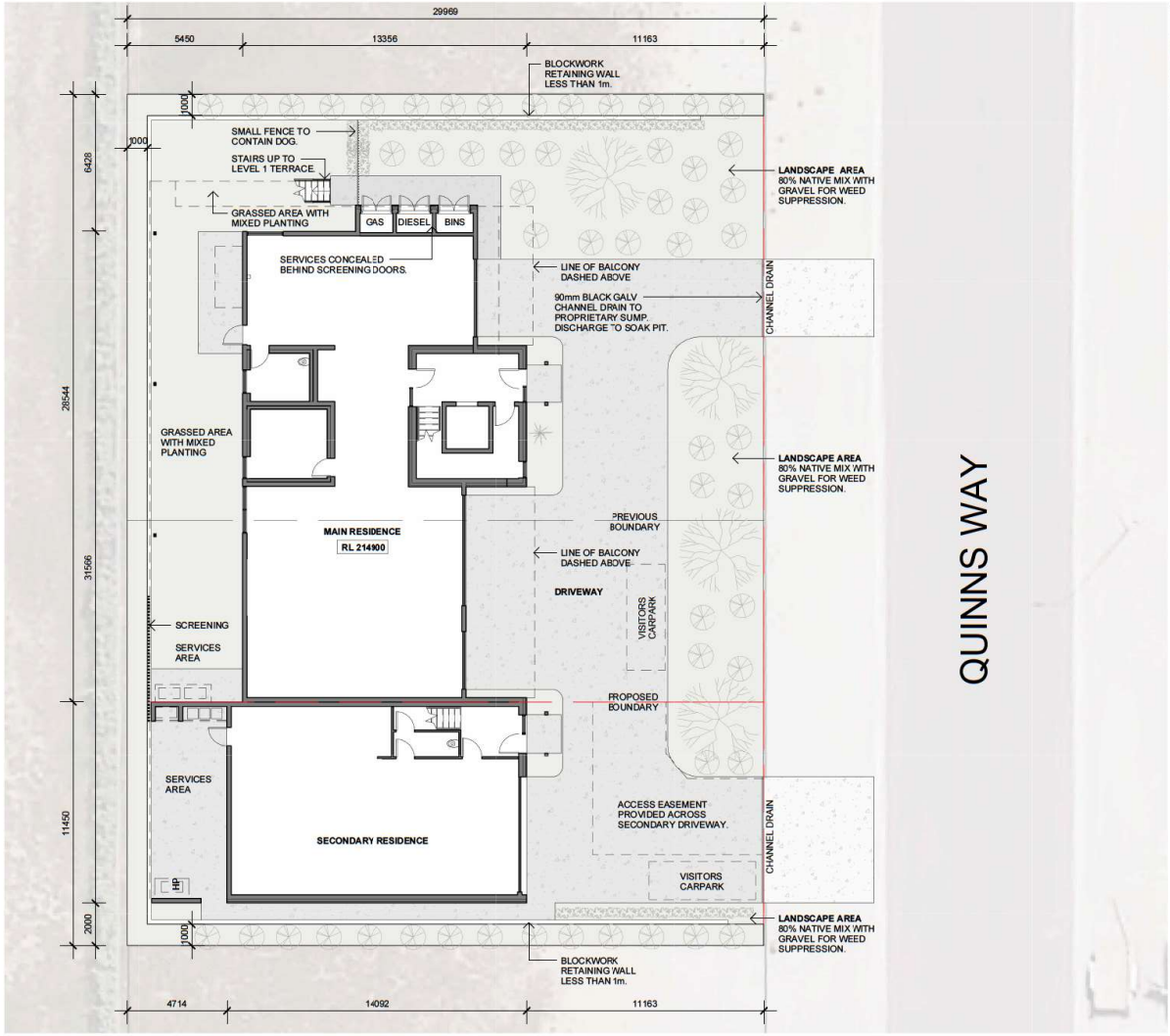
ram projects
PROPERTY DEVELOPMENT



1 **SITE PLAN**
1 : 200

LOCATION WITHIN HIGHLANDS

LANDSCAPE KEY

FEATURE TREE
- Cordyline australis
- Sophora microphylla

LOW PLANTING
- Anemanthele lessoniana
- Astelia nervosa
- Carex secta
- Carex testacea
- Muehlenbeckia astonii
- Phormium Varities

HEDGING
- Griselinia littoralis
- Pittosporum Varities

TOWN PLANNING	
12 AND 14 QUINNS WAY, CROMWELL LOTS 247/248, DP556783	
CENTRAL OTAGO DISTRICT COUNCIL	
MAXIMUM HEIGHT:	8m
ROAD SETBACK:	1m
BUILDING METRICS 12 QUINNS WAY	
SECTION AREA:	855 m²
COVERAGE (UNDER ROOF):	423m² / 50%
LANDSCAPING:	276m² / 32%
GFA	
GROUND LEVEL:	257 m²
LEVEL 1:	330 m²
TOTAL:	587 m²
BUILDING METRICS 14 QUINNS WAY	
SECTION AREA:	353 m²
COVERAGE (UNDER ROOF):	171m² / 48%
LANDSCAPING:	70m² / 20%
GFA	
GROUND LEVEL:	133 m²
LEVEL 1:	144 m²
TOTAL:	277 m²
ZONES	
CLIMATE ZONE: EARTHQUAKE ZONE: EXPOSURE ZONE: LEE ZONE: RAINFALL RANGE: WIND REGION: WIND ZONE:	
COUNCIL APPROVALS REQUIRED	
RESOURCE CONSENT: EXCAVATION TOTAL: 1100m³	
BOUNDARY ADJUSTMENT: RE-PROPORTION TWO LOTS.	
LANDSCAPE NOTES	
PLANTING TO CONSIST OF MINIMUM 80% NATIVE SPECIES.	
IN GROUND WATERING WITH TIMER REQUIRED.	
GENERAL NOTES	
SETOUT OF THE WORKS IS TO CONFORM WITH THE DRAWINGS. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ARCHITECT OF ANY DISCREPANCIES.	
THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS BOTH N THE DRAWINGS AND SITE.	
ALL WORKS TO COMPLY FULLY WITH ALL CURRENT HEALTH AND SAFETY REGULATIONS AND WITH ALL RELEVANT BUILDING CODES AND STANDARDS.	
THE ARCHITECTURAL DRAWINGS SHALL BE READ IN CONJUNCTION WITH THE ASSOCIATED SPECIFICATIONS AND CONDITIONS OF CONTRACT. THE DRAWINGS SHALL ALSO BE READ IN CONJUNCTION WITH THE STRUCTURAL, SERVICES, CIVIL AND OTHER PROJECT DOCUMENTS. ANY DISCREPANCIES IN THE ARCHITECTURAL DRAWINGS OR BETWEEN AND CONSULTANT DOCUMENTS SHALL BE REFERRED TO THE ARCHITECT FOR RESOLUTION.	
SUBSTITUTION FOR OR AMENDMENT OF SPECIFIED DETAILS OR MATERIAL SHALL NOT BE CARRIED OUT WITHOUT PRIOR APPROVAL OF THE ARCHITECT	
F5 - WORK SITE BARRIERS:	
1. WORK SITE BARRIERS TO BE IN COMPLETE ACCORDANCE WITH F5/AS1.	
2. BARRIERS ARE NOT NECESSARY FOR DOMESTIC DWELLINGS UP TO 2 STORIES ABOVE GROUND LEVEL UNLESS SPECIFIC HAZARDS EXIST.	
3. NO SPECIFIC SITE HAZARDS HAVE BEEN DENTIFIED IN THE DESIGN STAGE.	
4. IF SPECIFIC SITE HAZARDS ARE IDENTIFIED DURING CONSTRUCTION THEN BARRIERS FOR DIFFERENT SITE CONDITIONS MUST BE ERECTED IN ACCORDANCE WITH PARAGRAPH 1.0 AND TABLE 1 OF F5/AS1.	

TELFER RESIDENCE

12 AND 14 QUINNS WAY

THE WRIGHT BUILD
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PROPERTY DEVELOPMENT

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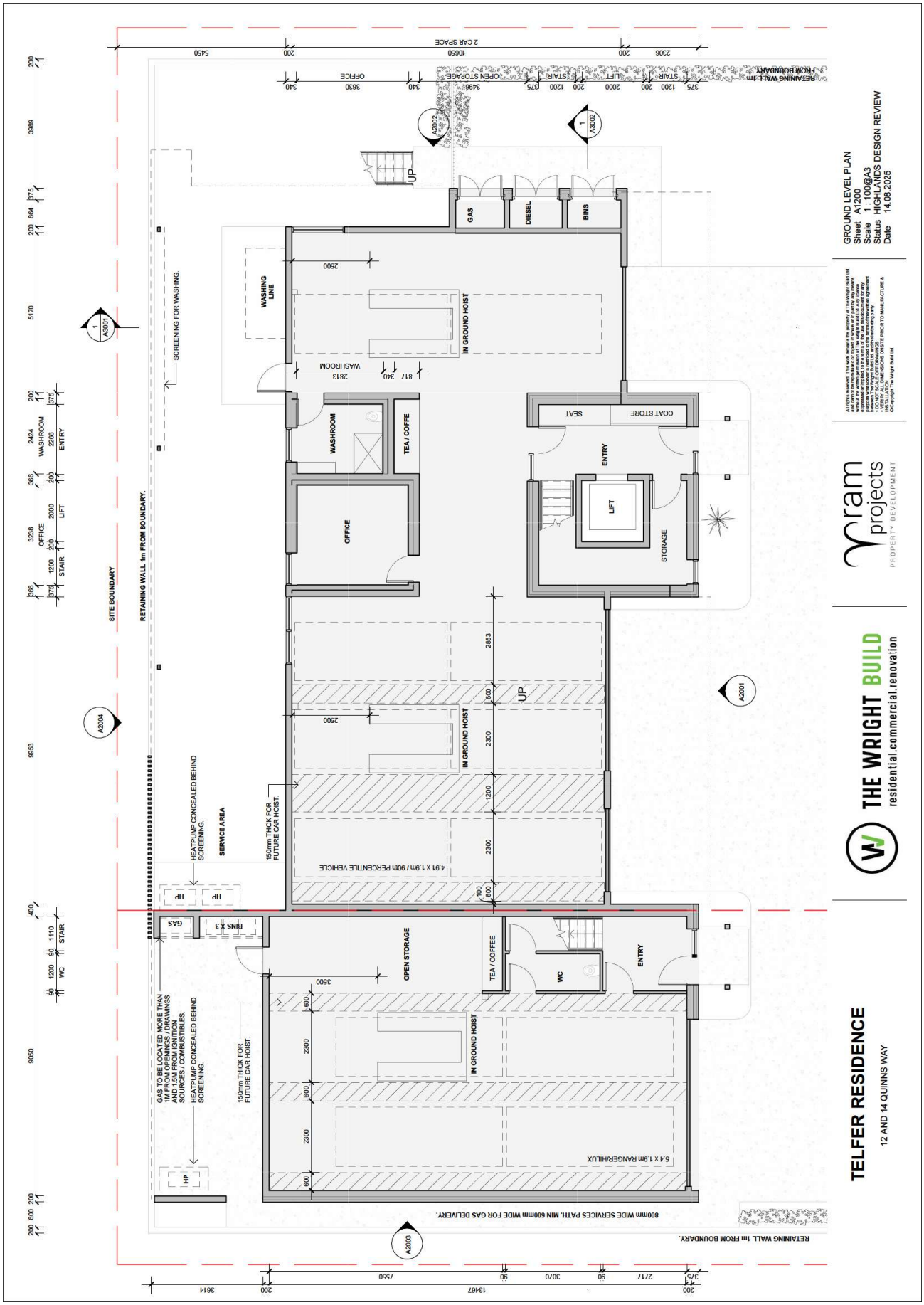
• DO NOT SCALE OFF DRAWINGS
• VERIFY ALL DIMENSIONS ONSITE PRIOR TO MANUFACTURE & INSTALLATION
© Copyright The Wright Build Ltd.

SITE PLAN
Sheet A1001
Scale As indicated@A3
Status LANDSCAPE PLAN
Date 15.08.2025


GROUND LEVEL PLAN
Sheet A1200
Scale 1 : 100@A3
Status HIGHLANDS DESIGN REVIEW
Date 14.08.2025
TELFER RESIDENCE
12 AND 14 QUINNS WAY
THE WRIGHT BUILD
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PROPERTY DEVELOPMENT
RETAINING WALL 1m FROM BOUNDARY.
SITE BOUNDARY
SCREENING FOR WASHING.
WASHING LINE
IN GROUND HOIST
WASHROOM
WASHROOM
TEA / COFFE
OFFICE
SEAT
COAT STORE
ENTRY
LIFT
STORAGE
GAS
DIESEL
BINS
UP
SERVICE AREA
HEATPUMP CONCEALED BEHIND SCREENING.
150mm THICK FOR FUTURE CAR HOIST.
4.9 x 1.9m / 90th PERCENTILE VEHICLE
OPEN STORAGE
TEA / COFFEE
WC
ENTRY
BINS X 3
GAS TO BE LOCATED MORE THAN 1.5M FROM OPENINGS AND 1.5M FROM IGNITION SOURCES / COMBUSTIBLES.
5.4 x 1.9m RANGER/HILUX
800mm WIDE SERVICES PATH. MIN 600mm WIDE FOR GAS DELIVERY.
RETAINING WALL 1m FROM BOUNDARY.
A2002
A3002
A3001
A2004
A2201
A2003

TELFER RESIDENCE
12 AND 14 QUINNS WAY
THE WRIGHT BUILD
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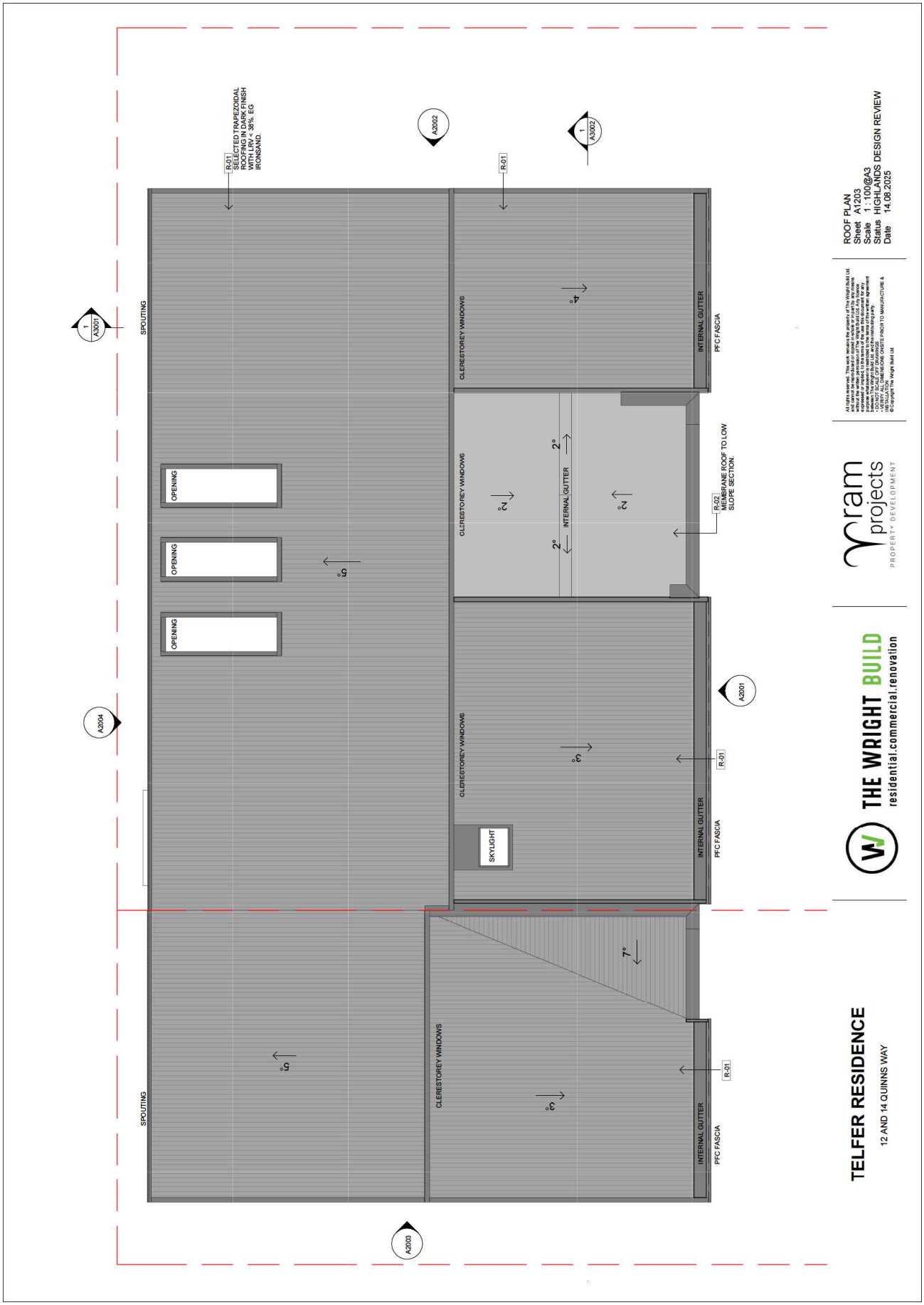
PROPERTY DEVELOPMENT
LEVEL 1 PLAN
Sheet A1201
Scale 1 : 100@A3
Status HIGHLANDS DESIGN REVIEW
Date 14.08.2025
LOUNGE
DINING
KITCHEN
TERRACE
BED 2
ENS 2
ENTRY
LIFT
SHALLOW STORE
PANTRY
BED 4
ENSUITE 1
BED 1
WIR
LAUNDRY
BED 3
BATHROOM
LIVING
BED 1
ENSUITE
BED 3
BATHROOM
BED 2


R-01
SELECTED TRAPEZOIDAL ROOFING IN DARK FINISH WITH LRV < 38%. EG IRONSAND.
SPOUTING
OPENING
OPENING
OPENING
CLERESTOREY WINDOWS
INTERNAL GUTTER
PFC FASCIA
INTERNAL GUTTER
R-02
MEMBRANE ROOF TO LOW SLOPE SECTION
SKYLIGHT
A2002
A2003
A2004
A3001
A3002
ROOF PLAN
Sheet A1203
Scale 1 : 100@A3
Status HIGHLANDS DESIGN REVIEW
Date 14.08.2025
TELFER RESIDENCE
12 AND 14 QUINNS WAY
THE WRIGHT BUILD
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PROPERTY DEVELOPMENT

SITE BOUNDARY
LINE OF CLERESTORY WINDOWS SET BACK FROM FACE OF ELEVATION.
8m HEIGHT LIMIT AT FACE OF NEAREST ELEVATION.
R-01 SELECTED ROOFING IN DARK FINISH.
STEEL PFC EDGE DETAIL. BLACK FINISH.
T-01 VERTICAL SHIPLAP CEDAR CLADDING. NATURAL STAIN.
SEMI-FRAMELESS GLASS BALUSTRADE
219200 LEVEL 1
C-01 PRECAST CONCRETE. U4 FINISH.
STAIR TO ACCESS TERRACE.
LOW GATE TO REAR.
RETAINING WALL >1m
214900 GROUND
ORIGINAL GROUND LINE AT NEAREST FACE OF ELEVATION PRE EXCAVATION PROPOSED.
ALL DOORS TO BE SECTIONAL DOORS WITH CLEAR LIGHTS ABOVE AND PANEL DARK FINISH TO MATCH ROOFING.
C-02 PRECAST CONCRETE. BOARD FROM FINISH.
SECTIONAL DOORS WITH CLEAR PANELS.
C-01
C-02 PRECAST CONCRETE. BOARD FROM FINISH.
T-01
C-01
SITE BOUNDARY
T-01 VERTICAL SHIPLAP CEDAR CLADDING. NATURAL STAIN.
C-01 PRECAST CONCRETE. U4 FINISH.
C-02 PRECAST CONCRETE. BOARD FROM FINISH.
FC-01 FIBRE CEMENT SHEET PAINTED TO MATCH ROOFING.
R-01 SELECTED ROOFING IN DARK FINISH. EG IRONSAND.
1 EAST ELEVATION
1 : 100
TELFER RESIDENCE
12 AND 14 QUINNS WAY
THE WRIGHT BUILD
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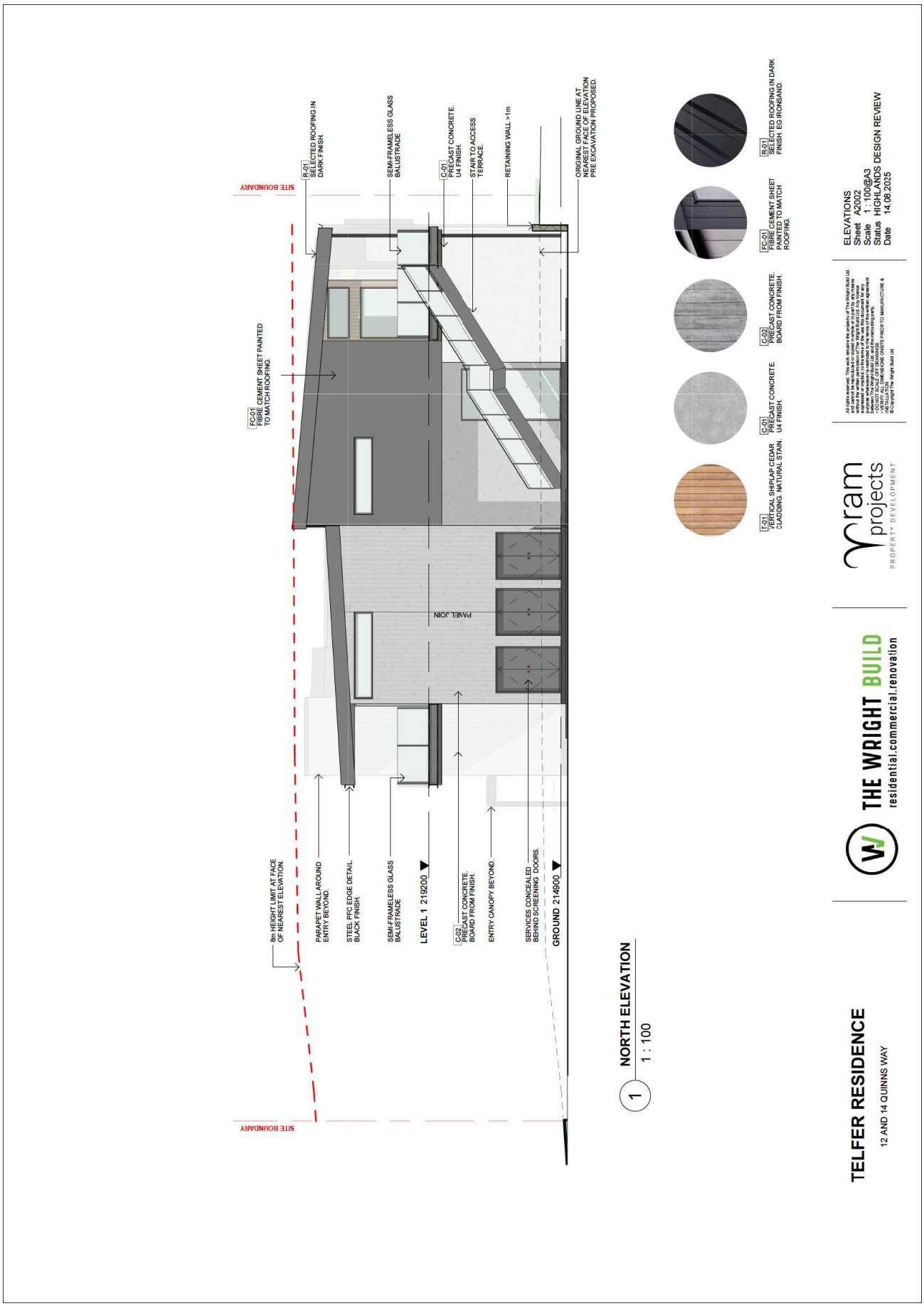
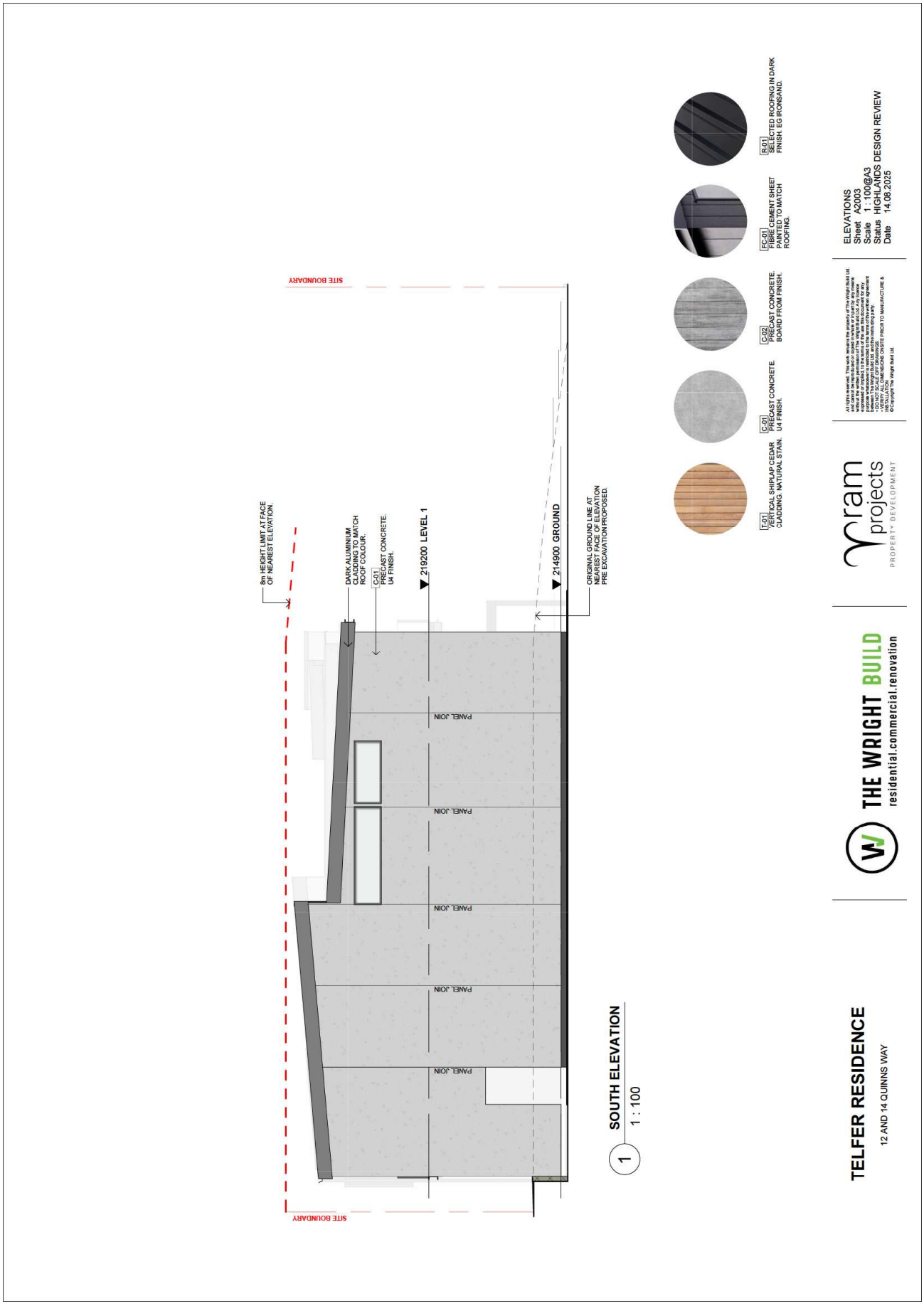
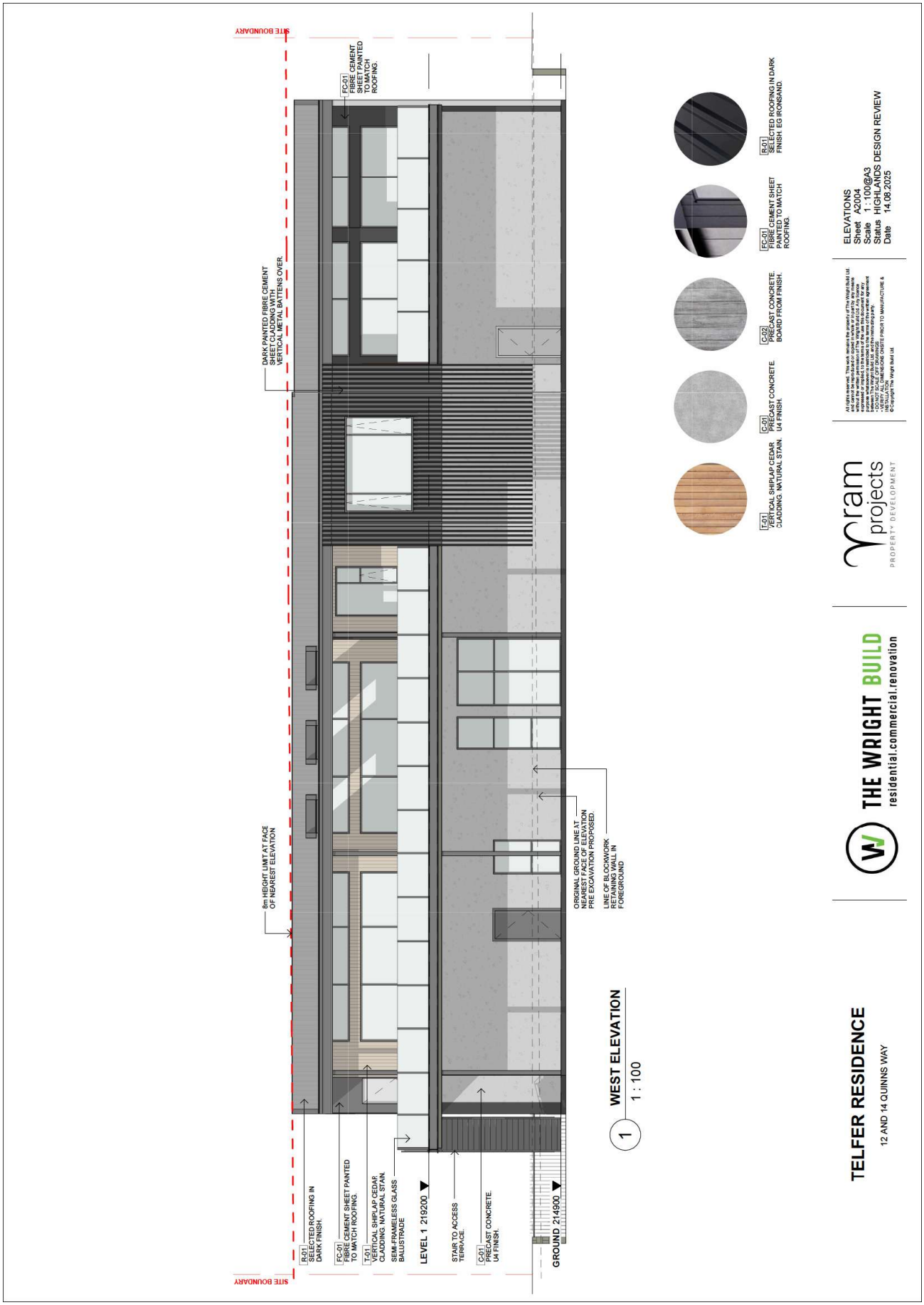
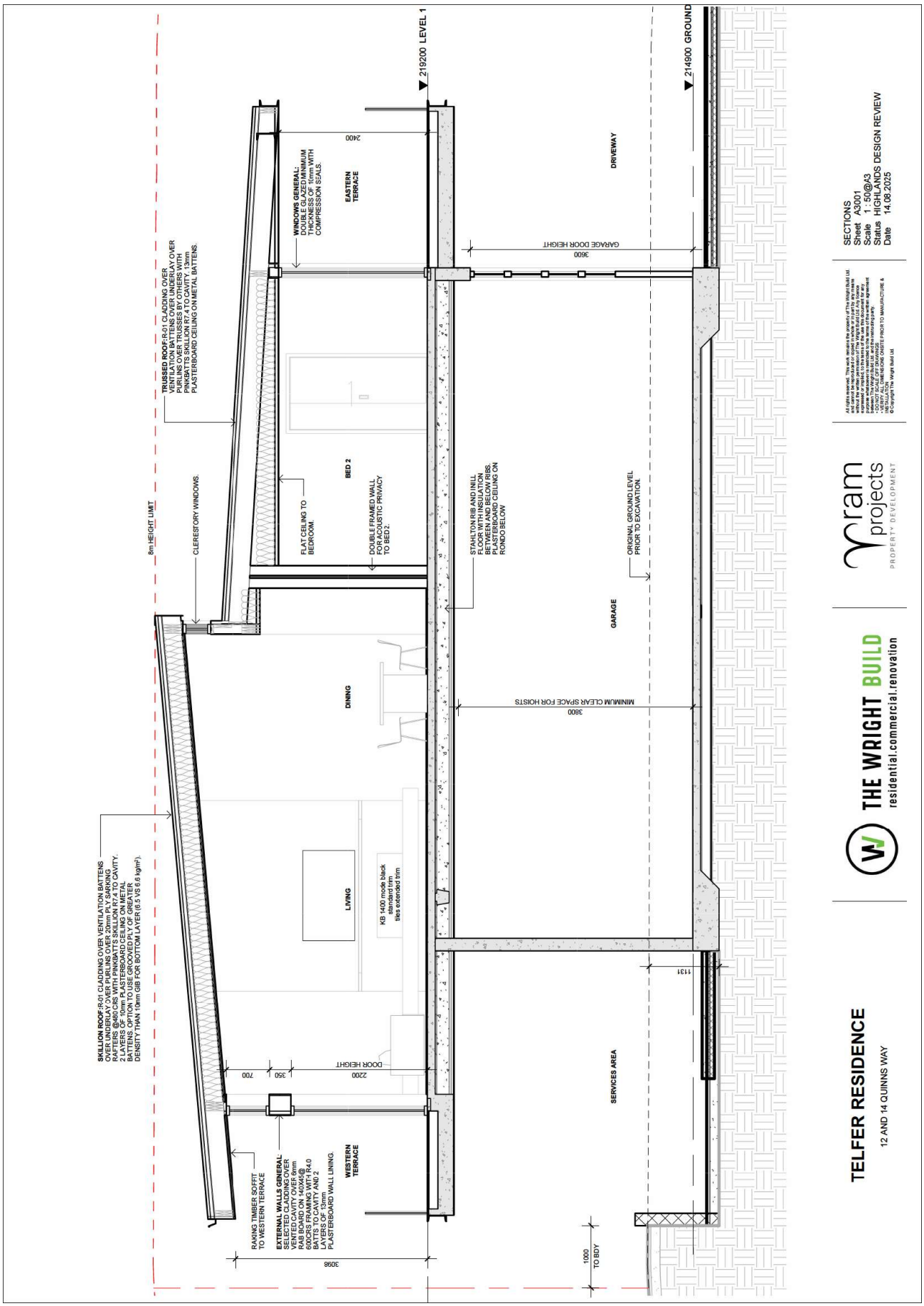
yram projects
PROPERTY DEVELOPMENT
ELEVATIONS
Sheet A2001
Scale As indicated@A3
Status HIGHLANDS DESIGN REVIEW
Date 14.08.2025


SITE BOUNDARY
R-01 SELECTED ROOFING IN DARK FINISH.
SEMI-FRAMELESS GLASS BALUSTRADE
C-01 PRECAST CONCRETE. U4 FINISH.
STAIR TO ACCESS TERRACE.
RETAINING WALL >1m
ORIGINAL GROUND LINE AT NEAREST FACE OF ELEVATION PRE EXCAVATION PROPOSED.
FC-01 FIBRE CEMENT SHEET PAINTED TO MATCH ROOFING.
PANEL JOIN
8m HEIGHT LIMIT AT FACE OF NEAREST ELEVATION.
PARAPET WALL AROUND ENTRY BEYOND.
STEEL PFC EDGE DETAIL BLACK FINISH.
SEMI-FRAMELESS GLASS BALUSTRADE
LEVEL 1 219200
C-02 PRECAST CONCRETE. BOARD FROM FINISH.
ENTRY CANOPY BEYOND.
SERVICES CONCEALED BEHIND SCREENING DOORS.
GROUND 214900
SITE BOUNDARY
T-01 VERTICAL SHIPLAP CEDAR CLADDING. NATURAL STAIN.
C-01 PRECAST CONCRETE. U4 FINISH.
C-02 PRECAST CONCRETE. BOARD FROM FINISH.
FC-01 FIBRE CEMENT SHEET PAINTED TO MATCH ROOFING.
R-01 SELECTED ROOFING IN DARK FINISH. EG IRONSAND.
1 NORTH ELEVATION
1 : 100
TELFER RESIDENCE
12 AND 14 QUINNS WAY
THE WRIGHT BUILD
residential.commercial.renovation
yram projects
PROPERTY DEVELOPMENT
ELEVATIONS
Sheet A2002
Scale 1 : 100@A3
Status HIGHLANDS DESIGN REVIEW
Date 14.08.2025


SITE BOUNDARY
8m HEIGHT LIMIT AT FACE OF NEAREST ELEVATION.
DARK ALUMINUM CLADDING TO MATCH ROOF COLOUR.
C-01 PRECAST CONCRETE. U4 FINISH.
219200 LEVEL 1
214900 GROUND
ORIGINAL GROUND LINE AT NEAREST FACE OF ELEVATION PRE EXCAVATION PROPOSED.
PANEL JOIN
PANEL JOIN
PANEL JOIN
PANEL JOIN
PANEL JOIN
SITE BOUNDARY
1 SOUTH ELEVATION
1 : 100
T-01 VERTICAL SHIPLAP CEDAR CLADDING. NATURAL STAIN.
C-01 PRECAST CONCRETE. U4 FINISH.
C-02 PRECAST CONCRETE. BOARD FROM FINISH.
FC-01 FIBRE CEMENT SHEET PAINTED TO MATCH ROOFING.
R-01 SELECTED ROOFING IN DARK FINISH. EG IRONSAND.
ram projects
PROPERTY DEVELOPMENT
THE WRIGHT BUILD
residential.commercial.renovation
TELFER RESIDENCE
12 AND 14 QUINNS WAY
ELEVATIONS
Sheet A2003
Scale 1 : 100@A3
Status HIGHLANDS DESIGN REVIEW
Date 14.08.2025


SITE BOUNDARY
FC-01 FIBRE CEMENT SHEET PAINTED TO MATCH ROOFING.
DARK PAINTED FIBRE CEMENT SHEET CLADDING WITH VERTICAL METAL BATTENS OVER.
8m HEIGHT LIMIT AT FACE OF NEAREST ELEVATION
ORIGINAL GROUND LINE AT NEAREST FACE OF ELEVATION PRE EXCAVATION PROPOSED.
LINE OF BLOCKWORK RETAINING WALL IN FOREGROUND
R-01 SELECTED ROOFING IN DARK FINISH.
FC-01 FIBRE CEMENT SHEET PAINTED TO MATCH ROOFING.
T-01 VERTICAL SHIPLAP CEDAR CLADDING. NATURAL STAIN.
SEMI-FRAMELESS GLASS BALUSTRADE
LEVEL 1 219200
STAIR TO ACCESS TERRACE.
C-01 PRECAST CONCRETE. U4 FINISH.
GROUND 214900
SITE BOUNDARY
1 WEST ELEVATION
1 : 100
R-01 SELECTED ROOFING IN DARK FINISH EG IRONSAND.
FC-01 FIBRE CEMENT SHEET PAINTED TO MATCH ROOFING.
C-02 PRECAST CONCRETE. BOARD FROM FINISH.
C-01 PRECAST CONCRETE. U4 FINISH.
T-01 VERTICAL SHIPLAP CEDAR CLADDING. NATURAL STAIN.
TELFER RESIDENCE
12 AND 14 QUINNS WAY
THE WRIGHT BUILD
residential.commercial.renovation
yram projects
PROPERTY DEVELOPMENT
ELEVATIONS
Sheet A2004
Scale 1 : 100@A3
Status HIGHLANDS DESIGN REVIEW
Date 14.08.2025


TELFER RESIDENCE
12 AND 14 QUINNS WAY
THE WRIGHT BUILD
residential.commercial.renovation
yram projects
PROPERTY DEVELOPMENT
SECTIONS
Sheet A3001
Scale 1 : 50@A3
Status HIGHLANDS DESIGN REVIEW
Date 14.08.2025
219200 LEVEL 1
214900 GROUND
8m HEIGHT LIMIT
CLERESTORY WINDOWS.
TRUSSED ROOF:R-01 CLADDING OVER VENTILATION BATTENS OVER UNDERLAY OVER PURLINS OVER TRUSSES BY OTHERS WITH R5.0 INSULATION BATTS TO CEILING ITSELF. 13mm PLASTERBOARD CEILING ON METAL BATTENS.
WINDOWS GENERAL: DOUBLE GLAZED MINIMUM THICKNESS OF 10mm WITH COMPRESSION SEALS.
2400
EASTERN TERRACE
BED 2
FLAT CEILING TO BEDROOM.
DOUBLE FRAMED WALL FOR ACOUSTIC PRIVACY TO BED 2.
STAHLTON RIB AND INILL FLOOR WITH INSULATION BETWEEN AND BELOW RIBS. R4.0 BATTS TO UNDERSIDE CEILING ON RONDO BELOW
ORIGINAL GROUND LEVEL PRIOR TO EXCAVATION.
DRIVEWAY
GARAGE DOOR HEIGHT
3600
DINING
LIVING
KB 1400 mode black standard trim tiles extended trim
MINIMUM CLEAR SPACE FOR HOISTS
3800
SKILLION ROOF:R-01 CLADDING OVER VENTILATION BATTENS OVER UNDERLAY OVER PURLINS OVER 23mm H1.3 SARKING RAFTERS @600 CRS WITH R4.0 BATTS IN ROOF CAVITY. 2 LAYERS OF 10mm PLASTERBOARD CEILING ON METAL BATTENS. OPTION TO USE GROOVED PLY OF GREATER DENSITY THAN 10mm GIB FOR BOTTOM LAYER (6.5 VS 6.6 kg/m²).
DOOR HEIGHT
2200
700
350
1131
SERVICES AREA
RAKING TIMBER SOFFIT TO WESTERN TERRACE
EXTERNAL WALLS GENERAL: EFFECT PLASTER OVER VENTED CAVITY OVER 6mm RAB BOARD ON 140X45@ 600CRS FRAMING WITH R4.0 BATTS TO CAVITY AND 2 LAYERS OF 13mm PLASTERBOARD WALL LINING.
WESTERN TERRACE
3096
1000 TO BDY
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CENTRAL OTAGO DISTRICT COUNCIL
CROMWELL MOTORSPORT PARK TRUST LTD, CROMWELL : RC200231

Amended pursuant to section 127 of the Resource Management Act 1991 on 22 April 2022 – See decision for RC200231V1

Introduction

The Cromwell Motorsport Park Trust Ltd has made application for subdivision consent to create 56 allotments (with 51 of the allotments to be used for activity associated with vehicles and residential activity); and for land use consent to authorise such land use activity. Access to the subdivision is to be achieved primarily from Cemetery Road and Monaco Drive (within the existing Highlands Innovation and Technology Park (HITP)) and the sites subject to the application are described as Lot 400 DP 466637 and Lot 600 DP 466637 as contained in Records of Title (RT) 663001 and 663003, respectively, at the Otago Land Registry.

The Council has given consideration to the information submitted in support of the application and to the submissions and evidence presented by Ms Irving, Ms Spillane, Mr Carr (remotely) and Mr Curran who appeared with Mr Aitken in support of the application. Consideration has also been given to the written submissions and supporting information provided by Mr Goldsmith in support of the submission by River Terrace Developments Limited, noting that Mr Goldsmith was unable to attend the hearing; and to the written statement dated 16 October 2020 provided by Ms McMinn with respect to the submission by Waka Kotahi NZ Transport Agency (Waka Kotahi).

Mr Goldsmith's submissions were received on the morning of the hearing. Attached to his submissions was a statement of evidence dated 19 February 2020 that had been presented by Mr Staples in the context of RC190404; and correspondence from Mr Styles to Mr Goldsmith dated 27 October 2020. Ms Irving, in reply, submitted that the documents attached to Mr Goldsmith's submissions should not be accepted on the basis that they had been filed out of time; or in the alternative that no weight should be given to this material as the applicant has had no opportunity to respond to the documents.

The Council has come to the view that the material attached to Mr Goldsmith's submissions is simply supporting information only; and not evidence. The Council notes, in this context, that Mr Goldsmith in an email dated 20 October 2020 formally advised the Council that his client would not be lodging any evidence with respect to the current proposal being RC200231. In summary the documents provided with Mr Goldsmith's submissions have been treated as supporting information only; and have not been accepted as expert evidence at the hearing of RC200231.

The application was publicly notified and 8 formal submissions in response to the proposal were received by the closing date of 24 September 2020. A late submission from Sam Gordon Graham was received by the Council on 2 October 2020. Section 37(1) of the Resource Management Act 1991 (the Act) provides for a consent authority to extend a time period for the receipt of a submission; and the Council so resolves, having taking into account the matters listed in section 37A(1) of the Act, and the late submission is therefore accepted.

A summary of all of the submissions received and decisions sought is presented in Annex 1. It is emphasised that only a summary of the contents of each submission is presented in Annex 1 and that further details are contained in the full text of the submissions. It is noted that where submitters support the proposal the decision requested is stated in the summary as to "Grant consent" notwithstanding that this may not have been explicitly stated in the submission.

The applicant has provided affected party approvals at Appendix 4 to the application document. Some 62 affected persons approvals have been received. Those who have provided affected persons approvals are listed at Annex 2 to this decision. The affected persons approval from the Director-General of Conservation is subject to four conditions which are presented at Appendix 1 to that affected persons approval. These conditions are to mitigate effects on the Cromwell Chafer Beetle Reserve that is located immediately to the east of the site being Lot 1 DP 18023. The Cromwell Chafer Beetle Reserve is identified as Area of Significant Natural Value 1 (SN 1) on Map 44 of the Operative District Plan.

Zoning & Status of Proposal

The site is located within the Rural Resource Area in the Operative Central Otago District Plan. Rule 4.7.5(iii) confirms that a subdivision that creates allotments with an average area less than 8 hectares and/or an area less than 2 hectares in the Rural Resource Area is a non-complying activity. In this instance the average and minimum lot areas are breached.

Rule 4.7.6B(b) states that more than 3 persons shall be engaged in any activity of a commercial, industrial or manufacturing nature. A breach of Rule 4.7.6B is a discretionary activity in terms of Rule 4.7.4(i).

Rule 4.7.3(vii)(b) stipulates that there shall be no more than 1 residential activity on the relevant certificate of title. In this instance consent is sought for residential accommodation in conjunction with other built development and if this occurs prior to subdivision a breach of Rule 4.7.3(vii) will result. A breach of Rule 4.7.3(vii)(b) is a discretionary activity in terms of Rule 4.7.4(i).

Rule 4.7.6A(a) stipulates minimum side and rear yards of 25 metres and front yards of 10 metres for buildings used for residential activity. A breach of Rule 4.7.6A(a) is a discretionary (restricted) activity in terms of Rule 4.7.3(i).

Rule 4.7.6J(b) stipulates a maximum area of 2000m^2 and a maximum quantity of 3000m^3 for earthworks on any site. A breach of these standards is a discretionary activity in terms of Rule 4.7.4(i).

Mr Curran anticipates that retail activity will occur this being within the scope of the servicing, maintenance, repair, design, manufacture, fabrication, testing or storage of vehicles, vehicle parts and other associated industries. Retail activity is a non-complying activity in terms of Rule 4.7.5(iv).

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES) come into force on 1 January 2012. In the absence of information being provided by a territorial authority/regional council or a preliminary site investigation to establish whether the site is a piece of land for the purposes of the NES; the proposal is a discretionary activity in terms of Regulation 11(2) of the NES.

Having regard to the above the proposal has been considered as an application for subdivision consent and land use consent to a non-complying activity pursuant to sections 104, 104B and 104D of the Resource Management Act 1991; and as an application for consent under Regulation 11(2) of the NES.

Planning History

The existing HITP has frontage to Cemetery Road and has been developed as authorised by RC 070149 (discussed further below) for individuals/businesses to undertake activities associated with the motorsport industry (and other similar industries) with residential

accommodation above. The current proposal is to extend the HITP onto land to the south; and the applicant refers to the current proposal as "Stage 2" of the HITP. Before describing the proposal in further detail it is appropriate to discuss the planning history of this land.

On 23 December 2009 the Environment Court issued a Final Decision that granted land use consent to Cromwell Motorsport Trust Limited for the development and operation of a motorsport park on the subject site that is bounded by the Chafer Beetle Reserve, Cemetery Road and Sandflat Road on the outskirts of Cromwell. This land use consent is RC 070149. Attached at Annex 3 to this decision is a plan entitled Figure 3 which shows Area "A" and Area "B" as referred to in the conditions of consent for RC 070149.

Area "A" as shown on the plan at Annex 3 is utilised as a Commercial Park as provided for in Condition 14 of RC 070143. The Assessment of Environmental Effects (AEE) for RC 070143 provided information with respect to the Commercial Park as follows:

> *"The second element of the proposal [the first element being those activities that will utilise the 3.7 kilometre Highlands Motorsport Park track] is to be located behind the pit area, and comprises an automotive related commercial park. Access to the park will be from Cemetery Road. The park will contain sites for the development of commercial buildings, yards, and offices. A common architectural theme will be promoted within this area in order to create a stylish and modern complex.*
>
> *Once consent is granted for this aspect of the proposal, it is likely that the parks development will be facilitated by subdivision. This would occur in accordance with Councils normal industrial subdivision standards. All services, including the internal roading network, will be developed to the appropriate Council standard. However no consent is sought for subdivision at this stage of the process."*

Subsequent to the release of the decision RC 070143 part of the Commercial Park identified as Area "A" was subdivided into 47 allotments as consented by RC 130153 dated 3 September 2013. In 2014 a subsequent subdivision consent RC 140009 consented 12 additional allotments to be created from two lots created by RC130153. The built development on the allotments created by RC 130153 and RC 140009 was authorised by the original land use consent RC 070143.

In 2015 a fresh land use consent RC150225 was granted by Commissioner Nugent to replace RC 070149 as it related to the Highlands Motorsport Park. As noted in the current application, RC 150225 was to resolve ambiguities associated with conditions relating to the management of environmental effects, notably noise. It was considered, in the context of RC 150225 that undeveloped land, being Lot 600 DP 466637, would be better utilised for the motorsport park *per se* rather than the HITP; and accordingly the land use consent RC 070149 that allowed construction of buildings on this part of Area "A" as part of the HITP was surrendered.

The current application discloses that the applicant has now determined that Lot 600 DP 466637 (and approximately 1 hectare of Lot 400 DP 466637) would be better utilised for a Commercial Park/HITP as was originally intended when RC 070149 was granted. The current application RC 200231 is to facilitate such subdivision and development on that land.

The Proposal

Information submitted in support of the application confirms that the applicant intends to subdivide the sites, that have a total area of 81.7479 hectares more or less, to create the following allotments:

• Lots 201 – 218	Freehold lots 800m^2 in area

• Lots 219 – 232, Lots 240-244 and Lots 246 – 251	Freehold lots 600m^2 in area
• Lots 233 – 238	Freehold lots 150m^2 in area
• Lot 239	Freehold lot 610m^2 in area
• Lot 245	Freehold lot 670m^2 in area
• Lot 403, Lot for greenspace/motorsport race day parking	Lot to be retained by applicant 1.3660 ha
• Lot 404	Lot to be retained by applicant for greenspace/extension to Chafer Beetle Reserve buffer area 1.4660 ha
• Lot 405	Lot to be retained by applicant part of which is to be used for trailer parking – 3,418m^2.
• Lot 501	Lot to be retained by applicant for private road (access) – 1.95 ha
• Lot 400	Residue of existing Lot 400 Highlands Motorsport Park and Facilities – 73.5 ha

The amended plan of subdivision attached to Mr Curran's evidence confirms that Lots 403, 404, 405 and 501 are to be amalgamated with Lots 401, 402 and 500 DP 466637 and Lot 22 DP 506007 being access and amenity lots created by RC130153 that are also owned by the applicant.

The applicant has noted that the proposed lot sizes are similar to those created by RC 130153 and RC 140009; to allow future development on the extension to the HITP similar to that which has occurred in the existing HITP. Development on the land is to be restricted to the use of land for the servicing, maintenance, repair, design, manufacture, fabrication, testing or storage of vehicles, vehicle parts and other associated industries consistent with activities previously authorised by RC 070149; with residential accommodation restricted to above ground level. A suite of development controls are proposed with respect to Lots 201 – 251 of the proposed subdivision; such controls being generally consistent with those imposed in the context of RC 130153. Such conditions are to be subject to a consent notice. These conditions are detailed in Part 2.2.3 of the current application and relate to the following:

1. Activities on lots.
2. Bulk and location of buildings.
3. Cladding.
4. Colours – finishes.
5. Visual amenity.
6. Signage.
7. Landscaping.
8. Outdoor services, storage areas & fencing.
9. Parking & manoeuvring.
10. Design Review Board.

The applicant advises that existing utilities (electricity & telecommunications, water and wastewater) servicing the existing HITP will be extended to service the proposed lots in the subdivision. All stormwater will be disposed of on-site by appropriately sized soakpits; and Mr Curran has suggested a condition, to be subject to a consent notice, with respect to stormwater management. Roading and access for the subdivision has been designed in accordance with the Council's Local Road classification. All future on-site parking is to be adequately contained within each proposed allotment.

Effects of Activity

Intensive subdivision and development in the Rural Resource Area can detract from amenity values. The Operative District Plan therefore controls the size of allotments in rural subdivisions to control the density and intensity of development. The proposed subdivision will create titles which will have an average area of approximately 4600m^2 [with Lot 400 having a deemed area of 16 hectares for averaging purposes in accordance with Rule 4.7.4(iii)] with all freehold allotments for disposal breaching the minimum area requirement of 2 hectares, being between 150m^2 and 800m^2 in area.

It is appropriate to acknowledge the consented subdivision and development in the immediate vicinity of the land subject to this application. It is noted, in particular, that the Highlands Motorsport Park is an established land use activity originally consented by RC 070143 and more recently consented by RC 150225. The Highlands Motorsport Park occupies land including Lot 400 immediately to the west and south of that part of the site to be subdivided into smaller allotments. It is also acknowledged that to the north of the subdivision is the HITP consented in terms of RC 070149, RC 130153 and RC 140009. This subdivision, which has created urban allotments for development in terms of the relevant conditions, is also located in the Rural Resource Area. Land to the north and east (at Cemetery Road) is located in the Industrial Resource Area. The activities previously consented and/or zoned in this locality distinguish this part of the Rural Resource Area from others; and it is considered that the site has no particular rural character or amenity values.

The consented baseline is also relevant. RC 150225 permits most of the land to be used, being Lot 600 DP 466637, for rally cross purposes, (albeit that the applicant no longer proposes to use the land for such purpose.) Furthermore it is acknowledged that a range of activities are consented across the Highlands site by RC 150225 including built development provided a 25 metre setback is achieved at the western boundary adjacent to the Cromwell Chafer Beetle Reserve; and provided that a maximum height of 8 metres is achieved. The effect of RC 150225 is to permit, potentially, built development on the sites that are similar in scale to those proposed. It is emphasised that there is no consented baseline to permit the non-complying subdivision that is now proposed.

As previously noted the site has no particular rural character. The land is located immediately adjacent to the existing Highlands Motorsport Park infrastructure (being the track and pit lane buildings) and immediately to the south of the HITP. It is again acknowledged that the allotments to be created, and the built development to be provided for, are generally consistent with that already consented in the HITP.

The sites are not identified as Outstanding Natural Landscape (ONL) or Significant Amenity Landscape (SAL) in the Operative District Plan. The site forms part of a third tier landscape being Other Rural Landscape. Future subdivision and built development will be visible from Cemetery Road to a limited degree; and such views are likely to include consented development in the HITP and/or the Highlands Motorsport Park.

Future built development in the subdivision will be visible in views across the Cromwell Chafer Beetle Reserve from Bannockburn Road. Such development will be perceived to be an extension of the urban development previously consented at the HITP albeit that the additional built development will extend for some 550 metres adjacent to the boundary with the Chafer Beetle Reserve. The applicant has noted that such built development will be viewed at a range of approximately 950 metres from Bannockburn Road. It is acknowledged that some intervening vegetation will provide limited screening; and that any such built development will be viewed against rising land behind (being the Pisa Range).

The Council's conclusion is that the proposed subdivision and development will not have an adverse effect that is greater than minor in terms of open space, landscape, natural character and amenity values in this rural environment.

The proposed subdivision will not have an adverse effect in terms of the capability for sustainable use of the productive land resource having regard to the consented baseline originally established by RC 070143 and more latterly by RC150225, which permits development on that part of the site to be subdivided for other than traditional rural activities.

As previously noted the Cromwell Chafer Beetle Reserve is located immediately to the west of the land to be subdivided. The applicant offers a condition [to be subject to a consent notice] that stipulates that no buildings are to be established within 25 metres of the eastern boundary of the site where it adjoins the Cromwell Chafer Beetle Reserve. Effects on the Cromwell Chafer Beetle Reserve are also to be mitigated by four conditions that are attached to the Director-General's affected persons approval and which the applicant is agreeable to. These conditions are as follows:

1. *The applicant will review annually its Fire Risk Management Procedures and provide these to the Chief Executive for certification no later than 14 July in any year.*
2. *Within the greenspace buffer that adjoins the Chafer Beetle reserve any planting will be limited to low native shrub species and ground cover planting.*
3. *The existing row of poplars immediately adjoining the boundary of the Chafer Beetle Reserve will be maintained so they do not exceed 5m in height.*
4. *Exterior lighting on the rear elevation of buildings on Lots 201-218 shall be:*
    - *shielded from above in such a manner that the edge of the shield shall be below the whole of the light source.*
    - *have a filter to filter out the blue or ultraviolet light, provided the light source would have more than 15% of the total emergent energy flux (Watts per nanometre) in the spectral region below 440nm. The filters used must transmit less than 10% of the light at any wavelength less than 440nm. This therefore includes, but is not limited to, fluorescent, mercury vapour and metal halide lamps.*

The Council is satisfied that any ecological effects, particularly on the Cromwell Chafer Beetle Reserve, will be no greater than minor. Again it is acknowledged that the Director-General of Conservation has provided an affected persons approval in this context.

The proposal will have no particular reverse sensitivity effects in terms of traditional rural activity given the separation that exists between the land to be subdivided into small allotments and orcharding activity in this locality. In particular it is noted that orchards adjacent to Cemetery Road and State Highway 6 are separated from the subdivision by Cemetery Road and the existing HITP.

Reverse sensitivity effects with respect to the Highlands Motorsport Park are addressed in the application. The applicant has explained that those who purchase land within the HITP (and within the subdivision) are required to sign an encumbrance that is in favour of Highlands and to become members of the Highlands GT Club. The encumbrance also addresses no complaints obligations with respect to the operation of the motorsport track. Under this framework the Highlands management actively manages owners and occupiers moving into the HITP. It is also noted that Condition 14(ii)(b) of RC 070149 (as amended by RC 130158) provides for building construction to take into account acoustic considerations in the existing HITP; and a similar condition is to be imposed in the context of the current application to mitigate the effects of motorsport activity on future residents.

Of particular relevance is the required link between the proposed residential land use and the motorsport industry (with residential activity permitted at first floor level and vehicle related activity to be conducted below). Accordingly it is very likely that the future owners of the proposed allotments will tend to be motorsport enthusiasts, reducing the risk of potential conflicts and reverse sensitivity effects.

The Council's conclusion is that any reverse sensitivity effects associated with the proposal are unlikely to be greater than minor in this instance. Again the close link that will exist between activity to be provided for in the subdivision and the motorsport industry is acknowledged in this context.

The applicant has noted that earthworks will be associated with the subdivision and that these are limited to the installation of services and construction of roading infrastructure. Mr Curran advised that such earthworks are likely to occur on an area greater than 2,000m^2, and will likely exceed 3,000m^3, breaching standard 4.7.6J(b). The applicant has advised that controls will be put in place to ensure that there will be no sediment runoff and that all areas disturbed will be reinstated. Any effects associated with earthworks will be less than minor.

The submission by Waka Kotahi has noted that the application discusses transportation effects as they relate to the site and local roading networks; but does not consider the effects of the additional vehicles generated by the proposal on the State Highway 6/Cemetery Road intersection. The submitter has sought further information from the applicant to identify the transportation effects of the proposal on that intersection.

Mr Carr of Carriageway Consulting Limited has prepared a Transportation Assessment dated 13 October 2020 that is attached as Annex A to Mr Carr's primary evidence. Mr Carr advised that in order to undertake the assessment of the State Highway 6/Cemetery Road intersection, turning counts at the intersection are required, and that these need to be undertaken during school term-time to be representative of the prevailing conditions. Mr Carr undertook a survey of traffic volumes on 20 October 2020 and 21 October 2020 (following the school holidays) and the survey results are recorded in his supplementary evidence dated 21 October 2020. Having evaluated and assessed the State Highway 6/Cemetery Road intersection using observed traffic volumes Mr Carr considers that:

(a) The traffic generated by the proposal can be accommodated at the State Highway 6/Cemetery Road intersection without capacity or efficiency issues arising.
(b) The proposal does not trigger the warrant for an auxiliary right-turn lane at the State Highway 6/Cemetery Road intersection because this is already triggered by the existing traffic flows.
(c) A left-turn lane is not justified at the State Highway 6/Cemetery Road intersection.

Mr Carr confirmed in his supplementary evidence, that the conclusions of the Transportation Assessment remain valid; and that there are no traffic and transportation reasons why the proposal could not be approved.

Ms McMinn in the statement dated 16 October 2020 has confirmed that Waka Kotahi has assessed the information provided (being the Transportation Assessment) and that Waka Kotahi is satisfied with the information provided. In particular Waka Kotahi accepts that the effects of the proposal on the State Highway 6/Cemetery Road intersection will be less than minor; and that the existing intersection already meets the threshold for a right-hand turn bay; and that the need for any intersection upgrade will be considered as part of the Road to Zero programme, and will be dependant on nation prioritisation and budget constraints.

Have regard to the Transportation Assessment, the evidence of Mr Carr and the statement from Waka Kotahi the Council is satisfied that transportation effects are unlikely to be greater than minor.

The Council's engineering consultants Stantec New Zealand have provided comments with respect to the proposed subdivision that can be incorporated into conditions of consent. Adherence to such conditions will ensure that any effects with respect to internal roading and the provision of utility services will be no greater than minor.

The Council's engineers have noted that roading, wastewater and landscaping assets provided within the subdivision are to be privately owned and operated; and this is consistent with the approach taken in the context of the subdivision authorised by RC 130153 (being the existing HITP). At the hearing it was noted that the southern portion of Lot 405 is to be utilised for trailer parking. In these circumstances the Council considers it appropriate that a heavy vehicle entrance be constructed between the carriageway in Lot 501 and the boundary of the portion of Lot 405 located at the southern end of the subdivision.

The engineers have noted that the effect of the proposal will be to increase the number of vehicle movements on sections of Silverstone Drive and Monaco Drive within the existing HITP (between the subdivision and Cemetery Road) to over 300 vehicles per day being the limit for a Local Industrial Road in terms of the Council's 2008 Addendum to NZS 4404:2004. To mitigate any adverse effects associated with this breach the engineers recommended that no stopping lines be installed on one side of the affected lengths of the primary roads concerned to ensure clear two way traffic lanes, particularly during motorsport events.

In response Mr Carr noted that the current layout of Silverstone Drive and Monoco Drive exceeds the requirements of NZS440:2010 that provides for the primary access to an industrial area to be formed with two 4.2 metre wide movement lanes, with any parking permitted within the movement lanes for roads carrying up to 2,000 vehicles per day. On this basis Mr Carr considers that the roads can be expected to be operated safely and efficiently, even if a degree of on street parking occurs. Mr Carr also noted that the Silverstone Drive and Monoco Drive are private roads and that normal enforcement mechanisms (such as issuing parking tickets) are not available; that Silverstone Drive and Monoco Drive are not through roads and that the users will be familiar with the layout; and that when events are held at the Motorsports Park these roadways operate under a Temporary Traffic Management Plan (TTMP) that can be updated to ensure that parking does not occur on the roadways during events, when traffic volumes may be greater than normally observed. In all the circumstances Mr Carr is of the view that a condition of consent regarding the provision of parking restrictions (as recommended by the Council's engineers) is not required. Having regard to the contents of the Transportation Assessment and Mr Carr's evidence, the Council concurs that such a condition is not required.

The applicant has noted that the proposed development includes provision for a cycleway link between Cemetery Road to Sandflat Road along the boundary with the Cromwell Chafer Beetle Reserve. The cycleway will continue along the southern boundary of the Highlands Motorsport Park (in Lot 400). This is to allow connectivity if/when other cycle connections are established in the wider area; and it is the applicant's intention to allow public access around the wider Highlands site to potentially link in with other trails in the area. It is the applicant's intention to provide public access via an easement should the proposed cycleway be developed. This cycleway is not to be explicitly provided for by easement in the context of the current application as the actual alignment of the cycleway has not been finalised yet. The Council considers this approach to be appropriate given that the alignment is not finalised; and the Council acknowledges, that the design of the subdivision will not compromise the provision of such a cycleway link in future.

The applicant has advised that easements are required to provide for access and services; and these are provided for on the amended plan of subdivision. An amalgamation condition is also proposed, as stated on the amended plan of subdivision, to the effect that Lots 403, 404, 405 and 501 be held with those allotments in the existing HITP used for access and amenity purposes. As all of the land to be amalgamated is owned by the applicant it will not be necessary for the amalgamation condition to refer to the transfer of allotments as stated in a draft condition suggested by LINZ in the context of CSN Request 1682745.

The Council is satisfied that the proposed subdivision and land use activity will not have adverse effects that are greater than minor in terms of open space, landscape, natural character and amenity values; in terms of the capability for sustainable use of the productive land resource; in terms of ecological effects; in terms of reverse sensitivity; in terms of earthworks; in terms of transportation and in terms of internal roading and utility services.

The Council's overall conclusion is that any adverse effects of the activity on the environment will be no greater than minor. The proposal will have positive effects in terms of integration with the existing HITP and infrastructure at Cromwell; and in terms of providing for people to pursue their interest in motorsports activity while living in close proximity to the Highlands Motorsport Park facility.

Objectives and Policies

The relevant objectives and policies of the Operative District Plan include Objectives 4.3.1 and 4.3.3 and Policies 4.4.2 and 4.4.10. In terms of Objective 4.3.3 and Policy 4.4.2 the effects of the subdivision and land use activity can be managed to ensure that adverse effects on the open space, landscape, natural character and amenity values of the rural environment will be avoided, remedied or mitigated in this instance. The Council comes to this conclusion having regard to the consented environment which includes the Highlands Motorsport Park and the existing HITP in this locality. While the proposal will result in an expansion of urban development, as viewed particularly from the Bannockburn Road, such development will be seen at a significant distance against the backdrop of the Pisa Range.

The objectives place emphasis on maintaining the open natural character of the hills and ranges without compromising the landscape and amenity values of prominent hillsides and terraces. In this instance the subdivision and development is to occur on generally flat land. The proposed subdivision and land use activity will not compromise the landscape and amenity values of prominent hillsides and terraces.

Various other objectives and policies from the Operative District Plan have been traversed in the application document. These include objectives and policies taken from Section 4 that relate to a range of matters that have been addressed above in the discussion with respect to the effects of the activity. The proposal is consistent with these objectives and policies.

The Council's conclusion is that the proposed subdivision and land use activity is not contrary to the relevant objectives and policies of the Operative District Plan.

Section 104D Gateways

The application is able to pass through both of the "gateways" specified in section 104D of the Act for a non-complying activity. Any adverse effects of the activity on the environment will be no more than minor; and the activity will not be contrary to the objectives and policies of the Operative District Plan. The consent authority is therefore able to exercise its discretion to grant or refuse consent pursuant to section 104B of the Act.

Other Matters

Precedent is a matter for consideration in terms of section 104(1)(c) of the Act given that the proposal seeks consent to a non-complying activity. In this instance the proposed subdivision will result in the creation of allotments which have an average area of approximately 4,600m^2 and a minimum area of 150m^2. Again it is appropriate to acknowledge in this context the consented environment that has resulted from RC 070143, RC 130153, RC 140009 and RC 150225 that distinguishes the current proposal from any future applications for subdivision and land use consent elsewhere in the Rural Resource Area. The Council has also found that the adverse effects of the proposal will be less than minor; and that the proposal will not be contrary to the objectives and policies of the Operative District Plan. The Council's conclusion is that the proposal will not establish a precedent for subdivision and development elsewhere in the Rural Resource Area.

River Terrace Developments Ltd opposes the application on the basis that the applicant has lodged submissions and presented evidence at hearings to the effect that residential use of land in this general vicinity is incompatible with existing activities on the application site and on other nearby properties. While the source of the specific statements quoted in the submission is not provided; it is assumed that these statements were made in the context of Plan Change 13 (for which River Terrace Developments Limited was the requestor) and/or a sequence of applications for subdivision consent relating to the River Terrace site on the west side of Sandflat Road.

Mr Goldsmith's submission emphasised Mr Staples' conclusion that residential development is simply incompatible with the existing noise environment due to adverse effects on residents which those residents are unable to mitigate. Mr Goldsmith emphasised that this is an issue relating to the noise environment within which people are intended to live, rather than being a "reverse sensitivity" issue. It is noted that Mr Staples' evidence was prepared in the context of RC190404 being the submitter's rural residential subdivision at Sandflat Road; and that Mr Staples has provided evidence in the context of other similar subdivisions promoted by the submitter. It is also acknowledged that the submitter proposed stringent acoustic insulation standards with respect to future residential dwellings within those subdivisions; such volunteered conditions ultimately being imposed by the hearing commissioners in the context of the relevant consents.

Mr Goldsmith submitted that the applicant is proposing an inferior standard of acoustic insulation in the context of the current proposal. The Council simply notes, in this context, that the standard of acoustic insulation proposed in the context of the current application is consistent with that earlier proposed in the context of the existing HITP.

The current proposal can be distinguished from Plan Change 13 and applications made for rural residential subdivision at Sandflat Road. In essence the subdivision and future development will be an extension to the HITP where the use of land and buildings is for the primary purpose of servicing, maintenance, repair, design, manufacture, fabrication, testing or storage of vehicles, vehicle parts and other associated industries; with residential accommodation only permitted above ground level. Furthermore it is again acknowledged that any owners of the freehold titles to be created by the subdivision are required to become members of the Highlands GT Club; and that these persons are to enter into an encumbrance with respect to the operation of the motorsport track. In all the circumstances it is highly likely that the future owners of the allotments to be created will tend to be motorsport enthusiasts. In contrast Plan Change 13 was intended to produce residential allotments for the market generally; and that a regime was not proposed with respect to rural residential subdivision to the west of Sandflat Road which would have the effect of attracting motorsport enthusiasts only.

The Council accepts Ms Irving's submission that the current proposal is fundamentally different from the rural residential subdivision consented and development anticipated to the west of Sandflat Road, on the submitters land. The Council therefore does not share the concerns of the submitter with respect to providing for residential activities in the context of the current application in close proximity to the Highlands Motorsport Park.

The Council has given consideration to Mr Goldsmith's observation that the applicant's restrictive covenant is not proposed as a condition of consent. The Council accepts Ms Irving's submission that the encumbrance is a direct management tool that is a private regime. Again the Council acknowledges that such a private regime currently applies in the context of the existing HITP and the Council accepts the applicant's assurance that such a regime will be applied with respect the subdivision and future development proposed in the context of RC200231.

National & Regional Planning Documents and Part 2

As noted above the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES) come into force on 1 January 2012. Mr Curran has advised that the land on which the expansion to the HITP is proposed does not qualify as a "piece of land" for the purposes of the NES; and that the land is not known to contain a Hazardous Activities and Industries List (HAIL) site in terms of the NES. The applicant advised in the application that no records exist which identify this site as having had any activities occurring on it which would give rise to concern.

In the absence of up-to-date information from the territorial authority or regional council, or a preliminary site investigation, no information as required by the NES has been provided to establish whether or not the site is a piece of land as described in Regulation 5(7) of the NES. Notwithstanding this, and given the history of the site, the Council accepts that it is highly unlikely that there will be a risk to human health resulting from the proposal. Accordingly it is appropriate to grant consent to the proposal in terms of the NES.

The applicant has discussed the proposal in terms of the objectives and policies of the Partially Operative Otago Regional Policy Statement and the Operative Regional Policy Statement in Part 5.2.1 of the application. The proposal raises no concerns with respect to the objectives and policies stated in these regional instruments.

The Council's conclusion is that the application does not conflict with any national or regional planning document nor to the purpose of the Act which is to promote the sustainable management of natural and physical resources of the District nor to any other matter referred to in Part 2 of the Act.

Determination

Having regard to the reasons detailed above, the Council has resolved pursuant to sections 104, 104B and 104D of the Resource Management Act 1991 to grant subdivision and land use consent; and to grant consent in terms of Regulation 11(2) of the NES. Subdivision consent and land use consent is granted subject to the following conditions:

SUBDIVISION

Plan of Subdivision & Code of Practice

1. This consent relates to the plans of subdivision 17237 09_00 Rev C ~~B~~, 09_01 Rev C ~~B~~, and 09_02 Rev C ~~B~~ dated ~~30 September 2020~~ 5 April 2022 prepared by Landpro that is attached at Appendix 1.

2. All subdivision design and approvals are to be in accordance with NZS 4404:2004 and the CODC July 2008 Addendum which is the Council's Code of Practice for Urban Subdivision, as modified by these conditions of consent.

Easements

3. Easement A as show on the plan of subdivision and all other easements required to provide access and to protect access to services shall be duly granted or reserved.

Ownership, Maintenance & Operation of Private Infrastructure

4. Prior to section 224(c) certification a formal ownership, operation and maintenance arrangement that is to the satisfaction of the Chief Executive and that details the assets, ownership, financial and operational responsibilities as demonstrated by the consent holder shall be in place for:
   - Roading infrastructure in private ownership.
   - Wastewater infrastructure in private ownership.
   - Landscaping and irrigation infrastructure in private ownership.

Roading and Access

5. Prior to section 224(c) certification the carriageway and kerb and channel within Lot 501 (for that portion of the carriageway that extends along the frontage of Lots 201-218) shall be constructed to the requirements of the Local Industrial Road classification under NZS 4404:2004 and the CODC July 2008 Addendum Table 3.1 and as follows:
   (a) The carriageway shall have a minimum 9.5 metre width asphalted concrete surface, located centrally generally within a 20 metre legal corridor.
   (b) Pavement design shall be in accordance with NZS 4404:2004 and the CODC July 2008 Addendum to NZS 4404:2004.
   (c) Mountable reinforced heavy duty kerb and channel on both sides of the carriageway over 75mm compacted depth AP40 metal.
   (d) 50mm depth AP20 metal between footpath and boundary of Lot 501 formed and trimmed at 4% crossfall.
   (e) Cut/fill batters (if required) with a maximum 4:1 gradient to match existing ground within the allotments.
   (f) Street lighting in accordance with NZS 4404:2004 and accepted standards for industrial areas.
   (g) All necessary traffic signs and road marking shall be provided by the consent holder.

6. Prior to section 224(c) certification the carriageway and kerb and channel within Lot 501 (for the branch road along the frontage of Lots 242-245) shall be constructed to the requirements of the Local Industrial Road classification under NZS 4404:2004 and the CODC July 2008 Addendum Table 3.1 and as follows:
   (a) The carriageway shall have a minimum 9.5 metre width asphalted concrete surface, located centrally within a 12 metre legal corridor.
   (b) Pavement design shall be in accordance with NZS 4404:2004 and the CODC July 2008 Addendum to NZS 4404:2004.
   (c) Mountable reinforced heavy duty kerb and channel on both sides of the carriageway over 75mm compacted depth AP40 metal.
   (d) 50mm depth AP20 metal between footpath and boundary of Lot 501 formed and trimmed at 4% crossfall.
   (e) Cut/fill batters (if required) with a maximum 4:1 gradient to match existing ground within the allotments.
   (f) Street lighting in accordance with NZS 4404:2004 and accepted standards for industrial areas.

(g) All necessary traffic signs and road marking shall be provided by the consent holder.

7. Prior to section 224(c) certification the carriageway within the carriageway within Lot 501 (for the other branch roads and service lanes) shall be constructed in accordance with the Industrial Service Lane classification under NZS 4404:2004 CODC Addendum Table 3.1 and as follows:
   (a) 7.0 metre width asphaltic concrete surface.
   (b) Pavement design to be in accordance with NZS 4404:2004 and the CODC July 2008 Addendum
   (c) Mountable reinforced heavy duty kerb and channel on both sides of carriageway over 75mm compacted depth AP40 metal.
   (d) 50mm depth of AP 20 metal between kerb and boundary of Lot 500 formed and trimmed at 4% crossfall.
   (e) Cut/fill batters (if required) with maximum 4:1 gradient to match existing ground within the allotments.
   (f) Street lighting in accordance with NZS 4404:2004 and accepted standards for industrial areas.
   (g) All necessary traffic signs and road marking shall be provided by the consent holder.

8. Prior to section 224(c) certification the consent holder shall be responsible for constructing a heavy vehicle entrance between the carriageway in Lot 501 and the boundary of Lot 405 (being a boundary of the southern portion of Lot 405 adjacent to Lot 501) in accordance to Part 29 the Council's Roading Policies January 2015.

9. The consent holder or successor shall be responsible for constructing heavy vehicle entrances between the carriageway in Lot 501 and the boundaries of Lots 201-251 in accordance with Part 29 of the Council's Roading Policies January 2015.

10. Condition 9 shall be subject to a consent notice that shall be registered on the records of title for Lots 201-251 pursuant to section 221 of the Resource Management Act 1991.

Stormwater

11. Stormwater from within the roading network in Lot 501 is to be provided for by appropriately located mudtanks.

12. Stormwater from buildings and impermeable surfaces on Lots 201-251 shall be discharged to soakpit(s) contained entirely within those lots.

13. Condition 12 shall be subject to a consent notice that shall be registered on the records of title for Lots 201-251 pursuant to section 221 of the Resource Management Act 1991.

Water

14. Prior to section 224(c) certification the consent holder shall provide (and bear the costs of) updating the Opus Water Model prepared for the subdivision authorised by RC 130153 in consideration of the full subdivision development provided for in RC 200231; and the watermain sizes for the subdivision RC 200231 shall be determined and the adequacy of the existing reticulation evaluated, as a requirement of engineering approval.

15. Prior to section 224(c) certification the consent holder shall be responsible for extending the existing Cromwell town water supply reticulation to serve the subdivision in accordance with NZS 4404:2004 and the CODC Addendum and in compliance with the updated OPUS Water Model for FW4 fire-fighting capability including:
    - Extension of the primary main within the subdivision.

      Note: This is likely to be a DN250 watermain.

    - Internal reticulation within the subdivision requires a duplicate main of DN150 on opposite side of the carriageway to primary main.
    - Fire hydrants to be provided within the subdivision in accordance with FW4 category under SNZ PAS 4509:2008.

16. Prior to section 224(c) certification the consent holder shall provide standard 20mm diameter water connections with Acuflo toby/meter assembles to the boundaries of Lots 201-251 in accordance with NZS 4404:2004 and the CODC July 2008 Addendum.

Note: The connections will serve both industrial downstairs and residential upstairs users assumed to be in common ownership.

17. No water shall be taken for irrigation purposes without the formal agreement of the Chief Executive.

Note: There is a strong preference that another source of water (eg on site bore) is investigated for irrigation purposes.

18. Easements in favour of Central Otago District Council shall be registered for all water reticulation within the subdivision up to the point of supply. For avoidance of doubt, the point of supply shall be considered to be at the Acuflo toby/water meter assembly at the boundary of each lot.

Wastewater

19. Prior to section 224(c) certification the consent holder shall provide (and bear the costs of) an updated wastewater model based on a peak flow of 0.7L/s/ha for the full development (being the subdivisions subject to RC 130153 and RC 200231). The model shall allow for:
    - Ability of the receiving pipework to accommodate peak flows from full subdivision development without surcharging.
    - Ability of the receiving pipework to accommodate peak flows from full subdivision and full upstream catchment development.
    - Allowance made for stormwater infiltration and inflow in peaking factor.
    - Requirement for pumping restrictions to minimise surcharging of receiving pipework.
    - Additional pump stations, upgrading of existing pump station and emergency/operational wastewater storage.

Note: The full upstream catchment constitutes the existing contributing upstream developments and the future industrial development on the north side of Cemetery Road at the time of consent RC200231 being granted.

20. Prior to section 224(c) certification the consent holder shall be responsible for extending the Cromwell town sewerage scheme reticulation to serve the subdivision including:

- All wastewater reticulation shall be provided to service the subdivision.
- The requirement for any oversizing of sewer mains and/or reticulation considered necessary to accommodate wastewater demand for land adjoining the subdivision, with the cost of any agreed oversizing to be met by Council, shall be sought from Council by the consent holder at the time of detailed engineering design for the works and any required oversizing shall be incorporated in the works.
- The provision of any new pump station, upgrading of existing pump station, emergency/operational storage, pumping and receiving reticulation that is found necessary from the modelling provided in terms of Condition 19.
- Any pump station and/or upgraded pump station shall be designed and constructed in accordance with Clause 5.3.10 of the Council's July 2008 Addendum of NZIS 4404:2004 (subject to specific modifications as below) and connected to the Council wastewater system by pumping main such that the downstream network is not adversely affected. Modifications to Clause 5.3.10 are hereby imposed to vary certain requirements of Clause 5.3.10. Notwithstanding the modifications, the pump station shall be constructed to an acceptable standard and to the satisfaction of the Chief Executive. The modifications to Clause 5.3.10 are as follows:
  - Delete 5.3.10(a)
  - Delete 5.3.10(d)
  - Delete 5.3.10(p)
  - Delete 5.3.10(q)

Note: *Sufficient inflow storage shall be provided at the pump station(s) and the pump station operation configured such that the pumps only operate during off peak periods.*

21. Prior to section 224(c) certification the consent holder shall provide standard 150mm diameter wastewater connections to the boundaries of Lots 201-251.

Note: *The connections will serve both industrial downstairs and residential upstairs users assumed to be in common ownership.*

Electricity, telecommunications and gas

22. It shall be the consent holders responsibility to obtain the consent of utility service providers as to the position of electricity and telecommunication services (and gas reticulation, if applicable) to serve Lots 201-251. The consent holder shall be responsible for installing operational connections to electricity and telecommunication services (and gas services, if applicable) underground to the boundary of Lots 201-251 prior to section 224(c) certification.

23. The consent holder shall supply evidence of the consents referred to in Condition 22 above to the Chief Executive prior to section 224(c) certification.

24. It shall be the responsibility of the consent holder to meet the costs associated with the installation of electricity and telecommunication services (and gas services, if applicable) necessary to meet the needs of the subdivision.

Reserves

25. Payment of a reserves contribution of $47,750.00 (exclusive of goods and services tax) calculated in terms of Rule 15.6.1(1)(a)(i) of the Operative District Plan, on the basis of 51 new allotments and allowing a credit for the existing title RT663001.

Landscaping

26. A detailed landscape plan for the subdivision including all planting and irrigation design and demand on Lots 403, 404 and 501 (and possibly Lot 405, if proposed by the consent holder) shall be prepared to the satisfaction of the Council's Parks and Reserves Manager as a requirement of engineering approval. The landscape plan shall incorporate low water demand planting and shall be appropriate to the Highlands Innovation and Technology Park setting.

27. Water connections to all irrigated areas shall have suitable backflow prevention devices fitted.

Note: Any request for use of water from the Cromwell town water supply for irrigation purposes will require careful consideration by the Council and will almost certainly be on the basis of off peak usage.

28. Prior to section 224(c) certification sealed vehicle entranceways shall be provided between Lot 501 and Lot 404 at two locations (south side of Lots 206 and 212) to the requirements of Part 29 of the Council's Roading Policies January 2015 and removable bollards shall be installed at the boundary with Lot 501 to allow occasional vehicle access.

Amalgamation

29. That pursuant to section 220(1)(b)(ii) of the Resource Management Act 1991:

"That Lots 403, 404, 405 and 501 hereon and Lots 401, 402 and 500 DP 466637 and Lot 22 DP 506007 (RT765459) be held in the same record of title (see CSN Request 1682745))."

Use and Development of Lots 201-251

30. Use of land and buildings on Lots 201-251 shall be for the primary purpose of servicing, maintenance, repair, design, manufacture, fabrication, testing or storage of vehicles, vehicle parts and other associated industries.

31. Residential accommodation on Lots 201-251 shall only occur above ground level associated with activities permitted under Condition 30 above.

32. Any development on Lots 201-251 shall comply with the following:

Bulk and Location of Buildings

(a) The height of any building shall not exceed 8m; and no yards are required except that no buildings are to be established within 25 metres of the eastern boundary of the site where that boundary adjoins the Cromwell Chafer Beetle Reserve (Lot 1 DP 18203).

(b) All lots shall have a maximum coverage of 75%, except for Lots 233-238 that are permitted to have a maximum building coverage of 100%.

Cladding

(c) All buildings shall be finished using a combination of some or all of the following materials:
  (i) Timber/Composite Weatherboard (vertical and horizontal);
  (ii) Plaster/Adobe/Rammed Earth/Masonry Products/Concrete;
  (iii) Stone;
  (iv) Coloured steel excluding unpainted zincalume and unpainted corrugated iron;
  (v) Weathered corrugated iron; and

(vi) Brick.

Colours - Finishes

(d) 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;
Browns, greens, grey blue, greys, terracotta, tussock and dark reds provided that such colours shall have a Reflectivity Value (RV) of less than 38%.

(e) The roofs of all buildings shall be in a low sheen in any colour that has a RV of less than 32% or shall be unpainted natural products such as timber shingles or slate.

Visual Amenity

(f) No shipping containers or temporary buildings (other than during construction) are to be located on-site.

(g) All areas open to the public and visible to the public shall be maintained in a clean and tidy state.

Signage

(h) Signage shall be incorporated into the building design, not free standing unless expressly approved by the Design Review Board.

(i) No sign shall be erected or painted on a building in a position that is higher than the carriageway façade of that part of the building upon which the sign is placed or affixed.

(j) Any sign suspended under a veranda shall have a minimum clearance of 2.5 metres from any footpath.

(k) The maximum area of an individual sign shall not exceed $3m^2$.

(l) Plastic and/or internally illuminated & neon signage shall not be permitted. The use of fabricated and off set metal lettering is encouraged.

(m) Any signage on perimeter allotments facing out of the Highlands Innovation and Technology Park is to be kept to a maximum height of 2.5m and is to be coloured in muted tones to blend with the background. It is intended that texture and shadowing for signage be used instead of strong colours.

Landscaping

(n) All lots over $200m^2$ in total area shall include 15% landscaping of the total area, consisting of 80% native plants selected the Plant List that is attached at Appendix 2 and clearly set out and described in a Landscape Plan detailing quantities and size of all species, to be submitted to and approved by the Design Review Board. All landscaping is to include a permanent in ground watering system complete with automatic timer.

(o) All landscape plantings shall be established within 3 months of the building being erected.

(p) Landscaping strips and planting protection areas adjacent to a car park shall be provided with wheel stop barriers. Such wheel stop barriers shall be located at least 1m from any tree.

(q) All areas of landscaping shall be maintained by the landowner and any dead, damaged or diseased plants shall be replaced within 3 months of identification as such.

Outdoor services, storage areas & fencing

(r) All outdoor service and storage areas shall be screened from all carriageways.

(s) No picket fence type enclosures shall be erected on the carriageway boundary of any allotments.

(t) No fencing shall be erected on any part of a lot, other than to screen outdoor services/storage areas or for security. Materials and finishes are to be identified on plans to be submitted to the Design Review Board.

Parking & Manoeuvring

(u) All activities shall comply with Rule 12.7.2 Parking and Rule 12.7.3 Loading and Manoeuvring and Table 12.3 – Vehicle Parking Requirements of the Operative Central Otago District Plan.

Design Review Board

(v) All developments on Lots 201-251 within the Highlands Innovation and Technology Park of the Highlands Motorsport Park will require Design Review Board approval. No construction may commence until such approval is given in writing.

Note: For the avoidance of doubt the Design Review Board is the Design Review Board that has been appointed pursuant to Condition 27 of RC 130153.

33. (a) Any application for building consent received by the Council for new buildings on Lots 201-251 shall be accompanied by an acoustic design certificate prepared by an acoustics engineer acceptable to the Chief Executive, that certifies that the design of the building is sufficient to ensure sound levels arising from activities beyond the premises will not exceed the maximum recommended design and sound levels (LAeq dB) for habitable rooms in houses and apartments located near major roads set out within Table 1 (page 11) of NZS 2107:2000 "Acoustics – Recommended Design Sound levels and Reverberation Times For Building Interiors", when measured in accordance with section 6 of that Standard excluding between the hours of 8am to 6pm on any day.
OR

(b) Any application for building consent for any new buildings located on Lots 201-251 shall include written confirmation from an Licensed Building Practitioner that the design of habitable spaces within any building or part of a building used for residential purposes has been checked and is confirmed to be constructed to meet or exceed the minimum specifications for each Building Element (as applicable) listed within the following table:

BUILDING ELEMENT	REQUIRED CONSTRUCTION	
External Wall	Exterior:	20mm timber or 6mm fibre cement

	Frame:	100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar two lays of 12.5mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass)
Windows	Up to 40% of wall area:	Minimum thickness 6mm glazing**
	Up to 60% of wall area:	Minimum thickness 8mm glazing**
	Up to 80% of wall area:	Minimum thickness 8mm laminated glass or minimum 10mm double glazing**
	Aluminium framing with compression seals (or equivalent)	
Pitched Roof	Cladding:	0.5mm profiled steel or tiles or 6mm corrugated fibre cement
	Frame:	Timber truss with 100mm acoustic blanket (R2.2 Batts or similar)
	Ceiling:	12.5 gypsum plaster board*
Skilion Roof	Cladding:	0.5mm profiled steel or 6mm fibre cement
	Sarking:	20mm particle board or plywood
	Frame:	100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar)
	Ceiling:	2 layers of 9.55mm gypsum plasterboard*
External Door	Solid core door (min 24kg/m2) with weather seals	

* Where exterior walls are of brick veneer or stucco plaster the internal linings need to be no thicker than 9.5mm gypsum plasterboard

** Typical acoustic glazing usually involves thick single panes or laminated glass. Where two or more layers of glass are employed with an air gap between, total thickness of window glass may be calculated as the total of all glass layers (excluding air gap) provided that at least one glass layer shall be of a different thickness to the other layer(s)

34. Noise levels at the boundary of the site shall not exceed an L(max) of 65 dBA provided that:

- Corrected noise levels (L10) shall not exceed the following limit at the boundary of any Residential Resource Area or at the notional boundary of any building designed to accommodate people for any purpose located within the Rural Resource Area existing at the time this consent was granted:

  - 7.00 am – 10.00 pm 55 dBA L10

- 10.00 pm – 7.00 am 40 dBA L10

35. Conditions 30-32(a)-(v), 33 and 34 shall be subject to a consent notice that shall be registered on the records of title for Lots 201-251 pursuant to section 221 of the Resource Management Act 1991.

Chafer Beetle Reserve Mitigation

36. The consent holder shall review annually its Fire Risk Management Procedures and provide these to the Chief Executive for certification no later than 14 July in any year.

37. Within Lot 404 that adjoins the Chafer Beetle Reserve any planting will be limited to low native shrub species and ground cover planting.

38. The existing row of poplars immediately adjoining the boundary of the Chafer Beetle Reserve within Lot 404 shall be maintained so they do not exceed 5m in height.

39. Conditions 36-38 shall be subject to a consent notice that shall be registered on the record of title that contains Lot 404 pursuant to section 221 of the Resource Management Act 1991.

40. Exterior lighting on the rear elevation of buildings on Lots 201-218 shall be:
    - shielded from above in such a manner that the edge of the shield shall be below the whole of the light source.
    - have a filter to filter out the blue or ultraviolet light, provided the light source would have more than 15% of the total emergent energy flux (Watts per nanometre) in the spectral region below 440nm. The filters used must transmit less than 10% of the light at any wavelength less than 440nm. This therefore includes, but is not limited to, fluorescent, mercury vapour and metal halide lamps.

41. Condition 40 shall be subject to a consent notice that shall be registered on the records of title for Lots 201-218 pursuant to section 221 of the Resource Management Act 1991.

General

42. Prior to the issue of certificate in terms of section 224(c) the consent holder shall provide the Chief Executive with RAMM inventory data and asset information with the associated costs (in the form of a schedule) of all infrastructure works to vest in the Council. The following infrastructure shall be vested under the subdivision process:
    - DN250 primary watermain and DN150 secondary watermain within the subdivision and connections to Lots 201-251.

Note: The roading system, landscaped allotments (Lots 403 and 404) and the wastewater reticulation, pump station and pumping main within the subdivision are to be privately owned, maintained and operated.

43. The consent holder shall provide Producer Statements in an approved format from a suitably qualified professional certifying the engineering adequacy and compliance with Council consent conditions relating to engineering design, construction and construction review (supervision) of subdivision works.

44. The name and qualifications of the person referred to in condition 43 shall be forwarded in writing to the Chief Executive prior to the submission of any design documentation. This person shall be acceptable to the Chief Executive.

45. As built drawings for any new services are to be lodged with the Chief Executive in accordance with Clause 1.5.10 of NZS 4404:2004. The as built drawings are to be draughted on computer and are to be compatible with a CAD system nominated by the Chief Executive. As built drawings shall be lodged with the Council on computer disk and in an A3 hard copy format and shall show the location and individual water meter reference against the relevant toby box location.

Notes: *1. All charges incurred by the Council relating to the administration, inspection and supervision of conditions of subdivision consent shall be paid prior to section 224(c) certification.*
2. Development contributions of $503,116.20, $334,764.60 and $214,814.00 are payable for water, wastewater, and roading, respectively pursuant to the Council's Policy on Development and Financial Contributions contained in the Long Term Council Community Plan. [Noting that the development contributions may require review on the basis of 51 allotments to be used for activity associated with vehicles and residential activity]. Payment of development contributions is due upon application under the Resource Management Act 1991 for certification pursuant to section 224(c). The Council may withhold a certificate under section 224(c) of the Resource Management Act 1991 if the required Development and Financial Contribution has not been paid, pursuant to section 208 of the Local Government Act 2002 and Section 15.5.1 of the Operative District Plan.

LAND USE

1. This land use consent authorises the use of land and buildings on Lots 201-251 for the primary purpose of servicing, maintenance, repair, design, manufacture, fabrication, testing or storage of vehicles, vehicle parts and other associated industries.

2. This land use consent authorises residential accommodation on Lots 201-251 that shall only occur above ground level associated with activities permitted under Condition 1 above.

3. Any development on Lots 201-251 shall comply with the following:

Bulk and Location of Buildings

(a) The height of any building shall not exceed 8m; and no yards are required except that no buildings are to be established within 25 metres of the eastern boundary of the site where that boundary adjoins the Cromwell Chafer Beetle Reserve (Lot 1 DP 18203).

(b) All lots shall have a maximum coverage of 75%, except for Lots 233-238 that are permitted to have a maximum building coverage of 100%.

Cladding

(c) All buildings shall be finished using a combination of some or all of the following materials:
  (i) Timber/Composite Weatherboard (vertical and horizontal);
  (ii) Plaster/Adobe/Rammed Earth/Masonry Products/Concrete;
  (iii) Stone;

(iv) Coloured steel excluding unpainted zincalume and unpainted corrugated iron;
(v) Weathered corrugated iron; and
(vi) Brick.

Colours - Finishes

(d) 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;
Browns, greens, grey blue, greys, terracotta, tussock and dark reds provided that such colours shall have a Reflectivity Value (RV) of less than 38%.

(e) The roofs of all buildings shall be in a low sheen in any colour that has a RV of less than 32% or shall be unpainted natural products such as timber shingles or slate.

Visual Amenity

(f) No shipping containers or temporary buildings (other than during construction) are to be located on-site.

(g) All areas open to the public and visible to the public shall be maintained in a clean and tidy state.

Signage

(h) Signage shall be incorporated into the building design, not free standing unless expressly approved by the Design Review Board.

(i) No sign shall be erected or painted on a building in a position that is higher than the carriageway façade of that part of the building upon which the sign is placed or affixed.

(j) Any sign suspended under a veranda shall have a minimum clearance of 2.5 metres from any footpath.

(k) The maximum area of an individual sign shall not exceed $3m^2$.

(l) Plastic and/or internally illuminated & neon signage shall not be permitted. The use of fabricated and off set metal lettering is encouraged.

(m) Any signage on perimeter allotments facing out of the Highlands Innovation and Technology Park is to be kept to a maximum height of 2.5m and is to be coloured in muted tones to blend with the background. It is intended that texture and shadowing for signage be used instead of strong colours.

Landscaping

(n) All lots over $200m^2$ in total area shall include 15% landscaping of the total area, consisting of 80% native plants selected from the Plant List that is attached at Appendix 2 and clearly set out and described in a Landscape Plan detailing quantities and size of all species, to be submitted to and approved by the Design Review Board. All landscaping is to include a permanent in ground watering system complete with automatic timer.

(o) All landscape plantings shall be established within 3 months of the building being erected.

(p) Landscaping strips and planting protection areas adjacent to a car park shall be provided with wheel stop barriers. Such wheel stop barriers shall be located at least 1m from any tree.

(q) All areas of landscaping shall be maintained by the landowner and any dead, damaged or diseased plants shall be replaced within 3 months of identification as such.

Outdoor services, storage areas & fencing

(r) All outdoor service and storage areas shall be screened from all carriageways.

(s) No picket fence type enclosures shall be erected on the carriageway boundary of any allotments.

(t) No fencing shall be erected on any part of a lot, other than to screen outdoor services/storage areas or for security. Materials and finishes are to be identified on plans to be submitted to the Design Review Board.

Parking & Manoeuvring

(u) All activities shall comply with Rule 12.7.2 Parking and Rule 12.7.3 Loading and Manoeuvring and Table 12.3 – Vehicle Parking Requirements of the Operative Central Otago District Plan.

Design Review Board

(v) All developments within the Highlands Innovation and Technology Park of the Highlands Motorsport Park will require Design Review Board approval. No construction may commence until such approval is given in writing.

4. (a) Any application for building consent received by the Council for new buildings on Lots 201-251 shall be accompanied by an acoustic design certificate prepared by an acoustics engineer acceptable to the Chief Executive, that certifies that the design of the building is sufficient to ensure sound levels arising from activities beyond the premises will not exceed the maximum recommended design and sound levels (LAeq dB) for habitable rooms in houses and apartments located near major roads set out within Table 1 (page 11) of NZS 2107:2000 "Acoustics – Recommended Design Sound levels and Reverberation Times For Building Interiors", when measured in accordance with section 6 of that Standard excluding between the hours of 8am to 6pm on any day.

OR

(b) Any application for building consent for any new buildings located on Lots 201-251 shall include written confirmation from an Licensed Building Practitioner that the design of habitable spaces within any building or part of a building used for residential purposes has been checked and is confirmed to be constructed to meet or exceed the minimum specifications for each Building Element (as applicable) listed within the following table:

BUILDING ELEMENT	REQUIRED CONSTRUCTION	
External Wall	Exterior:	20mm timber or 6mm fibre cement

	Frame:	100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar two lays of 12.5mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass)
Windows	Up to 40% of wall area:	Minimum thickness 6mm glazing**
	Up to 60% of wall area:	Minimum thickness 8mm glazing**
	Up to 80% of wall area:	Minimum thickness 8mm laminated glass or minimum 10mm double glazing**
	Aluminium framing with compression seals (or equivalent)	
Pitched Roof	Cladding:	0.5mm profiled steel or tiles or 6mm corrugated fibre cement
	Frame:	Timber truss with 100mm acoustic blanket (R2.2 Batts or similar)
	Ceiling:	12.5 gypsum plaster board*
Skilion Roof	Cladding:	0.5mm profiled steel or 6mm fibre cement
	Sarking:	20mm particle board or plywood
	Frame:	100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar)
	Ceiling:	2 layers of 9.55mm gypsum plasterboard*
External Door	Solid core door (min 24kg/m2) with weather seals	

* Where exterior walls are of brick veneer or stucco plaster the internal linings need to be no thicker than 9.5mm gypsum plasterboard

** Typical acoustic glazing usually involves thick single panes or laminated glass. Where two or more layers of glass are employed with an air gap between, total thickness of window glass may be calculated as the total of all glass layers (excluding air gap) provided that at least one glass layer shall be of a different thickness to the other layer(s)

5. Noise levels at the boundary of the site shall not exceed an L(max) of 65 dBA provided that:
   - Corrected noise levels (L10) shall not exceed the following limit at the boundary of any Residential Resource Area or at the notional boundary of any building designed to accommodate people for any purpose located within the Rural Resource Area existing at the time this consent was granted:
     - 7.00 am – 10.00 pm 55 dBA L10
     - 10.00 pm – 7.00 am 40 dBA L10

6. Exterior lighting on the rear elevation of buildings on Lots 201-218 shall be:
   - shielded from above in such a manner that the edge of the shield shall be below the whole of the light source.
   - have a filter to filter out the blue or ultraviolet light, provided the light source would have more than 15% of the total emergent energy flux (Watts per nanometre) in the spectral region below 440nm. The filters used must transmit less than 10% of the light at any wavelength less than 440nm. This therefore includes, but is not limited to, fluorescent, mercury vapour and metal halide lamps.

7. Unless it is otherwise specified in the conditions of this consent, compliance with any monitoring requirement imposed by this consent shall be at the consent holder's expense.

8. The consent holder shall pay to the Council all required administration charges fixed by the Council pursuant to section 36 of the Act in relation to:
   a) Administration, monitoring and inspection relating to this consent; and
   b) Charges authorised by regulations.

Certified to be a correct copy of the decision of the Central Otago District Council.

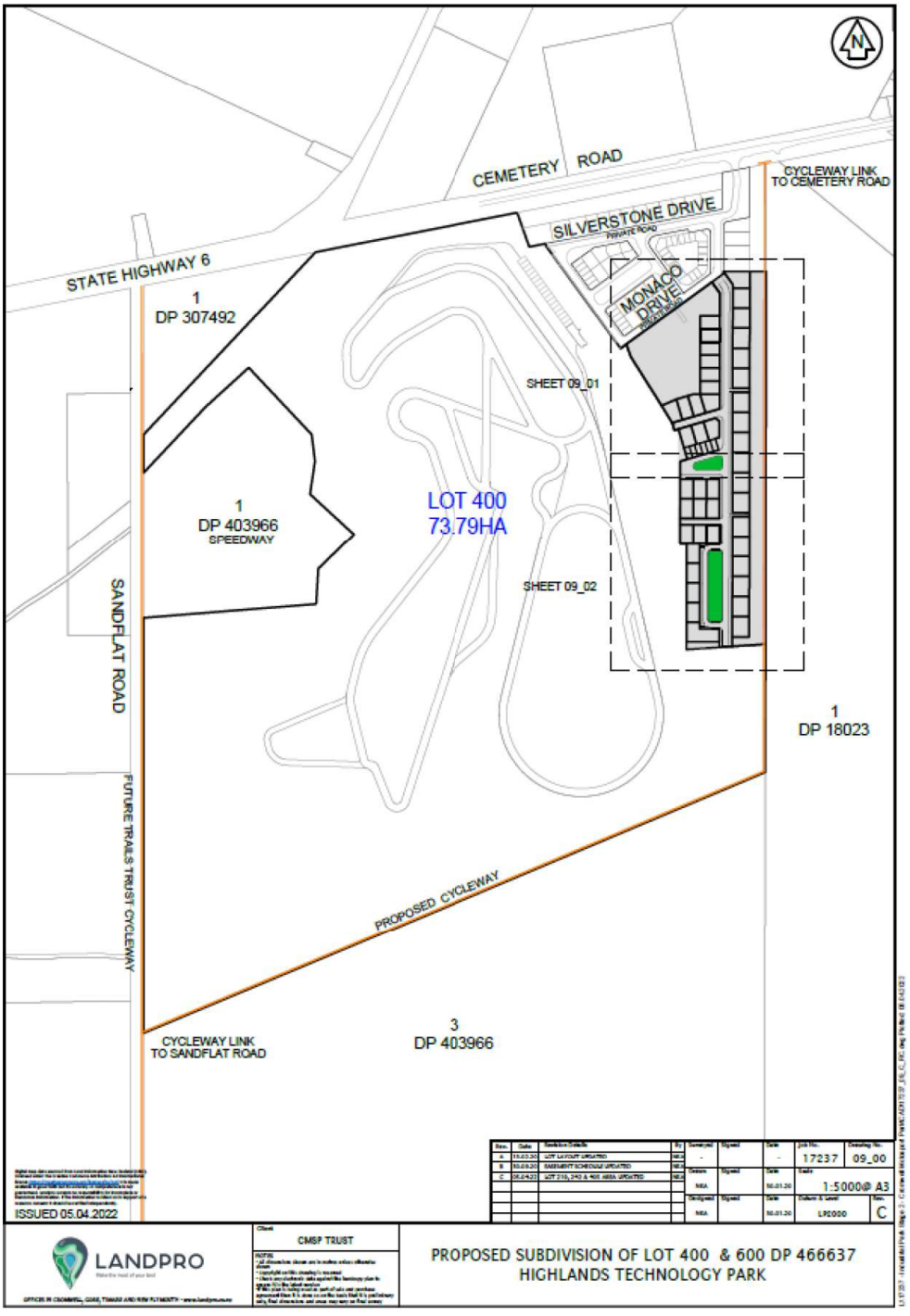
.....

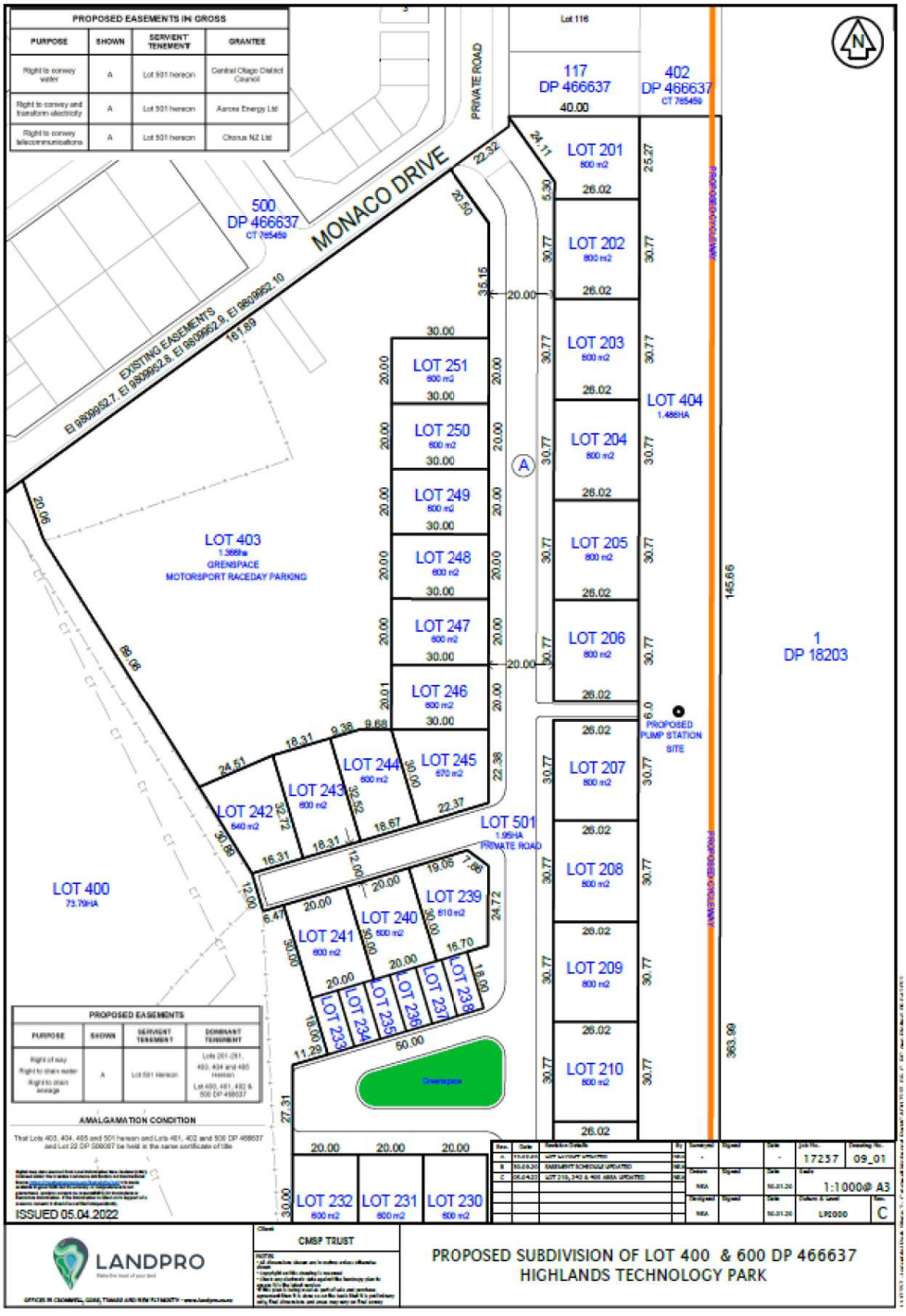
David Campbell
Acting Executive Manager, Planning and Environment

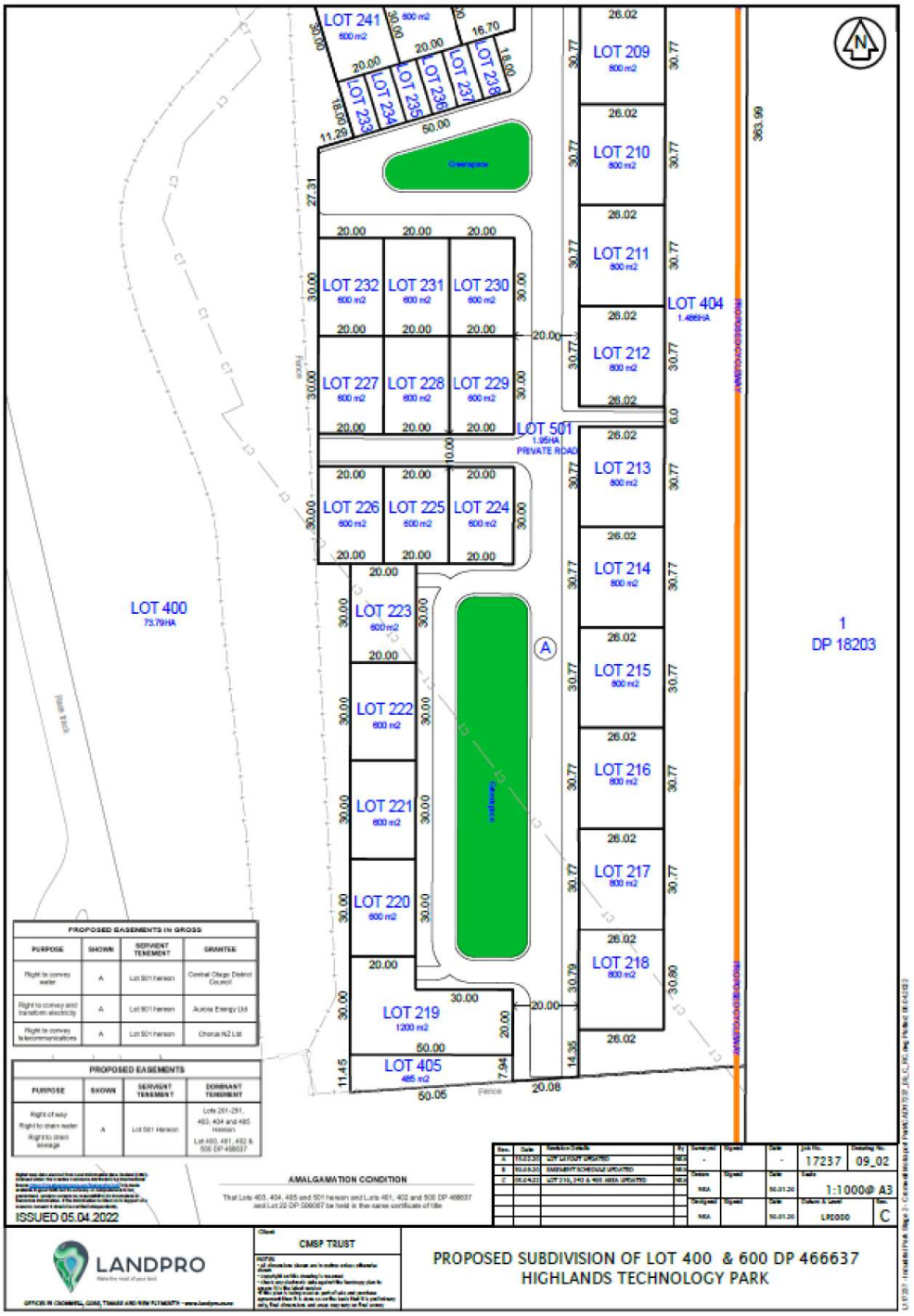
4 November 2020

Amended pursuant to S127 of the Resource Management Act 1991 on 22 April 2022 – See decision for RC200231V1

Revised Plans date 27 April 2022


CEMETERY ROAD
CYCLEWAY LINK TO CEMETERY ROAD
SILVERSTONE DRIVE
PRIVATE ROAD
MONACO DRIVE
PRIVATE ROAD
STATE HIGHWAY 6
1
DP 307492
SHEET 09_01
1
DP 403966
SPEEDWAY
LOT 400
73.79HA
SHEET 09_02
SANDFLAT ROAD
1
DP 18023
FUTURE TRAILS TRUST CYCLEWAY
PROPOSED CYCLEWAY
CYCLEWAY LINK TO SANDFLAT ROAD
3
DP 403966
ISSUED 05.04.2022
LANDPRO
CMSP TRUST
PROPOSED SUBDIVISION OF LOT 400 & 600 DP 466637
HIGHLANDS TECHNOLOGY PARK
17237
09_00
1:5000@ A3
C


PROPOSED EASEMENTS IN GROSS
PURPOSE
SHOWN
SERVIENT TENEMENT
GRANTEE
Right to convey water
A
Lot 501 hereon
Central Otago District Council
Right to convey and transform electricity
A
Lot 501 hereon
Aurora Energy Ltd
Right to convey telecommunications
A
Lot 501 hereon
Chorus NZ Ltd
PRIVATE ROAD
Lot 116
117
DP 466637
40.00
402
DP 466637
CT 765459
MONACO DRIVE
500
DP 466637
CT 765459
EXISTING EASEMENTS
EI 9809952.7 EI 9809952.8, EI 9809952.9, EI 9809952.10
161.89
LOT 201
800 m2
LOT 202
800 m2
LOT 203
800 m2
LOT 204
800 m2
LOT 205
800 m2
LOT 206
800 m2
LOT 207
800 m2
LOT 208
800 m2
LOT 209
800 m2
LOT 210
800 m2
LOT 404
1.488HA
LOT 251
800 m2
LOT 250
800 m2
LOT 249
800 m2
LOT 248
800 m2
LOT 247
800 m2
LOT 246
800 m2
LOT 245
670 m2
LOT 244
800 m2
LOT 243
800 m2
LOT 242
640 m2
LOT 241
800 m2
LOT 240
800 m2
LOT 239
810 m2
LOT 238
LOT 237
LOT 236
LOT 235
LOT 234
LOT 233
LOT 232
800 m2
LOT 231
800 m2
LOT 230
800 m2
LOT 403
1.388ha
GREENSPACE
MOTORSPORT RACEDAY PARKING
LOT 400
73.79HA
LOT 501
1.95HA
PRIVATE ROAD
PROPOSED PUMP STATION SITE
1
DP 18203
PROPOSED EASEMENTS
PURPOSE
SHOWN
SERVIENT TENEMENT
DOMINANT TENEMENT
Right of way
Right to drain water
Right to drain sewage
A
Lot 501 Hereon
Lots 251-251, 403, 404 and 485 Hereon
Lot 400, 401, 402 & 500 DP 466637
AMALGAMATION CONDITION
That Lots 403, 404, 485 and 501 hereon and Lots 401, 402 and 500 DP 466637 and Lot 22 DP 506067 be held in the same certificate of title
ISSUED 05.04.2022
LANDPRO
CMSP TRUST
PROPOSED SUBDIVISION OF LOT 400 & 600 DP 466637
HIGHLANDS TECHNOLOGY PARK
17257
09_01
1:1000@ A3
LP2000
C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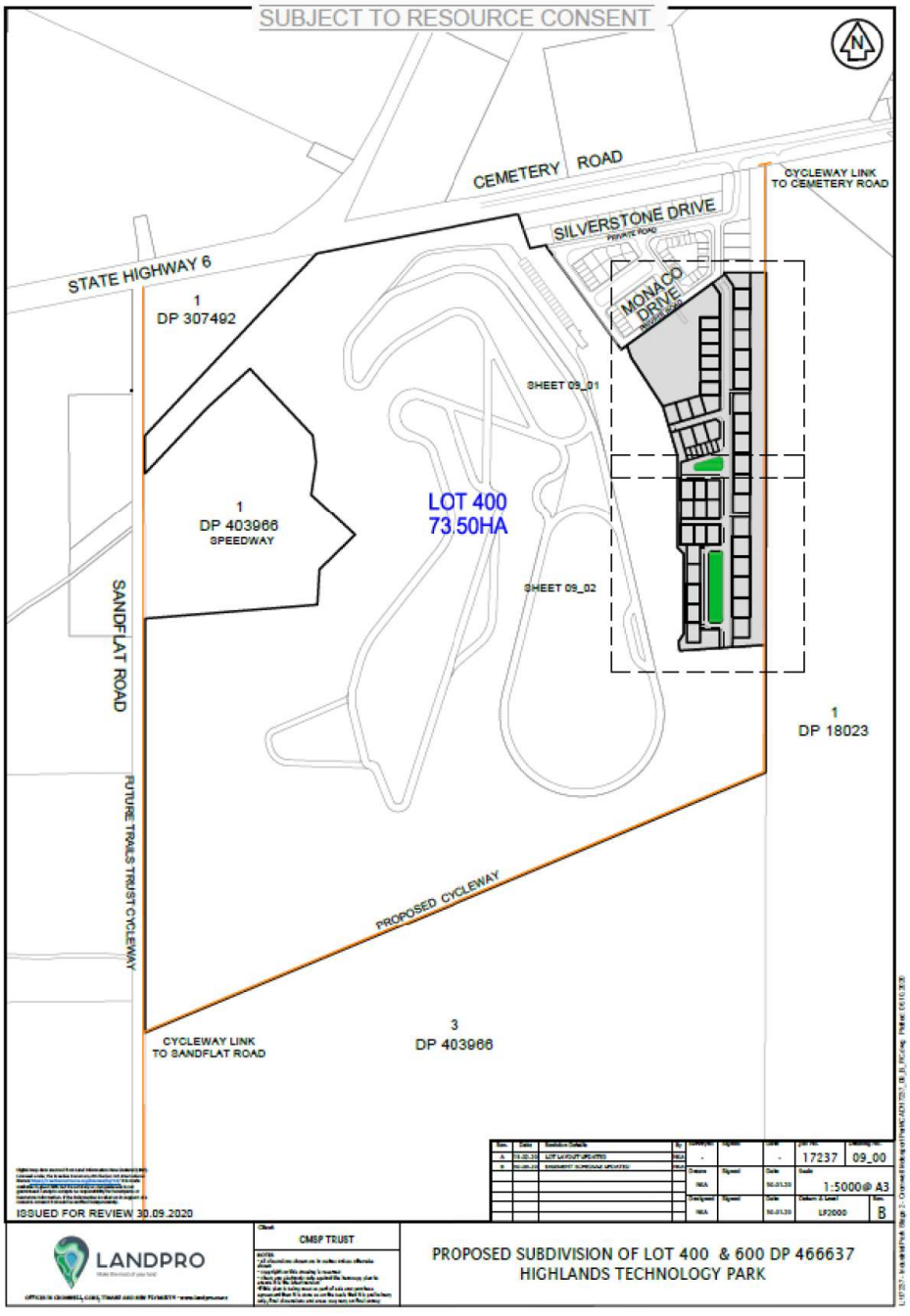
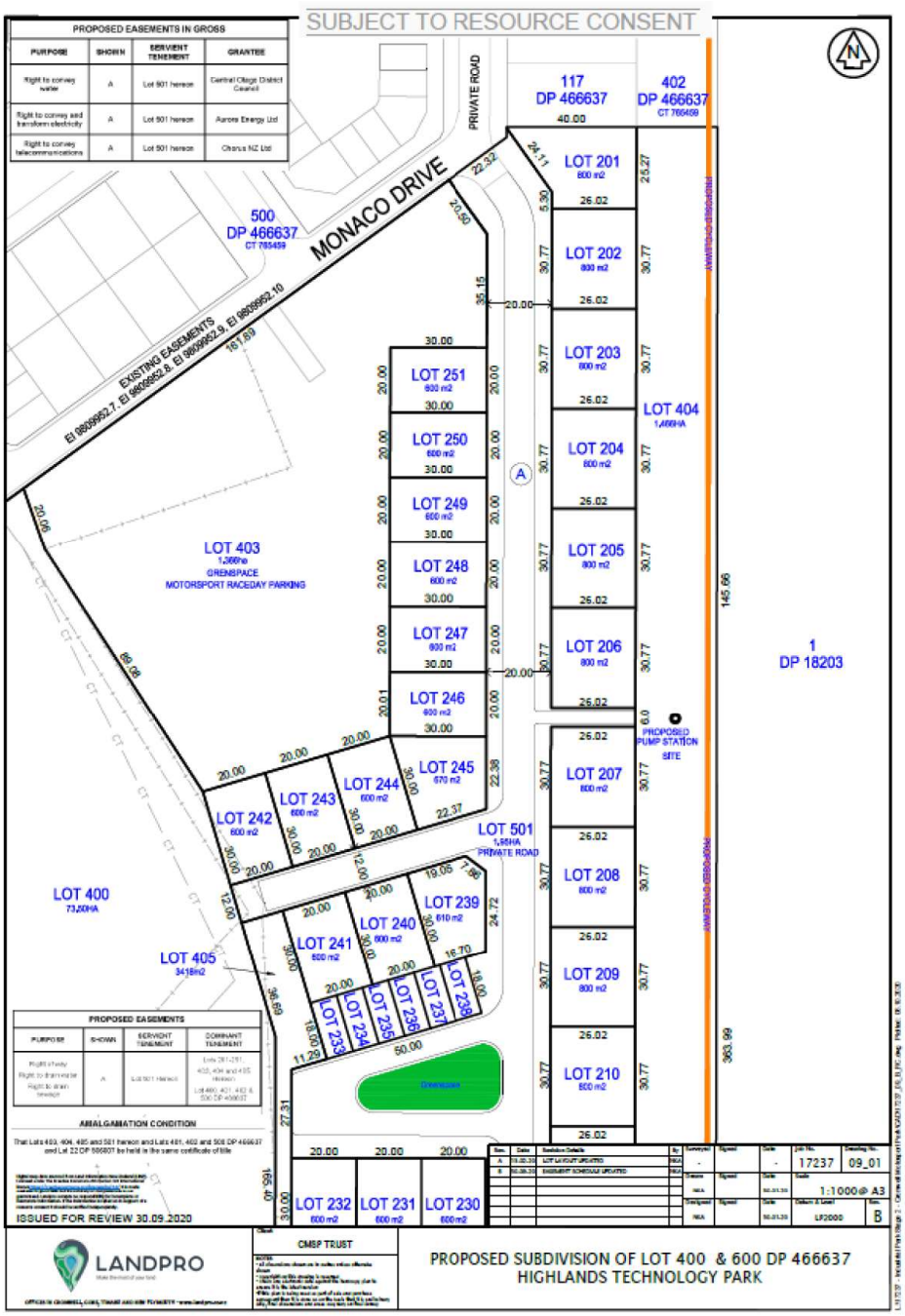
800 m2
LOT 234
LOT 235
LOT 236
LOT 237
LOT 238
LOT 239
LOT 209
LOT 210
LOT 211
LOT 212
LOT 213
LOT 214
LOT 215
LOT 216
LOT 217
LOT 218
LOT 404
1.488HA
LOT 232
LOT 231
LOT 230
LOT 227
LOT 228
LOT 229
LOT 501
1.95HA
PRIVATE ROAD
LOT 226
LOT 225
LOT 224
LOT 223
LOT 222
LOT 221
LOT 220
LOT 219
1200 m2
LOT 405
485 m2
LOT 400
73.79HA
1
DP 18203
Greenspace
PROPOSED EASEMENTS IN GROSS
PROPOSED EASEMENTS
AMALGAMATION CONDITION
ISSUED 05.04.2022
LANDPRO
CMSF TRUST
PROPOSED SUBDIVISION OF LOT 400 & 600 DP 466637
HIGHLANDS TECHNOLOGY PARK
17237
09_02
1:1000@ A3
C

Superceded plans by RC200231V1

Appendix 1




SUBJECT TO RESOURCE CONSENT
PROPOSED EASEMENTS IN GROSS
PURPOSE
SHOWN
SERVIENT TENEMENT
GRANTEE
Right to convey water
A
Lot 501 hereon
Central Otago District Council
Right to convey and transform electricity
A
Lot 501 hereon
Aurora Energy Ltd
Right to convey telecommunications
A
Lot 501 hereon
Chorus NZ Ltd
PRIVATE ROAD
117 DP 466637
402 DP 466637 CT 766459
40.00
MONACO DRIVE
500 DP 466637 CT 765459
EXISTING EASEMENTS EI 9809952.7, EI 9809952.8, EI 9809952.9, EI 9809952.10
161.69
LOT 201 800 m2
LOT 202 800 m2
LOT 203 800 m2
LOT 204 800 m2
LOT 205 800 m2
LOT 206 800 m2
LOT 207 800 m2
LOT 208 800 m2
LOT 209 800 m2
LOT 210 800 m2
LOT 404 1.466HA
LOT 251 800 m2
LOT 250 800 m2
LOT 249 800 m2
LOT 248 800 m2
LOT 247 800 m2
LOT 246 800 m2
LOT 245 670 m2
LOT 244 600 m2
LOT 243 600 m2
LOT 242 600 m2
LOT 403 1.266ha GREENSPACE MOTORSPORT RACEDAY PARKING
LOT 501 1.95HA PRIVATE ROAD
LOT 400 73.50HA
LOT 405 3418m2
LOT 239 610 m2
LOT 240 600 m2
LOT 241 600 m2
LOT 238
LOT 237
LOT 236
LOT 235
LOT 234
LOT 233
LOT 232 600 m2
LOT 231 600 m2
LOT 230 600 m2
PROPOSED PUMP STATION SITE
1 DP 18203
145.66
363.99
PROPOSED EASEMENTS
PURPOSE
SHOWN
SERVIENT TENEMENT
DOMINANT TENEMENT
AMALGAMATION CONDITION
That Lots 403, 404, 405 and 501 hereon and Lots 401, 402 and 500 DP 466637 and Lot 22 DP 506807 be held in the same certificate of title
ISSUED FOR REVIEW 30.09.2020
LANDPRO
CMSP TRUST
PROPOSED SUBDIVISION OF LOT 400 & 600 DP 466637
HIGHLANDS TECHNOLOGY PARK
17237
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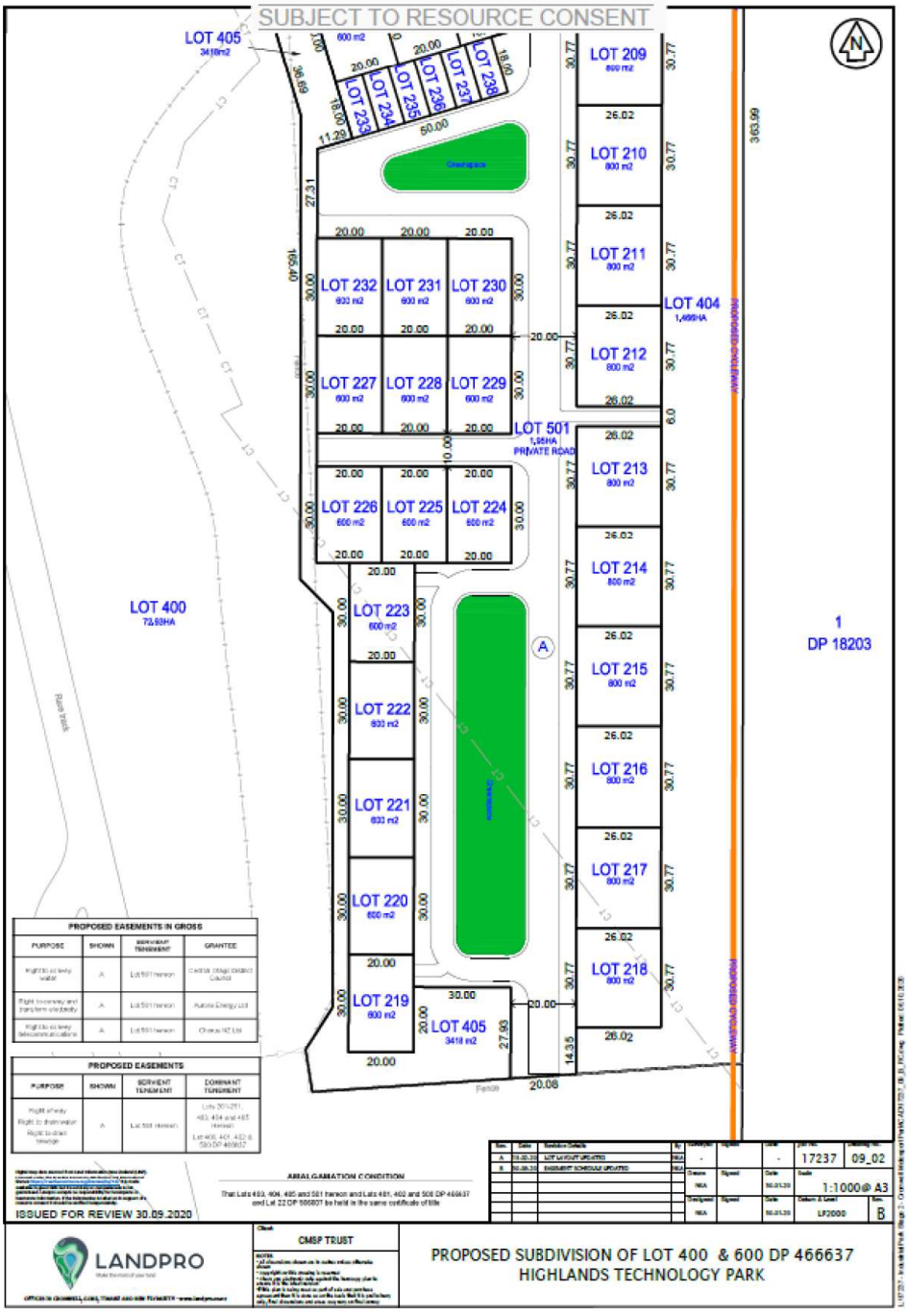
B


SUBJECT TO RESOURCE CONSENT
LOT 405
3418m2
LOT 209
LOT 210
LOT 211
LOT 212
LOT 213
LOT 214
LOT 215
LOT 216
LOT 217
LOT 218
LOT 404
1.499HA
LOT 501
1.95HA
PRIVATE ROAD
LOT 232
LOT 231
LOT 230
LOT 227
LOT 228
LOT 229
LOT 226
LOT 225
LOT 224
LOT 223
LOT 222
LOT 221
LOT 220
LOT 219
LOT 405
3418 m2
LOT 400
73.69HA
1
DP 18203
PROPOSED EASEMENTS IN GROSS
PROPOSED EASEMENTS
AMALGAMATION CONDITION
ISSUED FOR REVIEW 30.09.2020
LANDPRO
CMSP TRUST
PROPOSED SUBDIVISION OF LOT 400 & 600 DP 466637
HIGHLANDS TECHNOLOGY PARK
17237
09_02
1:1000@ A3
LP2000
B

Appendix 2

Plant List – Highlands Motorsport Park

The following list of native species shall be used in association with landscaping in the Industrial Subdivision at the Highlands Motorsport Park. Of the total area of landscaping, 80% shall comprise natives from the list below.

Acaena inermis purpurea
Anamanthele lessonia
Astelia nervosa
Carex secta
Carex testacea
Carex virgata
Coprosma crassifolia
Coprosma repens
Corokia cotoneaster
Corokia buddleioides
Corokia 'Red Wonder'
Cordyline australis
Dianella nigra 'Margaret Pringle'
Griselinia littoralis
Hebe speciosa
Hebe albicans
Hebe diomifolia
Hebe 'Dazzler'
Hebe buchananii
Hebe cockayniana
Hebe 'Goldrush'
Hebe 'First Light'
Libertia peregrinans
Muehlenbeckia astonii
Phormium cookianum 'Purpurea'
Phormium cookianum 'Evening Glow'
Phormium cookianum 'Little Cracker'
Poa cita
Poa colensoi
Pittosporum tenufolium
Pittosporum eugeniodes
Sophora microphylla

Annex 1

SUBMITTER/S	SUMMARY OF SUBMISSION	DECISION REQUEST
Central Land Holdings Limited	**Support** The submitter supports the application in its entirety. The Highlands Motorsport Park is an important economic and social asset for Cromwell and the wider district. The growth of this asset should be encouraged and supported. The proposed subdivision and land use is a sustainable use of the site and will result in positive economic and social outcomes.	**Grant consent.**
DCH Motorsport Limited	**Support**	**Grant consent.**
Roger & Wendy Driver	**Support** The submitters support in full the expansion of existing Highlands Innovation and Technology Park. The submitters are current residents of the Park.	**Grant consent to the subdivision in full.**
Sam Gordon Graham	**Support**	**Grant consent**
Mark Guyton & Joan Murphy	**Support** The submitters support all aspects of the application.	**Grant consent.**
Michael Talmage Hedges	**Support**	**Grant consent.**
River Terrace Developments Ltd	**Oppose** The submission relates to the whole application. The submitter opposes the application on the basis that the applicant has lodged submissions and presented evidence at hearings, to the effect that residential use of land in this general vicinity, a vicinity which includes the application site, is incompatible with existing activities on the application site and on other nearby properties. Specific statements made on behalf of the applicant. which are directly relevant to this application, include: *"Residential use of the site is incompatible with existing activities on surrounding land, including motorsport and horticultural activities.*	**Refuse consent.**

	The proposal is inconsistent with residential amenity." *"Exposure to existing noisy activity cannot be avoided, remedied or mitigated to meet expectations of residential amenity."* *"Residential development would result in significant adverse effects in terms of exposure of residents to significant noise levels from a range of sources, mainly from motorsport activities."* *"The effects of consented horticultural activity form part of the 'existing environment' which contributes to the cumulative noise effects."* The above statements were made in relation to proposed residential activities on land in very close proximity to the application site. The same statements must be applicable to this proposal.	
Waka Kotahi NZ Transport Agency (Waka Kotahi/Transport Agency)	**Oppose** The submission relates particularly to the Cemetery Road intersection with State Highway 6 and the submitter states as follows: **Cemetery Road Intersection with SH6** (1) The existing SH6/Cemetery Road intersection is controlled on Cemetery Road by a give way sign. The intersection on to SH6 has been widened to a Waka Kotahi Diagram E standard. (2) Since the Highlands Innovation and Technology Park and the access to the site from Cemetery Road were established, further development has occurred in the area south of Cromwell and adjacent to Cemetery Road. As a result, the number of vehicles using the Cemetery Road and the intersection with SH6 has increased. (3) The application as notified discusses transportation effects as they relate to the site and local roading network but does not consider the effects of the additional vehicles generated by the proposal on the State highway intersection. (4) As a result, Waka Kotahi would like further information from the applicant that identifies the transportation effects of the proposal on the intersection. This information should take the form of a transportation assessment prepared by an appropriately qualified transportation engineer and include an intersection warrant and an assessment of trip	**Refuse consent** unless further assessment on the transportation effects on the Cemetery Road/SH6 is provided and either identify the effects on the intersection are less than minor or identify appropriate mitigation measures.

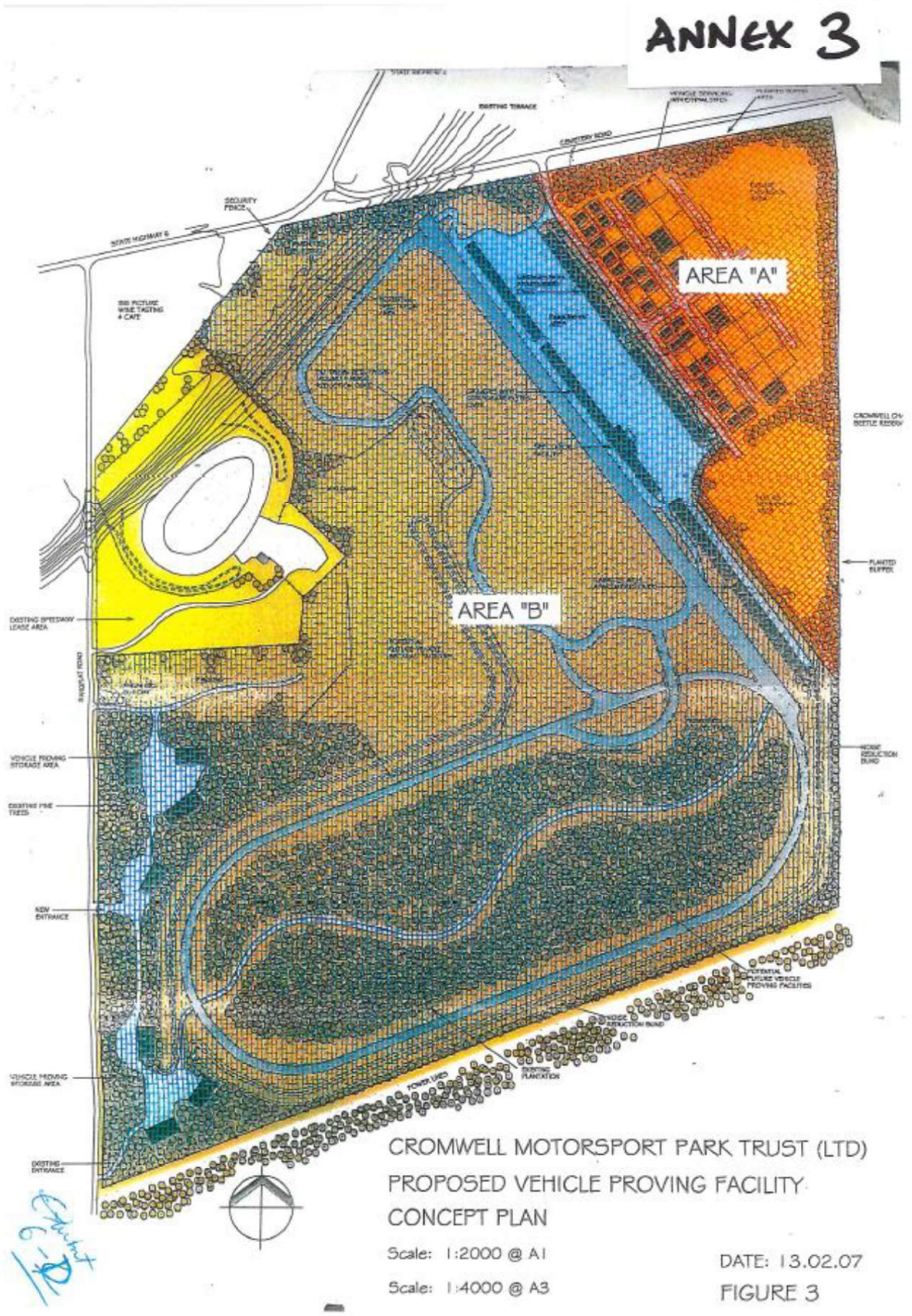
	distributions based on access to the surrounding transport network from the site. (5) The Transport Agency's statutory objective is to carry out its functions in a way that contributes to an effective, efficient and safe land transport system in the public interest. Some of these functions relevant in this case are: • to manage the State highway system in accordance with the relevant legislation; • to assist, advise, and co-operate with approved organisations (such as regional councils and territorial authorities); and • the principle to exhibit a sense of social and environmental responsibility which includes the sustainable management of the land transport system. (6) The Transport Agency submits that the proposed subdivision and land use activity has the potential to have an adverse effect on the efficiency and safety of the land transport system and the safety of the Cemetery Road/SH6 intersection that have not been adequately assessed in the application.	
Jeanette Theresa Whittaker	**Support**	**Grant consent.**

Annex 2

1. Grant Aitken of Grant Aitken Ltd
2. Fallon Bain-Gordon for Garry Price Family Trust
3. Dean Beard
4. Ian Begg
5. Peter Bennetts & Karen McSkimming
6. Paul Boden for Plan B Storage Ltd
7. Antony Charles Vernon Brown & Phillipa Jan Pearce
8. Morris Andrew Brown
9. Garry Paul Carter & Robyn Janet Carter
10. Central Land Holdings Ltd
11. Dennis Chapman for DCH Motorsport Ltd
12. Wendy Clearwater for Clearwater Central Apartments Limited
13. Donald McKenzie Cochrane
14. Paul Coghill & Lisa Coghill for Coghill Trustees Limited
15. Andrew Craig
16. Scott Crawford
17. Nigel De Geest
18. Director General of Conservation (Conditional)
19. Andrea Driver
20. Roger Driver & Wendy Driver
21. Owen Evans
22. Brent Forman for Skyhawk Holdings Ltd
23. Simon Giles
24. Sam Graham of SGGC Ltd
25. Mark Guyton & Jean Murphy
26. John Hancock & Carmen Hancock
27. Doug Hay & Margaret Hay of Central Park Apartments
28. Mike Hedges & Lynette Hedges of May Investments Ltd
29. Stu Higgin of Southern Speed
30. Paul Hoffman for Paul T Hoffman Family Trust
31. Brandon Jackson of Jackson Okabe Ltd

32. Viv James & Tim James of Black Barn Hampton Downs Ltd
33. Ken Jarvis & Marie Jarvis
34. Shane Johnston of Thunder Road Classics
35. Gary John Kirk
36. Steve Lyttle & Carolyn Ball of Three G Family Trust
37. Valerie Miller
38. Laura Moore & Barry Moore of Mk1 Investments Ltd
39. Nockies Palette (NZ) Ltd
40. Sam O'Callaghan
41. Danny Omalley
42. Petch Family Trust
43. Dennis Phillips of Dennis Phillips Motors Ltd
44. Brent Prentice & Carron Prentice for On Track Partnership
45. Alister Rayner
46. Sarah Richardson & Lloyd Richardson
47. John Roderique for Foveax Properties
48. Bradley Rule
49. Allister John Saville & Diane Margaret Saville for RRR Company (NZ) Ltd
50. Steve Scoles for Otago Farm Machinery Ltd
51. Brian Scott
52. Jason Scott
53. Jim S [obscured]
54. Phillip Smith
55. Jerry Spencer
56. Andrew Taylor
57. Glenn & Corina Vaughan for Vaughan Family Trust
58. Matthew Vickers
59. Gary Waite for Waite Properties Ltd
60. GC & JT Whittaker Partnership
61. Christian Wieser
62. Peter Wieser of CP Service (Hampton Downs) Ltd

Annex 3


ANNEX 3
AREA "A"
AREA "B"
CROMWELL MOTORSPORT PARK TRUST (LTD)
PROPOSED VEHICLE PROVING FACILITY
CONCEPT PLAN
Scale: 1:2000 @ A1
Scale: 1:4000 @ A3
DATE: 13.02.07
FIGURE 3

39

21 August 2025

Highlands Design Review Board
7 Sandflat Road, Cromwell

Dean and Michelle Telfer
296 Riverbank Road,
Wanaka, 9382
C/- Thom Rogers, thom@thewrightbuild.co.nz

Dear Dean and Michelle,

The Highlands Design Review Board (HDRB) has reviewed your submission and we are pleased to inform you that the submitted design for your property at **12 and 14 Quinn's Way,** has been approved by the HDRB.

While the proposed fence is not compliant with the Design Guidelines, the HDRB considers that the mitigating factors include the approved landscaping and the nature of the retaining, which will assist in predominantly screening the fence from beyond the site.

You are now permitted to submit the appropriate documentation to the Central Otago District Council for Building and/or Resource Consent.

Please note, design approval from the HDRB does not guarantee approval by the Central Otago District Council and we encourage that you check the Central Otago District Plan and any other relevant legislation to ensure compliance.

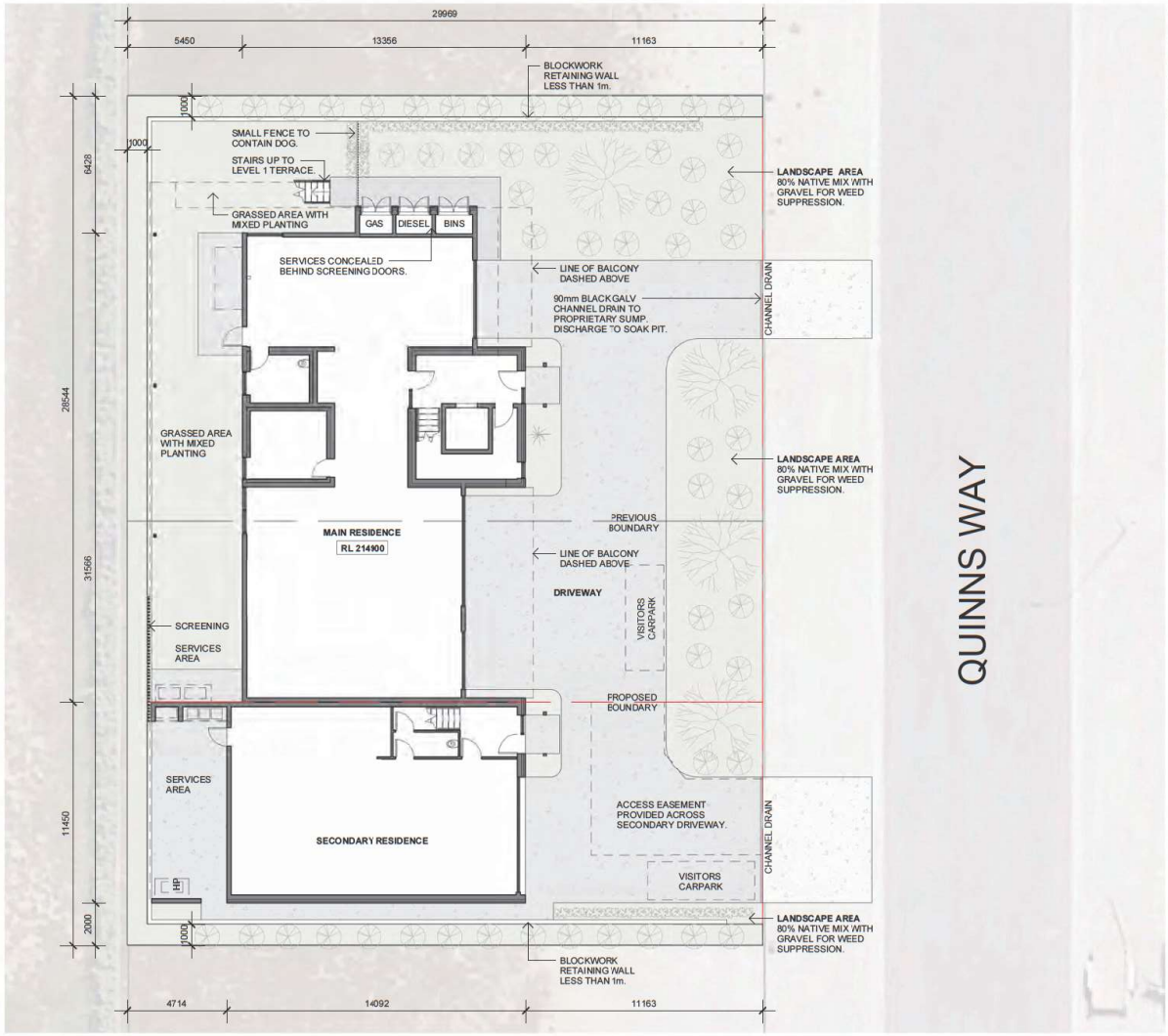
Kind Regards,

Jake Woodward
on behalf of the Highlands Design Review Board

Attachments:

Appendix [A] HDRB Approval –Stamped Plans

TELFER RESIDENCE
12 AND 14 QUINNS WAY
HIGHLANDS DESIGN REVIEW
THE WRIGHT BUILD
residential.commercial.renovation
ram projects
PROPERTY DEVELOPMENT
Highlands Design Review Board hereby gives written approval to the development shown on the plan for the purposes of satisfying the requirement for all developments to be reviewed and endorsed by the HDRB. This approval does not imply the development shown will comply with any other relevant Local Authority Requirements.
Jake Woodward and Annaliese Mirus
Highlands Design Review Board



1 **SITE PLAN**
1 : 200

LOCATION WITHIN HIGHLANDS

LANDSCAPE KEY

FEATURE TREE
- Cordyline australis
- Sophora microphylla

LOW PLANTING
- Anemanthele lessoniana
- Astelia nervosa
- Carex secta
- Carex testacea
- Muehlenbeckia astonii
- Phormium Varities

HEDGING
- Griselinia littoralis
- Pittosporum Varities

TOWN PLANNING	
12 AND 14 QUINNS WAY, CROMWELL LOTS 247/248, DP556783	
CENTRAL OTAGO DISTRICT COUNCIL	
MAXIMUM HEIGHT:	8m
ROAD SETBACK:	1m
BUILDING METRICS 12 QUINNS WAY	
SECTION AREA:	855 m²
COVERAGE (UNDER ROOF):	423m² / 50%
LANDSCAPING:	276m² / 32%
GFA	
GROUND LEVEL:	257 m²
LEVEL 1:	330 m²
TOTAL:	587 m²
BUILDING METRICS 14 QUINNS WAY	
SECTION AREA:	353 m²
COVERAGE (UNDER ROOF):	171m² / 48%
LANDSCAPING:	70m² / 20%
GFA	
GROUND LEVEL:	133 m²
LEVEL 1:	144 m²
TOTAL:	277 m²
ZONES	
CLIMATE ZONE:	
EARTHQUAKE ZONE:	
EXPOSURE ZONE:	
LEE ZONE:	
RAINFALL RANGE:	
WIND REGION:	
WIND ZONE:	
COUNCIL APPROVALS REQUIRED	
RESOURCE CONSENT: EXCAVATION TOTAL: 1100m³	
BOUNDARY ADJUSTMENT: RE-PROPORTION TWO LOTS.	
LANDSCAPE NOTES	
PLANTING TO CONSIST OF MINIMUM 80% NATIVE SPECIES.	
IN GROUND WATERING WITH TIMER REQUIRED.	
GENERAL NOTES	
SETOUT OF THE WORKS IS TO CONFORM WITH THE DRAWINGS. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ARCHITECT OF ANY DISCREPANCIES.	
THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS BOTH IN THE DRAWINGS AND SITE.	
ALL WORKS TO COMPLY FULLY WITH ALL CURRENT HEALTH AND SAFETY REGULATIONS AND WITH ALL RELEVANT BUILDING CODES AND STANDARDS.	
THE ARCHITECTURAL DRAWINGS SHALL BE READ IN CONJUNCTION WITH THE ASSOCIATED SPECIFICATIONS AND CONDITIONS OF CONTRACT. THE DRAWINGS SHALL ALSO BE READ IN CONJUNCTION WITH THE STRUCTURAL, SERVICES, CIVIL AND OTHER PROJECT DOCUMENTS. ANY DISCREPANCIES IN THE ARCHITECTURAL DRAWINGS OR BETWEEN AND CONSULTANT DOCUMENTS SHALL BE REFERRED TO THE ARCHITECT FOR RESOLUTION.	
SUBSTITUTION FOR OR AMENDMENT OF SPECIFIED DETAILS OR MATERIAL SHALL NOT BE CARRIED OUT WITHOUT PRIOR APPROVAL OF THE ARCHITECT	
F5 - WORK SITE BARRIERS:	
1. WORK SITE BARRIERS TO BE IN COMPLETE ACCORDANCE WITH F5/AS1.	
2. BARRIERS ARE NOT NECESSARY FOR DOMESTIC DWELLINGS UP TO 2 STORIES ABOVE GROUND LEVEL UNLESS SPECIFIC HAZARDS EXIST.	
3. NO SPECIFIC SITE HAZARDS HAVE BEEN DENTIFIED IN THE DESIGN STAGE.	
4. IF SPECIFIC SITE HAZARDS ARE IDENTIFIED DURING CONSTRUCTION THEN BARRIERS FOR DIFFERENT SITE CONDITIONS MUST BE ERECTED IN ACCORDANCE WITH PARAGRAPH 1.0 AND TABLE 1 OF F5/AS1.	

TELFER RESIDENCE

12 AND 14 QUINNS WAY

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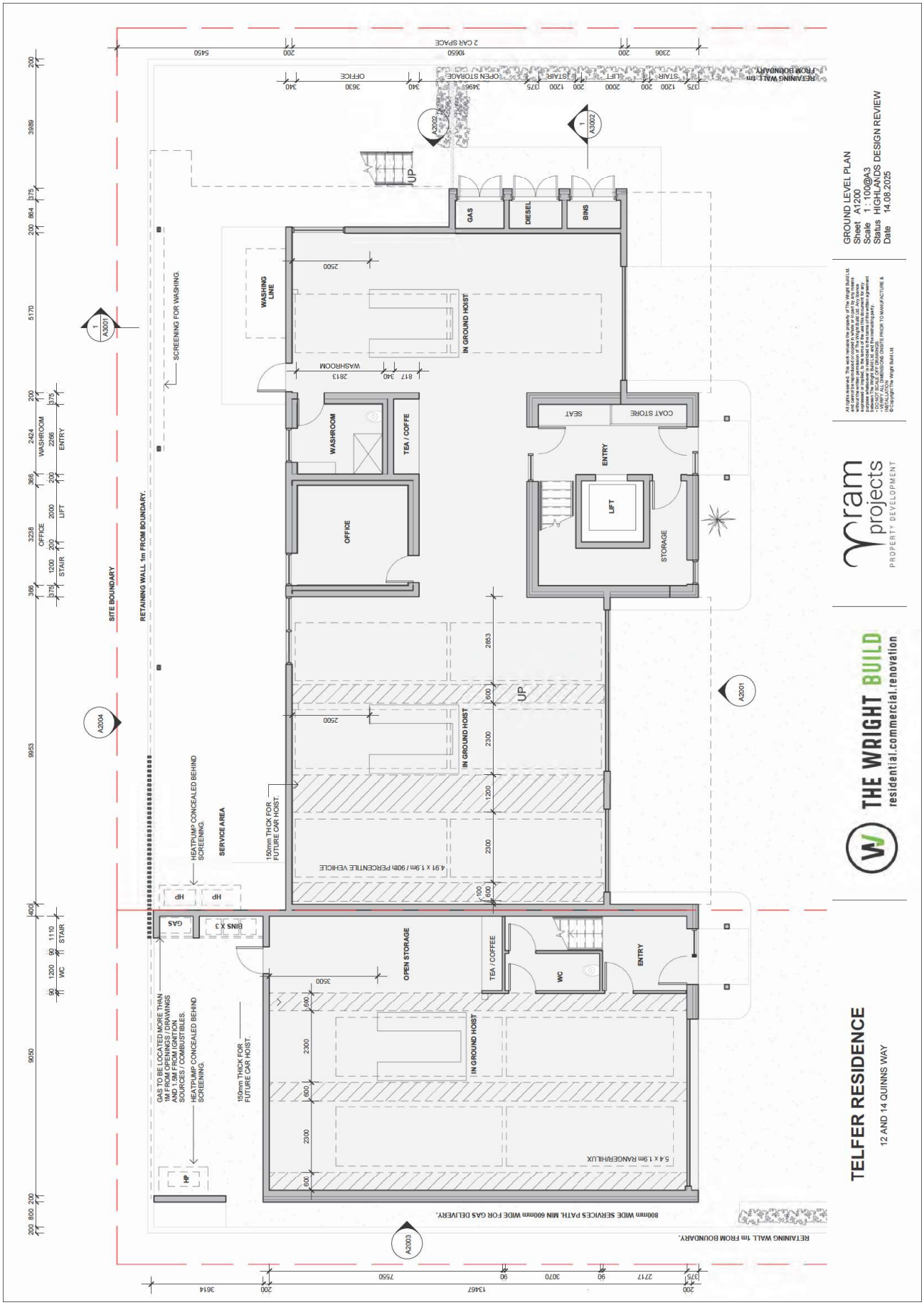
SITE PLAN
Sheet A1001
Scale As indicated@A3
Status LANDSCAPE PLAN
Date 15.08.2025


TELFER RESIDENCE
12 AND 14 QUINNS WAY
GROUND LEVEL PLAN
Sheet A1200
Scale 1 : 100@A3
Status HIGHLANDS DESIGN REVIEW
Date 14.08.2025
THE WRIGHT BUILD
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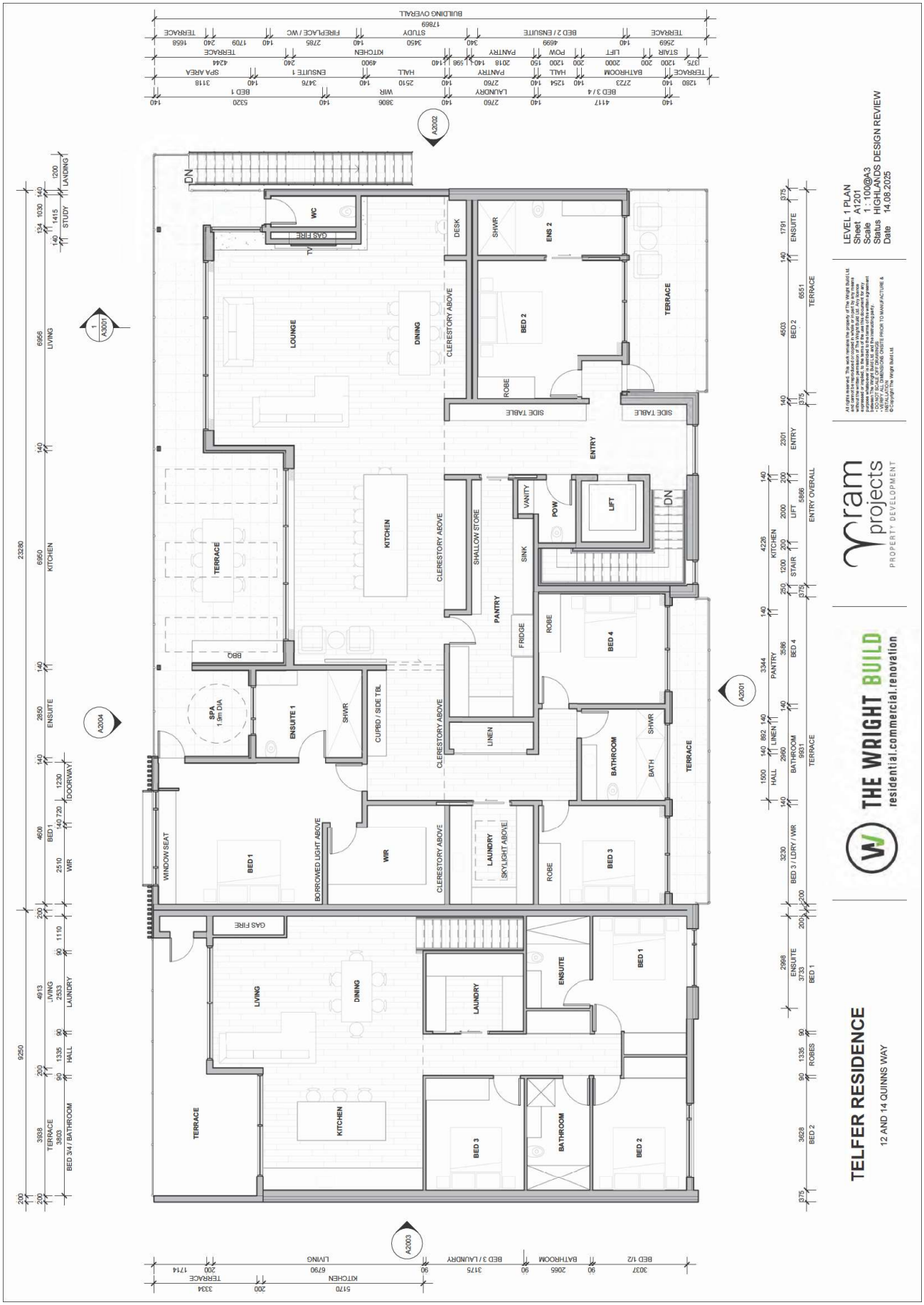
PROPERTY DEVELOPMENT
SITE BOUNDARY
RETAINING WALL 1m FROM BOUNDARY.
SCREENING FOR WASHING.
WASHING LINE
IN GROUND HOIST
WASHROOM
WASHROOM
TEA / COFFE
OFFICE
SEAT
COAT STORE
ENTRY
LIFT
STORAGE
GAS
DIESEL
BINS
UP
2500
2853
600
2300
1200
100
4.9 x 1.9m / 90th PERCENTILE VEHICLE
150mm THICK FOR FUTURE CAR HOIST.
SERVICE AREA
HEATPUMP CONCEALED BEHIND SCREENING.
HP
GAS
BINS X 3
OPEN STORAGE
TEA / COFFEE
WC
ENTRY
3500
5.4 x 1.9m RANGER/HILUX
GAS TO BE LOCATED MORE THAN 1M AT GROUND LEVEL (DRAWINGS AND 3M FROM WINDOWS SOURCES / COMBUSTIBLES.
800mm WIDE SERVICES PATH. MIN 600mm WIDE FOR GAS DELIVERY.
RETAINING WALL 1m FROM BOUNDARY.
A2002
A3002
A3001
A2004
A2201
A2003


TELFER RESIDENCE
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PROPERTY DEVELOPMENT
LEVEL 1 PLAN
Sheet A1201
Scale 1 : 100@A3
Status HIGHLANDS DESIGN REVIEW
Date 14.08.2025
LOUNGE
DINING
KITCHEN
TERRACE
BED 2
ENS 2
ENTRY
LIFT
PANTRY
LINEN
SHALLOW STORE
BED 4
BATHROOM
BED 1
ENSUITE 1
WIR
LAUNDRY
BED 3
LIVING
BED 3 / LAUNDRY
BATHROOM
BED 1/2

TELFER RESIDENCE
12 AND 14 QUINNS WAY
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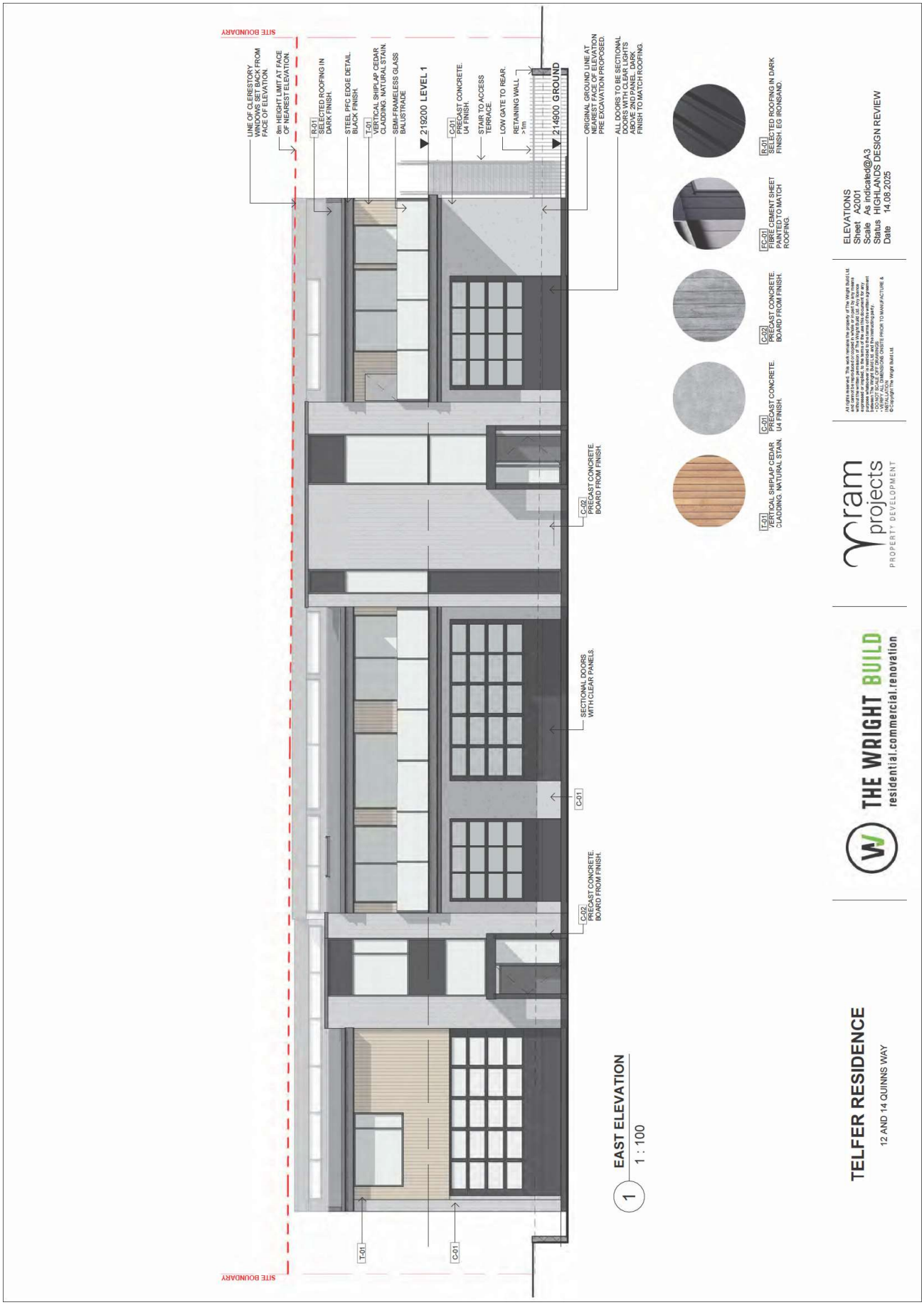
PROPERTY DEVELOPMENT
ROOF PLAN
Sheet A1203
Scale 1 : 100@A3
Status HIGHLANDS DESIGN REVIEW
Date 14.08.2025
SPOUTING
OPENING
OPENING
OPENING
R-01 SELECTED TRAPEZOIDAL ROOFING IN DARK FINISH WITH LRV < 38%. EG IRONSAND.
CLERESTOREY WINDOWS
INTERNAL GUTTER
PFC FASCIA
SKYLIGHT
R-02 MEMBRANE ROOF TO LOW SLOPE SECTION
A2004
A2003
A2002
A2001
A3001
A3002


SITE BOUNDARY
LINE OF CLERESTORY WINDOWS SET BACK FROM FACE OF ELEVATION.
8m HEIGHT LIMIT AT FACE OF NEAREST ELEVATION.
R-01 SELECTED ROOFING IN DARK FINISH.
STEEL FFC EDGE DETAIL. BLACK FINISH.
T-01 VERTICAL SHIPLAP CEDAR CLADDING. NATURAL STAIN.
SEMI-FRAMELESS GLASS BALUSTRADE
219200 LEVEL 1
C-01 PRECAST CONCRETE. U4 FINISH.
STAIR TO ACCESS TERRACE.
LOW GATE TO REAR.
RETAINING WALL >1m
214900 GROUND
ORIGINAL GROUND LINE AT NEAREST FACE OF ELEVATION PRE EXCAVATION PROPOSED.
ALL DOORS TO BE SECTIONAL DOORS WITH CLEAR LIGHTS ABOVE AND PANEL BELOW. FINISH TO MATCH ROOFING.
C-02 PRECAST CONCRETE. BOARD FROM FINISH.
SECTIONAL DOORS WITH CLEAR PANELS.
C-01
C-02 PRECAST CONCRETE. BOARD FROM FINISH.
T-01
C-01
SITE BOUNDARY
T-01 VERTICAL SHIPLAP CEDAR CLADDING. NATURAL STAIN.
C-01 PRECAST CONCRETE. U4 FINISH.
C-02 PRECAST CONCRETE. BOARD FROM FINISH.
FC-01 FIBRE CEMENT SHEET PAINTED TO MATCH ROOFING.
R-01 SELECTED ROOFING IN DARK FINISH. EG IRONSAND.
1 EAST ELEVATION
1 : 100
TELFER RESIDENCE
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PROPERTY DEVELOPMENT
ELEVATIONS
Sheet A2001
Scale As indicated@A3
Status HIGHLANDS DESIGN REVIEW
Date 14.08.2025

1 **NORTH ELEVATION**
1 : 100

T-01 VERTICAL SHIPLAP CEDAR CLADDING. NATURAL STAIN.
C-01 PRECAST CONCRETE. U4 FINISH.
C-02 PRECAST CONCRETE. BOARD FROM FINISH.
FC-01 FIBRE CEMENT SHEET PAINTED TO MATCH ROOFING.
R-01 SELECTED ROOFING IN DARK FINISH. EG IRONSAND.

TELFER RESIDENCE

12 AND 14 QUINNS WAY

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ELEVATIONS
Sheet A2002
Scale 1 : 100@A3
Status HIGHLANDS DESIGN REVIEW
Date 14.08.2025

SITE BOUNDARY
8m HEIGHT LIMIT AT FACE OF NEAREST ELEVATION.
DARK ALUMINIUM CLADDING TO MATCH ROOF COLOUR.
C-01 PRECAST CONCRETE. U4 FINISH.
219200 LEVEL 1
214900 GROUND
ORIGINAL GROUND LINE AT NEAREST FACE OF ELEVATION PRE EXCAVATION PROPOSED.
PANEL JOIN
PANEL JOIN
PANEL JOIN
PANEL JOIN
PANEL JOIN
SITE BOUNDARY
T-01 VERTICAL SHIPLAP CEDAR CLADDING. NATURAL STAIN.
C-01 PRECAST CONCRETE. U4 FINISH.
C-02 PRECAST CONCRETE. BOARD FROM FINISH.
FC-01 FIBRE CEMENT SHEET PAINTED TO MATCH ROOFING.
R-01 SELECTED ROOFING IN DARK FINISH. EG IRONSAND.
1 SOUTH ELEVATION
1 : 100
TELFER RESIDENCE
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ELEVATIONS
Sheet A2003
Scale 1 : 100@A3
Status HIGHLANDS DESIGN REVIEW
Date 14.08.2025

SITE BOUNDARY
FC-01 FIBRE CEMENT SHEET PAINTED TO MATCH ROOFING.
DARK PAINTED FIBRE CEMENT SHEET CLADDING WITH VERTICAL METAL BATTENS OVER.
8m HEIGHT LIMIT AT FACE OF NEAREST ELEVATION
ORIGINAL GROUND LINE AT NEAREST FACE OF ELEVATION PRE EXCAVATION PROPOSED.
LINE OF BLOCKWORK RETAINING WALL IN FOREGROUND.
R-01 SELECTED ROOFING IN DARK FINISH.
FC-01 FIBRE CEMENT SHEET PAINTED TO MATCH ROOFING.
T-01 VERTICAL SHIPLAP CEDAR CLADDING. NATURAL STAIN.
SEMI-FRAMELESS GLASS BALUSTRADE
LEVEL 1 219200
STAIR TO ACCESS TERRACE.
C-01 PRECAST CONCRETE. U4 FINISH.
GROUND 214900
SITE BOUNDARY
1 WEST ELEVATION
1 : 100
T-01 VERTICAL SHIPLAP CEDAR CLADDING. NATURAL STAIN.
C-01 PRECAST CONCRETE. U4 FINISH.
C-02 PRECAST CONCRETE. BOARD FROM FINISH.
FC-01 FIBRE CEMENT SHEET PAINTED TO MATCH ROOFING.
R-01 SELECTED ROOFING IN DARK FINISH. EG IRONSAND.
TELFER RESIDENCE
12 AND 14 QUINNS WAY
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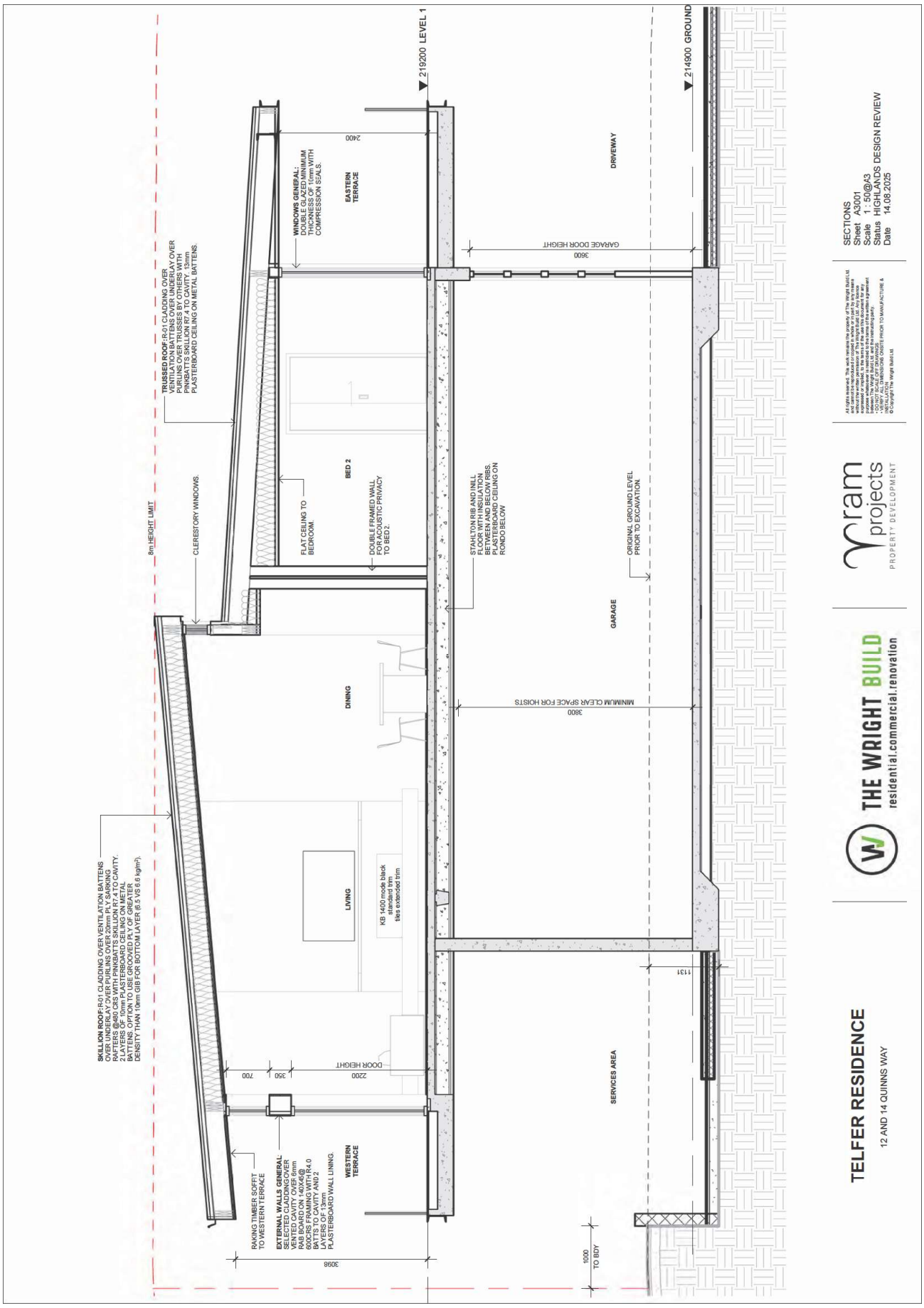
PROPERTY DEVELOPMENT
ELEVATIONS
Sheet A2004
Scale 1 : 100@A3
Status HIGHLANDS DESIGN REVIEW
Date 14.08.2025


SKILLION ROOF: R-01 CLADDING OVER VENTILATION BATTENS OVER UNDERLAY OVER 22mm H1.2 SARKING RAFTERS @600 CRS WITH R4.0 CCW BATTS TO CEILING AND R4.0 CCW BATTS TO 2 LAYERS OF 13mm PLASTERBOARD CEILING ON METAL BATTENS. OPTION TO USE GROOVED PLY OF GREATER DENSITY THAN 10mm GIB FOR BOTTOM LAYER (6.5 VS 6.6 kg/m2).
8m HEIGHT LIMIT
CLERESTORY WINDOWS.
TRUSSED ROOF: R-01 CLADDING OVER VENTILATION BATTENS OVER UNDERLAY OVER PURLINS OVER TRUSSES BY OTHERS WITH R4.0 CCW BATTS TO CEILING AND 2 LAYERS OF 13mm PLASTERBOARD CEILING ON METAL BATTENS.
WINDOWS GENERAL: DOUBLE GLAZED MINIMUM THICKNESS OF 10mm WITH COMPRESSION SEALS.
EASTERN TERRACE
2400
219200 LEVEL 1
214900 GROUND
DRIVEWAY
GARAGE DOOR HEIGHT
3600
BED 2
FLAT CEILING TO BEDROOM.
DOUBLE FRAMED WALL FOR ACOUSTIC PRIVACY TO BED 2.
STAHLTON RIB AND INILL FLOOR WITH INSULATION BETWEEN AND BELOW RIBS. PLASTERBOARD CEILING ON RONDO BELOW
ORIGINAL GROUND LEVEL PRIOR TO EXCAVATION
GARAGE
DINING
MINIMUM CLEAR SPACE FOR HOISTS
3800
LIVING
KB 1400 mode black standard trim tiles extended trim
1131
SERVICES AREA
DOOR HEIGHT
2200
350
700
RAKING TIMBER SOFFIT TO WESTERN TERRACE
EXTERNAL WALLS GENERAL: EFFECTO CLADDING OVER VENTED CAVITY OVER 6mm RAB BOARD ON 140X45@ 600CRS FRAMING WITH R4.0 BATTS TO CAVITY AND 2 LAYERS OF 13mm PLASTERBOARD WALL LINING.
WESTERN TERRACE
3058
1000 TO BDY
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PROPERTY DEVELOPMENT
TELFER RESIDENCE
12 AND 14 QUINNS WAY
SECTIONS
Sheet A3001
Scale 1 : 50@A3
Status HIGHLANDS DESIGN REVIEW
Date 14.08.2025

25.16.4 RC250220 - INGRIDIN JOHNSTON-JANDER

Doc ID: 2645588

1. Purpose

A report to consider a land use consent for a retrospective setback breach and carparking, in the low density residential zone, is attached.

2. Attachments

Appendix 1 - Section 42A Planners Report ⇩
Appendix 2 - Section 95 Notification Report ⇩
Appendix 3 - Application ⇩
Appendix 4 - Submission 01 - Carmen Doran ⇩

CENTRAL OTAGO DISTRICT COUNCIL
REPORT OF PLANNING CONSULTANT

APPLICATION	**RC 250220**
APPLICANT	**INGRIDIN JOHNSTON-JANDER**
ADDRESS	**3 HOGBURN LANE, NASEBY**
LEGAL DESCRIPTION	**LOT 6 DEPOSITED PLAN 385904 (HELD IN RECORD OF TITLE 343985)**
ACTIVITY DESCRIPTION	**LAND USE CONSENT FOR A RETROSPECTIVE SETBACK BREACH AND CARPARKING, IN THE LOW DENSITY RESIDENTIAL ZONE**
ACTIVITY STATUS	**RESTRICTED DISCRETIONARY**

STATUS OF THIS REPORT

1. The attention of the applicants is drawn to the fact that the purpose of this report is to bring to the attention of the Hearings Panel all relevant factual information or issues which should be considered in deliberating on the proposal. It must be emphasised that any conclusions reached or recommendations made in this report are not binding on the Hearings Panel, and it should not be assumed that the Hearings Panel will reach the same conclusion or decision having considered all the evidence.

AUTHOR

2. My name is Kirstyn Jane Royce and I am the sole director and employee of Southern Planning Solutions Limited. I hold a Masters in Planning from the University of Otago. I am an accredited RMA commissioner (Chairs endorsement) and hold full NZPI membership. I have 20 years' experience in district and regional planning. I currently provide planning assistance to a number of southern Councils, including Central Otago District Council (Council), and I also assist a number of private clients with planning work.

3. I have been contracted by Council to report on this application.

4. I confirm that I have read the Environment Court's Code of Conduct for Expert Witnesses 2023 and, while this is not an Environment Court hearing, I agree to comply with the code. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

BACKGROUND

5. On 25 March 2025, Council advised the landowner of 3 Hogburn Lane, Naseby, that several existing structures on the site potentially breach internal setback requirements under the Low Density Residential Zone of the Central Otago District Plan. This application seeks to address these breaches.

6. According to Council's property files, the following building consents are noted on file:

    - BC161060 to construct two small outbuildings with bathroom and laundry facility
    - BC161060A which appears to be an amendment to BC161060 which essentially

sought to build one structure consisting of a single bedroom dwelling.
- BC180446 to construct a new three-bedroom dwelling with mezzanine floor.
- BC180446A and B relating to minor changes to BC180446.
- NF0272 notice to fix for unconsented walls within a 1.0m setback of the boundary (relating to the cabin in the front corner of the site). The Notice to Fix was lifted on 22 September 2025.
- CA0310 Certificate of Acceptance was issued for the Cabin on 22 September 2025.

7. The applicant was also advised on 25 March 2025 that resource consent would be required for the structures breaching the setback or the offending structure would need to be removed from the property. This application seeks to obtain the necessary resource consents.

PROPOSAL

8. Retrospective land use consent is sought to authorise setback breaches from existing structures on the site. The breaches are related to:

- A small cabin, measuring 2.3 metres by 3.52 metres (8.1m2) is located more or less on the boundary in the northernmost corner of the site, adjoining the right of way (Hogburn Lane). The cabin measures 2.6 metres in height, as measured to the apex of the gable. This structure is understood to be utilised as a gym. There are no plumbing fixtures. Due to the cabin being located on the boundary, it is proposed to retrospectively construct a firewall/fence on the northern façade of the cabin. This will require the barge board to be removed to fit the fire rated wall within the property boundary.

- Two small sheds, are located along the boundary adjacent to the right of way boundary and are understood to be used for storage. The larger of the two sheds measures 1.6 metres by 2.4 metres and is 1.8 metres high. The smaller shed measures 1.0 metre by 1.7 metres and is 1.7 metres high.

- A corner of the existing dwelling sits within the 1.8 metre setback of the northern boundary. The breach is restricted to the decks and eaves of the existing dwelling. the deck appears to be over 1.0 metre in height, and sits 0.67 metres from the boundary.

9. In addition, the site does not provide any on-site parking.

10. For completeness, there is a one-bedroom studio. which has the potential to function as a self-contained unit. It is likely that, prior to PC19, consent would have been required for a multi-unit development in conjunction with the primary residence. That said, PC19 has since become operative and Minor Residential Units are now a permitted activity and no further consideration of this structure is necessary.

SITE DESCRIPTION

11. The site subject this application is located at 3 Hogburn Lane, Naseby (see Figure 1). The site is legally described as Lot 6 Deposited Plan 385904 as contained in Record of Title **343985.** The subject site holds a 1/5 share in Lot 13 DP 385904 being a private Right of Way (Hogburn Lane).

12. The site is irregular in shape and consists an area of approximately 817m^2. The site contains an existing dwelling, studio unit, two sheds, cabin and pool as shown in Figure 1 below.

Figure1: Subject site (Source CODC GIS)

REASONS FOR APPLICATION

Central Otago District Plan

13. The subject site is located within the Low Density Residential Zone of the Central Otago District Plan as amended by PC 19 (the District Plan). The site is located within the Dark Sky Precinct.

14. The application includes a full compliance schedule which is adopted for the purposes of this report. The rules breaches are summarised below:

    LRZ-S6 - Internal setbacks

15. The structures on the site breach the required 1.8m setback as follows:
    - The deck, which exceeds 1.0 metre in height
    - The "cabin"
    - The sheds
    - The corner of the existing dwelling

    LRZ-S7 - Minimum one carpark per residential activity

16. No car parks are provided on site.

17. Breaches of LRZ-S6 and LRZ-S7 are assessed as restricted discretionary activities. Council's discretion is restricted to:

    a) Adverse effects on privacy, outlook, or shading on the affected property.
    b) The extent to which the breach will have adverse effects on visual amenity values, including dominance.
    c) The compatibility of the building or structure with the surrounding built environment.
    d) Any adverse effects on accessibility to the lake.
    e) Any adverse effects on the safety and efficiency of the road network.
    f) Effects on amenity values of neighbouring properties.

National Environmental Standards

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

Overall Status

19. The application is assessed as a Restricted Discretionary Activity pursuant to sections 104 and 104C of the Resource Management Act 1991 ('the Act').

SECTION 104(1)

20. This application must be considered in terms of Section 104 of the RMA. Subject to Part 2 of the RMA, Section 104(1) sets out those matters to be considered by the consent authority when considering a resource consent application. Considerations of relevance to this application are:

    (a) any actual and potential effects on the environment of allowing the activity; and
    (b) any relevant provisions of:
        (i) A national environmental standards;
        (ii) Other regulations;
        (iii) a national policy statement
        (iv) a New Zealand coastal policy statement
        (v) a regional policy statement or proposed regional policy statement
        (vi) a plan or proposed plan; and
    (c) any other matters the consent authority considers relevant and reasonably necessary to determine the application.

SECTION 108

21. Sections 108 empowers the Hearings Panel to impose conditions on a resource consent should it be of a mind to grant consent.

AFFECTED PERSONS AND NOTIFICATION

22. No written approvals have been provided in support of the application. In accordance with sections 95D(e), 95E(3) and 104(3)(a)(ii) of the Resource Management Act 1991, no effects on any party will be disregarded.

23. The application was Limited Notified to Carmen Doran, being the owner of the property at 5 Hogburn Lane. The submission period closed on 2 October 2025. The submission was received on 6 October 2025; being two working days after the close of submissions.

24. Given that the application was notified to this sole party, it is recommended that the time period for submissions be extended pursuant to s37 of the RMA to allow the late submission to be extended.

25. The submission opposes the application and includes the following submission points:

    - Considers that the building and deck is too close to the shared boundary and is unsightly, creates a fire risk[1] and intrudes on privacy;
    - Concerns with the lack of parking as the applicant regularly parks on the right-of-way.
    - Seeks that the deck and building be removed or relocated.

EFFECTS ASSESSMENT

Permitted Baseline

26. Under sections 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. This is the permitted baseline. In this instance, development is permitted on the subject site in accordance with the underlying zone standards.

27. It is considered that this is the appropriate baseline against which the activity should be considered. As a result, it is the effects arising from the proposal, beyond the permitted baseline, that are the crucial elements for consideration.

Assessment of Effects on the Environment

28. Consideration is required of the relevant assessment matters in the District Plan, along with the matters in any relevant national environmental standard. This assessment is limited to the matters to which the Council's discretion has been restricted. No regard has been given to any trade competition or any effects of trade competition.

Effects of setback breaches

29. The proposal relates to residential development within a residential zoned site.

30. The site is accessed via a private right of way and does not have a direct public interface, however, the property can be viewed by Broom Street. The site is sloping, rising steeply at the rear of the site. The topography of the site means that the structures are clustered in the front of the site. The most dominant of the structures are the primary dwelling and the studio. Both of these structures are appropriately sited (except for the eaves and deck discussed below).

31. The proliferation of minor structures (sheds and cabin) in close proximity to the front boundary to the right-of-way means that the site presents as intensely developed, with the house and structures appearing to dominate the front of the site (see Figure 2). It is recognised, however, that the views of the site are setback from the public road and are typically limited to users of the Hogburn Reserve.

[1] The Notice to Fix was lifted on 22 September 2025 and a Certificate of Acceptance issued for the work. On this basis, is it considered that the fire risk matter has been resolved through available Building Act processes and is not considered further in this report.

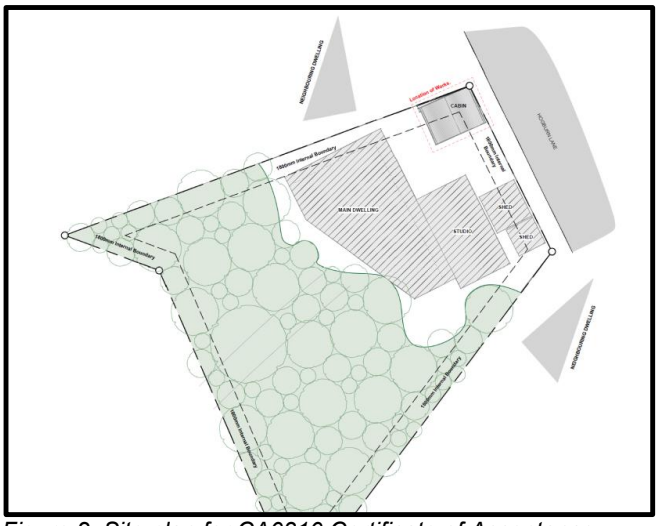

Figure 2: Site plan for CA0310 Certificate of Acceptance

Dwelling Eaves

32. The eaves for this dwelling are 1.0 metre wide but taper to a compliant width. It is assessed that the degree of non-compliance is unlikely to generate any noticeable adverse effects on the environment, including significant shading effects on the adjacent property.

Sheds

33. The sheds are located on the front boundary shared with the ROW. The sheds predate the dwelling on the site. The sheds are minor structures with heights no greater than 1.8 metres. The sheds sit just proud of the existing fence as shown in Figure 3 and the applicant advises that these could be fully screened by a 1.8m high permitted fence. In this regard, the effects of the sheds are assessed as no greater than a permitted fence and are assessed as acceptable.

Figure 3: Structures on the subject site taken from Broom Street (Photo taken 13/8/2025)

Cabin

34. The cabin is a minor structure with a floor area of 8.1m^2 but is located directly on the front corner boundary shared with 5 Hogburn Lane (see Figure 2 and 3). CA0310 Certificate of Acceptance was issued for the cabin on 22 September 2025). For completeness, the applicant states in the application for CA0310 that they relied on others to correctly site the cabin within the property and did not specifically authorise the placement of the cabin within the yard setback. Any matters relating to fire risk are assumed to have been resolved with the issuing of the Certificate of Acceptance.

35. The Panel is reminded that the issuing of the Certificate of Acceptance has no bearing on the matters of discretion available to the Panel when determining this application.

36. The cabin breaches both the yard setback and the height in relation to boundary to 5 Hogburn Lane and the right of way. The cabin, measures 2.3 metres by 3.52 metres (8.1m$_2$) and has a height of 2.6 metres, as measured to the apex of the gable. As such, despite its prominent placement, the cabin is considered to be a contributing structure rather than a dominant feature of the site. Furthermore, the cabin is clad in the same materials of the main dwelling on the site and, in this regard, is assessed as generally compatible with the surrounding built environment.

37. The cabin is not directly adjacent to the dwelling on 5 Hogburn Lane. The photo at Figure 3 shows windows along the wall facing the boundary, but these generally sit below the fence and are unlikely to adversely impact on the privacy of the neighbouring site. I recognise that the cabin is not used as a habitable building but is used as a private gym by the applicant. As such, I consider that its placement will not adversely affect the amenity values of the adjacent site. To ensure the ongoing protection of the neighbours amenity, I recommend a condition of consent which would prevent the cabin being used as a habitable space in the future.

Deck

38. The deck is relatively narrow (700mm) and sits beneath the existing eaves of the dwelling. The deck overlooks the neighbouring dwelling as shown in Figure 4 and runs along the northern boundary of the site. The site is setback from the road, and the deck sits beneath the existing eaves, meaning that the deck does not result in visual amenity effects on the wider environment. The location of the deck means that the effects of the deck on privacy, outlook and shading are limited to the neighbouring property at 5 Hogburn Lane.

39. Given the narrowness of the deck, it is unlikely to be used for congregation of groups and its use is expected to be limited one or two users at any given time. That said, the deck still provides opportunity to the neighbour's privacy to be impinged upon. The applicant has not found a mitigation option which can be agreed upon with the submitter.

40. When considering available mitigation options to protect the neighbour's privacy, these are limited but I understand that screening options were considered. However, I recognise that any attempt to screen the deck runs the risk of further increasing adverse dominance, visual and shading effects on the neighbour. Without a viable mitigation option available, I recommend that the deck be removed to maintain the privacy and spaciousness around buildings and ensure that the intensity of built form does not unreasonably dominate adjoining site. Should the applicant present suitable mitigation options, then I am open to considering these and reviewing the recommendation to remove the deck.

41. As the application stands, I have assessed that the effects of the sheds, cabin and eaves are acceptable, subject to the cabin not being used for a habitable use. However, I assess that the effect of the deck (without mitigation) on privacy, spaciousness around buildings and dominance is not acceptable and recommend that the deck should be removed where it encroaches into the 1.8m setback.

Figure 4: View from Deck (Source: Applicant's agent Craig Doos– provided to Council on 6 October 2024)

Effects of the car park breach

42. Hogburn Lane is a private ROW serving five properties. The applicant observes that the surrounding road network is characterised by generous roadside parking (including informal parking associated with the Hogburn Reserve) in an area that has a generally low population base.

43. The subject site has been developed incrementally overtime and no provision for carparking has been provided. This is an existing situation. The applicant confirms that they do not drive and have no need for a car park. This assertion is contradicted by the submitter who states that the applicant does park on the right-of way, although they have not provided any specific evidence to support this claim.

44. In terms of future residents, the applicant advises that there would be sufficient space between the existing structures for someone to establish a single parking spot, if required. On-site manoeuvring would not be able to be provided so careful consideration should be undertaken if a carpark introduced to this site where a vehicle will be required to reverse out onto the Right of Way.

45. Given the remote nature of the Naseby Township, and the distance to amenities, it is likely that a carpark will be required for this site in the future, even if not needed by the

property owner at this time. Given the availability of on-street parking in the immediate area, I consider that the effects arising from the lack of a car park as acceptable overall However, I recognise the temptation for the occupants of the dwelling and their guests to park within the right-of-way. Therefore, I encourage the applicant to consider providing a carpark within the site or alternatively seek an amendment to the right of way in order to create a parking easement over the right-of-way land. Any on-site carpark will need to be situated in a manner which does not further reduce the amenity of the immediate area. I would support any investigation by the applicant regarding the provision of a carpark to serve the site.

46. Notwithstanding the advice above, I remind the Panel that, in terms of parking on the right-of-way, section 297 of the Property Law Act 2007 directs the user to the implied covenants of Schedule 5 of that Act (attached at Appendix 2). Specifically, Schedule 5 states that the grantee and grantor have the right to pass and repass over the right-of-way and have the right to have the land within the right-of-way kept clear of obstructions at all times, whether caused by parked vehicles, deposit of materials, or unreasonable impediment to the use and enjoyment of the driveway. In this regard, there are other regulatory statutes which govern the use of the right-of-way and the Panel need not specifically address parking within the ROW.

47. Overall, I have assessed that the lack of carparking on the site will not adversely affect the safety and efficiency of the road network, and when noting the restrictions of the Property Law Act regarding use of the right-of-way, will not adversely affect the amenity values of neighbouring properties.

SUBSTANTIVE RECOMMENDATION ASSESSMENT

Environmental Effects

48. 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.

Objectives and Policies

49. In accordance with section 104(1)(b) of the Resource Management Act 1991, the objectives and policies of the Central Otago District Plan were taken into account when assessing the application.

Objectives

LRZ-O1	**Purpose of the Low Density Residential Zone**
The Low Density Residential Zone provides primarily for residential living opportunities, as well as activities that support, and are compatible with the character of, the zone's residential focus.	
LRZ-O2	**Character and Amenity Values of the Low Density Residential Zone**
The Low Density Residential Zone is a pleasant, low-density suburban living environment, which: 1. Contains predominantly low-rise and detached residential units; 2. Maintains a good level of openness around buildings; 3. Provides good quality on-site amenity and maintains the anticipated amenity values of adjacent sites; and 4. Is well-designed and well-connected into surrounding area.	

Policies

LRZ-P1	Built Form
Ensure that development within the Low Density Residential Zone: 1. Provides reasonable levels of privacy, outlook and adequate access to sunlight; 2. Provides safe and appropriate access and on-site parking; 3. Maintains spaciousness around buildings and a modest scale and intensity of built form that does not unreasonably dominate adjoining sites; 4. Is managed so that relocated buildings are reinstated to an appropriate state of repair within a reasonable timeframe; and 5. Provides sufficient usable outdoor living space for residents and for tree and garden planting; 6. Maintains the safe and efficient operation of the road network; 7. Mitigates visual effects through screening of storage areas and provision of landscaping; and 8. Encourages water efficiency measures.	
LRZ-P2	**Residential Activities**
Provide for a range of residential unit types and sizes to meet the diverse and changing residential demands of communities.	

The proposal is assessed as generally consistent with the relevant objectives and policies of the Central Otago District Plan except as it relates to the deck where it is assessed as inconsistent with LRZ-P1 1 and 3.

Operative and Proposed Regional Policy Statements

50. After taking into consideration the operative and proposed Regional Policy Statements for Otago, I consider that the policy direction given by the District Plan is certain and complete as it relates to this application and, as such, there is no need to revert to higher order planning instruments.

Part 2

51. 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.

Offsetting or Compensation Measures

52. 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.

Other Matters

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

RECOMMENDATION

54. After having regard to the above planning assessment, I recommend that the Hearing Panel grant consent in part and decline in part under delegated authority, in accordance with sections 104 and 104C of the Resource Management Act 1991 for the following reasons:

a) The effects of the eaves, shed and cabin are assessed as acceptable in respect of those matters to which discretion is restricted and consent can be granted.

b) The deck overlooks the neighbouring property and does not ensure reasonable levels of privacy nor does it maintain spaciousness around buildings such that it does not unreasonably dominate the adjoining sites and it is recommended that this component of the application be refused, unless suitable mitigation is made available.

55. I have attached a draft suite of conditions for the Panel to consider.

Kirstyn Royce
PLANNING CONSULTANT

Date: 5 November 2025

Consent Type: Land Use Consent

Consent Number: RC 250220

Purpose: Land use consent for a retrospective setback breach and carparking, in the low density residential zone

Location of Activity: 3 Hogburn Lane, Naseby

Legal Description: Lot 6 Deposited Plan 385904 (Record of Title 343985).

Conditions:

1. The shed, cabin and eaves which encroach into the yard setback as detailed in the information provided with the resource consent application received by the Council on 24 July 2025 are authorised, except where modified by the following conditions.

2. The area of deck which extends into the 1.8m yard setback must be removed within 90 days of the granting of this consent.

3. The cabin is not permitted to be used as a sleepout or for any other habitable purpose.

4. The consent holder shall pay to the Council all required administration charges fixed by the Council pursuant to section 36 of the Act in relation to:

    a) Administration, monitoring and inspection relating to this consent; and

    b) Charges authorised by regulations.

Advice Notes:

Right-of-Way

1. The property owner is reminded of its duty and rights under Section 297 and Schedule 5 of the Property Law Act 2007.

2. The consent holder is encouraged to provide a carpark either within the site or through a parking easement within the right-of-way.

General

3. 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.

4. 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.

5. 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.

6. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.

7. This is a resource consent. Please contact the Council's Building Services Department, about any building consent requirements for the work.

CENTRAL OTAGO DISTRICT COUNCIL
S95A-F DECISION FOR RC250220
3 Hogburn Lane, Naseby

INTRODUCTION

The application seeks land use consent for a retrospective setback breach and carparking, in the Low Density Residential Zone at 3 Hogburn Lane, Naseby.

BACKGROUND

On 25 March 2025, Council advised the landowner of 3 Hogburn Lane, Naseby, that several existing structures on the site potentially breach internal setback requirements under the Low Density Residential Zone (LRZ) of the Central Otago District Plan. This application seeks to address these breaches.

According to Council's property files, the following building consents are noted on file:

- BC161060 to construct two small outbuildings with bathroom and laundry facility
- BC161060A which appears to be an amendment to BC161060 which essentially sought to build one structure consisting of a single bedroom dwelling.
- BC180446 to construct a new three-bedroom dwelling with mezzanine floor.
- BC180446A and B relating to minor changes to BC180446.
- NF0272 notice to fix for unconsented building within setback.

DESCRIPTION OF ACTIVITY

Retrospective land use consent is sought to authorise setback breaches from existing structures on the site. The breaches are related to:

- A small cabin, measuring 2.3 metres by 3.52 metres (8.1m2) is located more or less on the boundary in the northernmost corner of the site, adjoining the right of way (Hogburn Lane). The cabin measures 2.6 metres in height, as measured to the apex of the gable. This structure is understood to be utilised as a gym. There are no plumbing fixtures. Due to the cabin being located on the boundary, it is proposed to retrospectively construct a firewall/fence on the northern façade of the cabin. This will require the barge board to be removed to fit the fire rated wall within the property boundary.

- Two small sheds, are located along the boundary adjacent to the right of way boundary and are understood to be used for storage. The larger of the two sheds measures 1.6 metres by 2.4 metres and is 1.8 metres high. The smaller shed measures 1.0 metre by 1.7 metres and is 1.7 metres high.

- A corner of the existing dwelling sits within the 1.8 metre setback of the northern boundary. The breach is restricted to the decks and eaves of the existing dwelling. the deck appears to be over 1.0 metre in height, and sits 0.67 metres from the boundary.

In addition, the site does not provide for on-site parking.

For completeness, there is a one-bedroom cabin which has the potential to function as a self-contained unit. It is likely that, prior to PC19, consent would have been required for a multi-unit development in conjunction with the primary residence. That said, PC19 has since

become operative and Minor Residential Units are now a permitted activity and no further consideration of this structure is necessary.

SITE DESCRIPTION

The site subject this application is located at 3 Hogburn Lane, Naseby. The site is legally described as Lot 6 Deposited Plan 385904 as contained in Record of Title 343985. The subject site holds a 1/5 share in Lot 13 DP 385904 being a private Right of Way (Hogburn Lane). The site is irregular in shape and consists of an area of approximately 817m^2. The site contains an existing dwelling, studio unit, two sheds, cabin and pool as shown in Figure 1 below.

Figure 1: Subject site (Source CODC GIS)

REASONS FOR APPLICATION

Central Otago District Plan
The subject site is located within the Low Density Residential Zone of the Central Otago District Plan as amended by PC 19 (the District Plan). The site is located within the Dark Sky Precinct.

The application includes a full compliance schedule which is adopted for the purposes of this report. The rules breaches are summarised below:

LRZ-S6 - Internal setbacks
The structures on the site breach the required 1.8m setback as follows:

- The deck, which exceeds 1.0 metre in height
- The “cabin”
- The sheds
- The corner of the existing dwelling

LRZ-S7 - Minimum one carpark per residential activity
No car parks are provided on site.

Breaches of LRZ-S6 and LRZ-S7 are assessed as restricted discretionary activities. Council's discretion is restricted to:

a) Adverse effects on privacy, outlook, or shading on the affected property.
b) The extent to which the breach will have adverse effects on visual amenity values, including dominance.
c) The compatibility of the building or structure with the surrounding built environment.
d) Any adverse effects on accessibility to the lake.
e) Any adverse effects on the safety and efficiency of the road network.
f) Effects on amenity values of neighbouring properties.

National Environmental Standards

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

Overall Status

The application is assessed as a Restricted Discretionary Activity pursuant to sections 104 and 104C of the Resource Management Act 1991 ('the Act').

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 and/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).

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, development is permitted on the subject site in accordance with the underlying zone standards. It is the effects of this development beyond the permitted baseline which require assessment.

ASSESSMENT: EFFECTS ON THE ENVIRONMENT

Effects of setback breaches

The site is accessed via a private right of way and therefore does not have a direct public interface but can be viewed by Broom Street. The front yard of the site presents as intensely developed with the house and structures appearing to dominate the site (see Figure 2). The development is somewhat offset by the steep vacant land to the rear of the dwelling. In this instance the views of the site are setback from the public road and is typically limited to users of the Hogburn reserve. The effects arising from dominance are assessed as no more than minor on the wider environment. As such, the assessment of any breaches within the setback are limited to effects on the immediate neighbours.

Figure 2: Structures on the subject site (Photo taken 13/8/2025)

It is noted that the deck sits beneath the existing eaves, appearing integrated and consistent with the overall dwelling design. These characteristics also mean that the deck does not result in adverse visual amenity effects. With regard to the eaves from the dwelling, it is noted that the District Plan permits eaves up to 600mm into the setback. The eaves for this dwelling are 1.0 metre wide and taper to compliance. As such, the extent of this breach is assessed a minimal on the wider environment. In respect of the cabin and sheds, the setback breaches are also not considered to extend beyond the immediate neighbours, notably the two sheds sit just proud of the existing fence and the cabin is also a low profile building.Overall, the effects on setback breaches on the amenity and character of the wider environment are assessed as less than minor.

Effects of the Carpark breach
Hog Burn Lane is a private ROW serving five properties. The subject site has been developed incrementally overtime and no provision for carparking has been provided. This is an existing situation. The applicant confirms that they do not drive and have no need for a car park. In terms of future residents, the applicant advises that there would be space between the existing structures for someone to establish a single parking spot, if required. It is noted that there is insufficient space within the site to provide for on-site manoeuvring so careful consideration should be undertaken if a carpark introduced to this site where a vehicle will be required to reverse out onto the Right of Way.

The applicant also notes that the surrounding road network is characterised by generous roadside parking (including informal parking associated with the Hogburn Reserve) in an area that has a generally low population base. As such, the assessment within the application which concludes that effects on the safety and efficiency of the road network or on the amenity values of neighbouring properties are no more than minor is adopted for the purposes of this report.

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 applicant confirms that no consultation has been undertaken as part of this proposal. However, but the application includes an assessment on those adjacent properties to the subject site; name 1 and 5 Hogburn Lane and 33 Broom Street.

As noted above, the sheds are located along the boundary of the ROW but sit just proud of the existing fence. No adverse effects on the ROW users or 5 Hogburn Lane are identified from the sheds in respect of amenity, shading or character. With regard to the cabin, this is also located in the front yard adjacent to the ROW and to boundary shared with 5 Hogburn Lane. The cabin is low profile and does not generate shading or amenity effects on the ROW which are considered to be minor or more than minor, however, there is the potential for these effects to reach a minor threshold in respect of 5 Hogburn Lane. The deck and eaves of the dwelling are also adjacent to 5 Hogburn Lane and these are assessed as having at least a minor adverse effect on the amenity that party. Overall, the applicant's assessment is adopted for the purposes of this report and it is assessed that 5 Hogburn Lane is adversely affected by the existing structures. The applicant requests that the application be limited notified to this party.

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, the owner/occupier of 5 Hogburn Lane is assessed as being affected by this proposal.

OVERALL NOTIFICATION DETERMINATION

Given the decisions made under s95A and s95B, the application is able to be processed on a limited-notified basis.

It is noted that the determination, as to whether an application should be notified or not, includes separate tests from the assessment undertaken in making a decision on the application itself.

Prepared by:

Kirstyn Royce
Planning Officer

Date: 14 August 2025

Approved under Delegated Authority by:

Tanya Copeland
Planning Manager (Acting)

Date: 18 August 2025

Application for a resource consent - Form 9

APP250765016

CENTRAL OTAGO DISTRICT COUNCIL
1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand
03 440 0056
Info@codc.govt.nz
www.codc.govt.nz

Date and Time Created	24/07/2025 10:05
Submitted to Council	24/07/2025 10:26

To cross reference Datacom with MAGIQ please click Here. to add the Resource Consent number.

Property Details

Property Address	3 Hogburn Lane, Naseby
Record of Title Number	343985
Legal Description(s) of the specific parcels that the resource consent application is for	Lot 6 Deposited Plan 385904

What is your role in this application?	Agent acting on behalf of the applicant

Agent details

An agent acts on behalf of the applicant in the submission and processing of the application.

Organisation	JPW Consulting Ltd
First name	Jake
Last name	Woodward
Phone number	0223158370
Email address	jake@jakewoodward.co.nz

Note that the applicant will also receive a copy of all correspondence.

Postal address:	PO Box 190, Cromwell 9342
Confirm that you have approval to act on behalf of the applicant	Yes

The applicant is the person(s) or organisation making the application.

Applicant details

Is this applicant an individual or an organisation?	Individual
First name	Ingridin
Last name	Johnston-Jander
Phone number	0274849201
Email address	craigdodd@hotmail.com
Postal address:	PO Box 143, Mosgiel 9053

Invoicing

Who is paying the invoice?	Applicant

DETAILS

Activity or works proposed

Application type	Land use consent
Short description of your proposal	Retrospective consent for setback breach and carparking

Provide a detailed description in the Assessment of Environmental Effects (AEE) or other document.

Assessment of Environmental Effects (AEE)

An application cannot be accepted for processing by the Council under Section 88 of the Resource Management Act 1991, without an Assessment of Environmental Effects (AEE).

Refer to the guidelines for Assessment of Environmental Effects.

JW25049 - Ingridin Johnston-Jander and Client Trustee Services Limited - AEE - FINAL.pdf (1 mb)

Assessment of the activity

You may need to provide an assessment of the activity against the following provisions:

- **The matters set out in Schedule 4 of the Resource Management Act 1991.**
- **Any relevant objectives, policies, or rules in a document.**
- **Any relevant requirements, conditions, or permissions in any rules in a document.**
- **Any other relevant requirements in a document (e.g. in a national environmental standard or other regulation).**

Please do not load the same document that you loaded for AEE above

Other activities

Other applications

Are you required to apply for any other resource consents for this project?	No
Is this project related to a building consent?	Yes
Building consent application number (if known)	NF0272

Pre-application information

Have you discussed this proposal with Council staff prior to this application?	Yes, an informal discussion
Name(s) of Council staff involved (if known)	Tanya Copeland
Date of discussion (if known)	

Site visit requirements

Who is the site contact?	Other
Site contact name	Craig Dodd
Phone number	0274849201
Email address	craigdodd@hotmail.com

Affected party approvals

All affected property owners, including trustees where properties are held in a trust, must sign written approval forms AND a copy of your plans.

- **If an affected party does not give approval to your proposal this may impact on the way that the application is processed.**
- **Council's duty planner can provide you with advice on which parties may be affected by your proposal.**

Download an affected party approval template form.

Do you need affected party approval?	Unsure
Reason	Refer to AEE re effects on 5 Hogburn Lane
National Environmental Standard – Contaminated Soil - option selected	A review has been undertaken of District and Regional Council records and no records have been found suggesting an activity on the HAIL has taken place on the piece of land which is subject to this application. NOTE: depending on the scale and nature of your proposal you may be required to provide details of the records reviewed and the details found.

LIST OF FILES

JW25049 - Ingridin Johnston-Jander and Client Trustee Services Limited - AEE - FINAL.pdf (1 mb)
Appendix [C] - Architectural Plans.pdf (3 mb)
Appendix [B] - Council letter regarding potential breaches.pdf (4 mb)
Appendix [D] - Site Survey.pdf (261 kb)
Appendix [A] - Record of Title.pdf (313 kb)

ASSESSMENT OF ENVIRONMENTAL EFFECTS

3 Hogburn Lane, Naseby

Ingridin Johnston-Jander and Client Trustee Services Limited

Our Reference: JW25047

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1 THE APPLICANT AND PROPERTY DETAILS

Client	Ingridin Johnston-Jander and Client Trustee Services Limited
Address for service	JPW Consulting Limited Jake Woodward jake@jakewoodward.co.nz 022 315 8370
Property Address	3 Hogburn Lane, Naseby
Project Description	Retrospective resource consent under the Central Otago District Plan for a breach to internal setbacks and car parking.
Our Reference	JW25049
Date	24 July 2025
Version	1

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2 EXECUTIVE SUMMARY

On 25 March 2025, Council advised the landowner of 3 Hogburn Lane, Naseby, that several existing structures on the site potentially breach internal setback requirements under the Low Density Residential Zone of the Central Otago District Plan. Following this, the landowner commissioned Architectura Ltd to prepare accurate site plans, which confirm that three separate elements breach the setback:

- The eaves and deck of the existing dwelling,
- A small cabin (used as a gym), and
- Two small storage sheds.

Council's discretion on such breaches is limited to considering effects on privacy, shading, outlook, visual amenity, compatibility with the surrounding environment, and accessibility.

In terms of effects on the wider environment, these are considered to be no more than minor on the basis that the site is located down a private right of way, of which the internal breaches are unlikely to generate effects beyond those of the neighbours. Environment effects are therefore considered no more thanb minor.

For effects on neighbours, these were determined to be less than minor on all neighbours with the exception of 5 Hogburn Lane. This property is located to the immediate north of the site, of which the existing deck sits elevated, and in close proximity to the boundary. The result is reduced privacy for the neighbour to the extent that effects are at least minor. Mitigating factors however include the fact that the deck is more of a landing/walkway such that although overlooking will occur, these will be fleeting. This assessment considers that while effects are at least minor (and therefore limited notification is warranted), the overall result is such that effects should be tolerable. All other effects including shading and bulk are considered to be less than minor.

A review of the site also confirms that no parking is provided, as the applicant does not own a vehicle. The area allows for roadside parking, and space remains onsite for a future park if needed. Effects on the road network and amenity are negligible.

The proposal is considered for the most part, consistent with the objectives and policies of the LRZ Zone.

The proposal is considered to promote Part 2 of the Resource Management Act 1991.

3 SITE DESCRIPTION

3.1 SITE DESCRIPTION

The site subject this application is located at 3 Hogburn Lane, Naseby. The site is legally described as Lot 6 Deposited Plan 385904 as contained in Record of Title **343985,** a copy of which is attached in **Appendix [A].**

The subject site holds a 1/5 share in Lot 13 DP 385904 being a private Right of Way (Hogburn Lane).

The site is irregular in shape and consists of approximately 817m^2 as detailed on the Record of Title.

The site contains an existing dwelling[1], studio unit[2], two sheds, cabin and pool.

Figure 1: Aerial image of subject site (Image Source: CODC GIS).

3.2 SURROUNDING ENVIRONMENT

The immediate surrounding environment is characterised by residential properties. To the immediate north at 5 Hogburn Lane, is an existing single storey dwelling, located in close proximity to the boundary of the subject site.

[1] Constructed under BC180446.
[2] Constructed under BC161060.

3.3 RECORD OF TITLE

The site is legally described as Lot 6 Deposited Plan 385904 as contained in Record of Title **343985,** a copy of which is attached in **Appendix [A].** There are no consent notices registered on the Title.

4 RESOURCE MANAGEMENT BACKGROUND

4.1 RESOURCE CONSENTS

There are no resource consents listed on the property file.

4.2 BUILDING CONSENTS

According to Council's property files, the following building consents are noted on file:

- BC161060 to construct two small outbuildings with bathroom and laundry facility
- BC161060A which appears to be an amendment to BC161060 which essentially sought to build one structure consisting of a single bedroom dwelling.
- BC180446 to construct a new three-bedroom dwelling with mezzanine floor.
- BC180446A and B relating to minor changes to BC180446.
- NF0272 notice to fix for unconsented building within setback.

5 PROPOSAL

5.1 OVERVIEW

On 25 March 2025, Council issued a letter to the land owner of 3 Hogburn Lane, Naseby, advising that some existing structures located on the property, are potentially in breach of the internal setback requirements as it relates to the Low Density Residential Zone of the Central Otago District Plan. A copy of that letter is attached in **Appendix [B].**

The landowner has since engaged Architectura Ltd, to visit the site and produce an accurate set of plans in relation to the structures referred to in Council's letter. These plans are attached in **Appendix [C].**

In brief, the plans confirm:

- A small cabin, measuring 2.3 metres by 3.52 metres (8.1m^2) is located more or less on the boundary in the northernmost corner of the site, adjoining the right of way (Hogburn Lane). This structure is understood to be utilised as a gym. There are no plumbing fixtures.

- Two small sheds, are located along the boundary adjacent to the right of way boundary, and are understood to be used for storage.

- The decks and eaves of the existing dwelling are located in the setback.

5.1.1 Cabin

The small cabin, measuring 2.3 metres by 3.52 metres (8.1m^2) is located more or less on the boundary in the northernmost corner of the site, adjoining the right of way (Hogburn Lane).

The cabin measures 2.6 metres in height, as measured to the apex of the gable.

As per the following figure, this structure is understood to be utilised as a gym. There are no plumbing fixtures.

Figure 2: Photo of exterior and interior of cabin (Image Source: Supplied by Craig Dodd, Architectura Ltd).

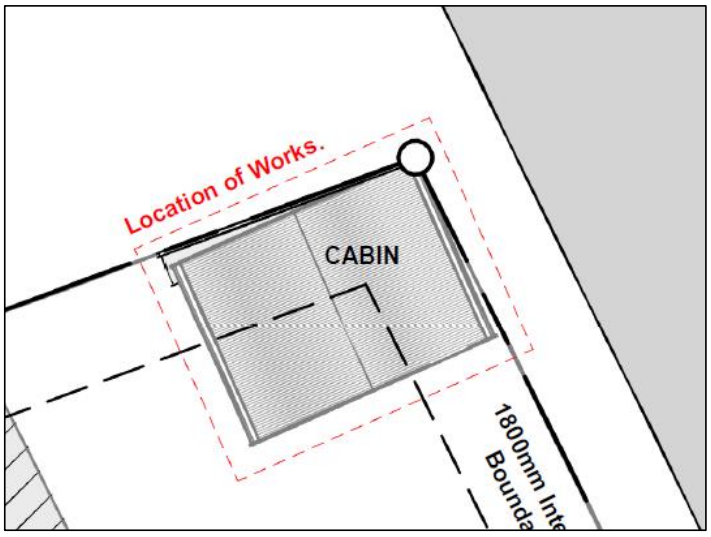


Figure 3: Extract of site plan detailing the location of the cabin.

Due to the cabin being located on the boundary, it is proposed to retrospectively construct a firewall/fence on the northern façade of the cabin. This will require the barge board to be removed to fit the fire rated wall within the property boundary. Details of the proposed fire rating are described in the architectural plan set.

5.1.2 Two small sheds

Two small sheds are located along the boundary adjacent to the right of way, and are understood to be used for storage. These sheds occupied the site prior to the construction of the dwelling. The larger of the two sheds measures 1.6 metres by 2.4 metres, and is 1.8 metres high. The smaller shed measures 1.0 metre by 1.7 metres, and is 1.7 metres high.

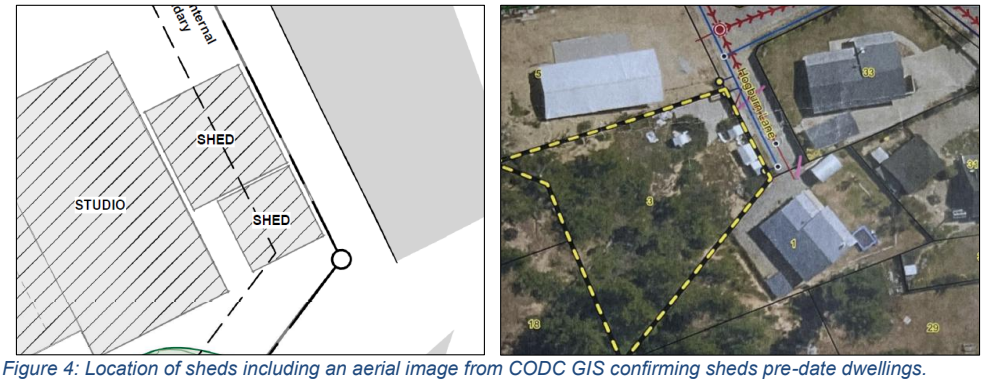


Figure 4: Location of sheds including an aerial image from CODC GIS confirming sheds pre-date dwellings.

5.1.3 Existing dwelling eaves and decks

A corner of the existing dwelling sits within the 1.8 metre setback of the northern boundary.

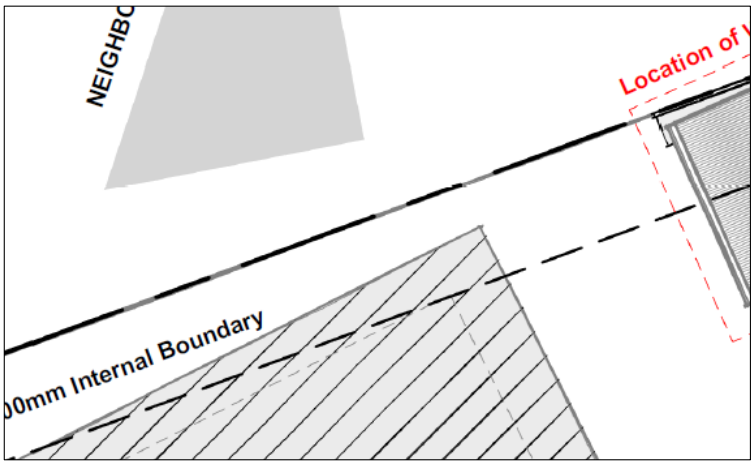


Figure 5: Extract of site plan detailing extent of eave breach.

In reviewing the nature of the dwelling breach, a review of the underlying property records has been undertaken. The dwelling is understood to have been established under Building Consent 180446. An extract of the plan confirms that the “wall” of the dwelling sits on the boundary of the 1.8 metre setback:

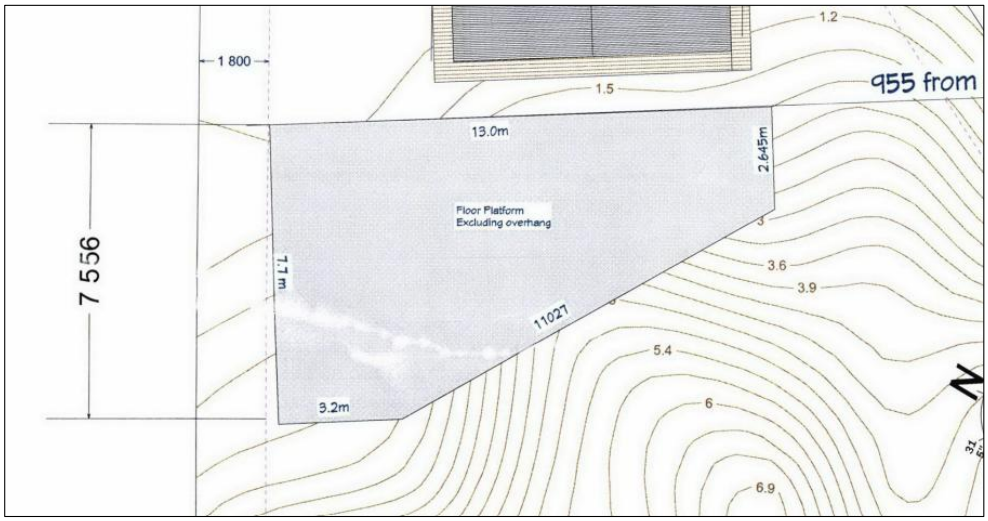


Figure 6: Extract of site plan from BC180446.

A survey of the now existing building confirms that the “wall” of the building is approximately 1.73metres give or take, from the boundary. An extract of the survey is included below, and attached in **Appendix [D].**

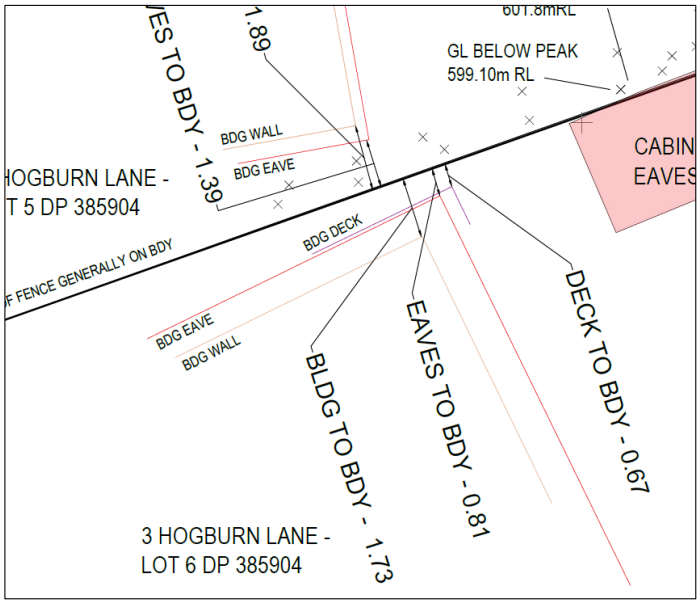


Figure 7: Extract of survey detailing proximity to boundary.

Prior to Plan Change 19, the District Plan (the previous Residential Resource Area provisions that applied at the time), allows for eaves to protrude into the side yards in line with the definition of “yards” as follows:

means a part of a site which is required by this plan to be unoccupied and unobstructed by buildings from the ground upwards provided that the eave of any building may project over any minimum yard by not more than 0.6 metres or 25% of the minimum yard, whichever is greater, and provided that an uncovered deck less than 1 metre in height may project over any minimum yard, and except as otherwise provided by this plan includes the following:

The plans in BC180446 shows the eaves as 1.0 metre as per the following extract:

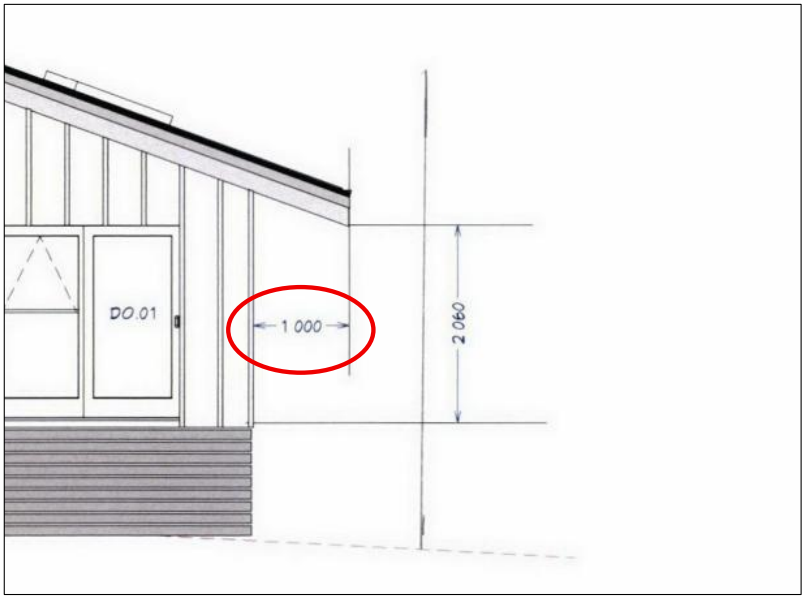


Figure 8: Extract of elevation plans from BC180446 detailing the extent of the eaves.

It appears that the breach was potentially missed in the processing of BC180446 and would have potentially required resource consent (albeit a very minor breach) in line with the setback requirements at the time. As such, a resource consent is sought to retrospectively authorise this infringement.

The deck that currently exist, also sits within the setback. The relevant plans for BC180446 includes references suggesting that decks not requiring consent were omitted from the plans:

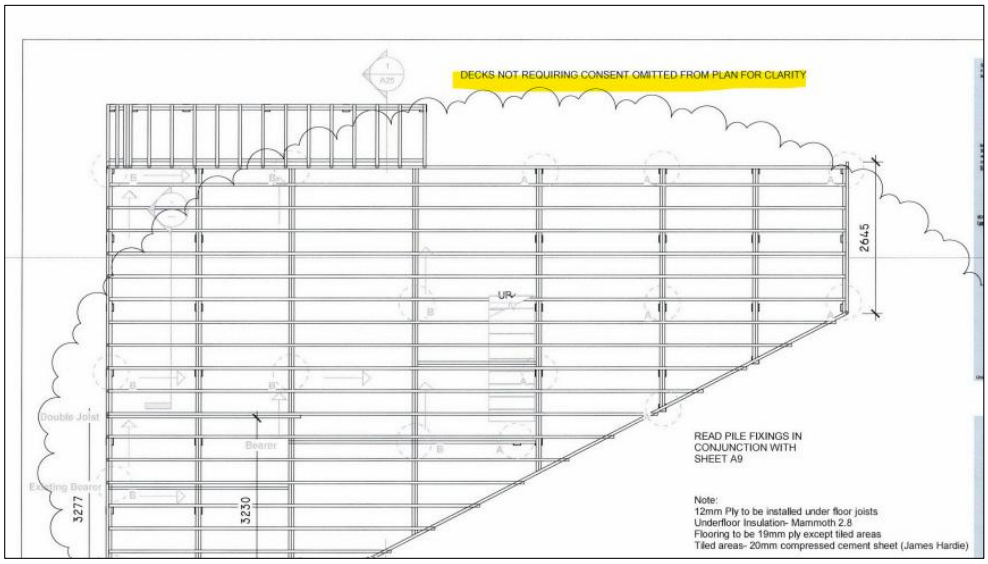


Figure 9: Extract of foundation plan for BC180446 detailing the reference to decks being omitted.

As per the definition of yards noted earlier, decks less than 1.0 metre in height may project into the side yards. In this case however, the deck appears to be over 1.0 metre in height, and sits 0.67 metres from the boundary. Accordingly, the deck is considered to be in breach of the yard/setback requirements.

Figure 10: Photo of deck with the dwelling at 5 Hogburn Lane visible in the right of the image (Image Source: Supplied by Craig Dodd).

5.1.4 Other matters

There appears to be no space onsite for the parking of a single car. The applicant confirms they do not have a car.

5.1.5 Summary

Based on the investigations detailed herein, it is consider that a retrospective resource consent is required for:

- The eaves of the dwelling were not identified as requiring resource consent during the processing of BC180446. For the sake of completeness, a retrospective consent is sought.
- The deck, which was not shown on any plans, is located inside the setback and is more than 1.0 metre in height. This breaches the setback requirements.
- The “cabin”, was constructed without a building consent (currently subject to a Notice to Fix[3] and a Certificate of Acceptance application). A planning review confirms a resource consent is required to breach the setback.
- The two sheds appear to have been onsite and located in the setback prior to the construction of the one bedroom unit and dwelling. It is unclear why these were not previously identified as requiring resource consent. A retrospective consent is sought for the sake of completeness.

It is unclear if the one bedroom cabin continues to function in a self-contained manner and therefore it is unclear why a resource consent for a multi-unit development was not requested at the time of the building consent for the primary residence. Notwithstanding, PC19 has since become operative in which Minor Residential Units are now permitted. As such, no further consideration of this structure is necessary.

6 STATUTORY CONSIDERATIONS

6.1 CENTRAL OTAGO DISTRICT PLAN

The site is located in the Low Density Residential Zone of the Central Otago District Plan. An assessment of the structures are assessed as per the following Tables:

Table 1: Assessment of LRZ Rules.

Standard	Requirement	Compliance
LRZ-R1	Residential units where the activity complies with the following rule requirements: LRZ-S1 to LRZ-S7, except where the residential units are within an area for which a Comprehensive Residential Development has been approved, and non-	**Complies.**

[3] NF0272

	compliance with any standard has been considered through that resource consent.	
LRZ-R2	Minor Residential Units where: 1. There is a maximum of one minor residential unit per principal residential unit on any site; 2. The maximum floor area of the minor residential unit is 70m^2 or 90m^2 including a garage; and 3. The minor residential unit shall use the same servicing connections and accessway as the principal residential unit.	**n/a.** From a review of the property file, BC161060A authorises the construction of a one bedroom dwelling, which measures around 23.04m^2. It is unclear whether the unit was decommissioned following the construction of the primary dwelling under BC180446A and B and if so, would constitute a Minor Residential Unit, which is permitted by this rule.
LRZ-R3	Relocated buildings	**n/a**
LRZ-R4	Accessory buildings and structures	**Complies.**
LRZ-R5	Additions and Alterations to Existing Non-Residential Buildings	**n/a**
LRZ-R6	Residential activity	**Complies.**
LRZ-R7	Visitor accommodation	**n/a**
LRZ-R8	Home Business (unless otherwise specified in LRZ-R9)	**n/a**
LRZ-R9	Childcare services	**n/a**
LRZ-R10	Signs	**n/a**
LRZ-R11	Excavation and fill where: 1. Any extraction or fill of material shall not exceed 1m in depth within 2m of any site boundary; and 2. The maximum volume of land excavated within any site in any 12-month period does not exceed 200m^3 per site, excluding excavation required for construction of a building for which a building consent has been issued.	**n/a**
LRZ-R12	Community Facilities and Shop	**n/a**
LRZ-R13	Convenience Retail Activities	**n/a**
LRZ-R14	Retirement villages	**n/a**
LRZ-R15	Community Facilities and Educational Facilities	**n/a**
LRZ-R16	Comprehensive Residential Development	**n/a**
LRZ-R17	Any activity not otherwise listed	**n/a**
LRZ-R18	Industrial activities	**n/a**
LRZ-R19	Large Format Retailing	**n/a**
LRZ-R20	Noxious activities	**n/a**
LRZ-R21	Buildings on land subject to natural hazards 1. The erection of any building (excluding buildings and/or structures associated with network utilities) on any part of a site identified on the planning maps as being subject to a hazard or land that is, or is likely to be, subject to material damage by erosion, falling debris, subsidence, slippage or inundation from any source.	**n/a** This rule relates to building on land. No building is proposed.

Table 2: Assessment of LRZ Standards.

Standard	Requirement	Compliance

LRZ-S1	Density where: 1. the residential unit is connected to a reticulated sewerage system: 1. no more than one residential unit is provided per 400m^2. 2. on any site less than 400m^2, one residential unit per site 2. Where the residential unit is not connected to a reticulated sewerage system, no more than one residential unit is provided per 800m^2.	**n/a**
LRZ-S2	Height - 1. The maximum height of buildings and structures must not exceed 7.5m measured from ground level to the highest part of the building or structure.	**Complies.**
LRZ-S3	Height in relation to boundaries - Buildings must be contained within a building envelope defined by the recession plane angles set out in Schedule 1 to the Residential Zone chapter, from points 2.5m above ground level at the boundaries of the site.	**Complies.** While the northern gable breaches, this is exempt as the gable is no greater than 1.5m^2 in area and no greater than 1 metre in height.
LRZ-S4	Building Coverage – 40%	**Complies.** One bedroom unit = 23.04m^2 as per BC161060A Dwelling = 75.33m^2 as per BC180446A Cabin = 8.1m^2 Larger shed = 3.84m^2 Small shed = 1.7m^2 Total = 112.01m^2 or 13% (approximate)
LRZ-S5	Setback from road boundary - Any building or structure shall be setback a minimum of 4.5m from a boundary with a road, except that this shall not apply to an uncovered deck less than 1m in height.	**n/a.** The site does not adjoin a road.
LRZ-S6	Internal setbacks – 1.8 metres LRZ-S6.1 does not apply to: • Uncovered decks of less than 1m in height. • Internal boundaries within a retirement village. • Two or more residential units connected horizontally and/or vertically by a common wall or floor.	**Does not comply.** The deck, which exceeds 1.0 metre in height, is located in the setback. The “cabin” is located in the setback. The sheds are located in the setback although they pre-date the dwelling.
LRZ-S7	Minimum one carpark per residential activity	**Does not comply.** There is no onsite parking.

Overall, the proposal requires the following resource consents:

- A **restricted discretionary activity** consent for a breach to Rule LRZ-S6 for a breach to the 1.8 metre setback.

  Council's matters of discretion are restricted to:

  a. Adverse effects on privacy, outlook, or shading on the affected property.

  b. The extent to which the breach will have adverse effects on visual amenity values, including dominance.

  c. The compatibility of the building or structure with the surrounding built environment.

  d. Any adverse effects on accessibility to the lake.

- A **restricted discretionary activity** consent under Rule LRZ-S7 for no carparking. Council's matters of discretion are restricted to:

  a. Any adverse effects on the safety and efficiency of the road network.

  b. Effects on amenity values of neighbouring properties.

6.2 NATIONAL ENVIRONMENTAL STANDARD

The site is a residential site. The *National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health* (NES-CS) is not considered to apply.

6.3 OVERALL ACTIVITY STATUS

Overall, the proposal is assessed as a **restricted discretionary activity.**

7 PERMITTED BASELINE

The consent authority may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect.

The site is located in the Low Density Residential Zone. All residential activities are permitted provided that they comply with the relevant standards listed in Chapter 7 (Low Density Residential Zone) of the District Plan.

The permitted baseline is considered relevant in this case.

8 ASSESSMENT OF EFFECTS

8.1 OVERVIEW

Schedule 4 of the Resource Management Act 1991 (RMA) details the information required to be included in an assessment of environmental effects. An assessment in this regard as it accords to Clause 6 of Schedule 4 is included as follows:

8.2 EFFECTS ON THE ENVIRONMENT

> *An assessment of the actual or potential effect on the environment of the proposed activity.*

There are essentially three separate elements breaching the setback as follows:

- The eaves/deck of the existing dwelling;
- The cabin; and
- The sheds.

Council's matters of discretion in relation to setback breaches are restricted to:

a. Adverse effects on privacy, outlook, or shading on the affected property.

b. The extent to which the breach will have adverse effects on visual amenity values, including dominance.

c. The compatibility of the building or structure with the surrounding built environment.

d. Any adverse effects on accessibility to the lake.

8.2.1 Eaves

The District Plan permits eaves up to 600mm into the setback. The eaves for this dwelling are 1.0 metre wide and tapers to compliance. As such, the degree of non-compliance is very minimal and unlikely to generate any adverse effects on the wider environment.

8.2.2 Deck

In terms of effects on the wider environment the effects on privacy, outlook and shading are limited to the neighbouring property. I do not consider there are effects that extend beyond the neighbours, associated with the intrusion.

The site is setback from the road, and the deck sits beneath the existing eaves, appearing integrated and consistent with the overall dwelling design. These characteristics also mean that the deck does not result in visual amenity aeffects on the wider environment and remains compatible with the structure. Effects of the setback breach associated with the deck on the wider environment are no more than minor.

8.2.3 Cabin

As per the assessment of the decks, the site is located down a private lane and therefore the cabin is unlikely to result in any adverse effects that extends beyond the neighbours.

8.2.4 Sheds

As per the assessment of the decks, the site is located down a private lane and therefore the sheds are unlikely to result in any adverse effects that extends beyond the neighbours. The sheds predate the dwelling and are no greater than 1.8 metres in height, which theoretically could be screened by a permitted fence.

8.2.5 Carpark breach

Due to the nature in which the site has been developed and domesticated over time, no onsite parking is provided. Council's matters of discretion for a breach to Rule LRZ-S7 includes:

a. Any adverse effects on the safety and efficiency of the road network.

b. Effects on amenity values of neighbouring properties.

It is understood that the applicant does not drive, or own a vehicle. As such, they have not had a need for parking. As such, no adverse effects are practically generated by the applicant in this regard.

In terms of future residents, there would be space between the existing structures for someone to establish a single parking spot, if required, otherwise the surrounding road network is characterised by generous road side parking in an area that has a generally low population base. As such, effects are considered no more than minor.

8.2.6 Summary of effects

Overall, the nature of the setback breaches for all elements as it relates to the wider environment are no more than minor.

8.3 EFFECTS ON PERSONS

Identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted

No consultation has been undertaken as part of this proposal.

The location of the relevant neighbours are as follows:

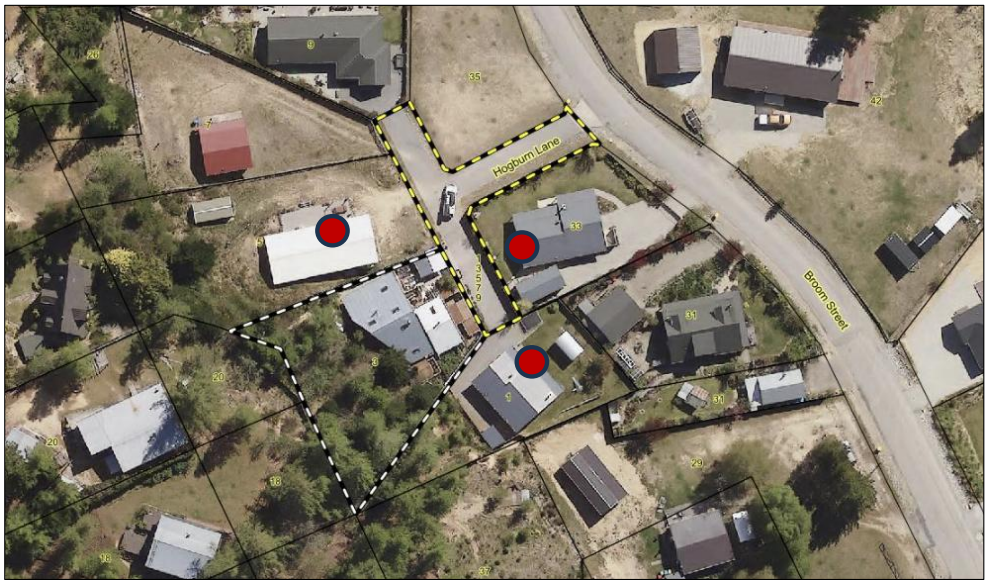


Figure 11: Location of relevant neighbours.

An assessment of the effects of the proposal on these properties is as follows:

Table 3: Assessment on neighbours.

Property	Relevant effect	Assessment
5 Hogburn Lane	Traffic Effects	No additional traffic over and above a standard residential activity would result. As such, traffic effects are less than minor.
	Noise effects	While the structures are close to the property boundaries, the provision of domestic residential noise is not considered to materially detract from residential amenities any more so than what can be reasonably anticipated. There is no restriction around occupying outdoor space immediately adjacent to the boundary. These effects are comparable to those associated with the occupation of the existing structures. I consider effects are less than minor.
	Shading, bulk, privacy and dominance	I consider shading effects of the eaves are unlikely to be readily discernible over and above those permitted by the exemption criteria. I consider shading is less than minor. I consider all effects of the cabin and sheds are less than minor in terms of the location of those structures relative to this property. In terms of privacy, the decks are elevated such that they effectively look over the boundary/fence, and into this property. While the deck progressively tapers to compliance, there are sections of the deck towards the north end that are close to the boundary. While the outdoor area of the

		neighbouring property does not appear to be frequently used, there are several windows on the adjacent dwelling that presents privacy issues from a person occupying the decks in question. As such, effects associated with a loss of privacy are considered at least minor. Despite this, the narrowness of the deck is such that it is unlikely to function as an area that would constitute an outdoor seating area for the applicant. Rather, it functions more as a walkway and so while there will be a degree of overlooking as one uses the deck/walkway, it will only result in temporary overlooking.
	Amenity effects	As there is a minor degree of effects associated with a loss of privacy, I consider there are at least a minor degree of amenity effects.
	Visual effects	The decks themselves are not considered to present a visual effect. They appear cohesive and well designed in the context of the existing dwelling and does not visually degrade the immediate area. Visual effects are less than minor.
1 Hogburn Lane	Traffic Effects	No additional traffic over and above a standard residential activity would result. As such, traffic effects are less than minor.
	Noise effects	No noise effects on this property are considered to result given the location of the structures.
	Shading, bulk, privacy and dominance	No shading, bulk, privacy or dominance effects on this property are considered to result given the location of the structures.
	Amenity effects	No amenity effects on this property are considered to result given the location of the structures.
	Visual effects	No visual effects on this property are considered to result given the location of the structures.
33 Broom Street	Traffic Effects	All effects on this property are considered to be less than minor given the location of this property relative to the structures in question.
	Noise effects	
	Shading, bulk, privacy and dominance	
	Amenity effects	
	Visual effects	

Based on the assessment above, it is considered that effects associated with a loss of privacy and amenity on the resident at 5 Hogburn Lane, are at least minor.

9 SECTION 95 NOTIFICATION

9.1 PUBLIC NOTIFICATION

Section 95A gives a council discretion to decide whether to publicly notify an application or not. There are a total of four steps that are to be followed to publicly notify consent applications under Sections 95A (2) to 95A (9). These steps are addressed in the Table below.

Test	Yes/No	Comments
Step 1: Mandatory notification in certain circumstances – section 95A(3)		
Has the applicant requested that the application be publicly notified?	No	
Is public notification required under s95C (following a request for further information or commissioning of report)?	No	
Is the application made jointly with an application to exchange reserve land?	No	
Step 2: If not required by Step 1, notification is precluded if any of these circumstances apply – section 95A(5)		
Does a rule or NES preclude public notification for all aspects of the application?	No	
Is the application a controlled activity?	No	
Is the application a restricted discretionary or discretionary activity for a subdivision?	No	
Is the application a restricted discretionary or discretionary activity for residential activity?	No	
Is the application a boundary activity (other than a controlled activity)?	No	
Step 3: Notification required in certain circumstances if not precluded by Step 2 – section 95A(8)		
Does a rule or NES require public notification?	No	
Will the activity have, or is it likely to have, adverse effects on the environment that are more than minor?	No	
Step 4: Relevant to all applications that don't already require notification – section 95A(9)		
Do special circumstances exist that warrant the application being publicly notified?	No	

9.2 LIMITED NOTIFICATION

Section 95B gives a council discretion for limited notification of consent application. Similar to public notification, there are a total of four steps that are to be followed for limited notification consent applications under Sections 95B (2) to 95A (10). These steps are addressed in the below Table:

Test	Yes/No	Comments
Step 1: Certain affected groups/persons must be notified – sections 95B(2) and (3)		

Are there any affected protected customary rights groups or customary marine title groups?	No	
If the activity will be on, adjacent to, or might affect land subject to a statutory acknowledgement - is there an affected person in this regard?	No	
Step 2: If not required by Step 1, notification is precluded if any of the following apply – section 95B(6)		
Does a rule or NES preclude limited notification for all aspects of the application?	No	
Is the application a controlled activity?	No	
Step 3: Notification of other persons if not precluded by Step 2 – sections 95B(7) and (8)		
In the case of a boundary activity, is the owner of an allotment with an infringed boundary considered affected under s95E?	No	
Are there any other affected persons under s95E, i.e. persons on whom the effects are minor or more than minor, and who have not given written approval?	Yes	Effects on 5 Hogburn Lane are at least minor.
Step 4: Notification in special circumstances – section 95B(10)		
Do special circumstances exist that warrant the application being notified to any persons not identified above?	No	

9.3 NOTIFICATION CONCLUSION

Based on the assessment above, it is considered that the proposal does not warrant notification in that effects are no more than minor.

Based on the assessment on neighbours/persons, the effects on 5 Hogburn Lane are at least minor and warrants limited notification.

10 SECTION 104(1)(b) ASSESSMENT

Clause 2(1)(g) of Schedule 4 of the Resource Management Act 1991 requires an assessment against any relevant planning documents that are referred to in Section 104(1)(b) (of the RMA). This includes;

- A national environmental standard
- Other regulations
- A national policy statement
- A New Zealand coastal policy statement
- A regional policy statement or proposed regional policy statement
- A plan or proposed plan

In this case, the most relevant document is that of the Central Otago District Plan.

Table 4: Objectives and policies assessment for LRZ provisions.

Provision	Assessment

LRZ-O1 Purpose of the Low Density Residential Zone The Low Density Residential Zone provides primarily for residential living opportunities, as well as activities that support, and are compatible with the character of, the zone's residential focus.	The site is utilised in a residential capacity and is of a scale and intensity contemplated by the Zone. The proposal is therefore consistent with this objective.
LRZ-O2 Character and amenity values of the Low-Density Residential Zone The Low Density Residential Zone is a pleasant, low-density suburban living environment, which: 1. contains predominantly low-rise and detached residential units; 2. maintains a good level of openness around buildings; 3. provides good quality on-site amenity and maintains the anticipated amenity values of adjacent sites; and 4. is well-designed and well-connected into surrounding area.	The structures are single storey and detached. The dwelling, unit and sheds are all existing and established by earlier building consents. The cabin, requiring a breach to setbacks, is low profile, and is not considered to compromise amenity values. The deck could emit a degree of overlooking to the property at 5 Hogburn Lane. The effects of this a mitigated by virtue of the narrowness of the deck and its function as a means to traverse around the house, as opposed to a seating area. In this regard, a loss of privacy is only considered intermittent at times. The overall visual aesthetics and cohesiveness of the collection of buildings contribute to good amenity values.
LRZ-P1 Built Form - Ensure that development within the Low Density Residential Zone: 1. provides reasonable levels of privacy, outlook and adequate access to sunlight; 2. provides safe and appropriate access and on-site parking; 3. maintains spaciousness around buildings and a modest scale and intensity of built form that does not unreasonably dominate adjoining sites; 4. is managed so that relocated buildings are reinstated to an appropriate state of repair within a reasonable timeframe; and 5. provides sufficient usable outdoor living space for residents and for tree and garden planting; 6. maintains the safe and efficient operation of the roads network; 7. mitigates visual effects through screening of storage areas and provision of landscaping; and 8. encourages water efficiency measures.	In terms of policy LRZ-P1, the following is noted: • The degree of bulk, and sunlight effects generated by the existing dwelling are no greater than what has been previously assessed and approved by Council under earlier building consents. The deck, cabin and sheds do not generate adverse levels of sunlight and bulk. • The deck, due to its height and proximity to the boundary, could emit a degree of overlooking to the property at 5 Hogburn Lane. The effects of this a mitigated by virtue of the narrowness of the deck and its function as a means to traverse around the house, as opposed to a seating area. In this regard, a loss of privacy is only considered intermittent at times. • While the collection of structures does not necessarily result in a high degree of openness of the site, the site is well under the building coverage. The overall design and visual aesthetics of the building are considered mitigating factors. • Sufficient outdoor space is provided in that the building coverage is well under the permitted. • No visual effects are considered to arise. By all accounts, the existing structures, bar the cabin, have been consented. The cabin is tucked behind a fence and is not considered visually adverse. Overall, the proposal is considered broadly consistent with this provision.

LRZ-P2 – Residential Activities Provide for a range of residential unit types and sizes to meet the diverse and changing residential demands of communities.	The site is characterised by a range of structures that contributes to the demands of the applicant.

Overall the proposal is considered to be broadly consistent with the relevant objectives and policies.

11 PART 2 ASSESSMENT

The proposal is consistent with Part 2 of the Act, being the sustainable management of natural and physical resources, whilst also protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

12 SUMMARY

Resource consent is sought to retrospectively authorise structures within the internal setback at 3 Hogburn Lane, Naseby. Retrospective consent for a car park breach is also required.

Overall, the activity is assessed as a **restricted discretionary activity.**

The actual and potential effects on the environment have been outlined in section 8 of this report where it is concluded that the proposed activity is not likely to have any adverse effects on the environment that are more than minor.

The proposal is considered consistent with the relevant objectives and policies of the District Plan and meets the purpose and principles of the Resource Management Act 1991.

RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD

Search Copy

R.W. Muir
Registrar-General
of Land

Identifier **343985**
Land Registration District **Otago**
Date Issued 05 September 2007

Prior References
271005

Estate Fee Simple
Area 817 square metres more or less
Legal Description Lot 6 Deposited Plan 385904
Registered Owners
Ingridin Johnston-Jander and Client Trustee Services Limited

Estate Fee Simple - 1/5 share
Area 411 square metres more or less
Legal Description Lot 13 Deposited Plan 385904
Registered Owners
Ingridin Johnston-Jander and Client Trustee Services Limited

Interests

Subject to Part IV A Conservation Act 1987

Subject to Section 11 Crown Minerals Act 1991

Fencing Covenant in Transfer 984793.1 - 10.3.2000 at 9.50 am

Appurtenant hereto is a right to convey water,electricity,telecommunications & computer media created by Easement Instrument 6750403.16 - 13.2.2006 at 9:00 am

Subject to Section 241(2) Resource Management Act 1991 (affects DP 385904)

Subject to a right (in gross) to drain stormwater over Lot 13 DP 385904 in favour of Central Otago District Council created by Easement Instrument 7528619.3 - 5.9.2007 at 9:00 am

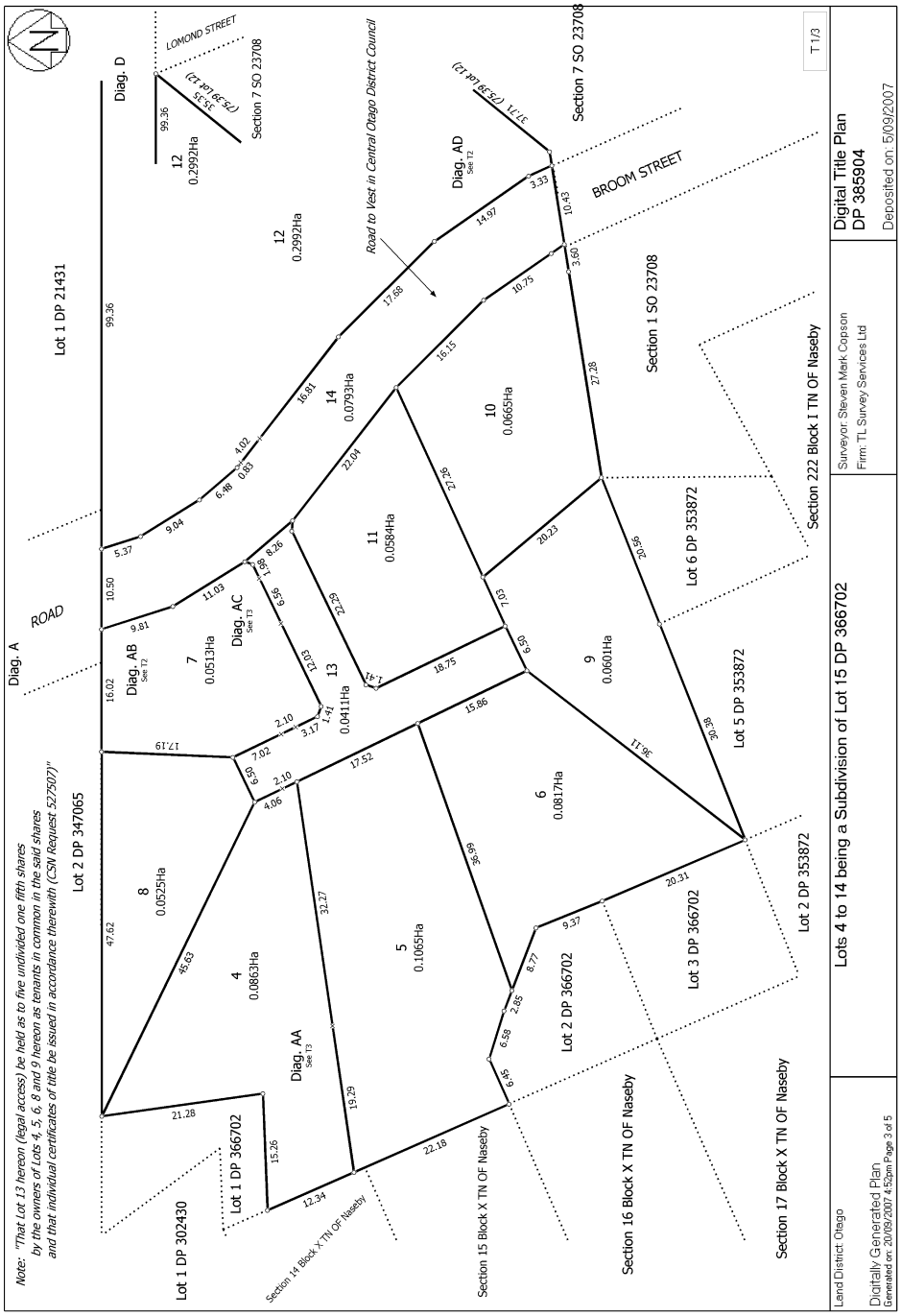
The easements created by Easement Instrument 7528619.3 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right of way and rights to convey water, electricity, telecommunications and computer media and to drain water and sewage over Lot 13 DP 385904 created by Easement Instrument 7528619.5 - 5.9.2007 at 9:00 am

Appurtenant to Lot 6 DP 385904 is a right of way and rights to convey water, electricity, telecommunications and computer media and to drain water and sewage created by Easement Instrument 7528619.5 - 5.9.2007 at 9:00 am

The easements created by Easement Instrument 7528619.5 are subject to Section 243 (a) Resource Management Act 1991

Identifier **343985**



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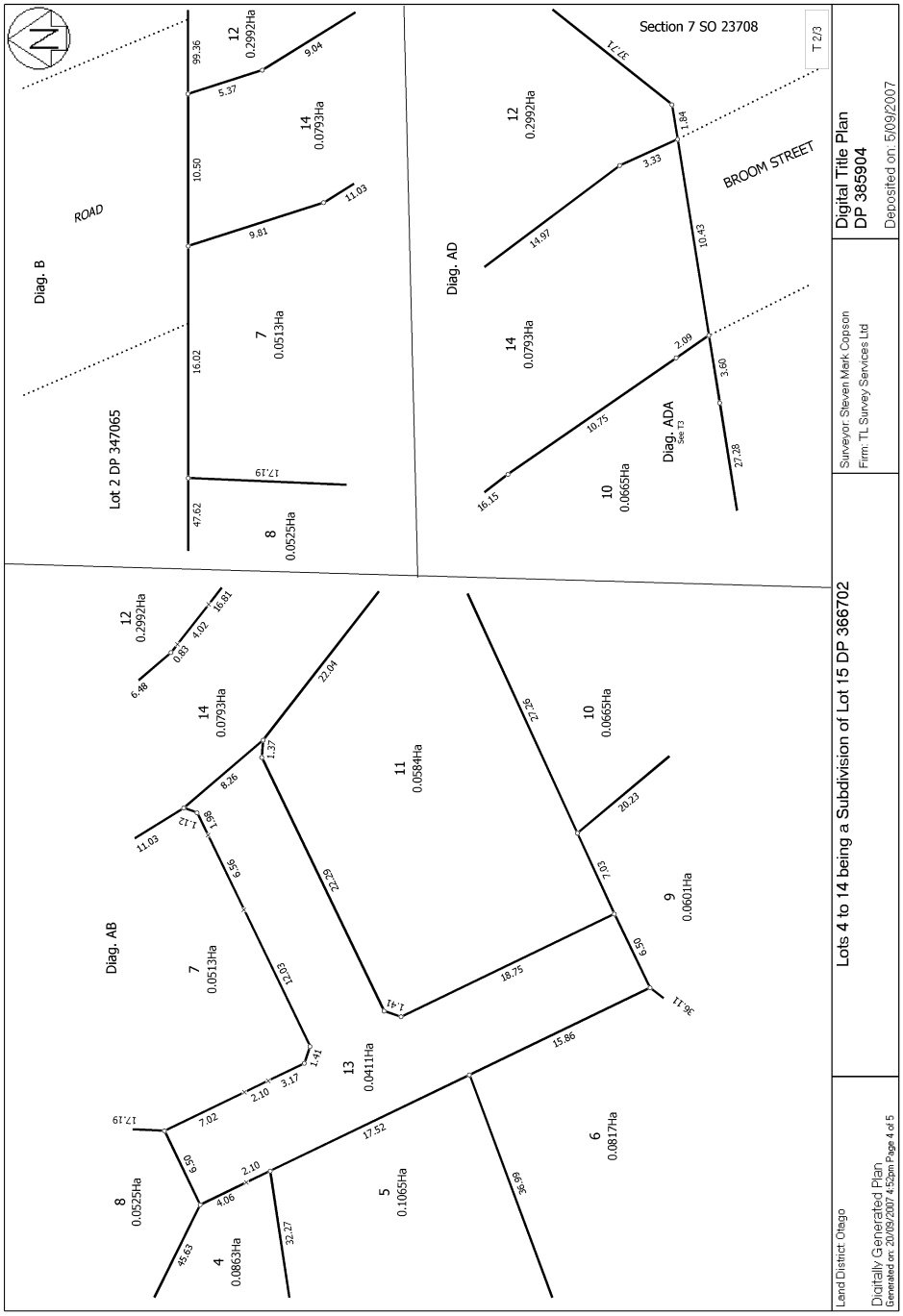

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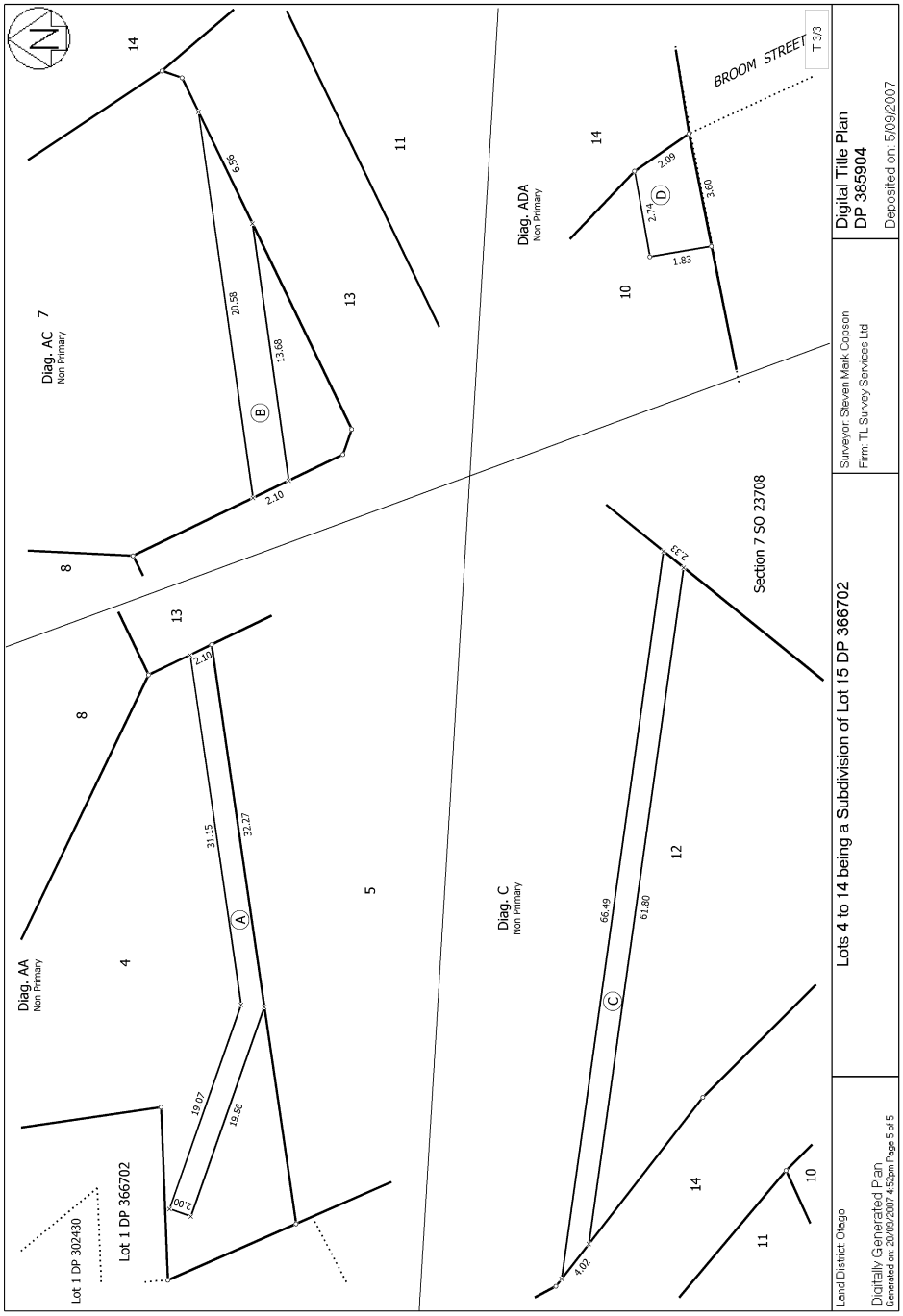


CENTRAL OTAGO DISTRICT COUNCIL

1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

03 440 0056

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

2836009503
RCE250011

25 March 2025

I Johnston-Jander
PO Box 6
Naseby 9354

To Ingridin Johnston-Jander,

Location: 3 Hogburn Lane, Naseby

Five buildings breaching the internal boundary setbacks of the Low-Density Residential Zone

It has come to Councils attention that five buildings on your property at 3 Hogburn Lane (legally described as Lot 6 DP 385904) are breaching the internal boundary setback rule of the Low-Density Residential Zone, without the necessary resource consent.

Under Rule LRZ-S6 of the Central Otago District Plan all buildings are required to be located a minimum of 1.8 meters from the internal property boundaries. Given that Hogburn Lane is a privately owned access allotment between five separate landowners, it is also defined as an internal boundary. The five buildings that have been identified to be breaching this rule are marked with red stars in Figure 1.

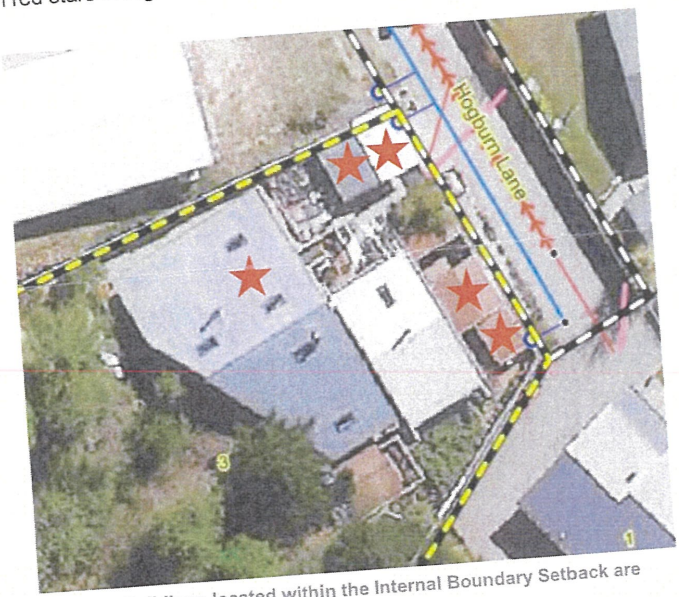


Figure 1: Buildings located within the Internal Boundary Setback are marked by the red stars.

A breach to the internal boundary setback can be legalised through a Deemed Permitted Boundary Activity, if written approval can be provided from all affected neighbours. For the buildings breaching the setbacks along Hogburn Lane you would require written approval from the owners of 1, 5, 7 and 9 Hogburn Lane. If neighbours' approval cannot be provided, you are required to apply for resource consent to breach the internal boundary setbacks.

Councils requires you to do one of the following by 24th of June 2025:

1. Obtain resource consent or a Deemed Permitted Boundary Activity to for each of the five buildings to breach the internal boundary setback rule of the Low-Density Residential Zone (LRZ-S6).
2. Remove the five buildings from within the internal boundary setback, complying with LRZ-S6.

The provision of the Resource Management Act 1991 confirms no person may use land contrary to a rule in a plan without resource consent. Failure to comply with the above may result in Council taking further enforcement action against you under the Resource Management Act 1991.

If you have any questions, please contact resource.consents@codc.govt.nz quoting RCE250011.

Yours sincerely,

Maredudd.Murrell@codc.govt.nz

Maredudd Murrell
Planning Technician

CENTRAL OTAGO
OFFICIAL REGIONAL IDENTITY PARTNER
www.centralotagonz.com

CENTRAL OTAGO DISTRICT COUNCIL

NOTICE TO FIX NF0272

Form 13 Sections 164 and 165, Building Act 2004

To:	Ingridin Johnston-Jander and Client Trustee Services Limited PO Box 6 Naseby 9354
And To:	Simon Laidlaw Carter 1 Beach Street Saint Clair Dunedin 9012
And To:	Fiona Robyn Meadows-Flower 5B Mably Court Stanmore Bay Whangaparaoa 0932

THE BUILDING

Street Address:	3 Hogburn Lane, Naseby
Legal Description:	LOT 6 DP 385904
Valuation Number:	2836009503
Building Name:	
Location of Building within site/block number:	North corner
Level/Unit Number:	

THE PROJECT

Building Consent Number:	NF0272
Description:	Unconsented building breaching boundary setbacks
Intended Life:	Indefinite, but not less than 50 years
Intended Use:	

PARTICULARS OF CONTRAVENTION OR NON-COMPLIANCE

The Council being satisfied that the building as described above does not have a building consent as required under section 40 of the Building Act 2004.

In addition, the location of the building breaches the boundary setback requirements for fire separation.

To remedy the contravention or non-compliance you must:

1. Remove the building from site by 20/06/2025, or

BRegs13
Revised 05/23

2. Apply for a Certificate of Acceptance including the boundary fire separation requirements, in accordance with the Building Act 2004.

   Fire Resistance Rating (FRR) Requirements:

   - **Walls within 1 metre of a boundary:**

   These walls must have a minimum FRR of 30/30/30 (structural adequacy/integrity/insulation) from both sides.

This notice must be complied with by 20/06/2025.

FURTHER PARTICULARS

All building work must cease immediately until the authority that issued this notice is satisfied that you are able and willing to resume operations in compliance with the Building Act 2004 and regulations under that Act.

If you do not comply with this notice, you commit an offence under section 168 of the Building Act 2004 and may be liable to a fine of up to $200,000 and a further fine of up to $20,000 for each day or part of a day that you fail to comply with this notice.

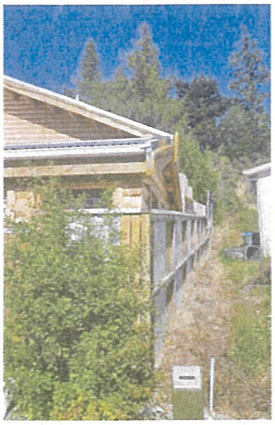
Building Control Officer: Darryl Shirley

Signature:

Date: 20/03/2025

On behalf of:
Central Otago District Council
PO Box 122

Alexandra



BRegs13
Revised 05/23

CENTRAL OTAGO DISTRICT COUNCIL

1 Dunorling Street
PO Box 122
Alexandra 9340
New Zealand

Tel: +64 3 440 0056
Email: info@codc.govt.nz
Web: www.codc.govt.nz

GST No: 51-442-970

Ingridin Johnston-Jander & Client Trustee Se
PO Box 6
Naseby 9354

DEBTOR NUMBER:
BCNF0272

DATE:
20/03/2025

TAX INVOICE 181804

NF0272 : 3 Hogburn Lane, Naseby
Unconsented building breaching boundary setbacks
Owner: Ingridin Johnston-Jander & Client Trustee Service

Qty	Description	Rate	GST	Amount
	Notice To Fix Administration Fee		29.35	225.00

Subtotal	195.65
GST	29.35
Total Amount	**$225.00**

Internet Banking: **02-0916-0081744-00**

Please quote **BCNF0272** as reference.

Processing of your consent does not start until the fees have been paid so prompt payment is essential.

CENTRAL OTAGO DISTRICT COUNCIL

If paying at a CODC Service Centre via cash or eftpos, please detach and present with payment.

Please use **BCNF0272** as your reference

REMITTANCE ADVICE

DEBTOR NO.: BCNF0272

TAX INVOICE: 181804

FROM:
Ingridin Johnston-Jander & Client
PO Box 6
Naseby 9354

TOTAL NOW DUE **$225.00**

AMOUNT PAID CASH / EFTPOS _____

CENTRAL OTAGO DISTRICT COUNCIL

1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

03 440 0056

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

20 March 2025

Ingridin Johnston-Jander and Client Trustee Service
PO Box 6
Naseby 9354

And To: Simon Laidlaw Carter
1 Beach Street
Saint Clair
Dunedin 9012

And To: Fiona Robyn Meadows-Flower
5B Mably Court
Stanmore Bay
Whangaparaoa 0932

Dear Sir/Madam

Re: Notice to Fix no. NF0272
Unconsented building breaching boundary setbacks
3 Hogburn Lane, Naseby

A notice to fix has been issued to you in respect of the above property. Please refer to the Notice which sets out specific actions that you are required to carry out and the date these actions must be completed.

It is an offence under sections 164 & 165 of the Building Act 2004 to fail to comply with a Notice to Fix. If the matters set out in the Notice are not completed by the date stated in the Notice, Council will need to consider enforcement action.

We trust that enforcement action will not be necessary and await confirmation that the Notice to Fix is resolved by the date referred to in the notice.

Yours faithfully

Regulatory Support Officer:	Katrina Sutherland	On behalf of:
Signature:	Sutherland	**Central Otago District Council**
Date:	20 March 2025	**PO Box 122** **Alexandra**

Katrina Sutherland

Subject: FW: 3 Hogburn Lane, Naseby- Ingrid

From: Darryl Shirley <Darryl.Shirley@codc.govt.nz>
Sent: Friday, 4 April 2025 9:12 am
To: Katrina Sutherland <Katrina.Sutherland@codc.govt.nz>
Subject: 3 Hogburn Lane, Naseby- Ingrid

Ingrid- 3 HOGBURN LANE NASEBY

Her options are as stated in the NTF

- Remove the building from site.
- Apply for a Certificate of Acceptance including the boundary fire separation requirements, in accordance with the Building Act 2004 and building code.

With the COA Application we will require everything we need with a building consent application including.

- Form 8 Application for Certificate of Acceptance Section 97, Building Act 2004
- Proof of owner ship
- Details of authorisation to lodge application on Owner's behalf (if applicable)
- Accurate site plan showing building boundary setbacks.

1

- Plans showing measurement, sizes, and elevations (Possibly including photos)
- Specifications of proposed products
- Form 8B - Written Approval for Deemed Permitted Boundary (Planning)

Darryl

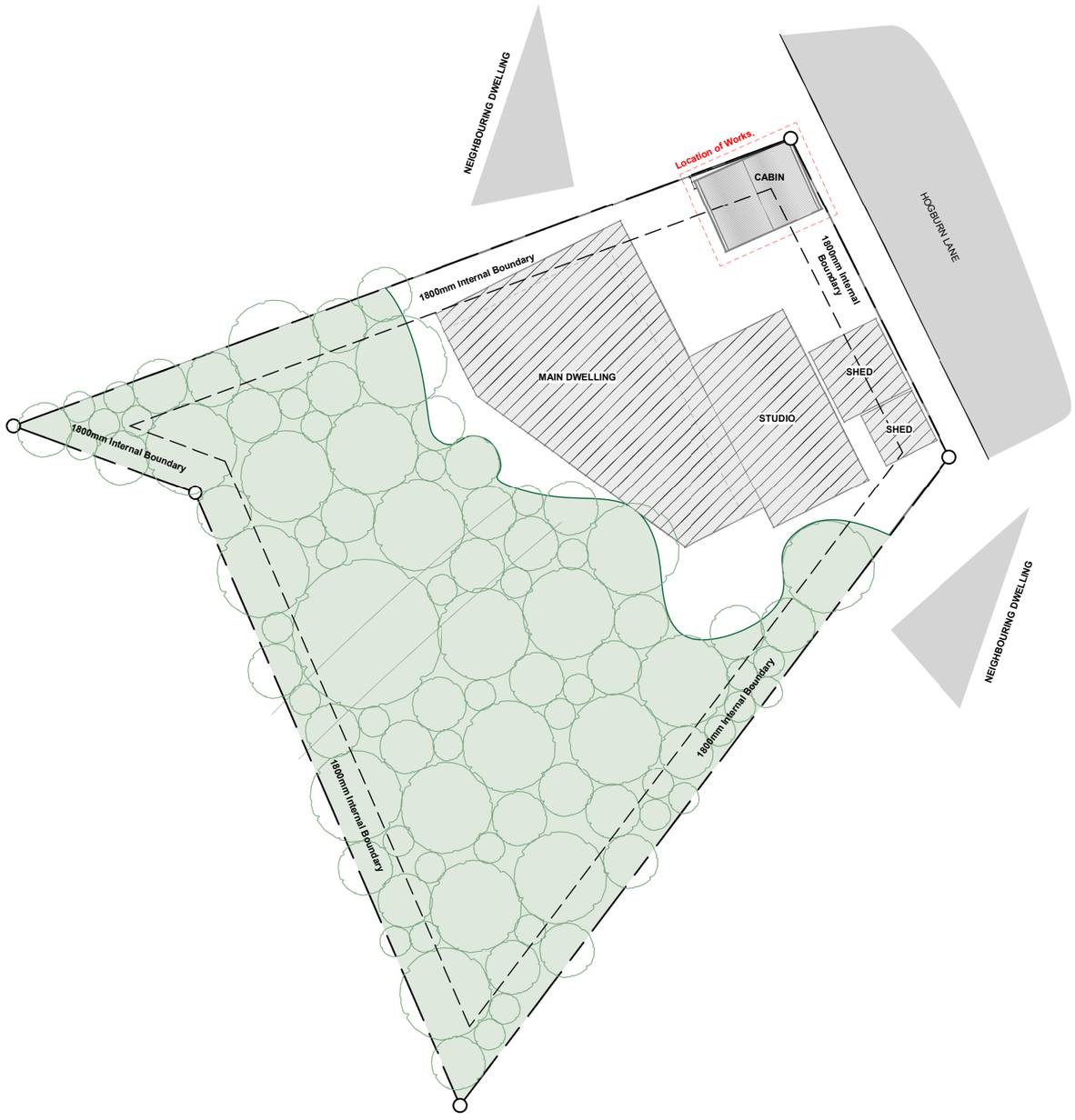
Darryl Shirley
Building Control Officer

CENTRAL OTAGO DISTRICT COUNCIL

+64 27 533 8673
Darryl.Shirley@codc.govt.nz
1 Dunorling Street, Alexandra 9320
www.codc.govt.nz

If you have received this email and any attachments to it in error, please take no action based on it, copy it or show it to anyone. Please advise the sender and delete your copy. Thank you.

DRAWING SCHEDULE
A0.01 SITE PLAN
A1.01 REFERENCE FLOOR PLAN
A1.02 ROOF PLAN
A2.01 ELEVATIONS
A3.01 FIRE RATE WALL DETAILING
GENERAL NOTES
The main contractor shall verify all dimensions and levels on site and locate all public drains on site before commencing work.
This drawing shall be read in conjunction with the project specifications and all other relevant documents.
Do not Scale off drawings.
All construction shall comply with NZS3604:2011, the new Zealand building code and their amendments.
Refer to structural engineers drawings and calculations for foundation design, bracing design and nominated elements.
In the event that any uncontrolled fill, unstable ground or ground providing bearing capacity less than 100kpa is encountered during excavations the contractor shall contact the engineer or designer involved.
In the event that discrepancies or omission are found in these drawings then the contractor must contact the designer before proceeding any further.
Changes made on site without consultation or drawings will not be accepted and the designer will not be held liable for such changes.
Design work is not to be carried out on site.
The contractor shall supply and fix all necessary flashings and sealants to provide a completely weathertight building.
Wet areas prone to water splash as per NZBC clause E3 are to comply with clauses 3.0 and 3.2.
Use type 304 or 316 stainless steel (3) protected fixings in all exposed areas as per table 4.1, NZS: 3604:2011.
Glazing in bathrooms to comply with NZS4223 part 3D4.
27.06.2025 - Cabin Resource Consent
INGRID JOHNSTON-JANDER RESIDENCE



1 **SITE PLAN**
1 : 150

ADDRESS

Address	3 Hogburn Lane Naseby
Legal Description:	Lot 6 DP 385904
Planning District:	Central Otago District

ZONES

Earthquake Zone:	Zone 1
Exposure Zone:	Zone B
Climate Zone:	Zone 6
Wind Region:	A
Wind Zone:	Medium

AREAS

Site Area:	815.24sqm
Building Coverage Totals:	178.17sqm
Building Coverage Percentage:	21.8%

TIMBER TREATMENT

H1.2 (Protected).
- Roof and ceiling framing
- Roof trusses
- Interior wall framing
- Intermediate interior floor framing
- Enclosed skillion roof & purlins
- Roof framing with lined soffits
- Exterior walls protected from weather
- Wall Framing
- Subfloor framing except piles

H3.1 (Cavity).
- Cavity Battens

H3.2 (Exposed).
- External rafters and beams
- Slatted deck subfloor
- Fencing not in ground contact
- Cantilevered deck framing

H5 (Ground Contact).
- Piles
- Fencing in contact with ground

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THREE HOGBURN LANE CABIN RESOURCE CONSENT

Client: INGRID JOHNSTON-JANDER

Title: SITE PLAN

Drawing No:	A0.01		
Job No:	00000		
Scale/s:	As indicated		
Drawn by: B. MILLER	Date: 27.06.25	Rev.:	

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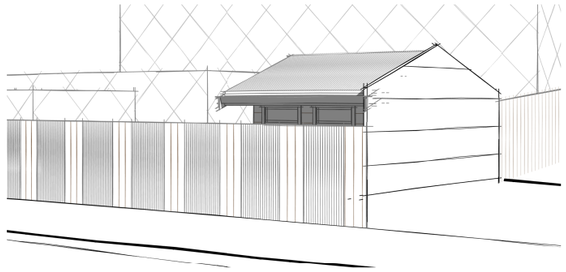

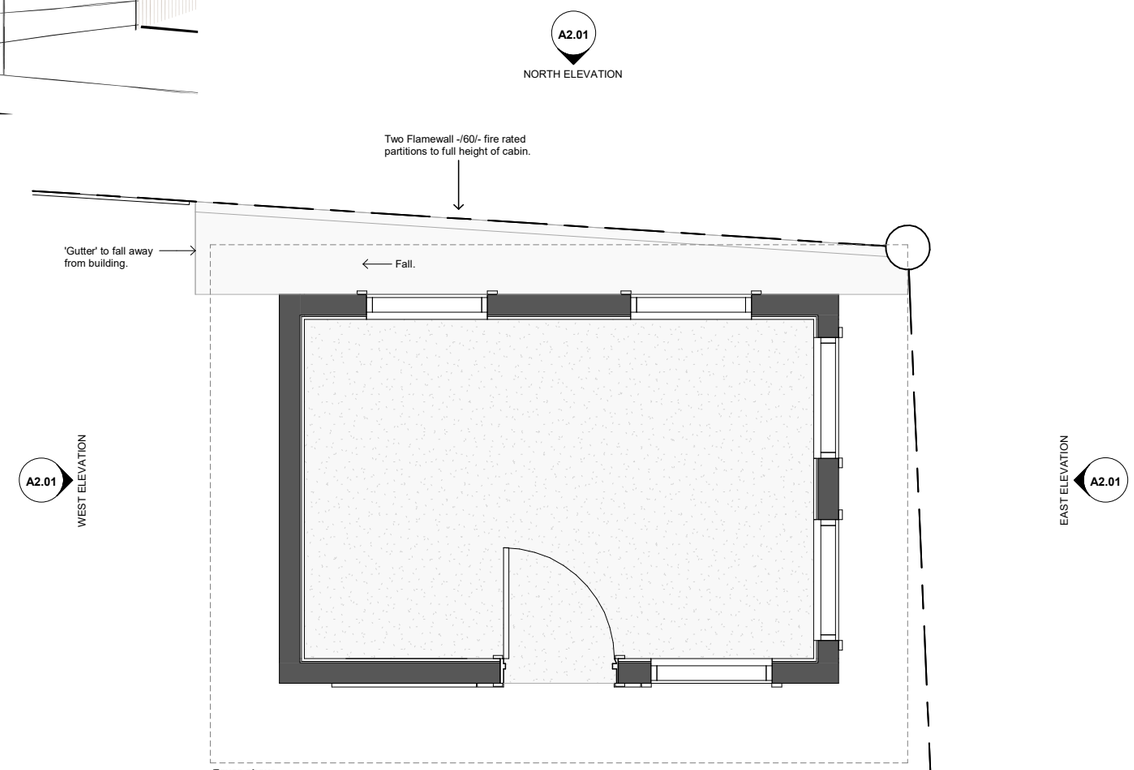

1 **REFERENCE PLAN**
1 : 25

NOTE
All lintels SG8 H1.2 unless noted otherwise.

KEY

Cabin Walling
140 x 190mm Engelmann spruce logs, fixed with 12g log screws @500crs and 100mm from log ends. Internal lining includes Covertek 401, 9mm untreated plywood, and untreated West Coast matai tongue-and-groove wall lining.

Concrete Base
300mm (Unknown MPa) concrete slab over, black eco drainage coil @300crs, over DPM (250 micron), over a base of AP 20 gravel.

Flooring
21mm H3.1 Ply Flooring over 190 x 45 packers / joists over concrete slab, with 45mm polystyrene insulation between joists over, poly foil (250 micron).

TIMBER TREATMENT
H1.2 (framing protected from the weather).
- Interior wall framing
- Intermediate interior floor framing
- Enclosed skillion roof & purlins
- Roof framing with lined soffits
- Exterior walls protected from weather
- Wall Framing

H3.1
- Cavity Battens
- Subfloor framing (dry in service) except piles

H3.2 (exposed to weather above ground)
- External rafters and beams
- Timber slatted decking joists and bearers
- Fencing not in contact with ground
- Cantilevered enclosed deck joists and framing

H5 (in contact with ground)
- Piles

CONSTRUCTION NOTES
Verify all dimensions and levels on site before commencing any work.

All timber framing and fixings must comply with NZS 3604:2011 and any provided structural calculations. Timber shall be SG8 grade and treated to a minimum of H1.2, unless otherwise specified.

Use stainless steel fixings within 600mm of cleared ground level.

Provide a damp-proof course (DPC) between all timber and concrete surfaces.

Install blocking in wall and roof framing where necessary to support linings, cladding, fixings, and fittings.

For any timber member exceeding 2.5m in length, full-depth midspan blocking is required.

Read these drawings in conjunction with all relevant specifications and consultant documents, including structural engineering.

Observed / Recalled Construction Summary Specification

1. Foundation
Log Cabin Foundation
Base layers:
- AP 20 compacted gravel
- 250 micron black polyethylene DPM (damp proof membrane)
- 50mm polystyrene insulation under slab

Concrete slab:
- 300mm thick reinforced concrete slab
- Commercial-grade mix suitable for garage/heavy load applications
- Reinforced with steel mesh to building code standards

Formwork:
- Treated grade 5 timber boxing (60mm wall thickness)
- Perimeter protection:
- Heavy Thermakraft and Malthoid wrapping with silver foil layer for damp resistance

300mm concrete slab over:
- AP 20 gravel
- 250 micron black polyethylene DPM

Drainage:
- Black eco coil laid every 300mm, directed toward street

Timber posts:
- 120x120mm grade 5 treated pine
- Posts concreted into slab, sealed for waterproofing

2. Flooring
Log Cabin Floor
Subfloor:
- Joists fitted with 45mm firm insulation
- Covered with Covertec 407 insulation paper
- Surface layers:
- 22mm treated DD plywood

Final finish:
- Commercial-grade carpet with edging

3. Walls
Log Cabin Walls (Interior)
Lining:
- 100-year-old NZ West Coast Matai T&G

Behind lining:
- Covertec fire- and water-retardant insulation

Fixing:
- Attached using medium steel pin nails to logs

Log construction:
- Logs joined with finger joints
- Gaps filled with brown Silka Flex (fire & moisture sealant)

Logs bolted together with:
- fixed with 12g log screws @500crs and 100mm from log ends

Log Cabin Walls (Exterior)
- Stained with water-soluble exterior stain

Sealed with:
- Silicon and water-resistant polymer
- Additional batten layer with Thermocraft Malthoid membrane to cover gaps

4. Roof
Log Cabin Roof
- Stainless steel roofing
- Insulated internally with 22mm untreated ply

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THREE HOGBURN LANE CABIN RESOURCE CONSENT

Client: INGRID JOHNSTON-JANDER

Title: REFERENCE FLOOR PLAN

Drawing No:	A1.01
Job No:	00000
Scale/s:	As indicated
Drawn by: B. MILLER	Date: 27.06.25
Rev.:	

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CONSTRUCTION NOTES
Verify all dimensions and levels on site before commencing any work.

All timber framing and fixings must comply with NZS 3604:2011 and any provided structural calculations. Timber shall be SG8 grade and treated to a minimum of H1.2, unless otherwise specified.

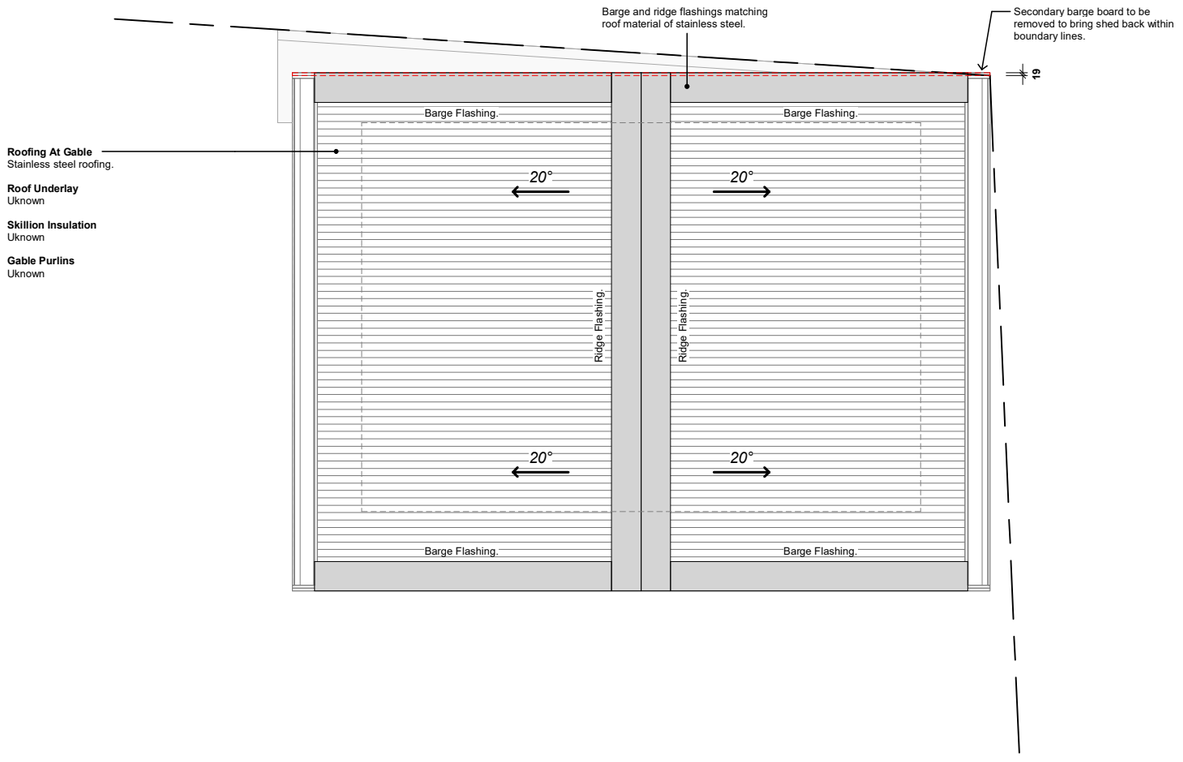
Use stainless steel fixings within 600mm of cleared ground level.

Provide a damp-proof course (DPC) between all timber and concrete surfaces.

Install blocking in wall and roof framing where necessary to support linings, cladding, fixings, and fittings.

For any timber member exceeding 2.5m in length, full-depth midspan blocking is required.

Read these drawings in conjunction with all relevant specifications and consultant documents, including structural engineering.



1 **ROOF PLAN**
1 : 25

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THREE HOGBURN LANE CABIN RESOURCE CONSENT

Client: INGRID JOHNSTON-JANDER

Title: ROOF PLAN

Drawing No:	A1.02		
Job No:	00000		
Scale/s:	As indicated		
Drawn by: B. MILLER	Date: 27.06.25	Rev.:	

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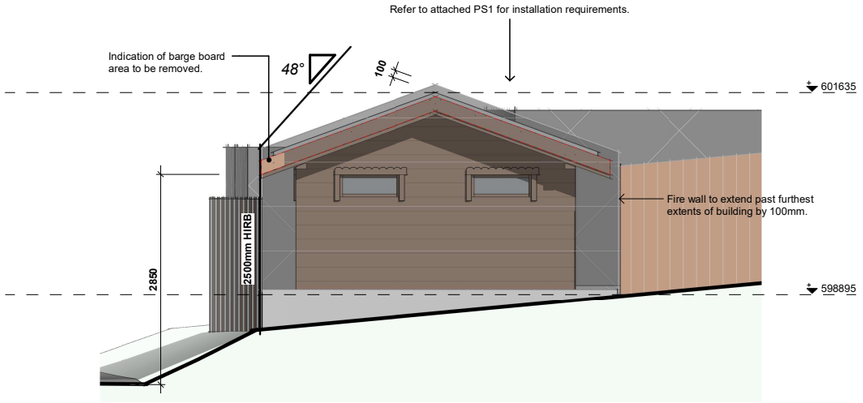
RISK MATRIX
North Elevation

Risk Factor	Risk Score
A. Wind Zone	0 - Medium Risk
B. No. of Storeys	0 - Low Risk
C. R/W Junctions	0 - Low Risk
D. Eaves Width	2 - High Risk
E. Complexity	0 - Low Risk
F. Decks	0 - Low Risk
TOTAL	2

Results: All cladding and cavity types except EIFS over direct fix.

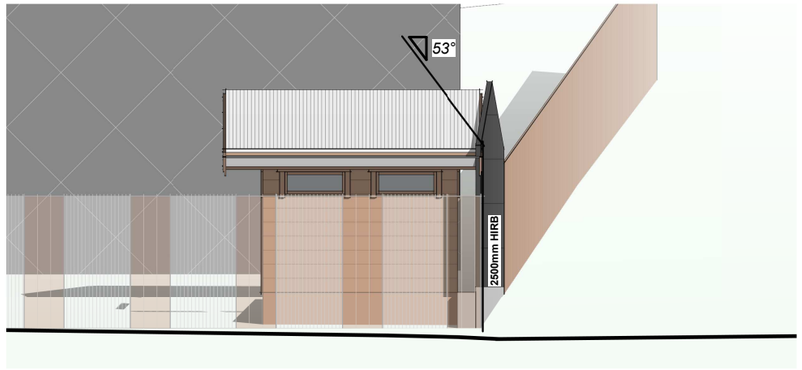


1 **NORTH ELEVATION**
1 : 50

RISK MATRIX
East Elevation

Risk Factor	Risk Score
A. Wind Zone	0 - Medium Risk
B. No. of Storeys	0 - Low Risk
C. R/W Junctions	0 - Low Risk
D. Eaves Width	2 - High Risk
E. Complexity	0 - Low Risk
F. Decks	0 - Low Risk
TOTAL	2

Results: All cladding and cavity types except EIFS over direct fix.

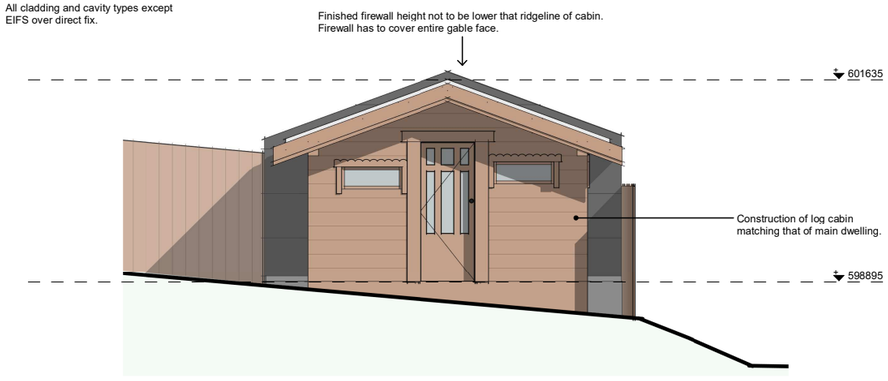


2 **EAST ELEVATION**
1 : 50

RISK MATRIX
South Elevation

Risk Factor	Risk Score
A. Wind Zone	0 - Medium Risk
B. No. of Storeys	0 - Low Risk
C. R/W Junctions	0 - Low Risk
D. Eaves Width	2 - High Risk
E. Complexity	0 - Low Risk
F. Decks	0 - Low Risk
TOTAL	2

Results: All cladding and cavity types except EIFS over direct fix.

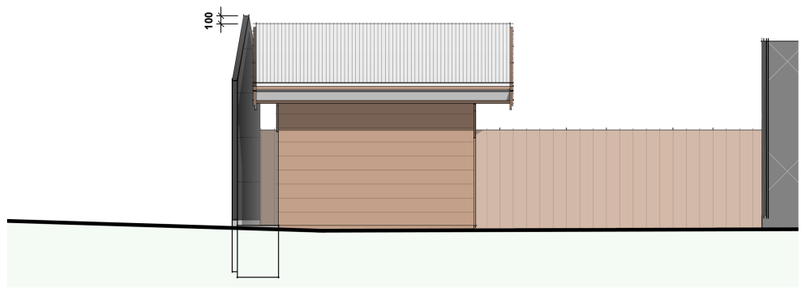


3 **SOUTH ELEVATION**
1 : 50

RISK MATRIX
West Elevation

Risk Factor	Risk Score
A. Wind Zone	0 - Medium Risk
B. No. of Storeys	0 - Low Risk
C. R/W Junctions	0 - Low Risk
D. Eaves Width	2 - High Risk
E. Complexity	0 - Low Risk
F. Decks	0 - Low Risk
TOTAL	2

Results: All cladding and cavity types except EIFS over direct fix.



4 **WEST ELEVATION**
1 : 50

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THREE HOGBURN LANE CABIN RESOURCE CONSENT

Client: INGRID JOHNSTON-JANDER

Title: ELEVATIONS

Drawing No:	A2.01		
Job No:	00000		
Scale/s:	1 : 50		
Drawn by: B. MILLER	Date: 27.06.25	Rev.:	

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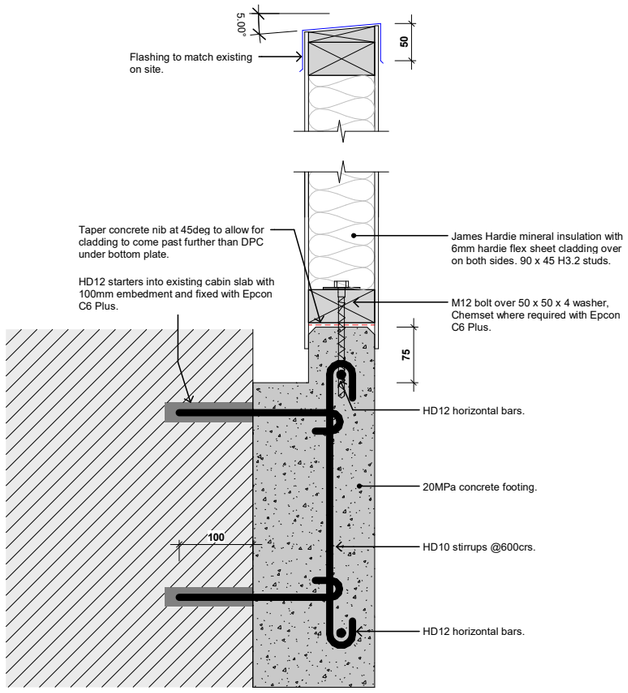
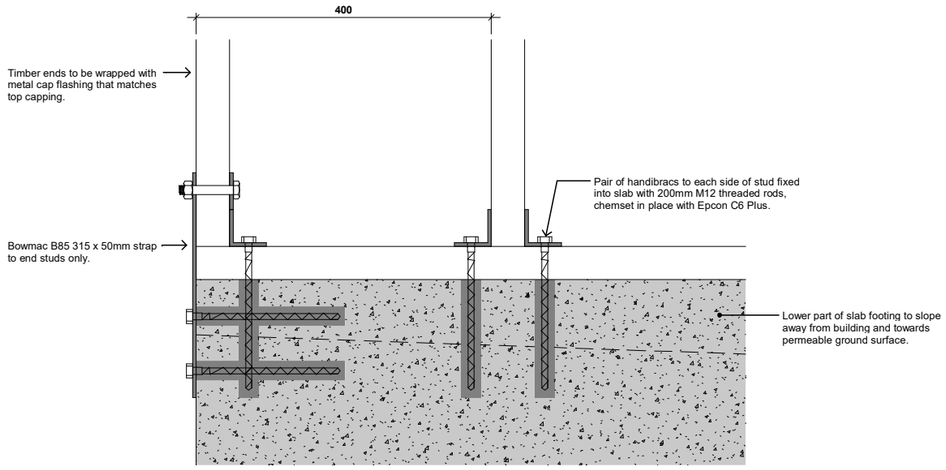
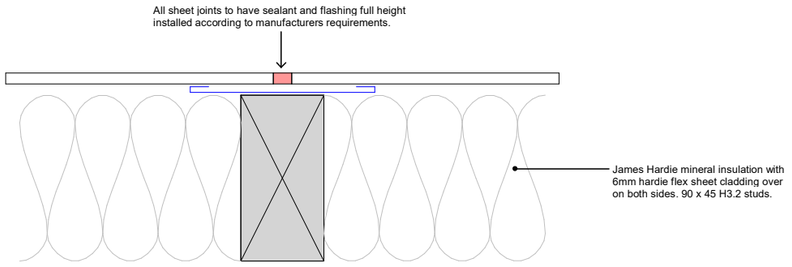


1 **FIRE RATED FENCE DETAIL 01**
1 : 5



2 **FIRE RATED FENCE DETAIL 02**
1 : 5



3 **FIRE RATED FENCE DETAIL 03**
1 : 2

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THREE HOGBURN LANE CABIN RESOURCE CONSENT

Client: INGRID JOHNSTON-JANDER

Title: FIRE RATE WALL DETAILING

Drawing No:	A3.01		
Job No:	00000		
Scale/s:	As indicated		
Drawn by: B. MILLER	Date: 27.06.25	Rev.:	

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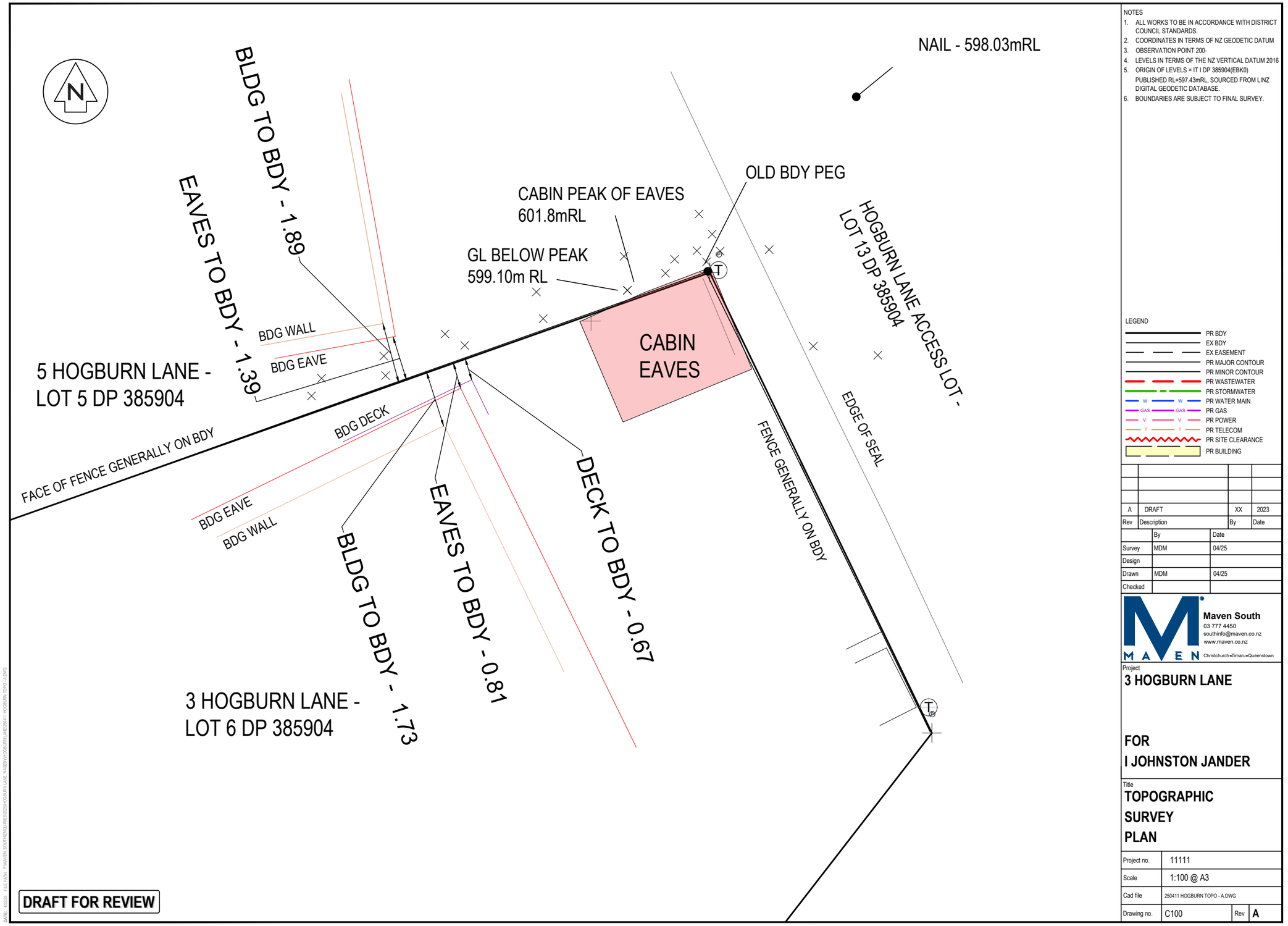


NOTES
1. ALL WORKS TO BE IN ACCORDANCE WITH DISTRICT COUNCIL STANDARDS.
2. COORDINATES IN TERMS OF NZ GEODETIC DATUM
3. OBSERVATION POINT 200-
4. LEVELS IN TERMS OF THE NZ VERTICAL DATUM 2016
5. ORIGIN OF LEVELS = IT I DP 385904(EBK0) PUBLISHED RL=597.43mRL, SOURCED FROM LINZ DIGITAL GEODETIC DATABASE.
6. BOUNDARIES ARE SUBJECT TO FINAL SURVEY.

LEGEND
- PR BDY
- EX BDY
- EX EASEMENT
- PR MAJOR CONTOUR
- PR MINOR CONTOUR
- PR WASTEWATER
- PR STORMWATER
- PR WATER MAIN
- PR GAS
- PR POWER
- PR TELECOM
- PR SITE CLEARANCE
- PR BUILDING

Rev	Description	By	Date
A	DRAFT	XX	2023

	By	Date
Survey	MDM	04/25
Design		
Drawn	MDM	04/25
Checked		

Maven South
03 777 4450
southinfo@maven.co.nz
www.maven.co.nz
Christchurch•Timaru•Queenstown

Project
3 HOGBURN LANE

FOR
I JOHNSTON JANDER

Title
TOPOGRAPHIC SURVEY PLAN

Project no.	11111		
Scale	1:100 @ A3		
Cad file	250411 HOGBURN TOPO - A.DWG		
Drawing no.	C100	Rev	A

DATE: 15/12/2025 FILE PATH: P:\MAVEN_SOUTH\ECO_PROJECTS\2025\11111_HOGBURN_LANE_ESDET\11111_HOGBURN_TOPO - A.DWG

RECEIVED
06/10/2025
CODC

01

CENTRAL OTAGO DISTRICT COUNCIL

SUBMISSION ON NOTIFIED APPLICATION CONCERNING RESOURCE CONSENT

1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

03 440 0056

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

(Form 13)

Section 95B Resource Management Act 1991

To: The Chief Executive
Central Otago District Council
PO Box 122
Alexandra 9340
resource.consents@codc.govt.nz

DETAILS OF SUBMITTER

Full name: Carmen Doran

Contact person (if applicable):

Electronic address for service of submitter: carmen.doran@gmail.com

Telephone: 022 673 2146

Postal address (or alternative method of service under *section 352* of the Act):

13 Quigley Cres
Cromwell

This is a submission on the following resource consent application: RC No: **250220**

Applicant: **Ingridin Johnston-Jander** Valuation No: **2836009503**

Location of site: **3 Hogburn Lane, Naseby**

Brief description of application: **Land use consent for a retrospective setback breach and carparking, in the low density residential zone**

Submissions close: **4.00pm on 2 October 2025**

The specific parts of the application that my submission relates to are:
(give details, attach on separate page if necessary)

Buildings + deck etc too close to our boundary

Note on parking. I disagree this is minor often car parked on road blocking access to ours and other properties.

This submission is: *(attach on separate page if necessary)*

Include:

- *whether you support or oppose the specific parts of the application or wish to have them amended; and*
- *the reasons for your views.*

Strongly Oppose.
- Fire risk
- Unsightly
- Breach of rules.
- Privacy

I/We seek the following decision from the consent authority:
(give precise details, including the general nature of any conditions sought)

Buildings + deck removed/moved

I/We **support** / **oppose** / **neither support or oppose** the application **(circle one)**

I/We **wish** / **do not wish** to be heard in support of this submission **(circle one)**

I/We **am** / **am not*** a trade competitor for the purposes of section 308B of the Resource Management Act 1991 **(circle one)**

*I/We **am** / **am not** **(circle one)** directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

Delete this paragraph if you are not a trade competitor.

*I/We will consider presenting a joint case if others make a similar submission. Yes

Delete this paragraph if not applicable.

I/We **request* / do not request (circle one)**, pursuant to section 100A of the Act, that you delegate your functions, powers, and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority.
See note 4 below as you may incur costs relating to this request.

30 Sept 2025

Signature of submitter **Date**
(or person authorised to sign on behalf of submitter)

In lodging this submission, I understand that my submission, including contact details, are considered public information, and will be made available and published as part of this process.

Notes to submitter

1. **If you are making a submission to the Environmental Protection Authority, you should use form 16B.**

2. **The closing date for serving submissions on the consent authority is the 20th working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.**

3. **You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the consent authority.**

4. **If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in Part 11Aof the Resource Management Act 1991.**

5. **If you make a request under section 100A of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you will be liable to meet the additional costs of the hearings commissioner or commissioners, compared to our hearing panel. Typically, these costs range from $3,000 - $10,000.**

6. **Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):**
   - **it is frivolous or vexatious:**
   - **it discloses no reasonable or relevant case:**
   - **it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:**
   - **it contains offensive language:**
   - **it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.**

25.16.5 RC250257 - MATHSTONE ENTERPRISES LIMITED

Doc ID: 2656283

1. Purpose

A report to consider for land use consent and subdivision consent for a two lot subdivision in the rural residential resource area, is attached.

2. Attachments

Appendix 1 - Section 42A Planners Report ⇩
Appendix 2 - Section 95 Notification Report ⇩
Appendix 3 - Application ⇩
Appendix 4 - Submission 01 - Philip Copland ⇩
Appendix 5 - Submission 02 - Alex Huffadine ⇩
Appendix 6 - Submission 03 - Alister Stuart ⇩
Appendix 7 - Submission 04 - Lomas Ainsley ⇩
Appendix 8 - Submission 06 - Mark McFarlane ⇩
Appendix 9 - Submission 07 - Jaclyn O'Sullivan ⇩
Appendix 10 - Submission 08 - Aukaha ⇩

CENTRAL OTAGO DISTRICT COUNCIL
REPORT OF PLANNING CONSULTANT

APPLICATION	**RC 250257**
APPLICANT	**MATHSTONE ENTERPRISES LIMITED**
ADDRESS	**78 PEARSON ROAD, CROMWELL**
LEGAL DESCRIPTION	**LOT 2 DP 356166 (HELD IN RECORD OF TITLE 229045).**
ACTIVITY STATUS	**NON-COMPLYING**

STATUS OF THIS REPORT

1. The attention of the applicants is drawn to the fact that the purpose of this report is to bring to the attention of the Hearings Panel all relevant factual information or issues which should be considered in deliberating on the proposal. It must be emphasised that any conclusions reached or recommendations made in this report are not binding on the Hearings Panel, and it should not be assumed that the Hearings Panel will reach the same conclusion or decision having considered all the evidence.

AUTHOR

2. My name is Kirstyn Jane Royce and I am the sole director and employee of Southern Planning Solutions Limited. I hold a Masters in Planning from the University of Otago. I am an accredited RMA commissioner (Chairs endorsement) and hold full NZPI membership. I have 20 years' experience in district and regional planning. I currently provide planning assistance to a number of southern Councils, including Central Otago District Council (Council), and I also assist a number of private clients with planning work.

3. I have been contracted by Council to report on this application.

4. I confirm that I have read the Environment Court's Code of Conduct for Expert Witnesses 2023 and, while this is not an Environment Court hearing, I agree to comply with the code. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

5. In terms of conflict of interests, I declare that I have a long-term contract with the submitter Kāti Huirapa Rūnaka ki Puketeraki. That contract involves providing RMA advice. I advised the Rūnaka that I was conflicted in respect of this application and removed myself from providing advice to them. I was unaware that the Rūnaka made a submission on the application until it was lodged and I had no involvement with the preparation of the submission. It is my belief that my contract with Kāti Huirapa Rūnaka ki Puketeraki does not influence my independent assessment of the application as set out below.

PROPOSAL

6. The application seeks land use consent and subdivision consent for a two lot subdivision with a residential building platform for one lot within the Rural Residential Resource Area at 78 Pearson Road, Cromwell (see Figure 1). The subject site is legally described as Lot 2 DP 356166, held in Record of Title 229045 and comprising an area of 1.9535ha.

The title is subject to easements to convey electricity and water. Consent Notice 7172093.3 is registered on the Record of Title which imposes conditions relating to:

- Accidental Discovery Protocols
- Servicing of a dwelling on Lot 2 DP 356166
- Risk from old mining workings

7. As shown in Figure 1, the proposed subdivision will result in an average of 0.975 hectares per lot and is proposed to be configured as follows:

   - Lot 1 comprising an area of 0.4ha. This lot will contain the existing dwelling. Access for Lot 1 will be via an existing crossing point located in the northeastern corner of the site. No changes are proposed to this access.

   - Lot 2 comprising an area of 1.55ha. This lot will contain the existing cherry orchard and a residential building platform. Design controls and landscape mitigation are proposed for any future development within the building platform. Access for proposed Lot 2 is intended to run down the centre of the property between existing rows of cherries. A new vehicle crossing would be required and will be constructed in accordance with Council Standards.

Figure 1: Proposed Subdivision

8. In terms of servicing, domestic water for the existing dwelling (on proposed Lot 1) will continue to be obtained from the Council reticulated supply located on Pearson Road. Water for proposed Lot 2 will be sourced via an existing bore. Wastewater for the existing dwelling will remain unchanged and will continue to be serviced via an onsite disposal system that will be located wholly within the property boundaries. Wastewater for Lot 2 has been determined as feasible as per an assessment undertaken by Meyer Cruden. No earthworks are proposed other than the construction of the access and utility service trenching.

9. The application is supported by the following documents:

    - Landscape Assessment by Mike Moore, Landscape Architect
    - Infrastructure and Limited Geotechnical Report by Meyer Cruden
    - Supporting Natural Hazards Comment from WSP Opus
    - Electricity Supply Availability letter from Aurora
    - Detailed Site Investigation by Springline Limited
    - Productive Capacity Assessment by Landward Management Ltd
    - Water Analysis by Hill Labs dated 12 August 2025

SITE DESCRIPTION

10. The site is an irregularly shaped property consisting of 1.95 hectares located on the southern side of Pearson Road. The site contains an existing residential dwelling in the north-eastern corner of the site, a cabin for traveller's accommodation in the southern corner, and the remainder planted as an orchard (cherries).

11. The receiving environment along Pearson Road is characterised by a varied rural-residential pattern that reflects an evolving interface between traditional horticultural land use and increasing residential activity. Lot sizes along the road are notably diverse, ranging from larger rural allotments of several hectares (typically supporting established orchards and shelterbelt planting) to smaller lifestyle and residential lots of under one hectare. The variation in lot size and density results in a mixed rural character, where higher concentrations of dwellings are interspersed among productive orchards and rural landscapes.

BACKGROUND

12. The subject site has the following history:

    - RC050015 being the underlying subdivision which established the subject site; and
    - RC160217 being land use consent to construct the dwelling which currently occupies the site; and
    - RC240216 which authorises the establishment and operation of two cabins for traveller's accommodation purposes.

13. The applicant confirms that the existing traveller's accommodation cabin, consented under RC240216, will be removed and the land use consent surrendered should this application be approved.

14. The applicant's site description is adopted for the purposes of this report.

REASONS FOR APPLICATION

Central Otago District Plan

15. The site is shown on Planning Map 44 of the Central Otago District Plan and lies in the Rural Resource Area with a Rural Residential overlay (RuRA).

16. Rule 4.7.2(ii)(a)(i) of the District Plan provides for subdivision within the RuRA zone as a controlled activity providing that the average allotment size of the proposal is no less than 2 Ha. In this instance, the lot average is 2.44875ha.

17. In this instance, the allotment areas proposed fall below the average allotment sizes for the zone. The proposal will result in an average of 0.975 hectares and is assessed as a non-complying activity pursuant to Rule 4.7.5(iii).

18. Rule 4.7.2(i) provides for residential activity in the Rural Residential Resource area as a controlled activity. However, the applicant does not seek to establish residential activity at this time, rather, they seek to establish a RBP. RBPs are provided for as Restricted Discretionary Activity pursuant to Rule 4.7.3(vii). The RBP on Lot 2 will comply with the necessary standards set out in Rule 4.7.3(vii)(b)-(d).

19. The proposal will not comply with Rule 4.7.3(vii)(a) as there is a breach of General Standard 4.7.6A identified. The proposed side yard setback is proposed to be 8.0m instead of 10.m. Breaches of 4.7.6A are assessed as restricted discretionary activities pursuant to Rule 4.7.3(i).

20. For completeness, Rules 4.7.4(iii)(d) and 4.7.5(i) address subdivision and land use where a site is subject to hazards. Rule 4.7.4(iii)(d) is divided into two tranches, the first is whether the site is subject to a hazard on the Planning Maps. This is not the case here. The second tranche is whether the site is at risk from material damage by erosion, falling debris, subsidence, slippage, or inundation from any source.

21. In this case, the Otago Natural Hazards Database (Otago Natural Hazards Portal (orc.govt.nz)) identifies the site as within an active alluvial fan and liquefaction area and there is a consent notice which indicates that there are potential mine workings in the southern corner of the site. However, the application is supporter by geotechnical advice which confirms that the site is not at risk from natural hazards. As such, Rules 4.7.4(iii)(d) and 4.7.5(i) are not triggered by this proposal.

National Environmental Standards

22. 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 NES-CS 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 NES-CS and/or might require resource consent.

23. In this case the site is a working orchard which is an identified HAIL activity. The applicant confirms that an investigation into the applicability of the NES-CS has been undertaken by Springline Limited. Springline confirms that a DSI was undertaken in June 2024 by Kirk Roberts to support an application associated with the construction of an ~30 m² traveller-accommodation building located in the far southern corner (proposed Lot 2), outside the orchard footprint. The investigation included:

- A review of Otago Regional Council (ORC) and Central Otago District Council (CODC) records including:
- Environmental data and resource consents
- ORC Listed Land Use Register (LLUR)
- Historic Aerial Images (1950 to 2023)
- Land and Information New Zealand (LINZ) orchard register.
- A site inspection and landowner interview

24. Due to the orcharding (2003 onwards) four shallow soil samples were collected from the proposed accommodation building footprint. Soil analytical results recorded elevated arsenic concentrations above the adopted background criterion (12.06 mg/kg) in two samples. However, all results were at or below the applicable residential Soil Contaminant Standard (SCS) of 20 mg/kg, and no organochlorine pesticides were detected above laboratory reporting limits.

25. Springline confirms that the DSI report provides sufficient background information for the wider site in relation to the proposed subdivision. However, the soil sample results are not considered representative of either the wider orchard block or the nominated building platform for the proposed subdivision, which is located approximately 60 m from the DSI test area. In addition, the adopted background concentration for arsenic (12.06 mg/kg, sourced from the Landcare Research LRIS Portal3) is approximately 100 m from a mapped soil boundary where LRIS ambient arsenic concentrations are reported as 33.77 mg/kg.

26. Subsequently, Springline completed an updated risk assessment and concludes that:

- The 2024 Kirk Roberts DSI sampled a small, peripheral corner unrelated to the proposed building platform/subdivision. The reported trace-element elevations were within expected background concentrations of the wider area, localised, and below residential SCS, and are not representative of orchard soils.

- The orchard is a modern, post-2000 operation. Spray diaries evidence only contemporary, registered products with no legacy organochlorines or arsenical pesticides; accordingly, the orchard does not meet HAIL A10.

27. No other HAIL activities have been identified on the site. Overall, Springline confirms that the site does not meet the definition of HAIL and the NES-CS does not apply.

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

Overall Status

29. Overall, the proposal is to be assessed as a non-complying activity and is to be assessed under sections 104, 104B and 104D of the Resource Management Act 1991 ('the Act').

WRITTEN APPROVALS AND NOTIFICATION

Affected Persons

30. The written approvals of the following parties have been provided with the application:

Party	Address	Date
Suzanne Stuart and Alan McKay	94 and 94A Pearson Road	11 July 2025
Wallace King	58 Pearson Road	13 July 2025
Margert Christie and Micrasi Trust	49A and B Pearson Road	8 July 2025

31. The applicant requested public notification. The application was notified on 2 October 2025. The submission period closed on 31 October 2025.

32. At the close of the submission period, nine submissions were received, eight in support and one in opposition. A summary of submissions is set out below:

Number	Submitter Name	Oppose/support	Relief sought	Wish to be heard
01	Phillp Copland	Support	That the consent be granted	No
02	Alex Huffadine	Support	That the consent be granted	No

03	Alistar Stuart	Support	That the consent be granted	No
04	Lomas Ainsley	Support	That the consent be granted	No
05	Margaret Christie	Support	That the consent be granted	No
06	Mark McFarlane	Support	That the consent be granted	No
07	Jaclyn O'Sullivan	Support	That the consent be granted	No
08	Aukaha on behalf of Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, and Hokonui Rūnanga ('Kā Rūnaka')	Oppose	Raised concerns with cumulative effects of discharge consents on ground and surface water quality, and the impacts of declining water quality in the Kawarau River and its wider catchment. Seeks that the consent be declined but if granted seeks that: The proposed drainage field should be setback a minimum of 50 meters from the south-western site boundary that borders the Kawarau River and its riparian margins. Also seeks that Proposed mitigation planting should only include native plant species appropriate for the area.	No
09	Wallace King	Support	That the consent be granted	No

EFFECTS ON THE ENVIRONMENT

Permitted Baseline

33. Under sections 95D(b) and 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.

34. This is the permitted baseline. In this situation there is no permitted baseline to be applied to subdivision or creation of a RBP under the District Plan.

Receiving Environment

35. 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.

36. For the subject site, the existing and reasonably foreseeable receiving environment comprises orchard activity, residential dwelling and RC240216 which provides for two traveller accommodation units.

37. For adjacent land, the existing and reasonably foreseeable receiving environment comprises rural residential activity within a RuRA zone with lots ranging in area from 0.76ha to in excess of 4ha. Several lots in the vicinity are ~1ha in area.

Assessment Matters/Rules

38. 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.

The area and use of the resultant lots

39. The subject site is zoned rural residential and, in this regard, residential activity is not unexpected within this area. The site is not within a mapped landscape overlay area and there is significant degree of built form observed in the receiving environment. There is an existing dwelling on the site and a live resource consent to establish two traveller accommodation units. Should the consent be successful, the applicant will surrender the resource consent for the traveller accommodation.

40. The lots will be configured as follows:

    - Lot 1 comprising an area of 0.4ha. This lot will contain the existing dwelling.
    - Lot 2 comprising an area of 1.55ha. This lot will contain the existing cherry orchard and a 35 x 25m^2 residential building platform at its southern end.

41. It is noted the building platform is to be located 8.0m from the western boundary. The adjacent land owner has provided written approval to the application and no further consideration is given to the effects of the yard setback breach on this neighbour.
42. The applicant states that the proposed subdivision has been designed to align with the scale and character of the surrounding environment, which comprises a variety of allotment sizes from around 5,800 m² to several hectares. The lot sizes are demonstrated by a diagram (Figure 2) submitted for a previous consent near the subject site. The applicant states that the site is of sufficient size to accommodate a dwelling and required servicing in accordance with Council's Code of Practice, with both legal and practical access provided. The provision of the RBP will contain domestication within a discrete area of the site.

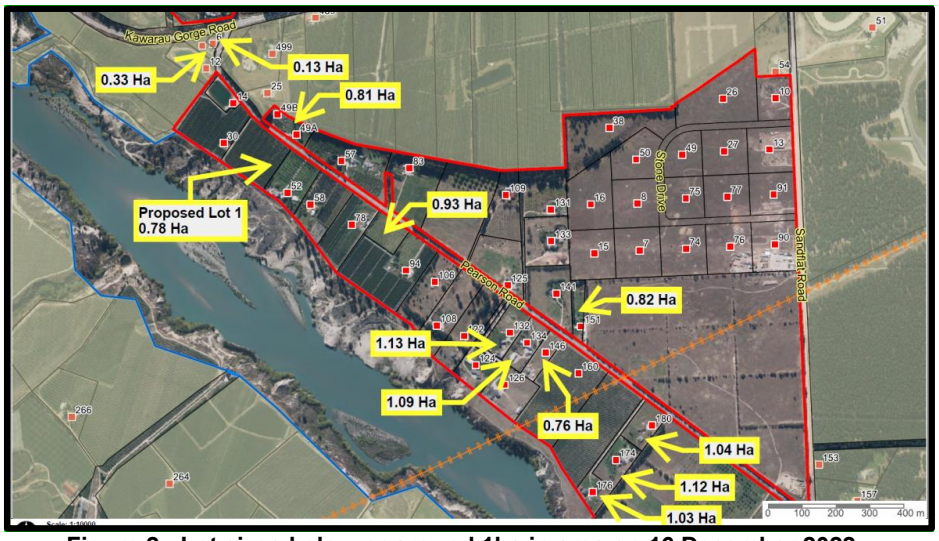


Figure 2: Lot sizes below or around 1ha in area on 16 December 2022. (Source RC230410)

43. I consider that the proposed lot sizes are not anticipated by the District Plan in this zone as the proposal does not meet the required average lot size. The area of Lot 1 falls below typical lot sizes in the area as indicated by Figure 3. However, I consider that the area for proposed Lot 1 can be somewhat rationalised as it respects the existing dwelling and the curtilage and separates this from orchard activity.

44. I consider the creation of Lot 2 and provision for a RBP to be somewhat harder to justify. Justification for Lot 2 is assisted by the proposed surrender of RC240216 which provides for two traveller accommodation units authorised to be positioned in a similar location within the site as the proposed RBP. This live consent creates a helpful consented baseline against which to assess the effects of the proposal.

45. Further supporting the creation of Lot 2 and associated RBP, is the Landscape Assessment prepared by Mike Moore. Mr Moore recommends design controls be imposed on the RBP restricting future building height to single storey and limiting colours will ensure new built form is in keeping with the existing built environment.

46. Mr Moore assessed the site as part of a highly modified rural-residential setting shaped by historic gold mining, the formation of Lake Dunstan, farming, horticulture, viticulture, and lifestyle development. While the area retains heritage and recreational values, it contains minimal indigenous vegetation and is characterised by orchards and modest built form. Mr Moore concludes that the addition of one dwelling will have *low adverse* (less than minor) physical effects due to the site's low sensitivity to change, minimal earthworks, and proposed mitigation measures, namely building height and colour controls, setbacks, indigenous planting, and removal of consented accommodation units.

47. I note Kā Rūnaka's request that proposed mitigation planting should only include native plant species appropriate for the area. I do not consider this to be an overly onerous request, given that the applicant is promoting indigenous planting as part of the mitigation package. A condition of consent is recommended to give effect to this requirement.

48. When taking into consideration the expert opinion of Mr Moore and the volunteered conditions of consent (as modified by Kā Rūnaka's request) along with the written approvals and submissions in support, I assess that the effects of the proposal will be less than minor. Critically, I have placed significant weight on the volunteered surrender

of the existing resource consent (RC240216) which provides for the applicant to construct two small visitor accommodation cabins close to the escarpment edge, each no greater than 30m^2 in footprint and 3.5m in height.

49. Overall, I assess that, subject to volunteered conditions of consent, the subdivision design and building platform are appropriate and compatible with the character of the receiving environment.

Effects on Productivity and Reverse Sensitivity

50. The land is classed as Land Use Category 6 in the Manaaki Whenua Landcare Research mapping. The National Policy Statement for Highly Productive Soils does not apply to this site because of the LUC classification and because the land is not zoned general rural.

51. The site contains an operating orchard with approximately 1.2 hectares of the subject site is planted in cherries. The productive capabilities of the site have been evaluated in the assessments prepared by Mr Ray Macleod of Landward Management Ltd.

52. Existing infrastructure and management associated with the cherries include:

- 1200 square metres of netting
- Water is obtained from an onsite bore supplying 11.9 litre/second in normal operation which do not exceed limits of 17l litre/sec or 462cubic metres per day. Water is available all year round and is distributed across the orchard using under tree micro sprinklers.
- Cherries are harvested when mature and picking is managed by Central Pac. All other orchard labour and management is completed by the owner, Mathstone Enterprises Ltd.
- Frost fighting is by helicopter and frost pots.
- Pesticides, fungicides, insecticides, bactericides and fertilisers are applied annually as required.

53. Mr MacLeod considers that the current conventional cherries orchard is not commercially viable, with orchard operations struggling to cover direct costs. In terms of commercial viability and productive capacity, Mr MacLeod suggests that, in addition to the direct costs, the orchard operation is struggling to cover owner labour, fixed overheads, or a return on capital. The cherry crop has value, but operations require significant unpaid labour, estimated at 200 hours of physical work plus 100 hours of management annually. While any loss of production from subdivision is recoverable over time, the site will remain unviable in commercial terms.

54. Mr McLaod advises that building platform and associated access and infrastructure would require the removal of approximately 78 trees. However, Mr Macleod considers that this loss could theoretically be recovered through planting additional trees which could practically be made up elsewhere on the site, and therefore no net loss in trees can be achieved.

55. As such, when relying on Mr MacLeod's assessment, it is considered that the status quo should effectively be maintained in terms of productive capacity, providing the removed trees are replaced within the subject site. The replacement trees are encouraged to be of a variety which require less space between trees, are higher yielding and mature earlier in the season.

56. The underlying zoning anticipates residential activity to be established in this area as a controlled activity. As such, there is an expectation that the rural residential activity and the productive land uses will co-exist. Due to the nature of the surrounding orchard land

use, key conflicts typically arise as a result of frost fighting. In this instance, the applicant advises that there are no frost fans within 100 metres of the site and frost fighting within the site is undertaken by helicopter and frost pots. As such, the proposal will comply with Rule 4.7.6E(c).

57. To ensure a long-term management of reverse sensitivity effects, I recommend that the following a consent notice condition or similar be registered on the record of title for Lot 1:

> *The consent holder's attention is brought to:*
> *a) the proximity of the adjacent rural residential properties used for horticulture;*
> *b) the usual incidences of pastoral farming and horticulture including (but without limitation) stock handling, haymaking (throughout the night), spraying (including spraying of pesticides), pest control (by use of helicopters, poisoning and night shooting), deer stag roaring, frost control, bird scaring and 24 hour overhead irrigation, which can occur as of right within the Rural Residential Area, and which may have consequences beyond the boundaries of the proximate rural residential horticultural properties. CODC recommends residents give careful consideration to the impact these activities could have on them and take reasonable steps to mitigate the potential effects of these activities on their amenity.*

58. When considering the underlying zoning anticipates rural residential activity, distance to first fans and the volunteered consent notice condition, I consider that any potential effect on reverse sensitivity are able to be adequately addressed such that these are no more than minor.

Access

59. The applicant states that access for Lot 1 will be afforded via an existing crossing point located in the northeastern most corner of the site. No changes are proposed to this access. Access for proposed Lot 2 is intended to run down the centre of the property between existing rows of cherries. A new vehicle crossing would be required and will be constructed in accordance with Part 29 of CODC's Roading Policies.

60. The Council's Environmental Engineer notes the existing crossing may need to be upgraded to meet the requisite minimum 2 metres of seal extending from the edge of the road seal. A recommended condition of consent provides for this upgrade. The Engineer also requires the access way to Lot 2 to be established prior to issue of title. A condition is recommended to this effect.

61. Any increase in traffic resulting from future additional residential activity will have a less than minor effect on the surrounding locality. Overall, it is assessed that access to each lot can be appropriately established without adverse effect on the environment.

Hazards

62. Pursuant to Section 106 of the RMA, a consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that the land is or is likely to be subject to, or is likely to accelerate material damage from natural hazards, or where sufficient provision for legal and physical access to each allotment has not been made. Access provision has been established above.

63. In respect of hazards, the application is supported by an Infrastructure and Limited Geotechnical Report prepared by Meyer Cruden which includes an assessment of Natural Hazards. The report confirms that the Pisa Fault Zone – Carrick fault and

Bannockburn faults are active faults mapped approximately 1.0km to the west of the site, and 2.2km to the southeast of the site, respectively. These faults have an estimated recurrence interval of ~30,000 years and any risk to future dwellings presented by the proximity to these faults is considered to be low. The Alpine Fault lies approximately 100km west of the site and has an estimated recurrence interval of 300 years. Of the nearby faults, the Alpine Fault is most likely to produce shaking at the site during the lifetime of any structure. There is a high probability of a magnitude 8 or greater earthquake occurring within the next 50 years on this fault. Such an event will likely cause moderate to strong ground shaking in the Cromwell area. This hazard is not specific to the subject site.

64. The site identified on CODC hazard mapping to having or being close to historical mining. The applicant also sought advice from WSP regarding the location of the historic mines. WSP confirm that the building platform location is not located on an area identified to be underlain by historic mine workings. WSP recommends that the building platform should not move any further southwards or eastwards as this may then encroach onto areas that may be impacted by historical mine workings.

65. No conditions are considered necessary to address the risk of natural hazards to the subdivision or further residential development.

Esplanade reserves and strips.

66. No requirement for an esplanade reserve or strip has been identified. In particular, I note the existing buffer to the Upper Kawarau Arm of Lake Dunstan.

The provision of services

67. The application is supported by Servicing Feasibility Assessment (Infrastructure and Limited Geotechnical Report prepared by Meyer Cruden) which includes and assessment of:

- Potable Water Supply
- On-site Stormwater and Wastewater Disposal
- Power Supply
- Telecommunications

68. The applicant proposes that potable water supply for the site is from an on-site water bore (F41/0155), ORC consent RM13.282.01. While the current irrigation water permit does not specify domestic usage, demand for the proposed Lot 2 is estimated to be 2,000l/day which falls within the permitted activity standard set by 12.2 of Regional Plan for Water Otago. Meyer Cruden recommend Microbiological and chemical (including Arsenic) water quality testing should be completed to confirm suitability for on-site filtration and UV treatment.

69. The water supply option has been reviewed by COC Engineer who notes that that the applicant has provided water production records. These, and records available on ORC's bore map demonstrate that far more water can be produced than required and, as such, the quantity of the water supply is assessed as acceptable. The Engineer notes that up-to-date water testing has been provided, and this shows the water is "hard" (but still within acceptable levels), and that no treatment is required to achieve compliant potability. With that said, the applicant has suggested point-of-use UV treatment as an extra contingency measure to ensure excellent continued water quality, particularly as an additional wastewater soakage field is to be installed nearby. Treatment has been incorporated it into the Engineers recommended condition of consent.

70. On-site water storage for domestic and firefighting is proposed to be accordance with the requirements outlined in CODC Addendum Clause 6.3.16, in particular a 30,000-litre tank is proposed for any future dwelling on Lot 2. Other requirements include:

    - Must need a hardstand area within 6m of the tank, but not closer than 6m of the site.
    - Connections to be compatible with 100mm - suction sources as per SNZ 4509 [3].
    - Firefighting connection to be within 90m of buildings on the site.

71. The engineer confirms that the above requirements align with Council's standard firefighting and water condition. The Engineer also confirms that the firefighting provision serving the existing dwelling on proposed Lot 1 are acceptable.

72. With regard to wastewater, the Meyer Cruden report confirms that the of soils on the site are suitable for wastewater treatment. The applicant proposes that on-site wastewater treatment and disposal for future dwellings on Lot 2 will be provided as per NZS 1547:2012 On-site domestic wastewater management. The Council's Engineer notes the Meyer Cruden report and recommends that the wastewater treatment system be designed and constructed in accordance with Clauses 5.5(b), (c), (d), and (e) of Council's July 2008 Addendum to NZS 4404:2004, the 2012 version of AS/NZS 1547, and all relevant Otago Regional Council requirements, including required setbacks from watercourses and water supply bores.

73. Kā Rūnaka have raised concerns with the cumulative effects of wastewater disposal in this area and encourage Council to provide a reticulated sewer in this area. Reticulation is not an option for this application and Kā Rūnaka request that if the consent is to be granted that the proposed drainage field should be setback a minimum of 50 meters from the south-western site boundary that borders the Kawarau Awa and its riparian margins. I note that the Otago Regional Council impose a 50m setback to waterbodies and Kā Rūnaka's request exceeds this setback. That said, I would support any increase in separation to the Kawarau Awa and its riparian margins and/or increase in treatment standards to reduce the risk of adversely contributing to any cumulated wastewater effects on the awa.

74. The applicant proposes that stormwater also be disposed of onsite. The Meyer Cruden Report recommends that during the design stage a pre-soaked soakage test in specific location of soak pit in accordance with NZBC E1 should be completed but that, overall, assesses that sufficient site area is available for installation of stormwater infrastructure and the design requirements of the CODC Addendum to NZS4404 [4] and NZBC Clause E1 [13] can be achieved at the detailed design stage. The Council's Engineer agrees with this approach and recommends conditions to this effect.

75. In respect of power supply, the application is supported by a 'Power Availability' letter from Aurora dated 27 May 2025. Based on this letter, a point of supply can be made available for the development. Telecommunications is available through wireless connections. The Council's Engineer agrees with this approach and recommends conditions to this effect.

76. The Meyer Cruden assessment and the Council Engineer's recommendations are adopted for the purposes of the report, noting however, that any improved wastewater treatment and increased setback to the Kawarau Awa and its margins is strongly encouraged. Overall, it is considered that the lots can be adequately serviced for the intended use without adverse effects on the environment.

Amalgamations and easements

77. There are no amalgamations proposed as part of this consent. All existing easements will need to be carried down onto the new record of titles or cancelled as appropriate. A condition of consent is recommended which provides for the creation of new easements should these be identified at the time of survey.

Financial contributions

78. This assessment has been calculated in accordance with Council's Policy on Development and Financial Contributions effective from 1 July 2025 and updated $/HUE rates published in CODC's Schedule of Fees and Charges 2025-2026.

Summary of DCs under 2025/26 DCFCP	Post Development demand (HUE)	Pre Development demand (HUE)	Additional demand (HUE)	$/HUE (inc GST)	Development contribution (exc GST)	Development contribution (inc GST)
Water	1.00	1.00	0.00	$13,138	$0.00	$0.00
Wastewater	0.00	0.00	0.00	$0.00	$0.00	$0.00
Transport	2.00	1.00	1.00	$803	$698.26	$803.00
Community infrastructure	2.00	1.00	1.00	$2,511	$2,183.48	$2,511.00
Reserve Land	2.00	1.00	1.00	$10,000	$8,695.65	$10,000.00
Reserve Improvements	2.00	1.00	1.00	$304	$264.35	$304.00
TOTAL DEVELOPMENT CONTRIBUTION					**$11,841.74**	**$13,618.00**

79. *Any other matters provided for in section 220 of the Act.*

80. There are no other matters set out in section 220 of the Act which apply to this subdivision.

SUBSTANTIVE RECOMENDATION ASSESSMENT

Effects

81. 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, while the proposal is a departure from the lot sizes anticipated for the zone, when considering the written approvals, submissions in support, the ability to manage the issues raised by Kā Rūnaka, supporting expert assessments and the consented baseline, the adverse effects on the environment arising from the proposal are assessed as no more than minor, subject to conditions of consent.

Offsetting or Compensation Measures

82. 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

83. In accordance with section 104(1)(b) of the Resource Management Act 1991, the objectives and policies of the Central Otago District Plan were taken into account when assessing the application.

Objective 4.3.1 - Needs of the District's People and Communities

To recognise that communities need to provide for their social, economic and cultural wellbeing, and for their health and safety at the same time as ensuring environmental quality is maintained and enhanced.

Objective 4.3.3 - Landscape and Amenity Values

To maintain and where practicable enhance rural amenity values created by the open space, landscape, natural character and built environment values of the District's rural environment, and to maintain the open natural character of the hills and ranges.

Objective 4.3.5 - Water Resources

To maintain and enhance the quality of the District's water resources by avoiding, remedying or mitigating the adverse effects of land use activities adjacent to water bodies.

Objective 4.3.7 - Soil Resource

To maintain the life-supporting capacity of the District's soil resource to ensure that the needs of present and future generations are met.

Policy 4.4.2 – Landscape and Amenity Values

To manage the effects of land use activities and subdivision to ensure that adverse effects on the open space, landscape, natural character and amenity values of the rural environment are avoided, remedied or mitigated through:

a) The design and location of structures and works, particularly in respect of the open natural character of hills and ranges, skylines, prominent places and natural features,
b) Development which is compatible with the surrounding environment including the amenity values of adjoining properties,
c) The ability to adequately dispose of effluent on site,
d) Controlling the generation of noise in back country areas,
e) The location of tree planting, particularly in respect of landscape values, natural features and ecological values,
f) Controlling the spread of wilding trees.
g) Encouraging the location and design of buildings to maintain the open natural character of hills and ranges without compromising the landscape and amenity values of prominent hillsides and terraces.
h) Strongly discouraging buildings in the Rural Resource Area of the Wooing Tree Overlay Area to ensure a vineyard or treed park-like character with an absence of built form.

Policy 4.4.3 – Sustainable Management of Infrastructure

To ensure that the development of infrastructure in the rural environment promotes sustainable management by:

a) Requiring developers to contribute a fair and reasonable proportion of the costs involved, and
b) Maintaining and enhancing the safe and efficient operation of the infrastructure network (including roading), while avoiding, remedying or mitigating adverse effects.

Policy 4.4.5 - Effects on Water Quality

To assist the Otago Regional Council in it's role of maintaining and enhancing water quality, by ensuring allotments are adequate for effluent disposal requirements and encouraging the use of land management techniques that maintain and/or enhance the life supporting capacity of water.

Policy 4.4.6 – Adverse Effects on the Soil Resource

To ensure that the location, construction and/or operation of land use activities and subdivision make adequate provision for the protection of the soil resource by avoiding, remedying or mitigating the adverse effects of practices which may cause:

a) Erosion, instability or loss of topsoil,
b) Loss of nutrient or incidence of soil contamination,
c) Loss of soils with special qualities,
d) A reduction in vegetation cover and moisture holding capacity, and
e) Soil compaction.

Policy 4.4.8 - Adverse Effects on the Amenity Values of Neighbouring Properties.

To ensure that the effects associated with some activities including (but not limited to):

a) Noise (including noise associated with traffic generation, night time operations), and vibration,
b) The generation of a high level of traffic, in particular heavy vehicles,
c) Glare, particularly from building finish,
d) A reduction in visual amenity due to excessive signage and the storage of goods or waste products on the site,
e) The generation of odour, dusts, wastes and hazardous substances, and
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.

Policy 4.4.9 - Effects of Rural Activities

To recognise that some rural activities, particularly those of a short duration or seasonal nature, often generate noise and other effects that can disturb neighbours by ensuring that new developments locating near such activities recognise and accept the prevailing environmental characteristics associated with production and other activities found in the Rural Resource Area.

Policy 4.4.10 – Rural Subdivision and Development

To ensure that the subdivision and use of land in the Rural Resource Area avoids, remedies or mitigates adverse effects on:

a) The open space, landscape and natural character amenity values of the rural environment in particular the hills and ranges,
b) The natural character and values of the District's wetlands, lakes, rivers and their margins,
c) The production and amenity values of neighbouring properties,
d) The safety and efficiency of the roading network,
e) The loss of soils with special qualities,

f) The ecological values of significant indigenous vegetation and significant habitats of indigenous fauna,
g) The heritage and cultural values of the District,
h) The water quality of the District's surface and groundwater resources, and
i) Public access to or along the rivers and lakes of the District,

particularly through the use of minimum (and average) allotment sizes.

Objective 16.3.1 - Adverse Effects on the Roading Network

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

Objective 16.3.2 - Services and Infrastructure

To ensure that subdivisions provide all necessary services and infrastructure without adversely affecting the public interest and the ongoing viability of those services and infrastructure.

Objective 16.3.3 - Hazards

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

Objective 16.3.4 - Amenity Values

To ensure, where appropriate, that amenity values of the District created by the open space, landscape and natural character values, and areas of significant indigenous vegetation, significant habitat of statutorily managed sports fish and game are not adversely affected by subdivision.

Objective 16.3.5 - Water and Soil Resources

To ensure that subdivision does not facilitate development that may compromise the life-supporting capacity of the District's water and soil resources.

Objective 16.3.9 - Physical Works Involved in Subdivision

To ensure that the physical works involved in preparing land that is part of the subdivision avoids, remedies or mitigates adverse effects on:

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

Objective 16.3.11 - Effluent Disposal

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

Policy 16.4.1 - Adequate Access

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

a) Is of a standard that is adequate for the intended use of allotments having regard to current and likely future traffic levels and the safe and convenient movement of vehicles and pedestrians, and

b) That integrates with the existing roading network in a safe and efficient manner,

except in circumstances where Council is satisfied that section 321(2) and (3) of the Local Government Act 1974 is to apply or where no new lots are to be created.

Policy 16.4.3 - Adequate Infrastructure

To require that the land to be subdivided is supplied with services and infrastructure that are adequate for the intended use of the land to be subdivided without the public interest being adversely affected.

Policy 16.4.4 – Unreticulated Areas

To require that subdivisions within unreticulated areas are designed to ensure that each allotment:

a) Has the ability to adequately dispose of effluent and stormwater on site without compromising health, the life-supporting capacity of soil resources, the quality of ground and surface water resources, and the drainage and amenity values of adjoining properties: and that,
b) An adequate supply of water can be provided,

where this is appropriate to the intended use of the allotment.

Policy 16.4.6 – Construction Standards

To require that all physical works within subdivisions are designed and constructed in accordance with NZS 4404:1981 which is the Council's Subdivision Code of Practice unless Council determines modification of this code is necessary given the local conditions and particular circumstances affecting the subdivision.

Policy 16.4.7 - Subdivision Design

To require that the design of subdivision, where relevant to the intended use, provides for the following matters:

a) Facilitates convenient, safe and efficient access to all allotments including pedestrian access where appropriate.
b) Facilitates the safe and efficient provision and operation of services and infrastructure.
c) Facilitates access to passive solar energy resources.
d) Facilitates any foreseeable subsequent development or redevelopment including the economic provision of roading and network utility services.
e) Facilitates adequate provision of, or contribution to, the open space, recreational and reserve needs of the community with physical links to existing reserve areas where this is practicable.
f) Facilitates an appropriate level of access to heritage sites, natural features and water bodies where appropriate.
g) Facilitates development which keeps earthworks to a minimum.
h) Facilitates retention of the heritage values of a site or area.

Policy 16.4.8 - Sites Subject to Hazards

With respect to land that is, or is likely to be, subject to the effects of hazards (including the circumstances set out in section 106 of the Act) Council may only grant a subdivision consent where either:

a) The area of the subdivision to be used for building or other development purposes will not be subject to material damage from the hazard; or
b) The subdivision is not materially changing the status quo (eg. boundary adjustment); or
c) The subdivision is to facilitate land stabilisation, erosion protection, flood protection or some other method of avoiding, remedying or mitigating the effects of the hazard; or
d) The adverse effects of the hazard can be avoided, remedied or mitigated by conditions attached to the consent including the provision of appropriate works; or
e) Other exceptional circumstances exist; and/or
f) The subdivider is willing to accept any potential risk and is prepared to have the resultant certificate of titles registered accordingly.

84. The proposal presents as a departure from the underlying zone density but includes mitigating factors to reduce any adverse effects on the environment, including the surrender of RC240216. Lot 1 is fully developed and the lot boundary is configured around the dwelling and curtilage, using the balance lot contains the productive land. The current productivity of the land can be maintained and conditions of consent can safeguard against adverse reverse sensitivity effects.

85. Access to each lot can be appropriately established without adverse effect on the environment. The proposal is supported by a geotechnical report which confirms the development will not be particularly affected by natural hazards.

86. The development is appropriately setback from the Kawarau Awa and it's margins, and while the applicant is encouraged to improve the treatment and location of the wastewater treatment disposal on the site, the system will comply with the Otago Regional Council setback rules and meet the required engineering standards. It is assessed that the lots can be adequately service overall.

87. The written approvals and submissions in support demonstrate that the development is not unwelcome at this location. There will be no change as the site presents to Pearson Road as development on Lot 1 is existing and development on lot 2 is well setback from the road. The proposal, in particular future development on proposed Lot 2, is supported by a landscape assessment with conditions volunteered to mitigate adverse landscape and character effects.

88. Overall, the proposal is assessed as consistent with the above objectives and policies.

Partially Operative and Proposed Regional Policy Statements

89. After taking into consideration the Partially Operative and proposed Regional Policy Statements for Otago, I consider that the policy direction given by the District Plan is certain and complete as it relates to this application and, as such, there is no need to revert to higher order planning instruments.

90. The relevant regional policy statements include:

- The Partially Operative Otago Regional Policy Statement 2019; and

- Proposed Regional Policy Statement 2021

91. The proposal is considered to be consistent with both RPS and, in particular, Objective 5.3and Policy 5.3.1 of the Partially Operative Otago Regional Policy Statement 2019 and UFD-P8 (under appeal) of the Proposed Regional Policy Statement 2021.

Other Matters

92. Section 104(1)(c) of the Resource Management Act 1991 requires the decision maker to have regard to any other matters considered relevant and reasonably necessary to determine the application. The matters of precedent and Plan integrity are considered relevant here. Where a plan's integrity is at risk by virtue of such a precedent, the Council is required to apply the 'true exception test', especially where the proposed activity is contrary to the objectives and policies of the district plan.

93. That said, each application needs to be considered on its own merits and the decision to grant consent would not imply that similar applications elsewhere in the Rural Residential area would necessarily be appropriate, as each proposal must be assessed against its own environmental context and the relevant planning provisions.

94. The proposal is non-complying because the lots fall well below the minimum lot average for the underlying zone. However, the proposal can be adequately serviced is not subject to a hazard risk and will maintain productivity. More critically, Lot 1 contains existing development and Lot 2 hold a land use consent which provides for two traveller accommodation units to be established on the site. This consent will be surrendered in favour of the proposed residential building platform.

95. Because of these reasons, it is assessed that the approval of the proposal will not undermine the integrity of the Operative District Plan as the activity will produce only localised and minor effects, if any, and will not set an undesirable precedent.

96. There are no other matters are considered relevant to the consideration of this consent.

Section 104D

97. Section 104D of the Resource Management Act 1991 specifies that resource consent for a non-complying activity must not be granted unless the proposal can meet at least one of two limbs. The limbs of section 104D require that the adverse effects on the environment will be no more than minor, or that the proposal will not be contrary to the objectives and policies of both the district plan. It is considered that the proposal meets both limbs as any adverse effects arising from this proposed activity will be no more than minor, and the activity will not be contrary to the objectives and policies of Operative District Plan. Therefore, the decision makers can exercise its discretion under section 104D to grant consent.

Part 2

98. The purpose of the Act as stated in s5(1) of the RMA is, "to promote the sustainable management of natural and physical resources".

99. Pursuant to Section 6 it is assessed that there are no matters of national importance which are applicable to this application.

100. The proposal is considered consistent with following "other matter" identified in Section 7 of the RMA

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

101. The proposal is considered to give effect to Section 8 of the RMA.

102. Based on the findings above, I consider that the proposal will 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

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

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

REASONS FOR THE RECOMMENDATION

104. The assessment of effects set out in this report finds that the effects on the environment arising from the proposal to be acceptable for the following reasons:

a) Subject to volunteered conditions of consent, the subdivision design and building platform are appropriate and compatible with the character of the receiving environment.

b) Design controls are volunteered to mitigate the effects of future development.

c) The proposal does not trigger the NESCS

d) The site can be appropriate serviced without adverse effects on the environment.

e) Lot 1 is already fully development and the lot boundaries positioned around the dwelling and the curtilage and there is a helpful consented baseline for development within that portion of land to be contained within proposed Lot 2 and the consent will be surrendered.

f) The productivity of the site will maintained, overall.

g) The application is supported by local submissions and written approvals.

h) The concerns raised by Kā Rūnaka can be mitigated through conditions of consent.

i) Natural hazards will not affect the proposal.

j) Each Lot will have legal and physical access.

k) The application passes both tests set out in S104D.

l) The granting of the consent will not set an undesirable precedent nor will it threaten the integrity of the District Plan.

m) No offsetting or compensation is required.

n) The proposal is consistent with the objectives and policy of the Operative District Plan.

o) The proposal is consistent with the objectives and policy of the RPS 2019 and pRPS2021.

p) The proposal reasonably gives effect to Part 2 of the Act.

105. A suite of conditions are attached at Appendix 1 for the decision maker to consider.

Kirstyn Royce
PLANNING CONSULTANT

Date: 10 November 2025

CENTRAL OTAGO DISTRICT COUNCIL
1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand
03 440 0056
Info@codc.govt.nz
www.codc.govt.nz

Consent Type: Subdivision Consent and Land Use Consent

Consent Number: RC 2250257

Purpose: Subdivision consent to create two lots from two existing titles in the Rural Residential Resource Area and land use consent for a residential building platform on Lot 1.

Location of Activity: 78 Pearson Road, Cromwell

Legal Description: Lot 2 DP 356166 (Record of Title 229045).

Lapse Date: [Day and Month] 2030, unless the consent has been given effect to before this date.

SUBDIVISION CONDITIONS:

1. The proposed activity must be undertaken in general accordance with the approved plans attached to this certificate as Appendix One, and the information provided with the revised resource consent application dated 9 September 2025, except where modified by the following conditions.

2. Unless modified by other conditions, all designs and approvals are to be in accordance with the NZS 4404 based CODC land development and subdivision code of practice. Note: Currently the two documents, NZS 4404:2004 and the July 2008 CODC Addendum form the NZS 4404 based CODC land development and subdivision code of practice.

3. Prior to commencement of any physical work the consent holder must:

   a) Apply for and receive council Engineering Acceptance (EA) via the CODC online portal at: CODC Home > Services > Planning > Land Development and Subdivision Engineering, The EA application must include:

      i) Confirmation who their representative is for the design and execution of the engineering work.
      ii) Provision of design reports, calculations, specifications, schedules, and drawings, as applicable.

      iii) Producer Statements/Certificates where appropriate are to be submitted as per NZS 4404:2004 in the form of:

         - Schedule 1A,
         - Schedule 1B,
         - Standalone Schedule 1B for 3 waters work, and
         - Schedule 1C

DRAFT

b) Install all practicable measures are used to mitigate erosion and to control and contain sediment-laden stormwater run-off and dust from the site during any stages of site disturbance that may be associated with this subdivision.

4. Prior to certification of the survey plan, pursuant to section 223 of the Resource Management Act 1991, the subdivider must ensure the following:

a) If a requirement for any easements for services, including private drainage, is incurred during the survey then those easements must be granted or reserved and included in a Memorandum of Easements on the cadastral dataset.

b) The residential building platform identified for Lot 2 must be shown on the legal plan of subdivision. The co-ordinates of the building platform must be provided to Council.

5. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the subdivider must complete the following:

Existing consent

a) RC240216 must be surrendered in writing to resource.consents@codc.govt.nz.

Replacement cherry trees

b) Cherry trees, to replace those trees to be removed to clear the residential building platform on Lot 2, must be planted prior to removal of those trees. Evidence prepared by a suitably qualified and experienced professional must be submitted to the Planning Manager at resource.consents@codc.govt.nz which confirms that there is no net loss in potential cherry yield from the site.

Landscaping

c) Screen / framework planting as shown in the Landscape Plan attached at Appendix 1 must be established. Mitigation planting must only include native plant species appropriate for the area.

Water

d) An adequate working water supply must be provided to Lot 2 from the on-site bore in accordance with the CODC Addendum, including Clause 6.3.15 Small Rural Water Supplies, and other relevant provisions of NZS 4404:2004, with the following specific requirements:

i) The existing bore must be inspected by a suitably qualified person to confirm it is constructed, maintained, tested, and records kept (drilling log), in accordance with NZS 4411:2001 - Environmental Standard for Drilling of Soil and Rock. Including that the bore is constructed to ensure the bore head casing and reticulation is sealed and has a concrete apron to avoid ingress of surface water and other foreign matter.

e) The existing water supply connection to serve Lot 1 must be inspected by a suitably qualified and experienced person to confirm in writing that it is in good

working order. Should the connection be found in poor condition, or if the lateral is exposed as part of the works and found to be of sub-standard size or made of copper, or galvanised iron, then this must be communicated with the Council so that arrangements can be made to have the lateral replaced, by the applicant, if Council considers replacement necessary. If water toby boxes must be within vehicle accesses or entranceways/crossings because other solutions are not feasible, they must be demonstrated to be formed from cast iron to support sustained traffic or upgraded accordingly. This confirmation must be submitted to, and accepted by, Council. If this cannot be achieved, then a new bore must be designed and constructed by a suitably qualified person, and a description of the design along with as-built drawings must be submitted to, and accepted by, Council.

Telecommunications and Electricity

f) Operational underground power and telecommunication connections must be provided to or within the boundary of proposed Lots 1 and 2. Alternatively, telecommunications may be by wireless technology if desired by the applicant to be formalised by registration of a suitably worded consent notice on the new title.

Access

g) A new vehicle entranceway from Pearson Road to serve Lot 2 must be constructed in compliance with the requirements of Part 29 of Council's Roading Policies January 2015. For crossings onto sealed roads an upgraded crossing must include a cutout 300mm into the sealed road or until the full thickness of the sealed road is reached, whichever is greater. The interface must have tape seal banding over all joins for new asphalt crossings, and at least 150mm chip seal overlap for new chip seal crossings. Chip seal crossings must be two-coat.

h) Demonstrate that the existing vehicle entranceway from Pearson Road to serve Lot 1 complies with the requirements of Part 29 of Council's Roading Policies January 2015, or be upgraded to these requirements. For crossings onto sealed roads an upgraded crossing must include a cutout 300mm into the sealed road or until the full thickness of the sealed road is reached, whichever is greater. The interface must have tape seal banding over all joins for new asphalt crossings, and at least 150mm chip seal overlap for new chip seal crossings. Chip seal crossings must be two-coat.

Engineering Approvals

i) Provide a CODC letter of full Engineering Acceptance (EA) or a CODC exemption letter.

j) As-built drawings must be lodged with the Council in accordance with clause 1.5.10(b) of NZS 4404:2004 and must comply with Council's "Specifications for as-built drawing documentation version 3.1". The as-built drawings are to be provided in *.dxf or *12da, and in *.pdf file format. New Zealand Vertical Datum (NZVD2016) must be used.

Financial Contributions

k) Payment of a reserves contribution of $8,695.65 (exclusive of Goods and Services Tax) calculated in terms of Rule 15.6.1(1)(a)(i) of the Operative District Plan on the basis of one additional dwelling equivalent.

6. Pursuant to Section 221 of the Resource Management Act 1991, consent notices must be prepared for registration for the record of title for Lot 1 hereon, for the following ongoing conditions:

a) Residential activity and residential accessory buildings must be contained entirely within the Residential Building Platform.

Design controls

b) Maximum building heights above modified ground level for future buildings within the residential Building Platform must be as follows:

- Dwelling – 5m
- Other (accessory) building – 4m.

c) Unless buildings are clad in naturally finished, natural materials (e.g. stone or timber), building colours for all new buildings are to be selected to ensure that contrast with the dominant hues of the surrounding rural landscape is minimized. Light reflectivity values (LRV) for painted finishes shall be no more than 20%.

d) Water tanks must be coloured, sited, and buried and / or screened (by planting or built form) to have minimal visual impact from beyond the property.

e) Any fencing must be restricted to standard rural post and wire construction or stone walls using locally appropriate rock.

f) Screen / framework planting must be managed on an on-going basis to ensure its screening / softening function is maintained. Any plants which sicken or die must be replaced within the next growing season.

Servicing

g) Prior to any domestic use of the water supply or occupation of any connected dwelling on Lot 2, point-of-use UV treatment ust installed for the water supply serving any dwelling on Lot 2 and the adequacy of such treatment must be confirmed through retesting as fully compliant.

h) At the time of dwelling construction, 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 must 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 standard. 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:

i) 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 must provide written approval of Fire and Emergency New Zealand to confirm that the couplings are appropriate for firefighting purposes.

ii) All connections must be capable of providing a flow rate of 25 litres per second at the connection point.

iii) The connection must have a hardstand area adjacent to it to allow a Fire and Emergency New Zealand appliance to park on it. The hardstand area must be located at the centre of a clear working space with a minimum width of 4.5 metres. Access must be always maintained to the hardstand area.

iv) 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.

i) At the time of dwelling construction on Lot 2 an on-site wastewater disposal system must be designed and installed by a suitably qualified and experienced person. The system must be designed and constructed in accordance with Clauses 5.5(b), (c), (d), and (e) of Council's July 2008 Addendum to NZS 4404:2004, the 2012 version of AS/NZS 1547, and all relevant Otago Regional Council requirements, including required setbacks from watercourses and water supply bores. The disposal field, including any reserve area, must be located entirely within the boundaries of the titled property and meet all required separation distances.

j) The on-site wastewater disposal systems on Lot 1 and 2 must be operated and maintained in accordance with the system designer's recommendations and manufacturer's specifications for the lifetime of the system. The system must be regularly serviced by a suitably qualified and experienced person to ensure it continues to function effectively and in compliance with Council and Otago Regional Council requirements. The property owner is responsible for all ongoing maintenance, inspections, and renewals as required.

k) Stormwater from buildings and other impervious surfaces on Lots 1 and 2 must be stored for beneficial reuse or disposed of by a soakage system (e.g. soak-pit or similar), designed by a suitably qualified and experienced person in accordance with NZ Building Code Clause E1 (Surface Water). The system must be located entirely within the boundary of the titled property, and the property owner is responsible for maintaining the system in good working order to prevent surface flooding and nuisance effects on neighbouring properties.

l) If operational underground telecommunication connections are not established as per condition 5(f) above, then a consent notice must be registered on the Record

of Title for Lot 2 which confirms that telecommunications will be via wireless technology.

m) If during any site disturbance, the consent holder or subsequent owners:

i) discovers koiwi tangata (human skeletal remains), waahi taoka (resources of importance), waahi tapu (places or features of special significance) or other Maori artefact material, the consent holder or subsequent owner must without delay:

a) notify the Consent Authority, Tangata whenua and Heritage New Zealand and in the case of skeletal remains, the New Zealand Police.

b) stop work within the immediate vicinity of the discovery to allow a site inspection by Heritage New Zealand and the appropriate runanga and their advisors, who must determine whether the discovery is likely to be extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required.

Site work may recommence following consultation with the Consent Authority, Heritage New Zealand, Tangata whenua, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.

ii) discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder must without delay:

a) stop work within the immediate vicinity of the discovery or disturbance; and

b) advise the Consent Authority, Heritage New Zealand, and in the case of Maori features or materials, the Tangata whenua, and if required, must make an application for an Archaeological Authority pursuant to Heritage New Zealand Pouhere Taonga Act 2014; and

c) arrange for a suitably qualified archaeologist to undertake a survey of the site.

Site work may recommence following consultation with the Consent Authority.

LAND USE CONDITIONS

1. Residential activity must not occur on Lot 2 RC250257 until such time as a record of title for this lot is issued. *Note: Residential Activity on Lot 2 RC250257 must comply with the consent notice conditions imposed by the subdivision consent.*

2. Residential activity and residential accessory buildings must be contained entirely within the Residential Building Platform. *Note: Further resource consent will be required to establish a dwelling on Lot 2 RC250257.*

ADVICE NOTES:

Earthworks

1. All earthworks to develop and/or landscape each lot shall comply with Rule 4.7.6J of the Central Otago District Plan or additional resource consent will be required.

2. Existing ground level to calculate approved building height will need to be established at the time of survey.

3. Where there is a risk that sediment may enter a watercourse at any stage during the earthworks, it is advised that the Otago Regional Council be consulted before works commence, to determine if the discharge of sediment will enter any watercourse and what level of treatment and/or discharge permit, if any, may be required.

4. The Otago Regional Council also has rules regarding residential earthworks and the consent holder is advised to ensure that they do not require approvals from the Regional Council.

Water, Wastewater and Firefighting

5. It is strongly recommended that additional treatment be included for all water supply to provide wholesome water by achieving compliance with the Guideline Values (GVs) shown to be exceeded in the laboratory reports.

6. On-site disposal shall comply with the Otago Regional Council requirements. It is strongly encouraged that the proposed drainage field be setback a minimum of 50 meters from the south-western site boundary that borders the Kawarau River and its riparian margins or alternatively a high-quality treatment system be installed.

7. For more information on how to comply with FENZ operational requirements refer to the Fire and Emergency New Zealand Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 retrieved from http://ww.fire.org.nz/CMS_media/pdf/da516e706c1bc49d4440cc1e83f09964.pdf. In particular, the following should be noted:

    - For more information on suction sources see Appendix B, SNZ PAS 4509:2008, Section B2.
    - For more information on flooded sources see Appendix B, SNZ PAS 4509:2008, Section B3.

Financial Contributions

8. All charges incurred by the Council relating to the administration, inspection and supervision of conditions of subdivision consent must be paid prior to Section 224(c) certification.

9. Development contributions for transport of $698.26, community infrastructure of $2,183.48, reserve improvements of $264.35 (all exclusive of goods and services tax) are payable for pursuant to the Council's Policy on Development and Financial

Contributions contained in the Long Term Council Community Plan. Payment is due upon application under the Resource Management Act 1991 for certification pursuant to Section 224(c). The Council may withhold a certificate under Section 224(c) of the Resource Management Act 1991 if the required Development and Financial Contributions have not been paid, pursuant to section 208 of the Local Government Act 2002 and Section 15.5.1 of the Operative District Plan.

Access

10. It is the consent holder's responsibility to obtain all necessary Temporary Traffic Management Plans, Corridor Access Requests or any other approvals to undertake works within the road reserve. These approvals should be obtained prior to the works commencing.

Rural Development

11. Building colours and material are to be consistent with Rule 4.7.6D of the Central Otago District Plan.

Heritage

12. Buildings built before 1900 or sites which were in use before that time are considered archaeological sites under the Heritage New Zealand Pouhere Taonga Act 2014. Before disturbing an archaeological site, or to check whether a site is an archaeological site, the consent holder is advised to discuss their proposal with Heritage New Zealand.

General

13. 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.

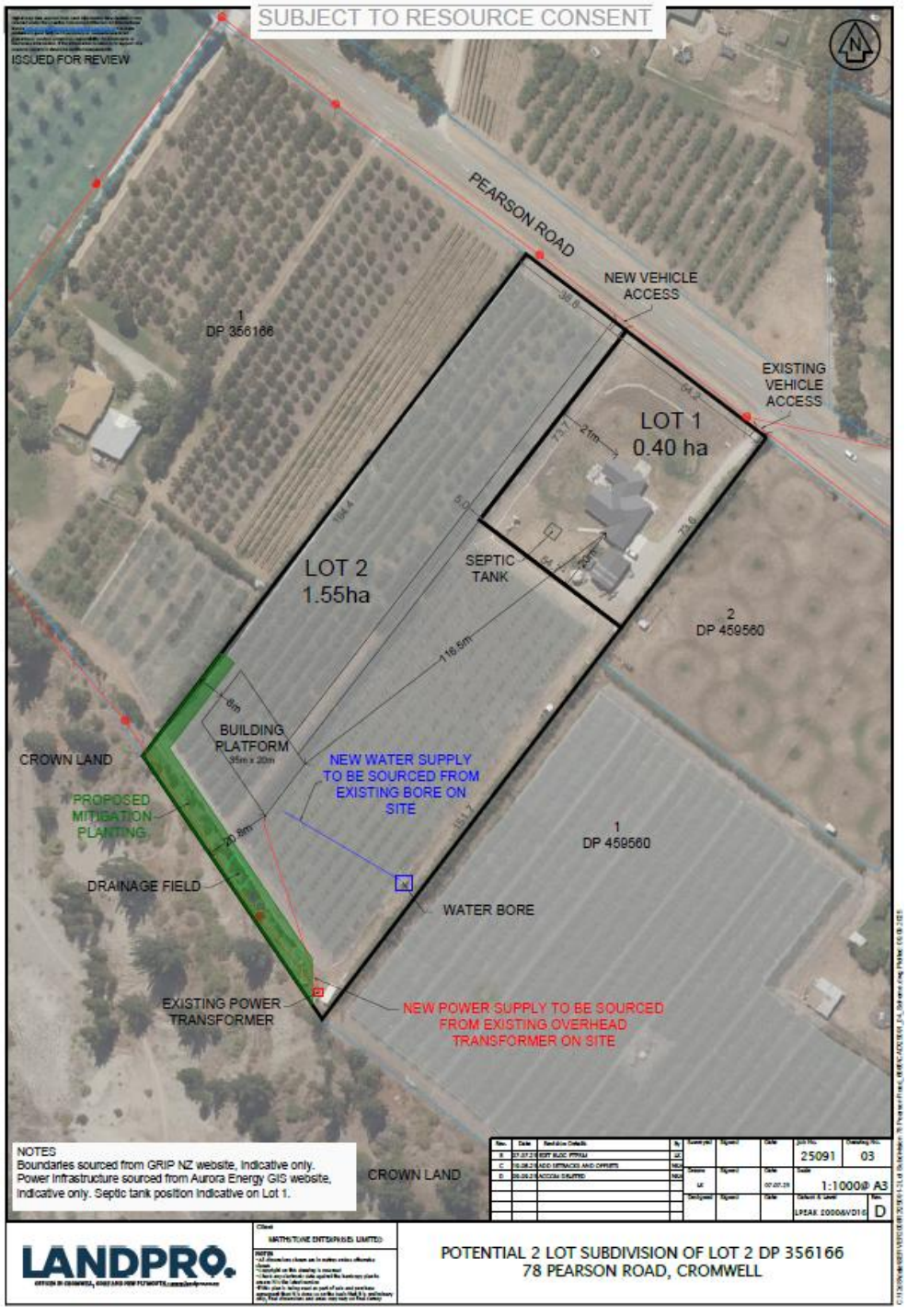
14. Resource consents are not personal property. The ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.

15. 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.

16. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.

17. This is a resource consent. Please contact the Council's Building Services Department, about the building consent requirements for the work.

Appendix One: Approved Plans for RC250257 (scanned image, not to scale) (Planting area marked in green)



Mitigation Planting – 78 Pearson Road, Lot 2.

The following species are to be established in the area noted as 'mitigation planting' on Figure 8.

Botanical name	*Common name*	*Approx % of planting*
Aristotelia fruiticosa	*Mountain wineberry*	*5*
Carmichaelia petriei	*Desert broom*	*5*
Chionochloa rigida	*Snow tussock*	*5*
Coprosma crassifolia		*5*
Coprosma propinqua	*Mingimingi*	*5*
Coprosma rugosa		*5*
Coprosma virescens	*Mikimiki*	*5*
Cordyline australis	*Cabbage tree*	*5*
Corokia cotoneaster	*Korokio*	*5*
Discaria toumatou	*Matagouri*	*5*
Griselinia littoralis	*Broadleaf*	*5*
Kunzea serotina	*Kanuka*	*5*
Leptospermum scoparium	*Manuka*	*5*
Myrsine australis	*Matipo*	*5*
Olearia lineata	*Small-leaved tree daisy*	*5*
Phormium tenax	*Flax*	*5*
Pittosporum tenuifolium	*Kohuhu*	*5*
Podocarpus laetus	*Hall's totara*	*5*
Sophora microphylla	*Kowhai*	*5*
Veronica salicifolia	*Koromiko*	*5*

Planting maintenance and management

1. Where required, fencing should be carried out to protect the areas to be planted from grazing by stock.
2. The areas to be planted are to be sprayed to kill existing grasses using a non-residual systemic herbicide.
3. Planting densities are to be approximately 1.5m

4. Plant grades are to be Pb3 or equivalent, minimum.
5. One slow-release fertilizer tablet will be used per plant.
6. A circle of mulch (100mm deep woodchip or sacking or similar) is to be applied around each plant to assist in plant establishment and weed suppression.
7. The area around each plant is to be maintained weed free until well established by hand weeding or spraying where this is possible without adversely affecting the plants.
8. Plants should be watered as / if required during dry spells until well established.
9. Survival should be monitored and any dead plants replaced immediately. Animal pests should be controlled and if required, plants should be provided with an eco-shelter for protection against rabbit and possum browse.
10. The plantings are to be managed to ensure their ongoing health and vitality.

CENTRAL OTAGO DISTRICT COUNCIL
S95A-F DECISION FOR RC250257
78 Pearson Road, Cromwell

INTRODUCTION

The application seeks land use consent and subdivision consent for a two lot subdivision with a residential building platform for one lot within the Rural Residential Resource Area at 78 Pearson Road, Cromwell (see Figure 1). The subject site is legally described as Lot 2 DP 356166, held in Record of Title 229045 and comprising an area of 1.9535ha. The title is subject to easements to convey electricity and water. Consent Notice 7172093.3 is registered on the Record of Title which imposes conditions relating to:

- Accidental Discovery Protocols
- Servicing of a dwelling on Lot 2 DP 356166
- Risk from old mining workings

The proposed subdivision will result in an average of 0.975 hectares per lot and is proposed to be configured as follows:

- Lot 1 comprising an area of 0.4ha. This lot will contain the existing dwelling. Access for Lot 1 will be via an existing crossing point located in the northeastern corner of the site. No changes are proposed to this access.

- Lot 2 comprising an area of 1.55ha. This lot will contain the existing cherry orchard and a residential building platform. Design controls and landscape mitigation are proposed for any future development within the building platform. Access for proposed Lot 2 is intended to run down the centre of the property between existing rows of cherries. A new vehicle crossing would be required and will be constructed in accordance with Council Standards.

In terms of servicing, domestic water for the existing dwelling (on proposed Lot 1) will continue to be obtained from the Council reticulated supply located on Pearson Road. Water for proposed Lot 2 will be sourced via an existing bore. Wastewater for the existing dwelling will remain unchanged and will continue to be serviced via an onsite disposal system that will be located wholly within the property boundaries. Wastewater for Lot 2 has been determined as feasible as per an assessment undertaken by Meyer Cruden. No earthworks are proposed other than the construction of the access and utility service trenching.

The following resource consent have been issued for this site:

- RC050015 being the underlying subdivision which established the subject site; and
- RC160217 being land use consent to construct the dwelling which currently occupies the site; and
- RC240216 which authorises the establishment and operation of two cabins for traveller's accommodation purposes.

The applicant confirms that the existing traveller's accommodation cabin, consented under RC240216, will be removed and the land use consent surrendered should this application be approved.

Figure 1: Proposed subdivision

The receiving environment along Pearson Road is characterised by a varied rural-residential pattern that reflects an evolving interface between traditional horticultural land use and increasing residential activity. Lot sizes along the road are notably diverse, ranging from larger rural allotments of several hectares (typically supporting established orchards and shelterbelt planting) to smaller lifestyle and residential lots of under one hectare. The variation in lot size and density results in a mixed rural character, where higher concentrations of dwellings are interspersed among productive orchards and rural landscapes.

The application is supported by the following documents:

- Landscape Assessment by Mike Moore, Landscape Architect
- Infrastructure and Limited Geotechnical Report by Meyer Cruden
- Supporting Natural Hazards Comment from WSP Opus
- Electricity Supply Availability letter from Aurora
- Detailed Site Investigation by Springline Limited
- Productive Capacity Assessment by Landward Management Ltd
- Water Analysis by Hill Labs dated 12 August 2025

SECTION 95A NOTIFICATION

Step 1 – Mandatory public notification
Public notification has been requested by the applicant in accordance with s95A(3)(a).

OVERALL DECISION - S95A NOTIFICATION

Given the applicants request to publicly notify the application, there is no need to consider steps 2-4 or undertake an assessment under section 95D.

Pursuant to s95A(3)(a), public notification is required.

EFFECTS ON PERSONS

While the application is to be publicly notified under S95A, consideration of any affected persons under s95E is required. The following steps set out in this section are helpful to determine whether there are parties who should receive specific notice of the application.

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

The proposal does not affect customary rights groups, customary marine title groups. While it is close to land subject to a statutory acknowledgement, given the Crown Land strip located between the subject site and the Kawarau River, the proposal is unlikely to have an adverse effect on the statutory acknowledgement area.

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

As the proposal is not subject to a rule in the District Plan or is not subject to a NES that precludes notification, there is nothing which would prevent notice being served on any party.

Step 3: certain other affected persons must be notified

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. In this case there is no permitted baseline to be applied as subdivision and residential building platforms always require resource consent.

ASSESSMENT: EFFECTS ON PERSONS

The written approvals of the following parties have been provided with the application:

Party	Address	Date
Suzanne Stuart and Alan McKay	94 and 94A Pearson Road	11 July 2025
Wallace King	58 Pearson Road	13 July 2025
Margert Christie and Micrasi Trust	49A and B Pearson Road	8 July 2025

The party at 56 Pearson Road is considered to be the most directly affected party to the proposal and their approval has been provided. The next most directly affected parties is located at 94 Pearson Road and their written approval has also been provided. All effects on these parties are to be disregarded and there is no need to serve further notice on them.

Figure 2: Affected Party approvals marked with red stars.

It is considered that given the proximity of the sites are 57 and 83 Pearson Road to the proposed subdivision, it is recommended that direct notice should be served on these parties.

It is noted that the tracks between the subject site and the river are popular for public cycling and walking. The users of the track are varied and cannot be identified for the purposes of notification. These parties will have an opportunity to make a submission through the wider public process.

In addition to the parties considered above, it is recommended that direct notice of the application be served on the Otago Regional Council and Aukaha Limited in accordance with clause 10(2) of the Resource Management (Forms, Fees and Procedure) Regulations 2003.

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:

Kirstyn Royce
Consultant Planner Date: 24 September 2025

Approved under Delegated Authority by:

Tanya Copeland
Planning Manager (Acting)

Date: 26 September 2025

Application for a resource consent - Form 9

APP250921279

CENTRAL OTAGO DISTRICT COUNCIL
1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand
03 440 0056
Info@codc.govt.nz
www.codc.govt.nz

Date and Time Created	09/09/2025 11:46
Submitted to Council	09/09/2025 11:50

To cross reference Datacom with MAGIQ please click Here. to add the Resource Consent number.

Property Details

Property Address	78 Pearson Road
Record of Title Number	229045
Legal Description(s) of the specific parcels that the resource consent application is for	Lot 2 DP 356166

What is your role in this application?	Agent acting on behalf of the applicant

Agent details

An agent acts on behalf of the applicant in the submission and processing of the application.

Organisation	JPW Consulting Ltd
First name	Jake
Last name	Woodward
Phone number	0223158370
Email address	jake@jakewoodward.co.nz

Note that the applicant will also receive a copy of all correspondence.

Postal address:	PO Box 190, Cromwell 9342
Confirm that you have approval to act on behalf of the applicant	Yes

The applicant is the person(s) or organisation making the application.

Applicant details

Is this applicant an individual or an organisation?	Business / organisation
Organisation	Mathstone Enterprises Limited

Contact Person

First name	Linden
Last name	Brackstone
Phone number	0275671005
Email address	lindenbrackstone@gmail.com
Postal address:	78 Pearson Road, RD 2, Cromwell 9384

Authority to apply on behalf

Confirm that the applicant is authorised to apply on behalf of the organisation	Yes

Invoicing

Who is paying the invoice?	Applicant

DETAILS

Activity or works proposed

Application type	Land use and subdivision consent
Short description of your proposal	two lot subdivision

Provide a detailed description in the Assessment of Environmental Effects (AEE) or other document.

Assessment of Environmental Effects (AEE)

An application cannot be accepted for processing by the Council under Section 88 of the Resource Management Act 1991, without an Assessment of Environmental Effects (AEE).

Refer to the guidelines for Assessment of Environmental Effects.

JW24075 - Mathestone - AEE - FINAL.pdf (1 mb)

Assessment of the activity

You may need to provide an assessment of the activity against the following provisions:

- **The matters set out in Schedule 4 of the Resource Management Act 1991.**
- **Any relevant objectives, policies, or rules in a document.**
- **Any relevant requirements, conditions, or permissions in any rules in a document.**
- **Any other relevant requirements in a document (e.g. in a national environmental standard or other regulation).**

Please do not load the same document that you loaded for AEE above

Other activities

Other applications

Are you required to apply for any other resource consents for this project?	No
Is this project related to a building consent?	No

Pre-application information

Have you discussed this proposal with Council staff prior to this application?	No prior discussion

Site visit requirements

Who is the site contact?	Applicant

Affected party approvals

All affected property owners, including trustees where properties are held in a trust, must sign written approval forms AND

a copy of your plans.

- **If an affected party does not give approval to your proposal this may impact on the way that the application is processed.**
- **Council's duty planner can provide you with advice on which parties may be affected by your proposal.**

Download an affected party approval template form.

Do you need affected party approval?	Yes

Appendix [I] - APA - Alister Stuart.pdf (402 kb)
Appendix [I] - APA - Margret Christie.pdf (243 kb)
Appendix [I] - APA - Wallace King.pdf (1 mb)

National Environmental Standard – Contaminated Soil (NES-CS)

National Environmental Standard – Contaminated Soil - option selected	I have included a Site Investigation undertaken by a suitably qualified person.

Fast-Track Processing

Under section 87AAC a controlled activity or deemed permitted boundary activity may be eligible for fast-track processing. Please select one:	I opt out of the fast-track consent process

Public Notification

Please confirm whether you request public notification for this application. If you choose "Yes" - Please note a "notified to formal hearing" deposit fee is payable. Please refer to Council's current Fees and Charges on our website.	Yes

LIST OF FILES

Appendix [G] - NESCS Review.pdf (3 mb)
JW24075 - Mathestone - AEE - FINAL.pdf (1 mb)
Appendix [I] - APA - Alister Stuart.pdf (402 kb)
Appendix [I] - APA - Margret Christie.pdf (243 kb)
Appendix [I] - APA - Wallace King.pdf (1 mb)
Appendix [C] - Scheme Plan.pdf (351 kb)
Appendix [D] - Landscape Assessment.pdf (2 mb)
Appendix [E] - Infrastructure Report.pdf (3 mb)
Appendix [F] - Natural Hazards Comment.pdf (934 kb)
Appendix [H] - Productive Capacity Assessment.pdf (2 mb)
Appendix [J] - Water Allocation Table.pdf (100 kb)
Appendix [J] - Water Test August 25.pdf (106 kb)
Appendix [A] - Record of Title 229045.pdf (219 kb)
Appendix [B] - Consent Notice 7172093_3.pdf (62 kb)

ASSESSMENT OF ENVIRONMENTAL EFFECTS

78 Pearson Road, Cromwell

Mathstone Enterprises Limited

Our Reference: JW24075

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1 THE APPLICANT AND PROPERTY DETAILS

Client	Mathstone Enterprises Limited
Address for service	JPW Consulting Limited Jake Woodward jake@jakewoodward.co.nz 022 315 8370
Property Address	78 Pearson Road, Cromwell
Project Description	Subdivision and land use consent to undertake a two-lot subdivision resulting in one new residential allotment and associated Residential Building Platform.
Our Reference	JW24075
Date	9 September 2025
Version	1

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2 EXECUTIVE SUMMARY

This application seeks consent for a two-lot subdivision of the property at 78 Pearson Road, Cromwell, within the Rural Residential Notation and resulting in a breach of the 2-hectare averaging requirement.

The site is located within an already modified rural-residential environment characterised by orchards, rural-lifestyle housing, and associated structures. Surrounding lot sizes vary widely, from around 5,800 m² to several hectares.

The new lot is appropriately sized to accommodate a dwelling and servicing in accordance with Council's Code of Practice, with legal and practical access provided. Design controls will limit building height to single storey and regulate external colours, ensuring any future built form remains consistent with the established rural-residential character.

Landscape Architect Mr Mike Moore assessed the site as part of a highly modified rural-residential setting shaped by historic gold mining, the formation of Lake Dunstan, farming, horticulture, viticulture, and lifestyle development. While the area retains heritage and recreational values, it contains minimal indigenous vegetation and is characterised by orchards and modest built form.

Mr Moore concludes that the addition of one dwelling will have *low adverse* (less than minor) physical effects due to the site's low sensitivity to change, minimal earthworks, and proposed mitigation measures, namely building height and colour controls, setbacks, indigenous planting, and removal of consented accommodation units.

Visual effects from key viewpoints are assessed as:

- Pearson Road – *Very low adverse* (less than minor) due to screening, distance, and mitigation.
- Lakeside Walking Track – *Low–moderate adverse* (minor) initially, reducing to *low adverse* (less than minor) within approximately five years as planting matures.
- Felton Road / Bannockburn Sluicings – *Very low adverse* (less than minor) due to viewing distance and mitigation.

Overall, Mr Moore concludes that the landscape and visual environment can absorb the proposal without compromising rural character, openness, or naturalness.

In terms of commercial viability and productive capacity, an evaluation from Mr Ray MacLeod suggests that the site is not commercially viable as an orchard operation, struggling to cover direct costs before accounting for owner labour, fixed overheads, or a return on capital. The cherry crop has value, but operations require significant unpaid labour, estimated at 200 hours of physical work plus 100 hours of management annually. While any loss of production from subdivision is recoverable over time, the site will remain unviable in commercial terms. Notwithstanding, Mr MacLeod confirms that any loss of trees can in fact be offset elsewhere on the site to ensure there is no "net loss" in production.

While the proposal will increase built density by adding one dwelling, the receiving environment is already characterised by significant domestication. The combined evidence

supports that, with the proposed controls and mitigation, the subdivision can be integrated without more than minor adverse effects on landscape, visual, or rural character values, and without undermining the productive use of the land given its current economic unviability.

In terms of adverse precedent and plan integrity, the decision to grant consent would be based on site-specific factors and would not automatically infer a proliferation of similar applications, unless those applications can equally demonstrate effects on the environment are appropriate, and are consistent with the policy framework of the District Plan.

No person is considered to be adversely affected by the subdivision and domestication of the site recognising the immediate adjoining neighbours have provided written approval.

An infrastructure feasibility report confirms the site will be suitably serviced for all necessary infrastructure as required. Standard conditions of consent for servicing are promoted which will ensure each allotment is suitably serviced prior to the issue of Titles.

Overall, the proposal is considered to generate no more than minor adverse effects on the environment.

A thorough evaluation of applicable policies is provided in this AEE. The proposal is considered to be consistent with the relevant objectives and policies of the Central Otago District Plan and the various Otago Regional Policy Statements and National Policy Statements.

The proposal is considered to promote Part 2 of the Resource Management Act 1991.

3 SITE DESCRIPTION

3.1 SITE DESCRIPTION

The site subject to this application is located at 78 Pearson Road, Cromwell and is legally described as Lot 2 DP 356166 as contained in Record of Title 229045. A copy of the Record of Title is attached in **Appendix [A].**

The site is an irregularly shaped property consisting of 1.95 hectares located on the southern side of Pearson Road. The site contains an existing residential dwelling in the north-eastern corner of the site, a cabin for traveller's accommodation in the southern corner, and the remainder planted as an orchard (cherries).

Figure 1: Aerial image of the subject site (approximately shown) and surrounds (Image Source: CODC GIS).

3.2 SURROUNDING ENVIRONMENT

The receiving environment along Pearson Road is characterised by a varied rural-residential pattern that reflects an evolving interface between traditional horticultural land use and increasing residential activity. Lot sizes along the road are notably diverse, ranging from larger rural allotments of several hectares (typically supporting established orchards and shelterbelt planting) to smaller lifestyle and residential lots of under one hectare.

This variation in lot size and density results in a mixed rural character, where higher concentrations of dwellings are interspersed among productive orchards and rural landscapes. Residential activities are well established in parts of the road corridor, with houses and associated curtilage areas visible from the road frontage, often set within mature

planting that provides partial screening. In other locations, productive orchards remain the dominant feature, reinforcing the rural production character.

Overall, Pearson Road exhibits a transitional rural-residential environment, where the proliferation of dwellings and lifestyle blocks occurs in close proximity to ongoing horticultural operations, producing a mosaic of residential and rural production land uses.

3.3 RECORD OF TITLE

As noted above, the site is legally described as Lot 2 DP 356166 as contained in Record of Title 229045. A copy of the Record of Title is attached in **Appendix [A].**

There are a number of easements detailed on the Title which the applicant is aware of and will avoid accordingly.

There is one consent notice registered on the Title being Instrument 7172093.3 (and attached in **Appendix [B]**) which requires the following:

Condition	Requirement	Compliance
1A	Accidental discovery protocols to be adopted in the event of any accidental discovery of *koiwi* or human remains or archaeological material.	Continues to apply.
1B and 2	The requirement to install a firefighting and domestic water storage tank at the time of construction of a dwelling. Alternative firefighting can be sought subject to approval from FENZ.	Already in place.
3	The requirement to install a wastewater system in accordance with AS/NZS1547:2000 at the time of construction of a new dwelling.	n/a
4	The requirement to provide geotechnical comments of any old mining workings under Lot 2 at the time of constructing a dwelling.	At the time the dwelling was sought (RC160217), a report prepared by Opus Consultants Ltd was prepared detailing that some old Paelo-channels *may* have occurred near the south-eastern corner of the site (Figure 2), but concedes that information relating to mining activities in the area is typically piecemeal and incomplete and therefore the accuracy of historic mine workings remain unknown.

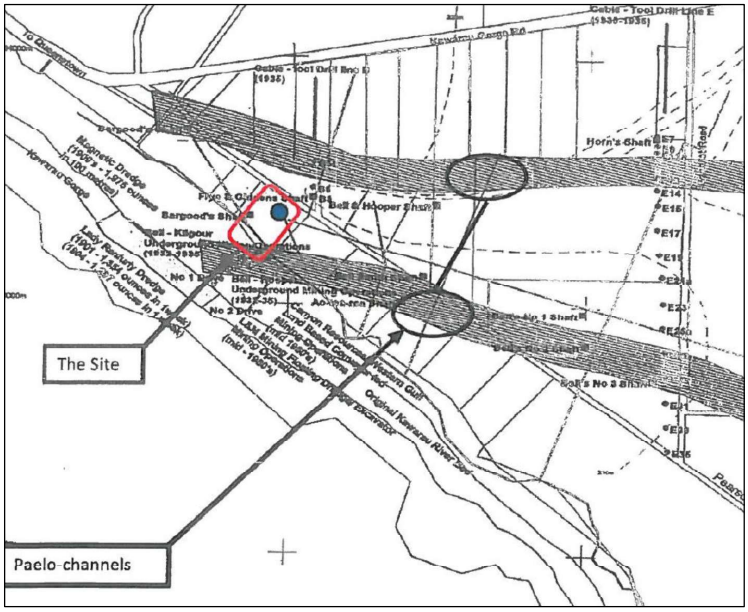

Figure 2: Extract from Opus Report, dated 25 August 2016 as submitted with RC160217.

4 RESOURCE MANAGEMENT BACKGROUND

4.1 RESOURCE CONSENT HISTORY OVERVIEW

Following a review of Council's records, it is understood that the site was subject to the following previous resource consent applications:

- RC050015 being the underlying subdivision which established the subject site; and
- RC160217 being land use consent to construct the dwelling which currently occupies the site.
- RC240216 which authorises the establishment and operation of two cabins for traveller's accommodation purposes.

5 PROPOSAL

5.1 OVERALL SCHEME

Resource consent is now sought to undertake a two-Lot subdivision of the property. A scheme plan, prepared by Landpro Ltd, detailing the extent of the proposal is attached in **Appendix [C]**, an extract of which is as follows:

Figure 3: Extract of proposed scheme plan (Source: Landpro Ltd).

The proposal will result in allotment sizes as follows:

Lot	Lot Area	Residential Building Platform Area
1	0.4 hectares	None proposed as the site contains an existing residential dwelling.
2	1.55 hectares	35 metre by 20 metre building platform proposed.

The subdivision results in an average of 0.975 hectares across the subdivision.

While there is no intention to remove the cherries, it is proposed to establish a Residential Building Platform (RBP) towards the rear of proposed Lot 2. While residential activities only require a controlled activity consent (under Rule 4.7.2(i)) of the District Plan due to the Rural Residential Notation, an RBP is promoted for two reasons:

- To manage landscape effects; and
- Establish a curtilage that allows for no net loss of rural production, if desired.

The applicant proposes to impose the following design controls on proposed Lot 2[1] to be registered as a consent notice on the subsequent Titles:

1. *Except for the accommodation units (already consented) all future buildings on Lot 2, including accessory buildings and water tanks are to be contained within the identified building platform.*
2. *The consented accommodation units are to be sited within the area shown as 'proposed relocated accommodation unit building platform' in Figure 10.*
3. *Maximum building heights above modified ground level for yet to be consented buildings shall be as follows:*
   - *Dwelling – 5m*
   - *Other (accessory) building – 4m.*
4. *Unless buildings are clad in naturally finished, natural materials (e.g. stone or timber), building colours for all new buildings are to be selected to ensure that contrast with the dominant hues of the surrounding rural landscape is minimized. Light reflectivity values (LRV) for painted finishes shall be no more than 20%.*
5. *Water tanks are to be coloured, sited, and buried and / or screened (by planting or built form) to have minimal visual impact from beyond the property.*
6. *Any fencing is to be confined to standard rural post and wire construction or stone walls using locally appropriate rock.*
7. *Screen / framework planting in the locations shown in Figure 10 and as outlined in Appendix A is to be established prior to building commencing on the Lot 2 platform. This planting is to be managed on an on-going basis to ensure its screening / softening function is maintained.*

An existing traveller's accommodation cabin consented under RC240216, will be removed and relinquished if subdivision consent is approved.

5.2 LANDSCAPING

A landscape assessment and associated landscape plan prepared by Landscape Architect, Mr Mike Moore, is attached in **Appendix [D]**.

The landscape plan promotes the provision of mitigation landscaping along the entire southern extent of the property boundary and a section of the western boundary, as illustrated in Figure 4 below. The landscaping is promoted to assist with integrating future built form on proposed Lot 2 within the receiving environment.

[1] These restrictions are not intended to apply to proposed Lot 1.

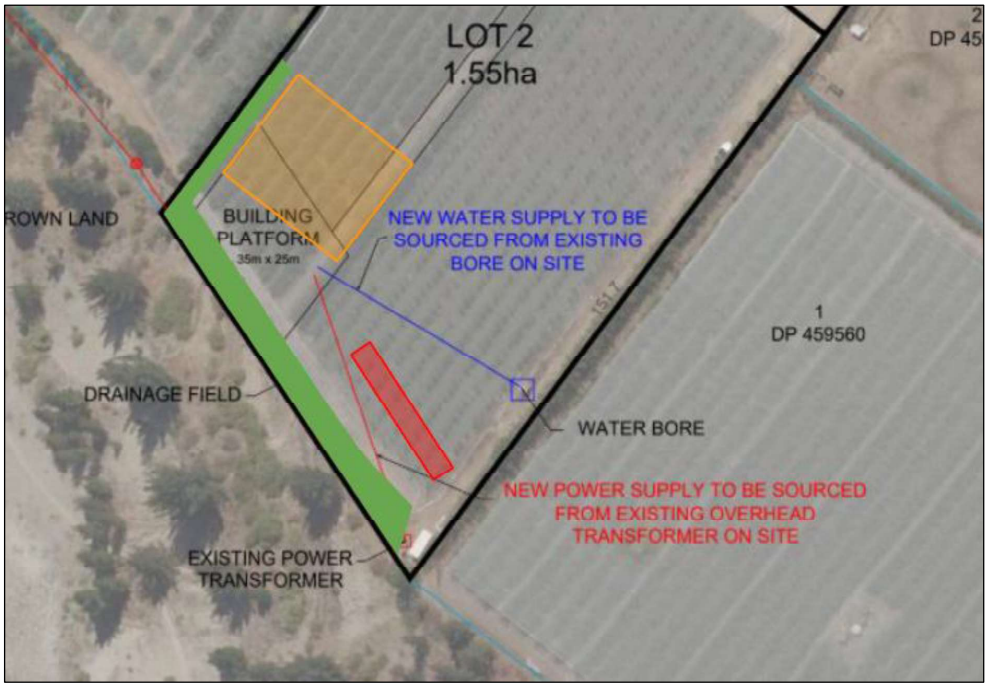

Figure 4: Proposed landscape mitigation plan.

Planting would consist of the following:

Botanical name	***Common name***	***Approx # of planting***
Aristotelia fruiticosa	*Mountain wineberry*	*5*
Carmichaelia petriei	*Desert broom*	*5*
Chionochloa rigida	*Snow tussock*	*5*
Coprosma crassifolia		*5*
Coprosma propinqua	*Mingimingi*	*5*
Coprosma rugosa		*5*
Coprosma virescens	*Mikimiki*	*5*
Cordyline australis	*Cabbage tree*	*5*
Corokia cotoneaster	*Korokio*	*5*
Discaria toumatou	*Matagouri*	*5*
Griselinia littoralis	*Broadleaf*	*5*

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Kunzea serotina	*Kanuka*	*5*
Leptospermum scoparium	*Manuka*	*5*
Myrsine australis	*Matipo*	*5*
Olearia lineata	*Small-leaved tree daisy*	*5*
Phormium tenax	*Flax*	*5*
Pittosporum tenuifolium	*Kohuhu*	*5*
Podocarpus laetus	*Hall's totara*	*5*
Sophora microphylla	*Kowhai*	*5*
Veronica salicifolia	*Koromiko*	*5*

5.3 ACCESS

Access for Lot 1 will be afforded via an existing crossing point located in the north-easternmost corner of the site. No changes are proposed to this access.

Access for proposed Lot 2 is intended to run down the centre of the property between existing rows of cherries. A new vehicle crossing would be required and will be constructed in accordance with Part 29 of CODC's Roading Policies.

5.4 SERVICING

An infrastructure feasibility assessment prepared by Meyer Cruden Ltd is attached in **Appendix [E]**. The report confirms the following:

- Domestic water for the existing dwelling (on proposed Lot 1) will continue to be obtained from the Council reticulated supply located on Pearson Road. Water for proposed Lot 2 will be sourced via the existing bore, of which water tests confirm it is potable (refer to **Appendix [J]**). A consent notice is proposed requiring UV treatment and the point of supply as is currently the case with the existing dwelling. The quantity of take from the bore is detailed in the attached schedule (**Appendix [J]**) which over a ten year average shows 11,087m^3 with a minimum of 4,277m3 and maximum of 17,942m^3. The applicant advises that the water is split approximately 60:40 with the adjoining land at 58 Pearson Road. This information verifies that there is sufficient quantity to provide 1,500 litres per day for the proposed dwelling. Overall, it is considered sufficient potable water is available to service the subdivision.

- Firefighting for the existing dwelling will continue to be achieved via an existing tank located within Lot 1. Firefighting for the proposed RBP will be the subject of a consent notice requiring the provision of a water tank with sufficient capacity or any other means as approved via FENZ. Overall, firefighting supply is considered to be sufficiently provided for.

- Wastewater for the existing dwelling will remain unchanged and will continue to be serviced via an onsite disposal system that will be confirmed as located wholly within the property boundaries. Wastewater for Lot 2 has been determined as feasible as per the assessment undertaken by Meyer Cruden. A consent notice is considered appropriate in ensuring future owners of Lot 2 design and install a suitable system in accordance with Council's Standards and AS/NZS 1547:2012.

- Power has been confirmed as available as per the confirmation provided by Aurora.

- Telecommunications are currently available in the form of 4G/5G wireless mobile connection and satellite.

- The soakage test results indicate significant soakage capacity and give confidence that onsite stormwater disposal to ground is a viable option.

5.5 EASEMENTS

Easements for the Right of Way, bore and any other essential services will be adequately captured and imposed at the time of formal survey.

5.6 EARTHWORKS

No earthworks other than the construction of the access is proposed as part of this application.

Roadworks within existing legal road reserve is a permitted activity under rule 13.7.2 (i) of the District Plan.

The utility service trenching required is a permitted activity in accordance with rule 13.7.9.

6 STATUTORY CONSIDERATIONS

6.1 CENTRAL OTAGO DISTRICT PLAN

The site is located in the Rural Resource Area [Rural Residential Notation] under the Central Otago District Plan.

There are no other notations or landscape classifications pertaining to the site.

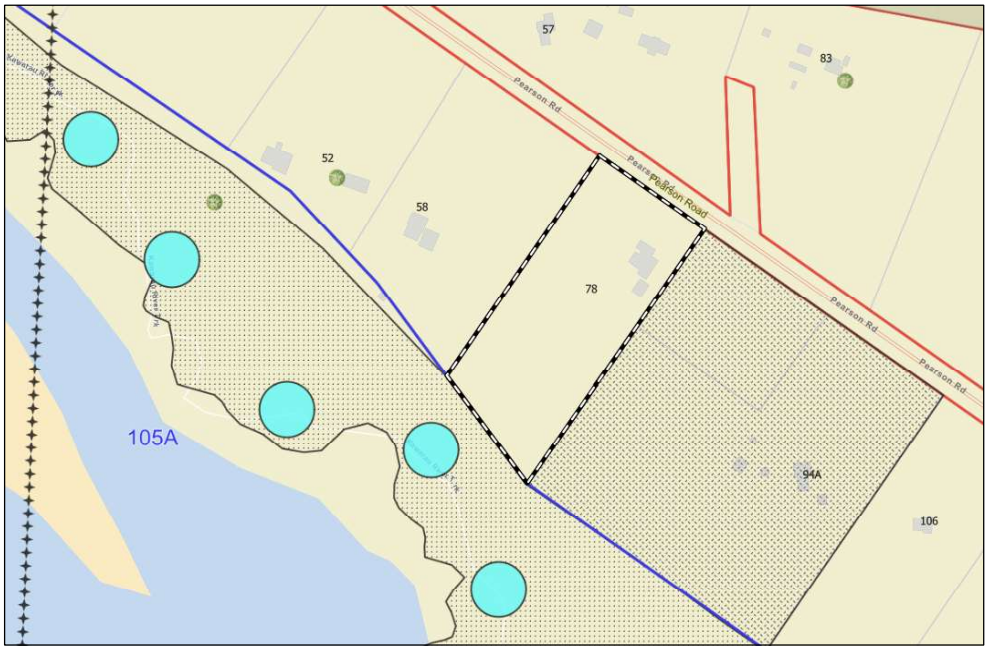


Figure 5: Extract of CODC Planning Map GIS.

The proposal requires resource consent for the following reasons:

Subdivision Consent

In the Rural Residential Notation, a subdivision application can be sought as a Controlled Activity pursuant to Rule 4.7.2(ii)(a) so long as the average allotment size across the subdivision is no less than 2 hectares. There are no minimum allotment sizes in this Zone.

In this case, the allotment areas proposed will be below the average and minimum allotment sizes. The proposal would result in an average of 0.975 hectares. This requires consideration as a **non-complying activity** pursuant to Rule 4.7.5(iii).

Land Use Consent

A **discretionary (restricted) activity** pursuant to Rule 4.7.3(i) applies to a breach to Rule 4.7.6A(a) as it relates to the 25 metre internal setbacks. In this case, the proposed RBP on Lot 2 will be located 8 metres from the western boundary.

Consents not required

Rule 4.7.4(iii)(d) of the District Plan requires a **discretionary activity** land use consent for the subdivision of land that is listed on the District Plan planning maps as subject to Hazards. In this instance, despite the Otago Natural Hazards Database (Otago Natural Hazards Portal (orc.govt.nz)) identifying the site as within an active alluvial fan and liquefaction area, the rule framework of the District Plan does not extend to sites mapped by other means.

In addition, it is noted that the consent notice records potential mine workings in the southern corner of the site. Further advice in relation to this proposal was sought from WSP Opus (attached in **Appendix [F]**) which confirms the proposed platform is not located on an area identified to be underlain by historic mine workings.

As such, no consent is considered required under Rule 4.7.4(iii).

6.2 NATIONAL ENVIRONMENTAL STANDARDS

6.2.1 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

An investigation into the applicability of the NES-CS has been undertaken by Springline Limited and is attached in **Appendix [G]**. In brief, Springline confirms that a DSI was undertaken in June 2024 by Kirk Roberts to support an application associated with the construction of an ~30 m² traveller-accommodation building located in the far southern corner (proposed Lot 2), outside the orchard footprint. The investigation included:

- A review of Otago Regional Council (ORC) and Central Otago District Council (CODC) records including:
  - Environmental data and resource consents
  - ORC Listed Land Use Register (LLUR)
  - Historic Aerial Images (1950 to 2023)
  - Land and Information New Zealand (LINZ) orchard register.
- A site inspection and landowner interview
- Due to the orcharding (2003 onwards) four shallow soil samples were collected from the proposed accommodation building footprint.

Soil analytical results recorded elevated arsenic concentrations above the adopted background criterion (12.06 mg/kg) in two samples. However, all results were at or below the applicable residential Soil Contaminant Standard (SCS) of 20 mg/kg, and no organochlorine pesticides were detected above laboratory reporting limits.

The report provides sufficient background information for the wider site in relation to the proposed subdivision. However, the soil sample results are not considered representative of either the wider orchard block or the nominated building platform for the proposed subdivision, which is located approximately 60 m from the DSI test area.

Furthermore, the adopted background concentration for arsenic (12.06 mg/kg, sourced from the Landcare Research LRIS Portal3) is approximately 100 m from a mapped soil boundary where LRIS ambient arsenic concentrations are reported as 33.77 mg/kg.

Springline then proceeded to carry out an updated risk assessment and makes the following conclusions:

- The 2024 Kirk Roberts DSI sampled a small, peripheral corner unrelated to the proposed building platform/subdivision. The reported trace-element elevations were within expected background concentrations of the wider area, localised, and below residential SCS, and are not representative of orchard soils.

- The orchard is a modern, post-2000 operation. Spray diaries evidence only contemporary, registered products with no legacy organochlorines or arsenical pesticides; accordingly, the orchard does not meet HAIL A10.
- No other HAIL activities have been identified on the site.
- The site does not meet the definition of HAIL and the NES-CS should not apply to the proposed subdivision.

Relying on the assessment above, it is considered that the NES-CS is reconsidered as not applicable.

6.3 OVERALL ACTIVITY STATUS

Overall, the proposal is assessed as a **non-complying activity.**

7 PERMITTED BASELINE

The consent authority may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect.

In the Rural Residential Notation, there are no permitted activities relating to residential dwellings, building platforms or subdivision.

A baseline does exist in terms of buildings (other than residential activities) where the maximum height is 10 metres can be constructed as of right provided these comply with the standards listed in Rule 4.7.6. In addition, a baseline also applies to general earthworks of up to 2,000m^2 in area or 3,000m^3 in volume from any one site are permitted.

8 ASSESSMENT OF EFFECTS

8.1 OVERVIEW

Schedule 4 of the Resource Management Act 1991 (RMA) details the information required to be included in an assessment of environmental effects. An assessment in this regard as it accords to Clause 6 of Schedule 4 is included as follows:

> *If it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:*

The proposed activity will not result in any significant adverse effects on the environment. Any effects there are, will be adequately remedied and mitigated. Alternative locations are therefore not considered necessary.

8.2 EFFECTS ON THE ENVIRONMENT

> *An assessment of the actual or potential effect on the environment of the proposed activity.*

In considering the adverse effects of the proposal, the Central Otago District Plan helpfully outlines the matters[2] to consider for a subdivision in the Rural Resource Area that conform to the averaging criteria. While the proposal does not meet the averaging criteria, these matters provide a helpful guide in which to consider effects. These include:

a. Subdivision Design
b. Effects on Rural Amenity and Landscape Character;
c. Effects on productive capacity of the land;
d. Reverse sensitivity;
e. Access and Servicing;
f. Effects on Heritage Values;
g. Cultural Effect;
h. Effects on wetlands; and
i. Hazards.

8.2.1 Subdivision Design

The proposed subdivision arrangement has been designed to appear consistent and sympathetic with the scale and general character of the surrounding environment, which is characterised by a range of allotment sizes, including 151 Pearson Road (6,406m2), 14 Pearson Road (5,830m2), 49A and 49B Pearson Road (8,252m2 for two dwellings), up to allotments ranging several hectares.

The site is considered to be appropriately sized to accommodate a dwelling and associated servicing as required by Council's Code of Practice.

The site demonstrates legal and practical access.

Design controls limiting the height (to single storey) and colours of future dwellings will ensure that future built form remains consistent to the scale of the built environment that characterises the immediate area. The provision of an RBP will assist in mitigating the spread of domestication beyond the approved platform and assist with the maintenance of open space.

Overall, the subdivision design promoted as part of this application are considered to be entirely appropriate.

8.2.2 Effects on Rural Amenity Values and Landscape Character

In terms of landscape character, the proposal has been assessed by Landscape Architect, Mr Mike Moore in his assessment attached in **Appendix [D]**. Mr Moore considers that the landscape values of the site and surrounding area as:

> *"… natural physical landscape values in the area on the outskirts of Cromwell have been highly modified by historic mining, the creation of Lake Dunstan, farming, horticulture, viticulture and rural lifestyle housing development. There are geo-preservation sites nearby, identified in the New Zealand Geopreservation Inventory[3],*

[2] Under Clause 4.7.4(iii) of the District Plan.
[3] www.geomarine.org.nz/NZGI/

relating to fault zone exposures and historic gold mining, but these are not on the subject property. There is minimal indigenous vegetation remaining in the area.

In terms of associative landscape values, the Kawarau River is identified in Ka huru manu, the Ngāi Tahu Atlas[4], as a traditional Maori travel route and kainga mahinga. The area has a significant gold mining history which is still legible in the riverside landscape and around Bannockburn through sluicing and tailings landforms, and which contributes to its character. There are also now significant recreational values associated with lakeside / riverside walking, visiting vineyards and exploration of historic goldmining era sites.

Perceptual values relate to the productive, settled, horticultural character of the lowland flats and terraces contrasting attractively with the open, natural mountainsides containing the Upper Clutha Valley and with the lake and river. The immediate landscape has a small, enclosed scale due to the orchards, and impact of built elements (relative to vegetation), is modest."

Mr Moore concluded the key landscape values are comprised of:

- Rural / rural-residential character including overall dominance of natural (vegetation) over built elements (despite a moderate level of domestication), and the impact of agricultural, horticultural and viticultural land uses.

- Historic gold mining heritage associations in area below the terrace-top by the Lake Dunstan Kawarau Arm / Kawarau River.

In terms of landscape effects, Mr Moore notes that under the NZILA Landscape Assessment Guidelines, landscape effects are changes to a landscape's physical attributes that result in either positive or adverse outcomes for its values. This assessment considers the proposal against the relevant landscape values and statutory provisions, using the NZILA 7-point rating scale, which corresponds to RMA terminology as set out in *Te Tangi a te Manu*.

Very Low	Low	Low - Moderate	Moderate	Moderate - High	High	Very High
Less than Minor	Minor		More than Minor		Significant	

Figure 6: The seven-point landscape and visual effects rating scale and comparative RMA threshold scale of effect.

In terms of physical effects, Mr Moore notes that the subdivision will introduce an additional dwelling within the rural-residential landscape, increasing overall built density. Given the flat terrace-top topography, required earthworks will be minimal, and proposed mitigation measures, such as controls on building height and colour, planting, and removal of the consented accommodation units, will help reduce visual impact. It is proposed to simply remove the accommodation units altogether should subdivision consent be forthcoming.

Mr Moore notes that the site lies beyond the lake/river environment, which, although highly modified, retains heritage values linked to historic gold mining. Mr Moore considers existing

[4] https://kahurumanu.co.nz/atlas/

development in this corridor already diminishes heritage character to some extent to which Mr Moore considers the proposal will have only a very minor additional adverse effect in this regard, with indigenous planting along the terrace-top providing a small positive contribution to natural character.

Mr Moore considers that while the extra dwelling will affect rural landscape values such as naturalness and openness, the area's low sensitivity, due to prior modification and existing rural-residential character, means it can absorb the change. Subject to the proposed mitigation, Mr Moore concludes the physical landscape effects are assessed as *low adverse* (less than minor).

In terms of visual effects, Mr Moore concludes the following:

- Pearson Road: The proposed Lot 2 building platform is approximately 150 m from Pearson Road and is screened by orchard trees, netting, and other vegetation on neighbouring properties. Future garden plantings and the proposed mitigation measures, such as building height and colour controls, will further reduce visibility. Given the screening, viewing distance, and mitigation, visual effects from Pearson Road are assessed as *very low adverse* (less than minor).

- Lakeside Walking Track: From the lakeside track, the terrace-top orchard, netting, and container are currently visible at distances as close as 50 m. Existing consented accommodation units would also be prominent from this location. While the proposal will add more built form to the terrace top, Mr Moore considers adverse effects on rural character will be reduced through setbacks, building controls, indigenous planting, and relocating the accommodation units to less visually prominent positions. These measures will soften the built form and enhance natural character over time. Effects are assessed as *low–moderate adverse* (minor) initially, reducing to *low adverse* (less than minor) within approximately five years as planting matures.

- Felton Road / Bannockburn Sluicings Historic Reserve: At distances of 1 km or more, the property is viewed as part of a settled rural/rural-residential landscape dominated by orchards and vineyards. The proposal will add one dwelling to an already domesticated setting, with visual effects further minimised by distance, building controls, and planting. Effects are assessed as *very low adverse* (less than minor).

While the proposal will result in the addition of one dwelling within the Rural Residential Notation, the receiving environment is already characterised by a high level of existing domestication, including rural-residential development, orchards, and associated structures. Mr Moore's landscape and visual effects assessment concludes that, given the existing modified character, the low sensitivity of the site to change, and the proposed mitigation measures, including building height and colour controls, setbacks, indigenous planting, and removal of the consented accommodation units, the landscape has the capacity to accommodate the proposed dwelling without compromising rural character, naturalness, or openness.

Visual effects from key public and private viewpoints range from *low–moderate adverse* (minor) in the short term to *very low adverse* (less than minor) once planting matures, with

some small positive effects to natural character anticipated from proposed indigenous planting.

Relying on Mr Moore's assessment, the proposal is considered capable of being absorbed into the existing environment without resulting in more than minor adverse landscape or visual effects. This in term would suggest that the proposal does not represent a cumulative density that would materially undermine the character of the area.

8.2.3 Effects on productive capacity of land and reverse sensitivity

The provision of subdivision in Rural Resource Areas requires consideration of fragmentation of potentially productive land resources.

The site currently has an area of 1.95 of which approximately 1.2 hectares are planted in cherries. The subdivision seeks to subdivide the existing dwelling from the cherry orchard.

The productive capabilities of the site have been evaluated in the assessments prepared by Mr Ray Macleod of Landward Management Ltd and is attached **Appendix [H].**

Mr Macleod advises that the site is currently planted in 1.2 hectares with three varieties of cherries; Stacatto, Sweetheart and Stella.

Existing infrastructure and management associated with the cherries include:

- 1200 square metres of netting
- Water is obtained from an onsite bore supplying 11.9 litre/second in normal operation which do not exceed limits of 17l litre/sec or 462cubic metres per day. Water is available all year round and is distributed across the orchard using under tree micro sprinklers.
- Cherries are harvested when mature and picking is managed by Central Pac. All other orchard labour and management is completed by the owner, Mathstone Enterprises Ltd.
- Frost fighting is by helicopter and frost pots.
- Pesticides, fungicides, insecticides, bactericides and fertilisers are applied annually as required.

In considering the proposed subdivision layout, Mr Macleod considers that the provision of a building platform and associated access and infrastructure would require the removal of approximately 78 trees. However, Mr Macleod considers that this loss could theoretically be recovered through planting additional trees which could practically be made up elsewhere on the site, and therefore no net loss in trees can be achieved.

Notwithstanding, Mr Macleod has also evaluated the financial performance of the cherries over the past five seasons and summarises these as follows:

Season	Stacatto Gross Margin	Sweetheart Gross Margin	Stella Gross Margin	Seasonal Totals
2022/23	-$10,851	-$14,272	$10,119	-$15,004
2023/24	$13,574	$5,345	$15,777	$34,496

2024/25	-$2,277	-$1,649	-$915	-$4,814

Based on these figures, Mr MacLeod considers that the current conventional cherries are not commercially viable, with orchard operations struggling to cover direct costs even before accounting for owner labour and indirect expenses such as insurance and rates. While the cherry crop has value, Mr Macleod considers it does not generate a return on capital or recover the significant unpaid labour inputs (estimated at over 200 hours of physical work plus 100 hours of management and administration annually).

Mr Macleod notes that new varieties are/have been developed that require less space between trees, are higher yielding and mature earlier in the season, including more improved means of irrigation and land management (UFO for example). With smaller spacing and higher yield, Mr Macleod assumes overall yield may improve over time, meaning the loss of trees and the resulting loss of production, to a building platform, is able to be offset to essentially no net loss. Regardless, Mr Macleod maintains that this offset is unlikely to make the orchard financially sustainable.

Mr MacLeod provides advice that dry land pastoral farming is not feasible.

In considering Mr Macleod's assessment, he essentially takes the position that despite the loss of 78 trees (noting the site has 1.2 hectares of planting), these can be recovered elsewhere on the site to offset the loss. The effect is essentially no net loss, irrespective of the proposal. Relying on Mr MacLeod's assessment, it is considered that the status quo should effectively be maintained in terms of productive capacity. Notwithstanding, it is clear from Mr MacLeod's evaluation that the site does not generate an income that would be considered economically viable in isolation and therefore the effects on productive capacity are considered to be no more than minor.

Reverse sensitivity can arise particularly where conflicting activities are located in close proximity to each other. In this case, the adjacent orchard at 94 Pearson Road operates frost fighting via overhead sprinklers and there are no frost fans within 100 metres of the site. As such, the provision of a dwelling in the centre of the subject site is not considered to result in any greater reverse sensitivity effects than what currently occurs.

8.2.4 Servicing

As detailed in Section 5.4, it is considered appropriate to conclude that the subdivision can be suitably serviced in line with the degree of servicing that already applies to existing dwellings in the vicinity of the site.

8.2.5 Access

Pearson Road is classified as a Rural Collector Road as per Schedule 19.7 of the District Plan.

Access for Lot 1 will remain unchanged.

Access for Lot 2 will be via a new vehicle crossing on to Pearson Road and will be constructed in accordance with Council's Roading Policies and the requirements of Figure 12.4 as it relates to a new residential access onto a Rural Collector Road:

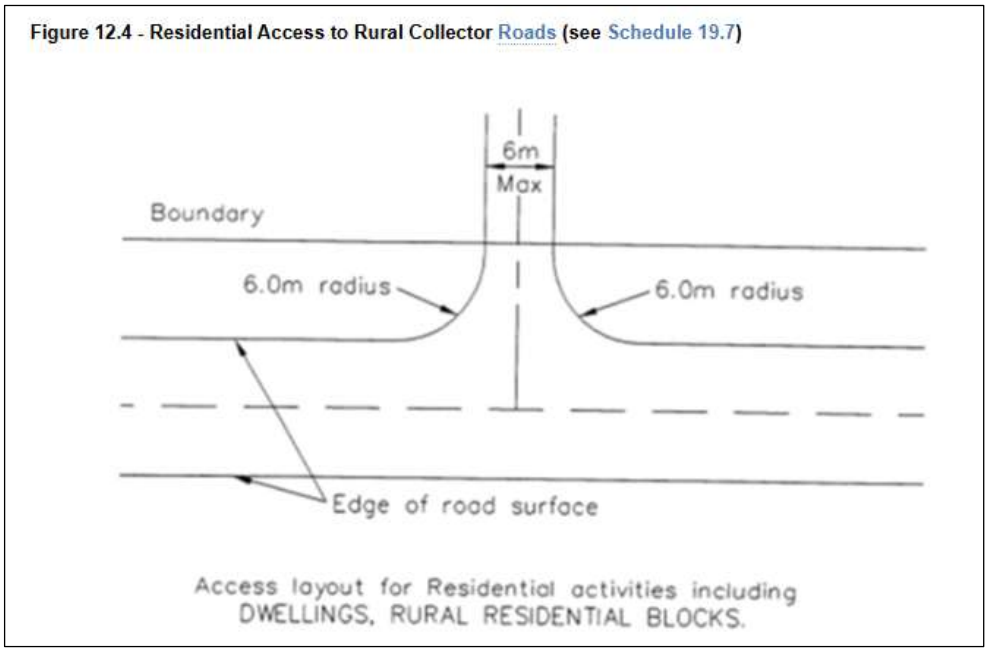


Figure 7: Extract of Figure 12.4 of the District Plan.

It is considered that the access can be constructed in compliance with Standard 12.7.1(iv) of the Central Otago District Plan and therefore effects associated with the use of the access on the roading environment will be no more than minor.

8.2.6 Summary of Effects on Environment

In terms of effects on the environment, it is concluded that these effects will be no more than minor due to:

- The proposed subdivision has been designed to align with the scale and character of the surrounding environment, which comprises a variety of allotment sizes from around 5,800 m² to several hectares. The site is of sufficient size to accommodate a dwelling and required servicing in accordance with Council's Code of Practice, with both legal and practical access provided. Design controls restricting building height to single storey and limiting colours will ensure new built form is in keeping with the existing built environment. The provision of the RBP will contain domestication within a discrete area of the site. Overall, the subdivision design is considered appropriate and compatible with the character of the receiving environment.

- The subdivision does not detract from the wider character, visual amenity or residential amenities insofar as the subdivision represents a logical insertion with the density being one that can be absorbed into the receiving environment.

- Mr Moore assessed the site as part of a highly modified rural-residential setting shaped by historic gold mining, the formation of Lake Dunstan, farming, horticulture, viticulture, and lifestyle development. While the area retains heritage and recreational values, it contains minimal indigenous vegetation and is characterised by orchards and modest built form. Mr Moore concludes that the addition of one dwelling will have *low adverse* (less than minor) physical effects due to the site's low sensitivity to change, minimal earthworks, and proposed mitigation measures, namely building height and colour controls, setbacks, indigenous planting, and removal of consented accommodation units.

- In terms of commercial viability and productive capacity, an evaluation from Mr Ray MacLeod suggests that the site is not commercially viable as an orchard operation, struggling to cover direct costs before accounting for owner labour, fixed overheads, or a return on capital. The cherry crop has value, but operations require significant unpaid labour, estimated at 200 hours of physical work plus 100 hours of management annually. While any loss of production from subdivision is recoverable over time, the site will remain unviable in commercial terms.

- All standard residential servicing requirements can be meet.

Overall, adverse effects on the environment will be no more than minor.

8.3 EFFECTS ON PERSONS

Persons Affected

> *Identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted*

In considering adverse effects on persons, Section 95E(3)(a) of the RMA requires all adverse effects on persons that have provided written approval to be disregarded. In this case, the applicant has obtained written approval from the following persons (and attached in **Appendix [I]**):

Property Address	Legal Description	Owner
94 and 94A Pearson Road, Cromwell	Lots 1 and 2 DP 459560	Alister Stuart
58 Pearson Road, Cromwell	Lot 1 DP 356166	Wallace King
49A and 49B Pearson Road, Cromwell	SEC 101 BLK I CROMWELL SD	Margaret Christie

In terms of effects on other persons, the most relevant properties are those that either adjoin the site or are located directly adjacent the property. These properties are identified in the following figure (Figure 8):

Figure 8: Location of adjacent properties in which effects were considered (red). Properties where APA has been provided highlighted in green.

Property	Relevant effect	Assessment
57 Pearson Road – located on the opposite side of the road and characterised by a 2.7 hectare property which operates a cattery and boarding kennels.	Traffic Effects	The proposed access to proposed Lot 2 is located approximately 80 metres to the south-east of the entrance to this site. As the access is proposed to be constructed in accordance with Council's standards, and the degree of traffic from a single residential unit are unlikely to be materially noticed, effects are considered to be less than minor on this property. In terms of amenity and noise effects from traffic, there are no residential activities nearby that would experience these effects. Traffic effects are therefore less than minor.
	Noise effects	It is unlikely that the residents at this site will materially experience any noise from an additional residential activity at the subject site. The separation distances afforded by virtue of the proposed platform being located in the southern portion of the subject site, coupled with the extensive vegetation plantings and setbacks (on both sites), no noise is expected to be experienced. Effects are therefore less than minor.

	Shading, bulk, privacy and dominance	No adverse shading, bulk, privacy or dominance effects will arise due to the separation distances afforded.
	Amenity effects	As per Mr Moore's landscape assessment, the visual and landscape effects are considered to be less than minor on the basis that the proposal represents a subdivision that is able to be absorbed into the modified character of the receiving environment. The proposal retains the open rural character of the surrounding area while consolidating development to an area capable of absorbing an additional residential dwelling. Accordingly, adverse visual and amenity effects will be less than minor.
	Visual effects	
	Reverse sensitivity	Given the separation distances afforded, reverse sensitivity effects on this property which has a consented kennel and cattery are considered to be less than minor.

Overall, based on the assessment above, no persons are considered adversely affected by the proposal.

8.3.1 Summary of Adverse Effects

Overall, it is considered the proposal suitably mitigates adverse effects on the wider environment and will be no more than minor.

As the proposal is considered to generate no more than minor adverse effects on the environment, no mitigation measures over and above those inherent to the proposal are considered necessary.

9 SECTION 95 NOTIFICATION

9.1 PUBLIC NOTIFICATION

Section 95A gives a council discretion to decide whether to publicly notify an application or not. There are a total of four steps that are to be followed to publicly notify consent applications under Sections 95A (2) to 95A (9). These steps are addressed in the Table below.

Test	Yes/No	Comments
Step 1: Mandatory notification in certain circumstances – section 95A(3)		
Has the applicant requested that the application be publicly notified?	Yes	The applicant volunteer's public notification.
Is public notification required under s95C (following a request for further information or commissioning of report)?	No	
Is the application made jointly with an application to exchange reserve land?	No	

Step 2: If not required by Step 1, notification is precluded if any of these circumstances apply – section 95A(5)		
Does a rule or NES preclude public notification for all aspects of the application?	No	
Is the application a controlled activity?	No	
Is the application a restricted discretionary or discretionary activity for a subdivision?	No	
Is the application a restricted discretionary or discretionary activity for residential activity?	No	
Is the application a boundary activity (other than a controlled activity)?	No	
Step 3: Notification required in certain circumstances if not precluded by Step 2 – section 95A(8)		
Does a rule or NES require public notification?	No	
Will the activity have, or is it likely to have, adverse effects on the environment that are more than minor?	No	As detailed in the assessment undertaken in Section 8.0 above, the effects on the environment are considered to be no more than minor.
Step 4: Relevant to all applications that don't already require notification – section 95A(9)		
Do special circumstances exist that warrant the application being publicly notified?	No	

9.2 LIMITED NOTIFICATION

Section 95B gives a council discretion for limited notification of consent application. Similar to public notification, there are a total of four steps that are to be followed for limited notification consent applications under Sections 95B (2) to 95A (10). These steps are addressed in the below Table:

Test	Yes/No	Comments
Step 1: Certain affected groups/persons must be notified – sections 95B(2) and (3)		
Are there any affected protected customary rights groups or customary marine title groups?	No	
If the activity will be on, adjacent to, or might affect land subject to a statutory acknowledgement - is there an affected person in this regard?	No	
Step 2: If not required by Step 1, notification is precluded if any of the following apply – section 95B(6)		
Does a rule or NES preclude limited notification for all aspects of the application?	No	
Is the application a controlled activity?	No	
Step 3: Notification of other persons if not precluded by Step 2 – sections 95B(7) and (8)		
In the case of a boundary activity, is the owner of an allotment with an infringed boundary considered affected under s95E?	No	
Are there any other affected persons under s95E, i.e. persons on whom the effects are minor or more than minor, and who have not given written approval?	No	As per the assessment undertaken in Section 8.0 above, no persons

		are considered to be adversely affected by the proposal.
Step 4: Notification in special circumstances – section 95B(10)		
Do special circumstances exist that warrant the application being notified to any persons not identified above?	No	

9.3 NOTIFICATION CONCLUSION

The applicant volunteers public notification.

10 SECTION 104(1)(b) ASSESSMENT

10.1 OVERVIEW

Clause 2(1)(g) of Schedule 4 of the Resource Management Act 1991 requires an assessment against any relevant planning documents that are referred to in Section 104(1)(b) (of the RMA). This includes;

- A national environmental standard
- Other regulations
- A national policy statement
- A New Zealand coastal policy statement
- A regional policy statement or proposed regional policy statement
- A plan or proposed plan

10.2 NATIONAL POLICY STATEMENTS

10.2.1 National Policy Statement for Highly Productive Land

The National Policy Statement for Highly Productive Land (NPS-HPL) was made operative on 17 October 2022.

The site is within Land Use Capability Class 6 soils[5] as illustrated in Figure 9 below.

[5] https://ourenvironment.scinfo.org.nz/maps-and-tools/app/Land%20Capability

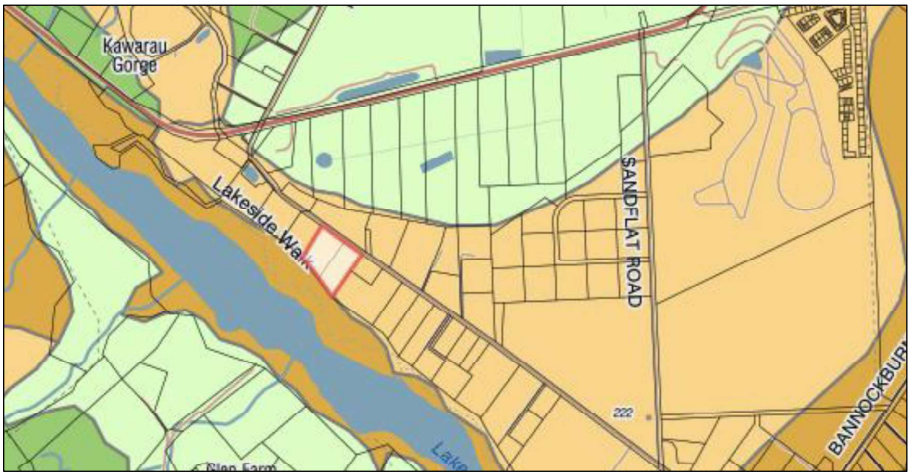


Figure 9: Extract of LUC Class Maps. Location of site approximate.

Highly productive land is tentatively defined under Clause 3.5(7)(a) of the NPS as land that is:

(i) zoned general rural or rural production; and
(ii) LUC 1, 2, or 3 land

While the site is used for rural production (and residential living), it is zoned Residential Resource Area and is classified as LUC 6. Therefore, the site is not defined Highly Productive Land and therefore the NPS-HPL does not apply.

10.3 REGIONAL POLICY STATEMENT

The relevant regional policy statements include:

- The Partially Operative Otago Regional Policy Statement 2019; and
- Proposed Regional Policy Statement 2021

10.3.1 Partially Operative Otago Regional Policy Statement 2019 (RPS2019)

Table 1: Assessment of the relevant objectives and policies of the Partially Operative Regional Policy Statement 2019.

Provision	Description	Assessment
Objective 1.1	Otago's resources are used sustainably to promote economic, social, and cultural wellbeing for its people and communities.	In this case, the relevant resource is considered to be that of the land resource itself. As per the landscape assessment, and the productive land assessment, the proposal is not considered to materially undermine rural character nor will there be a net loss in primary production as advised by Mr MacLeod. At the same time, the proposal promotes the economic and

		cultural wellbeing of the applicant and community through the provision of additional allotments on land that is able to support the additional growth. The proposal is **consistent** with this Objective.
Policy 3.2.4	Managing outstanding natural features, landscapes and seascapes Protect, enhance or restore outstanding natural features, landscapes and seascapes, by all of the following: a) In the coastal environment, avoiding adverse effects on the values (even if those values are not themselves outstanding) that contribute to the natural feature, landscape or seascape being outstanding; b) Beyond the coastal environment, maintaining the values (even if those values are not themselves outstanding) that contribute to the natural feature, landscape or seascape being outstanding; c) Avoiding, remedying or mitigating other adverse effects; d) Encouraging enhancement of those areas and values that contribute to the significance of the natural feature, landscape or seascape.	As per the landscape assessment, the proposed dwelling and associated access are considered to be appropriately integrated into the receiving environment without detracting from the character values of the wider landscape. The proposal is considered to be **consistent** with these provisions.
Policy 3.2.6	Managing highly valued natural features, landscapes and seascapes Maintain or enhance highly valued natural features, landscapes and seascapes by all of the following: a) Avoiding significant adverse effects on those values that contribute to the high value of the natural feature, landscape or seascape; b) Avoiding, remedying or mitigating other adverse effects; c) Encouraging enhancement of those values that contribute to the high value of the natural feature, landscape or seascape.	
Objective 5.3	Sufficient land is managed and protected for economic production.	As per Mr Macleod's assessment, Mr McLeod advises that despite the loss of 78 trees (noting the site has 1.2 hectares of planting), these can be recovered elsewhere on the site to offset the loss. The effect is essentially no net loss, irrespective of the proposal. Relying on Mr MacLeod's assessment, it is considered that the status quo should effectively be maintained in terms of productive capacity and therefore I consider the proposal is **consistent** with Objective 5.3 and Policy 5.3.1 by maintaining productive capacity.
Policy 5.3.1	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; f) Providing for other activities that have a functional need to locate in rural areas.	

Objective 5.4	Adverse effects of using and enjoying Otago's natural and physical resources are minimised.	The proposal does not compromise the landscape values as per the landscape assessment. The proposal is **consistent** with this Objective.

10.3.2 Proposed Regional Policy Statement 2021

The proposed Otago Regional Policy Statement 2021 was notified on 26 June 2021. Following a determination by the High Court, the pORPS 2021 was separated into two parts: a freshwater and a non-freshwater planning instrument. The non-freshwater instrument kept the original notification date and the freshwater planning instrument part was notified on 30 September 2022.

ORC notified its decisions on submissions on the proposed Otago Regional Policy Statement on 30 March 2024. Appeals have been received.

Relevant objectives and policies are as follows:

Provision	Description	Assessment
UFD-P8 (under appeal)	Rural lifestyle development The establishment, development or expansion of rural lifestyle development only occurs where: (2) it avoids land identified for future urban development in a relevant plan or land reasonably likely to be required for its future urban development potential, where the rural lifestyle or rural residential development would foreclose or reduce efficient realisation of that urban development potential, (3) it minimises impacts on existing or anticipated primary production, rural industry and other rural activities and the potential for reverse sensitivity effects, (4) it avoids highly productive land except as provided for in the NPS-HPL, (5) the suitability of the area to accommodate the proposed development is demonstrated, including (a) capacity for servicing by existing or planned development infrastructure (including self- servicing requirements), (b) particular regard is given to the individual and cumulative impacts of water supply, wastewater disposal, and stormwater management including self-servicing, on the receiving or supplying environment and impacts on capacity of development infrastructure, if provided, to meet other planned urban area demand, and (c) likely future demands or implications for publicly funded services including emergency services and additional infrastructure	The proposal seeks to develop rural lifestyle zoned land in a manner that is consistent with the character of the prevailing area and will not generate densities reserved for urban residential zones as established under PC19. As per Mr McLeod's assessment, the proposal is not considered to reduce productive capacity. The NPS-HPL is not applicable. The suitability of the proposed development is detailed herein to be provided necessary infrastructure to accommodate a future residential activity without compromising existing primary production. The proposal is **consistent** with this provision.

Overall, the proposal is considered to be consistent with the relevant Regional Policy Statements.

10.4 DISTRICT PLAN

10.4.1 Central Otago District Plan

With regard to the Central Otago District Plan, I have assessed the most relevant Objectives and Policies as follows:

Provision	Description	Assessment
4.3.1	Objective - Needs of the District's People and Communities To recognise that communities need to provide for their social, economic and cultural wellbeing, and for their health and safety at the same time as ensuring environmental quality is maintained and enhanced.	Objective 4.3.1 is considered to be met insofar as the use of the land as proposed would provide for the economic wellbeing for the applicant and future lot owners through the sale and ownership of the property. Based on advice from Mr MacLeod, the site in its current form does not contribute in any meaningful capacity to the primary production industry nor does it provide in any form to the wellbeing of the community. The proposal would provide for the social wellbeing of future lot owners through the provision of housing and accommodation in an area where residential activities are anticipated by the underlying Zoning. In addition, an effects assessment on the environment concludes that such effects will be appropriately avoided, remedied or mitigated and therefore environmental quality is at least maintained. The proposal is therefore considered to be consistent with Objective 4.3.1.
4.3.3	Objective - Landscape and Amenity Values To maintain and where practicable enhance rural amenity values created by the open space, landscape, natural character and built environment values of the District's rural environment, and to maintain the open natural character of the hills and ranges.	Objective 4.3.3 and associated Policy 4.4.2 details rural amenity values as being attributed to the open space, landscape, natural character and built environment. Policy 4.4.2 elaborates the various techniques that can be employed to manage these effects, including the avoidance of skyline breaches, the extent to which development is compatible with the surrounding environment and consideration with the location of buildings. As per the landscape assessment, Mr Moore assessed the site as part of a highly modified rural-residential setting shaped by historic gold mining, the formation
4.4.2	Policy– Landscape and Amenity Values To manage the effects of land use activities and subdivision to ensure that adverse effects on the open space, landscape, natural character and amenity values of the rural environment are avoided, remedied or mitigated through: (a) The design and location of structures and works, particularly in respect of the open natural character of	

	hills and ranges, skylines, prominent places and natural features, (b) Development which is compatible with the surrounding environment including the amenity values of adjoining properties, (c) The ability to adequately dispose of effluent on site, (d) Controlling the generation of noise in back country areas, (e) The location of tree planting, particularly in respect of landscape values, natural features and ecological values, (f) Controlling the spread of wilding trees. (g) Encouraging the location and design of buildings to maintain the open natural character of hills and ranges without compromising the landscape and amenity values of prominent hillsides and terraces.	of Lake Dunstan, farming, horticulture, viticulture, and lifestyle development. While the area retains heritage and recreational values, it contains minimal indigenous vegetation and is characterised by orchards and modest built form. Mr Moore concludes that the addition of one dwelling will have *low adverse* (less than minor) physical effects due to the site's low sensitivity to change, minimal earthworks, and proposed mitigation measures, namely building height and colour controls, setbacks, indigenous planting, and removal of consented accommodation units. Mr Moore assessed visual effects from key viewpoints as: • Pearson Road – *Very low adverse* (less than minor) due to screening, distance, and mitigation. • Lakeside Walking Track – *Low–moderate adverse* (minor) initially, reducing to *low adverse* (less than minor) within approximately five years as planting matures. • Felton Road / Bannockburn Sluicings – *Very low adverse* (less than minor) due to viewing distance and mitigation. Overall, Mr Moore considers the landscape and visual environment can absorb the proposal without compromising rural character, openness, or naturalness. As a result, the proposal is considered to be broadly consistent with the Policy framework noted above. Through conditions of consent, it is considered that suitable provision for servicing can be provided to the development, ensuring future residential activities are appropriately serviced. Onsite wastewater is determined to be feasible. The proposal is therefore not contrary to these provisions.

4.4.8	Policy - Adverse Effects on the Amenity Values of Neighbouring Properties. To ensure that the effects associated with some activities including (but not limited to): (a) Noise (including noise associated with traffic generation, night time operations), and vibration, (b) The generation of a high level of traffic, in particular heavy vehicles, (c) Glare, particularly from building finish, (d) A reduction in visual amenity due to excessive signage and the storage of goods or waste products on the site, (e) The generation of odour, dusts, wastes and hazardous substances, and (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.	The effects of the proposal on adjoining neighbours are disregarded in terms of the written approvals provided. All effects on adjacent properties where written approval has not been provided are evaluated as less than minor.
4.4.9	Policy - Effects of Rural Activities To recognise that some rural activities, particularly those of a short duration or seasonal nature, often generate noise and other effects that can disturb neighbours by ensuring that new developments locating near such activities recognise and accept the prevailing environmental characteristics associated with production and other activities found in the Rural Resource Area.	No additional sensitive receptors are proposed and therefore no additional concerns with regard to rural activities is considered to result.
4.4.10	To ensure that the subdivision and use of land in the Rural Resource Area avoids, remedies or mitigates adverse effects on: a. The open space, landscape and natural character amenity values of the rural environment in particular the hills and ranges, b. The natural character and values of the District's wetlands, lakes, rivers and their margins, c. The production and amenity values of neighbouring properties, d. The safety and efficiency of the roading network, e. The loss of soils with special qualities, f. The ecological values of significant indigenous vegetation and significant habitats of indigenous fauna, g. The heritage and cultural values of the District, h. The water quality of the District's surface and groundwater resources, and i. Public access to or along the rivers and lakes of the District, particularly through the use of minimum (and average) allotment sizes.	Policy 4.4.10 seeks to ensure that subdivision and land use avoids, remedies or mitigates adverse effects on a range of matters. These matters are addressed in my assessment of environmental effects, and I am generally satisfied that the proposal is not contrary to this policy.
4.3.7	Objective - Soil Resource To maintain the life-supporting capacity of the District's soil resource to ensure that the needs of present and future generations are met.	Objective 4.3.7 seeks to ensure the life supporting capacity of soils are maintained to ensure the needs of present and future generations are met. As assessed by Mr MacLeod, despite the site and existing cherry operation not representing a

		financially sustainable operation, the proposal is not considered to result in a net loss of the existing production by virtue of Mr MacLeod being satisfied that any trees removed can be offset within the site. In considering Mr MacLeod's assessment, this would suggest that if no net loss can be determined, then this would suggest that the status quo will be maintained and therefore the proposal is not contrary to this Objective.
16.3.1	To ensure that subdivision avoids, remedies, or mitigates adverse effects on the safe and efficient operation of the districts roading network.	The proposal will have a negligible effect on the safe and efficient operation of the district's roading network.
16.3.2	To ensure that subdivisions provide all necessary services and infrastructure without adversely affecting the public interest and the ongoing viability of those services and infrastructure.	Appropriate servicing has been demonstrated as per the Infrastructure Feasibility Assessment.
16.3.4.	To ensure, where appropriate, that amenity values of the district created by the open space, landscape and natural character values, and areas of significant indigenous vegetation, significant habitat of statutorily managed sports fish and game are not adversely affected by subdivision.	As per Mr Moore's assessment, the open space, landscape and natural character values are considered to remain intact due to the subdivision representing one that can be absorbed into the modified environment in which it sits.

10.4.2 Section 106

Pursuant to Section 106 of the RMA, a consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that the land is or is likely to be subject to, or is likely to accelerate material damage from natural hazards, or where sufficient provision for legal and physical access to each allotment has not been made.

In this case, access to the proposed allotments have been demonstrated.

As per the assessment on natural hazards as undertaken by Meyer Cruden and WSP, it is concluded that the subdivision will not exacerbate natural hazards.

10.4.3 Section 104D

When dealing with non-complying activities, before granting an application a council must be satisfied that either the adverse effects of the activity on the environment will be minor (s104D(1)(a)), or the proposed activity will not be contrary to the objectives and policies of a proposed plan and/or plan (s104D(1)(b)).

With respect to the assessment above, the first gateway test for a non-complying activity required under section 104D(1)(a) has been met in that the application will not have an

adverse effect on the environment which is more than minor. I conclude the effects are no more than minor for my reasons set out above.

With respect to the second gateway test under section 104D(1)(b), the application is considered broadly consistent with the relevant policies and objectives of the Rural Resource Area. I consider that overall, the proposal is not at odds with the core intent of the Zone, and therefore is **not contrary** to this intent.

Accordingly, as the application has passed both of the gateway tests in s104D, I consider consent can be granted for this non-complying activity.

10.4.4 Precedent

For completeness, it is appropriate at this point to consider precedent. While precedent is not an 'effect' in of itself, they remain relevant considerations pursuant to sections 104(1)(b)(vi) and (c) of the RMA.

Each application needs to be considered on its own merits, noting that Council has full discretion when considering an application to subdivide[6] or establish residential activities[7] in the Rural Residential Notation beyond that of a controlled activity.

Broadly speaking, the District Plan requires prospective applicants seeking subdivision (in the Rural Residential Notation to satisfy the decision maker that effects on the environment are appropriately avoided, remedied or mitigated. Assuming one can satisfactorily demonstrate that effects have been suitably avoided or mitigated, then the proposal can be granted. If the effects of the proposal are not suitably mitigated or are inappropriate, then that proposal can be declined.

The land is located within the Rural Residential Notation of the District, being a subzone that contemplates residential activities, co-located with productive activities where appropriate. There are no minimum allotment sizes in this Zone.

In terms of effects, the proposal is considered to generate no more than minor adverse effects on the environment, and does not detract from rural amenity values given the lack of these values applying, with the site more appropriately lending itself to residential insertion, in line with the character of the receiving environment. This is further supported by the evaluation undertaken by Mr MacLeod that determines that the productive capacity of the site is not economically viable, despite the fact that no "net loss" is proposed.

The proposal is considered not contrary to the relevant objectives and policies of the District Plan noting that much of the provisions pertaining to the Rural Resource Area are not entirely applicable to the subject site.

In my assessment, granting consent to this subdivision will not create an adverse precedent. The proposal has been assessed on its individual merits, including the site's modified character, low sensitivity to additional built form, and specific mitigation measures that ensure landscape, visual, and rural character values are maintained. The receiving

[6] Given that subdivision is at a minimum, a Discretionary Activity under Rule 4.7.4(ii).
[7] Where there is more than one dwelling proposed per Title.

environment is already characterised by a moderate level of domestication, and the economic viability of the land for primary production is limited.

Importantly, the decision to grant consent would not imply that similar applications elsewhere in the Rural Residential Notation would necessarily be appropriate, as each proposal must be assessed against its own environmental context and the relevant planning provisions.

For these reasons, I consider the proposal will not result in an adverse precedent on the Rural Residential Notation generally.

11 PART 2 ASSESSMENT

11.1 OVERVIEW

The proposal is consistent with Part 2 of the Act, being the sustainable management of natural and physical resources, whilst also protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

11.1.1 SECTION 5

The purpose of the Act as stated in s5(1) of the RMA is, "to promote the sustainable management of natural and physical resources".

Section 5(2) of the Act defines "sustainable management" as:

> *… managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well being and for their health and safety while –*
>
> *(a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
>
> *(b) Avoiding, remedying, or mitigating any adverse effects of activities on the environment."*

As detailed throughout, the density of development proposed is consistent with the intensity of development that characterises the immediate area.

A myriad of conditions are promoted to mitigate actual and potential adverse effects on the environment and therefore effects are considered to be appropriately avoided, remedied or mitigated.

It has been established that the site is constrained in its ability to provide a viable contribution for primary production. The proposal is considered to represent sustainable management where adverse effects on the environment have been appropriately mitigated whilst providing for the social, cultural and economic wellbeing of the applicant. The activity represents a logical and appropriate use of the land resource irrespective of the zone that applies.

11.1.2 SECTION 6

Section 6 relates to matters of national importance. There are no matters of national importance that are considered to apply to this site.

11.1.3 SECTION 7

Section 7 relates to 'other matters'. The matters of relevance are considered to be as follows:

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

Again, all of these matters have been addressed in the above assessment noting that the proposal represents an efficient use of the land through developing the site in a manner that does not detract from the character of the surrounding area.

On balance, the proposal is considered consistent with Section 7 of the RMA.

11.1.4 SECTION 8

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi.

The proposal is not considered to be at odds with the principles of the Treaty of Waitangi.

11.1.5 CONCLUSION

When taking a balanced assessment of the proposal, it is considered that the proposal will not generate an inappropriate degree of adverse effects on the environment all the while generating positive effects in the form of providing for social, cultural and economic wellbeing.

Consequently, the proposal is considered to achieve Part 2 of the Act.

12 SUMMARY

Resource consent is sought to undertake a two-lot subdivision of the property at 78 Pearson Road, Cromwell.

Overall, the activity is assessed as a **non-complying activity.**

The actual and potential effects on the environment have been outlined in section 8 of this report where it is concluded that the proposed activity will not have any adverse effects on the environment that are more than minor. Accordingly, the proposal does not meet the threshold in which to be publicly notified.

No persons are considered to be adversely affected by the proposed subdivision as detailed throughout and therefore the proposal does not warrant Limited Notification.

Pursuant to Section 106 of the RMA, a consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that the land is or is likely to be subject to, or is likely to accelerate material damage from natural hazards, or where sufficient provision for legal and physical access to each allotment has not been made. In this case, access to the proposed allotments have been demonstrated to which easements will ensure legal access is maintained. Further, it is demonstrated that the subdivision will not exacerbate natural hazards.

The proposal is considered consistent with the relevant objectives and policies of the Operative and Proposed Regional and District Plans and meets the purpose and principles of the Resource Management Act 1991.

With respect to the assessment above, the first gateway test for a non-complying activity required under section 104D(1)(a) has been met in that the application will not have an adverse effect on the environment which is more than minor. I conclude the effects are no more than minor for my reasons set out above.

With respect to the second gateway test under section 104D(1)(b), the application is considered to not be contrary to the relevant policies and objectives of the relevant plans. I consider that not all provisions are inherently relevant but those that are, will not be at odds with what is proposed and therefore not contrary.

Accordingly, as the application has passed both of the gateway tests in s104D, I consider consent can be granted for this non-complying activity.

RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD

Guaranteed Search Copy issued under Section 60 of the Land Transfer Act 2017

R.W. Muir
Registrar-General
of Land

Identifier **229045**

Land Registration District **Otago**

Date Issued 20 December 2006

Prior References
OT13A/916

Estate Fee Simple

Area 1.9535 hectares more or less

Legal Description Lot 2 Deposited Plan 356166

Registered Owners
Mathstone Enterprises Limited

Interests

Subject to i) water rights and certain other rights (in gross) over the within land together with incidental rights in favour of the Cromwell Development Company Limited ii) a grant by way of profit (in gross) over the within land together with incidental rights in favour of the Cromwell Development Company Limited created by Transfer 110668

Appurtenant hereto is a right to convey electricity specified in Easement Certificate 763419.1 - 17.9.1990 at 9:09 am

Appurtenant hereto is a right to convey water created by Transfer 766020 - 25.10.1990 at 9:20 am

7172093.3 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 20.12.2006 at 9:00 am

Subject to a right to pump water over part marked G, convey water over part marked H and convey electricity over part marked F on DP 356166 created by Easement Instrument 7172093.4 - 20.12.2006 at 9:00 am

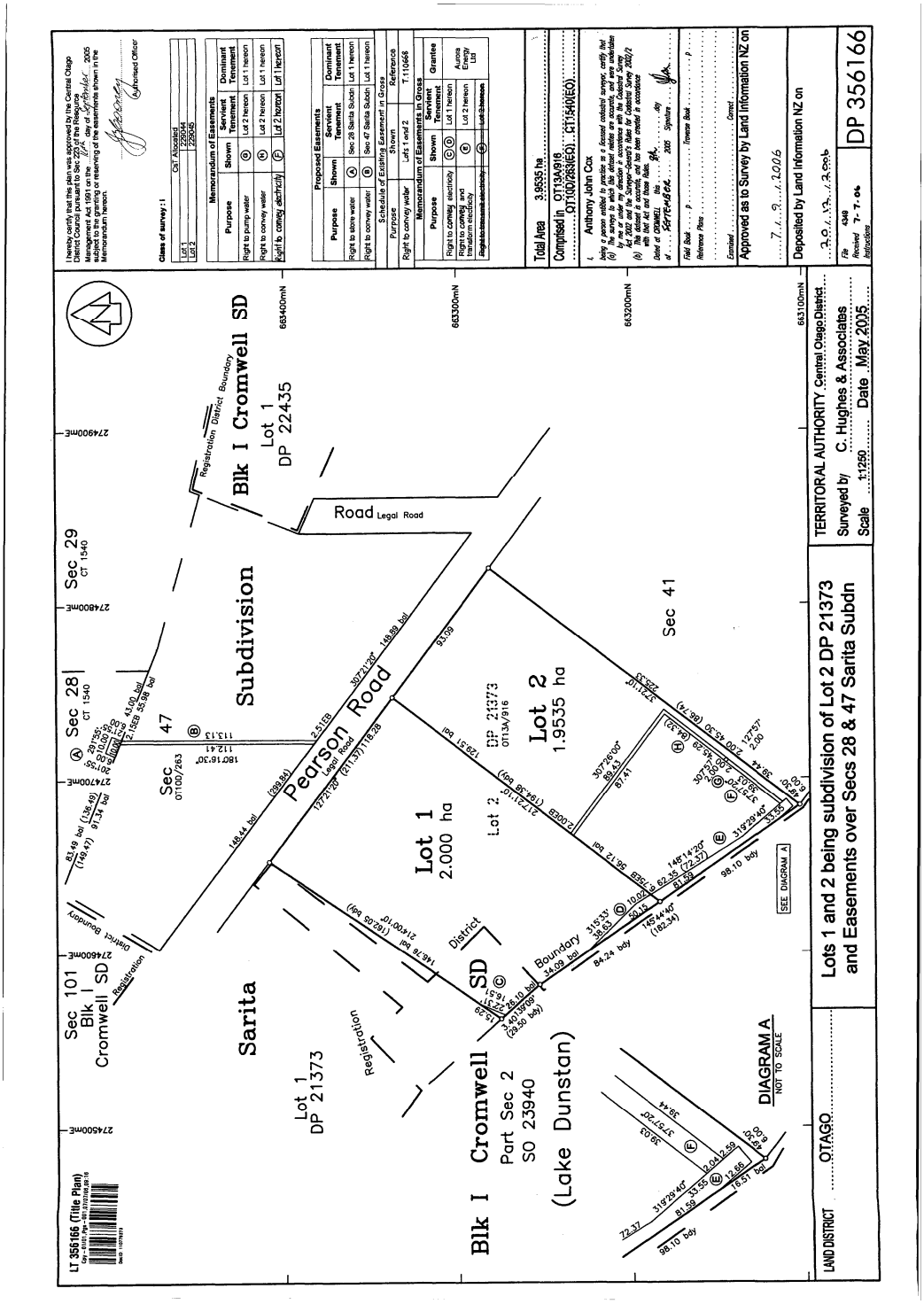
The easements created by Easement Instrument 7172093.4 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to convey electricity and establish and maintain an electricity transformer and ancillary equipment over part marked E on DP 356166 in favour of Aurora Energy Limited created by Easement Instrument 7172093.5 - 20.12.2006 at 9:00 am

The easements created by Easement Instrument 7172093.5 are subject to Section 243 (a) Resource Management Act 1991

9904979.1 Variation of the conditions of the easement specified in Easement Instrument 7172093.4 - 9.12.2014 at 11:09 am

Identifier **229045**



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Cpy - 01/01, Pgs - 001, 19/12/06.14
DocID: 110831177

Consent Notice

PURSUANT TO SECTION 221 OF THE RESOURCE MANAGEMENT ACT 1991

THE CENTRAL OTAGO DISTRICT COUNCIL hereby requests the District Land Registrar to annotate his memorial with the following Consent Notice issued with respect to:

A. Lots 1 and 2 Deposited Plan 356166

1. If koiwi (human skeletal remains) waahi taoka (resource or object of importance), waahi tapu (place or feature of special significance) or any other artefact material are found on the property, work shall cease to allow for a site inspection by the appropriate Runaka and their advisors who will determine if the discovery is likely to be extensive and whether a thorough site investigation will be required. Materials discovered shall be handled and removed by takata whenua who possess knowledge of tikanga (protocol) appropriate for the removal or preservation of those artefacts.

B. Lot 2 Deposited Plan 356166

1. At the time a dwelling is erected on Lot 2 domestic water and fire fighting storage is to be provided by a minimum of one standard 23,000 litre tank on Lot 2 that shall be finished in natural tones. Of this total capacity, a minimum of 14,000 litres shall be maintained at all times as a static fire fighting reserve. A fire fighting connection is to be located within 90 metres of any dwelling on the site. In order to ensure that connections are compatible with New Zealand Fire Service equipment the fittings are to comply with the following standards:
   a) Either: 70mm Instantaneous Couplings (Female) NZS 4505, or 100mm and 140mm Suction Coupling (Female) NZS 4505 (hose tail is to be the same diameter as the threaded coupling e.g. 140mm coupling has 140mm hose tail).
   b) The connection shall have a hardstand area adjacent to it to allow a New Zealand Fire Service appliance to park on it. Access shall be maintained at all times to the hardstand area.
2. Fire fighting water supply may be provided by means other than described in condition 1 above if the written approval of the New Zealand Fire Service is obtained for the proposed method.
3. Effluent from any dwelling constructed on Lot 2 shall be disposed of in an approved sewage system designed and sited to comply with the Building Code and AS/NZS 1547:2000 "On Site Domestic Wastewater Management," shall be sited in a position that will comply with the Otago Regional Council's rules and shall be serviced regularly recording the time, date and maintenance undertaken.
4. Any application for a resource consent to erect a dwelling on Lot 2 shall be accompanied by written comment from a qualified professional that addresses the risk associated with any old mining workings under Lot 2 and any remedial measures necessary to avoid, remedy or mitigate the adverse effects of such a hazard.

SIGNED at Alexandra this 28th
day of September 2006

.....
Authorised Officer

SUBJECT TO RESOURCE CONSENT
ISSUED FOR REVIEW
PEARSON ROAD
NEW VEHICLE ACCESS
EXISTING VEHICLE ACCESS
1
DP 356166
LOT 1
0.40 ha
LOT 2
1.55ha
SEPTIC TANK
2
DP 459560
1
DP 459560
BUILDING PLATFORM
35m x 20m
CROWN LAND
PROPOSED MITIGATION PLANTING
NEW WATER SUPPLY TO BE SOURCED FROM EXISTING BORE ON SITE
DRAINAGE FIELD
WATER BORE
EXISTING POWER TRANSFORMER
NEW POWER SUPPLY TO BE SOURCED FROM EXISTING OVERHEAD TRANSFORMER ON SITE
CROWN LAND
38.8
54.2
73.7
21m
194.4
50
73.6
20m
54
116.5m
8m
20.8m
151.7
NOTES
Boundaries sourced from GRIP NZ website, indicative only.
Power infrastructure sourced from Aurora Energy GIS website, indicative only. Septic tank position indicative on Lot 1.
LANDPRO
OFFICES IN CROMWELL, GORE AND NEW PLYMOUTH - www.landpro.co.nz
Client
MATHSTONE ENTERPRISES LIMITED
POTENTIAL 2 LOT SUBDIVISION OF LOT 2 DP 356166
78 PEARSON ROAD, CROMWELL
Job No. 25091
Drawing No. 03
Scale 1:1000@ A3
Datum & Level LPEAK 2000&VD16
Rev. D
C:\12d\SVdata\SERVER2008R2\25091\2 Lot Subdivision 78 Pearson Road_6869\CAD\25091_04_Scheme.dwg Plotted: 09/09/2025

Proposed Subdivision and Building Platform, 78 Pearson Road, Cromwell

Landscape Effects Assessment Report

7 July 2024

Prepared by

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BSc, Dip LA, MRRP, ANZILA

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Introduction

Mathstone Enterprises Ltd is applying for resource consent to subdivide its 1.95 ha property at 78 Pearson Road, Cromwell, into two lots. There is already a dwelling on the property and the proposal is for a lot of 0.4 ha encompassing the existing dwelling, to be subdivided off at the northern end of the property. A 35 x 25m^2 building platform is proposed on the 1.55ha balance lot (Lot 2) at its southern end.

The property is zoned Rural Residential in the Central Otago District Plan (CODP), and the application for subdivision is a non-complying activity in the CODP in terms of Rule 4.7.5(iii) as it fails to comply with the 2 ha average area for allotments standard.

This report addresses the landscape effects of the proposed subdivision and building platform, and will be structured as follows:

- Methodology.
- Site and area description.
- Landscape values.
- The proposed development and recommended mitigation measures.
- Landscape effects assessment.
- Assessment against the relevant Central Otago District Plan provisions; and
- Conclusion.

Methodology

This assessment follows the concepts and principles outlined in the New Zealand Institute of Landscape Architects (NZILA) Best practice guidelines[1], and has been informed by a review of the relevant statutory provisions and a site visit on 27 May 2025.

[1] Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines, Tuia Pito Ora New Zealand Institute of Landscape Architects, July 2022.

Site and area description

As shown in **Figure 1**, the property is located at 78 Pearson Road, Cromwell, between the road and the top of a river terrace associated with the Kawarau River / Kawarau Arm, Lake Dunstan. The topography is flat terrace-top, and the geology is quaternary outwash gravels[2].

Presently, the property has a dwelling in its north-east corner near Pearson Road, along with an associated shed, water tank and garden curtilage area. The remainder of the land is developed as a cherry orchard, with trees in north-east – south-west aligned rows under netting (approximately 5m high). There is currently a storage container at the south-east corner of the property and a powerline runs along the terrace top along the southwestern property boundary on approximately 9m high poles.

There is an existing resource consent[3] to construct two small visitor accommodation cabins close to the escarpment edge, each no greater than 30m^2 in footprint and 3.5m in height. These are to be finished in dark colours and / or natural materials. There are no boundary plantings on the property itself, but both properties to either side have alder hedgerows.

I assess the relevant landscape context in this case, as the lowlands at the southern end of the Upper Clutha Valley to the south of Cromwell. This is a relatively intensively settled area with a mixture of rural, rural residential and large-lot residential zoning on valley flats and terraces. The geomorphological centerpiece is the Kawarau River / Kawarau Arm Lake Dunstan and the valley landscape is surrounded by mountain ranges (Pisa, Carrick, Cairnmuir and Dunstan) with an expansive open, highly natural character.

The settlement of Bannockburn lies to the south of the river and land use on the valley flats and terraces is largely a mixture of pasture, plantation, orchards, vineyards, and rural lifestyle housing. Historic gold mining features including tailings and sluicing landforms are notable features of the landscape. There is a Lakeside walking track / heritage trail which follows the northern shoreline of Lake Dunstan / true left side of the

[2] Turnbull I, 2000, Geology of the Wakatipu Area, Institute of Geological & Nuclear Sciences Ltd
[3] CODC RC 240216

Kawarau River in this area (adjacent to the site) and the Bannockburn Sluicings Historic Reserve is across the river from the site to the south.

The Kawarau River / Lake Dunstan is the main 'natural' landscape feature of the area and this is highly modified by historic gold mining activity, the influence of river damming downstream and by naturalized exotic plants (including willow. buddleia, briar rose, pine etc).

Figures 2 - 9 illustrate the character of the site and area.

Landscape values

Landscape and landscape values are defined in the NZILA Landscape Assessment Guidelines[4] as follows:

'Landscape embodies the relationship between people and place. It is the character of an area, how the area is experienced and perceived, and the meanings associated with it'.

Landscape values are – '*The reasons a landscape is valued. Values are embodied in certain attributes'.*

The property is not within areas mapped in the CODP as outstanding natural landscapes (ONL) or significant amenity landscapes (SAL), but the values outlined in the CODP for rural zoned areas are applicable. These, as generally discussed in the Plan and its supporting landscape assessment[5] are based on its distinctive flat topped, fault block mountain ranges, its semi-arid character expressed through extensive tussock grasslands, the powerful Clutha / Mata-au River and associated hydro lakes, and highlights of orchards, vineyards, and historic gold-mining artefacts. The area is notable for its expansive scale and legible natural landforms. Values specifically articulated in the CODP relating to the rural landscape are essentially natural character (naturalness) and

[4] [4] Te Tangi a te Manu, Aotearoa New Zealand Landscape Assessment Guidelines, Tuia Pito Ora New Zealand Institute of Landscape Architects, July 2022.
[5] LA4, 2008, Central Otago District Rural Review Landscape Assessment Report and Recommendations

open space (openness), with particular emphasis on open natural character of the hills and ranges, skylines, prominent places, natural features and terraces[6]

In this case, natural physical landscape values in the area on the outskirts of Cromwell have been highly modified by historic mining, the creation of Lake Dunstan, farming, horticulture, viticulture and rural lifestyle housing development. There are geo-preservation sites nearby, identified in the New Zealand Geopreservation Inventory[7], relating to fault zone exposures and historic gold mining, but these are not on the subject property. There is minimal indigenous vegetation remaining in the area.

In terms of associative landscape values, the Kawarau River is identified in Ka huru manu, the Ngāi Tahu Atlas[8], as a traditional Maori travel route and kainga mahinga. The area has a significant gold mining history which is still legible in the riverside landscape and around Bannockburn through sluicing and tailings landforms, and which contributes to its character. There are also now significant recreational values associated with lakeside / riverside walking, visiting vineyards and exploration of historic goldmining era sites.

Perceptual values relate to the productive, settled, horticultural character of the lowland flats and terraces contrasting attractively with the open, natural mountainsides containing the Upper Clutha Valley and with the lake and river. The immediate landscape has a small, enclosed scale due to the orchards, and impact of built elements (relative to vegetation), is modest.

Overall, I assess the key landscape values of relevance as:

- Rural / rural-residential character including overall dominance of natural (vegetation) over built elements (despite a moderate level of domestication), and the impact of agricultural, horticultural and viticultural land uses.
- Historic gold mining heritage associations in area below the terrace-top by the Lake Dunstan Kawarau Arm / Kawarau River.

[6] CODP Objective 4.3,3 and Policy 4.4.2.
[7] www.geomarine.org.nz/NZGI/

[8] https://kahurumanu.co.nz/atlas/

The proposed development and recommended mitigation measures

As shown in **Figure 10** it is proposed to subdivide the property to create a small lot containing the existing dwelling (Lot 1 – 0.4 ha), with the remaining area containing the orchard as Lot 2 – 1.55 ha. A building platform (BP) is proposed for Lot 2, located at the southern end near the river terrace top with access to it via an approximately 170m long driveway from Pearson Road.

To ensure that future buildings will not appear unduly dominant on the terrace top as viewed from the Lakeside Walkway:

- The lot 2 BP has been set back from the terrace top by at least 10m.
- Building design and appearance controls are proposed to apply to development within this BP.
- The already consented accommodation units will be relocated and set back from the terrace top edge to have less potential visual prominence.
- A planting framework as outlined in Figure 10 and Appendix A will be established to mitigate the visual effects of both the prosed future dwelling on the BP and the relocated accommodation units. This planting will be indigenous in character and locally appropriate and will have some minor biodiversity benefits.

The following mitigation conditions are proposed:

1. *Except for the accommodation units (already consented) all future buildings on Lot 2, including accessory buildings and water tanks are to be contained within the identified building platform.*

2. *The consented accommodation units are to be sited within the area shown as 'proposed relocated accommodation unit building platform' in Figure 10.*

3. *Maximum building heights above modified ground level for yet to be consented buildings shall be as follows:*
   - *Dwelling – 5m*

- *Other (accessory) building – 4m.*

4. *Unless buildings are clad in naturally finished, natural materials (e.g. stone or timber), building colours for all new buildings are to be selected to ensure that contrast with the dominant hues of the surrounding rural landscape is minimized. Light reflectivity values (LRV) for painted finishes shall be no more than 20%.*

5. *Water tanks are to be coloured, sited, and buried and / or screened (by planting or built form) to have minimal visual impact from beyond the property.*

6. *Any fencing is to be confined to standard rural post and wire construction or stone walls using locally appropriate rock.*

7. *Screen / framework planting in the locations shown in Figure 10 and as outlined in Appendix A is to be established prior to building commencing on the Lot 2 platform. This planting is to be managed on an on-going basis to ensure its screening / softening function is maintained.*

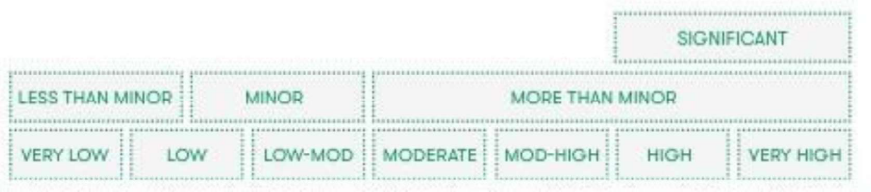
Landscape effects assessment

Landscape effects are defined in the NZILA Landscape Assessment Guidelines[9] as *'an adverse or positive outcome for a landscape value as a consequence of changes to a landscape's physical attributes'.*

I assess the landscape effects of the development against the landscape values discussed above, and those inherent in the relevant statutory provisions. Landscape effects may be positive or adverse in nature and I rate the degree of effect in terms of the 7-point rating scale recommended in the NZILA Landscape Assessment Guidelines. The relationship of this scale to RMA terminology is illustrated below in the table copied from Te Tangi a te Manu.

[9] Te Tangi a te Manu, Aotearoa New Zealand Landscape Assessment Guidelines, Tuia Pito Ora New Zealand Institute of Landscape Architects, July 2022.

Degree of effect assessment scale



Physical effects

The proposed subdivision will result in another dwelling in the rural-residential landscape, with the associated increase in overall built density. The flat terrace-top topography means that the earthworks required will not be significant and the impact of built form on the character of the area will be minimised by the proposed mitigation conditions, in particular, building height and colour, planting, and relocation of the consented accommodation units.

The development proposed is beyond the lake / river environment which whilst highly modified, has historic gold mining heritage associations. Existing domestication adjacent to and visible from, this river corridor area already adversely impacts the heritage character to a degree in my assessment. The proposed development will have some additional adverse effect but to a very small degree, given the existing character and considering the mitigation measures proposed. The proposed indigenous plantings along the terrace-top will have some small positive effects on the natural character of the lake / river environment.

The proposed additional dwelling will result in adverse effects on rural landscape values (naturalness / openness) but the sensitivity of this landscape to change of this nature is low as the area has been subject to extensive modification and already has a rural-residential scale and character. I consider that as long as the proposed mitigation conditions are applied, the landscape has the capacity to accommodate a further dwelling as proposed and I assess physical landscape effects as adverse / low (less than minor)

Visual effects

The following is an assessment of the visual effects of the proposed development from the most significant or representative viewpoints in the area surrounding.

Pearson Road

As illustrated in **Figures 2 and 3,** the proposed Lot 2 building site is well removed from Pearson Road (150m) and is screened by the orchard trees and netting along with other vegetation on adjacent properties. Garden plantings will probably be established around a future house which may also provide further mitigation. The proposed mitigation controls will assist to minimize any visual effects of built form from Pearson Road.

Overall, the visual effects from Pearson Road are assessed as adverse / very low (less than minor) due to the minimal visibility, the significant viewing distance, and the proposed mitigation controls.

Lakeside walking track

As illustrated in **Figures 4 - 7**, the orchard trees and netting, and the container on the property, are currently visible from the Lakeside walking track and are seen on the terrace top and against the sky from closer viewpoints. Viewing distances are as close as approximately 50m. Where they are currently consented, the accommodation units will also be visible on the terrace top from this track and will appear relatively prominent. Along the terrace top to either side of the property there are some dwellings and sheds visible but in general, buildings do not have a significant presence as viewed from the track.

The proposed development will result in further built form being visible on the terrace top but adverse effects on rural character (openness / naturalness) will be effectively mitigated by the proposed setbacks, building height and colour controls and the proposed planting of indigenous species. From closer viewpoints the setbacks will ensure some landform screening and the proposed relocation of the accommodation units will result in significantly less visual impact of these than is currently provided for -

thereby mitigating the impact of built form overall. The proposed planting will soften the visual impact of buildings (both on the Lot 2 BP and the accommodation units) and will enhance natural character to a small extent.

Overall, I assess the visual effects from this viewpoint as adverse / low-moderate (minor) initially, progressively transitioning to adverse / low (less than minor) as the planting matures. Assuming competent planting management I estimate that the timeframe involved in this transition will be approximately 5 years.

Felton Road / Bannockburn Sluicings Historic Reserve

As shown in **Figures 8 & 9**, the property is visible from Felton Road and Bannockburn Sluicings Historic Reserve to the south, at distances of approximately 1km and more. From this area the property is seen as part of the relatively intensively settled, rural / rural-residential landscape across the river / lake. This landscape has a mixed land use character but overall, has a small-scale productive character including orchards and vineyards. 78 Pearson Road is seen as an area of orchard under netting and the existing house is screened. The accommodation units are part of the consented environmental baseline and will be visible when constructed.

The proposed development will not significantly alter the character of the landscape but will add a further dwelling to the already relatively domesticated landscape. The adverse effects of increased domestication on rural / rural-residential landscape values (openness / naturalness) will be effectively mitigated by the significant viewing distance, the building design controls and the plantings. Overall, I assess visual effects on values as adverse / very low (less than minor)

58 Pearson Road

58 Pearson Road is the property adjacent to the site to the west. The dwelling is approximately 80m from the proposed Lot 2 BP with orchard plantings and shelter trees in between. The 58 Pearson Road dwelling also appears to orientate (in terms of outdoor space associated with the house) westward and away from the site. Considering

the proposed building design controls and boundary plantings, I assess visual effects from this property as adverse / very low (less than minor).

94 Pearson Road

94 Pearson Road is the property adjacent to the site to the east. The dwelling is over 200m from the proposed Lot 2 BP with orchard plantings and shelter trees in between. I assess visual effects from this property as nil.

Landscape effects discussion and conclusion

The proposed development will add one more dwelling to the landscape resulting in a density that is greater than provided for in the CODP rural residential zone. The area is already closely settled and has a productive, domesticated, mixed-use character. The proposal includes mitigation measures that will assist to minimise the impact of new (and already consented) built form.

In that it modifies the current built / natural element balance in the rural landscape in favour of the built, the proposed development will have effects on landscape values that will be adverse in nature. Considering the mitigation proposed however, I assess the degree of these effects as low (less than minor) overall in this context and I consider that the landscape has the capacity to acceptably absorb the intensification proposed.

Assessment against the relevant Central Otago District Plan provisions

The property is within the rural-residential zone in the Central Otago District Plan (CODP), and the application for subdivision and land use is a non-complying activity in the CODP in terms of Rule 4.7.5(iii). The following objectives and policies of the CODP, relevant to landscape effects of the proposed subdivision, are copied in the table below, with brief comment provided.

CODP objectives and policies	**Comment**
4.3.3 Objective – Landscape and Amenity Values *To maintain and where practicable enhance rural amenity values created by the open space, landscape, natural character and built environment values of the District's rural environment, and to maintain the open natural character of the hills and ranges.*	The property is in a lowland / valley floor location and the proposed development will have no impact on the natural landscape values of the hills and ranges. More generally, the development will further domesticate the rural landscape but considering the character of the area and the suite of mitigation measures proposed, I have assessed effects on rural amenity values as adverse in nature but less than minor in degree.
4.4.2 Policy – Landscape and Amenity Values *To manage the effects of land use activities and subdivision to ensure that adverse effects on the open space, landscape, natural character and amenity values of the rural environment are avoided, remedied or mitigated through:* *(a) The design and location of structures and works, particularly in respect of the open natural character of hills and ranges, skylines, prominent places and natural features,* *(b) Development which is compatible with the surrounding environment including the amenity values of adjoining properties, …* *(e) The location of tree planting, particularly in respect of landscape values, natural features and ecological values, …* *(g) Encouraging the location and design of buildings to maintain the open*	The property is located on valley floor flats and is not in a prominent or sensitive location within the wider landscape. Controls are proposed to minimise adverse effects on rural openness and naturalness values (which are already highly modified in this area). Any adverse effects on the amenity values of adjoining properties are assessed as less than minor. Planting is proposed to assist to integrate built form and this will have some small positive effect on natural character.

natural character of hills and ranges without compromising the landscape and amenity values of prominent hillsides and terraces. ….	
4.4.10 Policy – Rural Subdivision and Development *To ensure that the subdivision and use of land in the Rural Resource Area avoids, remedies or mitigates adverse effects on:* *a. The open space, landscape and natural character amenity values of the rural environment in particular the hills and ranges,* *b. The natural character and values of the District's wetlands, lakes, rivers and their margins,* *c. The production and amenity values of neighbouring properties,*	See comments under 4.3.3 and 4.4.2 above. In terms of the natural character of the river / lake margin, I assess the site as being beyond this area with the exception of the small strip at its southern end on the upper sloping terrace face. It is proposed that this area is planted in locally appropriate indigenous species and this will enhance natural character values. Visibility of additional built form on the terrace top above (within the river / lake landscape context) will have adverse effects on natural character, but given the existing modified character of this area and considering the proposed mitigation measures, the degree of these effects will be less than minor once the impact of the planting has become significant.

Conclusion

This application seeks approval for a two-lot subdivision and one additional building platform at 78 Pearson Road, Cromwell, involving a residential density that is non-complying in the rural residential zone.

The landscape has a relatively densely settled, mixed land use character and key values relate to rural / rural-residential character including overall dominance of natural (vegetation) over built elements, and agricultural, horticultural and viticultural land uses. Historic gold mining heritage associations are significant in area below the terrace-top by

the Lake Dunstan Kawarau Arm / Kawarau River. The property is not located in an ONL or a SAL in the CODP.

Mitigation conditions are proposed to minimise the impact of future built form and I have assessed the effects of the proposed development as adverse / low (less than minor). I consider that it is consistent with the CODP objectives and policies relevant to landscape effects.

Mike Moore
Registered NZILA Landscape Architect

Appendix A: Proposed Mitigation Planting – Proposed Subdivision, 78 Pearson Road, Lot 2.

The following species are to be established in the area noted as 'mitigation planting' on Figure 8.

Botanical name	***Common name***	***Approx % of planting***
Aristotelia fruiticosa	*Mountain wineberry*	*5*
Carmichaelia petriei	*Desert broom*	*5*
Chionochloa rigida	*Snow tussock*	*5*
Coprosma crassifolia		*5*
Coprosma propinqua	*Mingimingi*	*5*
Coprosma rugosa		*5*
Coprosma virescens	*Mikimiki*	*5*
Cordyline australis	*Cabbage tree*	*5*
Corokia cotoneaster	*Korokio*	*5*
Discaria toumatou	*Matagouri*	*5*
Griselinia littoralis	*Broadleaf*	*5*
Kunzea serotina	*Kanuka*	*5*
Leptospermum scoparium	*Manuka*	*5*
Myrsine australis	*Matipo*	*5*
Olearia lineata	*Small-leaved tree daisy*	*5*
Phormium tenax	*Flax*	*5*
Pittosporum tenuifolium	*Kohuhu*	*5*
Podocarpus laetus	*Hall's totara*	*5*
Sophora microphylla	*Kowhai*	*5*
Veronica salicifolia	*Koromiko*	*5*

Planting maintenance and management

1. Where required, fencing should be carried out to protect the areas to be planted from grazing by stock.
2. The areas to be planted are to be sprayed to kill existing grasses using a non-residual systemic herbicide.
3. Planting densities are to be approximately 1.5m

4. Plant grades are to be Pb3 or equivalent, minimum.
5. One slow-release fertilizer tablet will be used per plant.
6. A circle of mulch (100mm deep woodchip or sacking or similar) is to be applied around each plant to assist in plant establishment and weed suppression.
7. The area around each plant is to be maintained weed free until well established by hand weeding or spraying where this is possible without adversely affecting the plants.
8. Plants should be watered as / if required during dry spells until well established.
9. Survival should be monitored and any dead plants replaced immediately. Animal pests should be controlled and if required, plants should be provided with an eco-shelter for protection against rabbit and possum browse.
10. The plantings are to be managed to ensure their ongoing health and vitality.

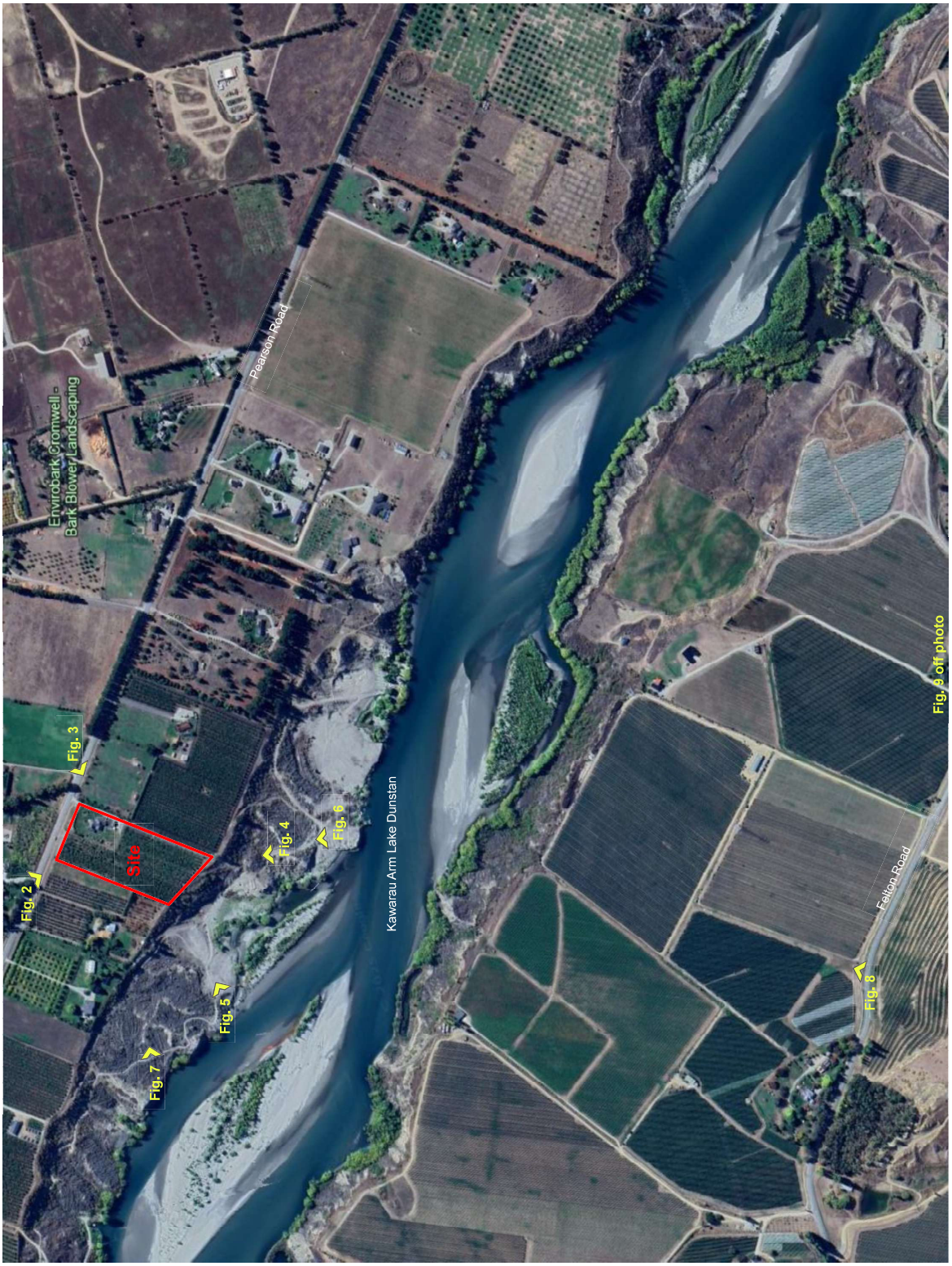
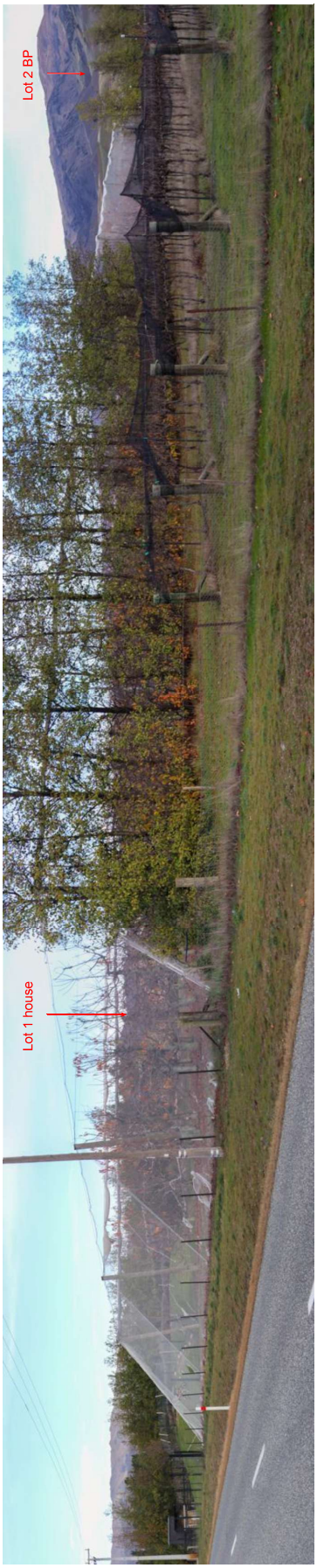


Figure 1: Property and photo-points location plan



Camera: Canon EOS 80D
Image: Stitched photographs – focal length 50mm

Figure 2: View south-eastward toward the property from Pearson Road

Camera: Canon EOS 80D
Image: Stitched photographs – focal length 50mm

Figure 3: View westward toward the property from Pearson Road

Camera: Canon EOS 80D
Image: Stitched photographs – focal length 50mm

Figure 4: View northward toward the property from Lakeside walking track

Figure 5: View eastward toward the property from Lakeside walking track

Camera: Canon EOS 80D
Image: Stitched photographs – focal length 50mm

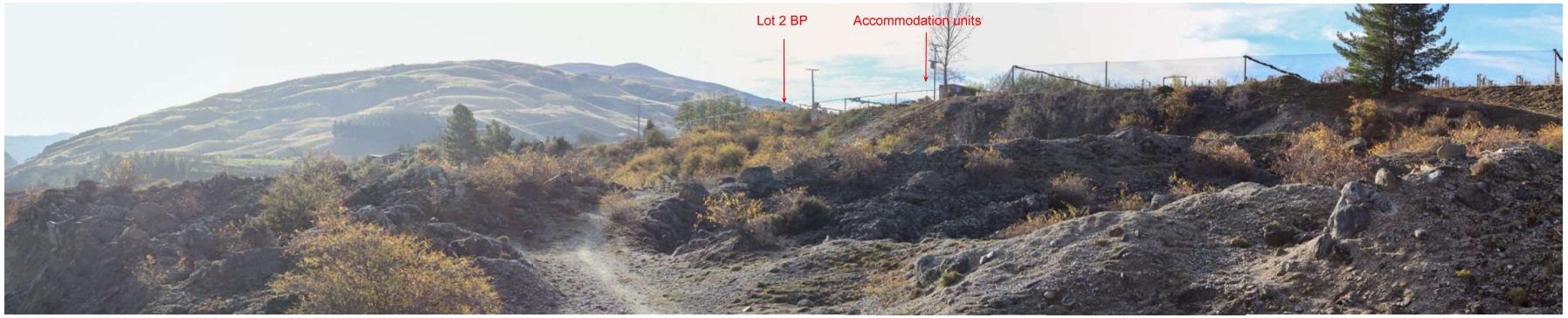


Figure 6: View northward toward the property from Lakeside walking track

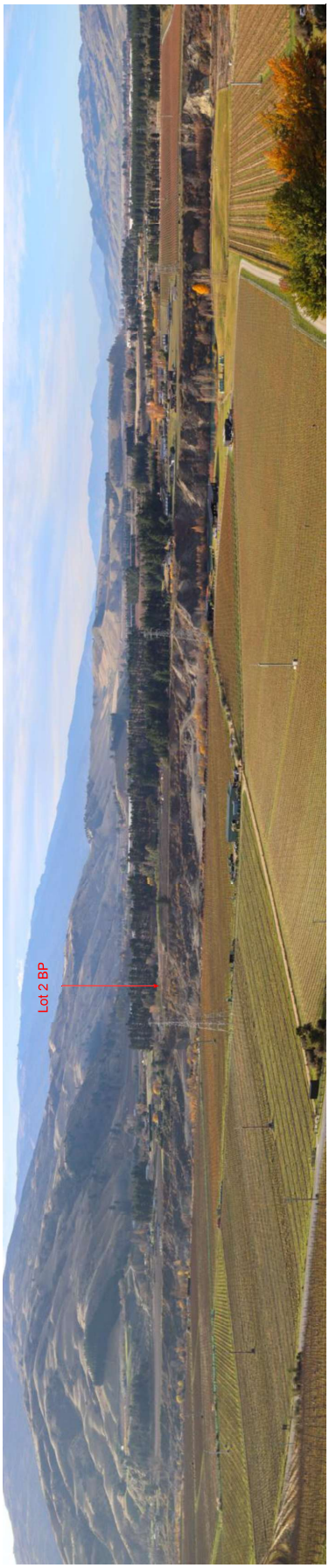
Camera: Canon EOS 80D
Image: Stitched photographs – focal length 50mm

Figure 7: View eastward toward the property from Lakeside walking track

Camera: Canon EOS 80D
Image: Stitched photographs – focal length 50mm

Camera: Canon EOS 80D
Image: Stitched photographs – focal length 50mm

Figure 8: View northward toward the property from Felton Road



Camera: Canon EOS 80D
Image: Stitched photographs – focal length 50mm

Figure 9: View northward toward the property from Bannockburn Sluicings Historic Reserve

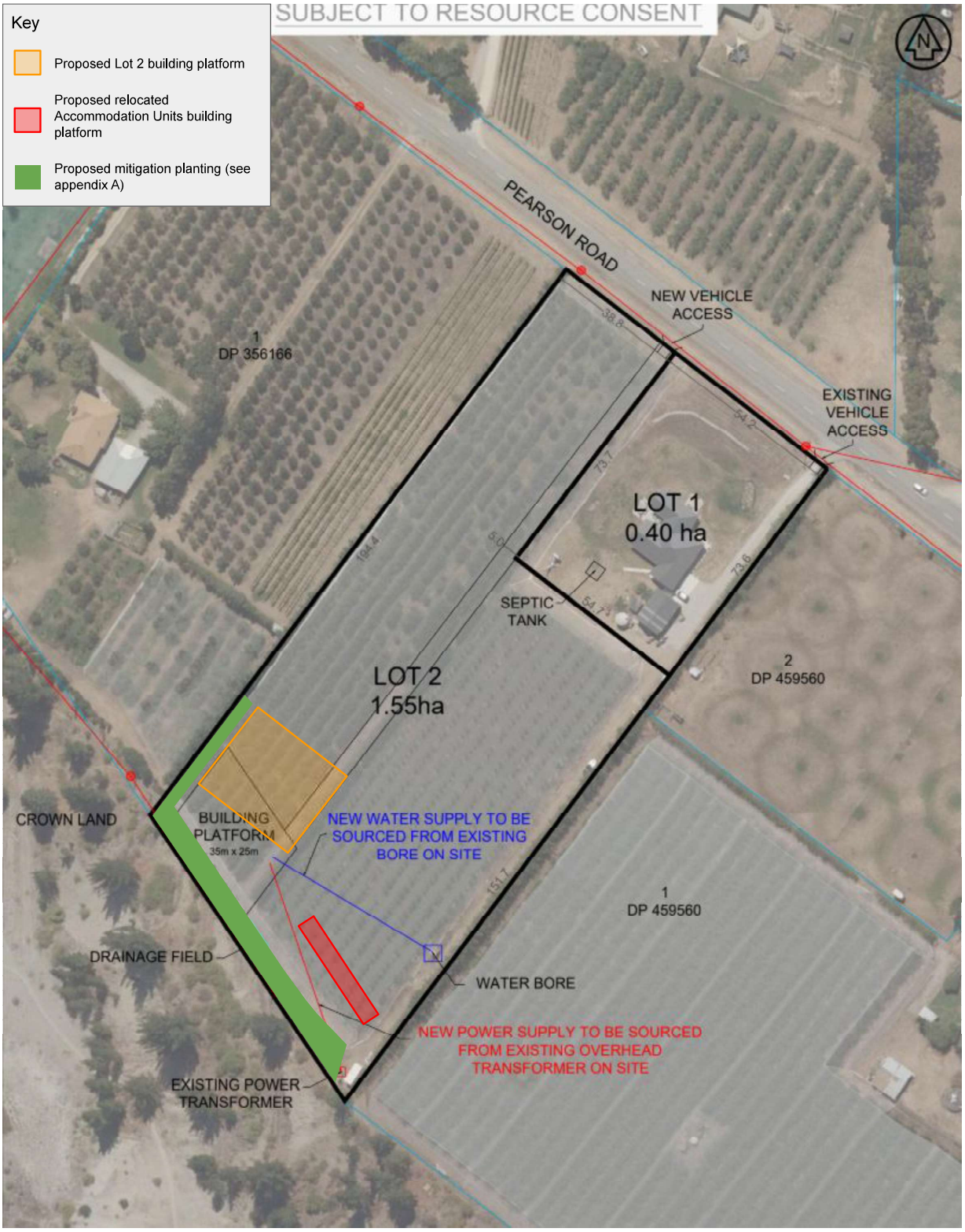


Figure 10: Proposed Subdivision, 78 Pearson Road, Cromwell Scheme Plan and Landscape Mitigation Plan

MEYERCRUDEN
CIVIL | STRUCTURAL | GEOTECH

INFRASTRUCTURE AND LIMITED GEOTECHNICAL REPORT

78 PEARSON ROAD,
CROMWELL

DATE: 29 MAY 2024
REF: R2025073

REPORT VERSION CONTROL

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REPORT REFERENCE	R2025073	PROJECT NUMBER	2025073
CLIENT	Mathstone Enterprises Ltd		

REV	DATE	REVISION CONTROL
1	29/05/25	Final

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AUTHOR SIGNATURE		REVIEWER SIGNATURE	
QUALIFICATIONS	BEng (Hons), MEng	QUALIFICATIONS	BEng(Hons), CPEng

DISCLAIMER

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1 EXECUTIVE SUMMARY

- This report has been commissioned in relation to a resource consent application for a proposed development at 78 Pearson Road, Cromwell and provides a:
    - Preliminary Geotechnical Investigation;
    - Servicing Feasibility Assessment including;
        - Potable Water Supply
        - On-site Stormwater and Wastewater Disposal
        - Power Supply
        - Telecommunications
- A desktop geotechnical and servicing assessment, and site investigation involving a site walkover, test pits and a soakage test has been completed.
- Groundwater is expected to be approximately 25m below existing ground level based on nearby bore data [1].
- Scalas were undertaken within potential building platform areas, indicated at the time of the site inspection by the client. The scheme plan in Appendix A has subsequently been provided.
- Test pits indicated Topsoil (up to 0.3m bgl) underlain by Loess (Silty SAND), and variable Alluvial Deposits, comprising Sandy GRAVEL and SAND layers across the site.
- Based on Scala testing undertaken and with reference to the Stockwell Correlation chart, the unfactored ultimate bearing capacity ranges between 210kPa and >300 kPa. Section 8.2 details the bearing capacities inferred from scala penetrometer testing.
- A site-specific geotechnical investigation will be required for the building platform once the building footprint is determined. As a minimum this should follow the process described in Section 3 of NZS3604:2011. Depending upon the structure proposed, alternative investigations may be required.
- General rubbish consistent with the land use (corrugated iron, rubber and metal) was uncovered in a shallow layer at Test Pit #5 to a depth of 0.4m bgl. Although this appears localised, it does not preclude other areas of uncontrolled fill or unsuitable material being present across the site.
- The overlying topsoil and any uncontrolled fill should be removed from below any proposed development areas.
- For structural detailed design purposes, it is recommended that the site is classified "Class D" deep subsoil in accordance with NZS 1170.5:2004.
- Earthworks observations and fill certification will be required in accordance with NZS4431:2022 [2] for any fill exceeding 300mm depth placed beneath the building footprint.
- The potable water supply for the site is proposed to be serviced by the existing water

supply bore (F41/0155), consent (RM13.282.01). Microbiological and chemical (including Arsenic) water quality testing should be completed to confirm suitability for on-site filtration and UV treatment. This will be required for each proposed lost to be connected to the on-site bore.

- For the purposes of firefighting as per SNZ PAS 4509 [3] and CODC Addendum to 4404 [4], a 30,000-litre tank will be required for static firefighting reserve for the proposed Lot.
- Based on test pit observations, the underlying soils in locations suitable for on-site wastewater and have been categorized as Category 1 – Sands and Gravels as per AS/NZS 1547:2012.
- The soakage test results indicate significant soakage capacity and give confidence that onsite stormwater disposal to ground is a viable option.
- Detailed design of wastewater and stormwater disposal systems with considerations as outlined in this report will be required for building consent.
- The initial Aurora power availability letter indicates that the power supply is feasible for the development.
- Telecommunications are currently available in the form of 4G/5G wireless mobile connection and satellite

2 INTRODUCTION

Meyer Cruden Engineering Limited has been engaged by Mathstone Enterprises Limited, c/- Linden Brackstone, to complete an infrastructure and limited geotechnical investigation for the proposed development at 78 Pearson Road, Cromwell. The site location is shown in Figure 1.

This report has been commissioned in relation to a resource consent application and provides specific details regarding:

- Limited Geotechnical Investigation of indicative building platform location
- Infrastructure Assessment providing comments on servicing options and limitations for:
    - Domestic water supply, firefighting, stormwater, wastewater, power supply, and telecommunications.

Figure 1: 78 Pearson Road Location Plan [5]

2.1 PROJECT OVERVIEW

In preparing this report we have undertaken the following activities:

- A desktop study of:
    - Central Otago District Council (CODC) mapping systems [5]
    - Otago Regional Council (ORC) mapping systems [6]
    - Draft Survey Plans (Land Pro)
    - Google Earth Pro Imagery [7]
    - New Zealand Geological Mapping [8]
    - CODC's Addendum to NZS 4404:2004 [4] and Appendices contained within as CODC's adopted standard for Land Development and Subdivision Engineering.

- A site investigation consisting of:
  - Site walkover;
  - Five no. test pits;
  - Seven no. scala penetrometer tests and;
  - One no. soakage test

3 SITE DESCRIPTION

The site is legally described as Lot 2, DP 356166 and has an approximate area of 1.95ha. The site is irregular in shape and is located 3km southwest of Cromwell on Pearson Road. It is bound by the Kawarau River to the South, and similar sized properties on all other sides. The site is generally horizontal.

4 EXISTING LAND USE AND PROPOSED DEVELOPMENT

4.1 EXISTING INFRASTRUCTURE AND LAND USE

The existing structures on the site include a domestic residence and garage in the northeastern corner. The remaining land is used for horticulture (established fruit trees).

A review of historical aerial photographs on Google Earth Pro [7] and Retrolens indicate historical mining on the terrace below the southwestern boundary of the site. The site has remained undeveloped with general tussock/grass cover until the mid-2000s' when the land use changed to horticulture.

There is an irrigation water supply available, supplied from an on-site bore (F41/0155), consent (RM13.282.01).

4.2 PROPOSED DEVELOPMENT

LandPro survey plans titled "POTENTIAL 2 LOT SUBDIVISION OF LOT 2 DP 356166 78 PEARSON ROAD, CROMWELL" (Dated: 22nd May 2025) outline the development. A copy of these plans is attached to this report in Appendix A.

The proposed development involves the subdivision of the site into 2 lots.

- Lot 1 has a proposed area of 0.40ha in the northeastern area of the existing Lot, including the existing dwelling.
- Lot 2 has a proposed area of 1.55ha, comprising the remaining orchard area.

5 GEOLOGICAL MAPPING

With reference to the New Zealand Geological Map, 1:250,000 scale [8], the site soil is classified as *OlS6 (Middle Pleistocene) outwash deposits* and described as *Slightly to moderately weathered sandy gravel*.

6 NATURAL HAZARDS

A desktop study of the Central Otago District Council (CODC) GIS [5] and the Otago Regional Council (ORC) hazard database [6] revealed the following site-specific hazards.

6.1 SEISMIC HAZARD

The Pisa Fault Zone – Carrick fault and Bannockburn faults are active faults mapped approximately 1.0km to the west of the site, and 2.2km to the southeast of the site, respectively. These faults have an estimated recurrence interval of ~30,000 years [9]. Due to the long recurrence interval the risk to any future dwellings presented by the proximity to these faults is considered low.

The Alpine Fault lies approximately 100km west of the site and has an estimated recurrence interval of 300 years. Of the nearby faults, the Alpine Fault is most likely to produce shaking at the site during the lifetime of any structure. There is a high probability of a magnitude 8 or greater earthquake occurring within the next 50 years on this fault. Such an event will likely cause moderate to strong ground shaking in the Cromwell area.

6.2 LIQUEFACTION POTENTIAL

The ORC GIS hazard mapping system [6], identifies the site as Liquefaction Domain A. This susceptibility of liquefaction is based on GNS Science Consultancy Report: Assessment of Liquefaction Hazards in the Queenstown Lakes, Central Otago, Clutha and Waitaki districts of the Otago Region [10]. Domain A is defined in the GNS report as: 'The ground is predominantly underlain by rock or firm sediments. It is unlikely that damaging liquefaction will occur'.

Based on this classification, combined with an estimated water table of greater than 25m bgl, no further liquefaction assessment was deemed necessary.

6.3 HISTORICAL MINING

The adjacent site is identified on CODC hazard mapping to have historical mining. A previous assessment has been completed by Opus (25th August 2016). For this reason, mining hazard assessment has been excluded from the scope of this report.

7 SITE INVESTIGATIONS

A site walkover, five test pits, seven scala penetrometer tests and a soakage test have been carried out to investigate the underlying soil profile. A test location plan is attached to this report in Appendix B.

7.1 STRATIGRAPHY

Test pits were distributed across the proposed Lot 2 to determine suitability of building platforms and assess the suitability of the stratigraphy in relation to onsite wastewater and stormwater disposal.

Test pits were excavated by machine to depths varying from 1.3m to 1.8m bgl. The variation in depth was due to the instability of the loosely packed sand and gravel present. Test pit stratigraphy is presented in Table 1.

General rubbish consistent with the land use (corrugated iron, rubber and metal) was uncovered in a shallow layer at Test Pit #5 to a depth of 0.4m bgl. Although this appears localised, it should not preclude other areas of uncontrolled fill across the site.

Table 1 Test Pit Stratigraphy (m)

Stratigraphy	TP01	TP02	TP03	TP04	TP05
Topsoil	0.0 – 0.2m	0.0 – 0.2m	0.0 – 0.3m	0.0 – 0.3m	
Uncontrolled Fill					0.0 – 0.4m
Loess (Silty SAND)	0.2 – 0.6m	0.2 – 0.4m			0.4 – 0.7m
Alluvial Deposits (Sandy GRAVEL)	0.6 – 1.3m	0.4 – 1.3m	0.3 – 1.0m	0.3 – 1.5m	0.7 – 1.5m
Alluvial Deposits (SAND)			1.0 – 1.5m		
Alluvial Deposits (Sandy GRAVEL)			1.5 – 1.8m		

7.2 GROUNDWATER

The depth to groundwater across the site is expected to be greater than 25m. Bore data from neighbouring properties are summarised in Table 2 and Figure 2 [1].

Table 2 Nearby Bore Information

Bore ID	Depth to Groundwater	Date Drilled
F41/0155	28.7m	31/03/1995
F41/0268	29.18m	02/01/2001
F41/0222	No Data – 'not used'	

A 50-metre setback to existing bores is shown on Figure 2. The proposed Lot will encompass bore F41/0155.

Figure 2 Nearby Bore Map [1]

8 GEOTECHNICAL ENGINEERING CONSIDERATIONS

8.1 SOIL PARAMETERS

Table 3 provides a summary of the geotechnical properties of the soils encountered during the site investigations.

Table 3 Soil Parameters

Soil Description	Bulk Density (kn/m^3)	Cohesion, C', (kPa)	Friction Angle (degrees)
Topsoil, Fill	N/A – remove from all subgrades prior to filling or foundation construction.		
Loess (SAND)	18	-	30
Alluvial Deposits (Sandy GRAVEL / Gravelly SAND)	18	-	32

8.2 INDICATIVE BEARING CAPACITY

At the time of the site inspection, a formal scheme plan was not available. Potential building platform areas were indicated by the client. The scheme plan in Appendix A has subsequently been provided.

We have assessed the general building platform area by using the Stockwell Correlation [11]. The Stockwell Correlation method is used to estimate soil strength and bearing capacity based on penetration resistance and is relevant for shallow foundations only. Table 4 summarises the bearing pressures inferred from scala penetrometer testing.

Table 4 Indicative Allowable Bearing Pressure

Scala Penetrometer #	Minimum Blows per 100mm	Allowable Bearing Pressure	Ultimate Bearing Pressure - Unfactored (kPa)
SP2, SP4, SP6, SP7	4	110 kPa	>300 kPa
SP1, SP5	3	100 kPa	300 kPa
SP3	2	70 kPa	210 kPa

The underlying alluvial deposits, comprising Sandy GRAVEL and SAND layers, are variable across the site. As a result, the unfactored ultimate bearing capacity ranges between 210 kPa and 300 kPa, depending on location.

A site-specific geotechnical investigation will be required for the building platform once the building footprint is determined. As a minimum this should follow the process described in Section 3 of NZS3604:2011. Depending upon the structure proposed, alternative investigations may be required.

The overlying topsoil and any uncontrolled fill should be removed from below any proposed development areas.

8.2.1 Existing Trees

The proposed Lot 2 building platform will intersect the existing cheery trees. All organic material (roots) should be sufficiently removed and undercut to protect against settlement from root decomposition and breakdown. Any redundant irrigation pipework should also be removed.

8.3 SEISMIC SOIL CLASS

Based on the ORC Natural Hazards Portal [6] and for the purposes of detailed design, the underlying deposits are classified as subsoil Class D (Deep or Soft Soil) in terms of clause 3.1.3 of NZS1170.5:2004.

8.4 EARTHWORKS

Earthworks observations and fill certification will be required in accordance with NZS4431:2022 [2] for any fill exceeding 300mm depth placed beneath the building footprint.

8.4.1 Cut and Fill Batters

Table 5 below indicates appropriate temporary and permanent cut batter slopes for the material likely to be encountered during earthworks.

Table 5 Cut Batters

Material Type	Temporary Cut Batter Slope	Permanent Cut Batter Slope
Topsoil	2H:1V	3H:1V
Loess	2H:1V	3H:1V
Alluvium	1.5H:1V	2.5H:1V

Any permanent fill batter slopes under 3m shall be constructed at a maximum permanent batter slope angle of 2.5H:1V. Fill slopes beyond 3m in height shall be subject to specific engineering design.

9 INFRASTRUCTURE CONCEPT PLAN

9.1 WATER SUPPLY

The potable water supply for the site is proposed to be serviced by the on-site water bore (F41/0155), consent (RM13.282.01). The current irrigation water permit does not specify domestic usage, however, demand from the proposed Lot 2 is estimated to be 2,000l/day (permitted activity under 12.2 of Regional Plan for Water Otago).

Microbiological and chemical (including Arsenic) water quality testing should be completed to confirm suitability for on-site filtration and UV treatment. This will be required for each proposed lost to be connected to the on-site bore.

9.1.1 Firefighting

On-site water storage in accordance with the requirements outlined in Addendum Clause 6.3.16 is required for the proposed Lot.

CODC addendum clause 6.3.16 specifies that, *for dwellings erected in un-reticulated rural areas, domestic water and firefighting storage to be provided by a standard 30,000 litre tank*

on each allotment. Of this total capacity a minimum of 20,000 litres shall be maintained at all times as a static firefighting reserve.

For the purposes of potable water supply and firefighting, a 30,000-litre tank will be required for the proposed dwelling. Other requirements include:

- Must need a hardstand area within 6m of the tank, but not closer than 6m of the site.
- Connections to be compatible with 100mm - suction sources as per SNZ 4509 [3].
- Firefighting connection to be within 90m of buildings on the site.

9.2 WASTEWATER

There is no available public wastewater system for the site. On-site wastewater treatment and disposal for proposed buildings on Lot 2 will be required as per *NZS 1547:2012 On-site domestic wastewater management*.

9.2.1 Site and Soils Assessment

Site and soils characteristics for the expected disposal location are presented in 6.

Table 6 Site Soil Assessment Characteristics

Site Characteristics	
Reserve Areas	There is ample reserve area available for a disposal field.
Wells/Bore	There is sufficient site area to locate the disposal field with a setback of 50m from water supply bores.
Surface Water	Surface water runoff is not an issue for this disposal area. The site can be drained away via the free-draining gravels and the natural undulation of the land formation. The site is greater than 50m from any surface water body.
Instability	There is no instability evident in the area proposed for the disposal bed.
Evidence of Water	During the site investigation, there was no evidence of water retention or ponding across the site.
Soil Classification	Category 1 – Sands and Gravels as per AS/NZS 1547:2012. If a typical trench or bed system is adopted for wastewater disposal to ground, we recommend a design load rate of 20mm per day for primary treated effluent or a design load rate of 50mm per day for secondary treated effluent. These figures have been taken from *Table L1 of NZS1547:2012*. If an alternative disposal option is selected, then design load rates should be derived from *NZS1547:2012*.
Site Exposure	The site is in a rural-residential area and is situated on horizontal land

9.3 STORMWATER

Soakage testing was undertaken in Test Pit 1 (TP01). The test involved excavation of the test pit to 1.3m bgl and discharge of 750l from a water drum. The water drum was drained over 20 minutes, during which only minor ponding in the base of the test pit was observed (max. 150mm). Once the drum was empty, any ponding in the base of the test pit dissipated rapidly.

Pre-soaking was unable to be completed due to the lack of a consistent on-site water source to the location of the test pit.

For the purposes of on-site stormwater disposal, we expect the underlying soils to be sufficiently free draining.

At the time of building consent, a presoaked soakage test in specific location of soak pit in accordance with NZBC E1 should be completed.

Sufficient site area is available for installation of stormwater infrastructure and the design requirements of the CODC Addendum to NZS4404 [4] and NZBC Clause E1 [13] should be used for detailed design.

9.4 POWER SUPPLY

A 'Power Availability' letter from Aurora dated 27 May 2025 is attached in Appendix C. Based on this letter, a point of supply (PoS) can be made available for the development.

9.5 TELECOMMUNICATIONS

Telecommunications availability is summarised in Table 7.

Table 7 Telecommunications Availability

Service	Description	Availability
ADSL/VDSL	Copper landline	Unavailable to proposed site. Nearby and may be available to extend upon request.
4G/5G Wireless	Wireless mobile (cell coverage)	Good availability on 2degrees, One NZ and Spark online GIS mapping.
Rural Broadband / Starlink	Satellite provided internet service	Starlink available.
Fibre Broadband	Ultra-Fast Broadband (Internet)	Unavailable

10 CONCLUSION

A desktop geotechnical and servicing assessment, and site investigation involving a site walkover, test pits and a soakage test has been completed.

The general stratigraphy across the site is Topsoil, underlain by Loess (SAND) of varying depths, underlain further by Alluvial Deposits (Sandy GRAVEL and SAND). Test pit stratigraphy is presented further in Section 7.1.

Groundwater is expected to be approximately 25m below existing ground level based on nearby bore data [1].

Scalas were undertaken within potential building platform areas indicated by the client. The scheme plan in Appendix A has subsequently been provided.

With reference to the Stockwell Correlation chart, the unfactored ultimate bearing capacity ranges between 210kPa and >300 kPa. Section 8.2 summarises the bearing pressures inferred from scala penetrometer testing.

A site-specific geotechnical investigation will be required for the building platform once the building footprint is determined. As a minimum this should follow the process described in

Section 3 of NZS3604:2011. Depending upon the structure proposed, alternative investigations may be required.

The findings of this report do not rule out the potential for low bearing areas and unsuitable material to be present throughout the site in localised areas.

The overlying topsoil and any uncontrolled fill should be removed from below any proposed development areas.

For structural detailed design purposes, it is recommended that the site is classified "Class D" deep subsoil in accordance with NZS 1170.5:2004.

Earthworks observations and fill certification will be required in accordance with NZS4431:2022 [2] for any fill exceeding 300mm depth placed beneath the building footprint.

The potable water supply for the site is proposed to be serviced by the existing water supply bore (F41/0155), consent (RM13.282.01). Microbiological and chemical (including Arsenic) water quality testing should be completed to confirm suitability for on-site filtration and UV treatment. This will be required for each proposed lost to be connected to the on-site bore.

For the purposes of firefighting as per SNZ PAS 4509 [3] and CODC Addendum to 4404 [4], a 30,000-litre tank will be required for static firefighting reserve for the proposed Lot.

Based on test pit observations, the underlying soils are suitable for on-site wastewater and have been categorized as Category 1 – Sands and Gravels as per AS/NZS 1547:2012.

The soakage test results indicate significant soakage capacity and give confidence that onsite stormwater disposal to ground is a viable option.

Detailed design of wastewater and stormwater disposal systems with considerations as outlined in this report will be required for building consent.

The initial Aurora power availability letter indicates that the power supply is feasible for the development.

Telecommunications are currently available in the form of 4G/5G wireless mobile connection and satellite.

11 REFERENCES

[1] ORC, "Bore Map," 2021. [Online]. Available: https://maps.orc.govt.nz/OtagoViewer/?map=1c59ff71893d4613a169806198eedafd.

[2] NZS, "4431: Engineered Fill Construction for Lightweight Structures," 2022.

[3] SNZ, "4509: New Zealand Fire Service Firefighting Water Supplies Code of Practice," 2008.

[4] CODC, "Addendum to NZS 4404:2004," 2008.

[5] CODC, "GIS Online Mapping".

[6] ORC, "GIS Hazard Mapping System".

[7] Google, "Google Earth Aerial Imagery," [Online].

[8] GNS, "GNS Science Geological Maps, 1:250,000," [Online]. Available: https://data.gns.cri.nz/geology/.

[9] D. Barrell, "General distribution and characteristics of active faults and folds in the Queentstown Lakes and Central Otago districts," GNS, 2019.

[10] D. Barrell, "Assessment of Liquefaction Hazards in the Queenstown Lakes, Central Otago, Clutha and Waitaki districts of the Otago Region," GNS, 2019.

[11] NZS, "3604: Timber-framed buildings," 2011.

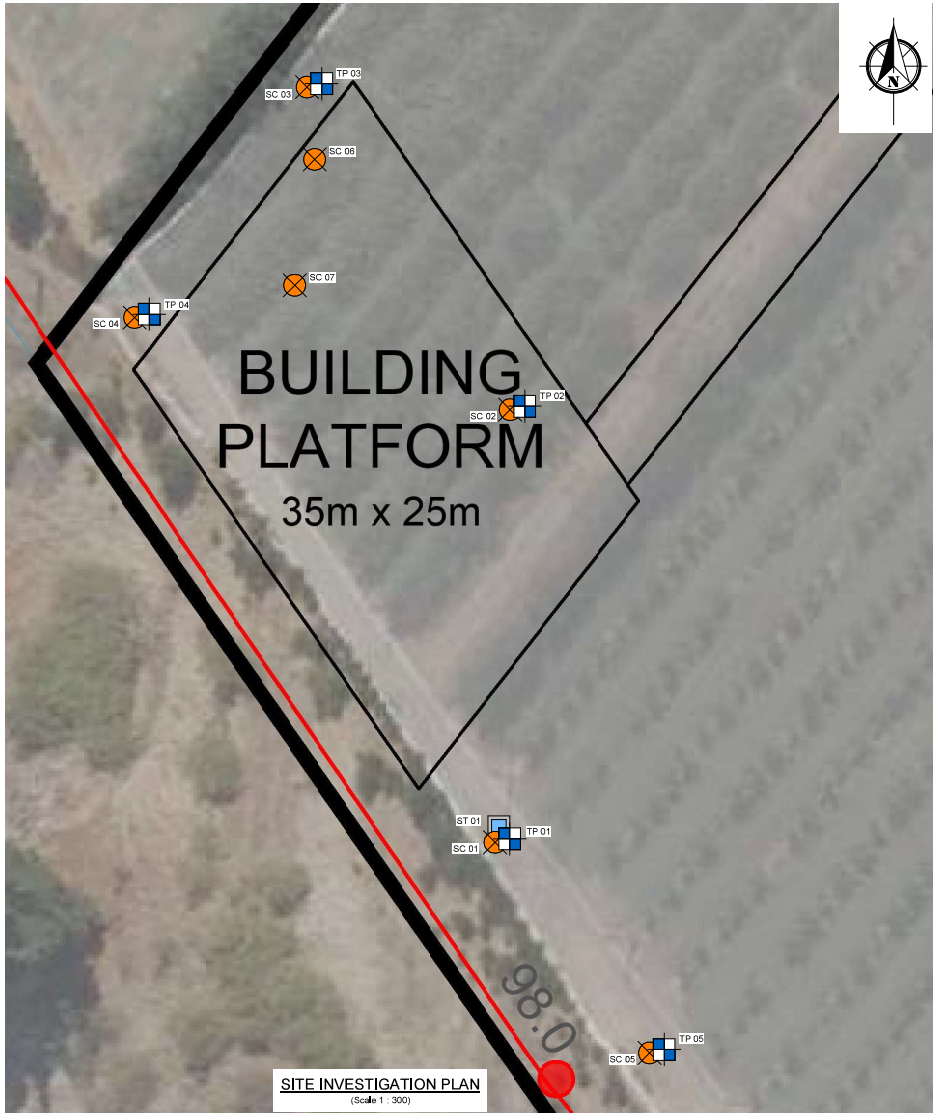
[12] M. J. Stockwell, Determination of Allowable Bearing Pressures Under Small Structures, June 1977.

[13] MBIE, "Acceptable solutions and verification methods - E1 Surface Water".

APPENDICES
APPENDIX A – SCHEME PLAN OF PROPOSED DEVELOPMENT

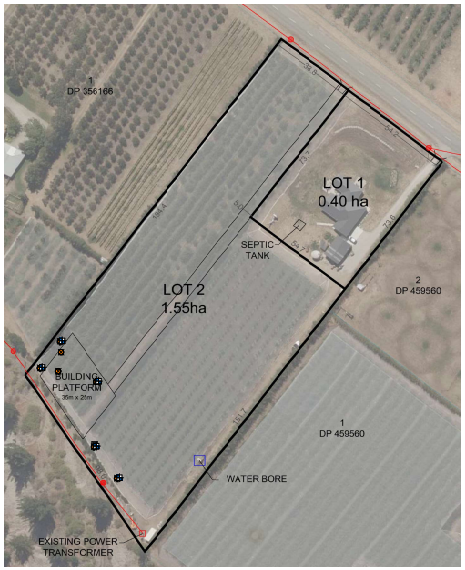
SUBJECT TO RESOURCE CONSENT
ISSUED FOR REVIEW
PEARSON ROAD
NEW VEHICLE ACCESS
EXISTING VEHICLE ACCESS
1
DP 356166
LOT 1
0.40 ha
LOT 2
1.55ha
SEPTIC TANK
2
DP 459560
1
DP 459560
CROWN LAND
BUILDING PLATFORM
35m x 25m
NEW WATER SUPPLY TO BE SOURCED FROM EXISTING BORE ON SITE
DRAINAGE FIELD
WATER BORE
NEW POWER SUPPLY TO BE SOURCED FROM EXISTING OVERHEAD TRANSFORMER ON SITE
EXISTING POWER TRANSFORMER
CROWN LAND
38.8
54.2
73.7
73.6
194.4
5.0
54.7
151.7
38.0
NOTES
Boundaries sourced from GRIP NZ website, indicative only.
Power infrastructure sourced from Aurora Energy GIS website, indicative only. Septic tank position indicative on Lot 1.
LANDPRO
OFFICES IN CROMWELL, GORE AND NEW PLYMOUTH - www.landpro.co.nz
Client
MATHSTONE ENTERPRISES LIMITED
POTENTIAL 2 LOT SUBDIVISION OF LOT 2 DP 356166
78 PEARSON ROAD, CROMWELL
Job No. 25091
Drawing No. 03
Scale 1:1000@ A3
Rev. A
Datum & Level LPEAK 2000&VD16
C:\12d\Data\SERVER2008R2\25091\2 Lot Subdivision 78 Pearson Road_8866\CAD\25091_03_Scheme.dwg Plotted: 22/05/2025

APPENDIX B – TEST LOCATION PLAN AND TEST PIT LOGS



SITE INVESTIGATION PLAN
(Scale 1 : 300)

LEGEND	
TP-01	TEST PIT LOCATION
SC-01	SCALA PENETROMETER LOCATION
ST-01	SOAKAGE TEST LOCATION



SITE PLAN
(Scale 1 : 2000)

MEYERCRUDEN
CIVIL | STRUCTURAL | GEOTECH
(03) 445 0670 accounts@mcengineering.co.nz
Original Scale (mm)

PROJECT:
78 Pearson Road,
Cromwell

SHEET:
SITE INVESTIGATION PLAN

Rev	Date	Revision Description
A	27/05/25	ISSUE FOR CONSENT

DESIGNED: A.C. DATE: 27/05/25
CHECKED: M.C. SCALE (at A3): As indicated
DRAWN: S.R.
Project ID: 2025073 Drawing No.: C1.0 Revision: A

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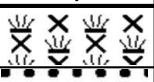
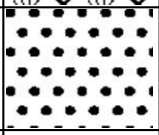
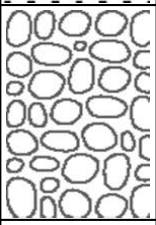
This drawing shall not be used without authority from Meyer Cruden Engineering Ltd.

Date:	7/05/2025
Project Number:	2025073
Project Name:	78 Pearson Road
Address:	78 Pearson Rd
Test Number:	TP1
Completed by:	Jordan Cathcart

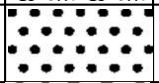
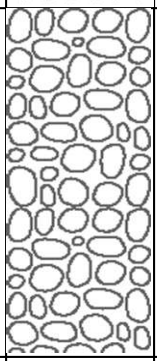
MEYERCRUDEN
CIVIL | STRUCTURAL | GEOTECH

Depth	Geology	Graphic	Material Description
0.0	Topsoil		ORGANIC SILT with roots.
0.1			
0.2	Loess		Silty fine-coarse SAND with some rootlets and roots and gravel; brown; homogeneous. Medium dense; moist; well graded.
0.3			
0.4			
0.5			
0.6	Alluvium		Sandy fine-coarse GRAVEL with some cobbles; grey; bedded. Medium dense to dense; moist; well graded; bedding, thick, sub-rounded, slightly weathered. Sand is fine-coarse. Trace roots and rootlets.
0.7			
0.8			
0.9			
1.0			
1.1			
1.2			
1.3			
1.4			
1.5			
1.6			
1.7			
1.8			
1.9			
2.0			
2.1			
2.2			
2.3			
2.4			
2.5			
2.6			
2.7			
2.8			
2.9			
3.0			
3.1			
3.2			
3.3			
3.4			
3.5			
3.6			
3.7			
3.8			
3.9			
4.0			

Note: Described in accordance with 'Field Description of Soil and Rock' prepared by NZGS inc., Dec 2005

Date:	7/05/2025
Project Number:	2025073
Project Name:	78 Pearson Road
Address:	78 Pearson Rd
Test Number:	TP2
Completed by:	Jordan Cathcart

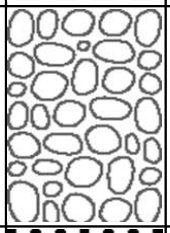
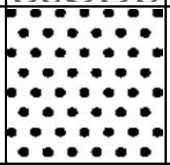
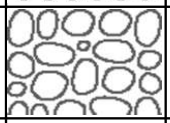
MEYERCRUDEN
CIVIL | STRUCTURAL | GEOTECH

Depth	Geology	Graphic	Material Description
0.0	Topsoil		ORGANIC SILT with roots.
0.1			
0.2	Loess		Gravelly fine-coarse SAND with some rootlets, roots and silt; light brown; homogeneous. Medium dense; moist; well graded. Gravel is fine-medium. Trace roots and rootlets
0.3			
0.4	Alluvium		Sandy fine-coarse GRAVEL with some boulders and cobbles; grey brown; bedded. Medium dense to dense; moist; well graded; bedding, thick, sub-rounded, slightly weathered. Sand is fine-coarse.
0.5			
0.6			
0.7			
0.8			
0.9			
1.0			
1.1			
1.2			
1.3			
1.4			
1.5			
1.6			
1.7			
1.8			
1.9			
2.0			
2.1			
2.2			
2.3			
2.4			
2.5			
2.6			
2.7			
2.8			
2.9			
3.0			
3.1			
3.2			
3.3			
3.4			
3.5			
3.6			
3.7			
3.8			
3.9			
4.0			

Note: Described in accordance with 'Field Description of Soil and Rock' prepared by NZGS inc., Dec 2005

Date:	7/05/2025
Project Number:	2025073
Project Name:	78 Pearson Road
Address:	78 Pearson Rd
Test Number:	TP3
Completed by:	Jordan Cathcart

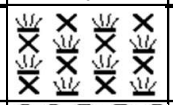
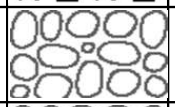
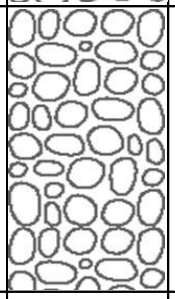
MEYERCRUDEN
CIVIL | STRUCTURAL | GEOTECH

Depth	Geology	Graphic	Material Description
0.0	Topsoil		ORGANIC SOIL with roots.
0.1			
0.2			
0.3	Alluvium		Sandy fine-coarse GRAVEL with minor rootlets, roots and cobbles; grey; bedded. Medium dense to dense; moist; well graded; bedding, subhorizontal, thick; sub-rounded, slightly weathered. Sand is fine-coarse.
0.4			
0.5			
0.6			
0.7			
0.8			
0.9			
1.0	Alluvium (Sand)		fine-coarse SAND with minor gravel; grey; bedded. Loose; moist; bedding, thick. Trace rootlets
1.1			
1.2			
1.3			
1.4			
1.5	Alluvium		Sandy fine-coarse GRAVEL with trace of roots and rootlets; grey; bedded. Medium dense to dense; moist; bedding, thick; sub-rounded, slightly weathered. Sand is fine-coarse. Calcified deposits in transition from layer above.
1.6			
1.7			
1.8			
1.9			
2.0			
2.1			
2.2			
2.3			
2.4			
2.5			
2.6			
2.7			
2.8			
2.9			
3.0			
3.1			
3.2			
3.3			
3.4			
3.5			
3.6			
3.7			
3.8			
3.9			
4.0			

Note: Described in accordance with 'Field Description of Soil and Rock' prepared by NZGS inc., Dec 2005

Date:	7/05/2025
Project Number:	2025073
Project Name:	78 Pearson Road
Address:	78 Pearson Rd
Test Number:	TP4
Completed by:	Jordan Cathcart

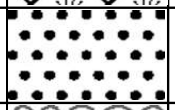
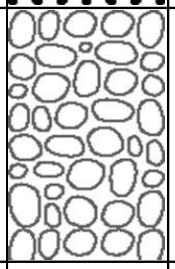
MEYERCRUDEN
CIVIL | STRUCTURAL | GEOTECH

Depth	Geology	Graphic	Material Description
0.0	Topsoil		ORGANIC SILT with roots.
0.1			
0.2			
0.3	Alluvium		GRAVEL with minor silt and sand; brown; bedded. Medium dense to dense; moist; well graded; bedding, thick; sub-rounded, slightly weathered. Trace roots and rootlets.
0.4			
0.5			
0.6	Alluvium		Sandy fine-coarse GRAVEL with some cobbles; grey; bedded. Medium dense to dense; moist; well graded; bedding, thick, sub-rounded, slightly weathered. Sand is fine-coarse. Trace roots and rootlets.
0.7			
0.8			
0.9			
1.0			
1.1			
1.2			
1.3			
1.4			
1.5			
1.6			
1.7			
1.8			
1.9			
2.0			
2.1			
2.2			
2.3			
2.4			
2.5			
2.6			
2.7			
2.8			
2.9			
3.0			
3.1			
3.2			
3.3			
3.4			
3.5			
3.6			
3.7			
3.8			
3.9			
4.0			

Note: Described in accordance with 'Field Description of Soil and Rock' prepared by NZGS inc., Dec 2005

Date:	7/05/2025
Project Number:	2025073
Project Name:	78 Pearson Road
Address:	78 Pearson Rd
Test Number:	TP5
Completed by:	Jordan Cathcart

MEYERCRUDEN
CIVIL | STRUCTURAL | GEOTECH

Depth	Geology	Graphic	Material Description
0.0	Topsoil / Fill (Uncontrolled)		ORGANIC SILT with general rubbish.
0.1			
0.2			
0.3			
0.4	Loess		fine-coarse SAND with some silt and rootlets; light yellow. Medium dense to dense; well graded.
0.5			
0.6			
0.7	Alluvium		Sandy fine-coarse GRAVEL with some cobbles and rootlets; grey; bedded. Loose to medium dense; moist; well graded; bedding, thin; sub-rounded, slightly weathered. Sand is fine-coarse.
0.8			
0.9			
1.0			
1.1			
1.2			
1.3			
1.4			
1.5			
1.6			
1.7			
1.8			
1.9			
2.0			
2.1			
2.2			
2.3			
2.4			
2.5			
2.6			
2.7			
2.8			
2.9			
3.0			
3.1			
3.2			
3.3			
3.4			
3.5			
3.6			
3.7			
3.8			
3.9			
4.0			

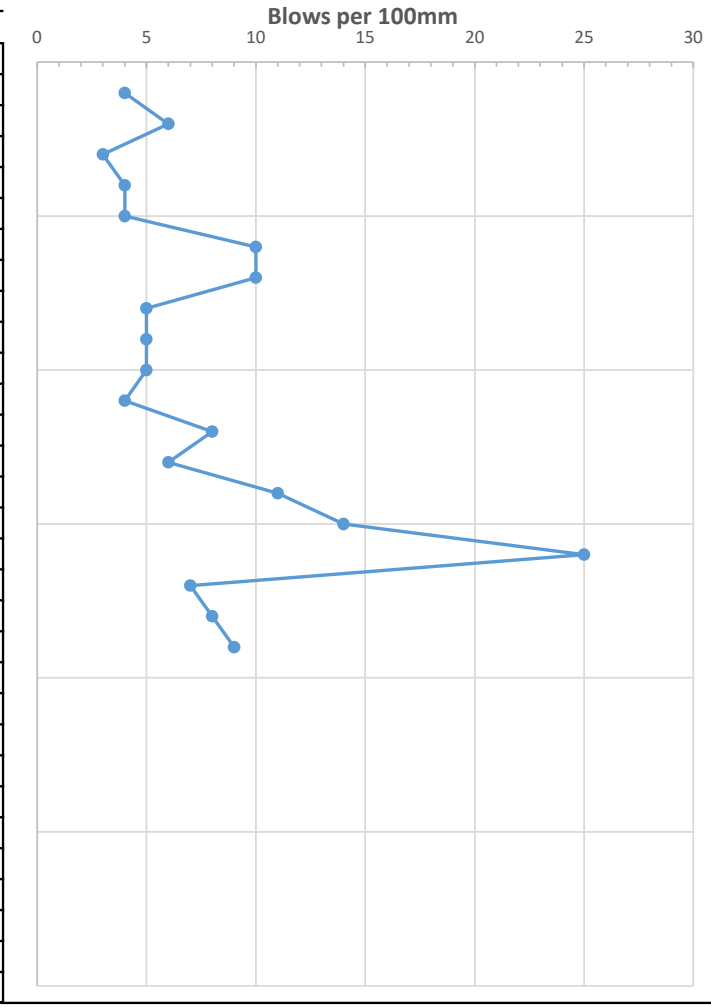
Note: Described in accordance with 'Field Description of Soil and Rock' prepared by NZGS inc., Dec 2005

Project Name: 78 Pearson Road
Project Number: 2025073
Date: 7/05/2025

MEYERCRUDEN
CIVIL | STRUCTURAL | GEOTECH

Scala Reference:	**1**	**GPS Location:**	**-45.06463260394061,169.14606604740874**

Depth (m)	Blows
0.0 - 0.1	4
0.1 - 0.2	6
0.2 - 0.3	3
0.3 - 0.4	4
0.4 - 0.5	4
0.5 - 0.6	10
0.6 - 0.7	10
0.7 - 0.8	5
0.8 - 0.9	5
0.9 - 1.0	5
1.0 - 1.1	4
1.1 - 1.2	8
1.2 - 1.3	6
1.3 - 1.4	11
1.4 - 1.5	14
1.5 - 1.6	25
1.6 - 1.7	7
1.7 - 1.8	8
1.8 - 1.9	9
1.9 - 2.0	
2.0 - 2.1	
2.1 - 2.2	
2.2 - 2.3	
2.3 - 2.4	
2.4 - 2.5	
2.5 - 2.6	
2.6 - 2.7	
2.7 - 2.8	
2.8 - 2.9	
2.9 - 3.0	

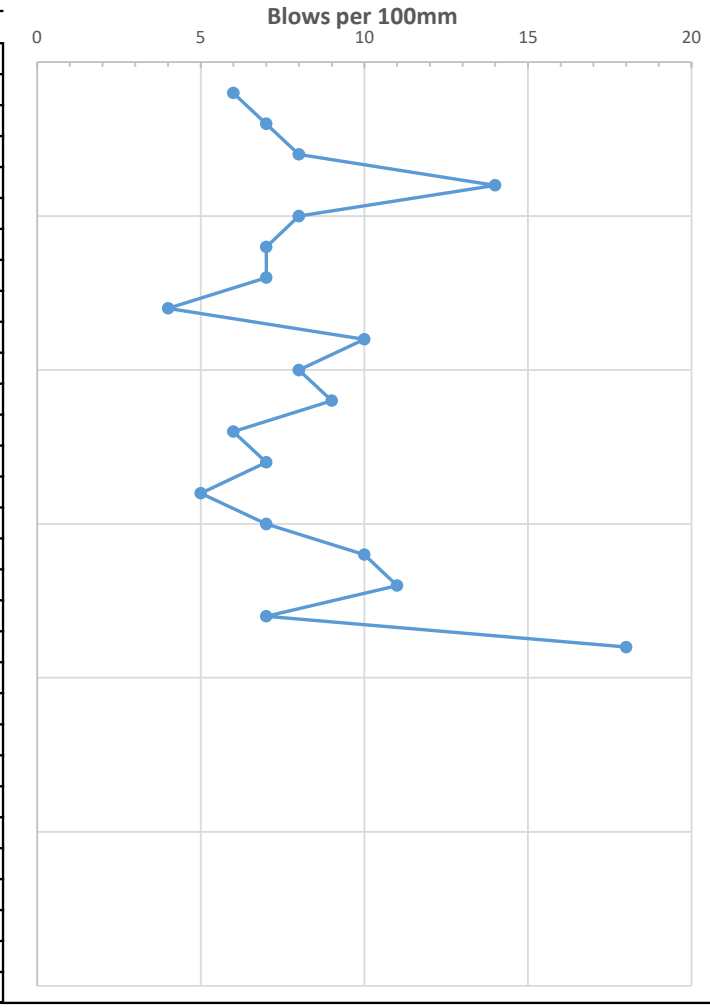


Project Name: 78 Pearson Road
Project Number: 2025073
Date: 7/05/2025

MEYERCRUDEN
CIVIL | STRUCTURAL | GEOTECH

Scala Reference:	**2**	**GPS Location:**	**-45.06445846796649,169.1461124358312**

Depth (m)	Blows
0.0 - 0.1	6
0.1 - 0.2	7
0.2 - 0.3	8
0.3 - 0.4	14
0.4 - 0.5	8
0.5 - 0.6	7
0.6 - 0.7	7
0.7 - 0.8	4
0.8 - 0.9	10
0.9 - 1.0	8
1.0 - 1.1	9
1.1 - 1.2	6
1.2 - 1.3	7
1.3 - 1.4	5
1.4 - 1.5	7
1.5 - 1.6	10
1.6 - 1.7	11
1.7 - 1.8	7
1.8 - 1.9	18
1.9 - 2.0	
2.0 - 2.1	
2.1 - 2.2	
2.2 - 2.3	
2.3 - 2.4	
2.4 - 2.5	
2.5 - 2.6	
2.6 - 2.7	
2.7 - 2.8	
2.8 - 2.9	
2.9 - 3.0	

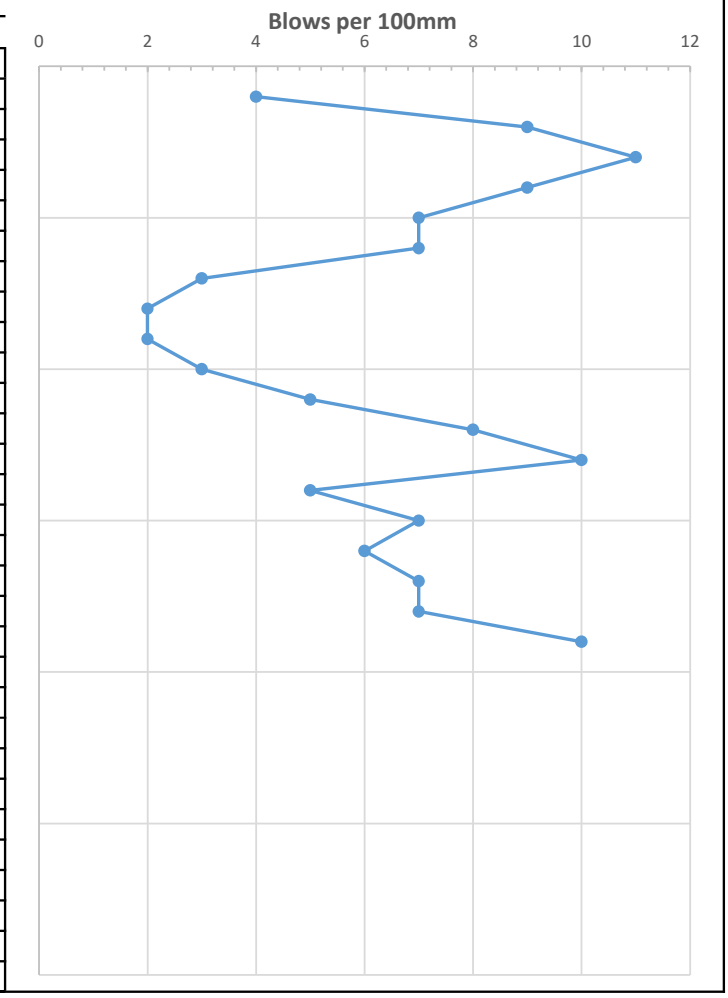


Project Name: 78 Pearson Road
Project Number: 2025073
Date: 7/05/2025

MEYERCRUDEN
CIVIL | STRUCTURAL | GEOTECH

Scala Reference:	**3**	**GPS Location:**	**-45.064317234444864,169.14591490989227**

Depth (m)	Blows
0.0 - 0.1	4
0.1 - 0.2	9
0.2 - 0.3	11
0.3 - 0.4	9
0.4 - 0.5	7
0.5 - 0.6	7
0.6 - 0.7	3
0.7 - 0.8	2
0.8 - 0.9	2
0.9 - 1.0	3
1.0 - 1.1	5
1.1 - 1.2	8
1.2 - 1.3	10
1.3 - 1.4	5
1.4 - 1.5	7
1.5 - 1.6	6
1.6 - 1.7	7
1.7 - 1.8	7
1.8 - 1.9	10
1.9 - 2.0	
2.0 - 2.1	
2.1 - 2.2	
2.2 - 2.3	
2.3 - 2.4	
2.4 - 2.5	
2.5 - 2.6	
2.6 - 2.7	
2.7 - 2.8	
2.8 - 2.9	
2.9 - 3.0	

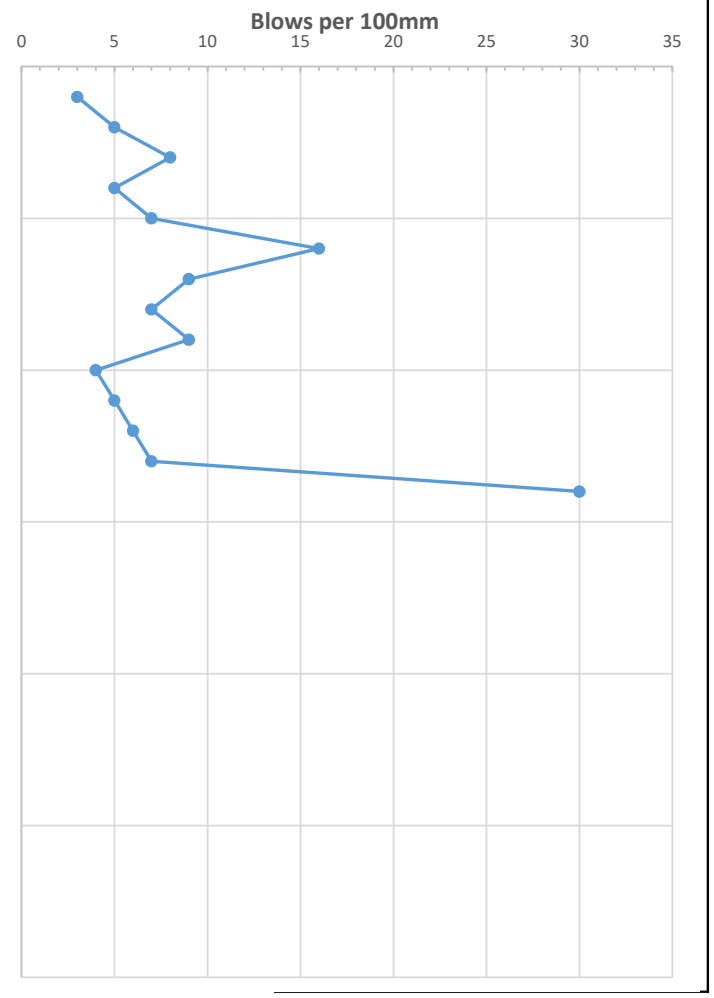


Project Name: 78 Pearson Road
Project Number: 2025073
Date: 7/05/2025

MEYERCRUDEN
CIVIL | STRUCTURAL | GEOTECH

Scala Reference:	**4**	**GPS Location:**	**-45.064417602849595,169.1458598241746**

Depth (m)	Blows
0.0 - 0.1	3
0.1 - 0.2	5
0.2 - 0.3	8
0.3 - 0.4	5
0.4 - 0.5	7
0.5 - 0.6	16
0.6 - 0.7	9
0.7 - 0.8	7
0.8 - 0.9	9
0.9 - 1.0	4
1.0 - 1.1	5
1.1 - 1.2	6
1.2 - 1.3	7
1.3 - 1.4	30
1.4 - 1.5	
1.5 - 1.6	
1.6 - 1.7	
1.7 - 1.8	
1.8 - 1.9	
1.9 - 2.0	
2.0 - 2.1	
2.1 - 2.2	
2.2 - 2.3	
2.3 - 2.4	
2.4 - 2.5	
2.5 - 2.6	
2.6 - 2.7	
2.7 - 2.8	
2.8 - 2.9	
2.9 - 3.0	

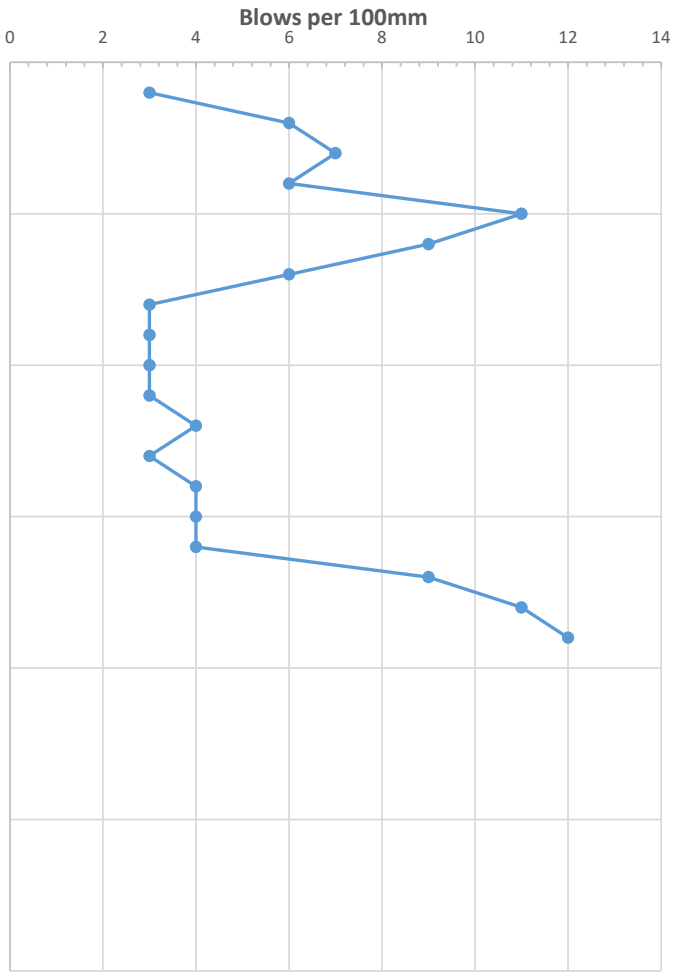


Project Name: 78 Pearson Road
Project Number: 2025073
Date: 7/05/2025

MEYERCRUDEN
CIVIL | STRUCTURAL | GEOTECH

Scala Reference:	**5**	**GPS Location:**	**-45.06485841465648,169.14638349404828**

Depth (m)	Blows
0.0 - 0.1	3
0.1 - 0.2	6
0.2 - 0.3	7
0.3 - 0.4	6
0.4 - 0.5	11
0.5 - 0.6	9
0.6 - 0.7	6
0.7 - 0.8	3
0.8 - 0.9	3
0.9 - 1.0	3
1.0 - 1.1	3
1.1 - 1.2	4
1.2 - 1.3	3
1.3 - 1.4	4
1.4 - 1.5	4
1.5 - 1.6	4
1.6 - 1.7	9
1.7 - 1.8	11
1.8 - 1.9	12
1.9 - 2.0	
2.0 - 2.1	
2.1 - 2.2	
2.2 - 2.3	
2.3 - 2.4	
2.4 - 2.5	
2.5 - 2.6	
2.6 - 2.7	
2.7 - 2.8	
2.8 - 2.9	
2.9 - 3.0	

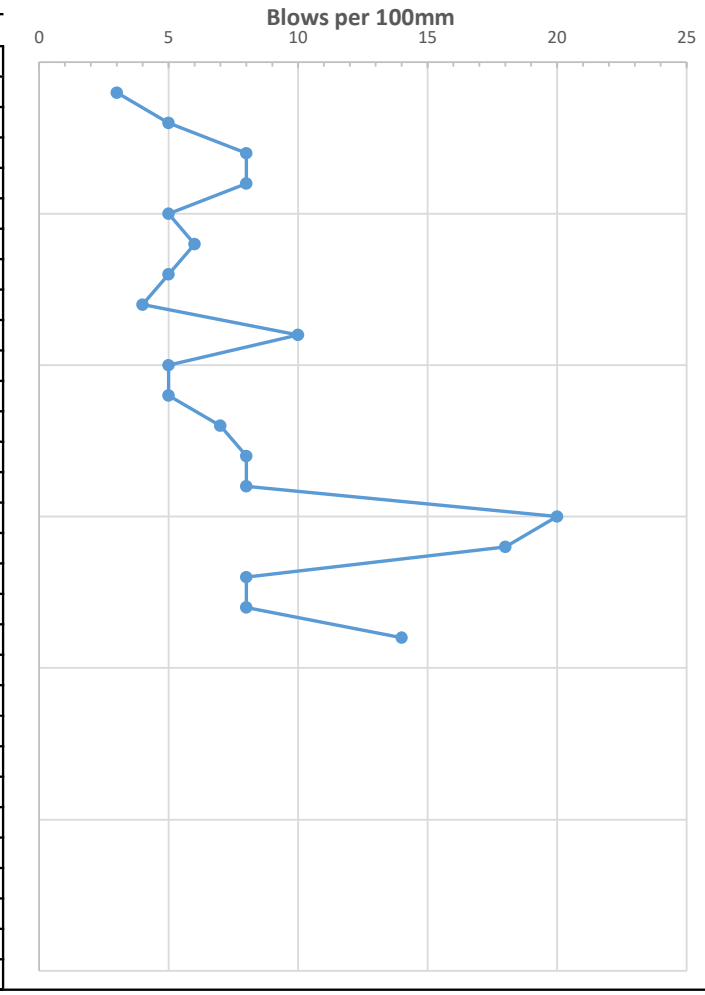


Project Name: 78 Pearson Road
Project Number: 2025073
Date: 7/05/2025

MEYERCRUDEN
CIVIL | STRUCTURAL | GEOTECH

Scala Reference:	**6**	**GPS Location:**	**-45.06433957260573,169.14596663803712**

Depth (m)	Blows
0.0 - 0.1	3
0.1 - 0.2	5
0.2 - 0.3	8
0.3 - 0.4	8
0.4 - 0.5	5
0.5 - 0.6	6
0.6 - 0.7	5
0.7 - 0.8	4
0.8 - 0.9	10
0.9 - 1.0	5
1.0 - 1.1	5
1.1 - 1.2	7
1.2 - 1.3	8
1.3 - 1.4	8
1.4 - 1.5	20
1.5 - 1.6	18
1.6 - 1.7	8
1.7 - 1.8	8
1.8 - 1.9	14
1.9 - 2.0	
2.0 - 2.1	
2.1 - 2.2	
2.2 - 2.3	
2.3 - 2.4	
2.4 - 2.5	
2.5 - 2.6	
2.6 - 2.7	
2.7 - 2.8	
2.8 - 2.9	
2.9 - 3.0	

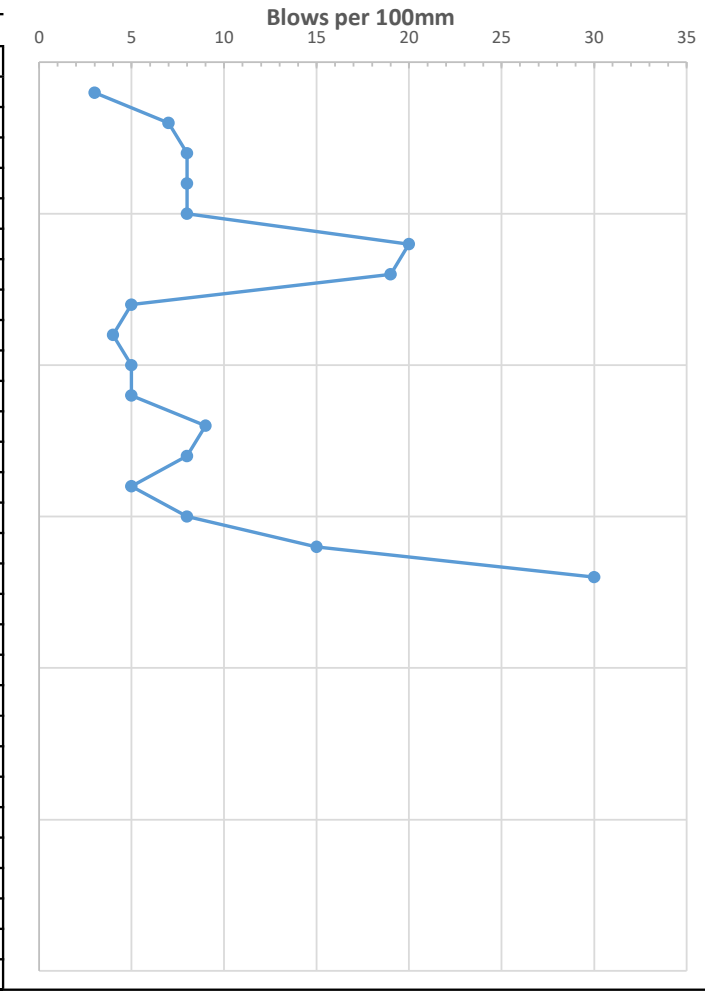


Project Name: 78 Pearson Road
Project Number: 2025073
Date: 7/05/2025

MEYERCRUDEN
CIVIL | STRUCTURAL | GEOTECH

Scala Reference:	**7**	**GPS Location:**	**-45.06446225264576,169.14601585774426**

Depth (m)	Blows
0.0 - 0.1	3
0.1 - 0.2	7
0.2 - 0.3	8
0.3 - 0.4	8
0.4 - 0.5	8
0.5 - 0.6	20
0.6 - 0.7	19
0.7 - 0.8	5
0.8 - 0.9	4
0.9 - 1.0	5
1.0 - 1.1	5
1.1 - 1.2	9
1.2 - 1.3	8
1.3 - 1.4	5
1.4 - 1.5	8
1.5 - 1.6	15
1.6 - 1.7	30
1.7 - 1.8	
1.8 - 1.9	
1.9 - 2.0	
2.0 - 2.1	
2.1 - 2.2	
2.2 - 2.3	
2.3 - 2.4	
2.4 - 2.5	
2.5 - 2.6	
2.6 - 2.7	
2.7 - 2.8	
2.8 - 2.9	
2.9 - 3.0	



APPENDIX C – AURORA POWER SUPPLY AVAILABILITY LETTER

AURORA ENERGY LIMITED
PO Box 5140, Dunedin 9058
PH 0800 22 00 05
WEB www.auroraenergy.co.nz

27/05/2025 REF: 126570

Jordan Cathcart
Meyer Cruden Engineering
jordan@mcengineering.co.nz

Dear Jordan,

ELECTRICITY SUPPLY AVAILABILITY FOR A PROPOSED 2 LOT SUBDIVISION
78 PEARSON ROAD, CROMWELL 9384 LOT 2 DP 356166 .

Thank you for your inquiry outlining the above proposed development.
Subject to technical, legal and commercial requirements, Aurora Energy can make a Point of Supply[1] (PoS) available for this development.

Disclaimer

This letter confirms that a PoS **can** be made available. This letter **does not** imply that a PoS is available now, or that Aurora Energy will make a PoS available at its cost.

Next Steps

To arrange an electricity connection to the Aurora Energy network, a connection application will be required. General and technical requirements for electricity connections are contained in Aurora Energy's Network Connection Standard. Connection application forms and the Network Connection Standard are available from www.auroraenergy.co.nz.

Yours sincerely

Niel Frear
CUSTOMER INITIATED WORKS MANAGER

[1] Point of Supply is defined in section 2(3) of the Electricity Act 1993.

MEYERCRUDEN
CIVIL | STRUCTURAL | GEOTECH

CROMWELL OFFICE
2D McNulty Road, Cromwell

WANAKA OFFICE
Unit 26, 5 Northlake Drive,
Wanaka

PO Box 161, Cromwell
(03) 445 0670
accounts@mcengineering.co.nz
www.mcengineering.co.nz

Jake Woodward

From: Bond, Rob <robert.bond@wsp.com>
Sent: Friday, 18 July 2025 2:46 pm
To: Jake Woodward
Cc: Jordan Cathcart; Bond, Lisa
Subject: RE: 78 Pearson Road

Hi Jake

I have checked the building platform location against our digitised mine plans and can confirm that the proposed building platform is NOT located on an area identified to be underlain by historic mine workings.

We would advise that the building platform does not move any further southwards or eastwards as this may then encroach onto areas that may be impacted by historical workings.

I don't believe that an updated report is therefore required.

Whilst I note that MC Engineering have completed a Geotechnical assessment of the proposed building platform it is prudent to note that the area is a former orchard and as such would be considered a potentially contaminated land site - HAIL.

WSP (Opus) previously completed a contaminated land PSI on a parcel of land located in the north east corner in 2016 however no developments were proposed at that time on the remainder of the orchard site and it was excluded from the assessment. It is recommended that consideration to contaminated land issues be considered for the disturbance of potentially contaminated land and that a DSI be completed to support the subdivision and land use change. If you require any further advise regarding the requirements of the NES please liaise with Lisa (copied in) who can advise as a SQEP.

I hope this assists in the development proposals.

If you require any further information – please do not hesitate to contact us.

Kind regards

Rob

Robert Bond
Technical Principal – Geotechnical Engineering
IntPE BEng(Hons) CPEng FEngNZ CEng(UK) ACSM

M 027 4914050

From: Jake Woodward <jake@jakewoodward.co.nz>
Sent: Monday, 14 July 2025 2:24 pm
To: Bond, Rob <robert.bond@wsp.com>
Cc: Jordan Cathcart <jordan@mcengineering.co.nz>
Subject: 78 Pearson Road

Hi Rob

I have been passed your details from the guys at Meyer Cruden.

I am preparing a resource consent application for a two lot subdivision at 78 Pearson Road. I understand you previously reported on the property in terms of historic mining activities (your report attached).

With the subdivision, I would like to submit an updated letter and was wondering if you were in a position to provide a fee proposal to update your assessment to take account of the new platform?

I have attached a scheme of the proposal for your reference.

Regards

Jake Woodward
Resource Management Planner
E: jake@jakewoodward.co.nz | P: 022 315 8370

JakeWoodward
RESOURCE MANAGEMENT PLANNER

Visit our website: www.jakewoodward.co.nz

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~LAEmHhHzdJzBITWfa4Hgs7pbKI

SPRINGLINE

18 August 2025
Springline Limited

Mathstone
Linden Brackstone
lindenbrackstone@gmail.com

RE: Supporting Contamination Assessment – Proposed 2-Lot Subdivision, 78 Pearson Road, Cromwell

Introduction

Springline Limited (Springline) has been engaged to provide an updated contamination assessment in support of the proposed 2-lot subdivision of 78 Pearson Road, Cromwell (the site).

This letter has been prepared to address requirements under the National Environmental Standards for Assessing and Managing Contaminants in Soil[1] (NES-CS) as they relate to the proposed subdivision. The assessment draws on information presented in 2024 Detailed Site Investigation (DSI) prepared by Kirk Roberts Consulting Ltd[2] (Kirk Roberts) for a previous, unrelated development proposal on the same property. This information has been reviewed and updated to provide a risk assessment relevant to the current subdivision proposal.

Site Information

A site plan is provided in Figure 1, Appendix A, and general site information is summarised in Table 1.

Table 1: Site Details

Site Information	
Address	78 Pearson Road, Cromwell
Legal Description	Lot 2 DP 356166
Area	1.95 ha
Current Site Use	Lifestyle block: horticultural (cherry orchard) with residential dwelling and private gardens.
Proposal	Two-lot subdivision comprising proposed Lot 1 (0.40 ha), containing the existing dwelling and outbuildings, and proposed Lot 2 (1.55 ha), encompassing the existing orchard. The existing dwelling and outbuildings on Lot 1 will remain, while a new dwelling and accessway are proposed within Lot 2. Refer to the scheme plan in Appendix B.

Refer to the DSI[2] for information on the historical and environmental setting.

Previous Investigation Summary

A DSI was undertaken in June 2024 by Kirk Roberts to support an application associated with the construction of an ~30 m² traveller-accommodation building located in the far southern corner (proposed Lot 2), outside the orchard footprint. The investigation included:

[1] Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations (2012)
[2] Kirk Roberts Consulting Ltd, Detailed Site Investigation – 78 Pearson Road, Revision B, Dated 22 August 2024, Project Ref: 2410172

- A review of Otago Regional Council (ORC) and Central Otago District Council (CODC) records including:
  - Environmental data and resource consents
  - ORC Listed Land Use Register (LLUR)
  - Historic Aerial Images (1950 to 2023)
  - Land and Information New Zealand (LINZ) orchard register.
- A site inspection and landowner interview
- Due to the orcharding (2003 onwards) four shallow soil samples were collected from the proposed accommodation building footprint.

Soil analytical results recorded elevated arsenic concentrations above the adopted background criterion (12.06 mg/kg) in two samples. However, all results were at or below the applicable residential Soil Contaminant Standard (SCS) of 20 mg/kg, and no organochlorine pesticides were detected above laboratory reporting limits.

Summary

The report provides sufficient background information for the wider site in relation to the proposed subdivision. However, the soil sample results are not considered representative of either the wider orchard block or the nominated building platform for the proposed subdivision, which is located approximately 60 m from the DSI test area.

Furthermore, the adopted background concentration for arsenic (12.06 mg/kg, sourced from the Landcare Research LRIS Portal[3]) is approximately 100 m from a mapped soil boundary where LRIS ambient arsenic concentrations are reported as 33.77 mg/kg, refer to Figure 2 , Appendix A.

Updated Risk Assessment

The following updated risk assessment has undertaken to provide specific assessment of the proposed subdivision.

The orchard was established post-2000, and three seasons of spray diaries (2022/23 – 2024/25) have been provided and reviewed by Springline. The diaries record only contemporary, registered actives – fungicides (e.g. chlorothalonil, tebuconazole, carbendazim, iprodione, trifloxystrobin/fluopyram), insecticides (e.g. methoxyfenozide, pirimicarb), limited streptomycin during bloom, mineral oil/adjuvants, and seasonal copper oxychloride. There is no record of legacy organochlorine pesticides (e.g. DDT, dieldrin, lindane) or arsenical pesticides (e.g. lead arsenate, MSMA/DSMA).

Under the EnviroLink guidance[4] for HAIL Category A10, classification relates to persistent pesticide bulk ause/storage with a reasonable likelihood of long-term residues (typically organochlorines and arsenic/lead compounds). Modern orchards without evidence of persistent pesticide use need not be classified as HAIL A10. On the evidence provided, the cherry orchard does not meet the HAIL A10 threshold.

Seasonal use of copper-based fungicides is typical in cherry production and, on its own and at the recorded frequencies, does not indicate a likelihood of exceeding soil contaminant standards. If Council seeks additional assurance, a single targeted topsoil metals screen within the nominated building platform could be offered; however, given the documented spray programme and absence of legacy pesticides, this is not considered necessary to support a low-risk conclusion.

[3] Manaaki Whenua Landcare Research – LRIS Portal - PBC – Soil Concentrations 95% UCL (https://lris.scinfo.org.nz/data/)
[4] Gaw S; et al. 2014. University of Canterbury. Envirolink Report 1473 – Guidance for Assessment of Sites in Accordance in Accordance with Category A10 of the Hazardous Activities and Industries list (HAIL). Christchurch: University of Canterbury.

SPRINGLINE

The spray diaries are not appended due to their length; however, copies can be provided to Council on request.

Conclusions

- The 2024 Kirk Roberts DSI sampled a small, peripheral corner unrelated to the proposed building platform/subdivision. The reported trace-element elevations were within expected background concentrations of the wider area, localised, and below residential SCS, and are not representative of orchard soils.
- The orchard is a modern, post-2000 operation. Spray diaries evidence only contemporary, registered products with no legacy organochlorines or arsenical pesticides; accordingly, the orchard does not meet HAIL A10.
- No other HAIL activities have been identified on the site.
- The site does not meet the definition of HAIL and the NES-CS should not apply to the proposed subdivision.

Yours faithfully,

James Jackson

Director | CEnvP

Springline Limited

M: 021 264 7343

E: james@springline.co.nz

SPRINGLINE

Appendix A Site Plan

SPRINGLINE

TITLE
Figure 1: Site Plan

PROJECT
78 Pearson Road

CLIENT
Mathstone Enterprises Ltd

SPATIAL REFERENCE

0 15 30 N

PROJECT MANAGEMENT

Approved	MN	Date	18.08.2025
Checked	JJ	Date	16.08.2025
Drawn	JJ	Date	16.06.2025

ISSUE / REVISION

A	16.08.2025	Final

SITE LOCATION

SPRINGLINE

TITLE
Figure 2: Soil Background Maps

PROJECT
78 Pearson Road

CLIENT
Mathstone Enterprises Ltd

SPATIAL REFERENCE

0 30 60

N

PROJECT MANAGEMENT

Approved	MN	Date	18.08.2025
Checked	JJ	Date	16.06.2025
Drawn	JJ	Date	16.06.2025

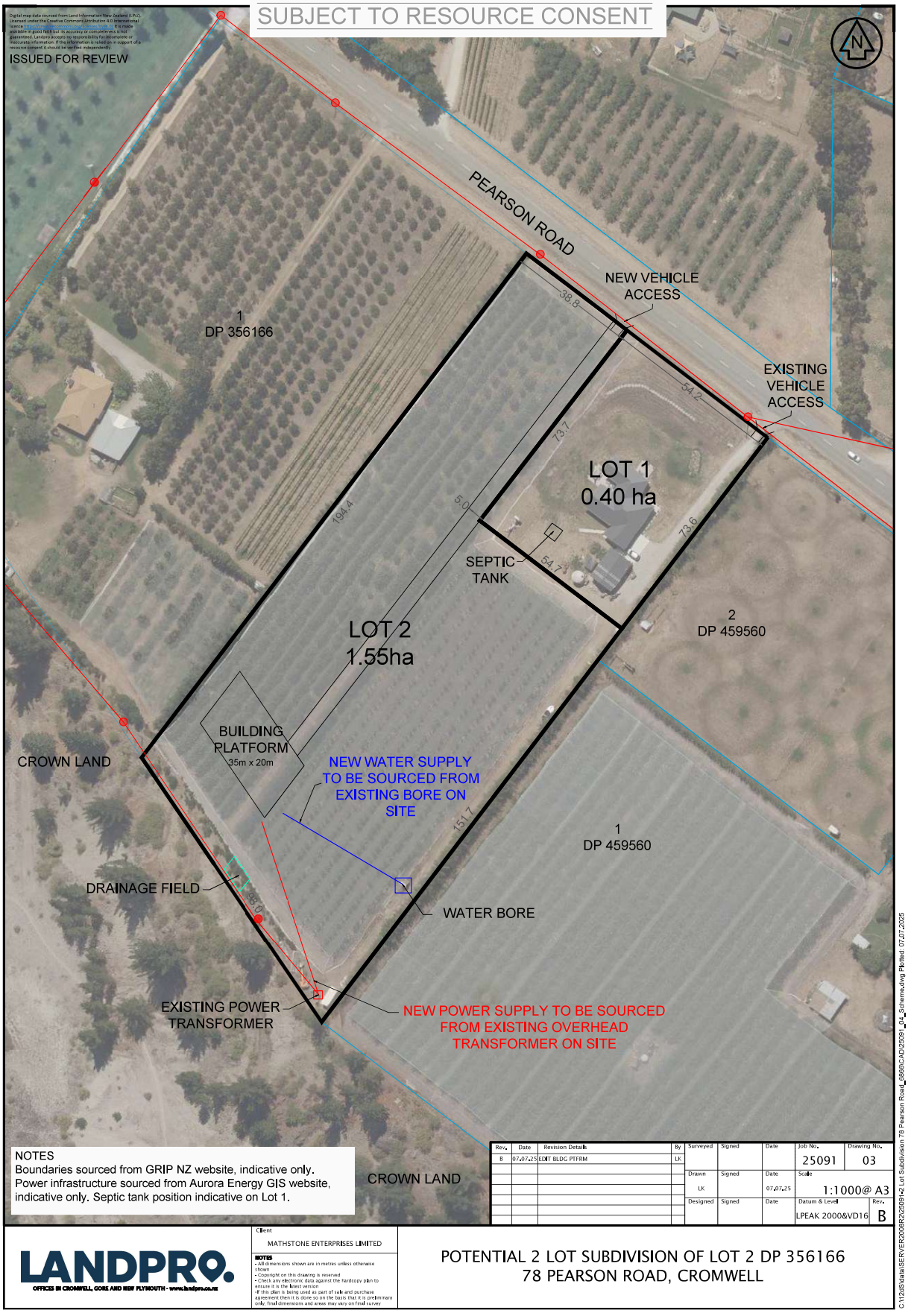
ISSUE / REVISION

A	16.06.2025	Final

SITE LOCATION

SPRINGLINE

Appendix B Subdivision Plan


SUBJECT TO RESOURCE CONSENT
ISSUED FOR REVIEW
PEARSON ROAD
NEW VEHICLE ACCESS
EXISTING VEHICLE ACCESS
1 DP 356166
LOT 1 0.40 ha
LOT 2 1.55ha
2 DP 459560
1 DP 459560
SEPTIC TANK
BUILDING PLATFORM 35m x 20m
NEW WATER SUPPLY TO BE SOURCED FROM EXISTING BORE ON SITE
WATER BORE
DRAINAGE FIELD
EXISTING POWER TRANSFORMER
NEW POWER SUPPLY TO BE SOURCED FROM EXISTING OVERHEAD TRANSFORMER ON SITE
CROWN LAND
CROWN LAND
38.8
54.2
73.7
73.6
194.4
5.0
54.7
151.7
38.0
NOTES
Boundaries sourced from GRIP NZ website, indicative only.
Power infrastructure sourced from Aurora Energy GIS website, indicative only. Septic tank position indicative on Lot 1.
LANDPRO
OFFICES IN CROMWELL, GORE AND NEW PLYMOUTH - www.landpro.co.nz
Client
MATHSTONE ENTERPRISES LIMITED
POTENTIAL 2 LOT SUBDIVISION OF LOT 2 DP 356166
78 PEARSON ROAD, CROMWELL
Job No. 25091
Drawing No. 03
Scale 1:1000@ A3
Datum & Level LPEAK 2000&VD16
Rev. B

Mathstone Enterprises Ltd

78 Pearson Road Cromwell

LAND USE CAPABILITY REPORT

Photo 1: View of the Mathstone property from Pearson Road showing the curtilage area proposed for subdivision.

August 2025

1

Contents

Introduction and Current Use 3
Current Infrastructure & Management 4
The site is currently set up for cherries by way of the following: 4
Soil Characteristics & Behaviour Molyneux Very Shallow Silt Loam (LUC6) 4
Soils of the Upper Clutha 4
Soil Response to Development 6
Climatic Considerations 6
Economic Considerations 7
Loss of Production Considerations 7
General Discussion 8
Historic Use 8
Potential Land Use & Discussion 10
Proposed Subdivision 12
Proposed Orchard : Lot 2 – 1.5ha more or less 12
Capital Cost Considerations 14
Summary & Conclusion 14
Soil Map 15

Introduction and Current Use

Mathstone Enterprises Ltd, of Cromwell, is proposing to subdivide its property at 78 Pearson Road Cromwell into two titles comprising a house block and orchard block. The orchard comprises 1.5ha with 1.2ha of that planted in three cherry species (Stacatto, Sweetheart & Stella) with cherries from 1029 trees harvested in the 2024/25 season. The balance of the land is circulation and the associated curtilage or house block. The proposed subdivision will require the removal of 78 assorted cherry trees.

The cherry trees are netted and irrigated and over the last three seasons have produced a weighted average of 9.1kg of cherries per tree.

Table 1: Proposed Lots

Proposed Lot Number	Current Use	Future Use	Comment
Lot 1	House site	House site	There is no impact on production off the land as there is no land use change.
Lot 2	Cherry Orchard	Cherry Orchard and house site platform	This will require the removal of 78 trees and the potential loss of 700kg of cherry production.

The property currently consists of one title with a total area of 1.9535ha. The soils are Molyneux very shallow silt loams[1]. Molyneux soils are classified as LUC 6 and described as non-arable with slight to moderate limitations to pastoral use, suitable for pasture, tree crops and forestry and in some cases vineyards. Erosion is generally the dominant limitation[2].

Ray Macleod, of Landward Management Ltd and Linden Blackstone of Mathstone Enterprises Ltd inspected the property of 16 April 2025 to assist with the assessment of the land. During this exercise soil depth was confirmed as being shallow.

In summary the proposed lots are as shown below.

Table 2 "Summary of soil description and current state of proposed lots"

Proposed Lot Number	Area in Hectares	Primary Soil Classification	Soil Reference Number	Comment
Lot 1	0.4500ha more or less	Molyneux very shallow silt loam	2d	Comprises an existing house with developed site (curtilage).

[1] Soil Bureau Bulletin 28 - Soil And Land Use In The Upper Clutha Valley Otago. DSIR 1967
[2] Landcare Research – Our Environment Database

Lot 2	1.5ha more or less	Molyneux very shallow silt loam	2d	Developed as an irrigated and netted cherry orchard.
TOTAL AREA	**1.9500ha**	**more or less.**		

Current Infrastructure & Management

The site is currently set up for cherries by way of the following:

- 1200 square metres of netting
- Water is obtained from an onsite bore supplying 11.9 litre/second in normal operation with do not exceed limits of 17l litre/sec or 462cubic metres per day. Water is available all year round and is distributed across the orchard using under tree micro sprinklers.
- Cherries are harvested when mature and picking is managed by Central Pac. All other orchard labour and management is completed by the owner, Mathstone Enterprises Ltd.
- Frost fighting is by helicopter and frost pots.
- Pesticides, fungicides, insecticides, bactericides and fertilisers are applied annually as required.

Soil Characteristics & Behaviour Molyneux Very Shallow Silt Loam (LUC6)

LUC 6 soils are defined as droughty shallow stony soils, severely eroded by wind in many places. Very porous and therefore not suitable for irrigation because of low storage capacity and consequently excessive water requirement. May be suitable for dryland farming. Only small areas of deeper soils are suitable for irrigation. Farm forestry limited by low rainfall. Water supply inadequate, mainly from stock water races[3].

The water usage volumes provided by Mathstone support the view that irrigation demand is high if crop yields are to be successful, this is due, as noted above, to the low soil moisture capacity of Molyneux. Table 3 below are the ORC water metre records for the irrigation system at 78 Pearson Road for the four full years ending 31 August 2024. The annual application of irrigation water assumes all 19535² of the land is irrigated equally.

Table 3: Annual Irrigation Use

Year	2021	2022	2023	2024
Volume (m^3)	16270	16054	13327	10615
mm depth annually	835mm	820mm	680mm	545mm

The degree of irrigation is clearly dependent upon rainfall volumes with higher irrigation corresponding to low rainfall years. Long term rainfall records suggest rainfall is normally between 300mm and 400mm. This would suggest the cherry orchard requires in excess of 1000mm of water applied annually to support fruit growth and current harvest volumes.

Soils of the Upper Clutha

Soils of the Upper Clutha were assessed by the New Zealand Department of Scientific and Industrial Research in the 1950s and 1960s resulting in the publication of Soil Bureau Bulletin 28 in 1967.

[3] Soil Bureau Bulletin 27 Soils of the South Island , New Zealand.

Soils are assigned to one of five depth phases[4] according to their depth above gravel or bedrock:

- 0 Deep: > 100 cm
- 1 Moderately Deep: 45-100 cm
- 2 Shallow: 20-45 cm
- 3 Stony: 10-20 cm
- 4 Very Stony: < 10 cm

Pearson Road is described as having shallow stoney soils with limitations due to wind erosion, soil depth and moisture deficits. It does lend itself to horticulture on a small scale. The soils do not lend themselves to frequent or continuous cultivation due to elevated risk of wind erosion with horticulture being a more suited to the prevailing climatic conditions provided sufficient water is available at reasonable cost and the application rates required to successfully grow fruit are not damaging to soils or the cause of tunnel erosion.

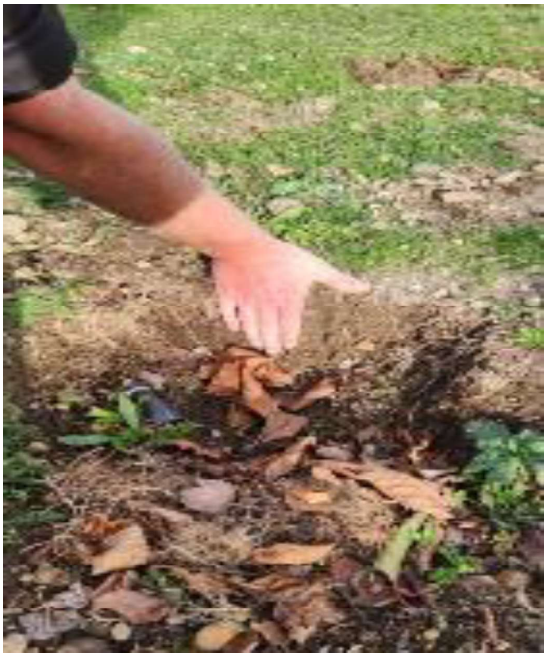


Photo 2: Soil depth of these Molyneux is shallow ,overlaying river gravels and sediments and typical of the area. Although irrigated the soils are droughty with these shallow soils requiring significant irrigation to perform.

In terms of productivity the dry matter production measure of kilograms of dry matter[5] is negligible. In its natural state dry matter production is assessed at 1500kg annually or barely sufficient for two breeding ewes. With water available production can be increased however the parent thin droughty soils ultimately does place limitations upon the soil.

[4] Landcare Research
[5] Dry Matter (DM) is simply the weight of feed after all moisture has been removed.

Soil Response to Development

As noted there are limitations to production due to the nature of the parent soils, however soils do respond to farming inputs over time, resulting in improved production levels. Changes can include increased organic materials in the soil, and greater vegetation cover that result in better soil moisture retention and increased production. This does take time and I believe 78 Pearson Road has benefited from the development that has taken place; however the nature of the parent soil and its thinness ultimately places a significant limitation on what can be achieved in terms of production from the land.

Climatic Considerations

The Pearson Road area is classified as semi-arid[6] with rainfall typically between 300mm to 400mm annually. Due to low rainfall, hot climate and strong winds, the area has a sizable moisture deficit with a high level of evapotranspiration present. The influence of climate on productivity is a key part of productivity, regardless of soil classification. Regular cropping is not widely practiced in the area due to environmental risks around wind erosion, low rainfall and low yields.

Current uses in the area reflect the highest and best use under the prevailing climatic conditions. The uses also reflect the challenges that face traditional farming practices in the district. Horticultural planting does occur where reliable bore water supplies have been established however these are costly to operate and have limitations placed upon them. Due to the droughty nature of the soils and the occurrence of high evapotranspiration levels water use is high and excessive irrigation can cause soil management and tunnel erosion challenges.

[6] Soil Bureau Bulletin 28 – Soils & Land Use In The Upper Clutha Valley, Otago

Photo 3: View along the western boundary which with newer varieties being able to be planted at 3m rather than 9m spacings could become available for cherry production.

Economic Considerations

In terms of financial performance, the following table details the operating results of the past 3 years before owner's labour, depreciation, local body rates, insurance, professional fees, repairs and maintenance or vehicle and plant costs are applied. If these costs along with return on capital and interest is factored the orchard, is in deficit under average trading conditions. For avoidance of doubt the figures in the table represent gross revenue less the direct cost of production. Table 4 below picks up costs indirect costs (insurance and rates) plus direct labour not accounted for.

Table 4: Gross margins, figures supplied by Mathstone.

Season	Stacatto Gross Margin	Sweetheart Gross Margin	Stella Gross Margin	Seasonal Totals
2022/23	-$10,851	-$14,272	$10,119	-$15,004
2023/24	$13,574	$5,345	$15,777	$34,496
2024/25	-$2,277	-$1,649	-$915	-$4,814

Based on the above 78 Pearson Road is not commercially viable. It struggles to cover direct operating costs before owner's labour and indirect costs are applied. The cherry crop has value but Mathstone is unable to recover its shareholder time inputs, fixed overhead (insurance, rates etc) or obtain a return on orchard specific capital. The productive capacity of the land is ultimately limited by the soil type and depth, despite improvements in soil response to inputs and good management. Mathstone estimates unpaid physical labour inputs at 200 hours plus management time sourcing materials and buyers and administration at a further 100 hours. Any loss of production due to the proposed subdivision, will, in my opinion, be recoverable over time, however the property will remain unviable in commercial terms.

Table 5: Other Costs of operation not recovered.

Description	Rate/Hour	Unit	Cost	Comment
Orchard Labour	$50	200hours	$10,000	Estimated
Management/Admin	$100	100hours	$10,000	Estimated
Insurance	NA	1	$ 3152	Actual
Rates	NA	1	$ 5,209	Actual ORC/CODC
TOTAL			**$28,361**	

If Table 5 costs are applied , and an allowance made for capital use the cherry orchard is always going to be unprofitable.

Loss of Production Considerations

I have read the Mathstone "Replanting Plan" proposal which indicates that any loss of production, as a result of the proposed subdivision, is able to be offset within the resultant subdivided cherry block title through a combination of additional trees and higher yielding varieties. I support that view and am happy that no loss of production would occur if a Replanting Plan were to be implemented.

General Discussion

The productivity of Molyneux soils is low. With water and fertilizer inputs crops such as grapes and stone fruit can be grown but returns will remain marginal. The current market value of land in the area makes land aggregation for a larger scale operations uneconomic.

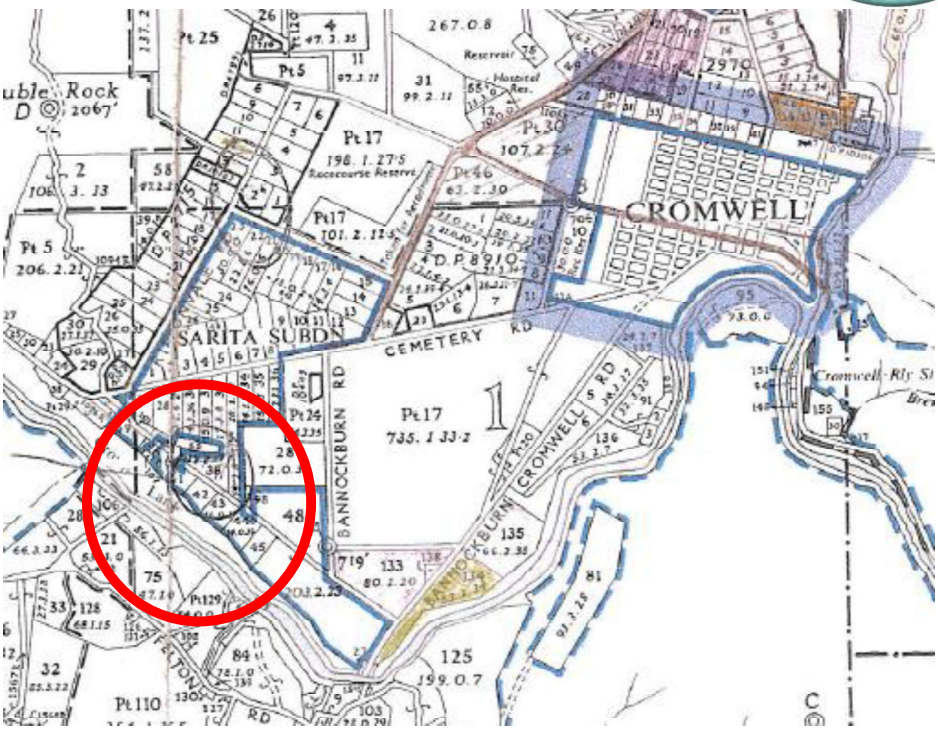
Due to the high cost of purchase and development and the variability of horticultural returns growers are unlikely to generate the returns needed to achieve economic sustainability on this property. I do not consider the property to have the soils to be an economically sustainable operation at this scale.

It is my opinion that the loss of production projected by Mathstone would have no significant impact on financial performance and would be able to be recovered over time, this is not to say the orchard would become commercially viable and in my opinion it won't.

The area is attractive for rural lifestylers. These parties tend to place higher values on the land than commercial and small horticultural operators, something supported by sales data for the area, which places the value of 78 Pearson Road well above the commercial value of the land as a small cherry block.

Historic Use

Historically cadastral maps show the immediate area originally comprised predominantly smaller blocks, especially along the river side of Pearson Road from street number 180 to the State Highway. These smaller blocks may have been established with horticultural use in mind but remained relatively undeveloped until recent times. Many of these titles have been subdivided as lifestyle blocks, also in recent times



Cromwell NZMS 177A S.133 1st Edition December 1963 - Cadastral

The low production available from the land and its increasing value for lifestyle purposes has priced the land above its sustainable value for horticultural production. Number 78 Pearson Road is part of this trend. Parcels of land have become "productive", in a limited way, as owners have sought to create attractive living spaces with the economics of development as small vineyards and orchards being secondary to the lifestyle attraction.

Figure 1 - Cromwell Development Envelope – 78 Pearson Road is marked with the "Yellow" polygon.

Potential Land Use & Discussion

There are few economically sustainable and alternative productive land uses available to Mathstone Enterprises Ltd, if any. My view is its highest and best use is as a rural lifestyle block, albeit with a small cherry orchard. As discussed above the revenue from the orchard consistently fails to meet direct and indirect costs of production and provide a return on capital.

Productive limitations include climate, soil type, finite water resources and scale. The area experiences strong winds resulting in an elevated risk of soil erosion, if cultivated and high evapotranspiration rates and thus moisture deficits. Lack of soil depth, and an inability to retain moisture places further limitations on production especially as this property comprises shallow to very shallow soils.

Table 6 Productive capacity under varying land use options

Table 6 below provides the expected productive output for dry land pastoral farming and irrigated horticultural output (in this case cherries). These are the two production options for the land given the soil type and the prevailing climatic conditions. Irrigation does improve production but shallow droughty soils require high water use which in itself can create management problems with respect to soil damage and tunnel erosion. This can result in longer-term soil degradation and loss of production.

Table 6: Production estimates off the land.

Land Status	Land Area	Est Yield (Ha) Tonnes	Total Yield (Tonnes)	Est Carry Capacity in (su)	Comment
Dry Land	1.9535	0.750	1.5tonnesDM	2.4su	No allowance for land not in production (curtilage & yards)
			Tonnes Cherries		
Irrigated Cherry Orchard	1.20ha	6.0	8-12 tonnes	NA	Existing curtilage removed from productive land.

TABLE 1. Rainfall and Climatic Data, from Upper Clutha Valley

I. RAINFALL—(a) Mean Monthly and Annual Figures of Selected Stations, Recorded in Inches

Station	Period	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Year
Hawea Flat ..	1921–50	2·6	2·2	2·5	2·5	2·1	1·7	1·7	2·2	2·3	2·3	2·0	2·1	26·2
Wanaka ..	1921–50	2·2	2·3	2·4	2·5	2·1	1·7	1·7	2·0	2·3	2·3	1·9	2·0	25·4
Luggate ..	1921–50	2·1	1·8	2·0	2·2	1·8	1·4	1·4	1·7	1·8	1·9	1·6	1·8	21·5
Ripponvale ..	1921–50	1·8	1·5	1·6	1·6	1·3	1·2	1·0	1·0	1·3	1·5	1·2	1·5	16·5
Mt. Barker ..	1948 1954 1937 1959	1·35	1·14	2·63	1·89	1·94	2·09	1·14	1·09	2·04	2·88	4·01	2·54	24·70
Lake Hawea ..	1957–60	2·07	2·18	2·36	1·90	3·97	2·69	1·41	1·43	2·79	2·70	3·02	2·21	28·7

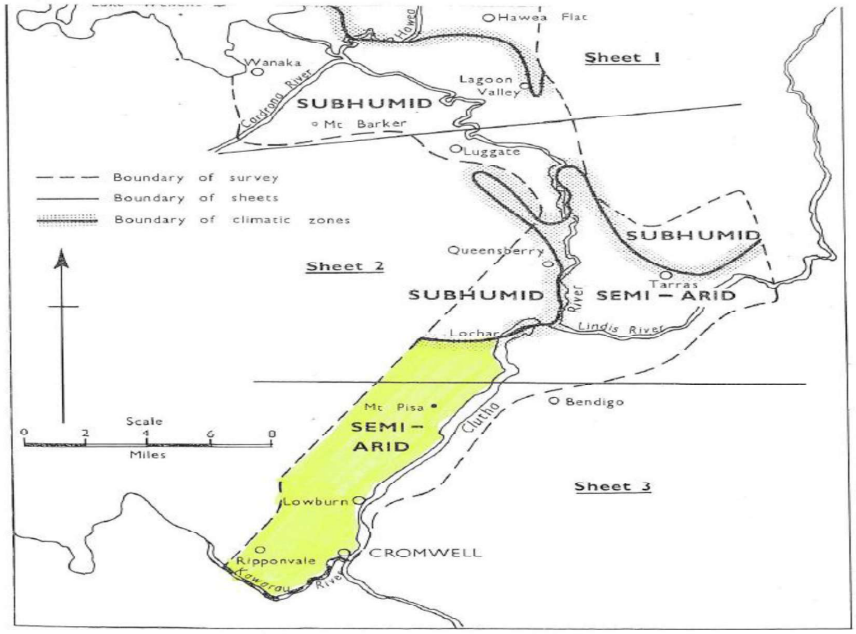


Fig. 3: Upper Clutha Valley, showing broad climatic zones.

Scource : Soil Bulletin 28 - Soils and land use in the Upper Clutha Valley (units Imperial) – DSIR

In summary shallow soils, high levels of moisture deficit due to the semi-arid zone, long cold winters and hot dry summers all conspire to limit productivity, especially with Molyneux Very Shallow Silt Loam as is the case on the Mathstone Property.

Proposed Subdivision

Prosed House: Lot 1 - 0.45ha more or less.
This proposed Lot fronts Pearson Road and lies between the road and the shorter rows of cherry trees on the south-west boundary

This proposed lot contains the house and its services and operates separately from the proposed Orchard Block. Separating the house block will have no impact upon the cherry production. There is no production from the land in the proposed house title, it is simply a family home with its associated sheds and lifestyle block curtilage.

Photo 4: View along the eastern boundary clearly demonstrates that areas are available that can be bought into production.

Proposed Orchard : Lot 2 – 1.5ha more or less
It is proposed to site a house on this lot which will result in the loss of 78 cherry trees. I have visited the property and am entirely satisfied that the loss of production from these trees can be made up on the site. There are areas where replacement cherry trees can be planted and in the intervening years, since the property was initially planted out, new varieties have been developed that require less space between trees, are higher yielding and mature earlier in the season. With smaller spacing and higher yield, the yield may improve over time, meaning the loss of trees and the resulting loss of production, to a building platform, is able to be offset. It should be noted this offset does not make the orchard financially sustainable, which in my opinion it isn't.

Photo 5: View at the rear of the proposed house block illustrates that land is available to plant smaller higher producing species.

Photo 6: At the rear of the property looking south-east. This will form part of the building platform but sosme land is available to plant shorter higher performing cherry species.

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Photo 7: View showing pruning's at the rear of the property on ground that is available for either building or new tree varieties.

Capital Cost Considerations

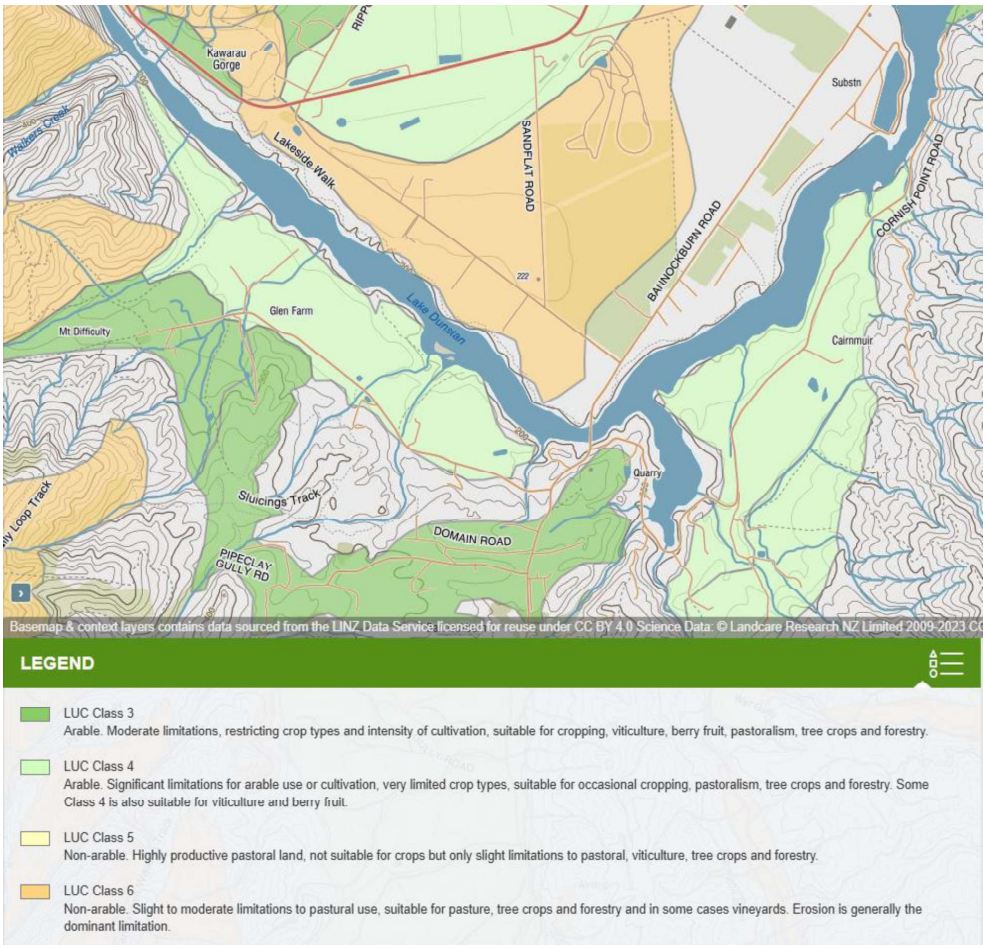
As discussed, the value of this property as rural lifestyle exceeds the productive horticultural value of the land such as it will have no attraction to commercial investors seeking additional blocks as part of a land aggregation strategy. The limited productive capacity of the soil contributes significantly to this outcome.

Summary & Conclusion

The soils are identified as LUC6 soils and fall outside the "National Policy Statement For Highly Productive Land" rules. Mathstone Enterprises does acknowledge there will be a loss of production under the proposed subdivision. In my opinion, and Mathstone's calculations support this view, the loss of production is recoverable. At its most basic however the cherry orchard is not financially viable regardless of whether the projected loss of production is factored in or not.

Ray Macleod
Landward Management Ltd
August 2025

Soil Map



Source Landcare Research

This map shows the LUC6 soils as brown as per the legend. 78 Pearson Road is entirely LUC6.

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Mathstone – 78 Pearson Road Cromwell – 28 August 2025

Replanting Plan

The eastern edge of the property bordering 94 Pearson Road represents an area of under-utilised land some 10m wide by 130 m long or around 1300m2. This area of land is intended by the applicants to be used for new orchard plantings to more than offset the loss of trees from the subdivision.

The modern planting method known as UFO (upright fruiting off shoots) will be used as this planting method allows for greater utilisation of space and maximise light interception and number of trees per ha and fruit production. Tree spacings with this planting method are at 1.8m spacings down the rows and 2.25m between rows. With this planting method the applicants can plant 72 trees on each 130 m row and fit 3 rows in the vacant land. This total of 216 trees is available to be replanted and offset the production loss. The 2D planting method is illustrated in the below picture

All existing orchard infrastructure is in place to support new plantings. Netting area can be extended and additional irrigation lines run to service these new trees. Large timber poles are able to be driven at each end of the 3 rows with guide wires anchoring them into the ground. Steel posts would be installed down the rows at 10m centres and wire run the length of the rows to train the trees onto.

This planting method has been adopted widely in the district with the majority of new orchard developments using this planting method.
https://www.odt.co.nz/rural-life/horticulture/grower-new-planting-system

The new trees would be sourced from Genesis Nursery, with a variety such as lapin which is a mid-maturing variety suitable for export. Correspondence from the Nursery below regarding costing and time frame for tree supply below.

“Hi Linden

I hope you are doing well.

The tree price is $25.00 + packaging, transport +gst

Our payment terms 1 year out for an order are as per below:
(a) 30% excluding GST of the Base Cost on confirmation of the Order Request by Genesis Nurseries.
(b) 20% excluding GST of the Base Cost on the 20th of January 2026 the year of deliver.
(c) Remaining 50% excluding GST of the Base Cost not less than 14 days prior to the Delivery Date.

If you would like to proceed, we will get our sales admin to work through the paperwork with you.

Kind Regards
Chris”

The table on the next page summarises the planned inputs for the orchard extension and some of the anticipated costs.

Mathstone – 78 Pearson Road Cromwell – 28 August 2025

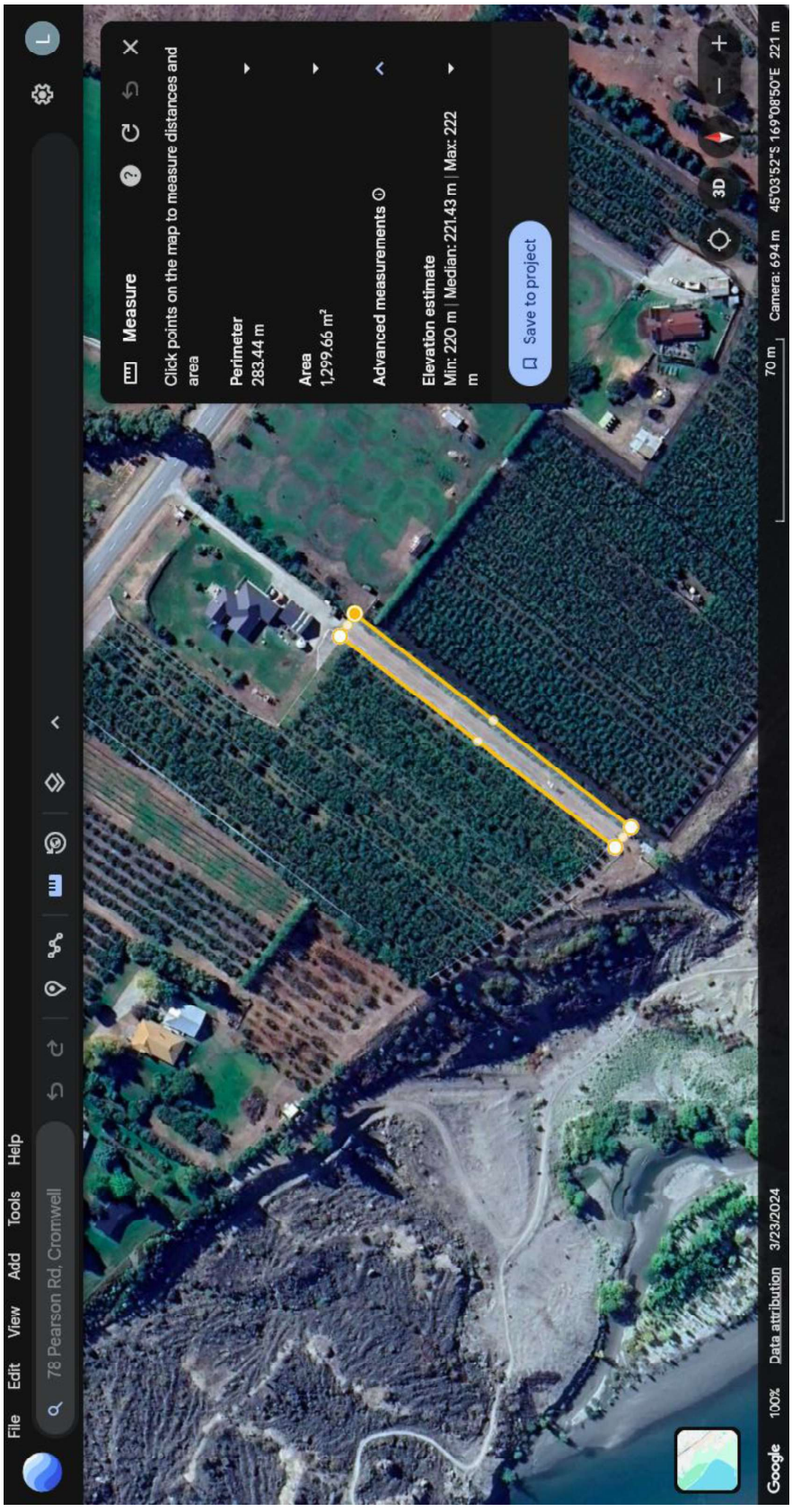
Table of estimated costs- 78 Pearson Road

Assumed costs budgeted for orchard development			
	Cost	Quantity	Total
Trees	$25	216	$6000
Poles	$300	6	$1800
Anchor wires		6	$200
Anchor screws		6	$200
Internal steel poles at 10m centres	$3	39	$120
Wire		1500m	$300
Irrigation			$300

Mathstone – 78 Pearson Road Cromwell – 28 August 2025

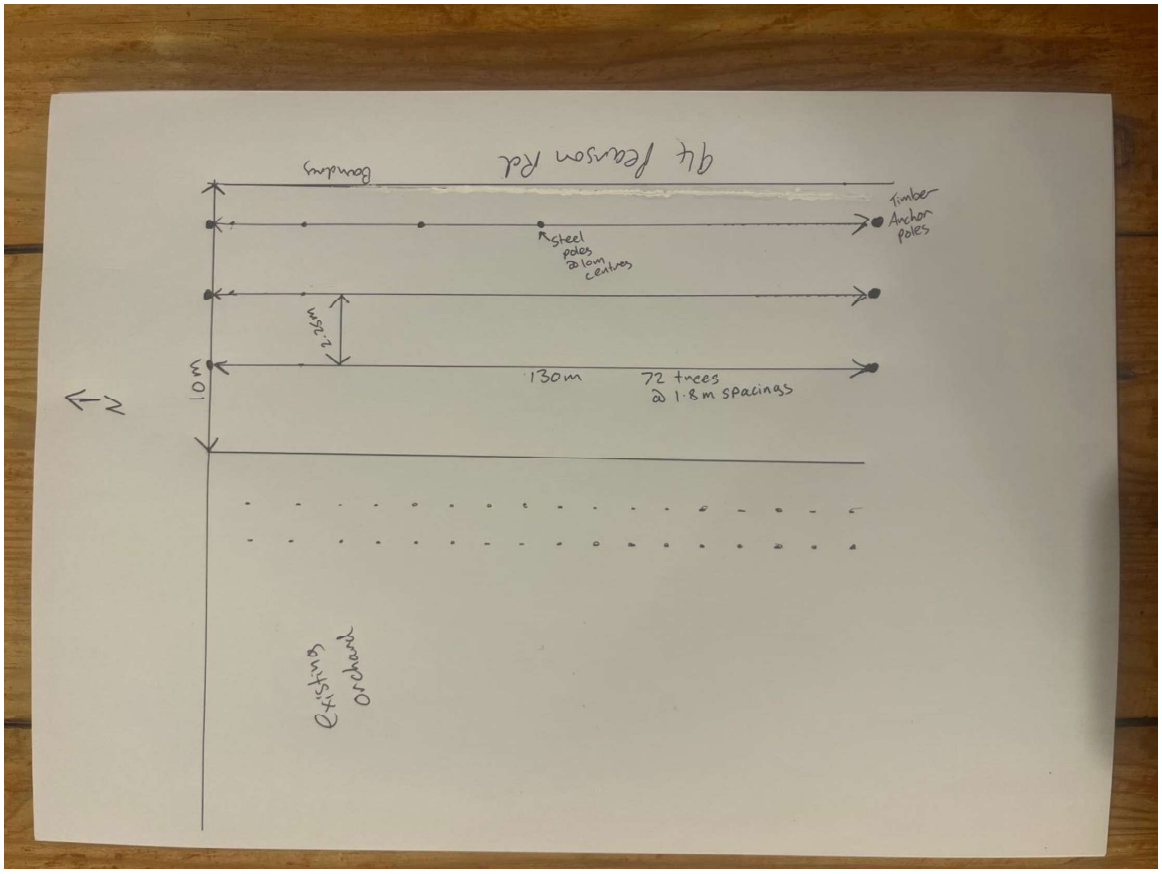
Below is a google earth overview of the property at 78 Pearson Road Cromwell and a photo showing the vacant land to the east of the property. A link to the google earth over view of the planted area can be found here https://earth.google.com/earth/d/1iN9YtdUCf3Iuk2gc_UHj5vOBKDCgv9_L?usp=drive_link

Mathstone – 78 Pearson Road Cromwell – 28 August 2025



Mathstone – 78 Pearson Road Cromwell – 28 August 2025

Mathstone – 78 Pearson Road Cromwell – 28 August 2025



Written Persons Approval for Resource Consent

CENTRAL OTAGO DISTRICT COUNCIL
1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

+64 3 440 0056
info@codc.govt.nz
www.codc.govt.nz

(Form 8A)
Section 95E(3), Resource Management Act 1991

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

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

TO BE COMPLETED BY THE PERSON(S) REQUESTING APPROVAL

Applicant Name: Mathstone Enterprises limited

Type of resource consent (circle all appropriate): Land-use / subdivision

Proposed activity:
2 lot subdivision at 78 Pearson Rd Cromwell

Location of site:
78 Pearson rd Cromwell

CONTACT DETAILS OF AFFECTED PARTY

Full Name/s: *(name of person giving written approval)* Margaret Christie, Micrasi trust

Email Phone

Address of the property *(I am the owner of the following property)*: 49 A & B Pearson road.

The full name of all other owners of the property: (owners of the affected property)

I have authority to sign on behalf of all the other owners of the property:

☐ Yes ■ No other owners

NOTES

Conditional written approvals cannot be accepted.

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

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

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

DECLARATION

- ☒ I have sighted all the attached plans and supporting information for the above activity.
- ☒ I have read the full application for resource consent, the Assessment of Environmental Effects, and any site plans as follows
- ☒ In signing this written approval, I understand that the consent authority must decide that I am no longer an affected person, and the consent authority must not have regard to any adverse effects on me.
- ☒ I understand that I may withdraw my written approval by giving written notice to the consent authority before the hearing, if there is one, or, if there is not, before the application is determined.

Signature _____ Date 8.7.2025

If you have any questions, please contact the Central Otago District Council by phoning 03 440 0056 or email resource.consents@codc.govt.nz

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Proposed activity:
2 lot subdivision at 78 Pearson rd Cromwell

Location of site:
78 Pearson rd Cromwell

CONTACT DETAILS OF AFFECTED PARTY

Full Name/s: *(name of person giving written approval)* Wallace John King

Email

027 440 2473
Phone

Address of the property *(I am the owner of the following property)*: 58 Pearson Rd. Cromwell

The full name of all other owners of the property: (owners of the affected property)

I have authority to sign on behalf of all the other owners of the property:

☐ Yes ☑ No other owners

NOTES

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Signature _____ Date 13/7/25

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Applicant Name: Mathstone Enterprises limited

Type of resource consent (circle all appropriate): Land-use / subdivision

Proposed activity:
2 lot subdivision at 78 Pearson rd Cromwell

Location of site:
78 Pearson rd Cromwell

CONTACT DETAILS OF AFFECTED PARTY

Full Name/s: *(name of person giving written approval)* Alister Johnston Stuart

alister.j@xtra.co.nz
Email Phone

Address of the property *(I am the owner of the following property)*: 94 & 94A Pearson Road, Cromwell RD2

The full name of all other owners of the property: (owners of the affected property)
Suzanne Stuart

Alan Bevin McKay

I have authority to sign on behalf of all the other owners of the property:

■ Yes ☐ No other owners

NOTES

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- ■ I understand that I may withdraw my written approval by giving written notice to the consent authority before the hearing, if there is one, or, if there is not, before the application is determined.

Signature

11th July, 2025

Date

If you have any questions, please contact the Central Otago District Council by phoning 03 440 0056 or email resource.consents@codc.govt.nz

Water Table

Seasons	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Flow Total (m^3)	4247	10434	6094	9440	4227	6469	17942	16270	16054	13327	10615	3739
Seasons (Jan 1 - Dec 31)	Flow Total (m^3)											
2014	4247											
2015	10434											
2016	6094											
2017	9440											
2018	4227											
2019	6469											
2020	17942											
2021	16270											
2022	16054											
2023	13327											
2024	10615											
2025	3739											
2025 Season	Flow Total (m^3)											
Jan	1571											
Feb	1280											
Mar	674											
Apr	214											
May	0											
Jun	0											
Jul	0											
Aug	0											
Sep	0											
September	Flow Total (m^3)											
1	0											
2	0											
3	0											

R J Hill Laboratories Limited
28 Duke Street Frankton 3204
Private Bag 3205
Hamilton 3240 New Zealand

0508 HILL LAB (44 555 22)
+64 7 858 2000
mail@hill-labs.co.nz
www.hill-labs.co.nz

Certificate of Analysis

Client:	Mathstone Enterprises Limited	**Lab No:**	3956048 DWAPv1
Contact:	Linden Brackstone C/- Mathstone Enterprises Limited 78 Pearson Road RD 2 Cromwell 9384	**Date Received:**	07-Aug-2025
		Date Reported:	12-Aug-2025
		Quote No:	
		Order No:	
		Client Reference:	
		Submitted By:	Linden Brackstone

Sample Type: Potable Water

		Sample Name:	Mathstone Bore 06-Aug-2025 2:00 pm	Aesthetic Values	Maximum Acceptable Values (MAV)
		Lab Number:	3956048.1		
Routine Water + E.coli profile Kit					
Escherichia coli	MPN / 100mL		< 1 #1	-	< 1
Routine Water Profile					
Turbidity	NTU		0.07	≤ 5	-
pH	pH Units		7.9	7.0 - 8.5	-
Total Alkalinity	g/m^3 as $CaCO_3$		120	-	-
Free Carbon Dioxide	g/m^3 at 25°C		3.1	-	-
Total Hardness	g/m^3 as $CaCO_3$		121	≤ 200	-
Electrical Conductivity (EC)	mS/m		27.7	-	-
Electrical Conductivity (EC)	µS/cm		277	-	-
Approx Total Dissolved Salts	g/m^3		186	≤ 1000	-
Total Arsenic	g/m^3		< 0.0011	-	0.01
Total Boron	g/m^3		0.0127	-	2.4
Total Calcium	g/m^3		39	-	-
Total Copper	g/m^3		0.0089	≤ 1	2
Total Iron	g/m^3		< 0.021	≤ 0.3	-
Total Lead	g/m^3		0.00037	-	0.01
Total Magnesium	g/m^3		5.9	-	-
Total Manganese	g/m^3		< 0.00053	≤ 0.04 (Staining) ≤ 0.10 (Taste)	0.4
Total Potassium	g/m^3		1.18	-	-
Total Sodium	g/m^3		8.5	≤ 200	-
Total Zinc	g/m^3		0.0094	≤ 1.5	-
Chloride	g/m^3		4.9	≤ 250	-
Nitrate-N	g/m^3		1.49	-	11.3
Sulphate	g/m^3		8.8	≤ 250	-

Note: The Maximum Acceptable Values (MAV) are taken from the 'Water Services (Drinking Water Standards for New Zealand) Regulations 2022', published under the authority of the New Zealand Government-2022. Copies of this publication are available from: https://www.legislation.govt.nz/regulation/public/2022/0168/latest/whole.html

The standards set limits for the concentration of determinands in drinking water. The Maximum Acceptable Values (MAVs) for any determinand must not be exceeded at any time.

The Aesthetic Values are taken the publication, 'Aesthetic Values for Drinking Water Notice 2022' issued by the Water Services Regulator ("Taumata Arowai"). Aesthetic values specify or provide minimum or maximum values for substances and other characteristics that relate to the acceptability of drinking water to consumers (such as appearance, taste or odour).

Note that the units: g/m^3 are the same as mg/L and ppm.

This Laboratory is accredited by International Accreditation New Zealand (IANZ), which represents New Zealand in the International Laboratory Accreditation Cooperation (ILAC). Through the ILAC Mutual Recognition Arrangement (ILAC-MRA) this accreditation is internationally recognised. The tests reported herein have been performed in accordance with the terms of accreditation, with the exception of tests marked * or any comments and interpretations, which are not accredited.

Analyst's Comments
#1 Please interpret this result with caution as the sample was > 10 °C on receipt at the lab. The sample temperature is recommended by the laboratory's reference methods to be less than 10 °C on receipt at the laboratory (but not frozen). However, it is acknowledged that samples that are transported quickly to the laboratory after sampling, may not have been cooled to this temperature.

Routine Water Assessment for Sample No 3956048.1 - Mathstone Bore 06-Aug-2025 2:00

pH/Alkalinity and Corrosiveness Assessment
The pH of a water sample is a measure of its acidity or basicity. Waters with a low pH can be corrosive and those with a high pH can promote scale formation in pipes and hot water cylinders.
The guideline level for pH in drinking water is 7.0-8.5. Below this range the water will be corrosive and may cause problems with disinfection if such treatment is used.

The alkalinity of a water is a measure of its acid neutralising capacity and is usually related to the concentration of carbonate, bicarbonate and hydroxide. Low alkalinities (25 g/m^3) promote corrosion and high alkalinities can cause problems with scale formation in metal pipes and tanks.

The pH of this water is within the NZ Drinking Water Guidelines, the ideal range being 7.0 to 8.0.
With the pH and alkalinity levels found, it is unlikely this water will be corrosive towards metal piping and fixtures.
The high alkalinity of this water may cause an increase in the pH in the root zones of plants which are irrigated using this water.

Hardness/Total Dissolved Salts Assessment
The water contains a low amount of dissolved solids and would be regarded as being hard.
There will be difficulty in forming a lather with soap, and a 'scum' will form in baths, showers, etc.

Nitrate Assessment
Nitrate-nitrogen at elevated levels is considered undesirable in natural waters as this element can cause a health disorder called methaemaglobinaemia. Very young infants (less than six months old) are especially vulnerable. The 'Water Services (Drinking Water Standards for New Zealand) Regulations 2022' sets a maximum permissible level of 11.3 g/m^3 as Nitrate-nitrogen (50 g/m^3 as Nitrate).

Nitrate-nitrogen was detected in this water but at such a low level to not be of concern.

Boron Assessment
Boron may be present in natural waters and if present at high concentrations can be toxic to plants.
Boron was found at a low level in this water but would not give any cause for concern.

Metals Assessment
Iron and manganese are two problem elements that commonly occur in natural waters. These elements may cause unsightly stains and produce a brown/black precipitate. Iron is not toxic but manganese, at concentrations above 0.5 g/m^3, may adversely affect health. At concentrations below this it may cause stains on clothing and sanitary ware.

Neither element was detected in this water, which is a pleasing feature.
Treatment to remove iron and/or manganese should not be necessary.

Bacteriological Tests
The Drinking Water Standards for NZ state that there should be no Escherichia coli (E coli) in water used for human consumption. The presence of these organisms would indicate that other pathogens of faecal origin may be present. Results obtained for Total Coliforms are only significant if the sample has not also been tested for E coli.

Escherichia coli was not detected in this sample.

Final Assessment
All parameters tested for meet the guidelines laid down in the 'Water Services (Drinking Water Standards for New Zealand) Regulations 2022' and the 'Aesthetic Values for Drinking Water Notice 2022' issued by the Water Services Regulator ("Taumata Arowai") for water which is suitable for drinking purposes.

Summary of Methods

The following table(s) gives a brief description of the methods used to conduct the analyses for this job. The detection limits given below are those attainable in a relatively simple matrix. Detection limits may be higher for individual samples should insufficient sample be available, or if the matrix requires that dilutions be performed during analysis. A detection limit range indicates the lowest and highest detection limits in the associated suite of analytes. A full listing of compounds and detection limits are available from the laboratory upon request. Unless otherwise indicated, analyses were performed at Hill Labs, 28 Duke Street, Frankton, Hamilton 3204.

Sample Type: Potable Water

Test	Method Description	Default Detection Limit	Sample No
Routine Water Profile		-	1
Filtration, Unpreserved	Sample filtration through 0.45 µm membrane filter. Analysed at Hill Laboratories - Chemistry; Unit 1, 17 Print Place, Middleton, Christchurch.	-	1
Total Digestion	Nitric acid digestion. APHA 3030 E (modified) : Online Edition.	-	1
Turbidity	Analysis by Turbidity meter. Analysed at Hill Laboratories - Chemistry; Unit 1, 17 Print Place, Middleton, Christchurch. APHA 2130 B (modified) : Online Edition.	0.05 NTU	1
pH	pH meter. Analysed at Hill Laboratories - Chemistry; Unit 1, 17 Print Place, Middleton, Christchurch. APHA 4500-H^+ B (modified) : Online Edition. Note: It is not possible to achieve the APHA Maximum Storage Recommendation for this test (15 min) when samples are analysed upon receipt at the laboratory, and not in the field. Samples and Standards are analysed at an equivalent laboratory temperature (typically 18 to 22 °C). Temperature compensation is used.	0.1 pH Units	1
Total Alkalinity	Titration to pH 4.5 (M-alkalinity), autotitrator. Analysed at Hill Laboratories - Chemistry; Unit 1, 17 Print Place, Middleton, Christchurch. APHA 2320 B (modified for Alkalinity <20) : Online Edition.	1.0 g/m^3 as $CaCO_3$	1
Free Carbon Dioxide	Calculation: from alkalinity and pH, valid where TDS is not >500 mg/L and alkalinity is almost entirely due to hydroxides, carbonates or bicarbonates. APHA 4500-CO_2 D : Online Edition.	1.0 g/m^3 at 25°C	1
Total Hardness	Calculation from Total Calcium and Total Magnesium. APHA 2340 B : Online Edition.	1.0 g/m^3 as $CaCO_3$	1
Electrical Conductivity (EC)	Conductivity meter, 25°C. Analysed at Hill Laboratories - Chemistry; Unit 1, 17 Print Place, Middleton, Christchurch. APHA 2510 B : Online Edition.	0.1 mS/m	1
Electrical Conductivity (EC)	Conductivity meter, 25°C. APHA 2510 B : Online Edition.	1 µS/cm	1
Approx Total Dissolved Salts	Calculation: from Electrical Conductivity.	2 g/m^3	1
Total Arsenic	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.0011 g/m^3	1
Total Boron	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.0053 g/m^3	1
Total Calcium	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.053 g/m^3	1
Total Copper	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.00053 g/m^3	1
Total Iron	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.021 g/m^3	1
Total Lead	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.00011 g/m^3	1
Total Magnesium	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.021 g/m^3	1
Total Manganese	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.00053 g/m^3	1
Total Potassium	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.053 g/m^3	1
Total Sodium	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.021 g/m^3	1
Total Zinc	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B : Online Edition.	0.0011 g/m^3	1
Chloride	Filtered sample from Christchurch. Ion Chromatography. APHA 4110 B (modified) : Online Edition.	0.5 g/m^3	1
Nitrate-N	Filtered (if required) sample from Christchurch. Ion Chromatography. APHA 4110 B (modified) : Online Edition.	0.05 g/m^3	1
Sulphate	Filtered sample from Christchurch. Ion Chromatography. APHA 4110 B (modified) : Online Edition.	0.5 g/m^3	1
Escherichia coli	MPN count using Colilert 18 (Incubated at 35°C for 18 hours) and 97 wells. Analysed at Hill Laboratories - Microbiology; Unit 1, 17 Print Place, Middleton, Christchurch. APHA 9223 B : Online Edition.	1 MPN / 100mL	1

These samples were collected by yourselves (or your agent) and analysed as received at the laboratory.

Testing was completed between 07-Aug-2025 and 12-Aug-2025. For completion dates of individual analyses please contact the laboratory.

Samples are held at the laboratory after reporting for a length of time based on the stability of the samples and analytes being tested (considering any preservation used), and the storage space available. Once the storage period is completed, the samples are discarded unless otherwise agreed with the customer. Extended storage times may incur additional charges.

This certificate of analysis must not be reproduced, except in full, without the written consent of the signatory.

Ara Heron BSc (Tech)
Client Services Manager - Environmental

01

CENTRAL OTAGO DISTRICT COUNCIL

SUBMISSION ON NOTIFIED APPLICATION CONCERNING RESOURCE CONSENT

1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand
03 440 0056
Info@codc.govt.nz
www.codc.govt.nz

(Form 13)

Section 95A Resource Management Act 1991

To: The Chief Executive
Central Otago District Council
PO Box 122
Alexandra 9340
resource.consents@codc.govt.nz

RECEIVED
10 OCT 2025
CENTRAL OTAGO DISTRICT COUNCIL
CROMWELL

DETAILS OF SUBMITTER

Full name: Philip Copland

Contact person (if applicable):

Electronic address for service of submitter: p.copland@atrix.co.nz

Telephone: 027 2206227

Postal address (or alternative method of service under *section 352* of the Act):
5 Lowburn Valley Rd, RD 2 Cromwell

This is a submission on the following resource consent application: RC No: **250257**

Applicant: **Mathstone Enterprises Limited** Valuation No: **2842128802**

Location of site: **78 Pearson Road, Cromwell**

Brief description of application: **Land use consent and subdivision consent for a two lot subdivision with a residential building platform for one lot in the rural residential resource area**

Submissions close: **4:00pm on 31 October 2025**

The specific parts of the application that my submission relates to are:
(give details, attach on separate page if necessary)

having veiwed the proposal, this submission has misjudged to less than minor effect and on this basis should be approved.

This submission is: *(attach on separate page if necessary)*

Include:

- *whether you support or oppose the specific parts of the application or wish to have them amended; and*
- *the reasons for your views.*

I/We seek the following decision from the consent authority:
(give precise details, including the general nature of any conditions sought)

I/~~We~~ **support** / **oppose** / **neither support or oppose** the application **(circle one)**

I/~~We~~ **wish** / **do not wish** to be heard in support of this submission **(circle one)**

I/~~We~~ **am** / **am not*** a trade competitor for the purposes of section 308B of the Resource Management Act 1991 **(circle one)**

*I/~~We~~ **am** / **am not** **(circle one)** directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

Delete this paragraph if you are not a trade competitor.

*I/We will consider presenting a joint case if others make a similar submission.

Delete this paragraph if not applicable.

I/~~We~~ **request*/ do not request (circle one)**, pursuant to section 100A of the Act, that you delegate your functions, powers, and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority.
See note 4 below as you may incur costs relating to this request.

Signature of submitter
(or person authorised to sign on behalf of submitter)

Date 08/10/2025

In lodging this submission, I understand that my submission, including contact details, are considered public information, and will be made available and published as part of this process.

Notes to submitter

1. **If you are making a submission to the Environmental Protection Authority, you should use form 16B.**

2. **The closing date for serving submissions on the consent authority is the 20th working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.**

3. **You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the consent authority.**

4. **If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in Part 11Aof the Resource Management Act 1991.**

5. **If you make a request under section 100A of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you will be liable to meet the additional costs of the hearings commissioner or commissioners, compared to our hearing panel. Typically, these costs range from $3,000 - $10,000.**

6. **Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):**
   - **it is frivolous or vexatious:**
   - **it discloses no reasonable or relevant case:**
   - **it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:**
   - **it contains offensive language:**
   - **it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.**

Submission on Notified Resource Consent PL251025252

02

CENTRAL OTAGO DISTRICT COUNCIL
1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand
03 440 0056
Info@codc.govt.nz
www.codc.govt.nz

Submission on Notified Resource Consent

Reference	PL251025252	**Submitted**	11 Oct 2025 02:33

Notified Submission

SUBMISSION ON NOTIFIED APPLICATION CONCERNING RESOURCE CONSENT

(Form 13)

Section 95A (public) Resource Management Act 1991

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

This is a submission on the following resource consent application:

Resource Consent Number	RC250257
Valuation Number	2842128802
Applicant	Mathstone Enterprises Limited
Location of Site	78 Pearson Road, Cromwell
Brief Description of Application	Land use consent and subdivision consent for a two lot subdivision with a residential building platform for one lot in the rural residential resource area
Submissions Close	4:00pm on 31 October 2025

Writing a submission

The following will be required during this process:

- **Your full name and address, telephone number and email address**
- **Whether you support or oppose the application for resource consent**
- **The reason for your submission**
- **The decision you wish the Council to make, including any conditions sought**
- **Whether you wish to be heard.**

Important information so you don't lose your data

If you wish to take some time completing this form, we strongly recommend that you create a login and log in to your account prior to starting to complete the form. This gives you the ability to save a draft and return to it later.

If you are a club or organisation, please use an email that is associated with the club rather than your work or personal email.

Logging in before starting to enter information into the form also means you won't lose your information if the form times out, or if you accidentally navigate away from the screen you're working on.

You cannot save your information and return to it later unless you log in before you start the form.

Regardless whether you are logged in, once you have completed and submitted the form, you will receive a copy of your submission to the email address you specify in the form.

Either go to our Online Services page to create an account (or log in if you already have an account) or continue below to start without logging in.

Privacy

The information you provide is official information and is used to help process your application. The information is held and used in accordance with the Local Government Official Information and Meetings Act 1987 and the Privacy Act 2020. This means that your information may be disclosed to other people who request it in accordance with the terms of these Acts. Under the Privacy Act 2020 you have the right to see and correct any personal information that Council may hold about you.

Declaration

By continuing with this application you certify that: The information you provide is true and correct to the best of your knowledge. Yes

Notified Submission

Notes to submitter

1 Dunorling Street, PO Box 122, Alexandra, NZ | www.codc.govt.nz | info@codc.govt.nz | +64 3 440 0056

1. If you are making a submission to the Environmental Protection Authority, you should use form 16B.

   The closing date for serving submissions on the consent authority is the 20th working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.

2. You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the consent authority.
3. If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in Part 11A of the Resource Management Act 1991.
4. If you make a request under section 100A of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you will be liable to meet the additional costs of the hearings commissioner or commissioners, compared to our hearing panel. Typically these costs range from $3,000 - $10,000.
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   - it is frivolous or vexatious:
   - it discloses no reasonable or relevant case:
   - it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
   - it contains offensive language:

It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

In lodging this submission, your submission, including contact details, become public information and will be available for anyone to view.

DETAILS OF SUBMITTER

Full name	Alex Huffadine
Contact person (if applicable)	
Electronic address for service of submitter:	a.huff@xtra.co.nz
Phone number - day time	0272752216
Postal address (or alternative method of service under section 352 of the Act):	528 Kawarau Gorge Road RD2 Cromwell

Your Application

Please select one regarding the application	I support
Do you wish to be heard in support of this submission?	No - I do not want to be heard
Are you a trade competitor for the purposes of section 308B of the Resource Management Act 1991?	I am not
I would consider presenting a joint case if others make a similar submission	No

Details of submission

1 Dunorling Street, PO Box 122, Alexandra, NZ | www.codc.govt.nz | info@codc.govt.nz | +64 3 440 0056

The specific parts of the application that my submission relates to are:	Economic value
The submission - include: • **whether you support or oppose the specific parts of the application or wish to have them amended; and** • **the reasons for your views.**	I support the information provided in terms of the economic value of their cherry plantings. Small block, easily replanted if required, but in reality small holdings such as these today are difficult viability wise. Costs have increased dramatically in the past few years and considerable small holdings have finished growing or have removed trees. The small scale means costs proportionally are much higher, and many do not have the ability to reduce these given the equipment and labour requirements. I supply this information as a horticulture consultant based in Cromwell.
Please upload any documents / photos that are relevant	
I seek the following decision from the consent authority.	
Give precise details, including the general nature of any conditions sought	Approve the subdivision
Select below - Pursuant to section 100A of the Act, that you delegate your functions, powers, and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority. "See note 4 (second tab) as you may incur costs relating to this request."	I request
Any other comments?	
In lodging this submission, I understand that my submission, including contact details, are considered public information, and will be made available and published as part of this process.	Yes
Please sign (click on the words CAPTURE)	
Date signed:	11/10/2025

1 Dunorling Street, PO Box 122, Alexandra, NZ | www.codc.govt.nz | info@codc.govt.nz | +64 3 440 0056

Submission on Notified Resource Consent 03

PL251026284

CENTRAL OTAGO DISTRICT COUNCIL
1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand
03 440 0056
Info@codc.govt.nz
www.codc.govt.nz

Submission on Notified Resource Consent

Reference	PL251026284	**Submitted**	12 Oct 2025 07:50

Notified Submission

SUBMISSION ON NOTIFIED APPLICATION CONCERNING RESOURCE CONSENT

(Form 13)

Section 95A (public) Resource Management Act 1991

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

This is a submission on the following resource consent application:

Resource Consent Number	RC250257
Valuation Number	2842128802
Applicant	Mathstone Enterprises Limited
Location of Site	78 Pearson Road, Cromwell
Brief Description of Application	Land use consent and subdivision consent for a two lot subdivision with a residential building platform for one lot in the rural residential resource area
Submissions Close	4:00pm on 31 October 2025

Writing a submission

The following will be required during this process:

- **Your full name and address, telephone number and email address**
- **Whether you support or oppose the application for resource consent**
- **The reason for your submission**
- **The decision you wish the Council to make, including any conditions sought**
- **Whether you wish to be heard.**

Important information so you don't lose your data

If you wish to take some time completing this form, we strongly recommend that you create a login and log in to your account prior to starting to complete the form. This gives you the ability to save a draft and return to it later.

If you are a club or organisation, please use an email that is associated with the club rather than your work or personal email.

Logging in before starting to enter information into the form also means you won't lose your information if the form times out, or if you accidentally navigate away from the screen you're working on.

You cannot save your information and return to it later unless you log in before you start the form.

Regardless whether you are logged in, once you have completed and submitted the form, you will receive a copy of your submission to the email address you specify in the form.

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Privacy

The information you provide is official information and is used to help process your application. The information is held and used in accordance with the Local Government Official Information and Meetings Act 1987 and the Privacy Act 2020. This means that your information may be disclosed to other people who request it in accordance with the terms of these Acts. Under the Privacy Act 2020 you have the right to see and correct any personal information that Council may hold about you.

Declaration

By continuing with this application you certify that: The information you provide is true and correct to the best of your knowledge. Yes

Notified Submission

Notes to submitter

1 Dunorling Street, PO Box 122, Alexandra, NZ | www.codc.govt.nz | info@codc.govt.nz | +64 3 440 0056

1. If you are making a submission to the Environmental Protection Authority, you should use form 16B.

   The closing date for serving submissions on the consent authority is the 20th working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.

2. You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the consent authority.
3. If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in Part 11A of the Resource Management Act 1991.
4. If you make a request under section 100A of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you will be liable to meet the additional costs of the hearings commissioner or commissioners, compared to our hearing panel. Typically these costs range from $3,000 - $10,000.
5. Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):
   - it is frivolous or vexatious:
   - it discloses no reasonable or relevant case:
   - it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
   - it contains offensive language:

It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

In lodging this submission, your submission, including contact details, become public information and will be available for anyone to view.

DETAILS OF SUBMITTER

Full name	Alister Johnston Stuart
Contact person (if applicable)	As above
Electronic address for service of submitter:	alister.j@xtra.co.nz
Phone number - day time	0275415709
Postal address (or alternative method of service under section 352 of the Act):	41 The Dunes, Cromwell

Your Application

Please select one regarding the application	I support
Do you wish to be heard in support of this submission?	No - I do not want to be heard
Are you a trade competitor for the purposes of section 308B of the Resource Management Act 1991?	I am not
I would consider presenting a joint case if others make a similar submission	No

Details of submission

1 Dunorling Street, PO Box 122, Alexandra, NZ | www.codc.govt.nz | info@codc.govt.nz | +64 3 440 0056

The specific parts of the application that my submission relates to are:	The ability to be able to subdivide to less than the present average size of 2ha.
The submission - include: • **whether you support or oppose the specific parts of the application or wish to have them amended; and** • **the reasons for your views.**	Our Family Trust own 94 & 94A Pearson Road, next door to the Applicants. I have studied the proposed subdivision, and support the Application. The cherry trees presently growing on the property will stay, so no loss of productivity. I do not see the subdivision if approved will have any adverse effect to our property. Sewerage disposal would be by means of Septic Tank, and other services are available at very little cost to the ratepayer, so overall the result would be an extra ratepayer. We are an area where our population is growing rapidly, so we are going to require more land close to Cromwell for residential dwellings, so here is an opportunity for Council to provide that.
Please upload any documents / photos that are relevant	
I seek the following decision from the consent authority.	
Give precise details, including the general nature of any conditions sought	Council to approve the Application.
Select below - Pursuant to section 100A of the Act, that you delegate your functions, powers, and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority. "See note 4 (second tab) as you may incur costs relating to this request."	I do not request
Any other comments?	No
In lodging this submission, I understand that my submission, including contact details, are considered public information, and will be made available and published as part of this process.	Yes
Please sign (click on the words CAPTURE)	
Date signed:	12/10/2025

1 Dunorling Street, PO Box 122, Alexandra, NZ | www.codc.govt.nz | info@codc.govt.nz | +64 3 440 0056

RECEIVED
15/10/2025
CODC

04

SUBMISSION ON NOTIFIED APPLICATION CONCERNING RESOURCE CONSENT

1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand
03 440 0056
Info@codc.govt.nz
www.codc.govt.nz

(Form 13)

Section 95A Resource Management Act 1991

To: The Chief Executive
Central Otago District Council
PO Box 122
Alexandra 9340
resource.consents@codc.govt.nz

DETAILS OF SUBMITTER

Full name: Lomas Justin Ainsley

Contact person (if applicable):

Electronic address for service of submitter: lomas@atdbuilding.co.nz

Telephone: 0275466250

Postal address (or alternative method of service under *section 352* of the Act):
Po Box 217, Cromwell 9310

This is a submission on the following resource consent application: RC No: **250257**

Applicant: **Mathstone Enterprises Limited** Valuation No: **2842128802**

Location of site: **78 Pearson Road, Cromwell**

Brief description of application: **Land use consent and subdivision consent for a two lot subdivision with a residential building platform for one lot in the rural residential resource area**

Submissions close: **4:00pm on 31 October 2025**

The specific parts of the application that my submission relates to are:
(give details, attach on separate page if necessary)

land use consent & subdivision consent for two lot subdivision

This submission is: *(attach on separate page if necessary)*

Include:

- *whether you support or oppose the specific parts of the application or wish to have them amended; and*
- *the reasons for your views.*

I support the above application

I/We seek the following decision from the consent authority:
(give precise details, including the general nature of any conditions sought)

approval

I/We **support** / **oppose** / **neither support or oppose** the application **(circle one)**

I/We **wish** / **do not wish** to be heard in support of this submission **(circle one)**

I/We **am** / **am not*** a trade competitor for the purposes of section 308B of the Resource Management Act 1991 **(circle one)**

*I/We **am** / **am not** **(circle one)** directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

Delete this paragraph if you are not a trade competitor.

*I/We will consider presenting a joint case if others make a similar submission.

Delete this paragraph if not applicable.

I/We **request* / do not request (circle one)**, pursuant to section 100A of the Act, that you delegate your functions, powers, and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority.
See note 4 below as you may incur costs relating to this request.

Signature of submitter
(or person authorised to sign on behalf of submitter)

Date 7/10/25

In lodging this submission, I understand that my submission, including contact details, are considered public information, and will be made available and published as part of this process.

Notes to submitter

1. **If you are making a submission to the Environmental Protection Authority, you should use form 16B.**

2. **The closing date for serving submissions on the consent authority is the 20th working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.**

3. **You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the consent authority.**

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   - **it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:**
   - **it contains offensive language:**
   - **it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.**

Submission on Notified Resource Consent

06

PL251055982

CENTRAL OTAGO DISTRICT COUNCIL
1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand
03 440 0056
Info@codc.govt.nz
www.codc.govt.nz

Submission on Notified Resource Consent

Reference	PL251055982	**Submitted**	23 Oct 2025 09:02

Notified Submission

SUBMISSION ON NOTIFIED APPLICATION CONCERNING RESOURCE CONSENT

(Form 13)

Section 95A (public) Resource Management Act 1991

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

This is a submission on the following resource consent application:

Resource Consent Number	RC250257
Valuation Number	2842128802
Applicant	Mathstone Enterprises Limited
Location of Site	78 Pearson Road, Cromwell
Brief Description of Application	Land use consent and subdivision consent for a two lot subdivision with a residential building platform for one lot in the rural residential resource area
Submissions Close	4:00pm on 31 October 2025

Writing a submission

The following will be required during this process:

- **Your full name and address, telephone number and email address**
- **Whether you support or oppose the application for resource consent**
- **The reason for your submission**
- **The decision you wish the Council to make, including any conditions sought**
- **Whether you wish to be heard.**

Important information so you don't lose your data

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Declaration

By continuing with this application you certify that: The information you provide is true and correct to the best of your knowledge. Yes

Notified Submission

Notes to submitter

1 Dunorling Street, PO Box 122, Alexandra, NZ | www.codc.govt.nz | info@codc.govt.nz | +64 3 440 0056

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3. If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in Part 11A of the Resource Management Act 1991.
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   - it discloses no reasonable or relevant case:
   - it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
   - it contains offensive language:

It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

In lodging this submission, your submission, including contact details, become public information and will be available for anyone to view.

DETAILS OF SUBMITTER

Full name	Mark McFarlane
Contact person (if applicable)	
Electronic address for service of submitter:	McFarlane.mark@hotmail.con
Phone number - day time	276312783
Postal address (or alternative method of service under section 352 of the Act):	83 Pearson road RD2 Cromwell 9384

Your Application

Please select one regarding the application	I support
Do you wish to be heard in support of this submission?	No - I do not want to be heard
Are you a trade competitor for the purposes of section 308B of the Resource Management Act 1991?	I am not
I would consider presenting a joint case if others make a similar submission	No

Details of submission

1 Dunorling Street, PO Box 122, Alexandra, NZ | www.codc.govt.nz | info@codc.govt.nz | +64 3 440 0056

The specific parts of the application that my submission relates to are:	I support the application for resource consent by Mathstone enterprises for subdividing at 78 Pearson road
The submission - include: • **whether you support or oppose the specific parts of the application or wish to have them amended; and** • **the reasons for your views.**	I support the application, I feel the proposed subdividing is fair and reasonable
Please upload any documents / photos that are relevant	
I seek the following decision from the consent authority.	
Give precise details, including the general nature of any conditions sought	I am happy for the subdividing to take place as stated in "notice of application "
Select below - Pursuant to section 100A of the Act, that you delegate your functions, powers, and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority. "See note 4 (second tab) as you may incur costs relating to this request."	I do not request
Any other comments?	
In lodging this submission, I understand that my submission, including contact details, are considered public information, and will be made available and published as part of this process.	Yes
Please sign (click on the words CAPTURE)	
Date signed:	23/10/2025

1 Dunorling Street, PO Box 122, Alexandra, NZ | www.codc.govt.nz | info@codc.govt.nz | +64 3 440 0056

Submission on Notified Resource Consent

07

PL251073174

CENTRAL OTAGO DISTRICT COUNCIL
1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand
03 440 0056
Info@codc.govt.nz
www.codc.govt.nz

Submission on Notified Resource Consent

Reference	PL251073174	**Submitted**	31 Oct 2025 10:53

Notified Submission

SUBMISSION ON NOTIFIED APPLICATION CONCERNING RESOURCE CONSENT

(Form 13)

Section 95A (public) Resource Management Act 1991

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

This is a submission on the following resource consent application:

Resource Consent Number	RC250257
Valuation Number	2842128802
Applicant	Mathstone Enterprises Limited
Location of Site	78 Pearson Road, Cromwell
Brief Description of Application	Land use consent and subdivision consent for a two lot subdivision with a residential building platform for one lot in the rural residential resource area
Submissions Close	4:00pm on 31 October 2025

Writing a submission

The following will be required during this process:

- **Your full name and address, telephone number and email address**
- **Whether you support or oppose the application for resource consent**
- **The reason for your submission**
- **The decision you wish the Council to make, including any conditions sought**
- **Whether you wish to be heard.**

Important information so you don't lose your data

If you wish to take some time completing this form, we strongly recommend that you create a login and log in to your account prior to starting to complete the form. This gives you the ability to save a draft and return to it later.

If you are a club or organisation, please use an email that is associated with the club rather than your work or personal email.

Logging in before starting to enter information into the form also means you won't lose your information if the form times out, or if you accidentally navigate away from the screen you're working on.

You cannot save your information and return to it later unless you log in before you start the form.

Regardless whether you are logged in, once you have completed and submitted the form, you will receive a copy of your submission to the email address you specify in the form.

Either go to our Online Services page to create an account (or log in if you already have an account) or continue below to start without logging in.

Privacy

The information you provide is official information and is used to help process your application. The information is held and used in accordance with the Local Government Official Information and Meetings Act 1987 and the Privacy Act 2020. This means that your information may be disclosed to other people who request it in accordance with the terms of these Acts. Under the Privacy Act 2020 you have the right to see and correct any personal information that Council may hold about you.

Declaration

By continuing with this application you certify that: The information you provide is true and correct to the best of your knowledge. Yes

Notified Submission

Notes to submitter

1 Dunorling Street, PO Box 122, Alexandra, NZ | www.codc.govt.nz | info@codc.govt.nz | +64 3 440 0056

1. If you are making a submission to the Environmental Protection Authority, you should use form 16B.

   The closing date for serving submissions on the consent authority is the 20th working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.

2. You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the consent authority.
3. If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in Part 11A of the Resource Management Act 1991.
4. If you make a request under section 100A of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you will be liable to meet the additional costs of the hearings commissioner or commissioners, compared to our hearing panel. Typically these costs range from $3,000 - $10,000.
5. Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):
   - it is frivolous or vexatious:
   - it discloses no reasonable or relevant case:
   - it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
   - it contains offensive language:

It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

In lodging this submission, your submission, including contact details, become public information and will be available for anyone to view.

DETAILS OF SUBMITTER

Full name	Jaclyn O'Sullivan
Contact person (if applicable)	Jaclyn O'Sullivan
Electronic address for service of submitter:	tussock.contracting@gmail.com
Phone number - day time	021688349
Postal address (or alternative method of service under section 352 of the Act):	33 Polson Terrace Tarras

Your Application

Please select one regarding the application	I support
Do you wish to be heard in support of this submission?	Yes - I wish to be heard
Are you a trade competitor for the purposes of section 308B of the Resource Management Act 1991?	I am not
I would consider presenting a joint case if others make a similar submission	No

Details of submission

1 Dunorling Street, PO Box 122, Alexandra, NZ | www.codc.govt.nz | info@codc.govt.nz | +64 3 440 0056

The specific parts of the application that my submission relates to are:	I support the submission for a subdivision. Logical land use.
The submission - include: • **whether you support or oppose the specific parts of the application or wish to have them amended; and** • **the reasons for your views.**	I support the submission.
Please upload any documents / photos that are relevant	
I seek the following decision from the consent authority.	
Give precise details, including the general nature of any conditions sought	I am in support of granting the submission.
Select below - Pursuant to section 100A of the Act, that you delegate your functions, powers, and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority. "See note 4 (second tab) as you may incur costs relating to this request."	I do not request
Any other comments?	
In lodging this submission, I understand that my submission, including contact details, are considered public information, and will be made available and published as part of this process.	Yes
Please sign (click on the words CAPTURE)	
Date signed:	31/10/2025

1 Dunorling Street, PO Box 122, Alexandra, NZ | www.codc.govt.nz | info@codc.govt.nz | +64 3 440 0056

RECEIVED
31/10/2025
CODC

08

31 October 2025

Central Otago District Council

PO Box 122, Alexandra 9340

Tēnā koutou, ko tēnei mihi atu ki a koutou, ngā mema o te komiti, ngā kaiwhakawa o ngā mea e pa ana tēnei kaupapa taumaha, me ki, o tātou nei rohe moana, he taoka o tātou nei whānau, hapū me te iwi. Ki a rātou kua whetu rangitia, te hunga wairua, haere, moe mai, oki oki mai, kati.

Resource Consent Application – RC250257 – Mathstone Enterprises Limited

Subdivision and land use consent to undertake a two-lot subdivision resulting in one new residential allotment and associated Residential Building Platform.

This is a submission on a publicly notified resource consent application pursuant to Section 95A of the Resource Management Act 1991.

Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, and Hokonui Rūnanga ('**Kā Rūnaka**') **oppose** this application.

Ka Rūnaka is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991 ('**RMA**').

Kā Rūnaka seek that the application is **declined**, for the reasons set out below.

Kā Rūnaka **do not wish** to be heard in support of this submission at a hearing.

1 SCOPE OF THIS SUBMISSION

1.1 This submission relates to the application by Mathstone Enterprises Limited ('**the Applicant**') in its entirety.

1.2 This submission addresses matters under sections 6(e), 7(a), and 8 of the Resource Management Act 1991.

1.3 To acknowledge the association with the district and its resources, Māori words are used within this document, and a glossary is provided at **Appendix 1.**

2 TOITŪ TE MANA, TOITŪ TE WHENUA: KĀ RŪNAKA

2.1 This submission is on behalf of four papatipu rūnaka with shared authority in the area of the proposed activity. Kā Rūnaka represent hapū who uphold the mana of the whenua in this

region. Kā Rūnaka share interests in the inland lakes and mountains and along the Mata-au with Ngāi Tahu ki Murihiku.

2.2 The takiwā of Te Rūnanga o Moeraki centres on Moeraki and extends from the Waitaki to the Waihemo (Shag River), and inland to Kā Tiritiri o te Moana (Main Divide). This includes shared interests with other Papatipu Rūnanga in Te Manahuna (Mackenzie Basin) and Tuawhenua (Queenstown Lakes and Central Otago).

2.3 The takiwā of Kāti Huirapa Rūnaka ki Puketeraki centres on Karitāne and extends from the Waihemo River/Shag River to Purehurehu/north of Heyward Point.

2.4 The takiwā of Te Rūnanga o Ōtākou centres on Muaūpoko/Otago Peninsula and extends from Purehurehu Point/north of Heyward Point to the Clutha River/Mata-au and inland to the Southern Alps.

2.5 The takiwā of Hokonui Rūnanga centres on the Hokonui region and includes a shared interest in the lakes and mountains between Whakatipu-Waitai and Tawhitarere and other Murihiku Rūnanga and those located from Waihemo southwards.

3 APPLICATION

Background and consents required

3.1 Kā Rūnaka understand that the Applicant has applied to the Central Otago District Council ('**CODC**') for resource consent to undertake a two-lot subdivision at 78 Pearson Road, Cromwell (Lot 2 DP 356166), **(the 'Site')**, resulting in one new residential allotment and associated Residential Building Platform**.**

3.2 The subdivision is a **non-complying activity** under the CODC District Plan pursuant to Rule 4.7.5(iii) because the proposal would result in an average allotment area of 0.975 hectares, where the minimum allotment size is 2 hectares.

3.5 The proposed building platform is a **discretionary activity** under the CODC District Plan as it will be located 8 metres from the western boundary.

CODC Draft Wāhi Tūpuna

3.6 The site sits within the Kawarau Trail and Roaring Meg indicative draft CODC Wāhi Tūpuna, which records the following values and threats to Whakatipu wai māori:

Values:
Mahika kai, Ara tawhito, Access route

3.7 The Site is also approximately 1.1km east of the CODC Outstanding Natural Landscape ('**ONL**') notation.

4 MANA WHENUA RELATIONSHIP WITH KAWARAU WAI MĀORI

4.1 The Kawarau River was a traditional travel route that provided direct access between Whakatipu Wai māori (Lake Whakatipu) and Mata-au (the Clutha River). The river was a kāinga mahinga kai (food-gathering place) where weka, kākāpō, kea, and tuna (eel) were gathered[2].

TAI6362

4.2 The Kawarau River is a place of ancestral, historic, and contemporary significance to Kā Rūnaka and is part of the Te Wairere / Lake Dunstan Statutory Acknowledgement Area as conferred under the Ngāi Tahu Claims Settlement Act 1998 ('**Settlement Act**') and included at **Appendix 2**.

4.3 The significance of the Kawarau River is also recognised in the Water Conservation (Kawarau) Order 1997.

5 RELIEF SOUGHT

5.1 Kā Rūnaka seek that the application is **declined**.

6 REASONS FOR RELIEF SOUGHT

6.1 The "lack of reticulated community sewerage schemes" in the Clutha/Mata-au Catchment is identified as an issue in the Kāi Tahu ki Otago Natural Resource Management Plan 2005 ('NRMP').

6.2 Kā Rūnaka are deeply concerned about the cumulative effects of discharging wastewater to land near the Kawarau River and its riparian margins.

6.3 The indicative location of the proposed wastewater drainage field for the new lot on the southwestern boundary of the site is an issue of concern for Kā Rūnaka given its proximity to the Kawarau River and its riparian margins.

6.4 The site is identified in the Otago Natural Hazards Database (Otago Natural Hazards Portal (orc.govt.nz)) as within an active alluvial fan and liquefaction area.

6.5 Kā Rūnaka are concerned that the discharge of wastewater on the site boundary may increase the natural hazard risk, and that during periods of heavy rainfall or flooding, the drainage field may be inundated.

TAI6362

6.6 The proposed drainage field is approximately 40 metres from the Kawarau River's historical floodplain. The long-term viability of wastewater disposal at this location is not assessed in the application. A precautionary approach is warranted when considering wastewater disposal to land near the Kawarau River and its riparian margins.

Consent conditions should consent be granted

6.10 Kā Rūnaka submit that Central Otago District Council should **decline** this application.

6.11 However, should CODC be of a mind to grant consent to these activities, Kā Rūnaka seek that the following conditions are imposed:

a. The proposed drainage field should be setback a minimum of 50 meters from the south-western site boundary that borders the Kawarau River and its riparian margins.

b. Proposed mitigation planting should only include native plant species appropriate for the area.

General comments

6.12 Kā Rūnaka are deeply concerned about the cumulative effects of discharge consents on ground and surface water quality, and the impacts of declining water quality in the Kawarau River and its wider catchment. The decline in water quality is already impacting cultural values and practices, biodiversity and drinking water.

6.13 Kā Rūnaka strongly urge CODC to provide a reticulated wastewater network for dwellings that are situated along the Kawarau River.

E noho ora mai

Address for Service
Aukaha
PO Box 446
Dunedin 9054
Phone: (03) 477 0071
E-mail: consents@aukaha.co.nz

TAI6362

Appendix 1: Glossary of te reo Māori terms

Ara tawhito	Ancient trails
Hapū	Sub-tribe
Iwi	Tribe
Kaitiaki/Kaitiakitaka	Guardian / to exercise guardianship
Kāi Tahu	Descendants of Tahu, the tribe
Kaupapa	Topic, plan
Ki uta ki tai	Mountains to the Sea
Mahika kai	Places where food is produced or procured.
Mana Whenua	Customary authority or rakātirataka exercised by an iwi or hapū in an identified area
Manawhenua	Those who exercise customary authority or rakātirataka
Mātauraka	Knowledge, wisdom, understanding, skill
Mauka	Mountain
Mauri	Essential life force or principle, a metaphysical quality inherent in all things both animate and inanimate
Ngā Rūnanga/Kā Rūnaka	Local representative group of Otago
Papatipu Rūnaka/Rūnanga	Traditional Kāi Tahu Rūnaka
Papatūānuku	Earth Mother
Rakātirataka	Chieftainship, decision-making rights
Rakinui	Sky Father
Rohe	Boundary
Roto	Lake
Takiwā	Area, region, district
Tākata whenua	Iwi or hapu that holds mana whenua (customary authority) in a particular area
Taoka	Treasure
Tikaka	The customary system of values and practices that have developed over time and are deeply embedded in the Māori social context.
Tino rakātirataka	Self-determination, autonomy, self-government
Urupā	Burial place
Wai māori	Fresh water
Whakapapa	Genealogy
Whānau	Family

TAI6362

Appendix 2: Statutory acknowledgement for Te Wairere (Lake Dunstan)

Ngāi Tahu Claims Settlement Act 1998, sch 61

Statutory area

The statutory area to which this statutory acknowledgement applies is the lake known as Te Wairere (Lake Dunstan), the location of which is shown on Allocation Plan MD 490 (SO 24729).

Preamble

Under section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic, and traditional association to Te Wairere, as set out below.

Ngāi Tahu association with Te Wairere

The name "Te Wairere" refers to the speed with which the river once ran at this point.

The whole of the Mata-au (Clutha River), on which Te Wairere lies, was part of a mahinga kai trail that led inland and was used by Otago hapū including Kāti Kurī, Ngāti Ruahikihiki, Ngāti Huirapa and Ngāi Tuahuriri. The river was used as a highway into the interior, and provided many resources to sustain travellers on that journey. The river was a significant indigenous fishery, providing tuna (eels), kanakana (lamprey) and kōkopu in the area over which Te Wairere now lies. Manu (birds), including moa, were taken from areas adjoining the river, over which the lake now lies.

The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka (landing places), places for gathering kai and other taonga, ways in which to use the resources of the river, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

The waterway was also very important in the transportation of pounamu from inland areas down to settlements on the coast, from where it was traded north and south. Because of its location at the confluence of Mata-au and Kawarau Rivers, Te Wairere was an important staging post on journeys inland and down-river. A tauranga waka and nohoanga sited at the junction of the two rivers acted as such a staging post. As a result of this history of use and occupation there are a number of wāhi taonga (including rock shelters and archaeological sites) in the area, some of which are now under the waters of the lake. Wāhi tapu are important as places holding the memories and traditions of Ngāi Tahu tūpuna.

The tūpuna had an intimate knowledge of navigation, river routes, safe harbours and landing places, and the locations of food and other resources on the river. The waterway was an integral part of a network of trails which were used in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the waterway.

The mauri of Te Wairere represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the lake.

Purposes of statutory acknowledgement

Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

(a) to require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

(b) to require that consent authorities, Heritage New Zealand Pouhere Taonga, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to Te Wairere, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

(c) to empower the Minister responsible for management of Te Wairere or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) to enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to Te Wairere as provided in section 211 (clause 12.2.5 of the deed of settlement).

Limitations on effect of statutory acknowledgement

Except as expressly provided in sections 208 to 211, 213, and 215,—

(a) this statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b) without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu's association to Whakatipu-wai-māori (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of Whakatipu-wai-māori.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, Te Wairere.

25.16.6 RC250289 - PEEK STREET APOGEE TRUSTEE LIMITED

Doc ID: 2656303

1. Purpose

A report to consider for application pursuant to Section 221(3) of the RMA for the variation to consent notice conditions, is attached.

2. Attachments

Appendix 1 - Section 42A Planners Report ⇩
Appendix 2 - Application ⇩
Appendix 3 - Further Information Request ⇩
Appendix 4 - Further Information Request Response ⇩

CENTRAL OTAGO DISTRICT COUNCIL
REPORT OF PLANNING CONSULTANT

APPLICATION	**RC 250289**
APPLICANT	**PEEK STREET APOGEE TRUSTEE LIMITED**
ADDRESS	**4 HIGHLANDS AVENUE, CROMWELL**
LEGAL DESCRIPTION	**LOT 222 DP 556783 (HELD IN RECORD OF TITLE 973364).**
ACTIVITY DESCRIPTION	**APPLICATION PURSUANT TO SECTION 221(3) OF THE RMA FOR VARIATION TO CONSENT NOTICE CONDITIONS**
ACTIVITY STATUS	**DISCRETIONARY**

BACKGROUND

The subject site is located within the Highlands Innovation and Technology Park (HITP) located off Cemetery Road south-west of the Cromwell township. The HITP is located on land zoned Rural Resource Area under the Operative Central Otago District Plan.

Several previous land use and subdivision consents exist to enable the development of the HITP within the rural zone, providing for motorsport activities in addition to subdivision and buildings for motor related activities, associated residential development and some visitor accommodation. Of relevance to the current application, RC070149, RC130153 and RC200231 authorised the development and subdivision of the north-eastern portions of the site, external to the racetrack, as a commercial park with ancillary residential development. These decisions were premised on a bespoke planning framework that was proposed to override the default rural zone provisions and enable the subsequent development of the lots. These decisions resulted in a tailored set of land use controls, built form and design standards being registered as consent notice conditions on the titles of the relevant lots, including the requirement for Design Review Board approval prior to any development of the lots. These consent notice conditions and the DRB approval process defines the anticipated land use and built form outcomes for development within the HITP.

It is noted that the rural zoning of the site remains applicable and is not subject to a review by Council due to the current government 'Plan Stop' direction. As such, this consented environment forms the primary basis for assessing resource consent applications within the HITP.

A more detailed consent background for the site is outlined below:

RC070149
On 23 December 2009, the Environment Court issued a final decision that granted land use consent for the Highlands Motorsport Park at Cromwell. This decision, and accompanying conditions, identified Area "A" and Area "B" as shown in Figure 1 below. Area "A" is permitted to be utilised as a commercial park and Condition 14(i)(b) of RC070149 permits residential accommodation above ground level within the commercial park.

Figure 1: RC 070149 Area "A" and Area "B"

RC 130153
Granted subdivision consent for Stage 1 of the HITP, enabling Area "A" (Figure 1 above) to be subdivided into 42 allotments to be used for automotive related purposes and for residential accommodation above ground level, consistent with the conditions of the earlier land use consent (RC 070149).

This application (and ultimate conditions imposed) records that:

> "*The use of land and buildings within the 'Commercial Park' are to be restricted to that primarily related to the servicing, maintenance, repair, design manufacture, fabrication, testing or storage of vehicles, vehicle parts and other associated industries. With residential accommodation being restricted to above ground level and only where associated with the activities listed above".*

The application also stated that:

> "*…the intent has always been for motor industry type activities to occur within the 'Commercial Park'. What is envisaged is that future owners will mostly consist of those wishing to have a garage at ground floor level for the storage, maintenance, modification of motor vehicle(s) and then provision for a non-permanent residence above"*[1].

This description indicates therefore that residential use of the buildings must be related to the vehicle related activity on the ground floor, with an understanding that that the residential component may be 'non-permanent' accommodation. This decision resulted in conditions (28. and 29.) being imposed via a consent notice registered on the title of the relevant lots, which enables vehicle related activities on the lots and associated residential activity.

[1] *Cromwell Motorsport Park Trust Limited Application to Central Otago District Council for Subdivision Consent July 2013 Prepared By BTW South Ltd*

RC 150225
Granted a land use consent to replace RC070149 as it related to the Highlands Motorsport Park. The land use consent was to resolve ambiguities associated with conditions relating to the management effects on the environment.

RC 200231
Granted subdivision and land use consent for Stage 2 of the HITP, and authorised the creation of 56 allotments, with 51 allotments to be used for activity associated with vehicles and residential activity. The subdivision resulted in the creation of the subject site, Lot 222 DP 556783.

This decision essentially enabled the expansion of the activities enabled by RC070149 (Stage 1 of the HITP) onto land to the south, with the same land use activities enabled being vehicle related activities with residential accommodation above. The application was publicly notified, and 9 submissions were made on the proposal. The decision resulted in the imposition of several conditions by way of a consent notice which is registered on the record of title, being CONO 12451331.5. These conditions set out requirements for access and parking design, as well as built form and design standards, with the requirement for Design Review Board approval for all buildings. These conditions are essentially a carry over of the same consent notice conditions that were imposed for Stage 1 of the HITP and formed part of the Stage 2 application.

DESCRIPTION OF ACTIVITY

The current application seeks resource consent for the development of a two-storey building on the subject site within the HITP, incorporating downstairs vehicle storage and related activities, with a two-bedroom residential unit with outdoor deck above on the second floor.

Resource consent is required under s221(3) of the RMA as the building design does not comply with the conditions of Consent Notice 12451331.5 registered on the title relating to maximum site coverage and minimum landscaping.

The proposed dwelling is intended to be built to boundaries to the sides and rear and comprises a footprint of 528m^2 with a site coverage of 88%[2]. The site coverage proposed exceeds the maximum 75% stipulated by consent notice condition 32(b).

The building façade has a limited variable set back from the road frontage and within this area incorporates landscaping within three separate garden areas comprising 22.69m^2 (or 3.78%) of the site. The landscaping proposed does not meet the condition 32(n) of the consent notice which requires a minimum of 15% of the site to be landscaped.

The development is therefore non-compliant with condition 32(b) and 32(n) of CN12451331.5 and the applicant seeks to vary these conditions as set out below:

> *32. Any development on Lots 201 – 251 shall comply with the following:*
> …
> *(b) Except for the development of Lot 222 that is undertaken in accordance with RC250289. all lots shall have a maximum coverage of 75%, except for Lots 233-238 that are permitted to have a maximum building coverage of 100%.*
>
> *(n) All lots over 200m^2 in total area shall include 15% landscaping of the total area, consisting of 80% native plants selected from the plant list that is attached at Appendix 2 and clearly set out and described in a Landscape Plan detailing quantities and size of*

[2] It is noted the AEE submitted with the application incorrectly states a building size of 582m^2, however the applicant has confirmed the proposed building is 528m2 or 88% site coverage, as detailed on the site plan submitted.

all species to be submitted to and approved by the Design Review Board. Except that a minimum of 3.78% landscaping of the total area shall apply to the development of Lot 222 that is undertaken in accordance with RC250289. All landscaping is to include a permanent in ground watering system complete with automatic timer.

Vehicle storage on the ground floor is proposed to contain a central turntable enabling internal manoeuvring and the application indicates a possible maximum of 14 internal spaces are provided. Two stormwater soak pits and two vehicle crossings are also indicated at the road frontage.

The building design incorporates a large proportion of glazing with a vehicle showroom style appearance on the ground floor. The building design has received approval from the DRB and the application states that, other than the reasons for consent outlined in the application, it will be in compliance with all other design requirements of CONO 12451331.5.

A render of the proposed design, as included with the application, is provided in Figure 2 below.

Figure 2 – Proposed building design frontage.

SITE DESCRIPTION

The site is well described in 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, with the following additions.

The subject site is located at 4 Highlands Avenue, Cromwell and is legally described as Lot 222 DP 556783. The site is located within the HITP located off Cemetery Road south-west of the Cromwell township and has a land area of 600m^2. The site is flat and currently vacant.

As noted in the background section above, the motorsport park and HITP is a bespoke mixed-use precinct that is somewhat of an anomaly within the rural zoning, and the ongoing use and development of the site is authorised by a series of previous resource consents and consent notice conditions that are registered on the titles. It is noted that the HITP is a private gated development, with Highlands Avenue being a private road.

The site is within Stage 2 of the HITP, with existing developed Stage 1 lots located north of the site near to Cemetery Road, and buildings in Stage 2 being at various stages of development.

The surrounding area is characterised by similar two storey, mixed use vehicle-oriented development with residential activity above.

To the rear the site adjoins the motorsport park and track, and similar sized lots adjoin the site to the north and south. East of the site on the opposite side of Highlands Avenue is a landscaped area within the road reserve incorporating a walkway and open space. Further east is the Chafer Beetle Reserve, with the site being set back approximately 100m from the boundary of the reserve.

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). There are no other annotations for the site.

As set out in the background above, although the land use activities are not permitted under the District Plan, they are enabled by the scope and conditions of previous resource consents. No other consent is required under the District Plan.

National Environmental Standards

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) 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 NES-CS was considered at the time of subdivision consent RC200231 and it was determined that the NES-CS did not apply. Similarly, I consider that the NESCS Is not triggered by this application.

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

Section 221 of the Resource Management Act 1991

Section 221(3) of the RMA provides that:

*At any time after the deposit of a survey plan_*

- *(a) the owner may apply to a territorial authority to vary or cancel any condition specified in a consent notice:*
- *(b) the territorial authority may review any condition specified in a consent notice and vary or cancel the condition.*

The application identifies that the proposal will not comply with Condition 32(b) – Site Coverage and 32(n) – Landscaping of Consent Notice 12451331.5 that is registered on the title of Lot 222. The application proposes to amend the consent notice as follows (noting this wording has been amended with agreement of the applicant since lodgement):

> *32. Any development on Lots 201 – 251 shall comply with the following:*
>
> *Bulk and location of buildings*
> *….*
> *(b) Except for the development of Lot 222 that is undertaken in accordance with RC250289, all lots shall have a maximum coverage of 75%, except for Lots 233-238 that are permitted to have a maximum building coverage of 100%.*

Landscaping
(n) All lots over 200m2 in total area shall include 15% landscaping of the total area, consisting of 80% native plants selected from the plant list that is attached at Appendix 2 and clearly set out and described in a Landscape Plan detailing quantities and size of all species to be submitted to and approved by the Design Review Board. Except that a minimum of 3.78% landscaping of the total area shall apply to the development of Lot 222 that is undertaken in accordance with RC250289. All landscaping is to include a permanent in ground watering system complete with automatic timer.

The assessment of effects in this report considers the implications of the proposed variation and whether the proposed change remains consistent with the intent of the original consent framework for the Highlands Innovation and Technology Park. The variation itself is specifically assessed under s104(b) 'Other Matters'.

Applications to amend a consent notice are assessed as a discretionary activity.

Overall Status

The proposal is therefore a discretionary activity for the variation of consent notice conditions under s221(3) of the RMA.

EFFECTS ASSESSMENT

Affected Persons

The written approval of the person(s) detailed in the table below has been obtained. In accordance with sections 95D(e), 95E(3) and 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	Address	Obtained
Josie Spillane	On behalf of: Cromwell Motorsport Park Trust Limited (RoT 973394), and Highlands Industrial Park Services Limited (RoT 973395)	1/10/2025

In addition to the above, the applicant has submitted a letter from the Highlands Design Review Board confirming that the proposed design has been approved by the Board on 24 June 2025.

Effects on the Environment

Permitted Baseline

Under sections 95D(b) and 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 instance 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 and adjacent land, the existing and reasonably foreseeable receiving environment comprises light commercial activities and buildings associated with the motorsport industry and commercial park being the predominating land use in line with the requirements of RC150225, RC200231 and Consent Notice Consent Notice 12451331.5.

The consent notice conditions, which apply to all lots within the subdivision, set out the anticipated land use and design outcomes. The underlying consent, and consent notice, authorises above-ground-floor residential activity within the commercial park, where associated with servicing, maintenance, repair, design, manufacture, fabrication, testing or storage of vehicles, vehicle parts and other associated industries; and specifies a maximum site coverage of 75% with minimum landscaping of 15% of the site area for lots over 200m^2 in area.

It is against these that the effects of the activity, beyond the permitted baseline, must be measured.

Assessment of Effects

The application is for a discretionary activity. No regard has been given to any trade competition or any effects of trade competition.

1. Visual Amenity, Built Form and Landscaping

The proposal is for a two-storey building of 528m^2 containing vehicle related activity on the ground floor and residential activity above. On the 600m^2 site, the level of site coverage proposed is 88% and is greater than what is anticipated by the consent notice condition, which applies to all lots within the HITP and specifies a maximum site coverage of 75% (equating to a maximum building coverage of 450m^2 for this site). The landscaping provision proposed is 3.78%, whereas 15% is required by the consent notice.

The assessment provided with the application considers that the nature of the current environment within the HITP is fundamentally different to the original subdivision applied for and the conditions imposed at that time, and that given the intended emphasis on car related activities, it is appropriate for greater site coverage to be provided for.

The building design and site coverage proposes to be built to boundaries. It is evident that existing development within the earlier stages of the subdivision has been developed to a similar nature, and that in this instance the additional building coverage enables greater provision for vehicle parking and associated activities internally within the building. The HITP is unique in that a typical residential amenity that is otherwise achieved by a reduced building coverage, such as increased provision for outdoor living and separation between units is less relevant to the bespoke HITP setting. A reduced site coverage may also have the potential for adverse effects associated with increased maintenance requirements for outdoor space and the visibility of outdoor storage, where residents can be in some instances ‘non-permanent’.

The proposed built form integrates well within the existing context of mixed motorsport-related and ancillary residential development. Additionally, although the landscaping provision is less than anticipated, the reduced landscaping provision enables the additional internal vehicle storage, access and manoeuvring space and visibility of showroom area, and some landscaping is provided at the frontage to soften the scale of built form.

The applicant states that the shared greenspace within the road reserve opposite the site owned by Cromwell Motorsport Park Trust Limited maintains the integrity of the area and offers greenspace for users to view from their residences and the road, therefore, overall, the reduced onsite landscaping will be balanced by the surrounding greenspace already provided for.

The HITP is a private gated development not accessible to the public generally, and the site is largely screened from external locations, with a landscaped reserve immediately to the east, in addition to the landscaped buffer strip which runs alongside the length of the eastern boundary adjoining the chafer beetle reserve. The site is also set below the level of the racetrack to the west.

Overall, while the proposal does not strictly adhere to the built form and coverage expectations of the consent notice, it is considered that the potential adverse effects of the increased site coverage and reduced landscaping are internalised to the HITP and do not impact the wider public realm. The specific architectural design proposed with extensive glazing of both the lower vehicle showroom area and upstairs residential unit is considered to represent a good design quality and visual coherence. The proposed design has been reviewed and approved by the HITP Design Review Board and is accepted as indication that the proposed architectural design is appropriate mitigation for the breaches to conditions.

2. Character and Consistency with HITP

The Highlands Innovation and Technology Park (HITP) has been established through a series of bespoke land use and subdivision consents, as outlined in the background section. These consents, together with Consent Notice 12451331.5, establish a planning framework that is distinct from the underlying Rural Resource Area zoning. The consent notice defines expectations regarding land use, built form, landscaping, signage, and architectural materials, and sets out a formal role for the HITP Design Review Board (DRB) in maintaining quality and coherence across the precinct.

The proposed building design continues the integrated vehicle related and associated residential activity anticipated by the HITP framework. The building comprises ground-floor layout and design indicated as motorsport-related or light industrial/commercial use, with an upper-floor residential component. This arrangement aligns with the intent of Conditions 30 and 31 of the consent notice.

While the architectural design and mixed-use form are consistent with the established character of the HITP, the development proposes to depart from the requirements for maximum site coverage and minimum landscaping. Despite these departures, the effects are considered to be internalised within the HITP and are mitigated in part by the high standard of architectural design and the written support of the HITP Design Review Board. While this DRB approval is not determinative under the Resource Management Act, it provides strong evidence that the proposal aligns with the design intentions and functional aspirations of the wider precinct. Furthermore, written approval has been provided by the Highlands Motorsport Park entity, further indicating the deviations are consistent with the developer's intended outcomes for the precinct.

Overall, the proposal is considered to maintain the functional integrity and built character of the HITP. The zone is unique, being a motorsport park with car enthusiasts and the design is aligned with anticipated activities within the park. While the reduced landscaping and elevated site coverage represent a departure from the consent notice framework, the internalised nature of these effects and strong design response suggest that any adverse effects on the character of the HITP will be less than minor.

3. Traffic, Access, and Onsite Circulation

The proposed building design indicates ground floor vehicle related activities with direct vehicle access from Highlands Avenue. The ground floor is designed as vehicle-oriented workshop or

showroom areas, with a central turntable and sufficient internal space to accommodate multiple vehicles, with 11 internal spaces being indicated.

Parking demand for the residential unit is 1 space, while the parking requirements for vehicle showrooms, industrial premises, warehouses and offices is 1 space per 100m^2. For this site the parking demand for the vehicle related activity is therefore 5-6 spaces. The applicant has confirmed that the required parking space for the residential component of the development is provided for within the internal spaces. The 11 internal spaces are therefore compliant with the district plan requirements. Parking provision has been reviewed by Councils engineer and confirmed as being adequate.

Traffic generation associated with the proposed units is expected to be modest and consistent with the established live/work typology within the Highlands Innovation and Technology Park (HITP). Vehicle movements will be comparable to those generated by other mixed-use developments in the precinct and will not adversely affect the safe or efficient operation of Highlands Avenue or the wider road network.

Condition 9 of Consent Notice 12451331.5 requires that vehicle entrances are constructed in accordance with Part 29 of Council's Roading Policies (January 2015). While detailed engineering drawings have not yet been submitted, compliance with this requirement is required by the consent notice condition, and an approved 'Vehicle Crossing Application' submission is required to be made to Council.

Overall, the development provides adequate parking and manoeuvring space for both the residential and commercial vehicle related components, and traffic generation will be consistent with that anticipated in the HITP. Any adverse traffic or access effects are therefore considered to be less than minor.

4. Servicing and Infrastructure
The application confirms that the building will be connected to the reticulated water and wastewater network and electricity and telecommunications services have been provided as part of the underlying subdivision.

There is no reticulated stormwater network within the HITP, and as such Condition 12 of Consent Notice 12451331.5 requires that stormwater from buildings and impermeable surfaces is to be discharged to soakpits contained entirely within the boundaries of the lot.

Concept plans illustrate two soak pits at the Highlands Avenue road frontage. Detailed design of soakage systems will need to confirm ground infiltration capacity, but there is no indication of site constraints that would preclude compliance with the consent notice condition.

Council's Development Engineer has reviewed the servicing proposal and confirmed it is acceptable provided the soakpits are designed by a suitably qualified and experienced person.

5. Hazards
No natural hazards have been identified in the planning maps for this site, and no site specific hazard risks have been identified.

6. Earthworks
The site is already fully levelled, and only minor earthworks will be required for the foundations and services.

7. Matters under Sections 106A of the RMA
No actual or potential hazards have been identified that would trigger section 106A of the Act.

NOTIFICATION ASSESSMENT

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).

C: Where an activity is a restricted discretionary activity, matters outside of Council's discretion must be disregarded (s95D(c)).

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

E: All effects on any parties which have provided written approval to the application are disregarded.

Public Notification

Section 95A of the Resource Management Act 1991 sets out a step-by-step process for determining public notification. Each step is considered in turn below.

Step 1: Mandatory public notification in certain circumstances

- Public notification has not been requested.
- There has been no failure or refusal to provide further information.
- There has been no failure to respond or refusal to a report commissioning request.
- The application does not involve the exchange of recreation reserve land.

Step 2: If not required by Step 1, public notification precluded in certain circumstances

- There are no rules or national environmental standards precluding public notification.
- The application does not involve: a controlled activity, nor a boundary activity. As a result, public notification is not precluded under Step 2.

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

- There are no rules or national environmental standards requiring public notification.
- The activity will not have, or be likely to have, adverse effects on the environment that are more than minor as discussed in the assessment above.

Step 4: Public notification in special circumstances

- There are no special circumstances that warrant the application being publicly notified. There is nothing exceptional or unusual about the application that makes public notification desirable.

Limited Notification

Section 95B of the Resource Management Act 1991 sets out a step-by-step process for determining limited notification. Each step is considered in turn below.

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

- The activity is not in a protected customary rights area; the activity is not an accommodated activity in a customary marine title area; and, the activity is not on or adjacent to, or might affect, land that is the subject of a statutory acknowledgement.

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

- There are no rules or national environmental standards precluding limited notification.
- The application does not involve a controlled activity that is not a subdivision.

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

- The application does not involve a boundary activity.
- The proposal falls into the 'any other activity' category. The effects of the proposal on persons are assessed below.

ASSESSMENT - EFFECTS ON PERSONS

- In accordance with section 95E(3) of the Act, a person is not an affected person in relation to an application for a resource consent for an activity if they have given their written approval to the application, or, the consent authority considers that it is unreasonable in the circumstances for the applicant to seek the person's written approval. In this particular instance, affected persons approvals have been received from the persons identified earlier in this report.

  The site is located within the Highlands Innovation and Technology Park (HITP), a purpose built, motorsport-oriented, mixed-use precinct consented under RC150225 and RC200231. All properties within the HITP, including those adjoining the subject site, are subject to the same underlying consent notice controls, which were volunteered at the time of subdivision and have since set clear expectations for the built form and amenity outcomes sought across the Park.

  The proposed activity will not result in materially different effects on adjoining owners than those already anticipated or consented under the existing approvals. Acoustic, visual, and traffic-related effects are largely internalised within the HITP and are managed through the existing consent notice framework, including oversight by the Highlands Design Review Board (DRB).

  The applicant has submitted updated written confirmation from the Highlands Design Review Board, and Josie Spillane. These endorsements represent the views of the DRB and the underlying consent holder, and Council has previously accepted such approval as a valid proxy for affected persons within the HITP given the internalised nature of the development.

  On the basis of the written approvals obtained and the internalised effects of the proposal, no person is considered to be subject to adverse effects that are minor or more than minor.

Step 4: Further notification in special circumstances

- There are no special circumstances that warrant the application being limited notified. There is nothing exceptional or unusual about the application that makes limited notification to any other persons desirable.

OVERALL NOTIFICATION RECOMMENDATION

In accordance with the assessment outlined above notification is not 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

In accordance with section 104(1)(b) of the Resource Management Act 1991, the objectives and policies of the Central Otago District Plan were taken into account when assessing the application. The applicant has provided an assessment of the relevant objectives and policies in the application and these are adopted for the purposes of this report. It is noted that the proposed building and activities are enabled on the site by way of existing resource consents, which considered in detail the provisions of the District Plan. No further resource consent is required under the District Plan. The proposal is therefore considered to be consistent with the relevant objectives and policies of the Central Otago District Plan.

Operative and Proposed Regional Policy Statements

After taking into consideration the operative and proposed Regional Policy Statements for Otago, I consider that the policy direction given by the District Plan is certain and complete as it relates to this application and, as such, there is no need to revert to higher order planning instruments.

Other Matters

Section 104(1)(c) of the Resource Management Act 1991 requires the Council to have regard to any other matters considered relevant and reasonably necessary to determine the application.

The application relates to a request to vary Conditions 32(b) and 32(n) of CN 12451331.5, which stipulate site coverage and landscaping standards. The variation sought would alter these standards as they relate to Lot 222. The below other matters are a relevant consideration.

1. *Nature and Purpose of the Consent Notice Standards*

The applicant considers that the purpose of the consent notice was to comply with the Highlands Design Board requirements for development in this zone and ensure certainty that future development is of a high standard, and that the consent notices form the entirety of the Highlands Design Board requirements. However, although the relevant standards contained within the consent notice were volunteered by the applicant for the underlying consent, this does not diminish their planning purpose or weight. They formed part of the context of the proposal in which Council (and the Court) granted consent and upon which the effects on the environment were assessed, at that time.

These standards also have the effect of compensating for the fact that the operative zoning (Rural Resource Area) is otherwise poorly aligned with the development form anticipated by the consent. In this context they have been a proxy for zoning standards that are more suited to the development anticipated for the HITP site. The consent notice conditions have since

been relied upon by landowners, the consent authority, and the public as defining the expected scale, character and amenity of the development within HITP.

It is also relevant that the consent notice standards operate in tandem with the requirement for Design Review Board (DRB) approval, rather than being superseded by it. As such, the approval of the DRB is not the only factor for consideration, and the Council has discretion to assess the effects of the variation to conditions under the RMA.

The relevant case law relating to consent notices, is established in particular, by the High Court ruling in *Ballantyne Barker Holdings v Queenstown Lakes District Council [2019] NZHC 2844.* In that ruling, the High Court considered that:

> *"case law makes it clear that because a consent notice gives a high degree of certainty both to the immediately affected parties at the time subdivision consent is granted, and to the public at large, it should only be altered when there is a material change in circumstances (such as a rezoning through a plan change process),which means the consent notice condition no longer achieves, but rather obstructs, the sustainable management purposes of the RMA. In such circumstances, the ability to vary or cancel the consent notice condition can hardly be seen as objectionable."*

It is with this guidance in mind; I consider the effects of the proposed variation to conditions and the justification for these changes presented by the AEE.

2. *The consent notices form the entirety of the Highlands Design Board requirements*

The applicant considers that the consent notice conditions form the entirety of the Highlands Design Review Board requirements, and the applicant points to the written support of the DRB and the underlying consent holders/developer (Highlands Motorsport Trust Limited and Highlands Industrial Park Services Limited).

The HITP is a private, gated light-industrial estate with a bespoke character centred on motorsport-related activities with residential activities being generally ancillary to site's primary use as vehicle storage, workshops and the like. I accept that the key audience for the consent notice conditions in this instance is relatively narrow — limited to the DRB, other HITP landowners, and the underlying consent holders (Highlands Motorsport Park Trust Ltd and Highlands Industrial Park Services Ltd). The internalised nature of the estate means wider public interest is more limited than would typically be the case.

However, consent notices still carry broader regulatory significance. They are enforceable instruments relied on by Council, landowners, and the Environment Court to establish and uphold consistent planning outcomes. Their variation is not a trivial matter, and precedents arising from such changes may influence the treatment of future applications both within HITP and beyond. Accordingly, even where direct environmental effects are negligible, such proposals require careful scrutiny.

In this instance, I place considerable weight on the written approval of the DRB due to the unique character and planning context of the HITP. The zoning provisions of the District Plan are largely rendered obsolete by the underlying consent, and the DRB plays a key role in maintaining the architectural integrity, character and amenity of the estate. That said, DRB support alone does not negate the need to assess the underlying purpose and effects of the consent notice standard being varied. As noted above, the consent notice conditions formed part of the application originally considered and the assessment of effects undertaken at that time.

3. *The Architectural detail compensates for the variations*

I accept that the proposed architectural design is consistent with the HITP aesthetic, and will likely maintain the visual quality, amenity and character of the estate despite the non-compliance with the building coverage and landscaping standards. This is a relevant mitigating factor, particularly given the internalised effects and specialist context, and the effects of these on the environment have been determined as being less than minor. However, it does not justify a blanket departure from standards without sufficient cause.

4. *The Unique Qualities of the Proposal*

The application notes that the developed HITP is in effect its own unique zone, and the designs are considered in light of the evolution of the innovation technology park. Whilst this is accepted, I consider there is some risk that granting this variation may set a precedent to encourage similar applications across other HITP sites. While any such future application must be considered on its merits, it does increase the importance of ensuring that any decision is justified on the basis of clear and distinguishing features.

In this case, I am satisfied that the circumstances of this case, and the HITP more broadly, being the DRB/Highlands support, architectural merit, and the limited scale and effects of the variation, are sufficiently unique that granting consent to this proposal would not risk creating a precedent for proposals to vary consent notices outside of the HITP.

With regard to setting a precent for similar applications within the HITP, I consider that it is relevant in this instance to consider that the original consent notice was established some time prior to the *Ballantyne Barker* high court decision, potentially at a time when the use of consent notices and their functions was considered differently.

The consent notice for the HITP is currently functioning similar to district plan rules, and it is reasonable for variations to the requirements to be considered as there is no alternative process for this site under the District Plan. However, I also note that the consent notice has an important purpose to maintain a level of quality and amenity within the HITP collectively, and any potential future applications would require consideration of potential cumulative effects.

5. *Circumstances Have Changed Since the Consent Notice was Imposed*

The application considers that the current environment is fundamentally different to the original subdivision that was applied for in HITP, through which process the design controls were established. I do not consider that there has been a substantive change in circumstances, as there has been no rezoning of the site or adjacent land. However, the HITP is now developed and appears more urban than rural; and this existing environment has changed since the consent notice was originally developed. Additionally, industrial development has also advanced north of the site, north of Cemetery Road. I consider these circumstances go some way to reflect the existing environment is now different. However, this does not alter the relevance of the consent notice standards or their role in maintaining consistent outcomes.

6. *The consent notice condition no longer achieves, but rather obstructs, the sustainable management purposes of the RMA.*

No justification has been provided to show that the landscaping and site coverage standards are no longer necessary, and no alternative mechanisms have been proposed beyond the purported architectural merits of the proposed buildings. However, as noted above, the consent notice for the HITP and is currently functioning similar to district plan rules, and it is reasonable for variations to the requirements to be considered as there is no alternative process under the District Plan.

In this instance, the effects of the proposed variations on the environment and persons have been assessed and are considered to be less than minor, and therefore recognising the specific circumstances of this proposal and its setting, I consider that a blanket strict adherence to its requirements would not be consistent with, and may obstruct, the purpose and principles of the RMA. However, I caveat this with the acknowledgement that the consent notice has an important purpose to maintain a level of quality and amenity within the HITP collectively, and each proposal for a variation to these conditions must be considered on its merits.

7. *Conclusion on Consent Notice Variation*

On balance, I consider the proposal to vary Condition 32(b) and 32(n) for Lots 222 is finely balanced. I accept that:

- The effects of the non-compliance will be internalised to the HITP and are less than minor;
- The architectural design is of high quality and has been endorsed by the DRB & Highlands
- The design maintains a level of amenity and a character that is generally consistent with the rest of the HITP and the intent of the subject consent notice and;
- The HITP has a unique planning context that sets it apart from standard subdivisions.

Accordingly, I support the variation, on the basis that:

- The design remains consistent with that assessed and endorsed by the DRB; and
- The decision clearly records the unique context and mitigating factors that distinguish this case from broader precedent.

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. This application be processed on a non-notified basis, pursuant to sections 95A and 95B of the Resource Management Act 1991.

2. That, pursuant to Section 221(3) of the Resource Management Act 1991, the Council approves variation to condition 32(b) and 32(n) of Consent Notice 12451331.5.

Kim Banks
Planning Consultant

Date: 20 November 2025

Appendix One: Plans on which RC250289 was assessed (scanned image(s), not to scale)

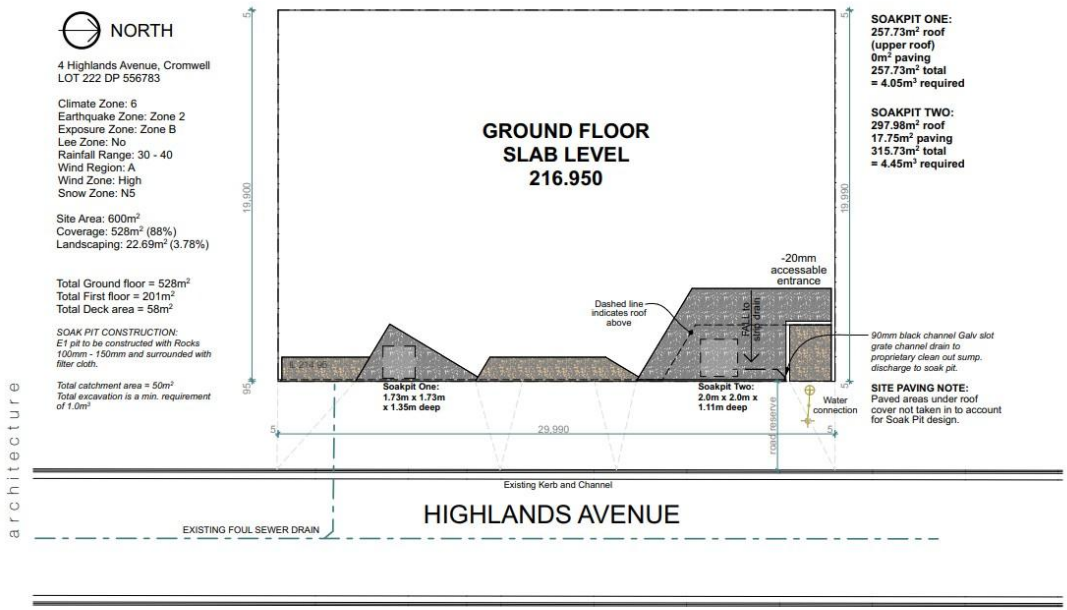
design

architecture

studio

LOT 222 HIGHLAND MOTORSPORT PARK

design



SITE PLAN
1:200 @ A3 & 1:400 @ A4

ALL MATERIALS AND WORKMANSHIP TO COMPLY WITH THE NEW ZEALAND BUILDING CODE & NZS 3604

Refer to plumbing and drainage sheets for full Drainage notes.

- **110mm⌀ PVC FOUL SEWER PIPE (1:60 min fall)**
- **100mm⌀ PVC STORM WATER PIPE (1:120 min fall)**
- **20mm⌀ MDPE Water mains**
- **Electrical**
- **Data**

LOT 222 HIGHLANDS MOTORSPORT PARK
SITE PLAN

SITEWORKS NOTES

The contractor is responsible for clearing the site of all rubbish, grub up bushes, shrubs, etc & clearing away.
The contractor shall arrange w/ the electricity, gas & water supply authorities for each existing service to be properly disconnected of their mains, removal of their fixtures and fitting, cut back, sealed off, removed, altered or diverted as necessary for the work & in accordance w/ the regulations of each authority involved charges in connection therewith will be paid by the employer

All demolition work to be carried out in accordance w/ the NZBC, OSH guidelines, & local authority requirements. The contractor shall put in place suitable methods to prevent excavated material been dropped on surrounding & adjacent roads.

The contractor shall implement sediment control measures control measures during all earthworks to ensure all stormwater run-off from the site is managed & collected, in accordance w/ local territorial authority & regional council requirements.

Safe & clean pedestrian access shall be maintained & provided to site at all times

Allow to install & maintain temporary protection over all extg road, kerb, services etc to be driven over during construction. Supply & install site sign (ref detail).

Verify all dimensions on site before construction commences. Figured dimensions shall take precedence. Do not scale!.
Plans are to be read in conjunction w/ the architects plans for setout.

Report any errors & omissions before construction commences

Reinstatement, all existing surfaces affected by the works shall be reinstated to their original standard including all nescessary temporary fencing & maintenance.

Vehicle crossing - Proposed Concrete driveway
Path to House - Concrete Exposed aggregate

SERVICES NOTES

All P&D shown/ altered, is private & not public.
The contractor is to locate all underground utilities & services before commencing construction & verify all dimensions on site.
Figured dimensions shall take precedence. Do not scale! Plans are to be read in conjunction w/ the architects plans for setout. Report any errors & omissions before construction commences.
Plumbing & drainage information shown, is diagramatic. Registered plumber & drainlayer to check & verify on site before commencing work.
The contractor shall take all necessary precautions during excavation to avoid any disruption of existing services. All extg services shall be re-instated to their original condition & to the satisfaction of the Architect or Engineer.
All plumbing & drainage to be carried out in accordance w/ AS3500.2 part 2 & NZBC.
The contractor is to allow & install for all vents (ie: AAV) where required.
All works to comply & be completed in accordance w/ local territorial authority engineering standards & any relevant New Zealand Standards.
All work shall comply w/ G13 of New Zealand Building Code. The contractor to locate all underground utilities & services before commencing construction.
The contractor shall locate all extg services at the proposed connection points prior to commencing work.

Refer to cross sections, details and specifications for under slab insulation type and ratings.

Refer to drainage plan for all plumbing and drainage elements.

All work to be carried out in accordance with the nzbc, nzs3604, other relevant nz standards, local authority bylaws and manufacturer's details and instructions.

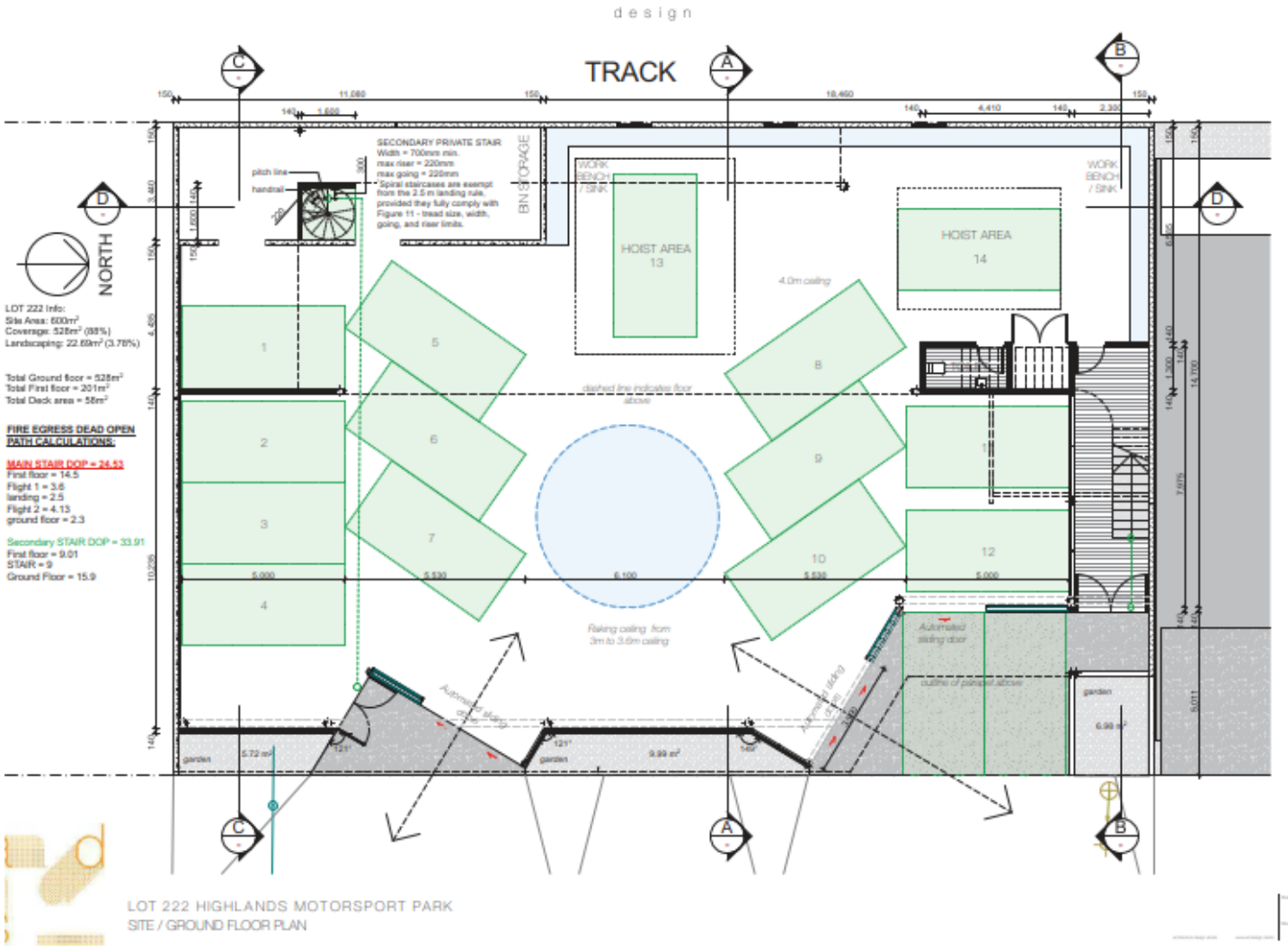
All workmanship and materials shall be of the highest quality, curent trade practice and of the best description.

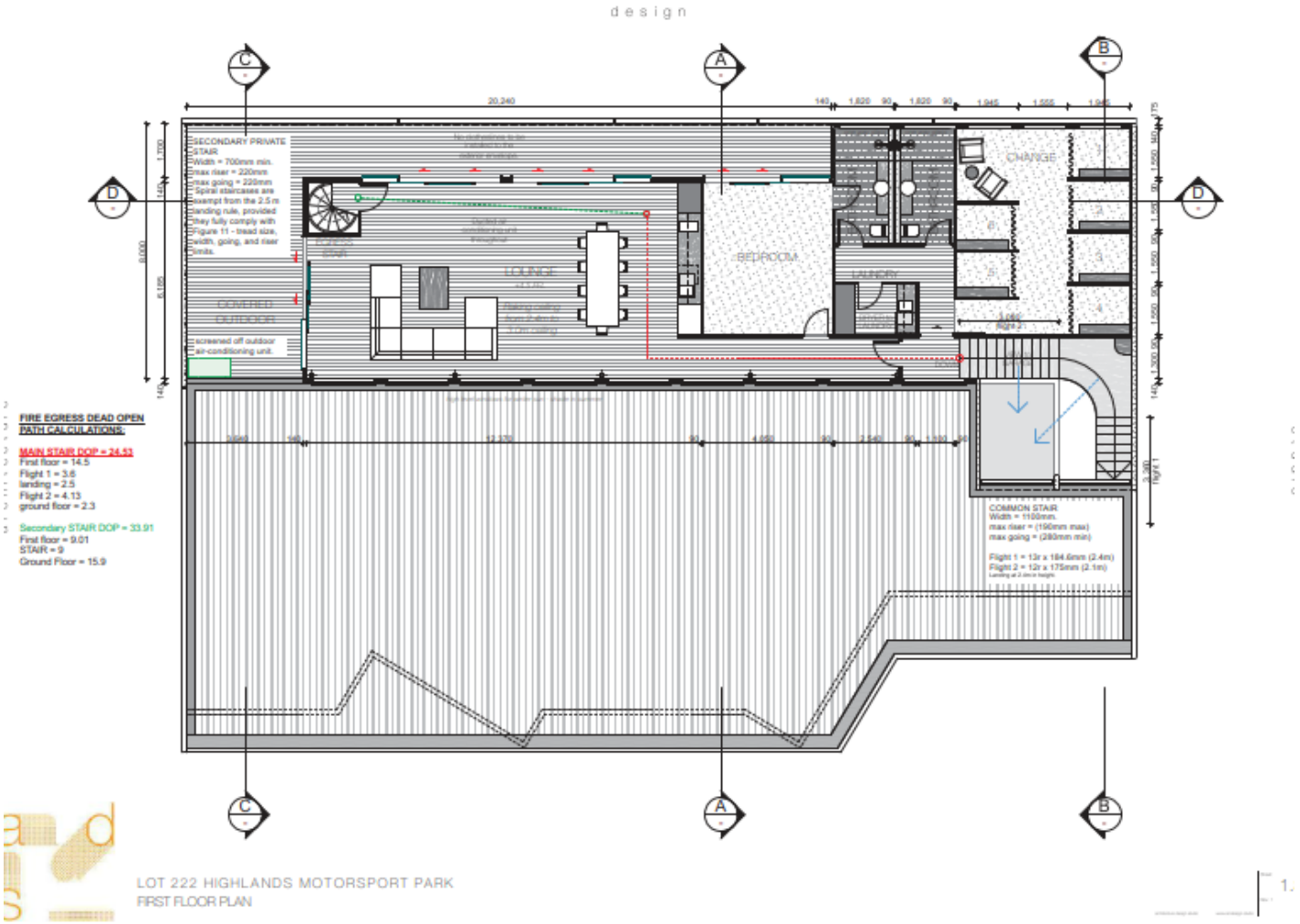
Drawings are to be read in conjunction with the architectural specification and other consultants documentation where appropriate. Refer to structural engineers drawings for further construction details and notes.

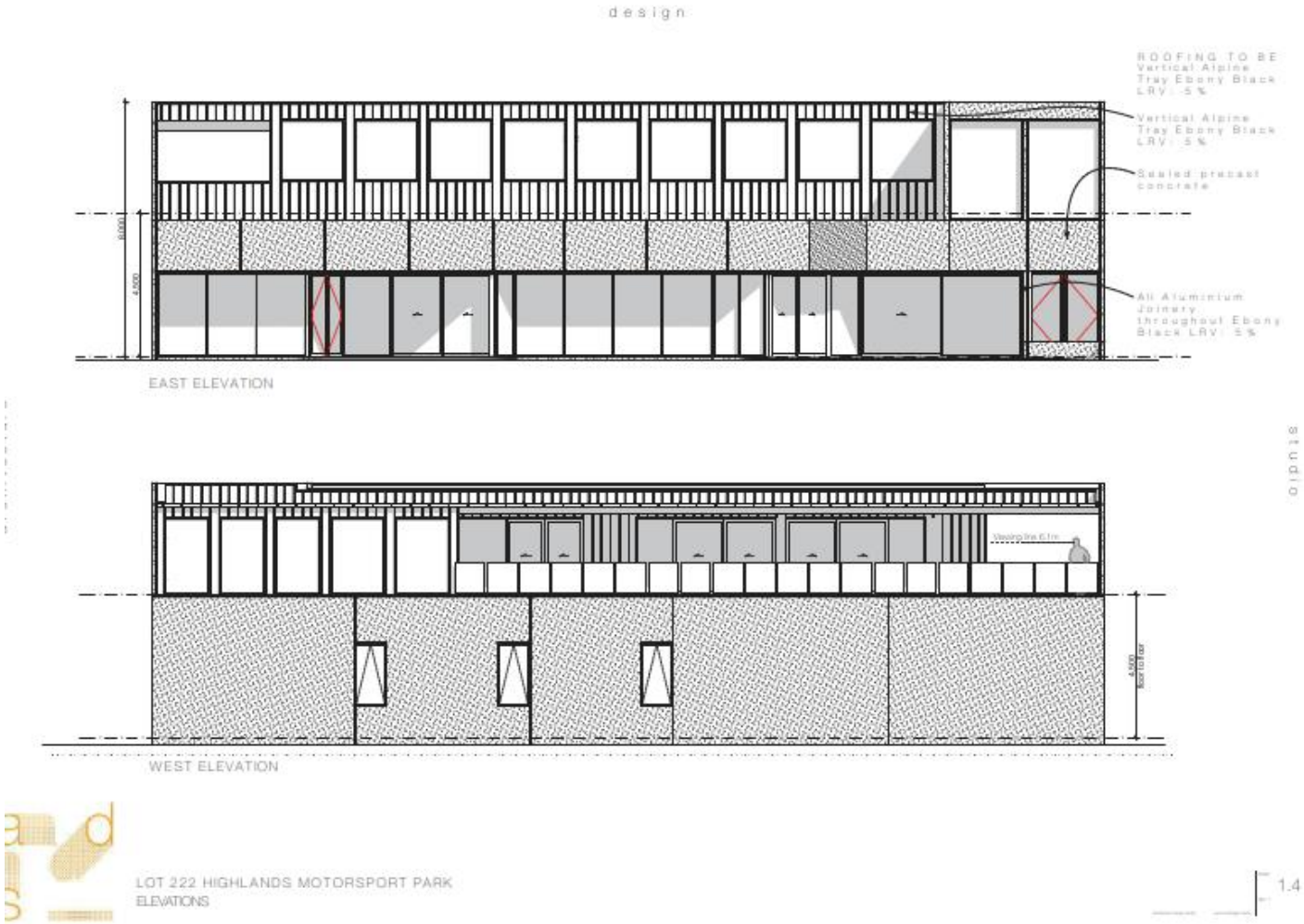
All timbers shall be separated from contact with concrete and masonry by either a free-draining air space of not less than 12mm or, dpc overlapping the timber by at least 6mm

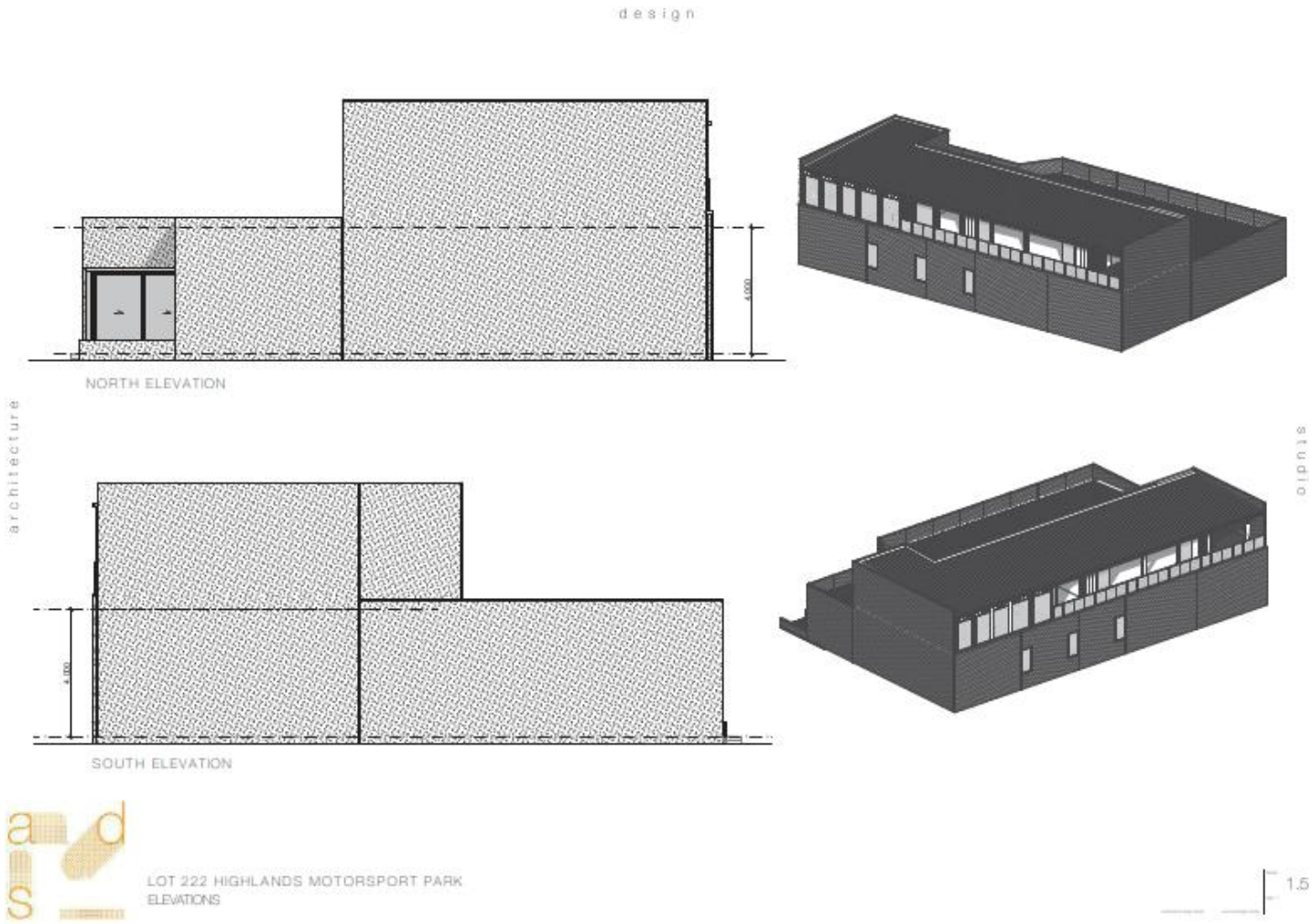
RC.2

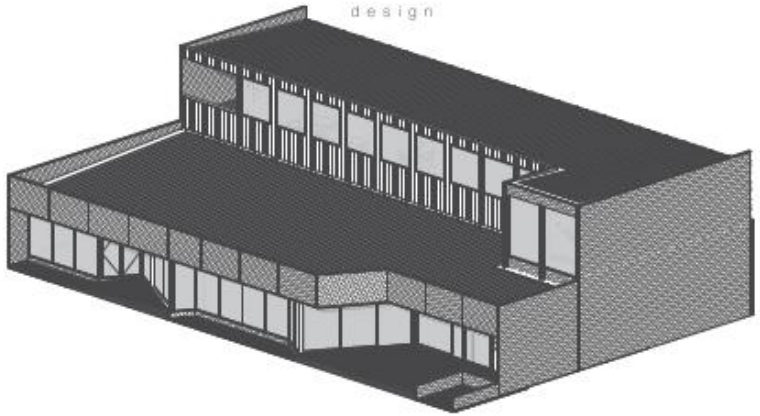
architecture studio

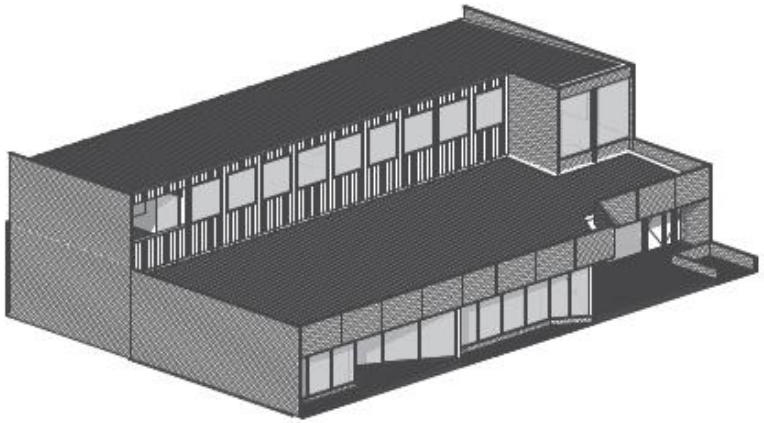

design
TRACK
NORTH
HOIST AREA 13
HOIST AREA 14
WORK BENCH / SINK
BIN STORAGE
SECONDARY PRIVATE STAIR
Width = 700mm min.
max riser = 220mm
max going = 220mm
Spiral staircases are exempt from the 2.5 m landing rule, provided they fully comply with Figure 11 - tread size, width, going, and riser limits.
pitch line
handrail
4.0m ceiling
dashed line indicates floor above
Raking ceiling from 3m to 3.6m ceiling
Automated sliding door
outline of pergola above
garden
LOT 222 Info:
Site Area: 600m²
Coverage: 528m² (88%)
Landscaping: 22.69m² (3.78%)
Total Ground floor = 528m²
Total First floor = 201m²
Total Deck area = 58m²
FIRE EGRESS DEAD OPEN PATH CALCULATIONS:
MAIN STAIR DOP = 24.53
First floor = 14.5
Flight 1 = 3.6
landing = 2.5
Flight 2 = 4.13
ground floor = 2.3
Secondary STAIR DOP = 33.91
First floor = 9.01
STAIR = 9
Ground Floor = 15.9
LOT 222 HIGHLANDS MOTORSPORT PARK
SITE / GROUND FLOOR PLAN


design
SECONDARY PRIVATE STAIR
Width = 700mm min.
max riser = 220mm
max going = 220mm
Spiral staircases are exempt from the 2.5 m landing rule, provided they fully comply with Figure 11 - tread size, width, going, and riser limits.
COVERED OUTDOOR
screened off outdoor air-conditioning unit.
LOUNGE
BEDROOM
LAUNDRY
CHANGE
FIRE EGRESS DEAD OPEN PATH CALCULATIONS:
MAIN STAIR DOP = 24.53
First floor = 14.5
Flight 1 = 3.6
landing = 2.5
Flight 2 = 4.13
ground floor = 2.3
Secondary STAIR DOP = 33.91
First floor = 9.01
STAIR = 9
Ground Floor = 15.9
COMMON STAIR
Width = 1100mm
max riser = (190mm max)
max going = (280mm min)
Flight 1 = 13r x 184.6mm (2.4m)
Flight 2 = 12r x 175mm (2.1m)
LOT 222 HIGHLANDS MOTORSPORT PARK
FIRST FLOOR PLAN


design
ROOFING TO BE
Vertical Alpine
Tray Ebony Black
LRV: 5%
Vertical Alpine
Tray Ebony Black
LRV: 5%
Sealed precast
concrete
All Aluminium
Joinery
throughout Ebony
Black LRV: 5%
EAST ELEVATION
WEST ELEVATION
studio
LOT 222 HIGHLANDS MOTORSPORT PARK
ELEVATIONS
1.4


design
NORTH ELEVATION
SOUTH ELEVATION
architecture
studio
LOT 222 HIGHLANDS MOTORSPORT PARK
ELEVATIONS
1.5





LOT 222 HIGHLANDS MOTORSPORT PARK
ISOMETRICS

1.6

Application for a resource consent - Form 9

APP251016701

1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand
03 440 0056
Info@codc.govt.nz
www.codc.govt.nz

Date and Time Created	08/10/2025 11:22
Submitted to Council	08/10/2025 11:30

To cross reference Datacom with MAGIQ please click Here. to add the Resource Consent number.

Property Details

Property Address	4 highlands avenue, cromwell
Record of Title Number	Record of Title 973364
Legal Description(s) of the specific parcels that the resource consent application is for	Lot 222 DP 556783

What is your role in this application?	Agent acting on behalf of the applicant

Agent details

An agent acts on behalf of the applicant in the submission and processing of the application.

Organisation	Landpro
First name	Matthew
Last name	Miles
Phone number	0275280683
Email address	matthew.miles@landpro.co.nz

Note that the applicant will also receive a copy of all correspondence.

Postal address:	13 Pinot Noir Drive, Cromwell 9310
Confirm that you have approval to act on behalf of the applicant	Yes

The applicant is the person(s) or organisation making the application.

Applicant details

Is this applicant an individual or an organisation?	Business / organisation
Organisation	Peek Street Apogee Trust Ltd

Contact Person

First name	Kevin
Last name	Jarvis
Phone number	0211600508
Email address	kevjarvs@yahoo.co.nz
Postal address:	123 Celtic Crescent, Ellerslie, Auckland 1051

Authority to apply on behalf

Confirm that the applicant is authorised to apply on behalf of the organisation	Yes

Invoicing

Who is paying the invoice? Applicant

DETAILS

Activity or works proposed

Application type Land use consent

Short description of your proposal require a section 221 certificate with this resource consent application

Provide a detailed description in the Assessment of Environmental Effects (AEE) or other document.

Assessment of Environmental Effects (AEE)

An application cannot be accepted for processing by the Council under Section 88 of the Resource Management Act 1991, without an Assessment of Environmental Effects (AEE).

Refer to the guidelines for Assessment of Environmental Effects.

s221 Application - 4 Highlands Ave submit.pdf (8 mb)

Assessment of the activity

You may need to provide an assessment of the activity against the following provisions:

- **The matters set out in Schedule 4 of the Resource Management Act 1991.**
- **Any relevant objectives, policies, or rules in a document.**
- **Any relevant requirements, conditions, or permissions in any rules in a document.**
- **Any other relevant requirements in a document (e.g. in a national environmental standard or other regulation).**

Please do not load the same document that you loaded for AEE above

Other activities

Other applications

Are you required to apply for any other resource consents for this project? No

Is this project related to a building consent? No

Pre-application information

Have you discussed this proposal with Council staff prior to this application? No prior discussion

Site visit requirements

Who is the site contact? Applicant

Affected party approvals

All affected property owners, including trustees where properties are held in a trust, must sign written approval forms AND a copy of your plans.

- **If an affected party does not give approval to your proposal this may impact on the way that the application is processed.**
- **Council's duty planner can provide you with advice on which parties may be affected by your proposal.**

Download an affected party approval template form.

Do you need affected party approval?	Yes

Form 8A - Affected Persons Approval 4 Highlands Ave.pdf (172 kb)

Form 8A - Affected Persons Approval 4 Highlands Ave.pdf (172 kb)

National Environmental Standard – Contaminated Soil (NES-CS)

National Environmental Standard – Contaminated Soil - option selected	The application does not involve subdivision (excluding production land), change of use or removal of (part of) a fuel storage system. Any earthworks will meet section 8(3) of the NES (including volume not exceeding 25m3 per 500m2) Therefore the NES does not apply.

Fast-Track Processing

Under section 87AAC a controlled activity or deemed permitted boundary activity may be eligible for fast-track processing. Please select one:	I opt out of the fast-track consent process

Public Notification

Please confirm whether you request public notification for this application. If you choose "Yes" - Please note a "notified to formal hearing" deposit fee is payable. Please refer to Council's current Fees and Charges on our website.	No

LIST OF FILES

s221 Application - 4 Highlands Ave submit.pdf (8 mb)

Form 8A - Affected Persons Approval 4 Highlands Ave.pdf (172 kb)

Form 8A - Affected Persons Approval 4 Highlands Ave.pdf (172 kb)

Lot 222 Highlands Motorsport Park-compressed.pdf (4 mb)

4HighlandsAve_ConsentNotices.pdf (1 mb)

973364_Title_Search_Copy.pdf (185 kb)

Better
environments
Better returns
LANDPRO.

Resource Consent Application to Central Otago District Council

Prepared for Peek Street Apogee Trust Limited

Project Name:	**Peek Street Apogee Trust Ltd – 4 Highlands Avenue Land Use Consent**
Client:	Peek Street Apogee Trust Limited
Date:	30 September 2025
Application Prepared By:	Landpro Limited 13 Pinot Noir Drive Cromwell 9342 New Zealand Matt Miles Environmental Planner Phone: 027 528 0683 Email: matthew.miles@landpro.co.nz
Reviewed By:	Zoe McCormack Senior Planner Phone: 022 410 4853 Email: Zoe@landpro.co.nz
Job Number:	25263
Version:	For Client Review

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Appendix B: Scheme Plan and Concept Designs
Appendix C: Written Approvals

1. Introduction

1.1 Overview of Proposal

The applicant, Peek Street Apogee Trustee Limited, wishes to construct a new building that has LUC and SUB consent already, but requires a change in consent notice, located in Highlands Innovation and Technology Park, near Cromwell.

The Central Otago District Council (CODC) has statutory jurisdiction for the effects of certain activities within the area covered by this application and these effects are managed through the Central Otago District Plan (CODP). As part of this report an Assessment of Environmental Effects (AEE) of the proposal has been undertaken in accordance with Section 88 and the Fourth Schedule of the Resource Management Act 1991. This AEE provides further information to support the resource consent application.

The application breaches some of the underlying consent notices. The assessment prepared in this report however concludes that the actual or potential adverse effects of the proposal on the environment will be no more than minor and no persons are considered adversely affected in a more than minor manner.

1.2 The Applicant

Applicant Address:	**123 Celtic Crescent,** **Ellerslie,** **Auckland, 1051**
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.

1.4 Consent history

Resource Consent RC200231 was granted in November 2020 authorising stage 2 of the Highland Innovation Technology Park, being the creating of 56 allotments in the Rural Resource area, with 52 lots to be used for activities associated with vehicles and residential activity. Lot 222 is located within Stage 2, and RC202231 authorises activities associated with vehicles and residential activity.

2. Details of Proposal

2.1 Location

The applicant's property is located within the Highlands Innovation and Technology Park (HITP), off Cemetery Road near Cromwell. The HITP is zoned as being a Rural Resource Area in the Central Otago District Plan (CODP), as shown on Plan Map 44. While located in a rural area, the HITP is developed to an urban density, containing over 70 lots ranging between 122 m^2 – 1200 m^2. The area is partially developed, containing multi-units, apartments, and traveller accommodation in the nearby vicinity.

Figure 1: Location of the subject site, land parcel identified in yellow (Source: GRIP).

The record of title for the site is attached as **Appendix A**. The subject site is described as follows:

4 Highlands Avenue – 600 m^2 – legally described as Lot 222 DP 556783; Record of Title 973364.

2.2 Details of proposal

The applicant is proposing a two-level building at the aforementioned address, which will have upstairs residential and downstairs vehicle activity.

Lot 222 DP 556783 is 600 m^2 in area, there is a 5.4 m berm between the formed Road of Highlands Avenue and the boundary of Lot 222, and the proposed building

The dwelling footprint/site coverage proposed is 582 m^2 (88% of site) and the proposed landscaping is 22.69m^2 (3.78% of site)

Figure 2: Frontage Architect Drawing

A scheme plan and concept designs for the building are attached as **Appendix B**.

The proposed building will be two storeys, consisting of a ground floor garaging area, and first floor lounge, bedrooms, and timber decking. See **Appendix B** for more details on the concept design.

In order to proceed with this design, the applicant will need to vary the following conditions on consent notice 12451331.5 registered on the applicants title, owing to breaches:

- Maximum site coverage of 75% - Notice 32(b);
- Minimum landscaping of 15% - Notice 32 (n);

The applicant has approval from the Highlands Design Review Board (**Attachment C**) for these discrepancies, and the following variations to the underlying consent notice is discussed in the following sections.

2.2.1 Consent Notice Variation – Site Coverage

The proposed site coverage will be 88%, which is above the underlying consent notice at 75%. The applicant has sought the approval of the Highlands Design Board for this, their approval is attached as Appendix C.

The following amendment to condition 32. (b) is proposed

~~*All lots shall have a maximum coverage of 75%, except for Lots 233-238 that are permitted to have a maximum building coverage of 100%.*~~ *Lot 222 shall have a maximum coverage of 88%.*

2.2.2 Consent Notice Variation – Landscaping

Consent Notice 32(n) of the underlying subdivision for the site, states that lots larger than 200 m^2 need to include 15% landscaping of the total area:

The applicant wishes to change the above consent notice on the properties as per s221(3) of the RMA. They are seeking to revise this consent notice from 15% landscaping to approximately 3.78% landscaping. The applicant has sought and received the approval of the Highlands Design Board for this, as attached as **Appendix C.** The proposed revised wording is as follows:

> *Landscaping*
> *All lots over 200m^2 in total shall include* ~~*15% landscaping of the total area,*~~ *sufficient landscaping coverage and consist of 80% native plants selected from the plant list that is attached at Appendix 2 and clearly set out and described in a Landscape Plan detailing quantities and size of all species to be submitted to and approved by the Design Review Board. All landscaping is to include a permanent in ground watering system complete with automatic timer.*

The consent notice elements about the type of species, and watering system within the landscape elements are not proposed to change.

2.3 Other consent notice conditions

Access, Parking, and Road Setback

Parking is intended to be provided within the garage itself and so it is deemed that the minimum on-site parking requirements can be met. Manoeuvring is available too (internal turn table).

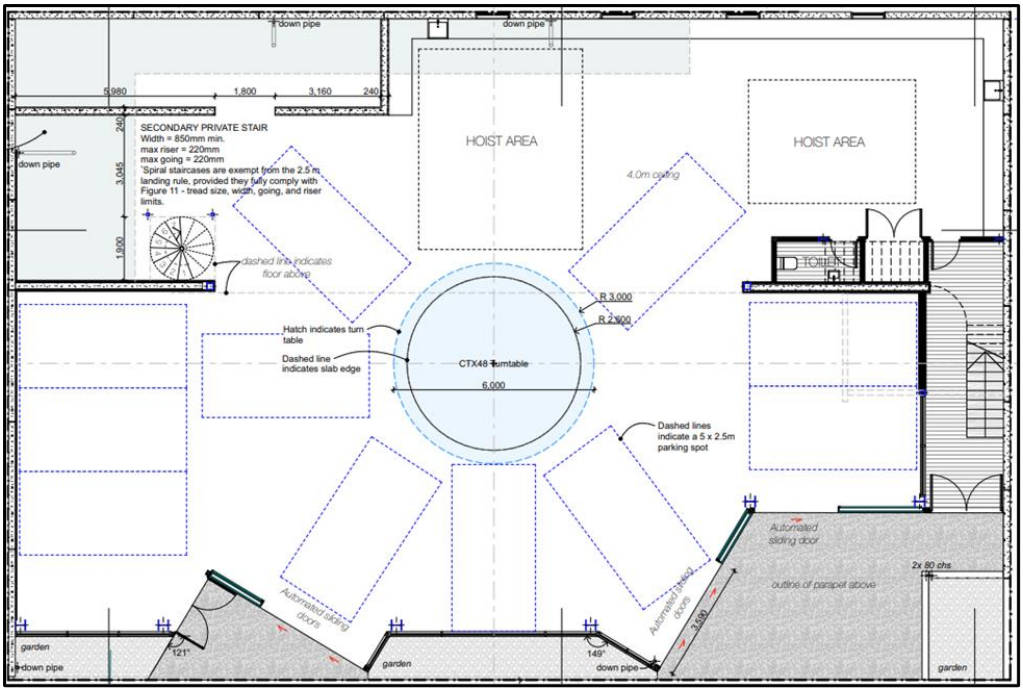


Figure 3: Ground Floor Layout – showing adequate parking

The proposal will comply with cladding, colours-Finishes, visual amenity and signage conditions. The design has been supplied to and approved by the Highlands Design Review Board. No further assessment is required in the AEE.

2.4 Services

Access for the site will be via Highlands Avenue. The accesses will conform to Council standards and be developed to a level that will ensure the proposed subdivision does not have an adverse effect on the safe and efficient operation of nearby roads.

Water can be provided to the site via MDPE water main. Electricity and telecommunication services have been provided as part of the underlying subdivision for the Highland Innovation Technology Park (HITP).

The wastewater network is a private network system, owned by Highlands, and is shown in Figure 4. The underlying subdivision plan has been approved to connect to the private wastewater system. Wastewater will be disposed through the sewer available on site.

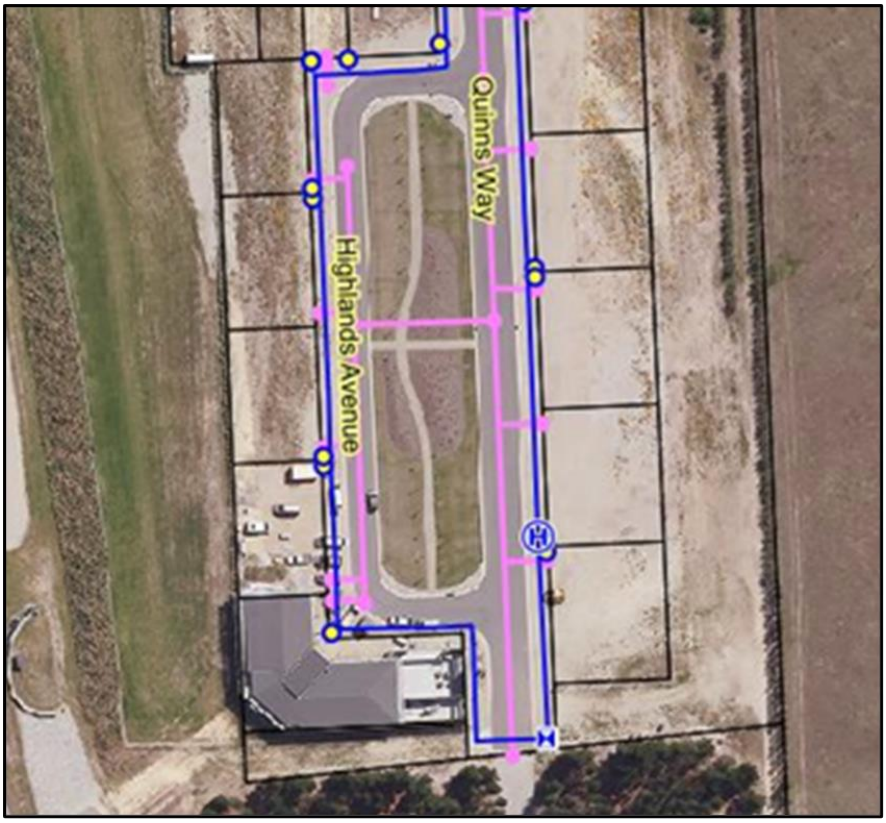


Figure 4: Connections – the star indicates property parcel (Source: CODC Maps, 2025)

2.5 Stormwater

Condition 12 of the underlying consent notice stormwater from buildings and impermeable surfaces on this lot shall be discharged to soakpit(s) contained entirely within the lots. Stormwater infrastructure is available, and two soakpits are noted in the concept design.

3. Activity Classification

An assessment of the proposal against the relevant statutory documents has been undertaken and the following reasons for consent have been identified.

The proposal requires the following consents:

- s221 of the RMA states that a change or cancellation in consent notice is a **discretionary activity.**

Overall, this application is for a **discretionary activity**.

3.1 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS)

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS) took effect on 1 January 2012. It creates a framework for assessing and managing the actual or potential adverse effects of contaminants in soil on human health from five activities being **subdivision, land-use change, soil disturbance, soil sampling and removing fuel storage systems**. The NESCS only applies to land that is potentially or actually affected by contaminants because of historical and/or current use. As the applicant is proposing to subdivide on land that is not potentially or actually contaminated, the NESCS does not apply.

The activity was assessed sufficiently at the time of subdivision and the five activities list in bold above are not within the remit of this variation.

4. Assessment of Environmental Effects

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

4.1 Assessment of Effects

Site coverage

The underlying resource consent RC200231 authorised the subdivision of rural land, resulting in multiple lots including Lot 222 and activities associated with residential and vehicle activities. Part of the consent granted required a specified list of consent notices be registered on each residential title, which would integrate a range of design controls that form the overall development framework anticipated by the original consents.

The proposal seeks to enable residential and vehicle activities, consistent with the purpose of the subdivision, whilst maintaining overall design consistency with surrounding development in the same subdivision.

The context for consent notice 12451331.5

The consent notices subject to this application, were proposed as conditions of consent for the original subdivision consent in 2013 (RC130153) which created stage 1 of the HITP subdivision. The subsequent stage 2 subdivision (RC150225) carried over the same consent notices.

The purpose of the consent notice was to comply with the Highlands Design Board requirements for development in this zone and ensure certainty that future development is of a high standard. The applicant volunteered the consent notice as a means to avoid ad hoc development that was not in keeping with the design board's intention for the site, and that it was sympathetic to the motorsport park which is the primary purpose of the site. The consent notices form the entirety of the Highlands Design Board requirements.

Whilst consent notices do give a high degree of certainty, in this instance the key audience for that certainty is the land developer, being Highlands Motorsport Park. Any deviation from the requirements, necessitates the approval of the highlands design board, who will consider designs on a case-by-case basis as whether they are in keeping with the general intent of the area as determined by them. HITP, the neighbour, and the Highlands design board have provided their unconditional written approval for the proposal.

The consent notices were accepted by the CODC at the time of granting consent and were not questioned in 2015 when the stage 2 consent was granted. The assessment provided in the original applications is light on detail in regard to the protection the consent notices provide for the subdivision land; however, the application was for a number of activities (at least 18) detailed in paragraphs 10 to 12 of the decision for RC150225.

Given the high value and emphasis on vehicle activities at the subject site, and the wider HITP, it is entirely appropriate that sufficient internal car coverage should be enabled, by way of greater site coverage.

The current environment is fundamentally different to the original subdivision that was applied for in HITP, through which process the design controls were established. The site is in effect urban in nature and design, and there has been a number of consent notice variations approved in this same subdivision which further enforces the perception that the site is no longer rural land, including colour schemes and allowing houses that are painted or clad in white (although that is not the case here).

The developed HITP is in effect its own unique zone, and the designs are considered in light of the evolution of the innovation technology park. The effect of the proposal on reduced landscaping provision is offset by the look of the building and how it fits with neighbouring and nearby properties.

The shared greenspace within the road reserve owned by Cromwell Motorsport Park Trust Limited maintains the integrity of the area and offers greenspace for users to view from their residences and the road, therefore, overall, the reduced onsite landscaping will be balanced by the surrounding greenspace already provided for.

A detailed landscaping plan is not required, as no other changes to the conditions are proposed. The plants will comprise 80% native species selected from the plant list, and that a plan will be provided to the Design Review board prior to planting. Planting must be completed within 3 months of the building being erected.

The built form and architectural detail compensate for the reduced landscaped area by complying with all other design conditions (apart from maximum site coverage, as discussed further below) including colour scheme, height, materials and is in keeping with the wider HITP development area.

The zone is unique, being a motorsport park with car enthusiasts, the design of the three-level internal carpark contributes to the overall design of the expected environment.

The fact that the architectural detail contributes to the overall expectations has been approved by the design board themselves.

The bulk and dominance elements of this proposal are similar to that which is found in urban landscapes (which is the nature of the environment now despite the underlying rural zoning), therefore further mitigation is not considered necessary. However, the building is opposite greenspace which will be maintained, and wide-open space of the racetrack and grounds, which overall contributes to the maintenance of open space to contrast the perceived bulk and dominance of the proposed building. The design of the development is to allocate all built form to one area of the park which the application complies with by construction within one area of the HITP.

The design has been approved by the board, therefore, complies with their expectations.

Parking

The following assessment is provided for completeness.

The width of the berm with vehicles overhanging is wider than many other berms within the motorsport park. Some surrounding properties have berms of 1.5-2m widths. It is common for vehicles to park on berms in urban settings, with no formalised pedestrian footpath within the berm, there is no risk of impeding the pedestrian access of footpaths.

Highlands Motorsport Park (who own the berm) have provided unconditional written approval for the proposal, including berm overhang. The Highlands design board have also provided written approval from a visual effects perspective.

Therefore, no persons are adversely affected, and no formal agreement is required. There have been multiple consents granted in this same subdivision with berm overhang.

However, given that there is ample parking spaces provided in the buildings, there is no breach in terms of the parking provisions for the proposed design, the applicant does not require council approval on this matter. Lot 222 provides 11 internal parking spaces. Rule 12.7.2 of the CODP requires one space per dwelling.

4.2 Other Building Matters

The underlying subdivision and land use consent enables the building specific details to be met so a full assessment is not required.

Minor earthworks may be required to prepare the building platform, but the platform area is generally flat. Overall, the effects of these minor earthworks are anticipated to be less than minor. The contractor shall implement sediment control measures during all earthworks to ensure all stormwater run-off from the site is managed & collected, in accordance w/ local territorial authority & regional council requirements.

The surrounding environment of the Highland Motorsport Park does not contain open natural character or hills and ranges. The bulk and dominance elements of this proposal are similar to that which is found in urban landscapes which is the nature of the environment now despite the underlying rural zoning and therefore the landscape/ amenity of the area is more residential/ commercial in nature. The building will be in the planned character and design of the Highlands Motorsport Park and has their approval.

The landscape and amenity of the area is residential and commercial in nature. The building will be in the planned character and design of the Highlands

Motorsport Park. Cumulative impacts are not expected as a result of this development and the proposal is essentially the uptake of a lot that is part of a long-term development for Highlands Park overall.

The building with be acoustically designed as required for the Highlands Motorsport Park. Noise will not adversely affect any receptors outside of the motorsport park. Receptors inside are fully aware of the other uses of the motorsport park.

4.3 Positive Effects

The development of the Highlands Motorsport Park and this proposal result in the increased opportunity and demand for housing and development within the district. Highlands Park is a unique location which creates variety with appropriate accessibility to employment opportunities within the park, and wider Cromwell. The proposal provides increased housing options within an area of planned urban development which decreases the pressure on rural character and production areas locally.

4.4 Summary of Effects

The proposal ensures that the applicant and wider community can benefit from the social and economic benefits, whilst protecting the wider local landscape and amenity values of the area.

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 will have less than minor effect on lands ability to meet the reasonably foreseeable needs of future generations, or on the life-supporting capacity of the land and any ecosystems associated with them. The proposal ensures that adverse effects on the environment are avoided, remedied or mitigated.

There are no matters of national importance under Section 6 of the RMA that will be affected by the proposal. The proposal is also consistent with the requirements of Section 7 of the RMA, with particular regard given to the efficient use and development of natural and physical resources. Regarding Section 8, the proposed activity has taken into account the principles of the Treaty of Waitangi.

Overall, the activity is considered to be consistent with Part 2 of the RMA.

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

Section 104(1)(b) requires the consent authority to have regard to any relevant provisions of the following:

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 of the relevant statutory documents that corresponds with the scale and significance of the effects that the proposed activity may have on the environment is provided below.

5.2.1 National Policy Statements

5.2.1.1 National Policy Statement for Highly Productive Land 2022

The NPS-HPL became Operative on 17 October 2022 - its purpose is to prevent the inappropriate subdivision, use and development of 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 key objective of the NPS HPL is that *"highly productive land is protected for use in land-based primary production, both now and for future generations."*

CODC 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.

Figure 5: Land use classification (Source: Maanaki Whenua Landcare Research)

The site is classified as class 6. The site is zoned rural in the district plan; however, the site has an underlying subdivision consent enabling urban development, therefore, an assessment of the policies in HPL is not required.

5.2.2 District Plan

The following policies, which give effect to the plan's objectives, are relevant to this application for resource consent.

4.4.2 Policy – Landscape and Amenity Values

To manage the effects of land use activities and subdivision to ensure that adverse effects on the open space, landscape, natural character and amenity values of the rural environment are avoided, remedied or mitigated through:

a. The design and location of structures and works, particularly in respect of the open natural character of hills and ranges, skylines, prominent places and natural features,

b. Development which is compatible with the surrounding environment including the amenity values of adjoining properties,
c. The ability to adequately dispose of effluent on site,
d. Controlling the generation of noise in back country areas,
e. The location of tree planting, particularly in respect of landscape values, natural features and ecological values,
f. Controlling the spread of wilding trees.
g. Encouraging the location and design of buildings to maintain the open natural character of hills and ranges without compromising the landscape and amenity values of prominent hillsides and terraces.

Policy 4.4.3 – Sustainable Management of Infrastructure
To ensure that the development of infrastructure in the rural environment promotes sustainable management by:

a. Requiring developers to contribute a fair and reasonable proportion of the costs involved, and
b. Maintaining and enhancing the safe and efficient operation of the infrastructure network (including roading), while avoiding, remedying or mitigating adverse effects.

Policy 4.4.9 – Effects of Rural Activities
To recognise that some rural activities, particularly those of a short duration or seasonal nature, often generate noise and other effects that can disturb neighbours by ensuring that new developments locating near such activities recognise and accept the prevailing environmental characteristics associated with production and other activities found in the Rural Resource Area.

12.4.1 - Policy - Parking, Loading and Manoeuvring
To avoid, remedy or mitigate adverse effects on the safe and efficient operation of the roading network by requiring:

a. Safe and efficient access points to the roading network, and
b. Off-road loading and manoeuvring space and facilities, and
c. Off-street parking, where these are appropriate.

In terms of Objective 4.3.1, the proposal will alleviate current demand for housing in the district. The proposal can provide for the social and economic well-being of the owners and the community.

In terms of Objective 4.3.3 and Policy 4.4.2, it is considered that the effects can be managed to ensure that adverse effects on the open space, landscape, natural character and amenity values of the rural environment can be avoided or mitigated.

In terms of Policy 4.4.3, the proposal will not result in significant new traffic on the roading network.
Policy 4.4.9 addresses reverse sensitivity, which is not considered relevant to this proposal. Property owners in the HITP are required to sign an encumbrance, which addresses reverse sensitivity effects for those living within the HITP.

The proposal is consistent with Policy 12.4.1. The access point will be formed to the appropriate standards. This piece of road will not be a high traffic area and often only accessed by the occupants of the street themselves.

It is considered that the proposed subdivision with its mitigating measures is not contrary to the relevant objectives and policies of the District Plan.

5.2.3 Cromwell 'Eye to the Future' Masterplan - Stage 1: Spatial Plan

The Cromwell Spatial Plan sets out the objectives for planning future development in Cromwell. Several of these objectives are of relevance to this application.
Objective 2: manage urban form and settlement to achieve an effective and efficient pattern of development

- Enable greenfield development and/or infill opportunities where consistent with a consolidated urban form and higher density objectives, in locations contiguous with existing subdivision and development and existing infrastructure.
- Retain the productive capacity of rural areas, protecting rural land around the town and within wider Basin in a considered and strategic manner,

acknowledging the significance of climatic and other factors to localised growing environments, allied productivity outputs, and GDP.
- Manage subdivision and land use development to an improved standard of amenity and design.
- Manage reverse sensitivity impacts by segregating polluting or noisy industrial and commercial recreation uses, farming activities and strategic infrastructure, from residential and commercial environments.

Objective 5: residential development and amenity

- Address current and future housing needs for all sectors of the community.
- Provide sufficient residential capacity to meet demand and housing choice as it arises including visitor and seasonal worker accommodation.
- Provide a wider range of housing types and sizes ('typologies') in order to ensure a greater choice of accommodation and liveability for all segments of the Cromwell community.
- Retain, enhance and extend the greenways of Cromwell including within new residential developments and infill areas.
- Identify the design outcomes sought and where appropriate, create precinct-based design guidelines to promote considered development and a high quality of amenity.

The proposal is consistent with the strategic approach of urban development and expansion. The underlying zone is rural; however, the underlying motorsport park allows for residential development. The productive capacity of the land will not be reduced.

There is a lack of land for future residential development within the Cromwell township, along with increasing property prices and affordability issues in the area. This proposal would assist in accommodating future growth, while addressing key issues facing the Cromwell area and providing additional lots in a desirable central Otago location. The proposal represents a boost to Cromwell's housing supply, to address current and future housing needs for Cromwell.

6. Section 95 Notification Assessment

A consent authority has the discretion whether to publicly notify an application unless a rule or National Environmental Standard (NES) precludes public notification (in which case the consent authority must not publicly notify) or section 95A(2) applies.

The effects of the activities will be no more than minor, and the applicants do not request public notification and there are no rules or NES' which require the public notification of the application. In addition, there are no special circumstances relating to the application. As such, notification of the application is not necessary. Clause 6(1)(f) of Schedule 4 of the RMA requires the identification of, and any consultation undertaken with, persons affected by the activity. The applicant has sought approval from the Highlands Design Board. Their response is Appendix C.

No other persons are considered to be adversely affected by the proposal, as determined by the larger assessment of environmental effects (Section 6 below). However, Council must decide that a person is affected pursuant to Section 95E of the RMA.

Overall, it is considered that this application should be processed non-notified.

7. Conclusion

A decision to grant the resource consent application under s221 is recommended on the basis that:

a) the adverse effects on the environment are virtually certain to be insignificant;
b) The proposal is consistent with the requirements of the RMA, relevant district plan objectives and policies and other relevant matters.

Granting the resource consent application will be consistent with the purpose of the RMA for the reasons explained within this report. The proposed activities are highly unlikely to result in further degradation of water quality and potential adverse effects will be appropriately mitigated.

Appendix A:

RECORD OF TITLE ATTACHED SEPERATE AS PER ONLINE PORTAL.

Appendix B:

d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 222 HIGHLAND MOTORSPORT PARK

d e s i g n

a r c h i t e c t u r e

s t u d i o

NORTH

4 Highlands Avenue, Cromwell
LOT 222 DP 556783

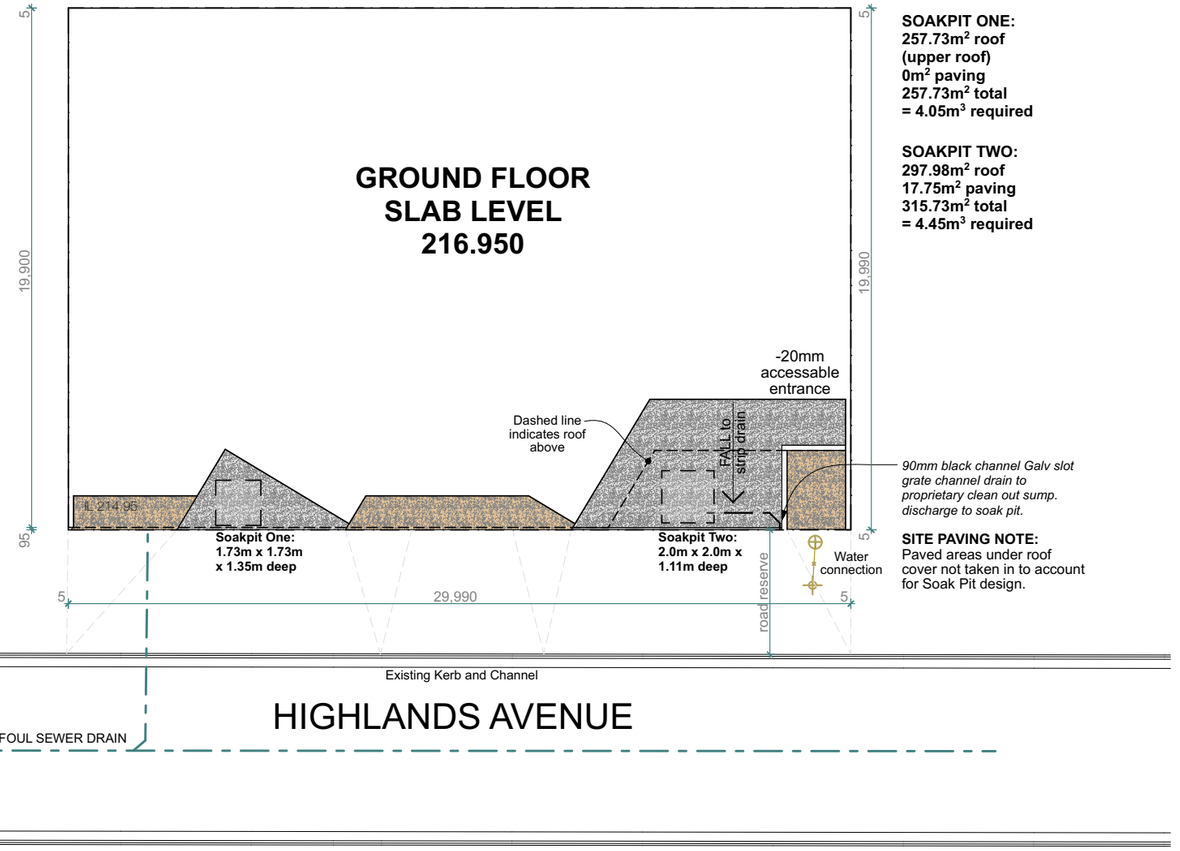
Climate Zone: 6
Earthquake Zone: Zone 2
Exposure Zone: Zone B
Lee Zone: No
Rainfall Range: 30 - 40
Wind Region: A
Wind Zone: High
Snow Zone: N5

Site Area: 600m^2
Coverage: 528m^2 (88%)
Landscaping: 22.69m^2 (3.78%)

Total Ground floor = 528m^2
Total First floor = 201m^2
Total Deck area = 58m^2

SOAK PIT CONSTRUCTION:
E1 pit to be constructed with Rocks 100mm - 150mm and surrounded with filter cloth.

Total catchment area = 50m^2
Total excavation is a min. requirement of 1.0m^3



SOAKPIT ONE:
257.73m^2 roof
(upper roof)
0m^2 paving
257.73m^2 total
= 4.05m^3 required

SOAKPIT TWO:
297.98m^2 roof
17.75m^2 paving
315.73m^2 total
= 4.45m^3 required

SITE PAVING NOTE:
Paved areas under roof cover not taken in to account for Soak Pit design.

SITE PLAN
1:200 @ A3 & 1:400 @ A4

ALL MATERIALS AND WORKMANSHIP TO COMPLY WITH THE NEW ZEALAND BUILDING CODE & NZS 3604

Refer to plumbing and drainage sheets for full Drainage notes.

110mm⌀ PVC FOUL SEWER PIPE (1:60 min fall)

100mm⌀ PVC STORM WATER PIPE (1:120 min fall)

20mm⌀ MDPE Water mains

Electrical

Data

LOT 222 HIGHLANDS MOTORSPORT PARK
SITE PLAN

SITEWORKS NOTES

The contractor is responsible for clearing the site of all rubbish, grub up bushes, shrubs, etc & clearing away.
The contractor shall arrange w/ the electricity, gas & water supply authorities for each existing service to be properly disconnected of their mains, removal of their fixtures and fitting, cut back, sealed off, removed, altered or diverted as necessary for the work & in accordance w/ the regulations of each authority involved charges in connection therewith will be paid by the employer

All demolition work to be carried out in accordance w/ the NZBC, OSH guidelines, & local authority requirements. The contractor shall put in place suitable methods to prevent excavated material been dropped on surrounding & adjacent roads.

The contractor shall implement sediment control measures control measures during all earthworks to ensure all stormwater run-off from the site is managed & collected, in accordance w/ local territorial authority & regional council requirements.

Safe & clean pedestrian access shall be maintained & provided to site at all times

Allow to install & maintain temporary protection over all extg road, kerb, services etc to be driven over during construction. Supply & install site sign (ref detail).

Verify all dimensions on site before construction commences. Figured dimensions shall take precedence. Do not scale!.
Plans are to be read in conjunction w/ the architects plans for setout.

Report any errors & omissions before construction commences

Reinstatement, all existing surfaces affected by the works shall be reinstated to their original standard including all nescessary temporary fencing & maintenance.

Vehicle crossing - Proposed Concrete driveway
Path to House - Concrete Exposed aggregate

SERVICES NOTES

All P&D shown/ altered, is private & not public.
The contractor is to locate all underground utilities & services before commencing construction & verify all dimensions on site.
Figured dimensions shall take precedence. Do not scale! Plans are to be read in conjunction w/ the architects plans for setout. Report any errors & omissions before construction commences.
Plumbing & drainage information shown, is diagramatic. Registered plumber & drainlayer to check & verify on site before commencing work.
The contractor shall take all necessary precautions during excavation to avoid any disruption of existing services. All extg services shall be re-instated to their original condition & to the satisfaction of the Architect or Engineer.
All plumbing & drainage to be carried out in accordance w/ AS3500.2 part 2 & NZBC.
The contractor is to allow & install for all vents (ie: AAV) where required.
All works to comply & be completed in accordance w/ local territorial authority engineering standards & any relevant New Zealand Standards.
All work shall comply w/ G13 of New Zealand Building Code. The contractor to locate all underground utilities & services before commencing construction.
The contractor shall locate all extg services at the proposed connection points prior to commencing work.

Refer to cross sections, details and specifications for under slab insulation type and ratings.

Refer to drainage plan for all plumbing and drainage elements.

All work to be carried out in accordance with the nzbc, nzs3604, other relevant nz standards, local authority bylaws and manufacturer's details and instructions.

All workmanship and materials shall be of the highest quality, curent trade practice and of the best description.

Drawings are to be read in conjunction with the architectural specification and other consultants documentation where appropriate. Refer to structural engineers drawings for further construction details and notes.

All timbers shall be separated from contact with concrete and masonry by either a free-draining air space of not less than 12mm or, dpc overlapping the timber by at least 6mm

Sheet: RC.2
Rev: 1

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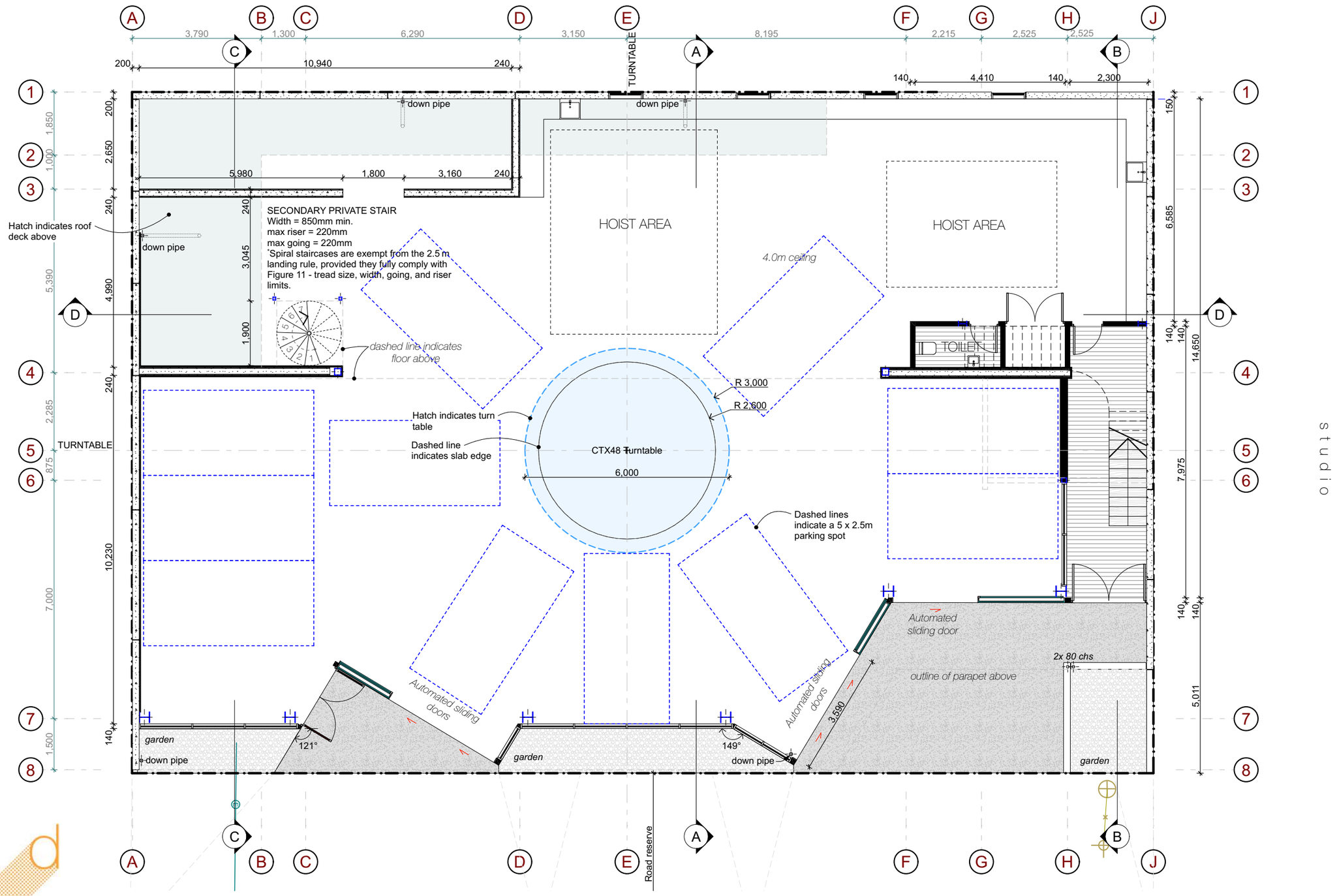

LOT 222 HIGHLANDS MOTORSPORT PARK
GROUND FLOOR PLAN

1:100 @ A3 & 1:200 @ A4

Sheet: RC.3
Rev: 1

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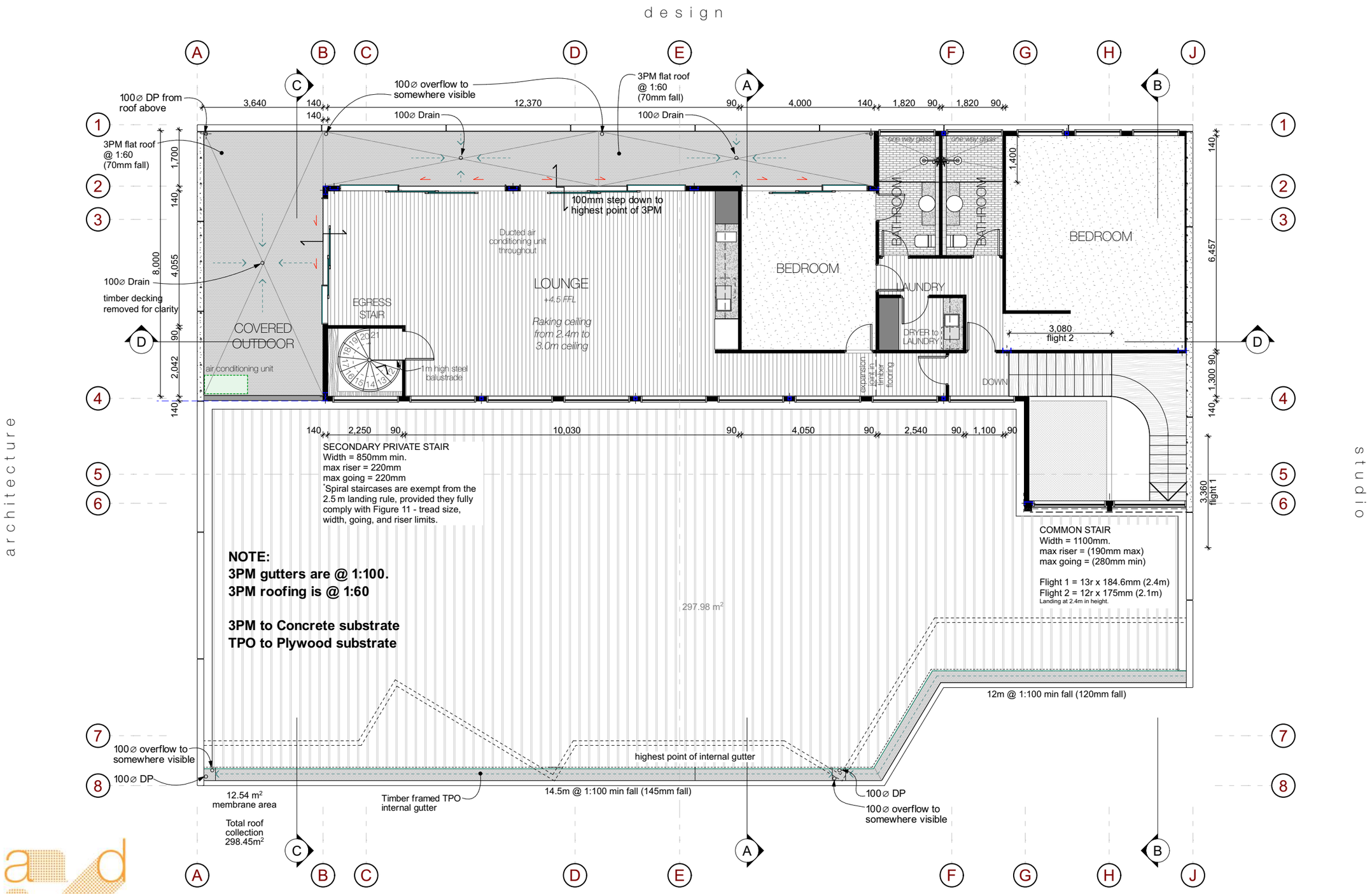

LOT 222 HIGHLANDS MOTORSPORT PARK
FIRST FLOOR PLAN

1:100 @ A3 & 1:200 @ A4 | Sheet: RC.4 | Rev: 1

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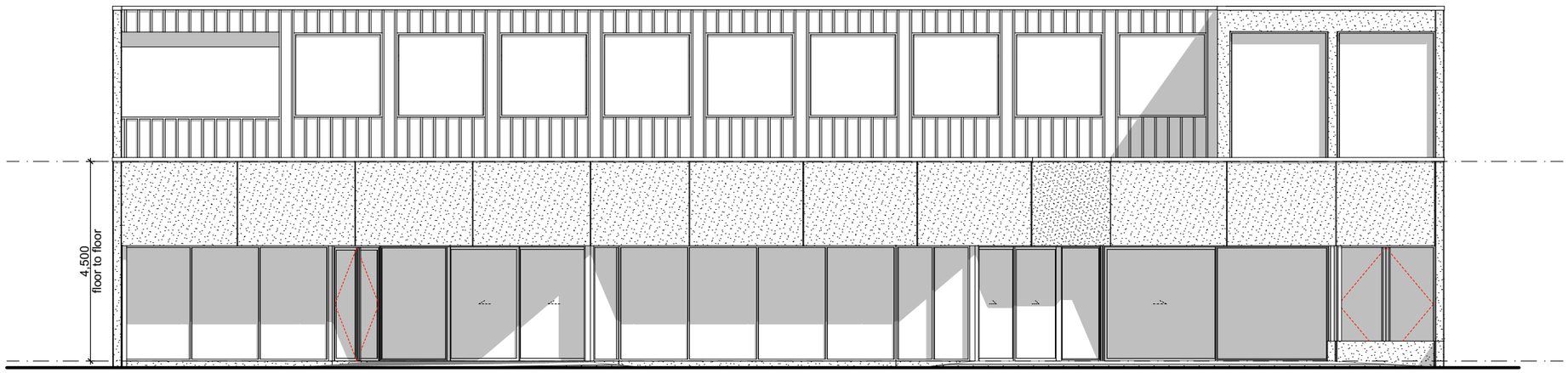
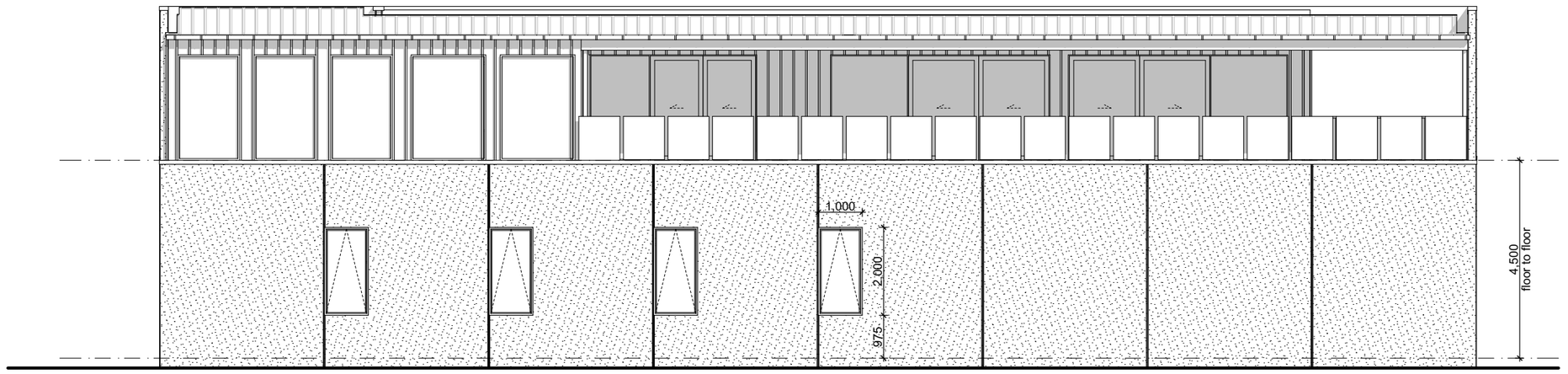


EAST ELEVATION



WEST ELEVATION

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LOT 222 HIGHLANDS MOTORSPORT PARK
ELEVATIONS

1:100 @ A3 & 1:200 @ A4 Sheet: RC.5 Rev: 1

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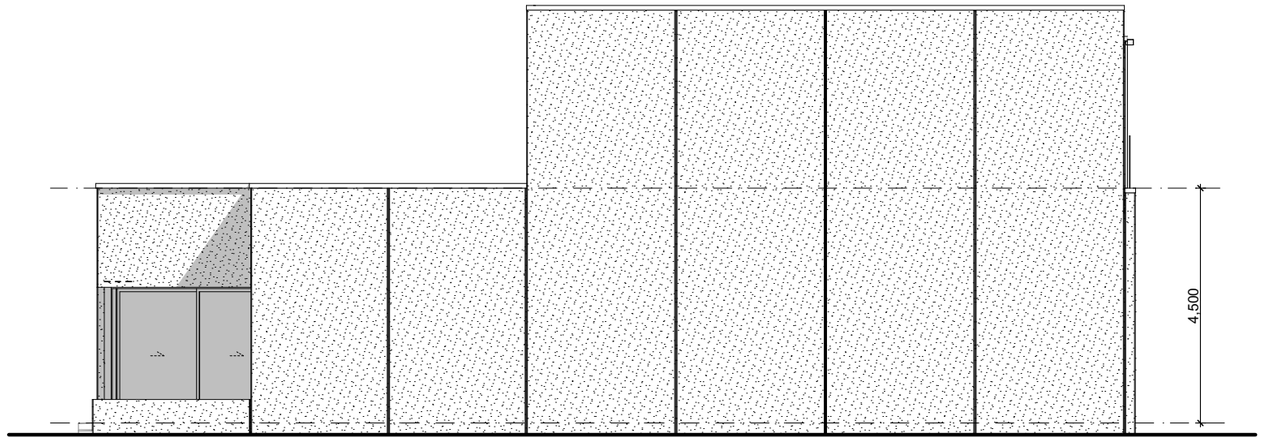
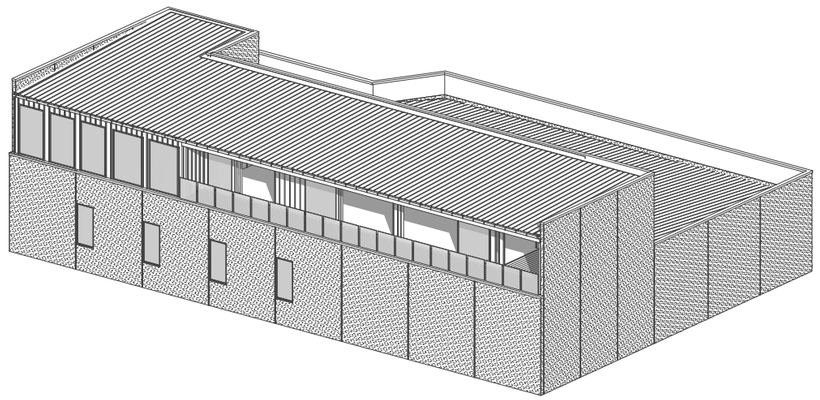
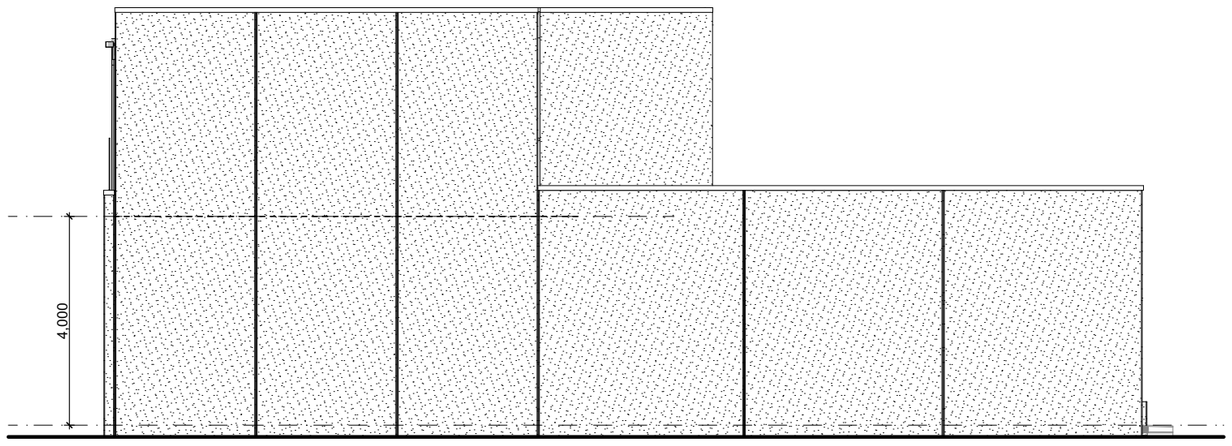
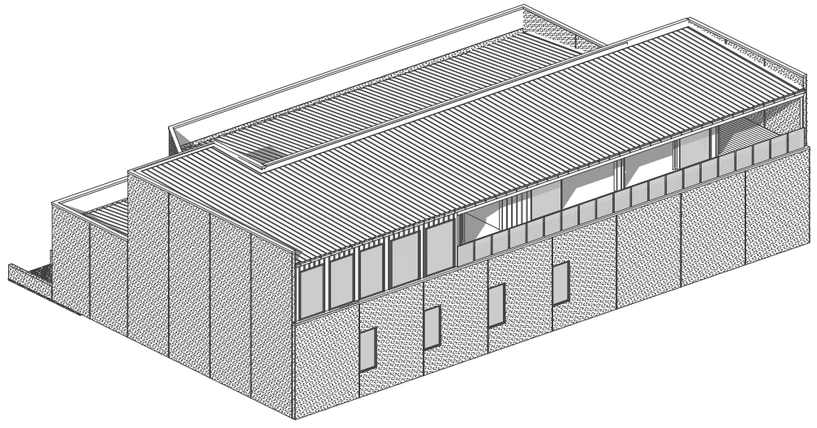


NORTH ELEVATION





SOUTH ELEVATION



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LOT 222 HIGHLANDS MOTORSPORT PARK
ELEVATIONS

1:100 @ A3 & 1:200 @ A4

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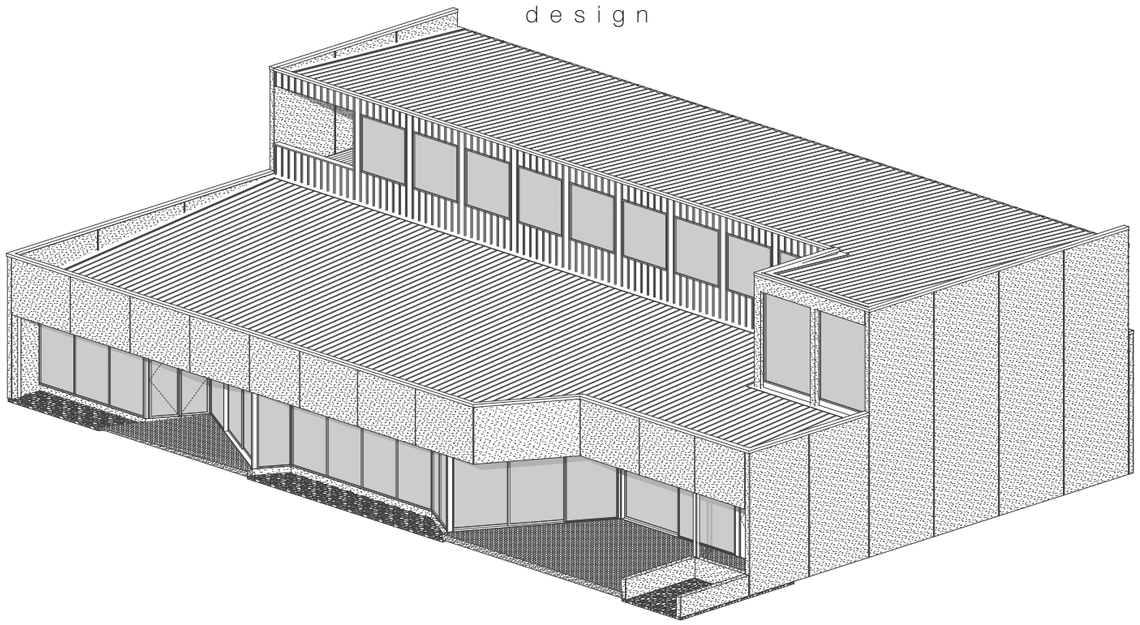

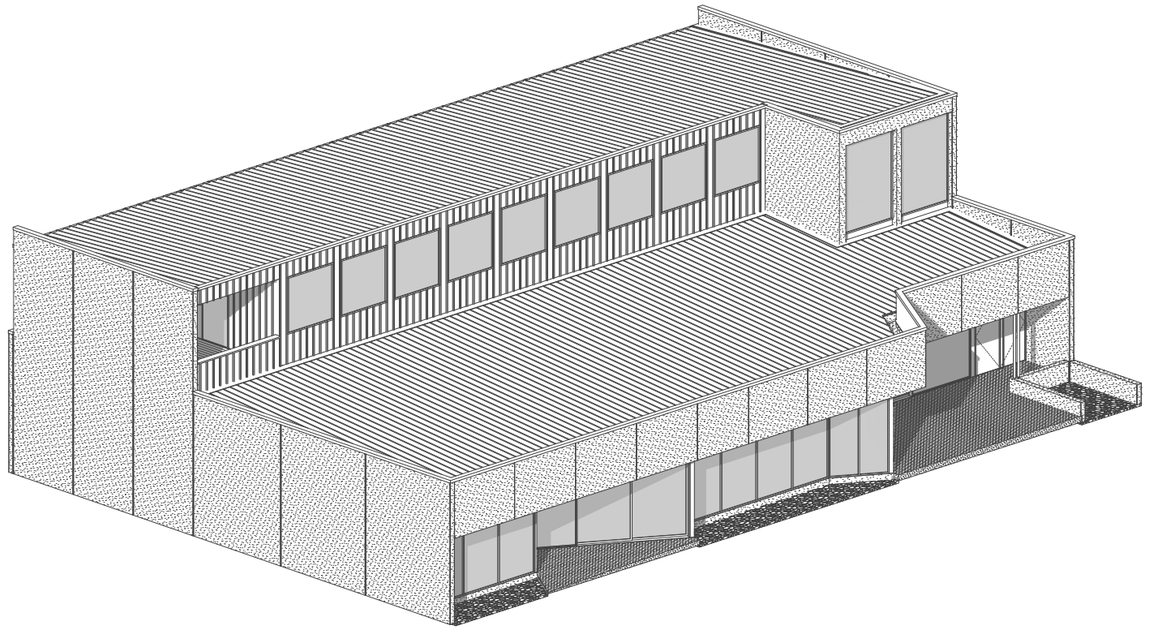

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LOT 222 HIGHLANDS MOTORSPORT PARK
ISOMETRICS

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LOT 222 HIGHLANDS MOTORSPORT PARK
PERSPECTIVE

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LOT 222 HIGHLANDS MOTORSPORT PARK
PERSPECTIVE

Sheet RC.9
Rev: 1

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LOT 222 HIGHLANDS MOTORSPORT PARK
PERSPECTIVE

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LOT 222 HIGHLANDS MOTORSPORT PARK
PERSPECTIVE

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LOT 222 HIGHLANDS MOTORSPORT PARK
PERSPECTIVE

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RC.12
Rev: 1

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APPENDIX C - WRITTEN APPROVALS

Affected Persons Approval for Resource Consent

CENTRAL OTAGO DISTRICT COUNCIL
1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

+64 3 440 0056
info@codc.govt.nz
www.codc.govt.nz

(Form 8A)
Section 95E(3), Resource Management Act 1991

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

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

TO BE COMPLETED BY THE PERSON(S) REQUESTING APPROVAL

Applicant Name: Peek Street Apogee Trust Limited

Type of resource consent (circle all appropriate): Land-use / Subdivision

Proposed activity:
Construction of building/dwelling at 4 Highlands Avenue

Location of site:
4 Highlands Avenue, Cromwell

CONTACT DETAILS OF AFFECTED PARTY

Full Name/s: *(name of person giving written approval)* Josie Spillane

Josie@highlands.co.nz — 027 221 4334
Email — Phone

Address of the property *(I am the owner of the following property)*:
7 Sandflat Road, Cromwell

The full name of all other owners of the property: (owners of the affected property)
Cromwell Motorsport Park Trust Limited

I have authority to sign on behalf of all the other owners of the property:

☒ Yes ☐ No other owners

NOTES

Conditional written approvals cannot be accepted.

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

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

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

DECLARATION

- ◪ I have sighted all the attached plans and supporting information for the above activity.
- ◪ I have read the full application for resource consent, the Assessment of Environmental Effects, and any site plans as follows
- ▣ In signing this written approval, I understand that the consent authority must decide that I am no longer an affected person, and the consent authority must not have regard to any adverse effects on me.
- ◪ I understand that I may withdraw my written approval by giving written notice to the consent authority before the hearing, if there is one, or, if there is not, before the application is determined.

Josie Spillane

Signature

01/10/2025

Date

If you have any questions, please contact the Central Otago District Council by phoning 03 440 0056 or email resource.consents@codc.govt.nz

24 June 2025

Highlands Design Review Board
7 Sandflat Road, Cromwell

Peter Beck

Dear Peter,

The Highlands Design Review Board (HDRB) has reviewed your submission and we are pleased to inform you that the submitted design for your property at **Lot 222** has been approved by the HDRB. This approval takes account the following:

- While the landscaping is under the minimum stipulated in the guidelines, we are happy that the amount of landscaping works well in the context of the overall design/built form.
- While the design breaches the setback from the road, we consider the articulation and design of the road facing façade and extensive glazing mitigates effects including dominance appropriately.
- While the building exceeds the building coverage (88%), we consider the effects are appropriately mitigated by the predominantly single storey nature of the building, with the second storey apartment recessed towards the track. We think the angular window form also helps to break up the design. The extensive glazing helps with openness and mitigates bulk and dominance.
- The design does not comply with the landscaping requirement of 15% however we note that the few landscaped areas provided are strategically located within the front section of the property, which we think works well with the overall building aesthetics.
- The building does not meet the building setback from the road although we note the wide berm adjacent to Quinn's Way helps to mitigate this. Sufficient parking which we think is commensurate to the nature of the overall design is acceptable (i.e. single room apartment).
- We think that the extensive glazing and showroom nature of the design works well with the adjacent properties.

You are now permitted to submit the appropriate documentation to the Central Otago District Council for Building Consent and/or Resource Consent, if required. We note that it is the responsibility of the landowner to determine whether any other approvals (such as resource consent) are required and that they shall secure these accordingly.

Please note, design approval from the HDRB does not guarantee approval by the Central Otago District Council and we encourage that you check the Central Otago District Plan and any other legislation to ensure compliance.

Kind Regards,

Jake Woodward
Resource Management Planner
on behalf of the Highlands Design Review Board

Attachments:

Appendix [A] HDRB Approval – Lots 222 – Stamped Plans

RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD

Search Copy

R.W. Muir
Registrar-General
of Land

Identifier **973364**
Land Registration District **Otago**
Date Issued 31 October 2022

Prior References
663001 663003

Estate Fee Simple
Area 600 square metres more or less
Legal Description Lot 222 Deposited Plan 556783
Registered Owners
Peek Street Apogee Trustee Limited

Interests

5323967.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 23.8.2002 at 1:42 pm

Together with such parts of mines of coal or other minerals (if any) which are not taken by Proclamation 1503

Land Covenant in Easement Instrument 7849017.1 - 17.6.2008 at 9:00 am

Appurtenant hereto is a right of way, right to drain water and sewage and a right to convey water, electricity, telecommunications and computer media and to part formerly Lot 400 DP 466637 is a right to store, pump and drain sewage created by Easement Instrument 9809952.10 - 27.11.2014 at 4:17 pm

Some of the easements created by Easement Instrument 9809952.10 are subject to Section 243 (a) Resource Management Act 1991 (see DP 466637)

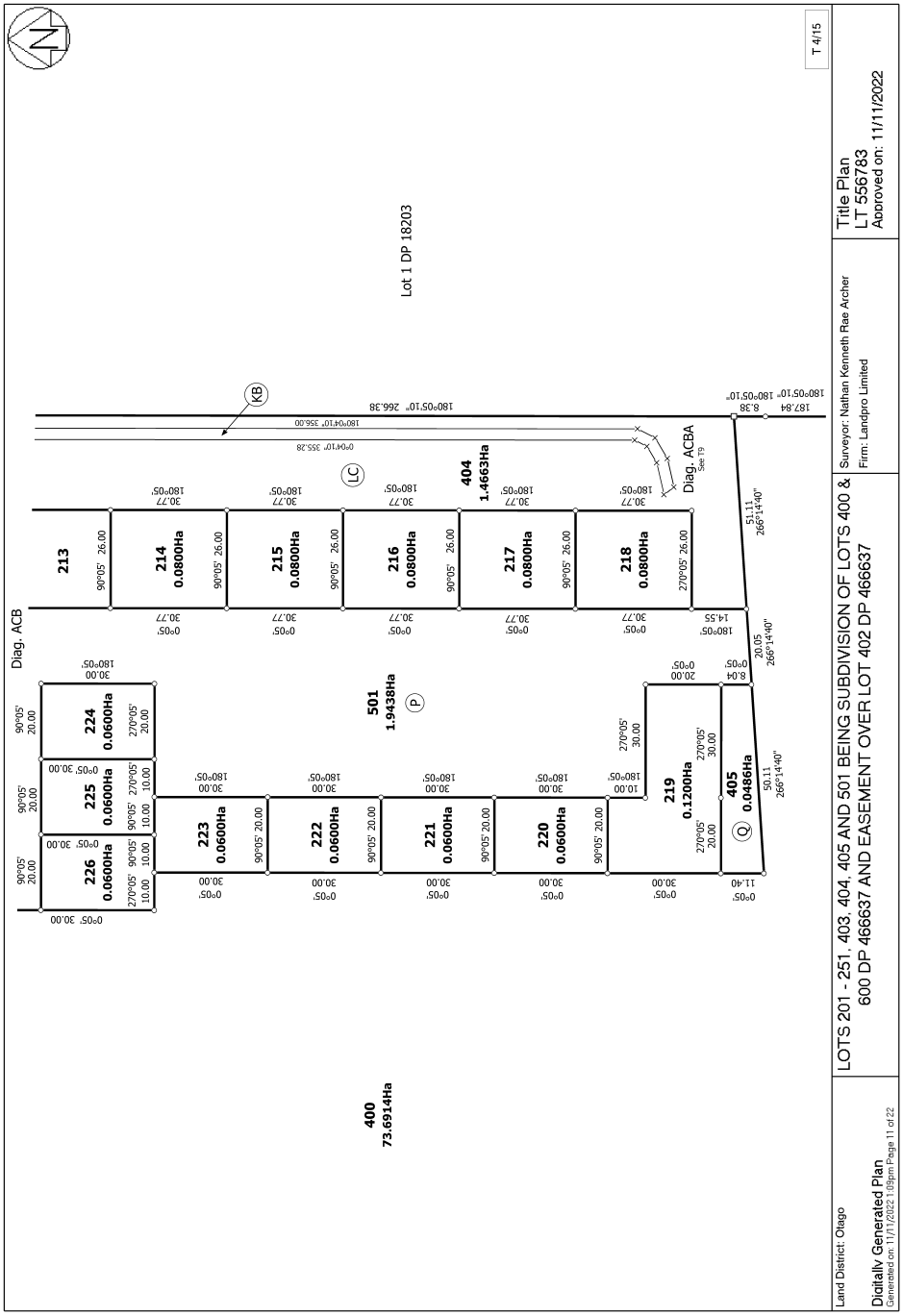
12451331.5 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 31.10.2022 at 4:54 pm

Appurtenant hereto is a right of way, right to drain water and sewage, a right to store, pump and drain sewage easement and a right to pump sewage easement created by Easement Instrument 12451331.10 - 31.10.2022 at 4:54 pm

The easements created by Easement Instrument 12451331.10 are subject to Section 243 (a) Resource Management Act 1991

12451331.12 Encumbrance to Highlands Industrial Park Services Limited - 31.10.2022 at 4:54 pm

Identifier **973364**



Affected Persons Approval for Resource Consent

CENTRAL OTAGO DISTRICT COUNCIL

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Applicant Name: Peek Street Apogee Trust Limited

Type of resource consent (circle all appropriate): Land-use / Subdivision

Proposed activity:
Construction of building/dwelling at 4 Highlands Avenue

Location of site:
4 Highlands Avenue, Cromwell

CONTACT DETAILS OF AFFECTED PARTY

Full Name/s: *(name of person giving written approval)* Josie Spillane

Josie@highlands.co.nz — Email
027 221 4334 — Phone

Address of the property *(I am the owner of the following property)*:
7 Sandflat Road, Cromwell

The full name of all other owners of the property: (owners of the affected property)
Cromwell Motorsport Park Trust Limited

I have authority to sign on behalf of all the other owners of the property:

☒ Yes ☐ No other owners

NOTES

Conditional written approvals cannot be accepted.

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

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

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

DECLARATION

- ■ I have sighted all the attached plans and supporting information for the above activity.
- ■ I have read the full application for resource consent, the Assessment of Environmental Effects, and any site plans as follows
- ■ In signing this written approval, I understand that the consent authority must decide that I am no longer an affected person, and the consent authority must not have regard to any adverse effects on me.
- ■ I understand that I may withdraw my written approval by giving written notice to the consent authority before the hearing, if there is one, or, if there is not, before the application is determined.

Josie Spillane

Signature

01/10/2025

Date

If you have any questions, please contact the Central Otago District Council by phoning 03 440 0056 or email resource.consents@codc.govt.nz

CENTRAL OTAGO DISTRICT COUNCIL

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New Zealand

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2842127747
RC200231

04 November 2020

Cromwell Motorsport Park Trust Limited
C/- Landpro
PO Box 302
Cromwell 9342

Dear Sir/Madam

DECISION NOTIFICATION: RC 200231 – CROMWELL MOTORSPORT PARK TRUST LIMITED – SANDFLAT ROAD, CROMWELL

I enclose a copy of the Council's decision on the above application as required by section 114(1) of the Resource Management Act 1991.

I also draw your attention to Section 120 of the Act which confers the right of objection to the Consent Authority within 15 working days of receipt of this decision.

Yours faithfully

S Smith
Planning Support Officer

CENTRAL OTAGO
OFFICIAL REGIONAL IDENTITY PARTNER
www.centralotagonz.com

CENTRAL OTAGO DISTRICT COUNCIL
CROMWELL MOTORSPORT PARK TRUST LTD, CROMWELL : RC200231

Introduction

The Cromwell Motorsport Park Trust Ltd has made application for subdivision consent to create 56 allotments (with 51 of the allotments to be used for activity associated with vehicles and residential activity); and for land use consent to authorise such land use activity. Access to the subdivision is to be achieved primarily from Cemetery Road and Monaco Drive (within the existing Highlands Innovation and Technology Park (HITP)) and the sites subject to the application are described as Lot 400 DP 466637 and Lot 600 DP 466637 as contained in Records of Title (RT) 663001 and 663003, respectively, at the Otago Land Registry.

The Council has given consideration to the information submitted in support of the application and to the submissions and evidence presented by Ms Irving, Ms Spillane, Mr Carr (remotely) and Mr Curran who appeared with Mr Aitken in support of the application. Consideration has also been given to the written submissions and supporting information provided by Mr Goldsmith in support of the submission by River Terrace Developments Limited, noting that Mr Goldsmith was unable to attend the hearing; and to the written statement dated 16 October 2020 provided by Ms McMinn with respect to the submission by Waka Kotahi NZ Transport Agency (Waka Kotahi).

Mr Goldsmith's submissions were received on the morning of the hearing. Attached to his submissions was a statement of evidence dated 19 February 2020 that had been presented by Mr Staples in the context of RC190404; and correspondence from Mr Styles to Mr Goldsmith dated 27 October 2020. Ms Irving, in reply, submitted that the documents attached to Mr Goldsmith's submissions should not be accepted on the basis that they had been filed out of time; or in the alternative that no weight should be given to this material as the applicant has had no opportunity to respond to the documents.

The Council has come to the view that the material attached to Mr Goldsmith's submissions is simply supporting information only; and not evidence. The Council notes, in this context, that Mr Goldsmith in an email dated 20 October 2020 formally advised the Council that his client would not be lodging any evidence with respect to the current proposal being RC200231. In summary the documents provided with Mr Goldsmith's submissions have been treated as supporting information only; and have not been accepted as expert evidence at the hearing of RC200231.

The application was publicly notified and 8 formal submissions in response to the proposal were received by the closing date of 24 September 2020. A late submission from Sam Gordon Graham was received by the Council on 2 October 2020. Section 37(1) of the Resource Management Act 1991 (the Act) provides for a consent authority to extend a time period for the receipt of a submission; and the Council so resolves, having taking into account the matters listed in section 37A(1) of the Act, and the late submission is therefore accepted.

A summary of all of the submissions received and decisions sought is presented in Annex 1. It is emphasised that only a summary of the contents of each submission is presented in Annex 1 and that further details are contained in the full text of the submissions. It is noted that where submitters support the proposal the decision requested is stated in the summary as to "Grant consent" notwithstanding that this may not have been explicitly stated in the submission.

The applicant has provided affected party approvals at Appendix 4 to the application document. Some 62 affected persons approvals have been received. Those who have provided affected persons approvals are listed at Annex 2 to this decision. The affected persons approval from the Director-General of Conservation is subject to four conditions which are presented at Appendix 1 to that affected persons approval. These conditions are to mitigate effects on the Cromwell Chafer Beetle Reserve that is located immediately to the east of the site being Lot 1

DP 18023. The Cromwell Chafer Beetle Reserve is identified as Area of Significant Natural Value 1 (SN 1) on Map 44 of the Operative District Plan.

Zoning & Status of Proposal

The site is located within the Rural Resource Area in the Operative Central Otago District Plan. Rule 4.7.5(iii) confirms that a subdivision that creates allotments with an average area less than 8 hectares and/or an area less than 2 hectares in the Rural Resource Area is a non-complying activity. In this instance the average and minimum lot areas are breached.

Rule 4.7.6B(b) states that more than 3 persons shall be engaged in any activity of a commercial, industrial or manufacturing nature. A breach of Rule 4.7.6B is a discretionary activity in terms of Rule 4.7.4(i).

Rule 4.7.3(vii)(b) stipulates that there shall be no more than 1 residential activity on the relevant certificate of title. In this instance consent is sought for residential accommodation in conjunction with other built development and if this occurs prior to subdivision a breach of Rule 4.7.3(vii) will result. A breach of Rule 4.7.3(vii)(b) is a discretionary activity in terms of Rule 4.7.4(i).

Rule 4.7.6A(a) stipulates minimum side and rear yards of 25 metres and front yards of 10 metres for buildings used for residential activity. A breach of Rule 4.7.6A(a) is a discretionary (restricted) activity in terms of Rule 4.7.3(i).

Rule 4.7.6J(b) stipulates a maximum area of 2000m^2 and a maximum quantity of 3000m^3 for earthworks on any site. A breach of these standards is a discretionary activity in terms of Rule 4.7.4(i).

Mr Curran anticipates that retail activity will occur this being within the scope of the servicing, maintenance, repair, design, manufacture, fabrication, testing or storage of vehicles, vehicle parts and other associated industries. Retail activity is a non-complying activity in terms of Rule 4.7.5(iv).

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES) come into force on 1 January 2012. In the absence of information being provided by a territorial authority/regional council or a preliminary site investigation to establish whether the site is a piece of land for the purposes of the NES; the proposal is a discretionary activity in terms of Regulation 11(2) of the NES.

Having regard to the above the proposal has been considered as an application for subdivision consent and land use consent to a non-complying activity pursuant to sections 104, 104B and 104D of the Resource Management Act 1991; and as an application for consent under Regulation 11(2) of the NES.

Planning History

The existing HITP has frontage to Cemetery Road and has been developed as authorised by RC 070149 (discussed further below) for individuals/businesses to undertake activities associated with the motorsport industry (and other similar industries) with residential accommodation above. The current proposal is to extend the HITP onto land to the south; and the applicant refers to the current proposal as “Stage 2” of the HITP. Before describing the proposal in further detail it is appropriate to discuss the planning history of this land.

On 23 December 2009 the Environment Court issued a Final Decision that granted land use consent to Cromwell Motorsport Trust Limited for the development and operation of a motorsport park on the subject site that is bounded by the Chafer Beetle Reserve, Cemetery Road and Sandflat Road on the outskirts of Cromwell. This land use consent is RC 070149.

Attached at Annex 3 to this decision is a plan entitled Figure 3 which shows Area "A" and Area "B" as referred to in the conditions of consent for RC 070149.

Area "A" as shown on the plan at Annex 3 is utilised as a Commercial Park as provided for in Condition 14 of RC 070143. The Assessment of Environmental Effects (AEE) for RC 070143 provided information with respect to the Commercial Park as follows:

> *"The second element of the proposal [the first element being those activities that will utilise the 3.7 kilometre Highlands Motorsport Park track] is to be located behind the pit area, and comprises an automotive related commercial park. Access to the park will be from Cemetery Road. The park will contain sites for the development of commercial buildings, yards, and offices. A common architectural theme will be promoted within this area in order to create a stylish and modern complex.*
>
> *Once consent is granted for this aspect of the proposal, it is likely that the parks development will be facilitated by subdivision. This would occur in accordance with Councils normal industrial subdivision standards. All services, including the internal roading network, will be developed to the appropriate Council standard. However no consent is sought for subdivision at this stage of the process."*

Subsequent to the release of the decision RC 070143 part of the Commercial Park identified as Area "A" was subdivided into 47 allotments as consented by RC 130153 dated 3 September 2013. In 2014 a subsequent subdivision consent RC 140009 consented 12 additional allotments to be created from two lots created by RC130153. The built development on the allotments created by RC 130153 and RC 140009 was authorised by the original land use consent RC 070143.

In 2015 a fresh land use consent RC150225 was granted by Commissioner Nugent to replace RC 070149 as it related to the Highlands Motorsport Park. As noted in the current application, RC 150225 was to resolve ambiguities associated with conditions relating to the management of environmental effects, notably noise. It was considered, in the context of RC 150225 that undeveloped land, being Lot 600 DP 466637, would be better utilised for the motorsport park *per se* rather than the HITP; and accordingly the land use consent RC 070149 that allowed construction of buildings on this part of Area "A" as part of the HITP was surrendered.

The current application discloses that the applicant has now determined that Lot 600 DP 466637 (and approximately 1 hectare of Lot 400 DP 466637) would be better utilised for a Commercial Park/HITP as was originally intended when RC 070149 was granted. The current application RC 200231 is to facilitate such subdivision and development on that land.

The Proposal

Information submitted in support of the application confirms that the applicant intends to subdivide the sites, that have a total area of 81.7479 hectares more or less, to create the following allotments:

• Lots 201 – 218	Freehold lots 800m^2 in area
• Lots 219 – 232, Lots 240-244 and Lots 246 – 251	Freehold lots 600m^2 in area
• Lots 233 – 238	Freehold lots 150m^2 in area
• Lot 239	Freehold lot 610m^2 in area
• Lot 245	Freehold lot 670m^2 in area
• Lot 403, Lot for greenspace/motorsport race day parking	Lot to be retained by applicant 1.3660 ha
• Lot 404	Lot to be retained by applicant for greenspace/extension to Chafer Beetle Reserve buffer area 1.4660 ha

• Lot 405	Lot to be retained by applicant part of which is to be used for trailer parking – 3,418m^2.
• Lot 501	Lot to be retained by applicant for private road (access) – 1.95 ha
• Lot 400	Residue of existing Lot 400 Highlands Motorsport Park and Facilities – 73.5 ha

The amended plan of subdivision attached to Mr Curran's evidence confirms that Lots 403, 404, 405 and 501 are to be amalgamated with Lots 401, 402 and 500 DP 466637 and Lot 22 DP 506007 being access and amenity lots created by RC130153 that are also owned by the applicant.

The applicant has noted that the proposed lot sizes are similar to those created by RC 130153 and RC 140009; to allow future development on the extension to the HITP similar to that which has occurred in the existing HITP. Development on the land is to be restricted to the use of land for the servicing, maintenance, repair, design, manufacture, fabrication, testing or storage of vehicles, vehicle parts and other associated industries consistent with activities previously authorised by RC 070149; with residential accommodation restricted to above ground level. A suite of development controls are proposed with respect to Lots 201 – 251 of the proposed subdivision; such controls being generally consistent with those imposed in the context of RC 130153. Such conditions are to be subject to a consent notice. These conditions are detailed in Part 2.2.3 of the current application and relate to the following:

1. Activities on lots.
2. Bulk and location of buildings.
3. Cladding.
4. Colours – finishes.
5. Visual amenity.
6. Signage.
7. Landscaping.
8. Outdoor services, storage areas & fencing.
9. Parking & manoeuvring.
10. Design Review Board.

The applicant advises that existing utilities (electricity & telecommunications, water and wastewater) servicing the existing HITP will be extended to service the proposed lots in the subdivision. All stormwater will be disposed of on-site by appropriately sized soakpits; and Mr Curran has suggested a condition, to be subject to a consent notice, with respect to stormwater management. Roading and access for the subdivision has been designed in accordance with the Council's Local Road classification. All future on-site parking is to be adequately contained within each proposed allotment.

Effects of Activity

Intensive subdivision and development in the Rural Resource Area can detract from amenity values. The Operative District Plan therefore controls the size of allotments in rural subdivisions to control the density and intensity of development. The proposed subdivision will create titles which will have an average area of approximately 4600m^2 [with Lot 400 having a deemed area of 16 hectares for averaging purposes in accordance with Rule 4.7.4(iii)] with all freehold allotments for disposal breaching the minimum area requirement of 2 hectares, being between 150m^2 and 800m^2 in area.

It is appropriate to acknowledge the consented subdivision and development in the immediate vicinity of the land subject to this application. It is noted, in particular, that the Highlands Motorsport Park is an established land use activity originally consented by RC 070143 and more recently consented by RC 150225. The Highlands Motorsport Park occupies land including Lot 400 immediately to the west and south of that part of the site to be subdivided

into smaller allotments. It is also acknowledged that to the north of the subdivision is the HITP consented in terms of RC 070149, RC 130153 and RC 140009. This subdivision, which has created urban allotments for development in terms of the relevant conditions, is also located in the Rural Resource Area. Land to the north and east (at Cemetery Road) is located in the Industrial Resource Area. The activities previously consented and/or zoned in this locality distinguish this part of the Rural Resource Area from others; and it is considered that the site has no particular rural character or amenity values.

The consented baseline is also relevant. RC 150225 permits most of the land to be used, being Lot 600 DP 466637, for rally cross purposes, (albeit that the applicant no longer proposes to use the land for such purpose.) Furthermore it is acknowledged that a range of activities are consented across the Highlands site by RC 150225 including built development provided a 25 metre setback is achieved at the western boundary adjacent to the Cromwell Chafer Beetle Reserve; and provided that a maximum height of 8 metres is achieved. The effect of RC 150225 is to permit, potentially, built development on the sites that are similar in scale to those proposed. It is emphasised that there is no consented baseline to permit the non-complying subdivision that is now proposed.

As previously noted the site has no particular rural character. The land is located immediately adjacent to the existing Highlands Motorsport Park infrastructure (being the track and pit lane buildings) and immediately to the south of the HITP. It is again acknowledged that the allotments to be created, and the built development to be provided for, are generally consistent with that already consented in the HITP.

The sites are not identified as Outstanding Natural Landscape (ONL) or Significant Amenity Landscape (SAL) in the Operative District Plan. The site forms part of a third tier landscape being Other Rural Landscape. Future subdivision and built development will be visible from Cemetery Road to a limited degree; and such views are likely to include consented development in the HITP and/or the Highlands Motorsport Park.

Future built development in the subdivision will be visible in views across the Cromwell Chafer Beetle Reserve from Bannockburn Road. Such development will be perceived to be an extension of the urban development previously consented at the HITP albeit that the additional built development will extend for some 550 metres adjacent to the boundary with the Chafer Beetle Reserve. The applicant has noted that such built development will be viewed at a range of approximately 950 metres from Bannockburn Road. It is acknowledged that some intervening vegetation will provide limited screening; and that any such built development will be viewed against rising land behind (being the Pisa Range).

The Council's conclusion is that the proposed subdivision and development will not have an adverse effect that is greater than minor in terms of open space, landscape, natural character and amenity values in this rural environment.

The proposed subdivision will not have an adverse effect in terms of the capability for sustainable use of the productive land resource having regard to the consented baseline originally established by RC 070143 and more latterly by RC150225, which permits development on that part of the site to be subdivided for other than traditional rural activities.

As previously noted the Cromwell Chafer Beetle Reserve is located immediately to the west of the land to be subdivided. The applicant offers a condition [to be subject to a consent notice] that stipulates that no buildings are to be established within 25 metres of the eastern boundary of the site where it adjoins the Cromwell Chafer Beetle Reserve. Effects on the Cromwell Chafer Beetle Reserve are also to be mitigated by four conditions that are attached to the Director-General's affected persons approval and which the applicant is agreeable to. These conditions are as follows:

1. *The applicant will review annually its Fire Risk Management Procedures and provide these to the Chief Executive for certification no later than 14 July in any year.*
2. *Within the greenspace buffer that adjoins the Chafer Beetle reserve any planting will be limited to low native shrub species and ground cover planting.*
3. *The existing row of poplars immediately adjoining the boundary of the Chafer Beetle Reserve will be maintained so they do not exceed 5m in height.*
4. *Exterior lighting on the rear elevation of buildings on Lots 201-218 shall be:*
    - *shielded from above in such a manner that the edge of the shield shall be below the whole of the light source.*
    - *have a filter to filter out the blue or ultraviolet light, provided the light source would have more than 15% of the total emergent energy flux (Watts per nanometre) in the spectral region below 440nm. The filters used must transmit less than 10% of the light at any wavelength less than 440nm. This therefore includes, but is not limited to, fluorescent, mercury vapour and metal halide lamps.*

The Council is satisfied that any ecological effects, particularly on the Cromwell Chafer Beetle Reserve, will be no greater than minor. Again it is acknowledged that the Director-General of Conservation has provided an affected persons approval in this context.

The proposal will have no particular reverse sensitivity effects in terms of traditional rural activity given the separation that exists between the land to be subdivided into small allotments and orcharding activity in this locality. In particular it is noted that orchards adjacent to Cemetery Road and State Highway 6 are separated from the subdivision by Cemetery Road and the existing HITP.

Reverse sensitivity effects with respect to the Highlands Motorsport Park are addressed in the application. The applicant has explained that those who purchase land within the HITP (and within the subdivision) are required to sign an encumbrance that is in favour of Highlands and to become members of the Highlands GT Club. The encumbrance also addresses no complaints obligations with respect to the operation of the motorsport track. Under this framework the Highlands management actively manages owners and occupiers moving into the HITP. It is also noted that Condition 14(ii)(b) of RC 070149 (as amended by RC 130158) provides for building construction to take into account acoustic considerations in the existing HITP; and a similar condition is to be imposed in the context of the current application to mitigate the effects of motorsport activity on future residents.

Of particular relevance is the required link between the proposed residential land use and the motorsport industry (with residential activity permitted at first floor level and vehicle related activity to be conducted below). Accordingly it is very likely that the future owners of the proposed allotments will tend to be motorsport enthusiasts, reducing the risk of potential conflicts and reverse sensitivity effects.

The Council's conclusion is that any reverse sensitivity effects associated with the proposal are unlikely to be greater than minor in this instance. Again the close link that will exist between activity to be provided for in the subdivision and the motorsport industry is acknowledged in this context.

The applicant has noted that earthworks will be associated with the subdivision and that these are limited to the installation of services and construction of roading infrastructure. Mr Curran advised that such earthworks are likely to occur on an area greater than 2,000m^2, and will likely exceed 3,000m^3, breaching standard 4.7.6J(b). The applicant has advised that controls will be put in place to ensure that there will be no sediment runoff and that all areas disturbed will be reinstated. Any effects associated with earthworks will be less than minor.

The submission by Waka Kotahi has noted that the application discusses transportation effects as they relate to the site and local roading networks; but does not consider the effects of the additional vehicles generated by the proposal on the State Highway 6/Cemetery Road

intersection. The submitter has sought further information from the applicant to identify the transportation effects of the proposal on that intersection.

Mr Carr of Carriageway Consulting Limited has prepared a Transportation Assessment dated 13 October 2020 that is attached as Annex A to Mr Carr's primary evidence. Mr Carr advised that in order to undertake the assessment of the State Highway 6/Cemetery Road intersection, turning counts at the intersection are required, and that these need to be undertaken during school term-time to be representative of the prevailing conditions. Mr Carr undertook a survey of traffic volumes on 20 October 2020 and 21 October 2020 (following the school holidays) and the survey results are recorded in his supplementary evidence dated 21 October 2020. Having evaluated and assessed the State Highway 6/Cemetery Road intersection using observed traffic volumes Mr Carr considers that:

(a) The traffic generated by the proposal can be accommodated at the State Highway 6/Cemetery Road intersection without capacity or efficiency issues arising.
(b) The proposal does not trigger the warrant for an auxiliary right-turn lane at the State Highway 6/Cemetery Road intersection because this is already triggered by the existing traffic flows.
(c) A left-turn lane is not justified at the State Highway 6/Cemetery Road intersection.

Mr Carr confirmed in his supplementary evidence, that the conclusions of the Transportation Assessment remain valid; and that there are no traffic and transportation reasons why the proposal could not be approved.

Ms McMinn in the statement dated 16 October 2020 has confirmed that Waka Kotahi has assessed the information provided (being the Transportation Assessment) and that Waka Kotahi is satisfied with the information provided. In particular Waka Kotahi accepts that the effects of the proposal on the State Highway 6/Cemetery Road intersection will be less than minor; and that the existing intersection already meets the threshold for a right-hand turn bay; and that the need for any intersection upgrade will be considered as part of the Road to Zero programme, and will be dependant on nation prioritisation and budget constraints.

Have regard to the Transportation Assessment, the evidence of Mr Carr and the statement from Waka Kotahi the Council is satisfied that transportation effects are unlikely to be greater than minor.

The Council's engineering consultants Stantec New Zealand have provided comments with respect to the proposed subdivision that can be incorporated into conditions of consent. Adherence to such conditions will ensure that any effects with respect to internal roading and the provision of utility services will be no greater than minor.

The Council's engineers have noted that roading, wastewater and landscaping assets provided within the subdivision are to be privately owned and operated; and this is consistent with the approach taken in the context of the subdivision authorised by RC 130153 (being the existing HITP). At the hearing it was noted that the southern portion of Lot 405 is to be utilised for trailer parking. In these circumstances the Council considers it appropriate that a heavy vehicle entrance be constructed between the carriageway in Lot 501 and the boundary of the portion of Lot 405 located at the southern end of the subdivision.

The engineers have noted that the effect of the proposal will be to increase the number of vehicle movements on sections of Silverstone Drive and Monaco Drive within the existing HITP (between the subdivision and Cemetery Road) to over 300 vehicles per day being the limit for a Local Industrial Road in terms of the Council's 2008 Addendum to NZS 4404:2004. To mitigate any adverse effects associated with this breach the engineers recommended that no stopping lines be installed on one side of the affected lengths of the primary roads concerned to ensure clear two way traffic lanes, particularly during motorsport events.

In response Mr Carr noted that the current layout of Silverstone Drive and Monoco Drive exceeds the requirements of NZS440:2010 that provides for the primary access to an industrial area to be formed with two 4.2 metre wide movement lanes, with any parking permitted within the movement lanes for roads carrying up to 2,000 vehicles per day. On this basis Mr Carr considers that the roads can be expected to be operated safely and efficiently, even if a degree of on street parking occurs. Mr Carr also noted that the Silverstone Drive and Monoco Drive are private roads and that normal enforcement mechanisms (such as issuing parking tickets) are not available; that Silverstone Drive and Monoco Drive are not through roads and that the users will be familiar with the layout; and that when events are held at the Motorsports Park these roadways operate under a Temporary Traffic Management Plan (TTMP) that can be updated to ensure that parking does not occur on the roadways during events, when traffic volumes may be greater than normally observed. In all the circumstances Mr Carr is of the view that a condition of consent regarding the provision of parking restrictions (as recommended by the Council's engineers) is not required. Having regard to the contents of the Transportation Assessment and Mr Carr's evidence, the Council concurs that such a condition is not required.

The applicant has noted that the proposed development includes provision for a cycleway link between Cemetery Road to Sandflat Road along the boundary with the Cromwell Chafer Beetle Reserve. The cycleway will continue along the southern boundary of the Highlands Motorsport Park (in Lot 400). This is to allow connectivity if/when other cycle connections are established in the wider area; and it is the applicant's intention to allow public access around the wider Highlands site to potentially link in with other trails in the area. It is the applicant's intention to provide public access via an easement should the proposed cycleway be developed. This cycleway is not to be explicitly provided for by easement in the context of the current application as the actual alignment of the cycleway has not been finalised yet. The Council considers this approach to be appropriate given that the alignment is not finalised; and the Council acknowledges, that the design of the subdivision will not compromise the provision of such a cycleway link in future.

The applicant has advised that easements are required to provide for access and services; and these are provided for on the amended plan of subdivision. An amalgamation condition is also proposed, as stated on the amended plan of subdivision, to the effect that Lots 403, 404, 405 and 501 be held with those allotments in the existing HITP used for access and amenity purposes. As all of the land to be amalgamated is owned by the applicant it will not be necessary for the amalgamation condition to refer to the transfer of allotments as stated in a draft condition suggested by LINZ in the context of CSN Request 1682745.

The Council is satisfied that the proposed subdivision and land use activity will not have adverse effects that are greater than minor in terms of open space, landscape, natural character and amenity values; in terms of the capability for sustainable use of the productive land resource; in terms of ecological effects; in terms of reverse sensitivity; in terms of earthworks; in terms of transportation and in terms of internal roading and utility services.

The Council's overall conclusion is that any adverse effects of the activity on the environment will be no greater than minor. The proposal will have positive effects in terms of integration with the existing HITP and infrastructure at Cromwell; and in terms of providing for people to pursue their interest in motorsports activity while living in close proximity to the Highlands Motorsport Park facility.

Objectives and Policies

The relevant objectives and policies of the Operative District Plan include Objectives 4.3.1 and 4.3.3 and Policies 4.4.2 and 4.4.10. In terms of Objective 4.3.3 and Policy 4.4.2 the effects of the subdivision and land use activity can be managed to ensure that adverse effects on the open space, landscape, natural character and amenity values of the rural environment will be avoided, remedied or mitigated in this instance. The Council comes to this conclusion having regard to the consented environment which includes the Highlands Motorsport Park and the

existing HITP in this locality. While the proposal will result in an expansion of urban development, as viewed particularly from the Bannockburn Road, such development will be seen at a significant distance against the backdrop of the Pisa Range.

The objectives place emphasis on maintaining the open natural character of the hills and ranges without compromising the landscape and amenity values of prominent hillsides and terraces. In this instance the subdivision and development is to occur on generally flat land. The proposed subdivision and land use activity will not compromise the landscape and amenity values of prominent hillsides and terraces.

Various other objectives and policies from the Operative District Plan have been traversed in the application document. These include objectives and policies taken from Section 4 that relate to a range of matters that have been addressed above in the discussion with respect to the effects of the activity. The proposal is consistent with these objectives and policies.

The Council's conclusion is that the proposed subdivision and land use activity is not contrary to the relevant objectives and policies of the Operative District Plan.

Section 104D Gateways

The application is able to pass through both of the "gateways" specified in section 104D of the Act for a non-complying activity. Any adverse effects of the activity on the environment will be no more than minor; and the activity will not be contrary to the objectives and policies of the Operative District Plan. The consent authority is therefore able to exercise its discretion to grant or refuse consent pursuant to section 104B of the Act.

Other Matters

Precedent is a matter for consideration in terms of section 104(1)(c) of the Act given that the proposal seeks consent to a non-complying activity. In this instance the proposed subdivision will result in the creation of allotments which have an average area of approximately 4,600m^2 and a minimum area of 150m^2. Again it is appropriate to acknowledge in this context the consented environment that has resulted from RC 070143, RC 130153, RC 140009 and RC 150225 that distinguishes the current proposal from any future applications for subdivision and land use consent elsewhere in the Rural Resource Area. The Council has also found that the adverse effects of the proposal will be less than minor; and that the proposal will not be contrary to the objectives and policies of the Operative District Plan. The Council's conclusion is that the proposal will not establish a precedent for subdivision and development elsewhere in the Rural Resource Area.

River Terrace Developments Ltd opposes the application on the basis that the applicant has lodged submissions and presented evidence at hearings to the effect that residential use of land in this general vicinity is incompatible with existing activities on the application site and on other nearby properties. While the source of the specific statements quoted in the submission is not provided; it is assumed that these statements were made in the context of Plan Change 13 (for which River Terrace Developments Limited was the requestor) and/or a sequence of applications for subdivision consent relating to the River Terrace site on the west side of Sandflat Road.

Mr Goldsmith's submission emphasised Mr Staples' conclusion that residential development is simply incompatible with the existing noise environment due to adverse effects on residents which those residents are unable to mitigate. Mr Goldsmith emphasised that this is an issue relating to the noise environment within which people are intended to live, rather than being a "reverse sensitivity" issue. It is noted that Mr Staples' evidence was prepared in the context of RC190404 being the submitter's rural residential subdivision at Sandflat Road; and that Mr Staples has provided evidence in the context of other similar subdivisions promoted by the submitter. It is also acknowledged that the submitter proposed stringent acoustic insulation standards with respect to future residential dwellings within those subdivisions; such

volunteered conditions ultimately being imposed by the hearing commissioners in the context of the relevant consents.

Mr Goldsmith submitted that the applicant is proposing an inferior standard of acoustic insulation in the context of the current proposal. The Council simply notes, in this context, that the standard of acoustic insulation proposed in the context of the current application is consistent with that earlier proposed in the context of the existing HITP.

The current proposal can be distinguished from Plan Change 13 and applications made for rural residential subdivision at Sandflat Road. In essence the subdivision and future development will be an extension to the HITP where the use of land and buildings is for the primary purpose of servicing, maintenance, repair, design, manufacture, fabrication, testing or storage of vehicles, vehicle parts and other associated industries; with residential accommodation only permitted above ground level. Furthermore it is again acknowledged that any owners of the freehold titles to be created by the subdivision are required to become members of the Highlands GT Club; and that these persons are to enter into an encumbrance with respect to the operation of the motorsport track. In all the circumstances it is highly likely that the future owners of the allotments to be created will tend to be motorsport enthusiasts. In contrast Plan Change 13 was intended to produce residential allotments for the market generally; and that a regime was not proposed with respect to rural residential subdivision to the west of Sandflat Road which would have the effect of attracting motorsport enthusiasts only.

The Council accepts Ms Irving's submission that the current proposal is fundamentally different from the rural residential subdivision consented and development anticipated to the west of Sandflat Road, on the submitters land. The Council therefore does not share the concerns of the submitter with respect to providing for residential activities in the context of the current application in close proximity to the Highlands Motorsport Park.

The Council has given consideration to Mr Goldsmith's observation that the applicant's restrictive covenant is not proposed as a condition of consent. The Council accepts Ms Irving's submission that the encumbrance is a direct management tool that is a private regime. Again the Council acknowledges that such a private regime currently applies in the context of the existing HITP and the Council accepts the applicant's assurance that such a regime will be applied with respect the subdivision and future development proposed in the context of RC200231.

National & Regional Planning Documents and Part 2

As noted above the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES) come into force on 1 January 2012. Mr Curran has advised that the land on which the expansion to the HITP is proposed does not qualify as a "piece of land" for the purposes of the NES; and that the land is not known to contain a Hazardous Activities and Industries List (HAIL) site in terms of the NES. The applicant advised in the application that no records exist which identify this site as having had any activities occurring on it which would give rise to concern.

In the absence of up-to-date information from the territorial authority or regional council, or a preliminary site investigation, no information as required by the NES has been provided to establish whether or not the site is a piece of land as described in Regulation 5(7) of the NES. Notwithstanding this, and given the history of the site, the Council accepts that it is highly unlikely that there will be a risk to human health resulting from the proposal. Accordingly it is appropriate to grant consent to the proposal in terms of the NES.

The applicant has discussed the proposal in terms of the objectives and policies of the Partially Operative Otago Regional Policy Statement and the Operative Regional Policy Statement in Part 5.2.1 of the application. The proposal raises no concerns with respect to the objectives and policies stated in these regional instruments.

The Council's conclusion is that the application does not conflict with any national or regional planning document nor to the purpose of the Act which is to promote the sustainable management of natural and physical resources of the District nor to any other matter referred to in Part 2 of the Act.

Determination

Having regard to the reasons detailed above, the Council has resolved pursuant to sections 104, 104B and 104D of the Resource Management Act 1991 to grant subdivision and land use consent; and to grant consent in terms of Regulation 11(2) of the NES. Subdivision consent and land use consent is granted subject to the following conditions:

SUBDIVISION

Plan of Subdivision & Code of Practice

1. This consent relates to the plan of subdivision 17237 09_00 Rev B, 09_01 Rev B, and 09_02 Rev B dated 30 September 2020 prepared by Landpro that is attached at Appendix 1.

2. All subdivision design and approvals are to be in accordance with NZS 4404:2004 and the CODC July 2008 Addendum which is the Council's Code of Practice for Urban Subdivision, as modified by these conditions of consent.

Easements

3. Easement A as show on the plan of subdivision and all other easements required to provide access and to protect access to services shall be duly granted or reserved.

Ownership, Maintenance & Operation of Private Infrastructure

4. Prior to section 224(c) certification a formal ownership, operation and maintenance arrangement that is to the satisfaction of the Chief Executive and that details the assets, ownership, financial and operational responsibilities as demonstrated by the consent holder shall be in place for:
   - Roading infrastructure in private ownership.
   - Wastewater infrastructure in private ownership.
   - Landscaping and irrigation infrastructure in private ownership.

Roading and Access

5. Prior to section 224(c) certification the carriageway and kerb and channel within Lot 501 (for that portion of the carriageway that extends along the frontage of Lots 201-218) shall be constructed to the requirements of the Local Industrial Road classification under NZS 4404:2004 and the CODC July 2008 Addendum Table 3.1 and as follows:
   (a) The carriageway shall have a minimum 9.5 metre width asphalted concrete surface, located centrally generally within a 20 metre legal corridor.
   (b) Pavement design shall be in accordance with NZS 4404:2004 and the CODC July 2008 Addendum to NZS 4404:2004.
   (c) Mountable reinforced heavy duty kerb and channel on both sides of the carriageway over 75mm compacted depth AP40 metal.
   (d) 50mm depth AP20 metal between footpath and boundary of Lot 501 formed and trimmed at 4% crossfall.
   (e) Cut/fill batters (if required) with a maximum 4:1 gradient to match existing ground within the allotments.
   (f) Street lighting in accordance with NZS 4404:2004 and accepted standards for industrial areas.
   (g) All necessary traffic signs and road marking shall be provided by the consent holder.

6. Prior to section 224(c) certification the carriageway and kerb and channel within Lot 501 (for the branch road along the frontage of Lots 242-245) shall be constructed to the

requirements of the Local Industrial Road classification under NZS 4404:2004 and the CODC July 2008 Addendum Table 3.1 and as follows:

(a) The carriageway shall have a minimum 9.5 metre width asphalted concrete surface, located centrally within a 12 metre legal corridor.
(b) Pavement design shall be in accordance with NZS 4404:2004 and the CODC July 2008 Addendum to NZS 4404:2004.
(c) Mountable reinforced heavy duty kerb and channel on both sides of the carriageway over 75mm compacted depth AP40 metal.
(d) 50mm depth AP20 metal between footpath and boundary of Lot 501 formed and trimmed at 4% crossfall.
(e) Cut/fill batters (if required) with a maximum 4:1 gradient to match existing ground within the allotments.
(f) Street lighting in accordance with NZS 4404:2004 and accepted standards for industrial areas.
(g) All necessary traffic signs and road marking shall be provided by the consent holder.

7. Prior to section 224(c) certification the carriageway within the carriageway within Lot 501 (for the other branch roads and service lanes) shall be constructed in accordance with the Industrial Service Lane classification under NZS 4404:2004 CODC Addendum Table 3.1 and as follows:

(a) 7.0 metre width asphaltic concrete surface.
(b) Pavement design to be in accordance with NZS 4404:2004 and the CODC July 2008 Addendum
(c) Mountable reinforced heavy duty kerb and channel on both sides of carriageway over 75mm compacted depth AP40 metal.
(d) 50mm depth of AP 20 metal between kerb and boundary of Lot 500 formed and trimmed at 4% crossfall.
(e) Cut/fill batters (if required) with maximum 4:1 gradient to match existing ground within the allotments.
(f) Street lighting in accordance with NZS 4404:2004 and accepted standards for industrial areas.
(g) All necessary traffic signs and road marking shall be provided by the consent holder.

8. Prior to section 224(c) certification the consent holder shall be responsible for constructing a heavy vehicle entrance between the carriageway in Lot 501 and the boundary of Lot 405 (being a boundary of the southern portion of Lot 405 adjacent to Lot 501) in accordance to Part 29 the Council's Roading Policies January 2015.

9. The consent holder or successor shall be responsible for constructing heavy vehicle entrances between the carriageway in Lot 501 and the boundaries of Lots 201-251 in accordance with Part 29 of the Council's Roading Policies January 2015.

10. Condition 9 shall be subject to a consent notice that shall be registered on the records of title for Lots 201-251 pursuant to section 221 of the Resource Management Act 1991.

Stormwater

11. Stormwater from within the roading network in Lot 501 is to be provided for by appropriately located mudtanks.

12. Stormwater from buildings and impermeable surfaces on Lots 201-251 shall be discharged to soakpit(s) contained entirely within those lots.

13. Condition 12 shall be subject to a consent notice that shall be registered on the records of title for Lots 201-251 pursuant to section 221 of the Resource Management Act 1991.

Water

14. Prior to section 224(c) certification the consent holder shall provide (and bear the costs of) updating the Opus Water Model prepared for the subdivision authorised by RC 130153 in consideration of the full subdivision development provided for in RC 200231; and the watermain sizes for the subdivision RC 200231 shall be determined and the adequacy of the existing reticulation evaluated, as a requirement of engineering approval.

15. Prior to section 224(c) certification the consent holder shall be responsible for extending the existing Cromwell town water supply reticulation to serve the subdivision in accordance with NZS 4404:2004 and the CODC Addendum and in compliance with the updated OPUS Water Model for FW4 fire-fighting capability including:
    - Extension of the primary main within the subdivision.

      Note: This is likely to be a DN250 watermain.

    - Internal reticulation within the subdivision requires a duplicate main of DN150 on opposite side of the carriageway to primary main.
    - Fire hydrants to be provided within the subdivision in accordance with FW4 category under SNZ PAS 4509:2008.

16. Prior to section 224(c) certification the consent holder shall provide standard 20mm diameter water connections with Acuflo toby/meter assembles to the boundaries of Lots 201-251 in accordance with NZS 4404:2004 and the CODC July 2008 Addendum.

Note: The connections will serve both industrial downstairs and residential upstairs users assumed to be in common ownership.

17. No water shall be taken for irrigation purposes without the formal agreement of the Chief Executive.

Note: There is a strong preference that another source of water (eg on site bore) is investigated for irrigation purposes.

18. Easements in favour of Central Otago District Council shall be registered for all water reticulation within the subdivision up to the point of supply. For avoidance of doubt, the point of supply shall be considered to be at the Acuflo toby/water meter assembly at the boundary of each lot.

Wastewater

19. Prior to section 224(c) certification the consent holder shall provide (and bear the costs of) an updated wastewater model based on a peak flow of 0.7L/s/ha for the full development (being the subdivisions subject to RC 130153 and RC 200231). The model shall allow for:
    - Ability of the receiving pipework to accommodate peak flows from full subdivision development without surcharging.
    - Ability of the receiving pipework to accommodate peak flows from full subdivision and full upstream catchment development.
    - Allowance made for stormwater infiltration and inflow in peaking factor.
    - Requirement for pumping restrictions to minimise surcharging of receiving pipework.
    - Additional pump stations, upgrading of existing pump station and emergency/operational wastewater storage.

Note: The full upstream catchment constitutes the existing contributing upstream developments and the future industrial development on the north side of Cemetery Road at the time of consent RC200231 being granted.

20. Prior to section 224(c) certification the consent holder shall be responsible for extending the Cromwell town sewerage scheme reticulation to serve the subdivision including:
    - All wastewater reticulation shall be provided to service the subdivision.
    - The requirement for any oversizing of sewer mains and/or reticulation considered necessary to accommodate wastewater demand for land adjoining the subdivision, with the cost of any agreed oversizing to be met by Council, shall be sought from Council by the consent holder at the time of detailed engineering design for the works and any required oversizing shall be incorporated in the works.
    - The provision of any new pump station, upgrading of existing pump station, emergency/operational storage, pumping and receiving reticulation that is found necessary from the modelling provided in terms of Condition 19.
    - Any pump station and/or upgraded pump station shall be designed and constructed in accordance with Clause 5.3.10 of the Council's July 2008 Addendum of NZIS 4404:2004 (subject to specific modifications as below) and connected to the Council wastewater system by pumping main such that the downstream network is not adversely affected. Modifications to Clause 5.3.10 are hereby imposed to vary certain requirements of Clause 5.3.10. Notwithstanding the modifications, the pump station shall be constructed to an acceptable standard and to the satisfaction of the Chief Executive. The modifications to Clause 5.3.10 are as follows:
        - Delete 5.3.10(a)
        - Delete 5.3.10(d)
        - Delete 5.3.10(p)
        - Delete 5.3.10(q)

Note: Sufficient inflow storage shall be provided at the pump station(s) and the pump station operation configured such that the pumps only operate during off peak periods.

21. Prior to section 224(c) certification the consent holder shall provide standard 150mm diameter wastewater connections to the boundaries of Lots 201-251.

Note: The connections will serve both industrial downstairs and residential upstairs users assumed to be in common ownership.

Electricity, telecommunications and gas

22. It shall be the consent holders responsibility to obtain the consent of utility service providers as to the position of electricity and telecommunication services (and gas reticulation, if applicable) to serve Lots 201-251. The consent holder shall be responsible for installing operational connections to electricity and telecommunication services (and gas services, if applicable) underground to the boundary of Lots 201-251 prior to section 224(c) certification.

23. The consent holder shall supply evidence of the consents referred to in Condition 22 above to the Chief Executive prior to section 224(c) certification.

24. It shall be the responsibility of the consent holder to meet the costs associated with the installation of electricity and telecommunication services (and gas services, if applicable) necessary to meet the needs of the subdivision.

Reserves

25. Payment of a reserves contribution of $47,750.00 (exclusive of goods and services tax) calculated in terms of Rule 15.6.1(1)(a)(i) of the Operative District Plan, on the basis of 51 new allotments and allowing a credit for the existing title RT663001.

Landscaping

26. A detailed landscape plan for the subdivision including all planting and irrigation design and demand on Lots 403, 404 and 501 (and possibly Lot 405, if proposed by the

consent holder) shall be prepared to the satisfaction of the Council's Parks and Reserves Manager as a requirement of engineering approval. The landscape plan shall incorporate low water demand planting and shall be appropriate to the Highlands Innovation and Technology Park setting.

27. Water connections to all irrigated areas shall have suitable backflow prevention devices fitted.

Note: Any request for use of water from the Cromwell town water supply for irrigation purposes will require careful consideration by the Council and will almost certainly be on the basis of off peak usage.

28. Prior to section 224(c) certification sealed vehicle entranceways shall be provided between Lot 501 and Lot 404 at two locations (south side of Lots 206 and 212) to the requirements of Part 29 of the Council's Roading Policies January 2015 and removable bollards shall be installed at the boundary with Lot 501 to allow occasional vehicle access.

Amalgamation

29. That pursuant to section 220(1)(b)(ii) of the Resource Management Act 1991:
"That Lots 403, 404, 405 and 501 hereon and Lots 401, 402 and 500 DP 466637 and Lot 22 DP 506007 (RT765459) be held in the same record of title (see CSN Request 1682745))."

Use and Development of Lots 201-251

30. Use of land and buildings on Lots 201-251 shall be for the primary purpose of servicing, maintenance, repair, design, manufacture, fabrication, testing or storage of vehicles, vehicle parts and other associated industries.

31. Residential accommodation on Lots 201-251 shall only occur above ground level associated with activities permitted under Condition 30 above.

32. Any development on Lots 201-251 shall comply with the following:

Bulk and Location of Buildings

(a) The height of any building shall not exceed 8m; and no yards are required except that no buildings are to be established within 25 metres of the eastern boundary of the site where that boundary adjoins the Cromwell Chafer Beetle Reserve (Lot 1 DP 18203).

(b) All lots shall have a maximum coverage of 75%, except for Lots 233-238 that are permitted to have a maximum building coverage of 100%.

Cladding

(c) All buildings shall be finished using a combination of some or all of the following materials:
    (i) Timber/Composite Weatherboard (vertical and horizontal);
    (ii) Plaster/Adobe/Rammed Earth/Masonry Products/Concrete;
    (iii) Stone;
    (iv) Coloured steel excluding unpainted zincalume and unpainted corrugated iron;
    (v) Weathered corrugated iron; and
    (vi) Brick.

Colours - Finishes

(d) 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;
Browns, greens, grey blue, greys, terracotta, tussock and dark reds provided that such colours shall have a Reflectivity Value (RV) of less than 38%.

(e) The roofs of all buildings shall be in a low sheen in any colour that has a RV of less than 32% or shall be unpainted natural products such as timber shingles or slate.

Visual Amenity

(f) No shipping containers or temporary buildings (other than during construction) are to be located on-site.

(g) All areas open to the public and visible to the public shall be maintained in a clean and tidy state.

Signage

(h) Signage shall be incorporated into the building design, not free standing unless expressly approved by the Design Review Board.

(i) No sign shall be erected or painted on a building in a position that is higher than the carriageway façade of that part of the building upon which the sign is placed or affixed.

(j) Any sign suspended under a veranda shall have a minimum clearance of 2.5 metres from any footpath.

(k) The maximum area of an individual sign shall not exceed $3m^2$.

(l) Plastic and/or internally illuminated & neon signage shall not be permitted. The use of fabricated and off set metal lettering is encouraged.

(m) Any signage on perimeter allotments facing out of the Highlands Innovation and Technology Park is to be kept to a maximum height of 2.5m and is to be coloured in muted tones to blend with the background. It is intended that texture and shadowing for signage be used instead of strong colours.

Landscaping

(n) All lots over $200m^2$ in total area shall include 15% landscaping of the total area, consisting of 80% native plants selected the Plant List that is attached at Appendix 2 and clearly set out and described in a Landscape Plan detailing quantities and size of all species, to be submitted to and approved by the Design Review Board. All landscaping is to include a permanent in ground watering system complete with automatic timer.

(o) All landscape plantings shall be established within 3 months of the building being erected.

(p) Landscaping strips and planting protection areas adjacent to a car park shall be provided with wheel stop barriers. Such wheel stop barriers shall be located at least 1m from any tree.

(q) All areas of landscaping shall be maintained by the landowner and any dead, damaged or diseased plants shall be replaced within 3 months of identification as such.

Outdoor services, storage areas & fencing

(r) All outdoor service and storage areas shall be screened from all carriageways.

(s) No picket fence type enclosures shall be erected on the carriageway boundary of any allotments.

(t) No fencing shall be erected on any part of a lot, other than to screen outdoor services/storage areas or for security. Materials and finishes are to be identified on plans to be submitted to the Design Review Board.

Parking & Manoeuvring

(u) All activities shall comply with Rule 12.7.2 Parking and Rule 12.7.3 Loading and Manoeuvring and Table 12.3 – Vehicle Parking Requirements of the Operative Central Otago District Plan.

Design Review Board

(v) All developments on Lots 201-251 within the Highlands Innovation and Technology Park of the Highlands Motorsport Park will require Design Review Board approval. No construction may commence until such approval is given in writing.

Note: For the avoidance of doubt the Design Review Board is the Design Review Board that has been appointed pursuant to Condition 27 of RC 130153.

33. (a) Any application for building consent received by the Council for new buildings on Lots 201-251 shall be accompanied by an acoustic design certificate prepared by an acoustics engineer acceptable to the Chief Executive, that certifies that the design of the building is sufficient to ensure sound levels arising from activities beyond the premises will not exceed the maximum recommended design and sound levels (LAeq dB) for habitable rooms in houses and apartments located near major roads set out within Table 1 (page 11) of NZS 2107:2000 "Acoustics – Recommended Design Sound levels and Reverberation Times For Building Interiors", when measured in accordance with section 6 of that Standard excluding between the hours of 8am to 6pm on any day.
OR

(b) Any application for building consent for any new buildings located on Lots 201-251 shall include written confirmation from an Licensed Building Practitioner that the design of habitable spaces within any building or part of a building used for residential purposes has been checked and is confirmed to be constructed to meet or exceed the minimum specifications for each Building Element (as applicable) listed within the following table:

BUILDING ELEMENT	**REQUIRED CONSTRUCTION**	
External Wall	Exterior:	20mm timber or 6mm fibre cement
	Frame:	100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar two lays of 12.5mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass)
Windows	Up to 40% of wall area:	Minimum thickness 6mm glazing**

	Up to 60% of wall area:	Minimum thickness 8mm glazing**
	Up to 80% of wall area:	Minimum thickness 8mm laminated glass or minimum 10mm double glazing**
	Aluminium framing with compression seals (or equivalent)	
Pitched Roof	Cladding:	0.5mm profiled steel or tiles or 6mm corrugated fibre cement
	Frame:	Timber truss with 100mm acoustic blanket (R2.2 Batts or similar)
	Ceiling:	12.5 gypsum plaster board*
Skilion Roof	Cladding:	0.5mm profiled steel or 6mm fibre cement
	Sarking:	20mm particle board or plywood
	Frame:	100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar)
	Ceiling:	2 layers of 9.55mm gypsum plasterboard*
External Door	Solid core door (min 24kg/m2) with weather seals	

* Where exterior walls are of brick veneer or stucco plaster the internal linings need to be no thicker than 9.5mm gypsum plasterboard

** Typical acoustic glazing usually involves thick single panes or laminated glass. Where two or more layers of glass are employed with an air gap between, total thickness of window glass may be calculated as the total of all glass layers (excluding air gap) provided that at least one glass layer shall be of a different thickness to the other layer(s)

34. Noise levels at the boundary of the site shall not exceed an L(max) of 65 dBA provided that:
    - Corrected noise levels (L10) shall not exceed the following limit at the boundary of any Residential Resource Area or at the notional boundary of any building designed to accommodate people for any purpose located within the Rural Resource Area existing at the time this consent was granted:
        - 7.00 am – 10.00 pm 55 dBA L10
        - 10.00 pm – 7.00 am 40 dBA L10

35. Conditions 30-32(a)-(v), 33 and 34 shall be subject to a consent notice that shall be registered on the records of title for Lots 201-251 pursuant to section 221 of the Resource Management Act 1991.

Chafer Beetle Reserve Mitigation

36. The consent holder shall review annually its Fire Risk Management Procedures and provide these to the Chief Executive for certification no later than 14 July in any year.

37. Within Lot 404 that adjoins the Chafer Beetle Reserve any planting will be limited to low native shrub species and ground cover planting.

38. The existing row of poplars immediately adjoining the boundary of the Chafer Beetle Reserve within Lot 404 shall be maintained so they do not exceed 5m in height.

39. Conditions 36-38 shall be subject to a consent notice that shall be registered on the record of title that contains Lot 404 pursuant to section 221 of the Resource Management Act 1991.

40. Exterior lighting on the rear elevation of buildings on Lots 201-218 shall be:
    - shielded from above in such a manner that the edge of the shield shall be below the whole of the light source.
    - have a filter to filter out the blue or ultraviolet light, provided the light source would have more than 15% of the total emergent energy flux (Watts per nanometre) in the spectral region below 440nm. The filters used must transmit less than 10% of the light at any wavelength less than 440nm. This therefore includes, but is not limited to, fluorescent, mercury vapour and metal halide lamps.

41. Condition 40 shall be subject to a consent notice that shall be registered on the records of title for Lots 201-218 pursuant to section 221 of the Resource Management Act 1991.

General

42. Prior to the issue of certificate in terms of section 224(c) the consent holder shall provide the Chief Executive with RAMM inventory data and asset information with the associated costs (in the form of a schedule) of all infrastructure works to vest in the Council. The following infrastructure shall be vested under the subdivision process:
    - DN250 primary watermain and DN150 secondary watermain within the subdivision and connections to Lots 201-251.

Note: The roading system, landscaped allotments (Lots 403 and 404) and the wastewater reticulation, pump station and pumping main within the subdivision are to be privately owned, maintained and operated.

43. The consent holder shall provide Producer Statements in an approved format from a suitably qualified professional certifying the engineering adequacy and compliance with Council consent conditions relating to engineering design, construction and construction review (supervision) of subdivision works.

44. The name and qualifications of the person referred to in condition 43 shall be forwarded in writing to the Chief Executive prior to the submission of any design documentation. This person shall be acceptable to the Chief Executive.

45. As built drawings for any new services are to be lodged with the Chief Executive in accordance with Clause 1.5.10 of NZS 4404:2004. The as built drawings are to be draughted on computer and are to be compatible with a CAD system nominated by the Chief Executive. As built drawings shall be lodged with the Council on computer disk and in an A3 hard copy format and shall show the location and individual water meter reference against the relevant toby box location.

Notes: 1. All charges incurred by the Council relating to the administration, inspection and supervision of conditions of subdivision consent shall be paid prior to section 224(c) certification.

2. Development contributions of $503,116.20, $334,764.60 and $214,814.00 are payable for water, wastewater, and roading, respectively pursuant to the Council's Policy on Development and Financial Contributions contained in the Long Term Council Community Plan. [Noting that the development contributions may require review on the basis of 51 allotments to be used for activity associated with vehicles and residential

activity]. Payment of development contributions is due upon application under the Resource Management Act 1991 for certification pursuant to section 224(c). The Council may withhold a certificate under section 224(c) of the Resource Management Act 1991 if the required Development and Financial Contribution has not been paid, pursuant to section 208 of the Local Government Act 2002 and Section 15.5.1 of the Operative District Plan.

LAND USE

1. This land use consent authorises the use of land and buildings on Lots 201-251 for the primary purpose of servicing, maintenance, repair, design, manufacture, fabrication, testing or storage of vehicles, vehicle parts and other associated industries.

2. This land use consent authorises residential accommodation on Lots 201-251 that shall only occur above ground level associated with activities permitted under Condition 1 above.

3. Any development on Lots 201-251 shall comply with the following:

Bulk and Location of Buildings

(a) The height of any building shall not exceed 8m; and no yards are required except that no buildings are to be established within 25 metres of the eastern boundary of the site where that boundary adjoins the Cromwell Chafer Beetle Reserve (Lot 1 DP 18203).

(b) All lots shall have a maximum coverage of 75%, except for Lots 233-238 that are permitted to have a maximum building coverage of 100%.

Cladding

(c) All buildings shall be finished using a combination of some or all of the following materials:
    (i) Timber/Composite Weatherboard (vertical and horizontal);
    (ii) Plaster/Adobe/Rammed Earth/Masonry Products/Concrete;
    (iii) Stone;
    (iv) Coloured steel excluding unpainted zincalume and unpainted corrugated iron;
    (v) Weathered corrugated iron; and
    (vi) Brick.

Colours - Finishes

(d) 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;
Browns, greens, grey blue, greys, terracotta, tussock and dark reds provided that such colours shall have a Reflectivity Value (RV) of less than 38%.

(e) The roofs of all buildings shall be in a low sheen in any colour that has a RV of less than 32% or shall be unpainted natural products such as timber shingles or slate.

Visual Amenity

(f) No shipping containers or temporary buildings (other than during construction) are to be located on-site.

(g) All areas open to the public and visible to the public shall be maintained in a clean and tidy state.

Signage

(h) Signage shall be incorporated into the building design, not free standing unless expressly approved by the Design Review Board.

(i) No sign shall be erected or painted on a building in a position that is higher than the carriageway façade of that part of the building upon which the sign is placed or affixed.

(j) Any sign suspended under a veranda shall have a minimum clearance of 2.5 metres from any footpath.

(k) The maximum area of an individual sign shall not exceed $3m^2$.

(l) Plastic and/or internally illuminated & neon signage shall not be permitted. The use of fabricated and off set metal lettering is encouraged.

(m) Any signage on perimeter allotments facing out of the Highlands Innovation and Technology Park is to be kept to a maximum height of 2.5m and is to be coloured in muted tones to blend with the background. It is intended that texture and shadowing for signage be used instead of strong colours.

Landscaping

(n) All lots over $200m^2$ in total area shall include 15% landscaping of the total area, consisting of 80% native plants selected from the Plant List that is attached at Appendix 2 and clearly set out and described in a Landscape Plan detailing quantities and size of all species, to be submitted to and approved by the Design Review Board. All landscaping is to include a permanent in ground watering system complete with automatic timer.

(o) All landscape plantings shall be established within 3 months of the building being erected.

(p) Landscaping strips and planting protection areas adjacent to a car park shall be provided with wheel stop barriers. Such wheel stop barriers shall be located at least 1m from any tree.

(q) All areas of landscaping shall be maintained by the landowner and any dead, damaged or diseased plants shall be replaced within 3 months of identification as such.

Outdoor services, storage areas & fencing

(r) All outdoor service and storage areas shall be screened from all carriageways.

(s) No picket fence type enclosures shall be erected on the carriageway boundary of any allotments.

(t) No fencing shall be erected on any part of a lot, other than to screen outdoor services/storage areas or for security. Materials and finishes are to be identified on plans to be submitted to the Design Review Board.

Parking & Manoeuvring

(u) All activities shall comply with Rule 12.7.2 Parking and Rule 12.7.3 Loading and Manoeuvring and Table 12.3 – Vehicle Parking Requirements of the Operative Central Otago District Plan.

Design Review Board

(v) All developments within the Highlands Innovation and Technology Park of the Highlands Motorsport Park will require Design Review Board approval. No construction may commence until such approval is given in writing.

4. (a) Any application for building consent received by the Council for new buildings on Lots 201-251 shall be accompanied by an acoustic design certificate prepared by an acoustics engineer acceptable to the Chief Executive, that certifies that the design of the building is sufficient to ensure sound levels arising from activities beyond the premises will not exceed the maximum recommended design and sound levels (LAeq dB) for habitable rooms in houses and apartments located near major roads set out within Table 1 (page 11) of NZS 2107:2000 "Acoustics – Recommended Design Sound levels and Reverberation Times For Building Interiors", when measured in accordance with section 6 of that Standard excluding between the hours of 8am to 6pm on any day.

OR

(b) Any application for building consent for any new buildings located on Lots 201-251 shall include written confirmation from an Licensed Building Practitioner that the design of habitable spaces within any building or part of a building used for residential purposes has been checked and is confirmed to be constructed to meet or exceed the minimum specifications for each Building Element (as applicable) listed within the following table:

BUILDING ELEMENT	**REQUIRED CONSTRUCTION**
External Wall	Exterior: 20mm timber or 6mm fibre cement Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar two lays of 12.5mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass)
Windows	Up to 40% of wall area: Minimum thickness 6mm glazing** Up to 60% of wall area: Minimum thickness 8mm glazing** Up to 80% of wall area: Minimum thickness 8mm laminated glass or minimum 10mm double glazing** Aluminium framing with compression seals (or equivalent)
Pitched Roof	Cladding: 0.5mm profiled steel or tiles or 6mm corrugated fibre cement Frame: Timber truss with 100mm acoustic blanket (R2.2 Batts or similar) Ceiling: 12.5 gypsum plaster board*
Skilion Roof	Cladding: 0.5mm profiled steel or 6mm fibre cement Sarking: 20mm particle board or plywood

	Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar) Ceiling: 2 layers of 9.55mm gypsum plasterboard*
External Door	Solid core door (min 24kg/m2) with weather seals

* Where exterior walls are of brick veneer or stucco plaster the internal linings need to be no thicker than 9.5mm gypsum plasterboard

** Typical acoustic glazing usually involves thick single panes or laminated glass. Where two or more layers of glass are employed with an air gap between, total thickness of window glass may be calculated as the total of all glass layers (excluding air gap) provided that at least one glass layer shall be of a different thickness to the other layer(s)

5. Noise levels at the boundary of the site shall not exceed an L(max) of 65 dBA provided that:
   - Corrected noise levels (L10) shall not exceed the following limit at the boundary of any Residential Resource Area or at the notional boundary of any building designed to accommodate people for any purpose located within the Rural Resource Area existing at the time this consent was granted:
     - 7.00 am – 10.00 pm 55 dBA L10
     - 10.00 pm – 7.00 am 40 dBA L10

6. Exterior lighting on the rear elevation of buildings on Lots 201-218 shall be:
   - shielded from above in such a manner that the edge of the shield shall be below the whole of the light source.
   - have a filter to filter out the blue or ultraviolet light, provided the light source would have more than 15% of the total emergent energy flux (Watts per nanometre) in the spectral region below 440nm. The filters used must transmit less than 10% of the light at any wavelength less than 440nm. This therefore includes, but is not limited to, fluorescent, mercury vapour and metal halide lamps.

7. Unless it is otherwise specified in the conditions of this consent, compliance with any monitoring requirement imposed by this consent shall be at the consent holder's expense.

8. The consent holder shall pay to the Council all required administration charges fixed by the Council pursuant to section 36 of the Act in relation to:
   a) Administration, monitoring and inspection relating to this consent; and
   b) Charges authorised by regulations.

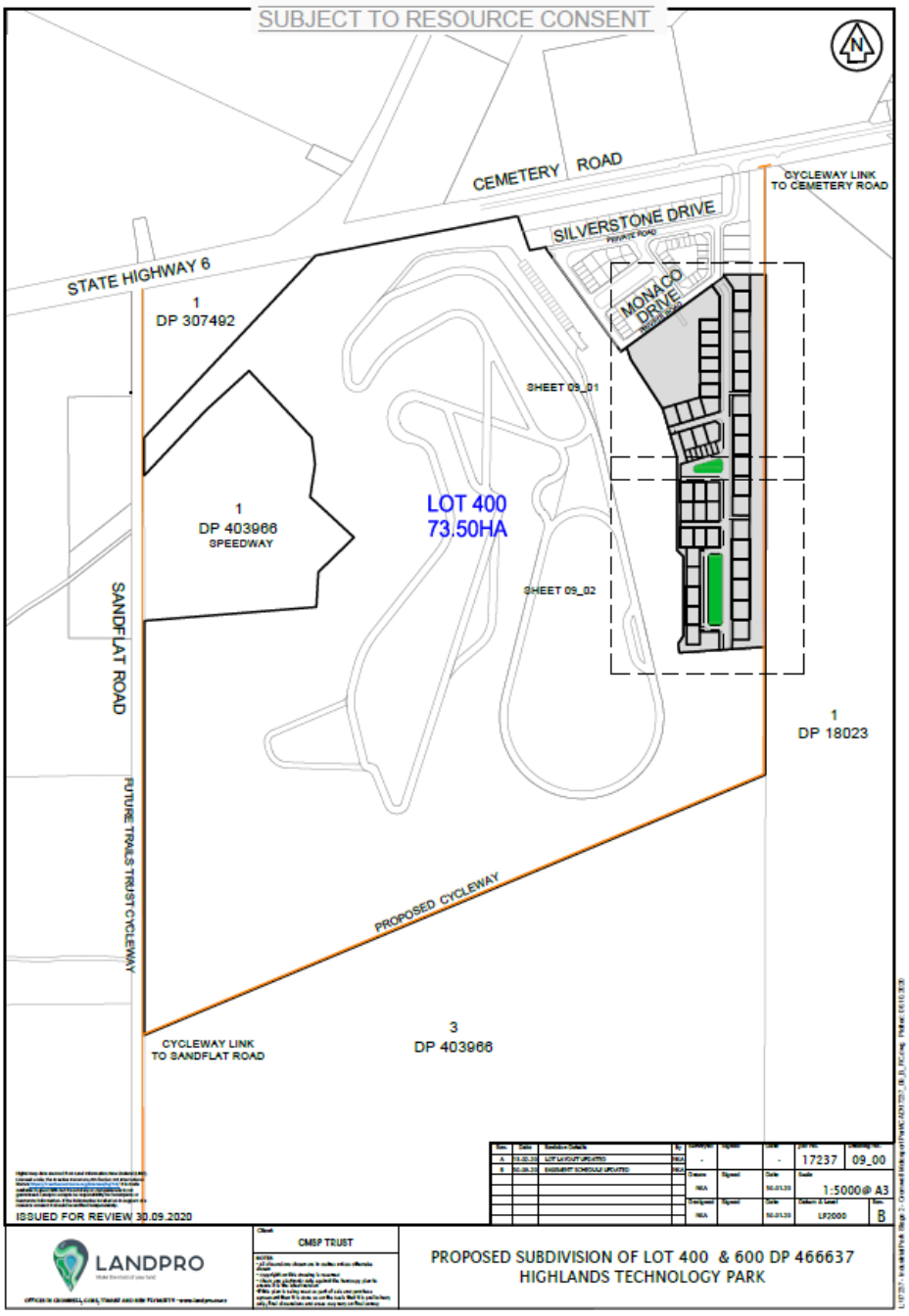
Certified to be a correct copy of the decision of the Central Otago District Council.

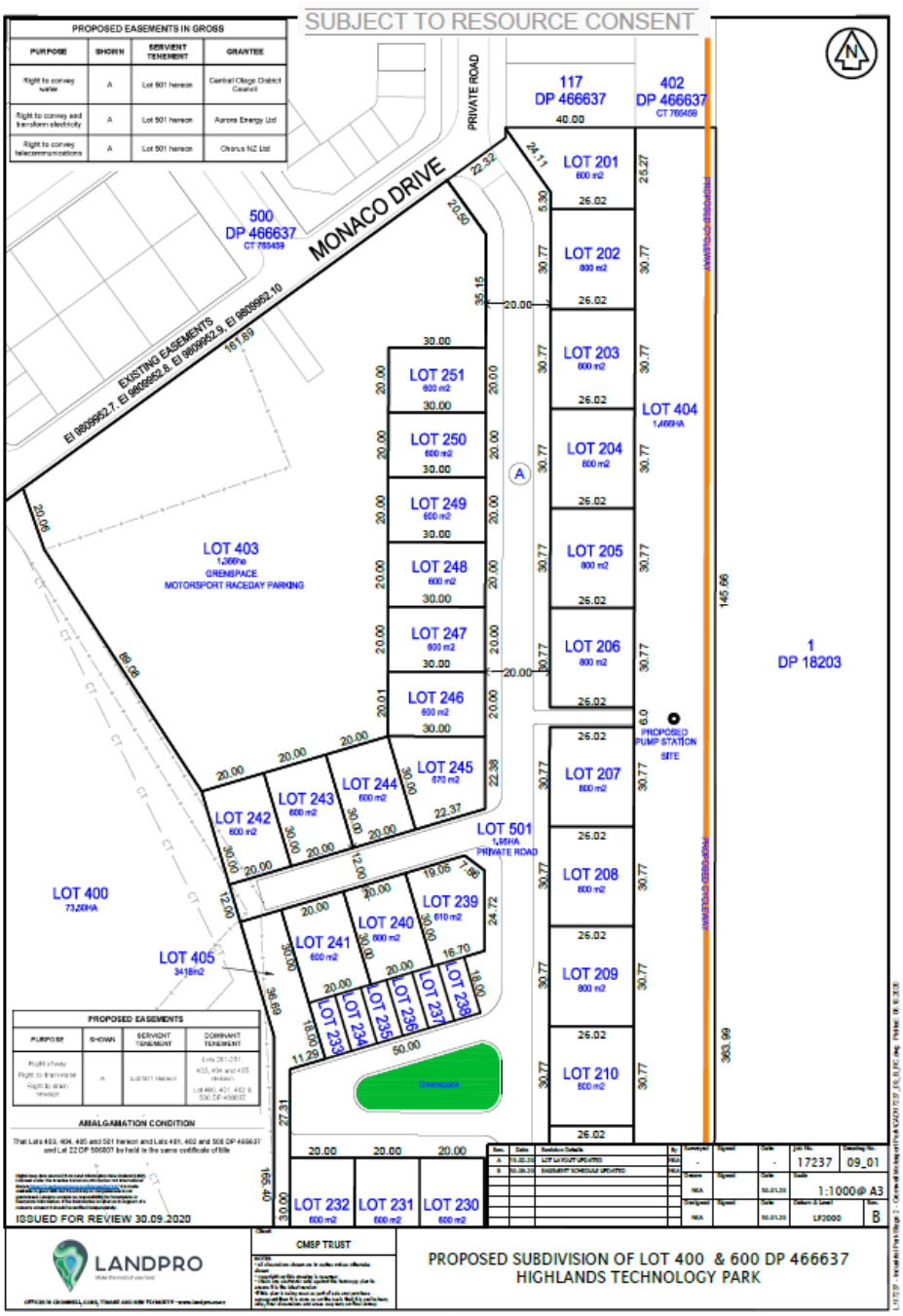
……

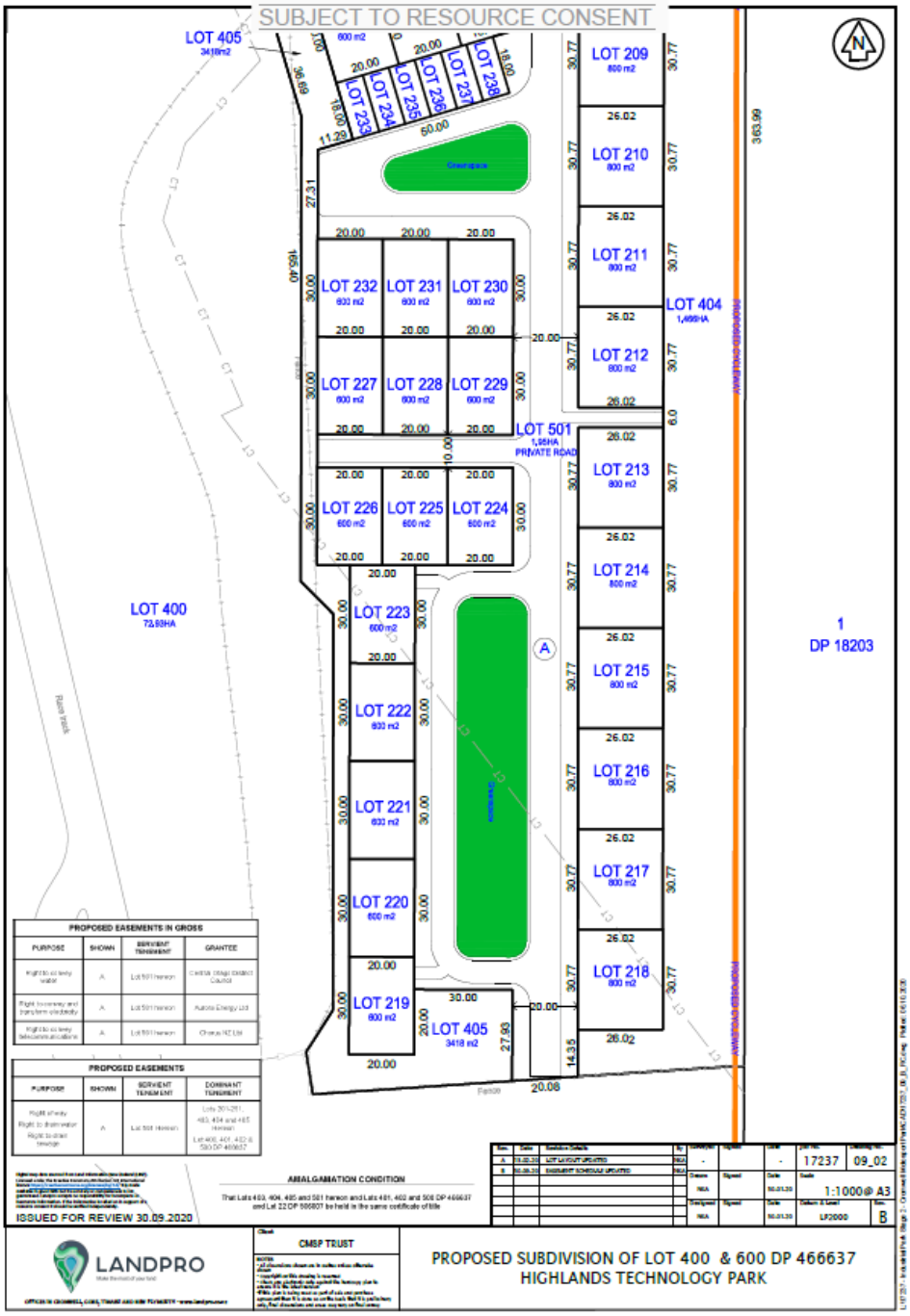
David Campbell
Acting Executive Manager, Planning and Environment

4 November 2020

Appendix 1


SUBJECT TO RESOURCE CONSENT
N
CEMETERY ROAD
CYCLEWAY LINK TO CEMETERY ROAD
SILVERSTONE DRIVE
PRIVATE ROAD
STATE HIGHWAY 6
MONACO DRIVE
PRIVATE ROAD
1
DP 307492
SHEET 09_01
1
DP 403966
SPEEDWAY
LOT 400
73.50HA
SHEET 09_02
SANDFLAT ROAD
1
DP 18023
FUTURE TRAILS TRUST CYCLEWAY
PROPOSED CYCLEWAY
CYCLEWAY LINK TO SANDFLAT ROAD
3
DP 403966
ISSUED FOR REVIEW 30.09.2020
17237
09_00
1:5000@ A3
B
LANDPRO
CMSP TRUST
PROPOSED SUBDIVISION OF LOT 400 & 600 DP 466637
HIGHLANDS TECHNOLOGY PARK


SUBJECT TO RESOURCE CONSENT
PROPOSED EASEMENTS IN GROSS
PURPOSE
SHOWN
SERVIENT TENEMENT
GRANTEE
Right to convey water
A
Lot 501 hereon
Central Otago District Council
Right to convey and transform electricity
A
Lot 501 hereon
Aurora Energy Ltd
Right to convey telecommunications
A
Lot 501 hereon
Chorus NZ Ltd
PRIVATE ROAD
117 DP 466637
402 DP 466637 CT 765459
MONACO DRIVE
500 DP 466637 CT 765459
EXISTING EASEMENTS EI 9809952.7, EI 9809952.8, EI 9809952.9, EI 9809952.10
LOT 201 600 m2
LOT 202 600 m2
LOT 203 600 m2
LOT 204 600 m2
LOT 205 600 m2
LOT 206 600 m2
LOT 207 600 m2
LOT 208 600 m2
LOT 209 600 m2
LOT 210 600 m2
LOT 404 1.4669HA
1 DP 18203
PROPOSED PUMP STATION SITE
LOT 251 600 m2
LOT 250 600 m2
LOT 249 600 m2
LOT 248 600 m2
LOT 247 600 m2
LOT 246 600 m2
LOT 245 670 m2
LOT 244 600 m2
LOT 243 600 m2
LOT 242 600 m2
LOT 403 1.266Ha GREENSPACE MOTORSPORT RACEDAY PARKING
LOT 501 1.95HA PRIVATE ROAD
LOT 400 73.20HA
LOT 239 610 m2
LOT 240 600 m2
LOT 241 600 m2
LOT 405 3418m2
LOT 233
LOT 234
LOT 235
LOT 236
LOT 237
LOT 238
LOT 232 600 m2
LOT 231 600 m2
LOT 230 600 m2
PROPOSED EASEMENTS
PURPOSE
SHOWN
SERVIENT TENEMENT
DOMINANT TENEMENT
AMALGAMATION CONDITION
That Lots 403, 404, 405 and 501 hereon and Lots 401, 402 and 500 DP 466637 and Lot 22 DP 550801 be held in the same certificate of title
ISSUED FOR REVIEW 30.09.2020
LANDPRO
CMSP TRUST
PROPOSED SUBDIVISION OF LOT 400 & 600 DP 466637
HIGHLANDS TECHNOLOGY PARK
17237
09_01
1:1000@ A3
B


SUBJECT TO RESOURCE CONSENT
LOT 405
3418m2
LOT 209
LOT 210
LOT 211
LOT 212
LOT 213
LOT 214
LOT 215
LOT 216
LOT 217
LOT 218
LOT 404
1.4999HA
LOT 501
1.05HA
PRIVATE ROAD
LOT 232
LOT 231
LOT 230
LOT 227
LOT 228
LOT 229
LOT 226
LOT 225
LOT 224
LOT 223
LOT 222
LOT 221
LOT 220
LOT 219
LOT 400
72.68HA
1
DP 18203
PROPOSED EASEMENTS IN GROSS
PROPOSED EASEMENTS
AMALGAMATION CONDITION
That Lots 403, 404, 405 and 501 hereon and Lots 401, 402 and 500 DP 466637 and Lot 2 DP 550807 be held in the same certificate of title
ISSUED FOR REVIEW 30.09.2020
LANDPRO
CMSP TRUST
PROPOSED SUBDIVISION OF LOT 400 & 600 DP 466637
HIGHLANDS TECHNOLOGY PARK
17237
09_02
1:1000@ A3
B

Appendix 2

Plant List – Highlands Motorsport Park

The following list of native species shall be used in association with landscaping in the Industrial Subdivision at the Highlands Motorsport Park. Of the total area of landscaping, 80% shall comprise natives from the list below.

Acaena inermis purpurea
Anamanthele lessonia
Astelia nervosa
Carex secta
Carex testacea
Carex virgata
Coprosma crassifolia
Coprosma repens
Corokia cotoneaster
Corokia buddleioides
Corokia 'Red Wonder'
Cordyline australis
Dianella nigra 'Margaret Pringle'
Griselinia littoralis
Hebe speciosa
Hebe albicans
Hebe diomifolia
Hebe 'Dazzler'
Hebe buchananii
Hebe cockayniana
Hebe 'Goldrush'
Hebe 'First Light'
Libertia peregrinans
Muehlenbeckia astonii
Phormium cookianum 'Purpurea'
Phormium cookianum 'Evening Glow'
Phormium cookianum 'Little Cracker'
Poa cita
Poa colensoi
Pittosporum tenufolium
Pittosporum eugeniodes
Sophora microphylla

Annex 1

SUBMITTER/S	SUMMARY OF SUBMISSION	DECISION REQUEST
Central Land Holdings Limited	**Support** The submitter supports the application in its entirety. The Highlands Motorsport Park is an important economic and social asset for Cromwell and the wider district. The growth of this asset should be encouraged and supported. The proposed subdivision and land use is a sustainable use of the site and will result in positive economic and social outcomes.	**Grant consent.**
DCH Motorsport Limited	**Support**	**Grant consent.**
Roger & Wendy Driver	**Support** The submitters support in full the expansion of existing Highlands Innovation and Technology Park. The submitters are current residents of the Park.	**Grant consent to the subdivision in full.**
Sam Gordon Graham	**Support**	**Grant consent**
Mark Guyton & Joan Murphy	**Support** The submitters support all aspects of the application.	**Grant consent.**
Michael Talmage Hedges	**Support**	**Grant consent.**
River Terrace Developments Ltd	**Oppose** The submission relates to the whole application. The submitter opposes the application on the basis that the applicant has lodged submissions and presented evidence at hearings, to the effect that residential use of land in this general vicinity, a vicinity which includes the application site, is incompatible with existing activities on the application site and on other nearby properties. Specific statements made on behalf of the applicant. which are directly relevant to this application, include: *"Residential use of the site is incompatible with existing activities on surrounding land, including motorsport and horticultural activities. The proposal is inconsistent with residential amenity."*	**Refuse consent.**

	"Exposure to existing noisy activity cannot be avoided, remedied or mitigated to meet expectations of residential amenity." *"Residential development would result in significant adverse effects in terms of exposure of residents to significant noise levels from a range of sources, mainly from motorsport activities."* *"The effects of consented horticultural activity form part of the 'existing environment' which contributes to the cumulative noise effects."* The above statements were made in relation to proposed residential activities on land in very close proximity to the application site. The same statements must be applicable to this proposal.	
Waka Kotahi NZ Transport Agency (Waka Kotahi/Transport Agency)	**Oppose** The submission relates particularly to the Cemetery Road intersection with State Highway 6 and the submitter states as follows: **Cemetery Road Intersection with SH6** (1) The existing SH6/Cemetery Road intersection is controlled on Cemetery Road by a give way sign. The intersection on to SH6 has been widened to a Waka Kotahi Diagram E standard. (2) Since the Highlands Innovation and Technology Park and the access to the site from Cemetery Road were established, further development has occurred in the area south of Cromwell and adjacent to Cemetery Road. As a result, the number of vehicles using the Cemetery Road and the intersection with SH6 has increased. (3) The application as notified discusses transportation effects as they relate to the site and local roading network but does not consider the effects of the additional vehicles generated by the proposal on the State highway intersection. (4) As a result, Waka Kotahi would like further information from the applicant that identifies the transportation effects of the proposal on the intersection. This information should take the form of a transportation assessment prepared by an appropriately qualified transportation engineer and include an intersection warrant and an assessment of trip distributions based on access to the surrounding transport network from the site. (5) The Transport Agency's statutory objective is to carry out its functions in a way that contributes to an effective, efficient and safe land transport system in the public interest. Some of these functions relevant in this case are:	**Refuse consent** unless further assessment on the transportation effects on the Cemetery Road/SH6 is provided and either identify the effects on the intersection are less than minor or identify appropriate mitigation measures.

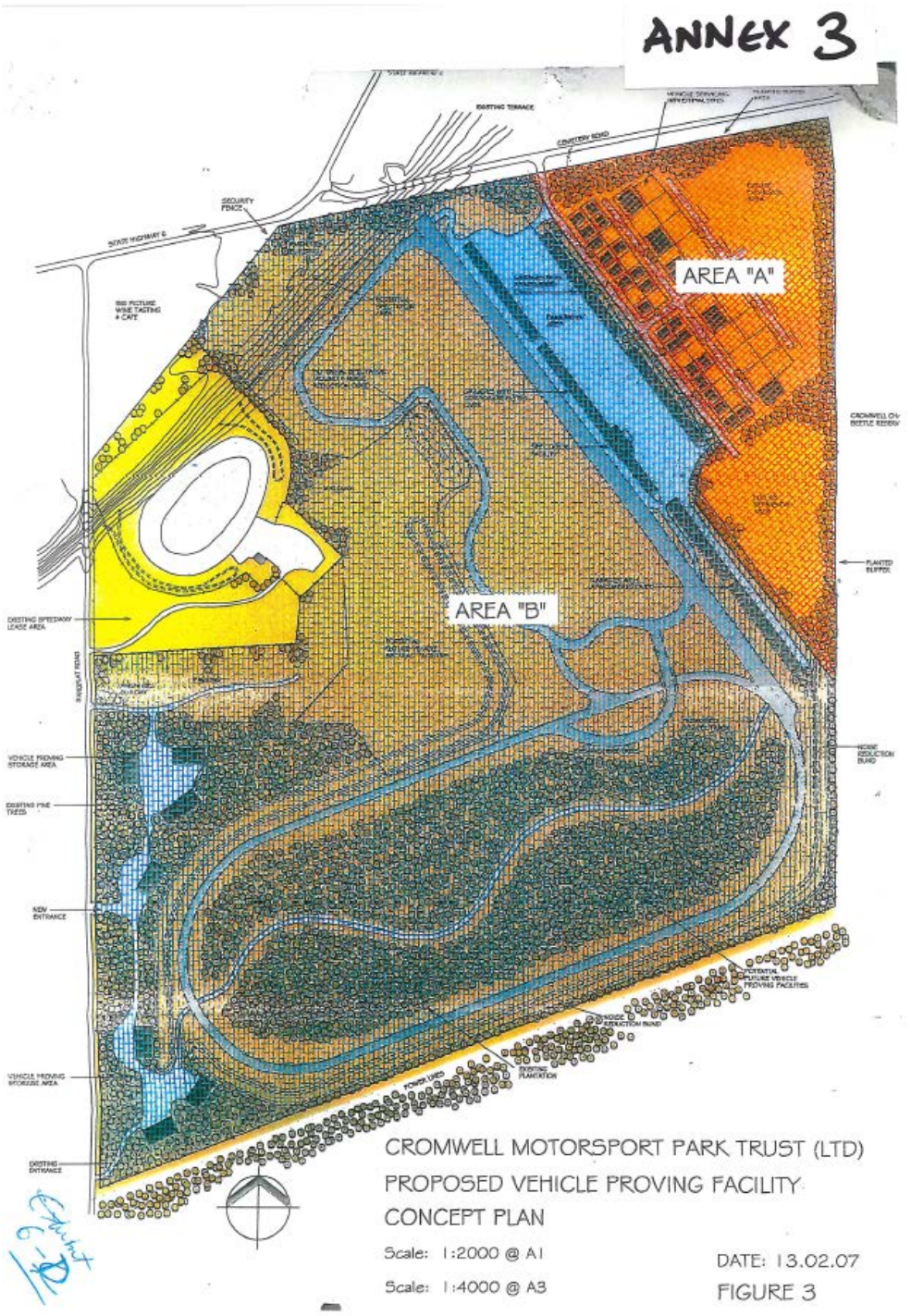
	• to manage the State highway system in accordance with the relevant legislation; • to assist, advise, and co-operate with approved organisations (such as regional councils and territorial authorities); and • the principle to exhibit a sense of social and environmental responsibility which includes the sustainable management of the land transport system. (6) The Transport Agency submits that the proposed subdivision and land use activity has the potential to have an adverse effect on the efficiency and safety of the land transport system and the safety of the Cemetery Road/SH6 intersection that have not been adequately assessed in the application.	
Jeanette Theresa Whittaker	**Support**	**Grant consent.**

Annex 2

1. Grant Aitken of Grant Aitken Ltd
2. Fallon Bain-Gordon for Garry Price Family Trust
3. Dean Beard
4. Ian Begg
5. Peter Bennetts & Karen McSkimming
6. Paul Boden for Plan B Storage Ltd
7. Antony Charles Vernon Brown & Phillipa Jan Pearce
8. Morris Andrew Brown
9. Garry Paul Carter & Robyn Janet Carter
10. Central Land Holdings Ltd
11. Dennis Chapman for DCH Motorsport Ltd
12. Wendy Clearwater for Clearwater Central Apartments Limited
13. Donald McKenzie Cochrane
14. Paul Coghill & Lisa Coghill for Coghill Trustees Limited
15. Andrew Craig
16. Scott Crawford
17. Nigel De Geest
18. Director General of Conservation (Conditional)
19. Andrea Driver
20. Roger Driver & Wendy Driver
21. Owen Evans
22. Brent Forman for Skyhawk Holdings Ltd
23. Simon Giles
24. Sam Graham of SGGC Ltd
25. Mark Guyton & Jean Murphy
26. John Hancock & Carmen Hancock
27. Doug Hay & Margaret Hay of Central Park Apartments
28. Mike Hedges & Lynette Hedges of May Investments Ltd
29. Stu Higgin of Southern Speed
30. Paul Hoffman for Paul T Hoffman Family Trust
31. Brandon Jackson of Jackson Okabe Ltd
32. Viv James & Tim James of Black Barn Hampton Downs Ltd
33. Ken Jarvis & Marie Jarvis
34. Shane Johnston of Thunder Road Classics
35. Gary John Kirk
36. Steve Lyttle & Carolyn Ball of Three G Family Trust
37. Valerie Miller
38. Laura Moore & Barry Moore of Mk1 Investments Ltd
39. Nockies Palette (NZ) Ltd
40. Sam O’Callaghan
41. Danny Omalley
42. Petch Family Trust
43. Dennis Phillips of Dennis Phillips Motors Ltd
44. Brent Prentice & Carron Prentice for On Track Partnership
45. Alister Rayner
46. Sarah Richardson & Lloyd Richardson
47. John Roderique for Foveax Properties
48. Bradley Rule
49. Allister John Saville & Diane Margaret Saville for RRR Company (NZ) Ltd
50. Steve Scoles for Otago Farm Machinery Ltd

51. Brian Scott
52. Jason Scott
53. Jim S [obscured]
54. Phillip Smith
55. Jerry Spencer
56. Andrew Taylor
57. Glenn & Corina Vaughan for Vaughan Family Trust
58. Matthew Vickers
59. Gary Waite for Waite Properties Ltd
60. GC & JT Whittaker Partnership
61. Christian Wieser
62. Peter Wieser of CP Service (Hampton Downs) Ltd

Annex 3


ANNEX 3
AREA "A"
AREA "B"
CROMWELL MOTORSPORT PARK TRUST (LTD)
PROPOSED VEHICLE PROVING FACILITY
CONCEPT PLAN
Scale: 1:2000 @ A1
Scale: 1:4000 @ A3
DATE: 13.02.07
FIGURE 3

27 April 2022

CENTRAL OTAGO DISTRICT COUNCIL
1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand
03 440 0056
Info@codc.govt.nz
www.codc.govt.nz

Cromwell Motorsport Park Trust
Nathan Archer (Landpro Ltd)
PO Box 302
Cromwell 9342

Via email: nathan@landpro.co.nz

Dear Cromwell Motorsport Park Trust

SECTION 127 APPLICATION: RC200231V1 BEING A VARIATION OF RC200231
SANDFLAT ROAD
CROMWELL

Your application for a variation of a resource consent, lodged pursuant to section 127 of the Resource Management Act 1991, was processed on a non-notified basis in accordance with sections 95A to 95G of the Resource Management Act 1991. The application was considered by the Planning Manager, under delegated authority, on 22 April 2022.

The Council has granted consent to the variation of the resource consent. The assessment of the application, including the reasons for the decision, is set out in the report attached to this letter. The consent certificate showing the varied conditions is attached.

The consent certificate outlines the conditions that apply to your proposal. Please ensure that you have read and understand all of the consent conditions.

You may object to this decision or any condition within 15 working days of the decision being received, by applying in writing to the Planning Manager, Central Otago District Council at resource.consents@codc.govt.nz.

You may request that the objection be considered by an independent commissioner. The Council will then delegate its functions, powers and duties to an independent hearings commissioner to consider and decide the objection. Please note that if you request independent commissioner, you may be required to pay for the full costs of the incurred for independent hearings commissioner.

Section 120 of the Resource Management Act 1991 sets out the rights of appeal to the environment court for resource consent decisions. It is recommended that you consult a lawyer if you are considering this option.

Please feel free to contact me if you have any questions.

Yours faithfully

Kirstyn Lindsay
Consultant Planner

APPLICATION	**RC200231V1 BEING A VARIATION OF RC200231**
APPLICANT	**CROMWELL MOTORSPORT PARK TRUST LIMITED**
ADDRESS	**SANDFLAT ROAD, CROMWELL**
LEGAL DESCRIPTION	**LOT 400 DP 466637 AND LOT 600 DP 466637 AS CONTAINED IN RECORDS OF TITLE (RT) 663001 AND 663003 BEING THE UNDERLYING TITLES FOR RC200231**
ACTIVITY STATUS	**DISCRETIONARY**

REISSUED PURSUANT TO SECTION 133A OF THE RESOURCE MANAGEMENT ACT 1991

BACKGROUND

Resource Consent RC200231 was granted with conditions in November 2020. The subdivision component of the consent authorised the creation of 56 allotments with 51 allotments to be used for activity associated with vehicles and residential activity. A range of land use activities within the new lots was also authorised at this time and to authorise a discretionary activity under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS).

The authorised development under RC200231 is as follows:

Lot Number	Area
Lots 201 – 218	Freehold lots 800m^2 in area
Lots 219 – 232, Lots 240-244 and Lots 246 – 251	Freehold lots 600 m^2 in area
Lots 233 – 238	Freehold lots 150 m^2 in area
Lot 239	Freehold lot 610 m^{2}in area
Lot 245	Freehold lot 670 m^{2}in area
Lot 403, Lot for greenspace/motorsport race day parking	Lot to be retained by applicant 1.3660 ha
Lot 404	Lot to be retained by applicant for greenspace/extension to Chafer Beetle Reserve buffer area 1.4660 ha
Lot 405	Lot to be retained by applicant part of which is to be used for trailer parking – 3,418m2.
Lot 501	Lot to be retained by applicant for private road (access) – 1.95 ha
Lot 400	Residue of existing Lot 400 Highlands Motorsport Park and Facilities – 73.5 ha

Lots 403, 404, 405 and 501 are to be amalgamated with Lots 401, 402 and 500 DP 466637 and Lot 22 DP 506007 being access and amenity lots created by RC130153 that are also owned by the applicant.

The previous planning history for the subject site prior to RC200231 is well set out in the decision for RC200231 and is not repeated here.

DESCRIPTION OF ACTIVITY

The applicant seeks to vary condition 1 of RC200231 to make the following changes to the scheme plan:

Lot Number	Consented	Proposed
Lot 219	600 m^2	~~822~~ 1200m^2
Lot 242	600 m^2	640 m^2
Lot 405	3418 m^2	485 m^2
Lot 400	73.50ha	73.79ha

The applicant confirms that there is to be no increase in lot numbers and no change to the approved land use. The reduction in lot area of Lot 405 directly results in the increase in area for Lots 219 and 400. The area for Lot 242 alters due to a slight modification to the western boundary.

Importantly, Lot 405 will still be retained by the consent holder, part of which is to be used for trailer parking. Furthermore, Lots 403, 404, 405 and 501 will continue to be held together with Lots 401, 402 and 500 DP 466637 and Lot 22 DP 506007 as per condition 29 of RC200231.

It is worth noting that no changes are sought for:

- Condition 8 which requires a heavy vehicle entrance between the carriageway in Lot 501 and the boundary of Lot 405 (being a boundary of the southern portion of Lot 405 adjacent to Lot 501)
- Condition 26 which provides for the potential landscaping of Lot 405
- The land use development conditions for Lots 219 and 242 (conditions 30-35)
- The land use consent conditions.

REASONS FOR APPLICATION

Section 127 of the Resource Management Act 1991 states:

(1) The holder of a resource consent may apply to a consent authority for a change or cancellation of a condition of the consent subject to the following:
(a) The holder of a subdivision consent must apply under this Section for a change or cancellation of the consent before the deposit of the survey plan (and must apply under Section 221 for a variation or cancellation of a consent notice after the deposit of the survey plan); and
(b) No holder of any consent may apply for a change or cancellation of a condition on the duration of the consent.
(2) Repealed.
(3) Sections 88 to 121 apply, with all necessary modifications, as if –
(a) The application were an application for a resource consent for a discretionary activity; and
(b) The references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.
(4) For the purposes of determining who is adversely affected by the change or cancellation, the local authority must consider, in particular, every person who-
(a) Made a submission on the original consent application; and
(b) May be affected by the change or cancellation.

In terms of scope, the changes to the lots areas do not result in any additional lots being created or changes to the authorised land use activities. I consider that the proposal falls within the scope of applications able to be considered under section 127 and a variation can therefore be considered.

In accordance with the provisions of section 127(3)(a) of the Resource Management Act 1991, the application to vary resource consent RC200231 is a discretionary activity.

PLANNING ASSESSMENT

Effects on the Environment

Assessment Matters/Rules

Consideration is required of the relevant assessment matters in the District Plan, along with the matters in any relevant national environmental standard. This assessment is limited to the adverse effects of the variation itself, being those effects over and above the effects of the existing resource consent. No regard has been given to any trade competition or any effects of trade competition.

1. Effects of variation

The applicant seeks to amend the lot areas of four lots approved under RC200231. The area of Lot 405 is to be reduced, resulting in consequential increases to the lot areas of Lots 219, and 400. Specifically, the area of Lot 405 will be reduced significantly with the biggest change resulting the transfer of land adjacent to the west of Lots 241 and 233 and the small strip of land adjacent to the western boundaries of Lots 232, 227, 226, 223, 222, 221, and 220 and to the west of Lot 219 to Lot 400. Lot 219 also absorbs some of the land within 405, changing shape and increasing the area of this lot. The land use activity for Lot 219 remains unchanged. The proposed change for Lot 242 is related to a slight alteration to the western boundary and the area increase of 40m^2 for this lot is assessed as largely inconsequential.

Overall, no adverse effects are identified as a result of the amendments to the lot areas.

2. Cumulative Effects

No cumulative effects arising from the variation have been identified. This is because there is no increase in lot numbers and no change to the underlying land use.

NOTIFICATION ASSESSMENT

Public Notification

Section 95A of the Resource Management Act 1991 sets out a step-by-step process for determining public notification. Each step is considered in turn below.

Step 1: Mandatory public notification in certain circumstances

- Public notification has not been requested.
- There has been no failure or refusal to provide further information.
- There has been no failure to respond or refusal to a report commissioning request.
- The application does not involve the exchange of recreation reserve land.

Step 2: If not required by Step 1, public notification precluded in certain circumstances

- There are no rules or national environmental standards precluding public notification.

- The application is for a discretionary activity and public notification is not precluded under Step 2.

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

- There are no rules or national environmental standards requiring public notification.
- The activity will not have, or be likely to have, adverse effects on the environment that are more than minor for the reasons set out above.

Step 4: Public notification in special circumstances

- I consider that there are no special circumstances that warrant the application being publicly notified. There is nothing exceptional or unusual about the change of conditions which makes public notification desirable.

Limited Notification

Section 95B of the Resource Management Act 1991 sets out a step-by-step process for determining limited notification. Each step is considered in turn below.

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

- The activity is not in a protected customary rights area; the activity is not an accommodated activity in a customary marine title area; and, the activity is not on or adjacent to, or might affect, land that is the subject of a statutory acknowledgement.

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

- There are no rules or national environmental standards precluding limited notification.
- The application is for a discretionary activity and limited notification is not precluded.

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

- The application does not involve a boundary activity.
- 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.
- The proposal falls into the ‘any other activity’ category. The effects of the proposal on persons are assessed below.

Affected Persons

Section 127(4)(b) of the Resource Management Act 1991 directs Council to only consider the adverse effects of the variation itself, being those effects over and above the effects of the existing resource consent, when determining affected parties. Section 127(4)(a) of the Resource Management Act 1991 also directs the Council to consider whether any submitters on the original application could be adversely affected by the variation.

The original application was processed on a publicly notified basis, with a number of submitters. Given the scale of the proposed amendments to the scheme plan, in conjunction with the fact that all other conditions intended to mitigate adverse effects are to remain unchanged, there are no submitters or other affected parties who could be adversely affected by the variation.

Step 4: Further notification in special circumstances

- There are no special circumstances that warrant the application being limited notified. There is nothing exceptional or unusual about the application that makes limited notification to any other persons desirable.

SUBSTANTIVE DECISION ASSESSMENT

Effects

The actual and potential adverse effects associated with the proposal have been assessed and outlined above. The variation will not result in a fundamentally different activity or one having materially different adverse effects. 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

In accordance with section 104(1)(b) of the Resource Management Act 1991, the objectives and policies of the District Plan were taken into account when assessing the application. The variation raises no new issues in terms of the objectives and policies of the District Plan or any other relevant planning documents.

Part 2

Based on the findings above, it is evident that the proposal satisfies Part 2 of the Resource Management Act 1991.

RECOMMENDATION

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

1. This application be processed on a non-notified basis, pursuant to sections 95A and 95B of the Resource Management Act 1991.

2. The Council grant the variation to the resource consent under delegated authority, in accordance with sections 104 and 127(1) of the Resource Management Act 1991.

Kirstyn Lindsay
Consultant Planner

Date: 14 April 2022

Reviewed by:

Oli McIntosh
Consultant Planner

Date: 19 April 2022

DECISION

I have read both the notification assessment and substantive decision assessment in this report. I agree with both recommendations above.

Under delegated authority on behalf of the Central Otago District Council, I accordingly approve the granting of the variation to the resource consent:

Lee Webster
Regulatory Manager

Date: 22 April 2022

Consent Type: **Variation to Subdivision Consent**

Consent Number: **RC200231, as varied by RC200231V1**

Location of Activity: Sandflat Road, Cromwell

Legal Description: Lot 400 DP 466637 and Lot 600 DP 466637 (held in Record of Titles 663001 and 663003**).**

Lapse Date: 4 November 2025, unless the consent has been given effect to before this date.

[Additions are shown underlined and deletions shown as struck through]

Conditions:

Plan of Subdivision & Code of Practice

1. This consent relates to the plans of subdivision 17237 09_00 Rev C ~~B~~, 09_01 Rev C ~~B~~, and 09_02 Rev C ~~B~~ dated ~~30 September 2020~~ 5 April 2022 prepared by Landpro that is attached at Appendix 1.

2. All subdivision design and approvals are to be in accordance with NZS 4404:2004 and the CODC July 2008 Addendum which is the Council's Code of Practice for Urban Subdivision, as modified by these conditions of consent.

Easements

3. Easement A as show on the plan of subdivision and all other easements required to provide access and to protect access to services shall be duly granted or reserved.

Ownership, Maintenance & Operation of Private Infrastructure

4. Prior to section 224(c) certification a formal ownership, operation and maintenance arrangement that is to the satisfaction of the Chief Executive and that details the assets, ownership, financial and operational responsibilities as demonstrated by the consent holder shall be in place for:
   - Roading infrastructure in private ownership.
   - Wastewater infrastructure in private ownership.
   - Landscaping and irrigation infrastructure in private ownership.

Roading and Access

5. Prior to section 224(c) certification the carriageway and kerb and channel within Lot 501 (for that portion of the carriageway that extends along the frontage of Lots 201-218) shall be constructed to the requirements of the Local Industrial Road classification under NZS 4404:2004 and the CODC July 2008 Addendum Table 3.1 and as follows:
   (a) The carriageway shall have a minimum 9.5 metre width asphalted concrete surface, located centrally generally within a 20 metre legal corridor.
   (b) Pavement design shall be in accordance with NZS 4404:2004 and the CODC July 2008 Addendum to NZS 4404:2004.
   (c) Mountable reinforced heavy duty kerb and channel on both sides of the carriageway over 75mm compacted depth AP40 metal.
   (d) 50mm depth AP20 metal between footpath and boundary of Lot 501 formed and trimmed at 4% crossfall.

(e) Cut/fill batters (if required) with a maximum 4:1 gradient to match existing ground within the allotments.
(f) Street lighting in accordance with NZS 4404:2004 and accepted standards for industrial areas.
(g) All necessary traffic signs and road marking shall be provided by the consent holder.

6. Prior to section 224(c) certification the carriageway and kerb and channel within Lot 501 (for the branch road along the frontage of Lots 242-245) shall be constructed to the requirements of the Local Industrial Road classification under NZS 4404:2004 and the CODC July 2008 Addendum Table 3.1 and as follows:

(a) The carriageway shall have a minimum 9.5 metre width asphalted concrete surface, located centrally within a 12 metre legal corridor.
(b) Pavement design shall be in accordance with NZS 4404:2004 and the CODC July 2008 Addendum to NZS 4404:2004.
(c) Mountable reinforced heavy duty kerb and channel on both sides of the carriageway over 75mm compacted depth AP40 metal.
(d) 50mm depth AP20 metal between footpath and boundary of Lot 501 formed and trimmed at 4% crossfall.
(e) Cut/fill batters (if required) with a maximum 4:1 gradient to match existing ground within the allotments.
(f) Street lighting in accordance with NZS 4404:2004 and accepted standards for industrial areas.
(g) All necessary traffic signs and road marking shall be provided by the consent holder.

7. Prior to section 224(c) certification the carriageway within the carriageway within Lot 501 (for the other branch roads and service lanes) shall be constructed in accordance with the Industrial Service Lane classification under NZS 4404:2004 CODC Addendum Table 3.1 and as follows:

(a) 7.0 metre width asphaltic concrete surface.
(b) Pavement design to be in accordance with NZS 4404:2004 and the CODC July 2008 Addendum
(c) Mountable reinforced heavy duty kerb and channel on both sides of carriageway over 75mm compacted depth AP40 metal.
(d) 50mm depth of AP 20 metal between kerb and boundary of Lot 500 formed and trimmed at 4% crossfall.
(e) Cut/fill batters (if required) with maximum 4:1 gradient to match existing ground within the allotments.
(f) Street lighting in accordance with NZS 4404:2004 and accepted standards for industrial areas.
(g) All necessary traffic signs and road marking shall be provided by the consent holder.

8. Prior to section 224(c) certification the consent holder shall be responsible for constructing a heavy vehicle entrance between the carriageway in Lot 501 and the boundary of Lot 405 (being a boundary of the southern portion of Lot 405 adjacent to Lot 501) in accordance to Part 29 the Council's Roading Policies January 2015.

9. The consent holder or successor shall be responsible for constructing heavy vehicle entrances between the carriageway in Lot 501 and the boundaries of Lots 201-251 in accordance with Part 29 of the Council's Roading Policies January 2015.

10. Condition 9 shall be subject to a consent notice that shall be registered on the records of title for Lots 201-251 pursuant to section 221 of the Resource Management Act 1991.

Stormwater

11. Stormwater from within the roading network in Lot 501 is to be provided for by appropriately located mudtanks.

12. Stormwater from buildings and impermeable surfaces on Lots 201-251 shall be discharged to soakpit(s) contained entirely within those lots.

13. Condition 12 shall be subject to a consent notice that shall be registered on the records of title for Lots 201-251 pursuant to section 221 of the Resource Management Act 1991.

Water

14. Prior to section 224(c) certification the consent holder shall provide (and bear the costs of) updating the Opus Water Model prepared for the subdivision authorised by RC 130153 in consideration of the full subdivision development provided for in RC 200231; and the watermain sizes for the subdivision RC 200231 shall be determined and the adequacy of the existing reticulation evaluated, as a requirement of engineering approval.

15. Prior to section 224(c) certification the consent holder shall be responsible for extending the existing Cromwell town water supply reticulation to serve the subdivision in accordance with NZS 4404:2004 and the CODC Addendum and in compliance with the updated OPUS Water Model for FW4 fire-fighting capability including:
    - Extension of the primary main within the subdivision.

      Note: This is likely to be a DN250 watermain.

    - Internal reticulation within the subdivision requires a duplicate main of DN150 on opposite side of the carriageway to primary main.
    - Fire hydrants to be provided within the subdivision in accordance with FW4 category under SNZ PAS 4509:2008.

16. Prior to section 224(c) certification the consent holder shall provide standard 20mm diameter water connections with Acuflo toby/meter assembles to the boundaries of Lots 201-251 in accordance with NZS 4404:2004 and the CODC July 2008 Addendum.

Note: The connections will serve both industrial downstairs and residential upstairs users assumed to be in common ownership.

17. No water shall be taken for irrigation purposes without the formal agreement of the Chief Executive.

Note: There is a strong preference that another source of water (eg on site bore) is investigated for irrigation purposes.

18. Easements in favour of Central Otago District Council shall be registered for all water reticulation within the subdivision up to the point of supply. For avoidance of doubt, the point of supply shall be considered to be at the Acuflo toby/water meter assembly at the boundary of each lot.

Wastewater

19. Prior to section 224(c) certification the consent holder shall provide (and bear the costs of) an updated wastewater model based on a peak flow of 0.7L/s/ha for the full

development (being the subdivisions subject to RC 130153 and RC 200231). The model shall allow for:

- Ability of the receiving pipework to accommodate peak flows from full subdivision development without surcharging.
- Ability of the receiving pipework to accommodate peak flows from full subdivision and full upstream catchment development.
- Allowance made for stormwater infiltration and inflow in peaking factor.
- Requirement for pumping restrictions to minimise surcharging of receiving pipework.
- Additional pump stations, upgrading of existing pump station and emergency/operational wastewater storage.

Note: The full upstream catchment constitutes the existing contributing upstream developments and the future industrial development on the north side of Cemetery Road at the time of consent RC200231 being granted.

20. Prior to section 224(c) certification the consent holder shall be responsible for extending the Cromwell town sewerage scheme reticulation to serve the subdivision including:
    - All wastewater reticulation shall be provided to service the subdivision.
    - The requirement for any oversizing of sewer mains and/or reticulation considered necessary to accommodate wastewater demand for land adjoining the subdivision, with the cost of any agreed oversizing to be met by Council, shall be sought from Council by the consent holder at the time of detailed engineering design for the works and any required oversizing shall be incorporated in the works.
    - The provision of any new pump station, upgrading of existing pump station, emergency/operational storage, pumping and receiving reticulation that is found necessary from the modelling provided in terms of Condition 19.
    - Any pump station and/or upgraded pump station shall be designed and constructed in accordance with Clause 5.3.10 of the Council's July 2008 Addendum of NZIS 4404:2004 (subject to specific modifications as below) and connected to the Council wastewater system by pumping main such that the downstream network is not adversely affected. Modifications to Clause 5.3.10 are hereby imposed to vary certain requirements of Clause 5.3.10. Notwithstanding the modifications, the pump station shall be constructed to an acceptable standard and to the satisfaction of the Chief Executive. The modifications to Clause 5.3.10 are as follows:
        - Delete 5.3.10(a)
        - Delete 5.3.10(d)
        - Delete 5.3.10(p)
        - Delete 5.3.10(q)

Note: Sufficient inflow storage shall be provided at the pump station(s) and the pump station operation configured such that the pumps only operate during off peak periods.

21. Prior to section 224(c) certification the consent holder shall provide standard 150mm diameter wastewater connections to the boundaries of Lots 201-251.

Note: The connections will serve both industrial downstairs and residential upstairs users assumed to be in common ownership.

Electricity, telecommunications and gas

22. It shall be the consent holders responsibility to obtain the consent of utility service providers as to the position of electricity and telecommunication services (and gas reticulation, if applicable) to serve Lots 201-251. The consent holder shall be responsible for installing operational connections to electricity and telecommunication

services (and gas services, if applicable) underground to the boundary of Lots 201-251 prior to section 224(c) certification.

23. The consent holder shall supply evidence of the consents referred to in Condition 22 above to the Chief Executive prior to section 224(c) certification.

24. It shall be the responsibility of the consent holder to meet the costs associated with the installation of electricity and telecommunication services (and gas services, if applicable) necessary to meet the needs of the subdivision.

Reserves

25. Payment of a reserves contribution of $47,750.00 (exclusive of goods and services tax) calculated in terms of Rule 15.6.1(1)(a)(i) of the Operative District Plan, on the basis of 51 new allotments and allowing a credit for the existing title RT663001.

Landscaping

26. A detailed landscape plan for the subdivision including all planting and irrigation design and demand on Lots 403, 404 and 501 (and possibly Lot 405, if proposed by the consent holder) shall be prepared to the satisfaction of the Council's Parks and Reserves Manager as a requirement of engineering approval. The landscape plan shall incorporate low water demand planting and shall be appropriate to the Highlands Innovation and Technology Park setting.

27. Water connections to all irrigated areas shall have suitable backflow prevention devices fitted.

Note: Any request for use of water from the Cromwell town water supply for irrigation purposes will require careful consideration by the Council and will almost certainly be on the basis of off peak usage.

28. Prior to section 224(c) certification sealed vehicle entranceways shall be provided between Lot 501 and Lot 404 at two locations (south side of Lots 206 and 212) to the requirements of Part 29 of the Council's Roading Policies January 2015 and removable bollards shall be installed at the boundary with Lot 501 to allow occasional vehicle access.

Amalgamation

29. That pursuant to section 220(1)(b)(ii) of the Resource Management Act 1991:
"That Lots 403, 404, 405 and 501 hereon and Lots 401, 402 and 500 DP 466637 and Lot 22 DP 506007 (RT765459) be held in the same record of title (see CSN Request 1682745))."

Use and Development of Lots 201-251

30. Use of land and buildings on Lots 201-251 shall be for the primary purpose of servicing, maintenance, repair, design, manufacture, fabrication, testing or storage of vehicles, vehicle parts and other associated industries.

31. Residential accommodation on Lots 201-251 shall only occur above ground level associated with activities permitted under Condition 30 above.

32. Any development on Lots 201-251 shall comply with the following:

Bulk and Location of Buildings

(a) The height of any building shall not exceed 8m; and no yards are required except that no buildings are to be established within 25 metres of the eastern boundary of the site where that boundary adjoins the Cromwell Chafer Beetle Reserve (Lot 1 DP 18203).

(b) All lots shall have a maximum coverage of 75%, except for Lots 233-238 that are permitted to have a maximum building coverage of 100%.

Cladding

(c) All buildings shall be finished using a combination of some or all of the following materials:
  (i) Timber/Composite Weatherboard (vertical and horizontal);
  (ii) Plaster/Adobe/Rammed Earth/Masonry Products/Concrete;
  (iii) Stone;
  (iv) Coloured steel excluding unpainted zincalume and unpainted corrugated iron;
  (v) Weathered corrugated iron; and
  (vi) Brick.

Colours - Finishes

(d) 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;
Browns, greens, grey blue, greys, terracotta, tussock and dark reds provided that such colours shall have a Reflectivity Value (RV) of less than 38%.

(e) The roofs of all buildings shall be in a low sheen in any colour that has a RV of less than 32% or shall be unpainted natural products such as timber shingles or slate.

Visual Amenity

(f) No shipping containers or temporary buildings (other than during construction) are to be located on-site.

(g) All areas open to the public and visible to the public shall be maintained in a clean and tidy state.

Signage

(h) Signage shall be incorporated into the building design, not free standing unless expressly approved by the Design Review Board.

(i) No sign shall be erected or painted on a building in a position that is higher than the carriageway façade of that part of the building upon which the sign is placed or affixed.

(j) Any sign suspended under a veranda shall have a minimum clearance of 2.5 metres from any footpath.

(k) The maximum area of an individual sign shall not exceed $3m^2$.

(l) Plastic and/or internally illuminated & neon signage shall not be permitted. The use of fabricated and off set metal lettering is encouraged.

(m) Any signage on perimeter allotments facing out of the Highlands Innovation and Technology Park is to be kept to a maximum height of 2.5m and is to be

coloured in muted tones to blend with the background. It is intended that texture and shadowing for signage be used instead of strong colours.

Landscaping

(n) All lots over 200m^2 in total area shall include 15% landscaping of the total area, consisting of 80% native plants selected the Plant List that is attached at Appendix 2 and clearly set out and described in a Landscape Plan detailing quantities and size of all species, to be submitted to and approved by the Design Review Board. All landscaping is to include a permanent in ground watering system complete with automatic timer.

(o) All landscape plantings shall be established within 3 months of the building being erected.

(p) Landscaping strips and planting protection areas adjacent to a car park shall be provided with wheel stop barriers. Such wheel stop barriers shall be located at least 1m from any tree.

(q) All areas of landscaping shall be maintained by the landowner and any dead, damaged or diseased plants shall be replaced within 3 months of identification as such.

Outdoor services, storage areas & fencing

(r) All outdoor service and storage areas shall be screened from all carriageways.

(s) No picket fence type enclosures shall be erected on the carriageway boundary of any allotments.

(t) No fencing shall be erected on any part of a lot, other than to screen outdoor services/storage areas or for security. Materials and finishes are to be identified on plans to be submitted to the Design Review Board.

Parking & Manoeuvring

(u) All activities shall comply with Rule 12.7.2 Parking and Rule 12.7.3 Loading and Manoeuvring and Table 12.3 – Vehicle Parking Requirements of the Operative Central Otago District Plan.

Design Review Board

(v) All developments on Lots 201-251 within the Highlands Innovation and Technology Park of the Highlands Motorsport Park will require Design Review Board approval. No construction may commence until such approval is given in writing.

Note: For the avoidance of doubt the Design Review Board is the Design Review Board that has been appointed pursuant to Condition 27 of RC 130153.

33. (a) Any application for building consent received by the Council for new buildings on Lots 201-251 shall be accompanied by an acoustic design certificate prepared by an acoustics engineer acceptable to the Chief Executive, that certifies that the design of the building is sufficient to ensure sound levels arising from activities beyond the premises will not exceed the maximum recommended design and sound levels (LAeq dB) for habitable rooms in houses and apartments located near major roads set out within Table 1 (page 11) of NZS 2107:2000 “Acoustics – Recommended Design Sound levels and Reverberation Times For Building Interiors”, when measured in accordance with section 6 of that Standard excluding between the hours of 8am to 6pm on any day.
OR

(b) Any application for building consent for any new buildings located on Lots 201-251 shall include written confirmation from an Licensed Building Practitioner that the design of habitable spaces within any building or part of a building used for residential purposes has been checked and is confirmed to be constructed to meet or exceed the minimum specifications for each Building Element (as applicable) listed within the following table:

BUILDING ELEMENT	REQUIRED CONSTRUCTION
External Wall	Exterior: 20mm timber or 6mm fibre cement Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar two lays of 12.5mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass)
Windows	Up to 40% of wall area: Minimum thickness 6mm glazing** Up to 60% of wall area: Minimum thickness 8mm glazing** Up to 80% of wall area: Minimum thickness 8mm laminated glass or minimum 10mm double glazing** Aluminium framing with compression seals (or equivalent)
Pitched Roof	Cladding: 0.5mm profiled steel or tiles or 6mm corrugated fibre cement Frame: Timber truss with 100mm acoustic blanket (R2.2 Batts or similar) Ceiling: 12.5 gypsum plaster board*
Skilion Roof	Cladding: 0.5mm profiled steel or 6mm fibre cement Sarking: 20mm particle board or plywood Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar) Ceiling: 2 layers of 9.55mm gypsum plasterboard*
External Door	Solid core door (min 24kg/m2) with weather seals

* Where exterior walls are of brick veneer or stucco plaster the internal linings need to be no thicker than 9.5mm gypsum plasterboard

** Typical acoustic glazing usually involves thick single panes or laminated glass. Where two or more layers of glass are employed with an air gap between, total thickness of window glass may be calculated as the total of all glass layers (excluding air gap) provided that at least one glass layer shall be of a different thickness to the other layer(s)

34. Noise levels at the boundary of the site shall not exceed an L(max) of 65 dBA provided that:
    - Corrected noise levels (L10) shall not exceed the following limit at the boundary of any Residential Resource Area or at the notional boundary of any building designed to accommodate people for any purpose located within the Rural Resource Area existing at the time this consent was granted:
      - 7.00 am – 10.00 pm 55 dBA L10
      - 10.00 pm – 7.00 am 40 dBA L10

35. Conditions 30-32(a)-(v), 33 and 34 shall be subject to a consent notice that shall be registered on the records of title for Lots 201-251 pursuant to section 221 of the Resource Management Act 1991.

Chafer Beetle Reserve Mitigation

36. The consent holder shall review annually its Fire Risk Management Procedures and provide these to the Chief Executive for certification no later than 14 July in any year.

37. Within Lot 404 that adjoins the Chafer Beetle Reserve any planting will be limited to low native shrub species and ground cover planting.

38. The existing row of poplars immediately adjoining the boundary of the Chafer Beetle Reserve within Lot 404 shall be maintained so they do not exceed 5m in height.

39. Conditions 36-38 shall be subject to a consent notice that shall be registered on the record of title that contains Lot 404 pursuant to section 221 of the Resource Management Act 1991.

40. Exterior lighting on the rear elevation of buildings on Lots 201-218 shall be:
    - shielded from above in such a manner that the edge of the shield shall be below the whole of the light source.
    - have a filter to filter out the blue or ultraviolet light, provided the light source would have more than 15% of the total emergent energy flux (Watts per nanometre) in the spectral region below 440nm. The filters used must transmit less than 10% of the light at any wavelength less than 440nm. This therefore includes, but is not limited to, fluorescent, mercury vapour and metal halide lamps.

41. Condition 40 shall be subject to a consent notice that shall be registered on the records of title for Lots 201-218 pursuant to section 221 of the Resource Management Act 1991.

General

42. Prior to the issue of certificate in terms of section 224(c) the consent holder shall provide the Chief Executive with RAMM inventory data and asset information with the associated costs (in the form of a schedule) of all infrastructure works to vest in the Council. The following infrastructure shall be vested under the subdivision process:
    - DN250 primary watermain and DN150 secondary watermain within the subdivision and connections to Lots 201-251.

Note: The roading system, landscaped allotments (Lots 403 and 404) and the wastewater reticulation, pump station and pumping main within the subdivision are to be privately owned, maintained and operated.

43. The consent holder shall provide Producer Statements in an approved format from a suitably qualified professional certifying the engineering adequacy and compliance with

Council consent conditions relating to engineering design, construction and construction review (supervision) of subdivision works.

44. The name and qualifications of the person referred to in condition 43 shall be forwarded in writing to the Chief Executive prior to the submission of any design documentation. This person shall be acceptable to the Chief Executive.

45. As built drawings for any new services are to be lodged with the Chief Executive in accordance with Clause 1.5.10 of NZS 4404:2004. The as built drawings are to be draughted on computer and are to be compatible with a CAD system nominated by the Chief Executive. As built drawings shall be lodged with the Council on computer disk and in an A3 hard copy format and shall show the location and individual water meter reference against the relevant toby box location.

Notes: *1. All charges incurred by the Council relating to the administration, inspection and supervision of conditions of subdivision consent shall be paid prior to section 224(c) certification.*

2. Development contributions of $503,116.20, $334,764.60 and $214,814.00 are payable for water, wastewater, and roading, respectively pursuant to the Council's Policy on Development and Financial Contributions contained in the Long Term Council Community Plan. [Noting that the development contributions may require review on the basis of 51 allotments to be used for activity associated with vehicles and residential activity]. Payment of development contributions is due upon application under the Resource Management Act 1991 for certification pursuant to section 224(c). The Council may withhold a certificate under section 224(c) of the Resource Management Act 1991 if the required Development and Financial Contribution has not been paid, pursuant to section 208 of the Local Government Act 2002 and Section 15.5.1 of the Operative District Plan.

LAND USE

1. This land use consent authorises the use of land and buildings on Lots 201-251 for the primary purpose of servicing, maintenance, repair, design, manufacture, fabrication, testing or storage of vehicles, vehicle parts and other associated industries.

2. This land use consent authorises residential accommodation on Lots 201-251 that shall only occur above ground level associated with activities permitted under Condition 1 above.

3. Any development on Lots 201-251 shall comply with the following:

Bulk and Location of Buildings

(a) The height of any building shall not exceed 8m; and no yards are required except that no buildings are to be established within 25 metres of the eastern boundary of the site where that boundary adjoins the Cromwell Chafer Beetle Reserve (Lot 1 DP 18203).

(b) All lots shall have a maximum coverage of 75%, except for Lots 233-238 that are permitted to have a maximum building coverage of 100%.

Cladding

(c) All buildings shall be finished using a combination of some or all of the following materials:
    (i) Timber/Composite Weatherboard (vertical and horizontal);
    (ii) Plaster/Adobe/Rammed Earth/Masonry Products/Concrete;
    (iii) Stone;

(iv) Coloured steel excluding unpainted zincalume and unpainted corrugated iron;
(v) Weathered corrugated iron; and
(vi) Brick.

Colours - Finishes

(d) 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;
Browns, greens, grey blue, greys, terracotta, tussock and dark reds provided that such colours shall have a Reflectivity Value (RV) of less than 38%.

(e) The roofs of all buildings shall be in a low sheen in any colour that has a RV of less than 32% or shall be unpainted natural products such as timber shingles or slate.

Visual Amenity

(f) No shipping containers or temporary buildings (other than during construction) are to be located on-site.

(g) All areas open to the public and visible to the public shall be maintained in a clean and tidy state.

Signage

(h) Signage shall be incorporated into the building design, not free standing unless expressly approved by the Design Review Board.

(i) No sign shall be erected or painted on a building in a position that is higher than the carriageway façade of that part of the building upon which the sign is placed or affixed.

(j) Any sign suspended under a veranda shall have a minimum clearance of 2.5 metres from any footpath.

(k) The maximum area of an individual sign shall not exceed $3m^2$.

(l) Plastic and/or internally illuminated & neon signage shall not be permitted. The use of fabricated and off set metal lettering is encouraged.

(m) Any signage on perimeter allotments facing out of the Highlands Innovation and Technology Park is to be kept to a maximum height of 2.5m and is to be coloured in muted tones to blend with the background. It is intended that texture and shadowing for signage be used instead of strong colours.

Landscaping

(n) All lots over $200m^2$ in total area shall include 15% landscaping of the total area, consisting of 80% native plants selected from the Plant List that is attached at Appendix 2 and clearly set out and described in a Landscape Plan detailing quantities and size of all species, to be submitted to and approved by the Design Review Board. All landscaping is to include a permanent in ground watering system complete with automatic timer.

(o) All landscape plantings shall be established within 3 months of the building being erected.

(p) Landscaping strips and planting protection areas adjacent to a car park shall be provided with wheel stop barriers. Such wheel stop barriers shall be located at least 1m from any tree.

(q) All areas of landscaping shall be maintained by the landowner and any dead, damaged or diseased plants shall be replaced within 3 months of identification as such.

Outdoor services, storage areas & fencing

(r) All outdoor service and storage areas shall be screened from all carriageways.

(s) No picket fence type enclosures shall be erected on the carriageway boundary of any allotments.

(t) No fencing shall be erected on any part of a lot, other than to screen outdoor services/storage areas or for security. Materials and finishes are to be identified on plans to be submitted to the Design Review Board.

Parking & Manoeuvring

(u) All activities shall comply with Rule 12.7.2 Parking and Rule 12.7.3 Loading and Manoeuvring and Table 12.3 – Vehicle Parking Requirements of the Operative Central Otago District Plan.

Design Review Board

(v) All developments within the Highlands Innovation and Technology Park of the Highlands Motorsport Park will require Design Review Board approval. No construction may commence until such approval is given in writing.

4. (a) Any application for building consent received by the Council for new buildings on Lots 201-251 shall be accompanied by an acoustic design certificate prepared by an acoustics engineer acceptable to the Chief Executive, that certifies that the design of the building is sufficient to ensure sound levels arising from activities beyond the premises will not exceed the maximum recommended design and sound levels (LAeq dB) for habitable rooms in houses and apartments located near major roads set out within Table 1 (page 11) of NZS 2107:2000 “Acoustics – Recommended Design Sound levels and Reverberation Times For Building Interiors”, when measured in accordance with section 6 of that Standard excluding between the hours of 8am to 6pm on any day.

OR

(b) Any application for building consent for any new buildings located on Lots 201-251 shall include written confirmation from an Licensed Building Practitioner that the design of habitable spaces within any building or part of a building used for residential purposes has been checked and is confirmed to be constructed to meet or exceed the minimum specifications for each Building Element (as applicable) listed within the following table:

BUILDING ELEMENT	REQUIRED CONSTRUCTION	
External Wall	Exterior:	20mm timber or 6mm fibre cement
	Frame:	100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar two lays of 12.5mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass)

Windows	Up to 40% of wall area:	Minimum thickness 6mm glazing**
	Up to 60% of wall area:	Minimum thickness 8mm glazing**
	Up to 80% of wall area:	Minimum thickness 8mm laminated glass or minimum 10mm double glazing**
	Aluminium framing with compression seals (or equivalent)	
Pitched Roof	Cladding:	0.5mm profiled steel or tiles or 6mm corrugated fibre cement
	Frame:	Timber truss with 100mm acoustic blanket (R2.2 Batts or similar)
	Ceiling:	12.5 gypsum plaster board*
Skilion Roof	Cladding:	0.5mm profiled steel or 6mm fibre cement
	Sarking:	20mm particle board or plywood
	Frame:	100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar)
	Ceiling:	2 layers of 9.55mm gypsum plasterboard*
External Door	Solid core door (min 24kg/m2) with weather seals	

* Where exterior walls are of brick veneer or stucco plaster the internal linings need to be no thicker than 9.5mm gypsum plasterboard

** Typical acoustic glazing usually involves thick single panes or laminated glass. Where two or more layers of glass are employed with an air gap between, total thickness of window glass may be calculated as the total of all glass layers (excluding air gap) provided that at least one glass layer shall be of a different thickness to the other layer(s)

5. Noise levels at the boundary of the site shall not exceed an L(max) of 65 dBA provided that:
   - Corrected noise levels (L10) shall not exceed the following limit at the boundary of any Residential Resource Area or at the notional boundary of any building designed to accommodate people for any purpose located within the Rural Resource Area existing at the time this consent was granted:
     - 7.00 am – 10.00 pm 55 dBA L10
     - 10.00 pm – 7.00 am 40 dBA L10

6. Exterior lighting on the rear elevation of buildings on Lots 201-218 shall be:
   - shielded from above in such a manner that the edge of the shield shall be below the whole of the light source.
   - have a filter to filter out the blue or ultraviolet light, provided the light source would have more than 15% of the total emergent energy flux (Watts per nanometre) in the spectral region below 440nm. The filters used must transmit less than 10% of the light at any wavelength less than 440nm. This therefore includes, but is not limited to, fluorescent, mercury vapour and metal halide lamps.

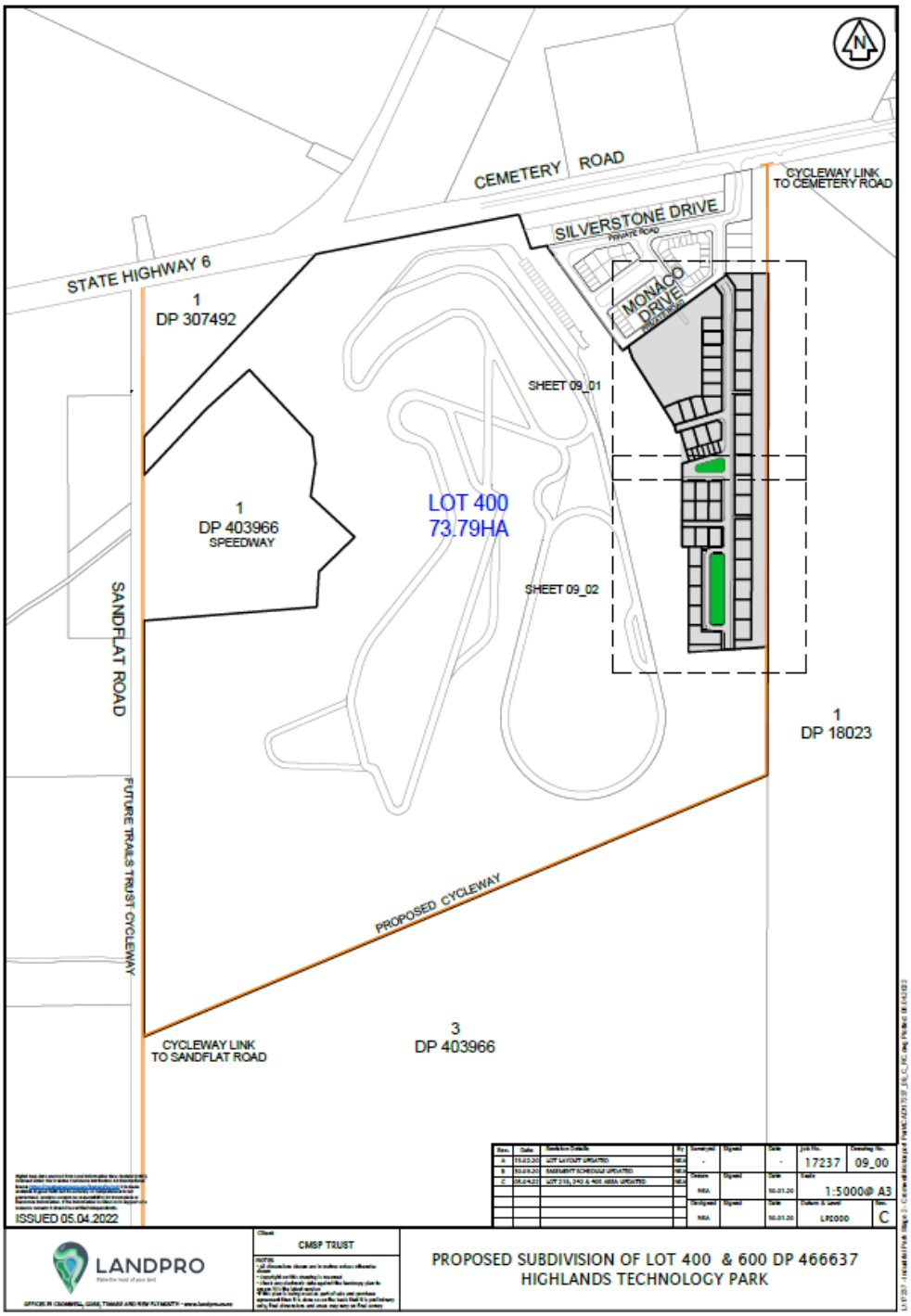
7. Unless it is otherwise specified in the conditions of this consent, compliance with any monitoring requirement imposed by this consent shall be at the consent holder's expense.

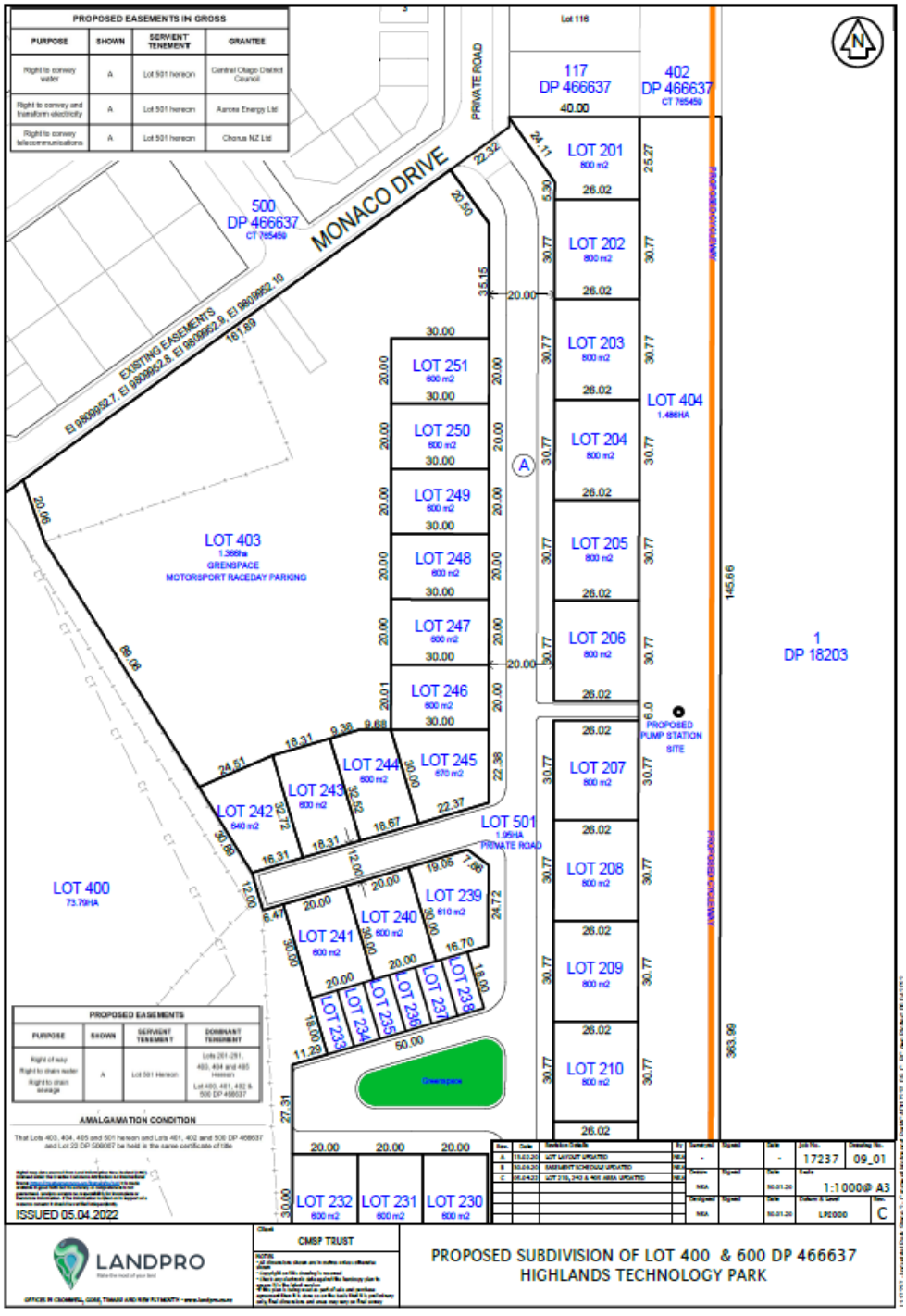
8. The consent holder shall pay to the Council all required administration charges fixed by the Council pursuant to section 36 of the Act in relation to:
   a) Administration, monitoring and inspection relating to this consent; and
   b) Charges authorised by regulations.

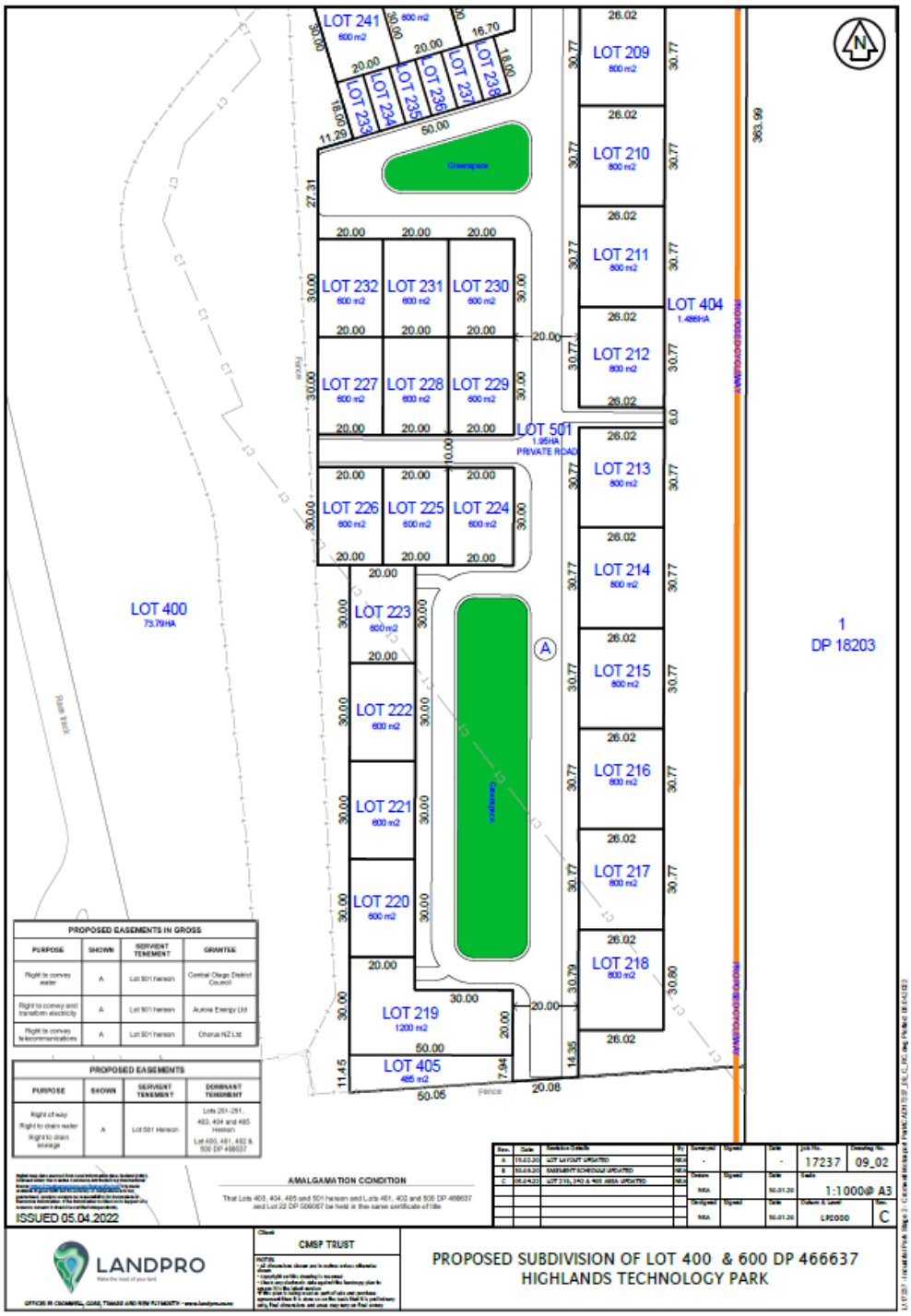
~~Issued at Central Otago on 4 November 2020~~
Reissued at Central Otago on 27 April 2022 pursuant to Section 127(1) of the Resource Management Act 1991
Reissued at Central Otago on 27 April 2022 pursuant to Section 133A of the Resource Management Act 1991

Kirstyn Lindsay
Consultant Planner
Certified to be a correct copy of the decision of the Central Otago District Council.

Appendix 1: Approved Plans for RC200231V1 (Revised plans pursuant to S133A)




PROPOSED EASEMENTS IN GROSS
PURPOSE
SHOWN
SERVIENT TENEMENT
GRANTEE
Right to convey water
A
Lot 501 hereon
Central Otago District Council
Right to convey and transform electricity
A
Lot 501 hereon
Aurora Energy Ltd
Right to convey telecommunications
A
Lot 501 hereon
Chorus NZ Ltd
PRIVATE ROAD
Lot 116
117
DP 466637
402
DP 466637
CT 785459
40.00
MONACO DRIVE
500
DP 466637
CT 785459
EXISTING EASEMENTS
EI 9809952.7, EI 9809952.8, EI 9809952.9, EI 9809952.10
161.89
LOT 201
800 m2
LOT 202
800 m2
LOT 203
800 m2
LOT 204
800 m2
LOT 205
800 m2
LOT 206
800 m2
LOT 207
800 m2
LOT 208
800 m2
LOT 209
800 m2
LOT 210
800 m2
LOT 404
1.486HA
LOT 403
1.388ha
GRENSPACE
MOTORSPORT RACEDAY PARKING
LOT 400
73.79HA
LOT 501
1.95HA
PRIVATE ROAD
PROPOSED PUMP STATION SITE
1
DP 18203
LOT 251
800 m2
LOT 250
800 m2
LOT 249
800 m2
LOT 248
800 m2
LOT 247
800 m2
LOT 246
800 m2
LOT 245
670 m2
LOT 244
800 m2
LOT 243
800 m2
LOT 242
640 m2
LOT 241
800 m2
LOT 240
800 m2
LOT 239
610 m2
LOT 238
LOT 237
LOT 236
LOT 235
LOT 234
LOT 233
LOT 232
800 m2
LOT 231
800 m2
LOT 230
800 m2
PROPOSED EASEMENTS
PURPOSE
SHOWN
SERVIENT TENEMENT
DOMINANT TENEMENT
Right of way
Right to drain water
Right to drain sewage
A
Lot 501 Hereon
Lots 201-251, 403, 404 and 485 Hereon
Lot 400, 461, 462 & 500 DP 466637
AMALGAMATION CONDITION
That Lots 403, 404, 485 and 501 hereon and Lots 461, 462 and 500 DP 466637 and Lot 22 DP 506007 be held in the same certificate of title
ISSUED 05.04.2022
LANDPRO
CMSP TRUST
PROPOSED SUBDIVISION OF LOT 400 & 600 DP 466637
HIGHLANDS TECHNOLOGY PARK
17237
09_01
1:1000@ A3
LP2000
C


LOT 241
LOT 233
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LOT 215
LOT 216
LOT 217
LOT 218
LOT 404
1.488HA
LOT 232
LOT 231
LOT 230
LOT 227
LOT 228
LOT 229
LOT 501
1.05HA
PRIVATE ROAD
LOT 226
LOT 225
LOT 224
LOT 223
LOT 222
LOT 221
LOT 220
LOT 219
1200 m2
LOT 405
485 m2
LOT 400
73.76HA
1
DP 18203
Greenspace
Fence
Rural Track
PROPOSED EASEMENTS IN GROSS
PURPOSE
SHOWN
SERVIENT TENEMENT
GRANTEE
Central Otago District Council
Aurora Energy Ltd
Chorus NZ Ltd
PROPOSED EASEMENTS
DOMINANT TENEMENT
AMALGAMATION CONDITION
That Lots 403, 404, 485 and 501 hereon and Lots 481, 402 and 506 DP 466637 and Lot 22 DP 508087 be held in the same certificate of title
ISSUED 05.04.2022
LANDPRO
CMSP TRUST
PROPOSED SUBDIVISION OF LOT 400 & 600 DP 466637
HIGHLANDS TECHNOLOGY PARK
17237
09_02
1:1000@ A3
LP2000
C

Appendix 2

Plant List – Highlands Motorsport Park

The following list of native species shall be used in association with landscaping in the Industrial Subdivision at the Highlands Motorsport Park. Of the total area of landscaping, 80% shall comprise natives from the list below.

Acaena inermis purpurea
Anamanthele lessonia
Astelia nervosa
Carex secta
Carex testacea
Carex virgata
Coprosma crassifolia
Coprosma repens
Corokia cotoneaster
Corokia buddleioides
Corokia 'Red Wonder'
Cordyline australis
Dianella nigra 'Margaret Pringle'
Griselinia littoralis
Hebe speciosa
Hebe albicans
Hebe diomifolia
Hebe 'Dazzler'
Hebe buchananii
Hebe cockayniana
Hebe 'Goldrush'
Hebe 'First Light'
Libertia peregrinans
Muehlenbeckia astonii
Phormium cookianum 'Purpurea'
Phormium cookianum 'Evening Glow'
Phormium cookianum 'Little Cracker'
Poa cita
Poa colensoi
Pittosporum tenufolium
Pittosporum eugeniodes
Sophora microphylla

d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 222 HIGHLAND MOTORSPORT PARK

d e s i g n

a r c h i t e c t u r e

s t u d i o

NORTH

4 Highlands Avenue, Cromwell
LOT 222 DP 556783

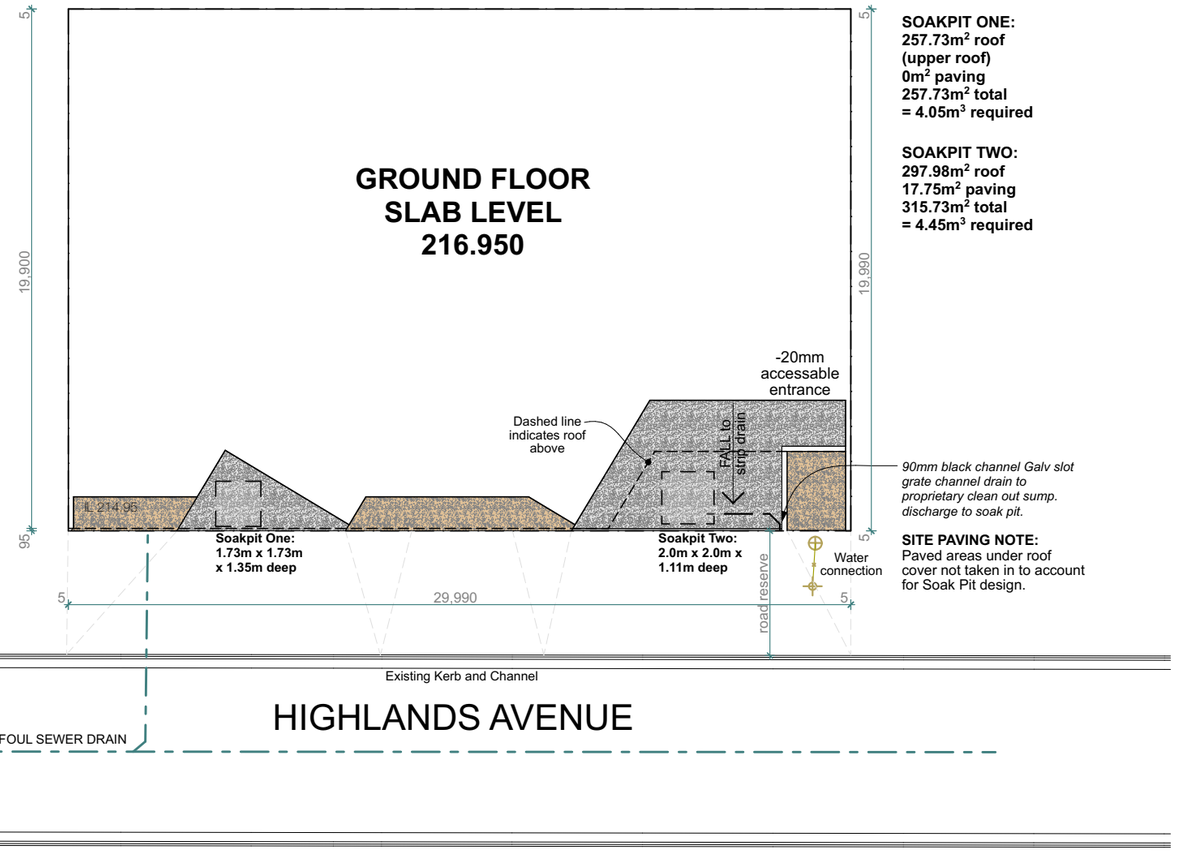
Climate Zone: 6
Earthquake Zone: Zone 2
Exposure Zone: Zone B
Lee Zone: No
Rainfall Range: 30 - 40
Wind Region: A
Wind Zone: High
Snow Zone: N5

Site Area: 600m^2
Coverage: 528m^2 (88%)
Landscaping: 22.69m^2 (3.78%)

Total Ground floor = 528m^2
Total First floor = 201m^2
Total Deck area = 58m^2

SOAK PIT CONSTRUCTION:
E1 pit to be constructed with Rocks 100mm - 150mm and surrounded with filter cloth.

Total catchment area = 50m^2
Total excavation is a min. requirement of 1.0m^3



SOAKPIT ONE:
257.73m^2 roof
(upper roof)
0m^2 paving
257.73m^2 total
= 4.05m^3 required

SOAKPIT TWO:
297.98m^2 roof
17.75m^2 paving
315.73m^2 total
= 4.45m^3 required

SITE PAVING NOTE:
Paved areas under roof cover not taken in to account for Soak Pit design.

SITE PLAN
1:200 @ A3 & 1:400 @ A4

ALL MATERIALS AND WORKMANSHIP TO COMPLY WITH THE NEW ZEALAND BUILDING CODE & NZS 3604

Refer to plumbing and drainage sheets for full Drainage notes.

- **110mm⌀ PVC FOUL SEWER PIPE (1:60 min fall)**
- **100mm⌀ PVC STORM WATER PIPE (1:120 min fall)**
- **20mm⌀ MDPE Water mains**
- **Electrical**
- **Data**

LOT 222 HIGHLANDS MOTORSPORT PARK
SITE PLAN

SITEWORKS NOTES

The contractor is responsible for clearing the site of all rubbish, grub up bushes, shrubs, etc & clearing away.
The contractor shall arrange w/ the electricity, gas & water supply authorities for each existing service to be properly disconnected of their mains, removal of their fixtures and fitting, cut back, sealed off, removed, altered or diverted as necessary for the work & in accordance w/ the regulations of each authority involved charges in connection therewith will be paid by the employer

All demolition work to be carried out in accordance w/ the NZBC, OSH guidelines, & local authority requirements. The contractor shall put in place suitable methods to prevent excavated material been dropped on surrounding & adjacent roads.

The contractor shall implement sediment control measures control measures during all earthworks to ensure all stormwater run-off from the site is managed & collected, in accordance w/ local territorial authority & regional council requirements.

Safe & clean pedestrian access shall be maintained & provided to site at all times

Allow to install & maintain temporary protection over all extg road, kerb, services etc to be driven over during construction. Supply & install site sign (ref detail).

Verify all dimensions on site before construction commences. Figured dimensions shall take precedence. Do not scale!.
Plans are to be read in conjunction w/ the architects plans for setout.

Report any errors & omissions before construction commences

Reinstatement, all existing surfaces affected by the works shall be reinstated to their original standard including all nescessary temporary fencing & maintenance.

Vehicle crossing - Proposed Concrete driveway
Path to House - Concrete Exposed aggregate

SERVICES NOTES

All P&D shown/ altered, is private & not public.
The contractor is to locate all underground utilities & services before commencing construction & verify all dimensions on site.
Figured dimensions shall take precedence. Do not scale! Plans are to be read in conjunction w/ the architects plans for setout. Report any errors & omissions before construction commences.
Plumbing & drainage information shown, is diagramatic. Registered plumber & drainlayer to check & verify on site before commencing work.
The contractor shall take all necessary precautions during excavation to avoid any disruption of existing services. All extg services shall be re-instated to their original condition & to the satisfaction of the Architect or Engineer.
All plumbing & drainage to be carried out in accordance w/ AS3500.2 part 2 & NZBC.
The contractor is to allow & install for all vents (ie: AAV) where required.
All works to comply & be completed in accordance w/ local territorial authority engineering standards & any relevant New Zealand Standards.
All work shall comply w/ G13 of New Zealand Building Code. The contractor to locate all underground utilities & services before commencing construction.
The contractor shall locate all extg services at the proposed connection points prior to commencing work.

Refer to cross sections, details and specifications for under slab insulation type and ratings.

Refer to drainage plan for all plumbing and drainage elements.

All work to be carried out in accordance with the nzbc, nzs3604, other relevant nz standards, local authority bylaws and manufacturer's details and instructions.

All workmanship and materials shall be of the highest quality, curent trade practice and of the best description.

Drawings are to be read in conjunction with the architectural specification and other consultants documentation where appropriate. Refer to structural engineers drawings for further construction details and notes.

All timbers shall be separated from contact with concrete and masonry by either a free-draining air space of not less than 12mm or, dpc overlapping the timber by at least 6mm

Sheet: RC.2
Rev: 1

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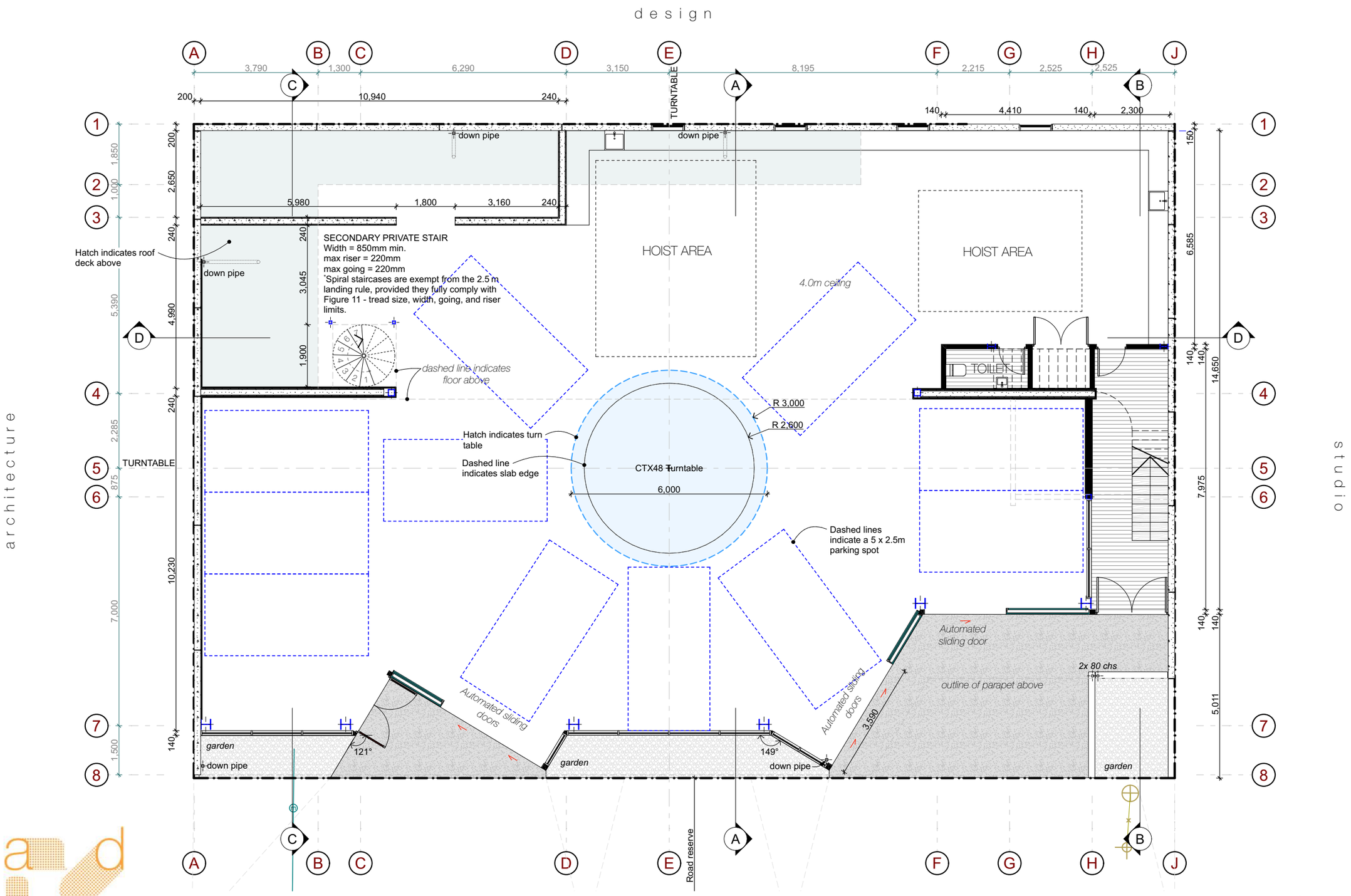

LOT 222 HIGHLANDS MOTORSPORT PARK
GROUND FLOOR PLAN

1:100 @ A3 & 1:200 @ A4 | Sheet: RC.3 | Rev: 1

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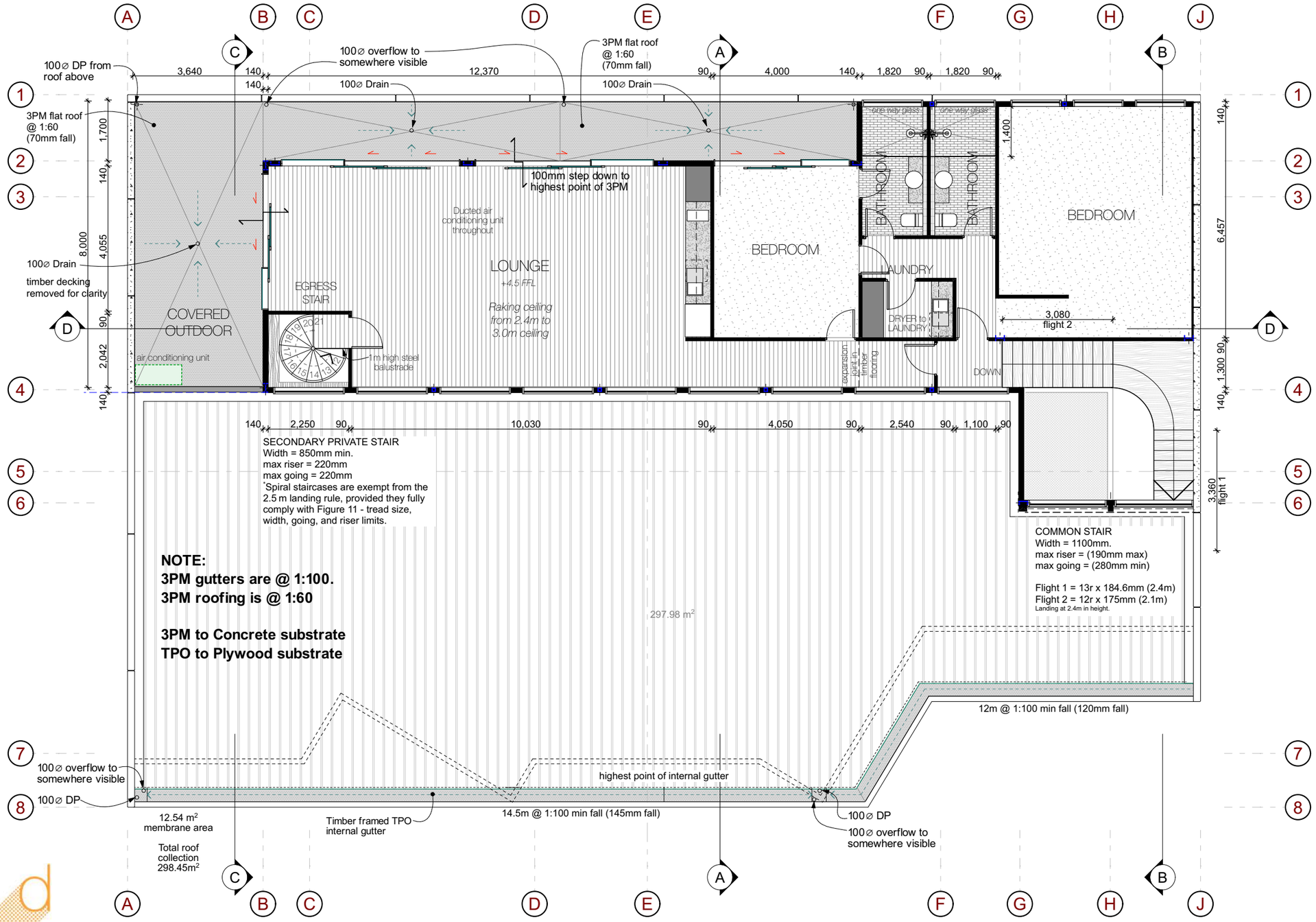

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LOT 222 HIGHLANDS MOTORSPORT PARK
FIRST FLOOR PLAN

1:100 @ A3 & 1:200 @ A4

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Rev: 1

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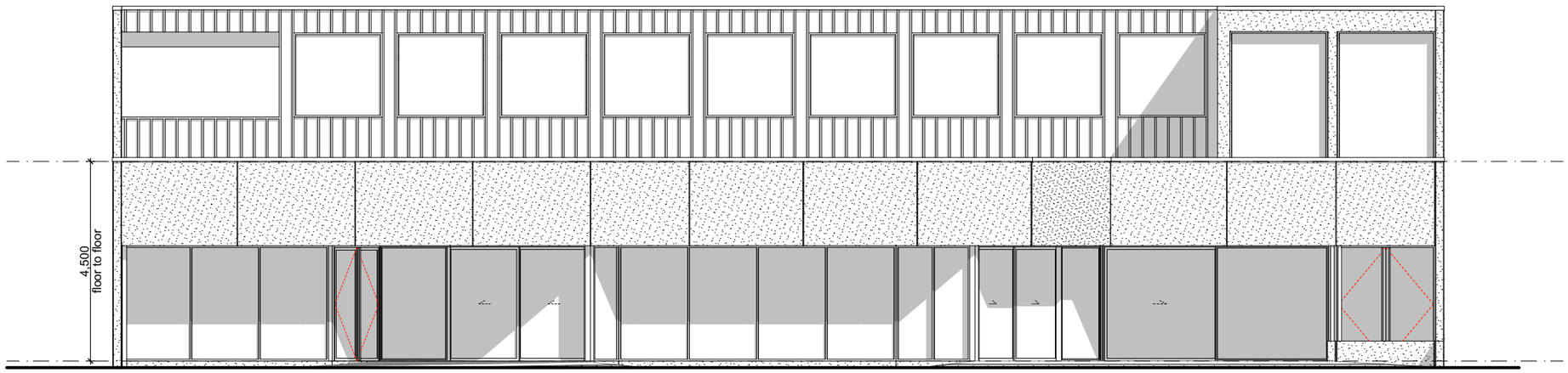
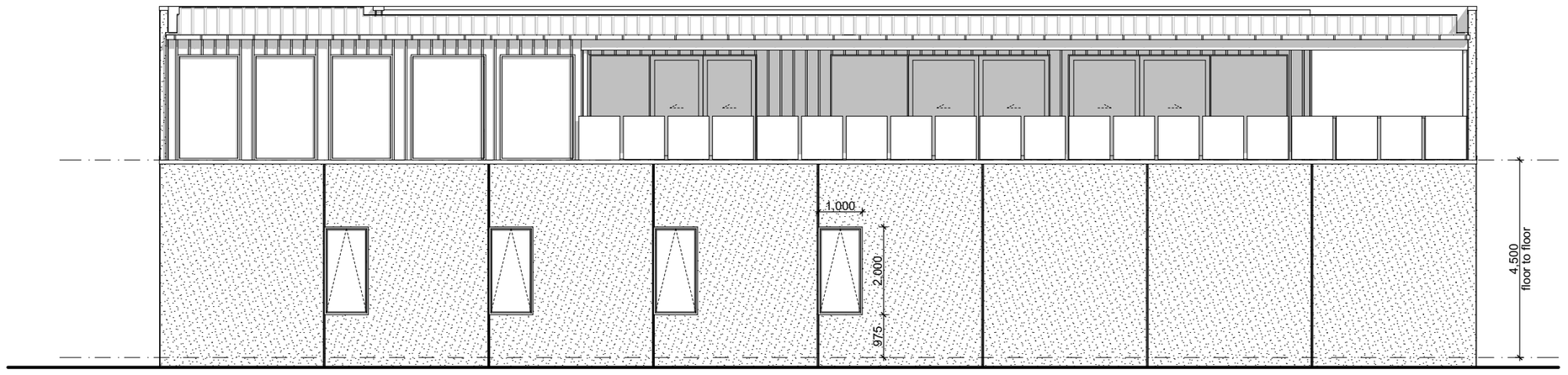


EAST ELEVATION



WEST ELEVATION

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LOT 222 HIGHLANDS MOTORSPORT PARK
ELEVATIONS

1:100 @ A3 & 1:200 @ A4

Sheet: RC.5
Rev: 1

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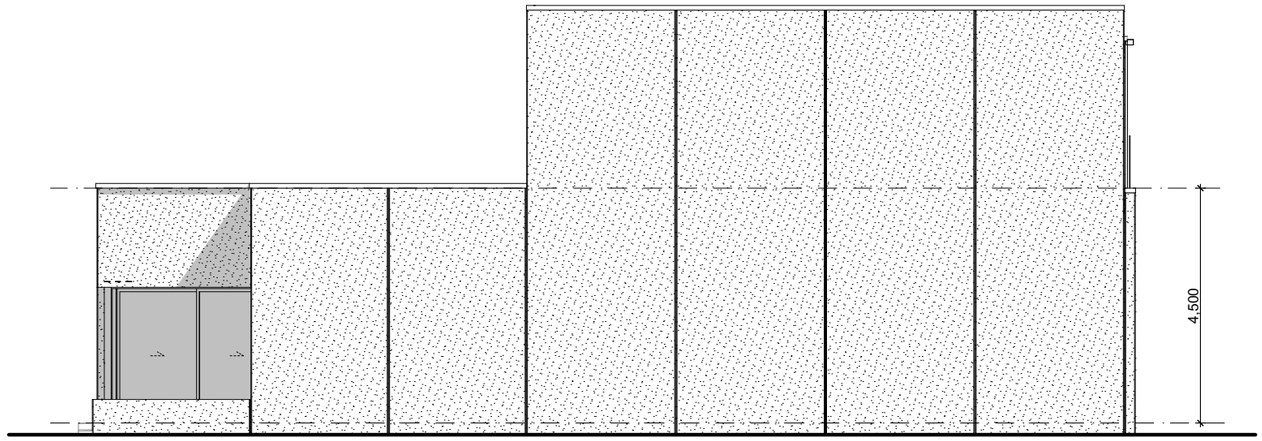
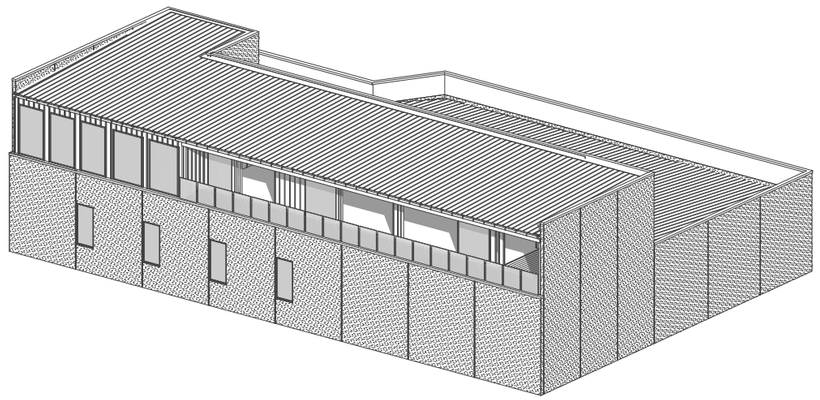
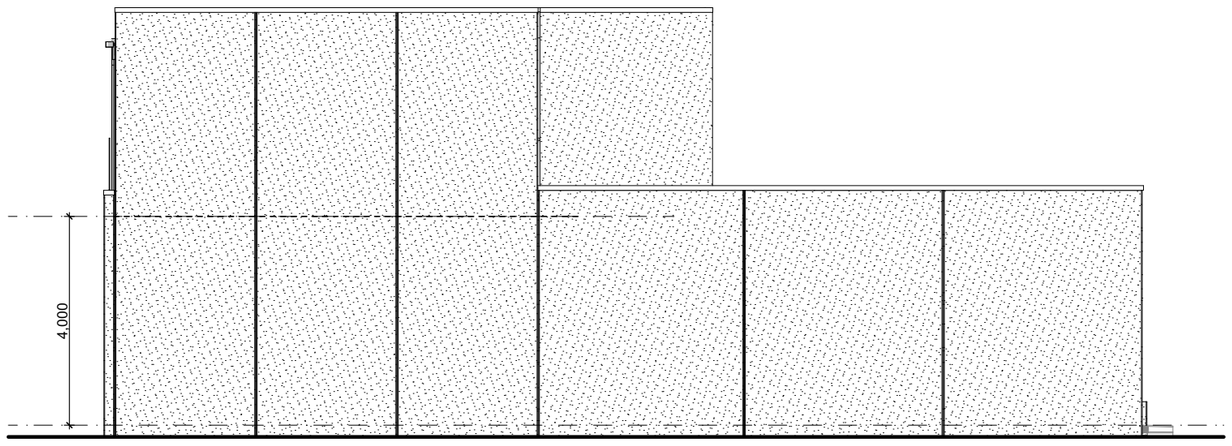
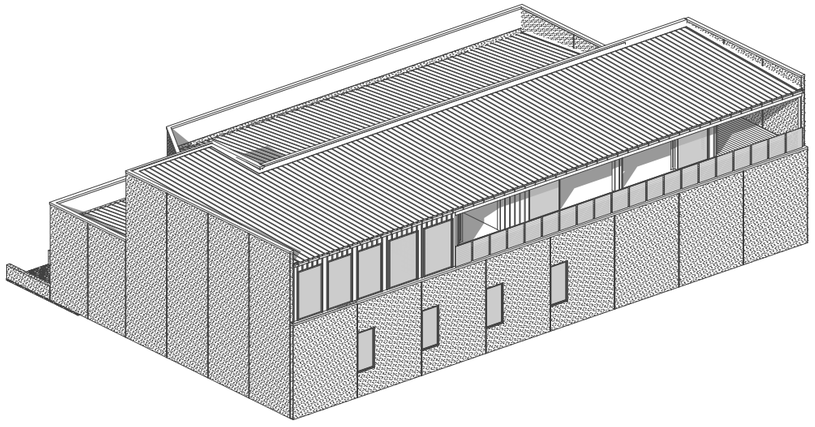


NORTH ELEVATION





SOUTH ELEVATION



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LOT 222 HIGHLANDS MOTORSPORT PARK
ELEVATIONS

1:100 @ A3 & 1:200 @ A4

Sheet: RC.6
Rev: 1

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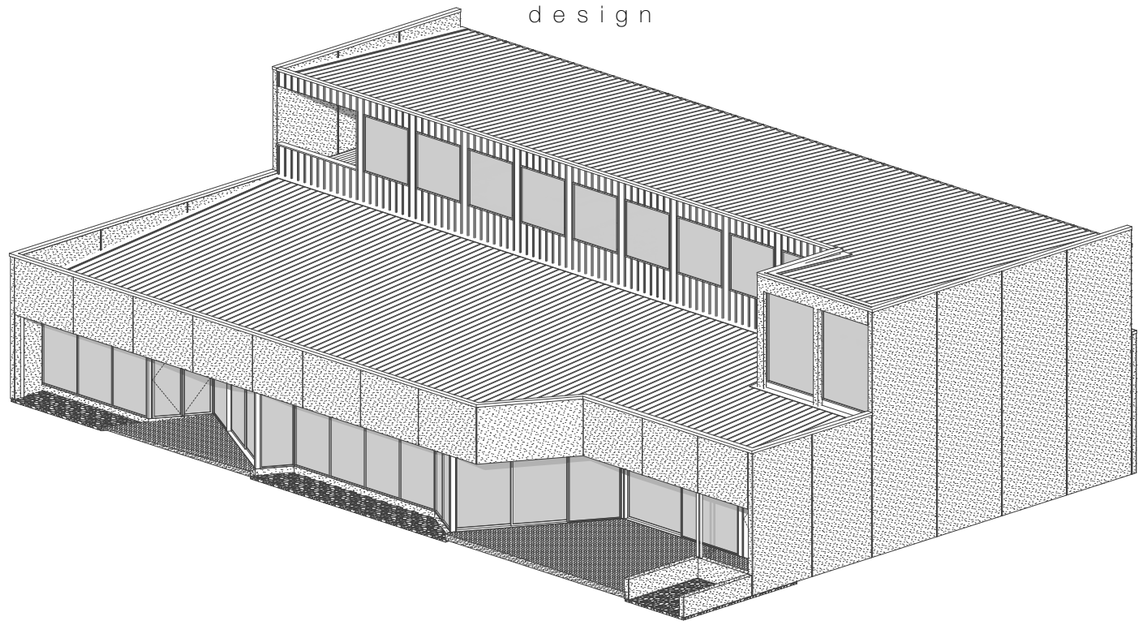

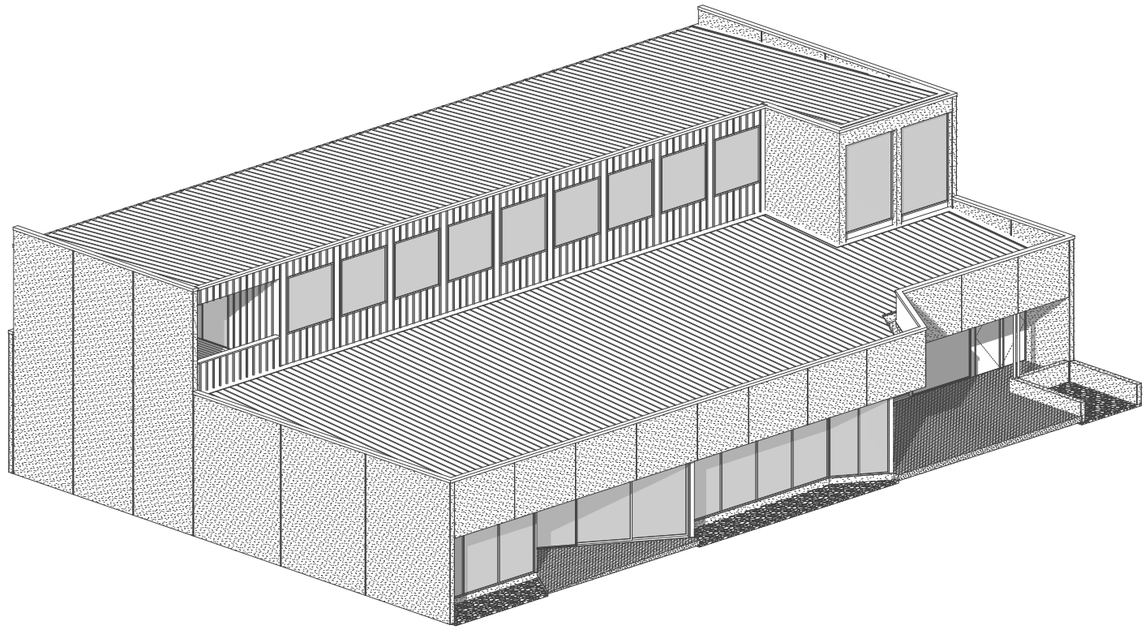

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LOT 222 HIGHLANDS MOTORSPORT PARK
ISOMETRICS

Sheet: RC.7
Rev: 1

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LOT 222 HIGHLANDS MOTORSPORT PARK
PERSPECTIVE

Sheet RC.8
Rev: 1

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LOT 222 HIGHLANDS MOTORSPORT PARK
PERSPECTIVE

Sheet
RC.9
Rev: 1

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LOT 222 HIGHLANDS MOTORSPORT PARK
PERSPECTIVE

Sheet
RC.10
Rev: 1

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LOT 222 HIGHLANDS MOTORSPORT PARK
PERSPECTIVE

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Rev: 1

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LOT 222 HIGHLANDS MOTORSPORT PARK
PERSPECTIVE

Sheet:
RC.12
Rev: 1

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IN THE MATTER of Section 221 of the Resource Management Act 1991

AND

IN THE MATTER of an Application for Subdivision Consent by CROMWELL MOTORSPORT PARK TRUST LTD

CONSENT NOTICE

BACKGROUND

A. CROMWELL MOTORSPORT PARK TRUST LTD of Cromwell have applied to the Central Otago District Council pursuant to provisions of the Resource Management Act 1991 for its consent to subdivide land comprised and described in Record of Title 663001 & 663003 (Otago Registry) ("the land").

B. Council has granted subdivision consent (RC200231) subject to certain conditions which are required to be complied with on a continuing basis by the Owner of the land being those conditions specified in the Operative Part.

C. CROMWELL MOTORSPORT PARK TRUST LTD have since applied to vary certain conditions of RC200231. Council has granted subdivision consent variation (RC200231V1) subject to certain conditions which are required to be complied with on a continuing basis by the Owner of the land being those conditions specified in the Operative Part.

OPERATIVE PART

The following conditions pertaining to this Consent Notice are to be registered against the titles of the following allotments: -

Lot 201– 251 DP 556783

CONDITION:

9. The consent holder or successor shall be responsible for constructing heavy vehicle entranceways between the carriageway in Lot 501 and the boundaries of Lots 201- 251 in accordance with Part 29 of the Councils Roading Policies January 2015.

12. Stormwater from buildings and impermeable surfaces on Lots 201 -251 shall be discharged to soakpits(s) contained entirely within those lots.

Use and Development of Lots 201-251

30. Use of land and buildings on Lots 201 – 251 shall be for the primary purpose of servicing, maintenance, repair, design, manufacture, fabrication, testing or storage of vehicles, vehicle parts and other associated industries.

31. Residential accommodation on Lots 201 – 251 shall only occur above ground level associated with activities permitted under Condition 30 above.

32. Any development on Lots 201 – 251 shall comply with the following:

Bulk and Location of Buildings

(a) The height of any building shall not exceed 8m; and no yards are required except that no buildings are to be established within 25 meters of the eastern boundary of the site where that boundary adjoins the Cromwell Chafer Beetle Reserve (Lot 1 DP 18203).

(b) All lots shall have a maximum coverage of 75%, except for Lots 233-238 that are permitted to have a maximum building coverage of 100%.

Cladding

(c) All buildings shall be finished using a combination of some or all of the following materials:
  (i) Timber/Composite Weatherboard (vertical and horizontal);
  (ii) Plaster/Adobe/Rammed Earth/Masonry Products/Concrete;
  (iii) Stone;
  (iv) Coloured steel excluding unpainted zincalume and unpainted corrugated iron;
  (v) Weathered corrugated iron; and
  (vi) Brick.

Colours - Finishes

(d) 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;
Browns, greens, grey blue, greys, terracotta, tussock and dark reds provided that such colours shall have a Reflectivity Value (RV) of less than 38%.

(e) The roofs of buildings shall be in a low sheen in any colour that has a RV of less than 32% or shall be unpainted natural products such as timber shingles or slate.

Visual Amenity

(f) No shipping containers or temporary buildings (other than during construction) are to be located on-site.

(g) All areas open to the public and visible to the public shall be maintained in clean and tidy state.

Signage

(h) Signage shall be incorporated into the building design, not be free standing unless expressly approved by the Design Review Board.

(i) No sign shall be erected or painted on a building in a position that is higher than the carriageway facade of that part of the building upon which the sign is placed or affixed.

(j) Any sign suspended under a verandah shall have a minimum clearance of 2.5 meters from the footpath.

(k) The maximum area of an individual sign shall not exceed $3m^2$.

(l) Plastic and/or internally illuminated & neon signage shall not be permitted. The use of fabricated and off set metal lettering is encouraged.

(m) Any signage on perimeter allotments facing out of the Commercial Park of Highlands Motorsport Park is to be kept to a maximum height of 2.5m and is to be coloured in muted tones to blend with the background. It is intended that texture and shadowing for signage be used instead of strong colours.

Landscaping

(n) All lots over 200m2 in total area shall include 15% landscaping of the total area, consisting of 80% native plants selected from the plant list that is attached at Appendix 2 and clearly set out and described in a Landscape Plan detailing quantities and size of all species to be submitted to and approved by the Design Review Board. All landscaping is to include a permanent in ground watering system complete with automatic timer.

(o) All landscape plantings shall be established within 3 months of the building being erected.

(p) Landscaping strips and planting protection areas adjacent to a car park shall be provided with wheel stop barriers. Such wheel stop barriers shall be located at least 1m from any tree.

(q) All areas of landscaping shall be maintained by the landowner and any dead, damaged or diseased plants shall be replaced within 3 months of identification as such.

Outdoor Services, Storage Areas & Fencing

(r) All outdoor service and storage areas shall be screened from all carriageways.

(s) No picket fence type enclosures shall be erected on the carriageway boundary of any allotments.

(t) No fencing shall be erected on any part of a lot, other than to screen outdoor service/storage areas or for security. Materials and finishes are to be identified on plans to be submitted to the Design Review Board.

Parking & Manoeuvring

(u) All activities shall comply with rule 12.7.2 Parking and Rule 12.7.3 Loading and Monoeuvring and Table 12.3 – Vehicle Parking Requirements of the Operative Central Otago District Plan.

Design Review Board

(v) All developments on Lots 201 – 251 within the Highlands Innovation and Technology Part at Highlands Motorsport Park will require Design Review Board approval. No construction may commence until such approval is given in writing.

Note: For the avoidance of doubt the Design Review Board is the Design Review Board that has been appointed pursuant to Condition 27 of RC 130153.

33. (a) Any application for building consent received by the Council for new buildings on Lots 201-205 shall be accompanied by an acoustic design certificate prepared by an acoustics engineer acceptable to the Chief Executive, that certifies that the design of the building is sufficient to ensure sound levels arising from activities beyond the premises will not exceed the maximum recommended design and sound levels (LAeq dB) for habitable rooms in houses and apartments located near major roads set out within Table 1 (page 11) of NZS 2107:2000 "Acoustics – Recommended Design Sound levels and Reverberation Times For Building Interiors", when measured in accordance with section 6 of that standard excluding between the hours of 8am to 6pm on any day.
OR

(b) Any application for building consent for any new buildings located on Lots201-251 shall include written confirmation from an Licensed Building Practitioner that the design of habitable spaces within any building of part of a building used for residential purposes has been checked and is confirmed to be constructed to meet or exceed the minimum specifications for each Building Element (as applicable) listed within the following table:

BUILDING ELEMENT	REQUIRED CONSTRUCTION
External Wall	Exterior: 20mm timber or 6mm fibre cement Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar two layers of 12.5mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass)
Windows	Up to 40% of wall area: Maximum thickness 6mm glazing** Up to 60% of wall area: Maximum thickness 8mm glazing** Up to 80% of wall area: Minimum thickness 8mm laminated glass or minimum 10mm double glazing** Aluminum framing with compression seals (or equivalent)
Pitched Roof	Cladding: 0.5mm profiled steel or tiles or 6mm corrugated fiber cement Frame: Timber truss with 100mm acoustic blanket (R2.2 Batts or similar) Ceiling: 12.5 gypsum plaster board*
Skilion Roof	Cladding: 0.5mm profiled steel or 6mm fiber cement Sarking: 20mm particle board or plywood Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar) Ceiling: 2 layers of 9.55mm gypsum plasterboard

External Door	Solid core door (min 24kg/m2) with weather seals

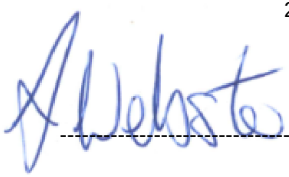
* Where exterior walls are of brick veneer or stucco plaster in the internal linings need to be no thicker than 9.5mm gypsum plasterboard
** Typical acoustic glazing usually involves thick single panes or laminated glass. Where two or more layers of glass are employed with an air gap between, total thickness of window glass may be calculated as the total of all glass layers (excluding air gap) provided that at least one glass layer shall be of a different thickness to other layer(s)

34. Noise levels at the boundary of the site shall not exceed an L(max) of 65 dBA provided that:
    - Corrected noise levels (L10) shall not exceed the following limit at the boundary of any Residential Resource Area or at the notional boundary of any building designed to accommodate people for any purpose located within the Rural Resource Area existing at the time this consent was granted:
        - 7.00am – 10.00pm 55 dBA L10
        - 10.00pm – 7.00am 40 dBA L10

40. Exterior lighting on the rear elevation of buildings on Lots 201-218 shall be:
    - Shielded from above in such a manner that the edge of the shield shall be below the whole of the light source
    - Have a filter to filter out the blue or ultraviolet light, provided the light source would have more than 15% of the total emergent energy flux (Watts per nanometer) in the spectral region below 440nm. The filters used must transmit less than 10% of the light at any wavelength less than 440nm. This therefore includes, but is not limited to, fluorescent, mercury vapor and metal halide lamps.

Dated this 7 day of October 2022

SIGNED for and on behalf
Of the CENTRAL OTAGO
DISTRICT COUNCIL by its
Principal Administrative Officer



2842127822
RC250289

CENTRAL OTAGO DISTRICT COUNCIL

1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

03 440 0056

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

31 October 2025

Peek Street Apogee Trustee Limited
123 Celtic Street
Ellerslie
Auckland 1051

Via email at matthew.miles@landpro.co.nz

Dear Peek Street Apogee Trustee Limited

FURTHER INFORMATION REQUIRED FOR RC 250289
LOCATION: 4 HIGHLANDS AVENUE, CROMWELL
PROPOSAL: APPLICATION PURSUANT TO SECTION 221(3) OF THE RMA FOR VARIATION TO CONSENT NOTICE CONDITIONS

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

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

1. Affected Party Approval: please clarify the following:
    a) Two APA forms have been provided; however, they are duplicates with both being from the 'Cromwell Motorsport Park Trust Limited'. Please confirm if any further written approvals have been obtained.
    b) Please provide written approval from 'Highlands Industrial Park Services Limited' who is the registered owner of Lot 501 DP 556783 of the Highlands Innovation and Technology Park.
    c) The Form 8A completed by Josie Spillane by requires the following further information to be accepted as valid:
        - Evidence that 'Josie Spillane' is authorised to sign on behalf of the Cromwell Motor Sport Park Limited.
        - Refer to the reasons for the applications within the description to which approval is given, and the specific breaches or non-compliances.
        - Include the initialled drawings.
2. Record of Title: the subject site (Lot 222 DP 556783) has two consent notices listed. Please provide a copy of CONO 5323967.2.
3. Design Review Board (DRB) Approval:
    a) The approval letter refers to a setback breach, please clarify what this relates to.
    b) Please provide the DRB stamped plans and confirm all other requirements of the consent notice are complied with. Alternatively, include these details on the plans.
4. Plans: Please confirm and indicate on the plans the maximum building height.

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 31/10/2025.

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 Section 357 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 of 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 me if you have any queries.

Yours faithfully

KIM BANKS
Planning Consultant

Better environments Better returns

LANDPRO.

18/11/2025

Hi, please find RFI responses for 4 Highlands Avenue below in black text.

1. Affected Party Approval: please clarify the following:

a) Two APA forms have been provided; however, they are duplicates with both being from the 'Cromwell Motorsport Park Trust Limited'. Please confirm if any further written approvals have been obtained.

b) Please provide written approval from 'Highlands Industrial Park Services Limited' who is the registered owner of Lot 501 DP 556783 of the Highlands Innovation and Technology Park.

c) The Form 8A completed by Josie Spillane by requires the following further information to be accepted as valid:

- *Evidence that 'Josie Spillane' is authorised to sign on behalf of the Cromwell Motor Sport Park Limited.*
- *Refer to the reasons for the applications within the description to which approval is given, and the specific breaches or non-compliances.*
- *Include the initialled drawings*

A) No further Approved Party Forms required. The letter dated 24/June is the Highlands Design Review Board. This is a step required in order to obtain written approval with the Motorsport Park who own and operate. As visible, the letter is signed by a planner, and the step essentially reviews proposals in relation to the site's purpose and any underlying conditions it needs to meet.

B) The applicant doesn't seek the written approval of the HIPS Limited. HIPS Limited and CMPT Limited have common directors, Anthony Quinn, and Kristin & Kynan Yu. There is an email from Anthony in regard to Josie on second page of appendix.

C) Josie Spillane is authorised to sign. See her role and contact as media contact too via the Highlands website: Contact Highlands Experience the Exceptional | Highlands, and email from Page 2 of Appendix attached also confirms.

2. Record of Title: the subject site (Lot 222 DP 556783) has two consent notices listed. Please provide a copy of CONO 5323967.2.

Attached – see page 1 of appendix.

3. Design Review Board (DRB) Approval:

a) The approval letter refers to a setback breach, please clarify what this relates to.

b) Please provide the DRB stamped plans and confirm all other requirements of the consent notice are complied with. Alternatively, include these details on the plans.

info@landpro.co.nz
Freephone 0800 023 318

A –Please disregard the comment in the design board letter regarding a setback breach, as there is no minimum setback required for this proposal.

B - Provided. See from Page 5 of the Appendix.

The applicant complies with 32(a) as confirmed in the attached drawings, the height is 8m. The site is not adjacent to the chaffer beetle reserve. Condition 32(a) is complied with.

The applicant breaches the maximum site coverage and seeks variation to condition 32(b) as previously set out in AEE.

> 32. Any development on Lots 201 – 251 shall comply with the following:
>
> Bulk and Location of Buildings
> (a) The height of any building shall not exceed 8m; and no yards are required except that no buildings are to be established within 25 meters of the eastern boundary of the site where that boundary adjoins the Cromwell Chafer Beetle Reserve (Lot 1 DP 18203).
>
> (b) All lots shall have a maximum coverage of 75%, except for Lots 233-238 that are permitted to have a maximum building coverage of 100%.

The applicant also breaches the minimum landscaping requirement and seeks changes to condition 32(n) as set out in AEE. It is understood that all other consent notice conditions are complied with.

4. Plans: Please confirm and indicate on the plans the maximum building height.
Max height is now on the drawing pack – see attachment (from page 22 of appendix)

Kind Regards,

Matt Miles
Landpro

d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 222 HIGHLAND MOTORSPORT PARK

d e s i g n

NORTH

4 Highlands Avenue, Cromwell
LOT 222 DP 556783

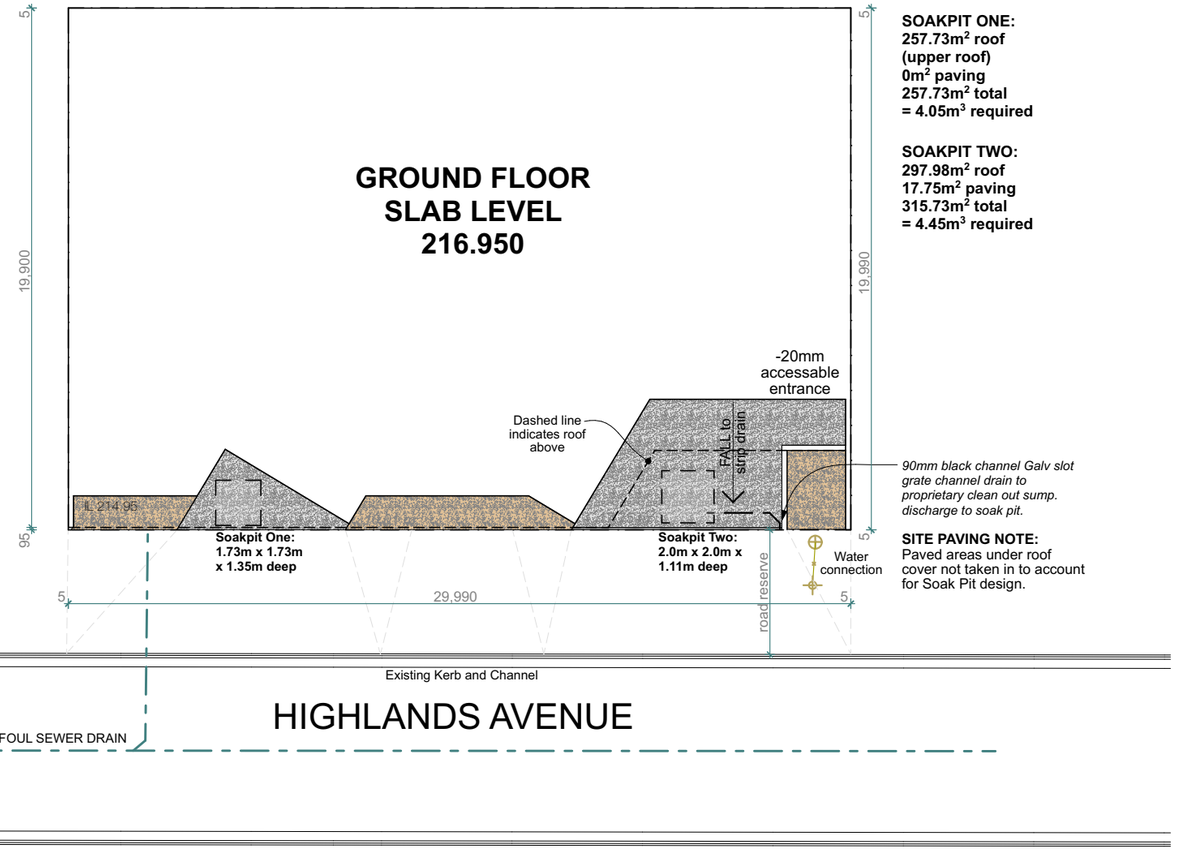
Climate Zone: 6
Earthquake Zone: Zone 2
Exposure Zone: Zone B
Lee Zone: No
Rainfall Range: 30 - 40
Wind Region: A
Wind Zone: High
Snow Zone: N5

Site Area: 600m^2
Coverage: 528m^2 (88%)
Landscaping: 22.69m^2 (3.78%)

Total Ground floor = 528m^2
Total First floor = 201m^2
Total Deck area = 58m^2

SOAK PIT CONSTRUCTION:
E1 pit to be constructed with Rocks 100mm - 150mm and surrounded with filter cloth.

Total catchment area = 50m^2
Total excavation is a min. requirement of 1.0m^3



SOAKPIT ONE:
257.73m^2 roof
(upper roof)
0m^2 paving
257.73m^2 total
= 4.05m^3 required

SOAKPIT TWO:
297.98m^2 roof
17.75m^2 paving
315.73m^2 total
= 4.45m^3 required

SITE PAVING NOTE:
Paved areas under roof cover not taken in to account for Soak Pit design.

SITE PLAN
1:200 @ A3 & 1:400 @ A4

ALL MATERIALS AND WORKMANSHIP TO COMPLY WITH THE NEW ZEALAND BUILDING CODE & NZS 3604

Refer to plumbing and drainage sheets for full Drainage notes.

- **110mm⌀ PVC FOUL SEWER PIPE (1:60 min fall)**
- **100mm⌀ PVC STORM WATER PIPE (1:120 min fall)**
- **20mm⌀ MDPE Water mains**
- **Electrical**
- **Data**

LOT 222 HIGHLANDS MOTORSPORT PARK
SITE PLAN

SITEWORKS NOTES

The contractor is responsible for clearing the site of all rubbish, grub up bushes, shrubs, etc & clearing away.
The contractor shall arrange w/ the electricity, gas & water supply authorities for each existing service to be properly disconnected of their mains, removal of their fixtures and fitting, cut back, sealed off, removed, altered or diverted as necessary for the work & in accordance w/ the regulations of each authority involved charges in connection therewith will be paid by the employer

All demolition work to be carried out in accordance w/ the NZBC, OSH guidelines, & local authority requirements. The contractor shall put in place suitable methods to prevent excavated material been dropped on surrounding & adjacent roads.

The contractor shall implement sediment control measures control measures during all earthworks to ensure all stormwater run-off from the site is managed & collected, in accordance w/ local territorial authority & regional council requirements.

Safe & clean pedestrian access shall be maintained & provided to site at all times

Allow to install & maintain temporary protection over all extg road, kerb, services etc to be driven over during construction. Supply & install site sign (ref detail).

Verify all dimensions on site before construction commences. Figured dimensions shall take precedence. Do not scale!.
Plans are to be read in conjunction w/ the architects plans for setout.

Report any errors & omissions before construction commences

Reinstatement, all existing surfaces affected by the works shall be reinstated to their original standard including all nescessary temporary fencing & maintenance.

Vehicle crossing - Proposed Concrete driveway
Path to House - Concrete Exposed aggregate

SERVICES NOTES

All P&D shown/ altered, is private & not public.
The contractor is to locate all underground utilities & services before commencing construction & verify all dimensions on site.
Figured dimensions shall take precedence. Do not scale! Plans are to be read in conjunction w/ the architects plans for setout. Report any errors & omissions before construction commences.
Plumbing & drainage information shown, is diagramatic. Registered plumber & drainlayer to check & verify on site before commencing work.
The contractor shall take all necessary precautions during excavation to avoid any disruption of existing services. All extg services shall be re-instated to their original condition & to the satisfaction of the Architect or Engineer.
All plumbing & drainage to be carried out in accordance w/ AS3500.2 part 2 & NZBC.
The contractor is to allow & install for all vents (ie: AAV) where required.
All works to comply & be completed in accordance w/ local territorial authority engineering standards & any relevant New Zealand Standards.
All work shall comply w/ G13 of New Zealand Building Code. The contractor to locate all underground utilities & services before commencing construction.
The contractor shall locate all extg services at the proposed connection points prior to commencing work.

Refer to cross sections, details and specifications for under slab insulation type and ratings.

Refer to drainage plan for all plumbing and drainage elements.

All work to be carried out in accordance with the nzbc, nzs3604, other relevant nz standards, local authority bylaws and manufacturer's details and instructions.

All workmanship and materials shall be of the highest quality, curent trade practice and of the best description.

Drawings are to be read in conjunction with the architectural specification and other consultants documentation where appropriate. Refer to structural engineers drawings for further construction details and notes.

All timbers shall be separated from contact with concrete and masonry by either a free-draining air space of not less than 12mm or, dpc overlapping the timber by at least 6mm

Sheet: RC.2
Rev: 1
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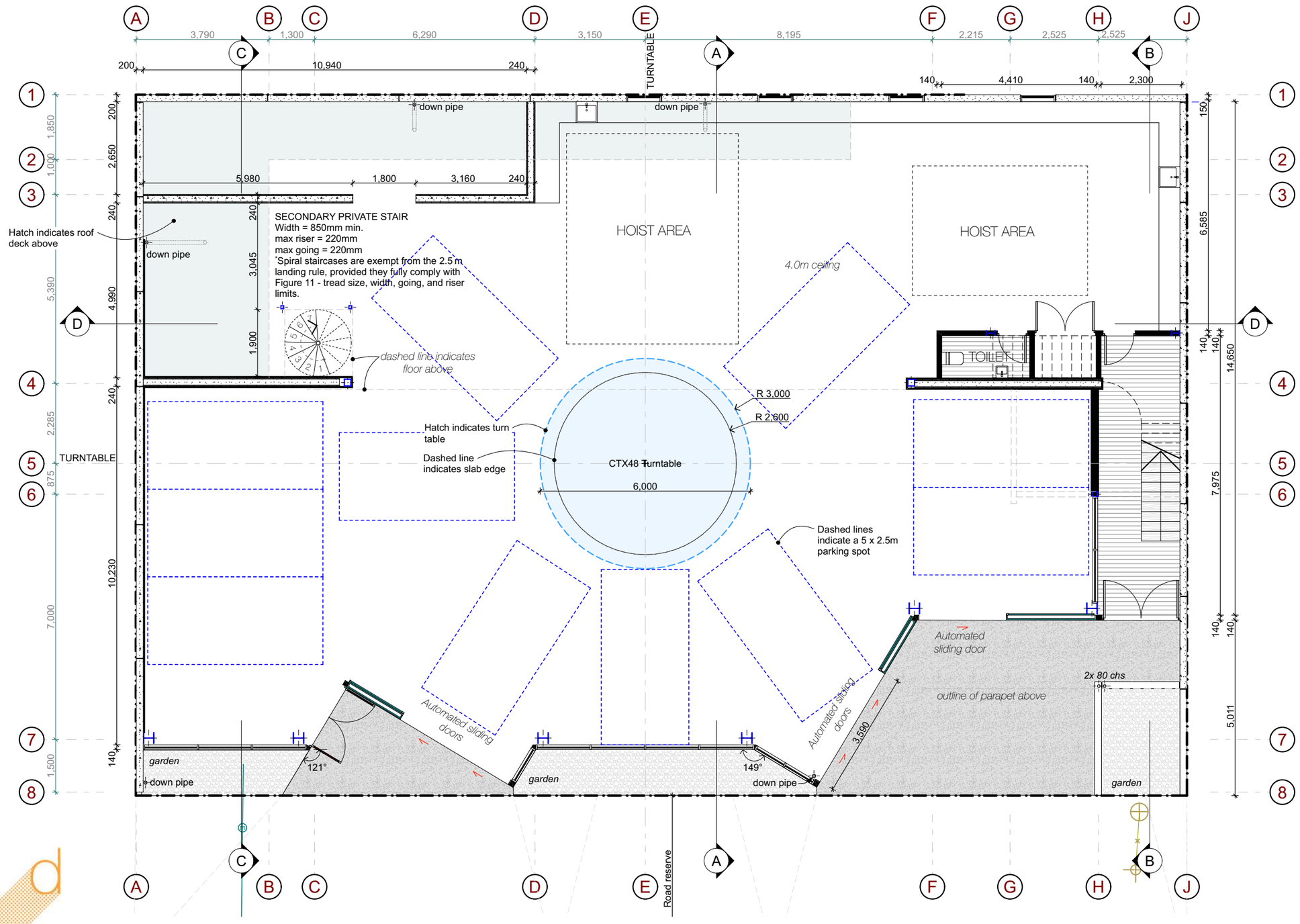

LOT 222 HIGHLANDS MOTORSPORT PARK
GROUND FLOOR PLAN

1:100 @ A3 & 1:200 @ A4

Sheet: RC.3
Rev: 1

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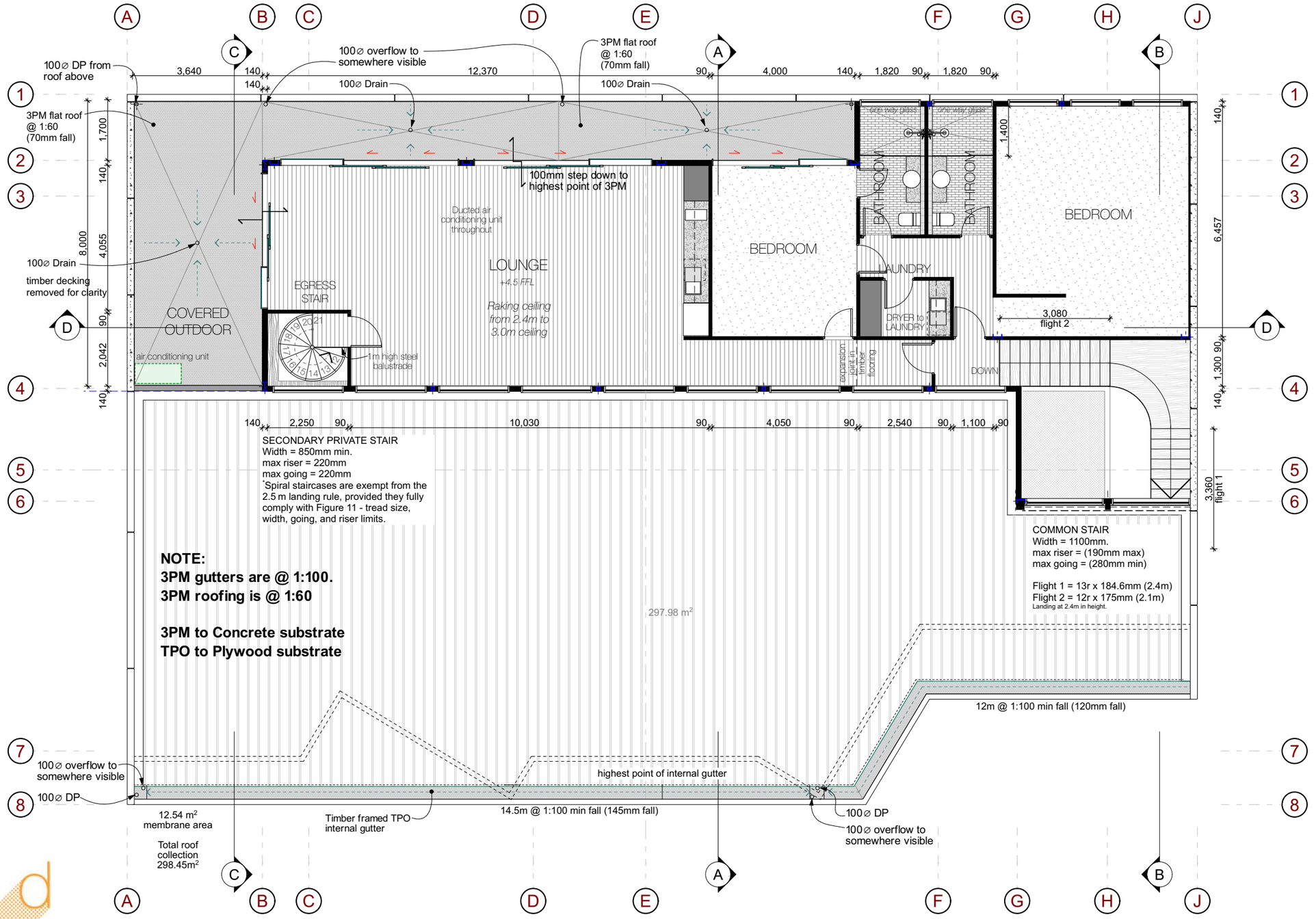

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LOT 222 HIGHLANDS MOTORSPORT PARK
FIRST FLOOR PLAN

1:100 @ A3 & 1:200 @ A4 | Sheet: RC.4 | Rev: 1

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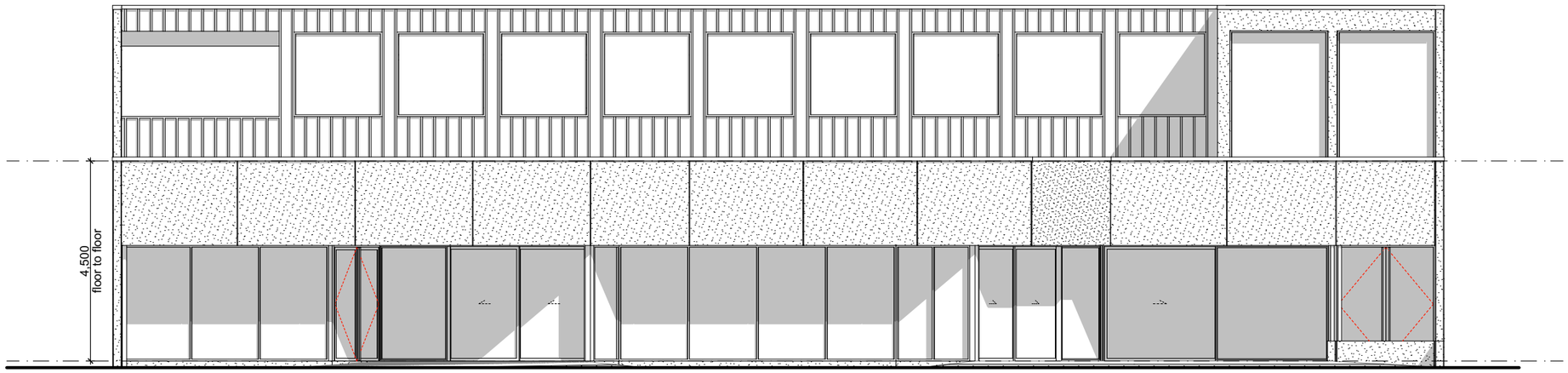
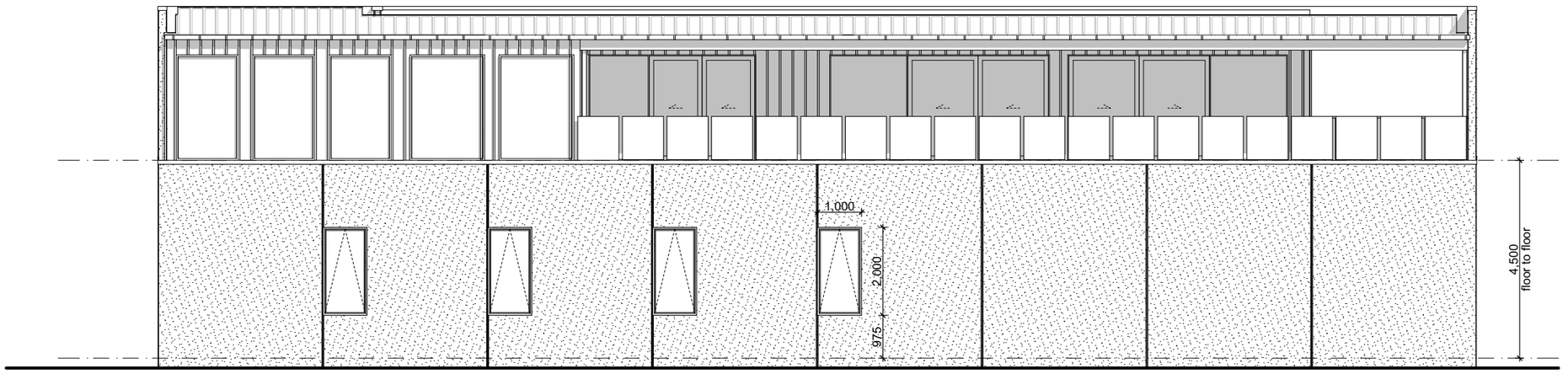


EAST ELEVATION



WEST ELEVATION

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LOT 222 HIGHLANDS MOTORSPORT PARK
ELEVATIONS

1:100 @ A3 & 1:200 @ A4

Sheet: RC.5
Rev: 1

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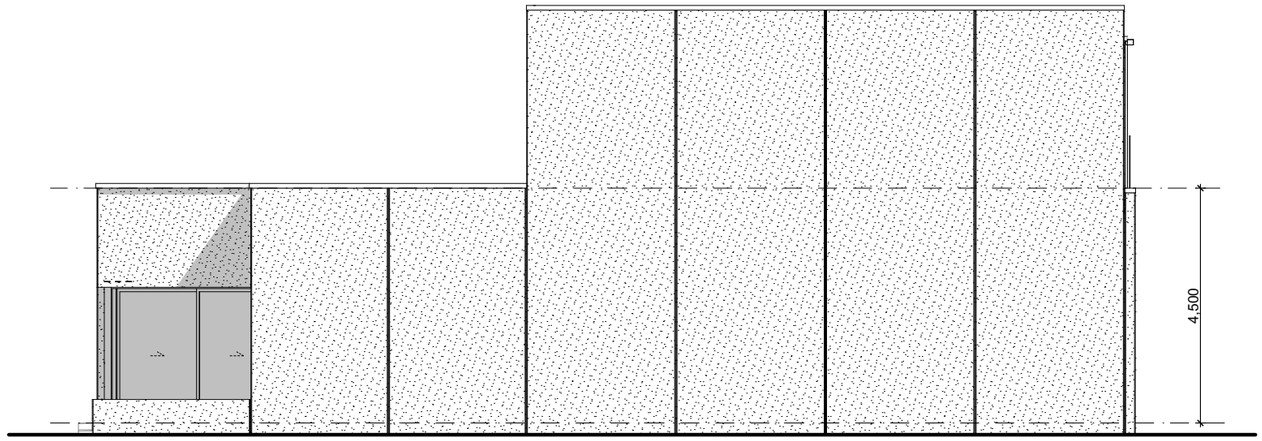
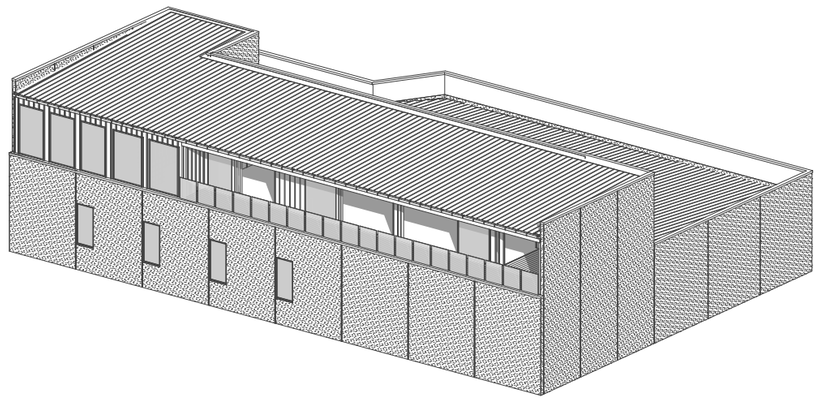
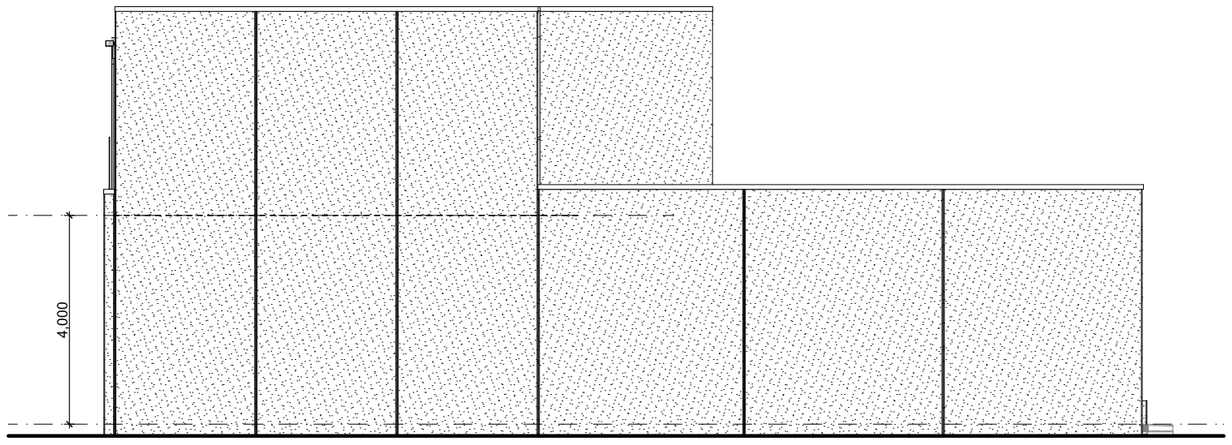
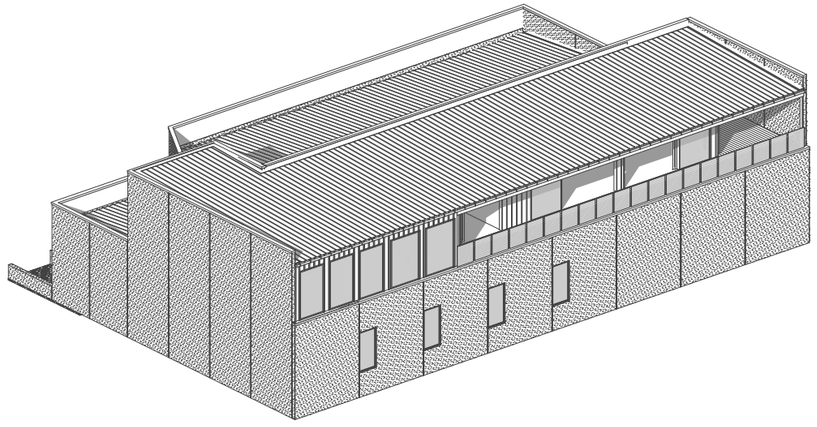


NORTH ELEVATION





SOUTH ELEVATION



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LOT 222 HIGHLANDS MOTORSPORT PARK
ELEVATIONS

1:100 @ A3 & 1:200 @ A4

Sheet: RC.6
Rev: 1

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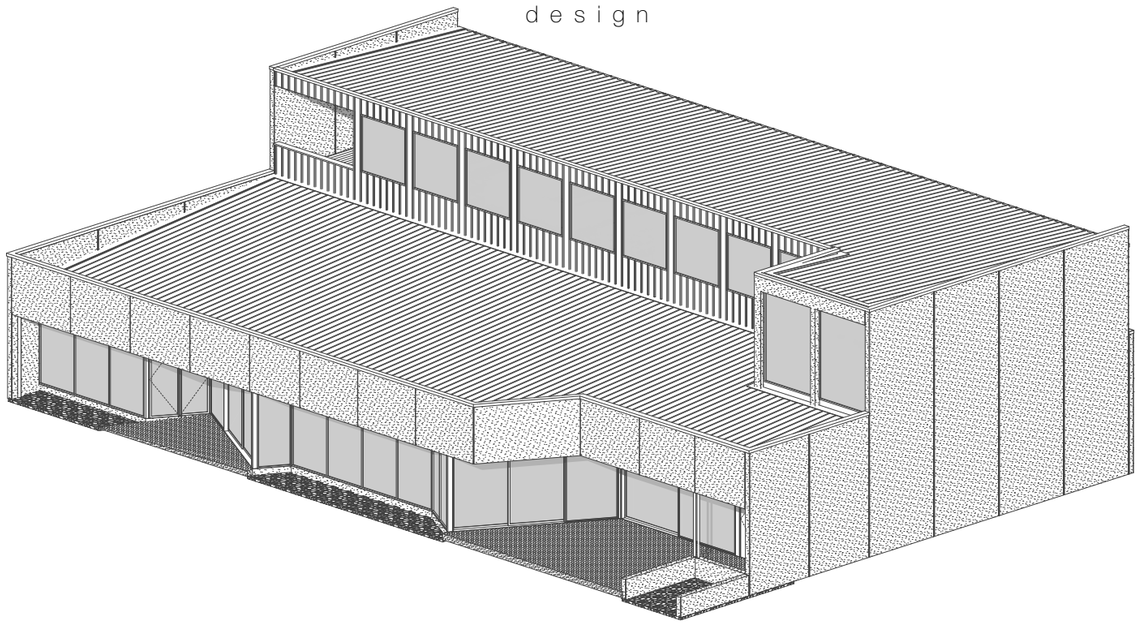

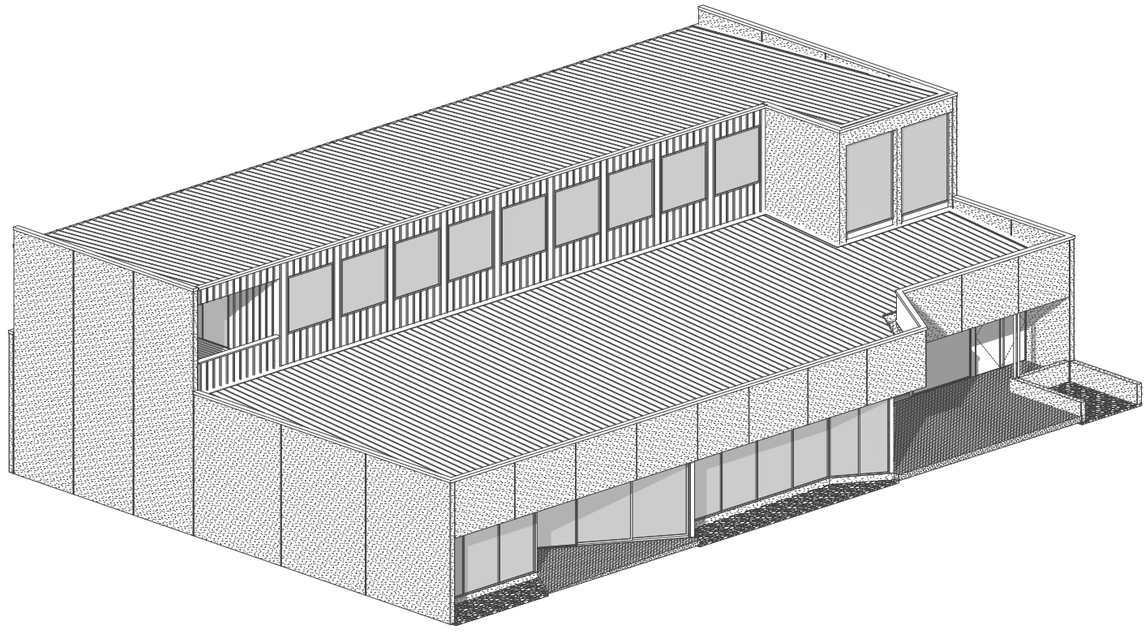

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LOT 222 HIGHLANDS MOTORSPORT PARK
ISOMETRICS

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LOT 222 HIGHLANDS MOTORSPORT PARK
PERSPECTIVE

Sheet
RC.8
Rev: 1

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LOT 222 HIGHLANDS MOTORSPORT PARK
PERSPECTIVE

Sheet
RC.9
Rev: 1

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LOT 222 HIGHLANDS MOTORSPORT PARK
PERSPECTIVE

Sheet:
RC.10
Rev: 1

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LOT 222 HIGHLANDS MOTORSPORT PARK
PERSPECTIVE

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RC.11
Rev: 1

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LOT 222 HIGHLANDS MOTORSPORT PARK
PERSPECTIVE

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RC.12
Rev: 1

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COHO 5323967.2 CONSENT UNDER S22
CPY-01/01.PGS-001.23/08/02.14:20

DocID: 110368458

Consent Notice

PURSUANT TO SECTION 221 OF THE RESOURCE MANAGEMENT ACT 1991

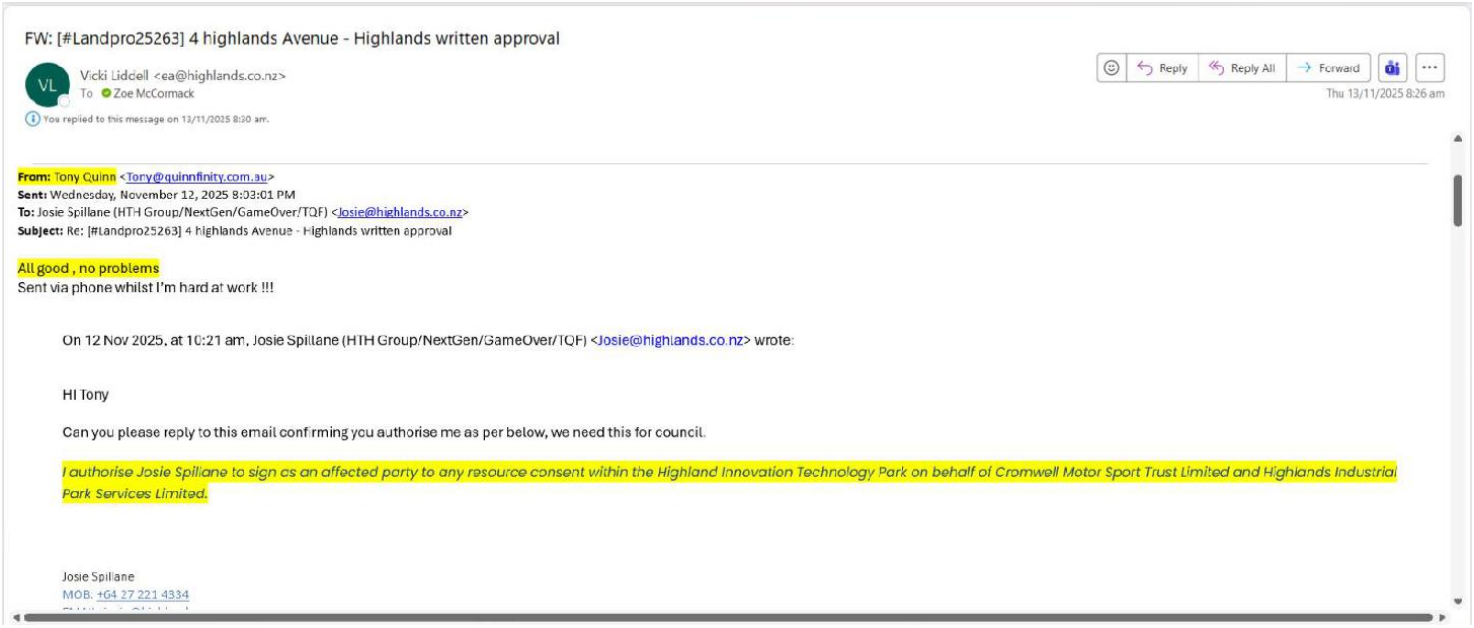
THE CENTRAL OTAGO DISTRICT COUNCIL hereby requests the District Land Registrar to annotate his memorial with the following Consent Notice issued with respect to Lots 1 & 2 Deposited Plan 307492

1. "Access to serve Lot 1 from Sandflat Road shall be located at least 50 metres from the intersection of Sandflat Road and State Highway 6."

2. "Access to serve Lot 1 via the right of way to Cemetery Road shall be located at least 70 metres from the intersection of Cemetery Road and State Highway 6. "

SIGNED at Alexandra this 16th day of May 2002

..... ~~Principal Administrative Officer~~ / Authorised Officer



FW: [#Landpro25263] 4 highlands Avenue - Highlands written approval

VL Vicki Lidiell <ea@highlands.co.nz>
To Zoe McCormack
You replied to this message on 13/11/2025 8:30 am.

Reply | Reply All | Forward
Thu 13/11/2025 8:26 am

From: Tony Quinn <Tony@quinnfinity.com.au>
Sent: Wednesday, November 12, 2025 8:03:01 PM
To: Josie Spillane (HTH Group/NextGen/GameOver/TQF) <Josie@highlands.co.nz>
Subject: Re: [#Landpro25263] 4 highlands Avenue - Highlands written approval

All good , no problems
Sent via phone whilst I'm hard at work !!!

On 12 Nov 2025, at 10:21 am, Josie Spillane (HTH Group/NextGen/GameOver/TQF) <Josie@highlands.co.nz> wrote:

HI Tony

Can you please reply to this email confirming you authorise me as per below, we need this for council.

I authorise Josie Spillane to sign as an affected party to any resource consent within the Highland Innovation Technology Park on behalf of Cromwell Motor Sport Trust Limited and Highlands Industrial Park Services Limited.

Josie Spillane
MOB: +64 27 221 4334

21 July 2025

Central Otago District Council
1 Dunorling Street
Alexandra 9320

To Whom it May Concern

RE: Application for Building Consent: Lot 222 DP 556783 [Beck]

I am writing in support of the application for building consent as lodged for Lot 222 DP 556783.

I can confirm that:

- The plans were approved by the Highlands Design Review Board earlier this year.
- We have no objection the overall design of the building/unit and are aware that the walls and windows on our mutual boundaries will not be fire rated.

You will see that our use of the land on the western boundary is in conjunction with the motorsport park and contains a significant bund while our land to the east of the Lot contains a formed carriageway. We have no intention to build on either boundary.

Yours sincerely

Josie Spillane
CEO | Highlands Motorsport Park
MBL: 027 221 4334 | **E:** josie@highlands.co.nz

7 Sandflat Road | PO Box 431 | Cromwell 9342
Phone: +64 3 445 4052 | Email: info@highlands.co.nz
Web: www.highlands.co.nz

Drawing Pack signed (referred to as 'DRB Stamped Plans')

d e s i g n

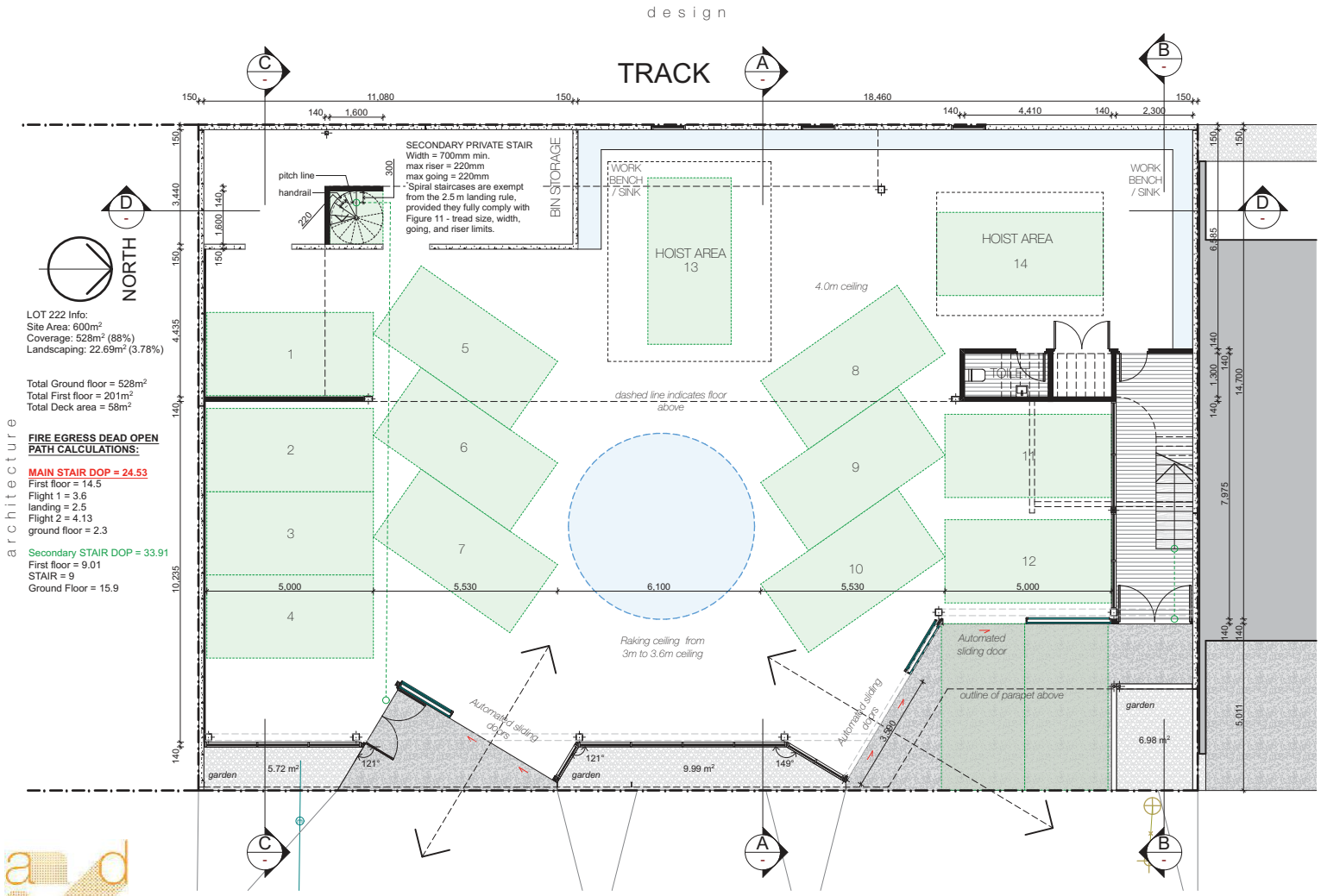
a r c h i t e c t u r e

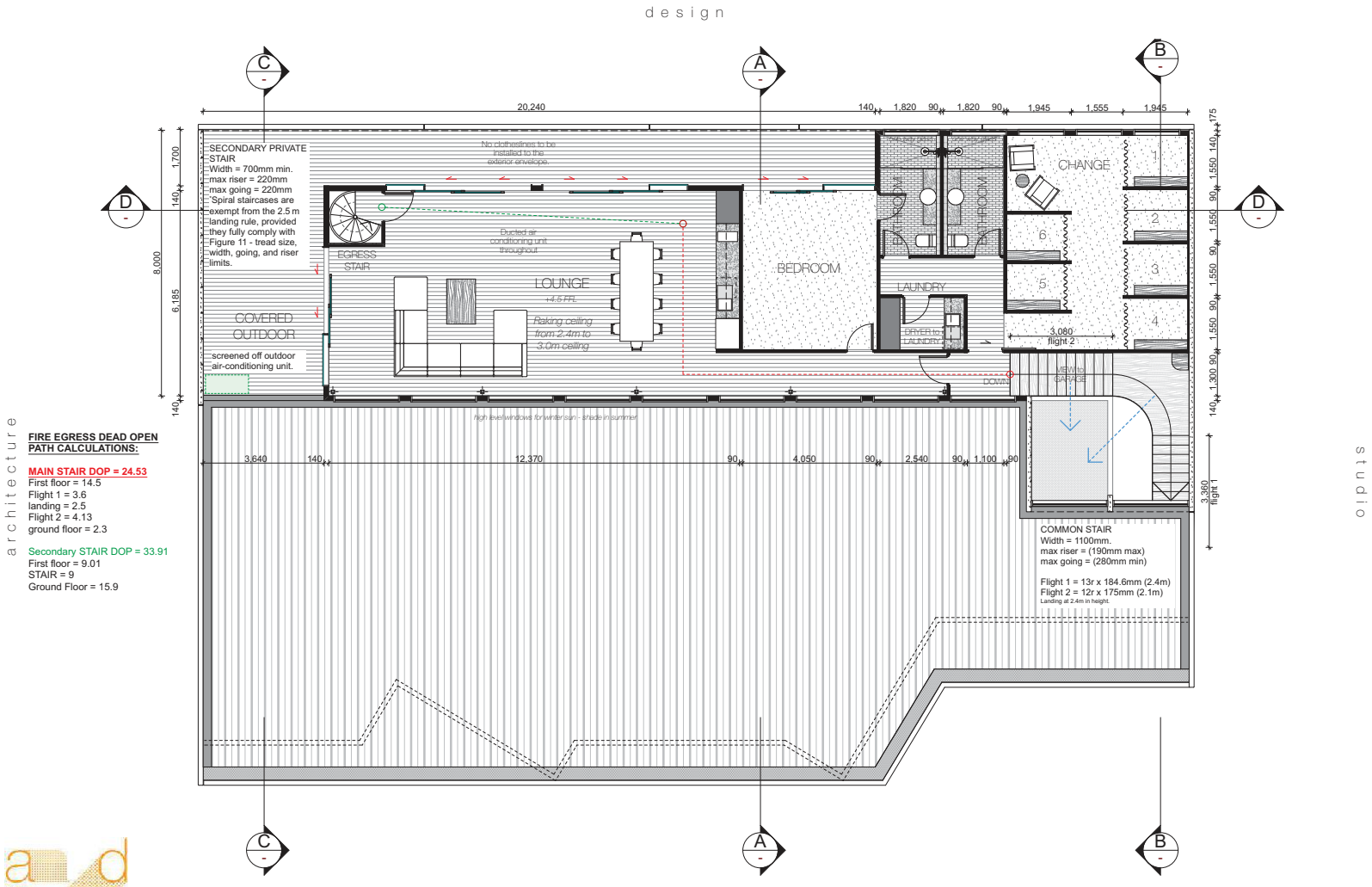
s t u d i o

Highlands Design Review Board hereby gives written approval to the development shown on the plan for the purposes of satisfying the requirement for all developments to be reviewed and endorsed by the HDRB. This approval does not imply the development shown will comply with any other relevant Local Authority Requirements.

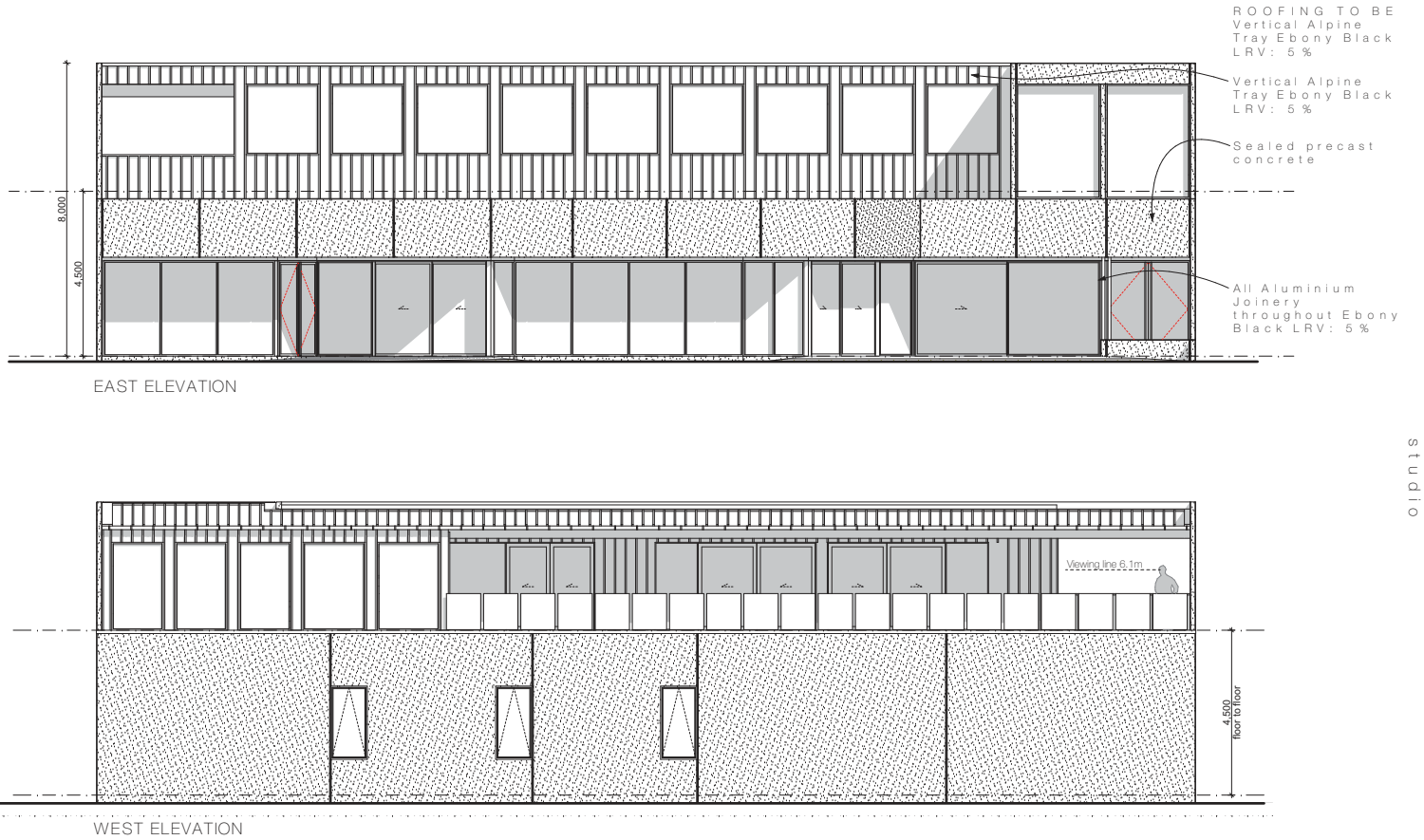
Jake Woodward and Annaliese Mirus
Highlands Design Review Board

LOT 222 HIGHLAND MOTORSPORT PARK


design
TRACK
SECONDARY PRIVATE STAIR
Width = 700mm min.
max riser = 220mm
max going = 220mm
Spiral staircases are exempt from the 2.5 m landing rule, provided they fully comply with Figure 11 - tread size, width, going, and riser limits.
pitch line
handrail
BIN STORAGE
WORK BENCH / SINK
HOIST AREA 13
HOIST AREA 14
4.0m ceiling
TOILET
dashed line indicates floor above
Raking ceiling from 3m to 3.6m ceiling
Automated sliding doors
Automated sliding doors
Automated sliding doors
outline of parapet above
garden
garden
garden
5.72 m²
9.99 m²
6.98 m²
121°
121°
149°
NORTH
LOT 222 Info:
Site Area: 600m²
Coverage: 528m² (88%)
Landscaping: 22.69m² (3.78%)
Total Ground floor = 528m²
Total First floor = 201m²
Total Deck area = 58m²
FIRE EGRESS DEAD OPEN PATH CALCULATIONS:
MAIN STAIR DOP = 24.53
First floor = 14.5
Flight 1 = 3.6
landing = 2.5
Flight 2 = 4.13
ground floor = 2.3
Secondary STAIR DOP = 33.91
First floor = 9.01
STAIR = 9
Ground Floor = 15.9
architecture
studio
LOT 222 HIGHLANDS MOTORSPORT PARK
SITE / GROUND FLOOR PLAN
1.2


design
architecture
studio
SECONDARY PRIVATE STAIR
Width = 700mm min.
max riser = 220mm
max going = 220mm
Spiral staircases are exempt from the 2.5 m landing rule, provided they fully comply with Figure 11 - tread size, width, going, and riser limits.
No clotheslines to be installed to the exterior envelope.
Ducted air conditioning unit throughout
EGRESS STAIR
LOUNGE
+4.5 FFL
Raking ceiling from 2.4m to 3.0m ceiling
COVERED OUTDOOR
screened off outdoor air-conditioning unit.
BEDROOM
LAUNDRY
DRYER to LAUNDRY
CHANGE
3,080
flight 2
VIEW to GARAGE
DOWN
high level windows for winter sun - shade in summer
COMMON STAIR
Width = 1100mm.
max riser = (190mm max)
max going = (280mm min)
Flight 1 = 13r x 184.6mm (2.4m)
Flight 2 = 12r x 175mm (2.1m)
Landing at 2.4m in height.
3,360
flight 1
FIRE EGRESS DEAD OPEN PATH CALCULATIONS:
MAIN STAIR DOP = 24.53
First floor = 14.5
Flight 1 = 3.6
landing = 2.5
Flight 2 = 4.13
ground floor = 2.3
Secondary STAIR DOP = 33.91
First floor = 9.01
STAIR = 9
Ground Floor = 15.9
LOT 222 HIGHLANDS MOTORSPORT PARK
FIRST FLOOR PLAN
1.3

design



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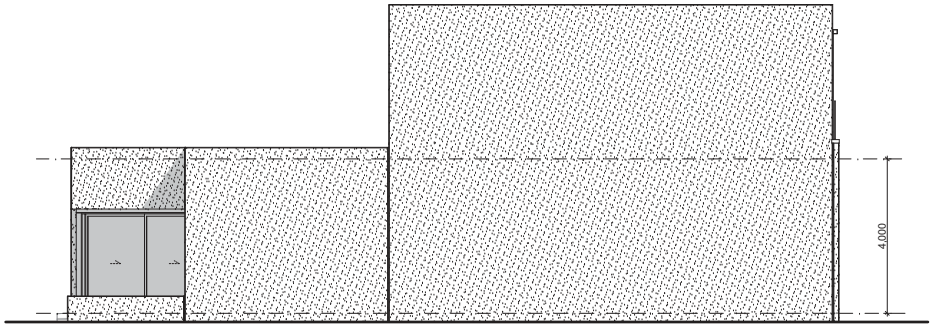
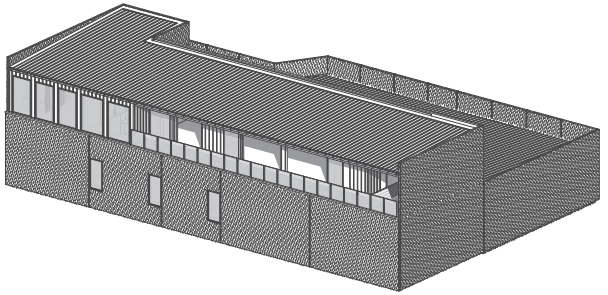
LOT 222 HIGHLANDS MOTORSPORT PARK
ELEVATIONS

1.4

design



NORTH ELEVATION



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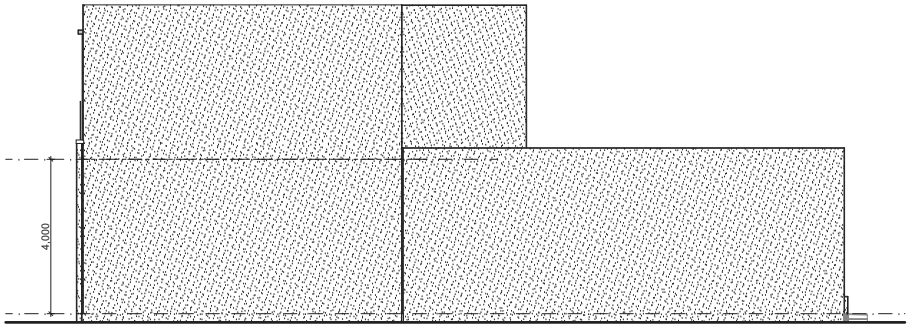
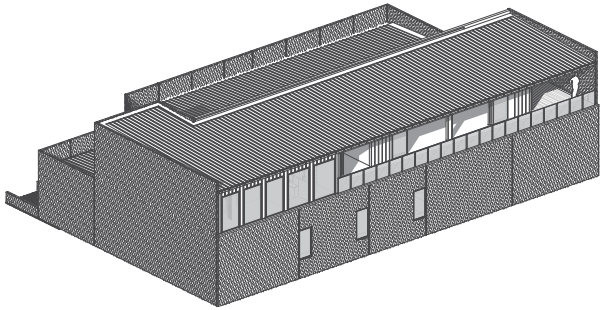


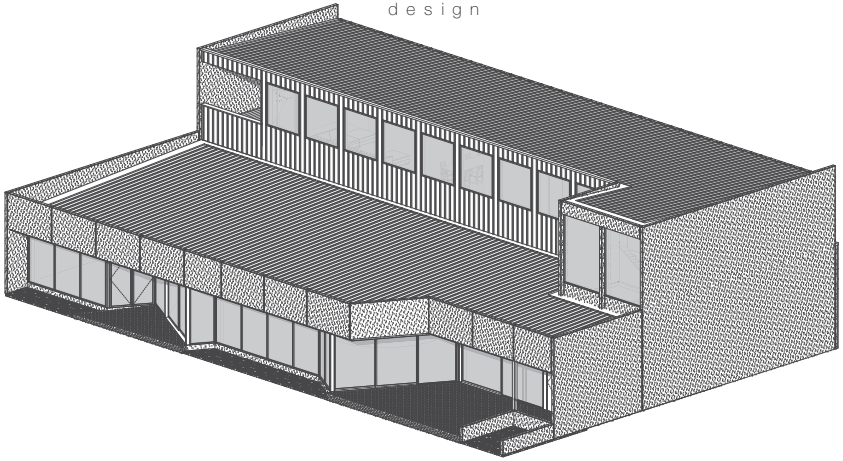
SOUTH ELEVATION

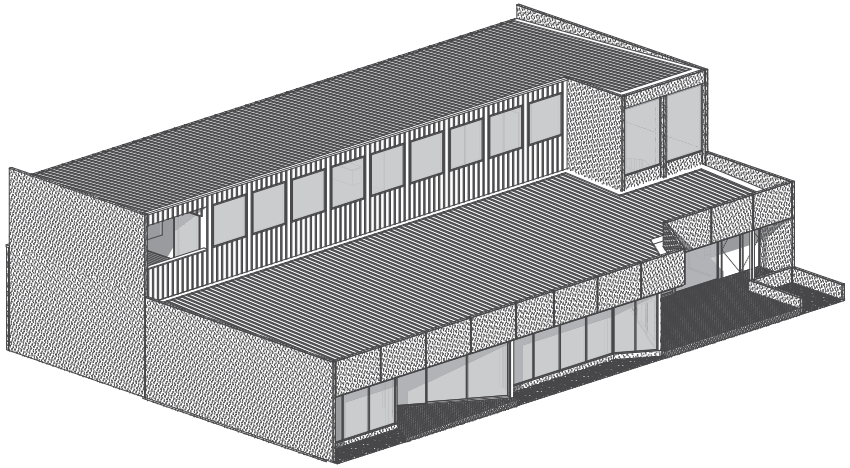


LOT 222 HIGHLANDS MOTORSPORT PARK
ELEVATIONS

1.5

design





architecture

studio

LOT 222 HIGHLANDS MOTORSPORT PARK
ISOMETRICS

Sheet 1.6

d e s i g n

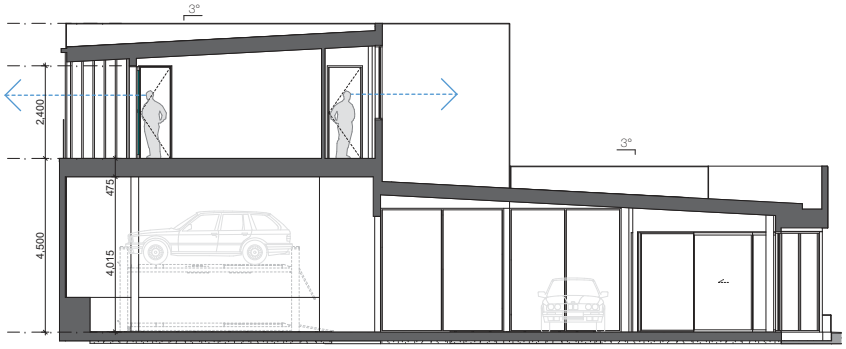
a r c h i t e c t u r e

s t u d i o

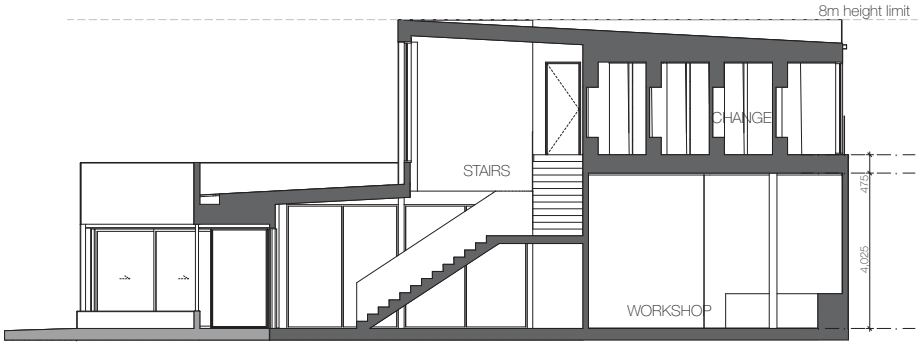
all exterior walls to have a minimum of 6mm Fibre cement RAB with cladding, 140mm Framing and insulation and one layer of 10mm GIB Total mass of 156mm (131mm min requirement)

all window joinery to be double glazed and 10mm with compression seals

all roofs to have 0.55mm iron 200mm insulation and two layer's of 10mm GIB



SECTION A



SECTION B

LOT 222 HIGHLANDS MOTORSPORT PARK
SECTIONS

Sheet: 1.7
Rev: 1

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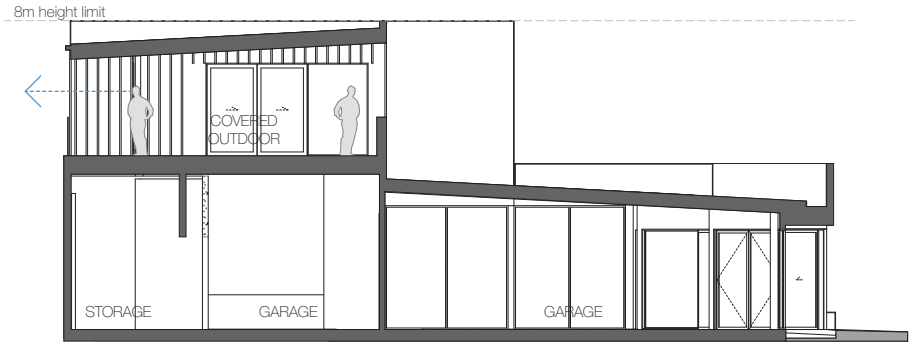
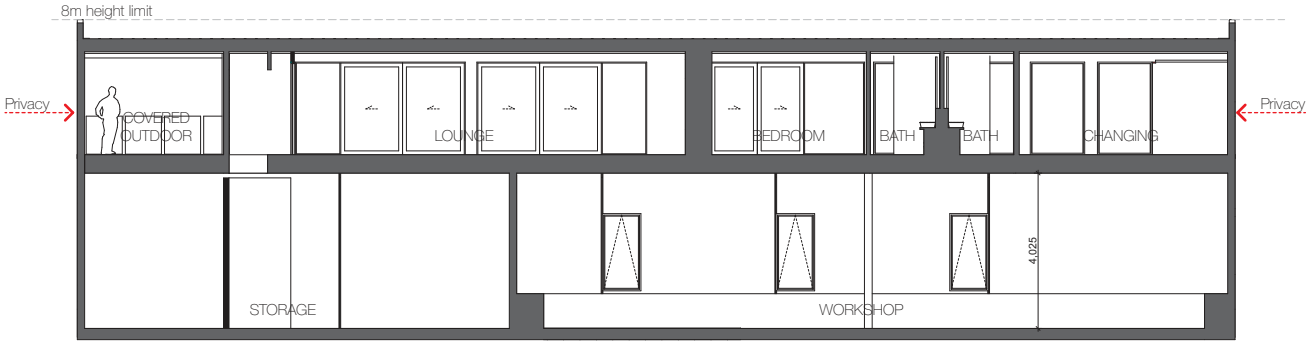
d e s i g n



SECTION C



SECTION D

a r c h i t e c t u r e

s t u d i o

LOT 222 HIGHLANDS MOTORSPORT PARK
SECTIONS

1.8

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LOT 222 HIGHLANDS MOTORSPORT PARK
GRC OPTION

1.9

design

architecture

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LOT 222 HIGHLANDS MOTORSPORT PARK
GRC OPTION

1.10

design

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LOT 222 HIGHLANDS MOTORSPORT PARK
GRC OPTION

1.11

d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 222 HIGHLANDS MOTORSPORT PARK
GRC OPTION

1.12

d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 222 HIGHLANDS MOTORSPORT PARK
GRC OPTION

Sheet 1.13
Rev: 1

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d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 222 HIGHLANDS MOTORSPORT PARK
GRC OPTION

1.14

d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 222 HIGHLANDS MOTORSPORT PARK
GRC OPTION

1.15

d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 222 HIGHLANDS MOTORSPORT PARK
GRC OPTION

1.16

APPENDIX 2.

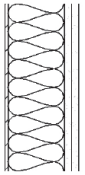
Plant List - Highlands Motorsport Park
The following list of native species shall be used in association with landscaping in the industrial Subdivision at the Highlands Motorsport Park. Of the total area of landscaping, 80% shall comprise natives from the list below:

- Acaena inermis purpurea
- Anamanthele lessonia
- Astelia nervosa
- Carex secta
- Carex testacea
- Carex virgata
- Coprosma crassifolia
- Coprosma repens
- Corokia cotoneaster
- Corokia buddleioides
- Corokia 'Red Wonder'
- Cordyline australis
- Dianella nigra 'Margaret Pringle'
- Griselinia littoralis
- Hebe speciosa
- Hebe albicans
- Hebe diomifolia
- Hebe 'Dazzler'
- Hebe buchananii
- Hebe cockayniana
- Hebe 'Goldrush'
- Hebe 'First Light'
- Libertia peregrinans
- Muehlenbeckia astonii
- Phormium cookianum 'Purpurea'
- Phormium cookianum 'Evening Glow'
- Phormium cookianum 'Little Cracker'
- Poa cita
- Poa colensoi
- Pittosporum tenufolium
- Pittosporum eugeniodes
- Sophora microphylla

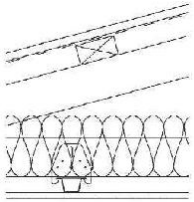
14. acoustic

14.1. Due to the proximity to the Highlands Racetrack, all buildings on Lots 201-251 must be designed to incorporate the following elements (Table 1) in order to meet the internal noise attenuation requirements.

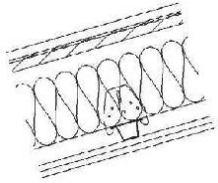
BUILDING ELEMENT / REQUIRED CONSTRUCTION
External Wall
• Exterior: 20mm timber or 6mm fibre cement
• Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar)
Two layers of 12.5mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass)
Window
• All window glazing shall be double glazed and a minimum thickness of 10mm
• Aluminium framing with Compression seals or Equivalent
Pitched Roof
• Cladding: 0.5mm profiled steel or tiles or 6mm corrugated fibre cement.
• Frame: Timber truss with 100mm acoustic blanket (R2.2 Batts or similar)
• Ceiling: 12.5 gypsum plaster board*
Skillion Roof
• Cladding: 0.5mm profiled steel or 6mm fibre cement
• Sarking: 20mm particle board or plywood
• Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar)
• Ceiling: 2 layers of 9.55mm gypsum plasterboard
External Door
• Solid core door (min 24kg/m2) with weather seals



External wall construction



Pitched roof construction



Skillion roof construction

Drawing pack with height added (Sheet 5)

d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 222 HIGHLAND MOTORSPORT PARK

d e s i g n

a r c h i t e c t u r e

s t u d i o

NORTH

4 Highlands Avenue, Cromwell
LOT 222 DP 556783

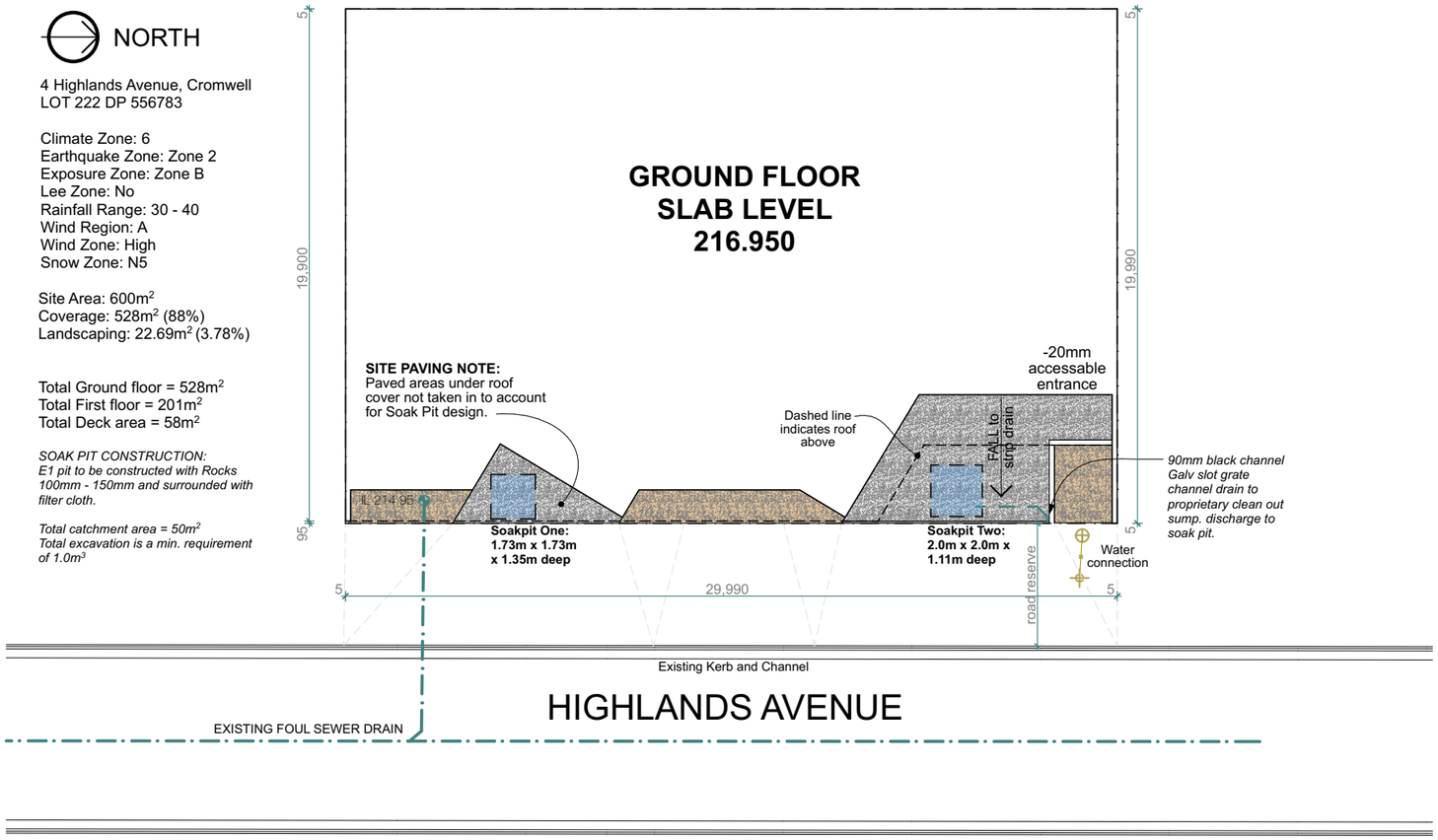
Climate Zone: 6
Earthquake Zone: Zone 2
Exposure Zone: Zone B
Lee Zone: No
Rainfall Range: 30 - 40
Wind Region: A
Wind Zone: High
Snow Zone: N5

Site Area: 600m^2
Coverage: 528m^2 (88%)
Landscaping: 22.69m^2 (3.78%)

Total Ground floor = 528m^2
Total First floor = 201m^2
Total Deck area = 58m^2

SOAK PIT CONSTRUCTION:
E1 pit to be constructed with Rocks 100mm - 150mm and surrounded with filter cloth.

Total catchment area = 50m^2
Total excavation is a min. requirement of 1.0m^3



SITE PLAN
1:200 @ A3 & 1:400 @ A4

ALL MATERIALS AND WORKMANSHIP TO COMPLY WITH THE NEW ZEALAND BUILDING CODE & NZS 3604

Refer to plumbing and drainage sheets for full Drainage notes.

- **110mm⌀ PVC FOUL SEWER PIPE (1:60 min fall)**
- **100mm⌀ PVC STORM WATER PIPE (1:120 min fall)**
- **20mm⌀ MDPE Water mains**
- **Electrical**
- **Data**

SITEWORKS NOTES

The contractor is responsible for clearing the site of all rubbish, grub up bushes, shrubs, etc & clearing away.
The contractor shall arrange w/ the electricity, gas & water supply authorities for each existing service to be properly disconnected of their mains, removal of their fixtures and fitting, cut back, sealed off, removed, altered or diverted as necessary for the work & in accordance w/ the regulations of each authority involved charges in connection therewith will be paid by the employer

All demolition work to be carried out in accordance w/ the NZBC, OSH guidelines, & local authority requirements. The contractor shall put in place suitable methods to prevent excavated material been dropped on surrounding & adjacent roads.

The contractor shall implement sediment control measures control measures during all earthworks to ensure all stormwater run-off from the site is managed & collected, in accordance w/ local territorial authority & regional council requirements.

Safe & clean pedestrian access shall be maintained & provided to site at all times

Allow to install & maintain temporary protection over all extg road, kerb, services etc to be driven over during construction. Supply & install site sign (ref detail).

Verify all dimensions on site before construction commences. Figured dimensions shall take precedence. Do not scale!.
Plans are to be read in conjunction w/ the architects plans for setout.

Report any errors & omissions before construction commences

Reinstatement, all existing surfaces affected by the works shall be reinstated to their original standard including all nescessary temporary fencing & maintenance.

Vehicle crossing - Proposed Concrete driveway
Path to House - Concrete Exposed aggregate

SERVICES NOTES

All P&D shown/ altered, is private & not public.
The contractor is to locate all underground utilities & services before commencing construction & verify all dimensions on site.
Figured dimensions shall take precedence. Do not scale! Plans are to be read in conjunction w/ the architects plans for setout. Report any errors & omissions before construction commences.
Plumbing & drainage information shown, is diagramatic. Registered plumber & drainlayer to check & verify on site before commencing work.
The contractor shall take all necessary precautions during excavation to avoid any disruption of existing services. All extg services shall be re-instated to their original condition & to the satisfaction of the Architect or Engineer.
All plumbing & drainage to be carried out in accordance w/ AS3500.2 part 2 & NZBC.
The contractor is to allow & install for all vents (ie: AAV) where required.
All works to comply & be completed in accordance w/ local territorial authority engineering standards & any relevant New Zealand Standards.
All work shall comply w/ G13 of New Zealand Building Code. The contractor to locate all underground utilities & services before commencing construction.
The contractor shall locate all extg services at the proposed connection points prior to commencing work.

Refer to cross sections, details and specifications for under slab insulation type and ratings.

Refer to drainage plan for all plumbing and drainage elements.

All work to be carried out in accordance with the nzbc, nzs3604, other relevant nz standards, local authority bylaws and manufacturer's details and instructions.

All workmanship and materials shall be of the highest quality, curent trade practice and of the best description.

Drawings are to be read in conjunction with the architectural specification and other consultants documentation where appropriate. Refer to structural engineers drawings for further construction details and notes.

All timbers shall be separated from contact with concrete and masonry by either a free-draining air space of not less than 12mm or, dpc overlapping the timber by at least 6mm

LOT 222 HIGHLANDS MOTORSPORT PARK
SITE PLAN

Sheet: RC.2
Rev: 1

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SECONDARY PRIVATE STAIR (SECONDARY ESCAPE ROUTE)
Width = 850mm min.
max riser = 200mm
max going = 220mm
*Spiral staircase requires a landing between ground and 4m min. rule, provided they fully comply with Figure 11 - tread size, width, going, and riser limits.

Hatch indicates roof deck above

down pipe

dashed line indicates floor above

Grid 4 aligned with this block wall

TURNTABLE

Hatch indicates turn table

Dashed line indicates slab edge

CTX48 Turntable

R 3,000

R 2,600

6,000

Epoxy flooring

Block wall not aligned with Grid 4 (not inline other block wall between Grids A & C)

TOILET

dashed line indicates precast foundation set 150mm below FFL. garden raised to internal floor level to cover this, allow to continue level threshold around as shown.

garden @ 0.0FGL

garden

121°

149°

outline of parapet above

2x 80 chs

garden @ 0.0FGL

Road reserve

LOT 222 HIGHLANDS MOTORSPORT PARK
GROUND FLOOR PLAN

1:100 @ A3 & 1:200 @ A4

Sheet: RC.3
Rev: 1

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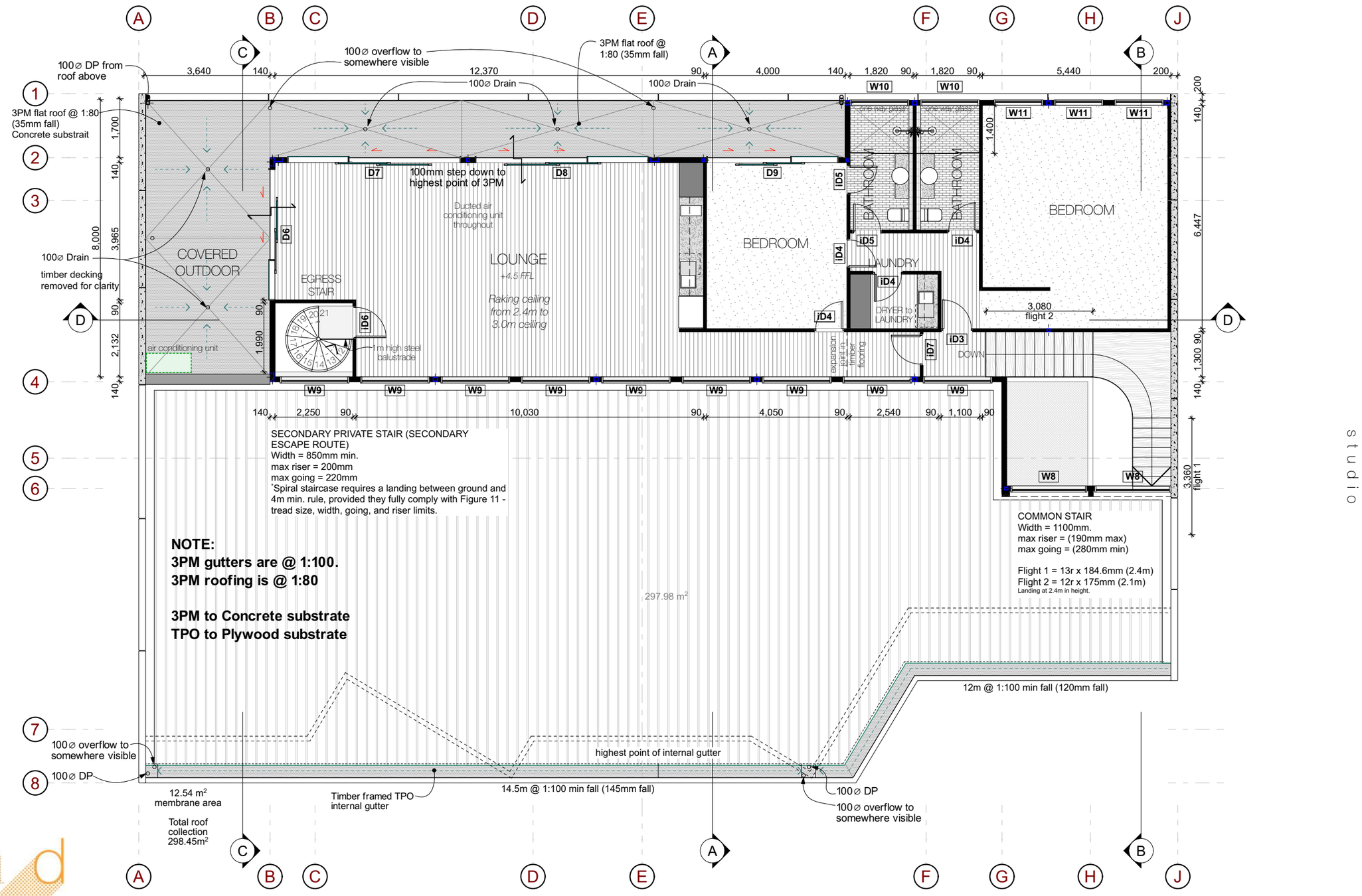

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LOT 222 HIGHLANDS MOTORSPORT PARK
FIRST FLOOR PLAN

1:100 @ A3 & 1:200 @ A4 | Sheet: RC.4 | Rev: 1

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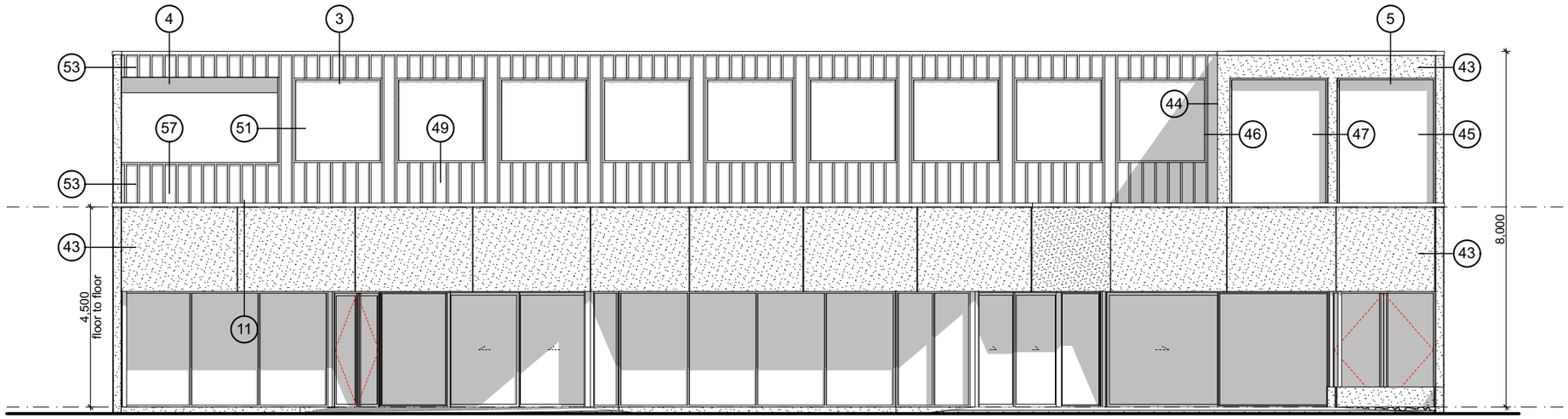
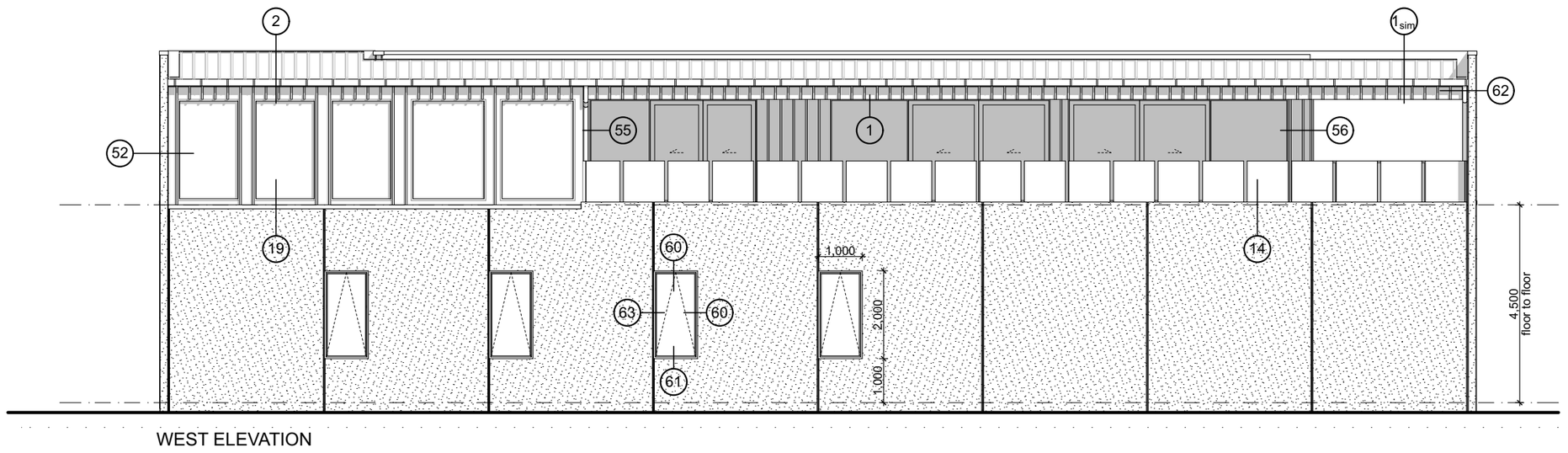
d e s i g n



EAST ELEVATION



WEST ELEVATION

a r c h i t e c t u r e

d e s i g n

LOT 222 HIGHLANDS MOTORSPORT PARK
ELEVATIONS

1:100 @ A3 & 1:200 @ A4

Sheet: RC.5
Rev: 1

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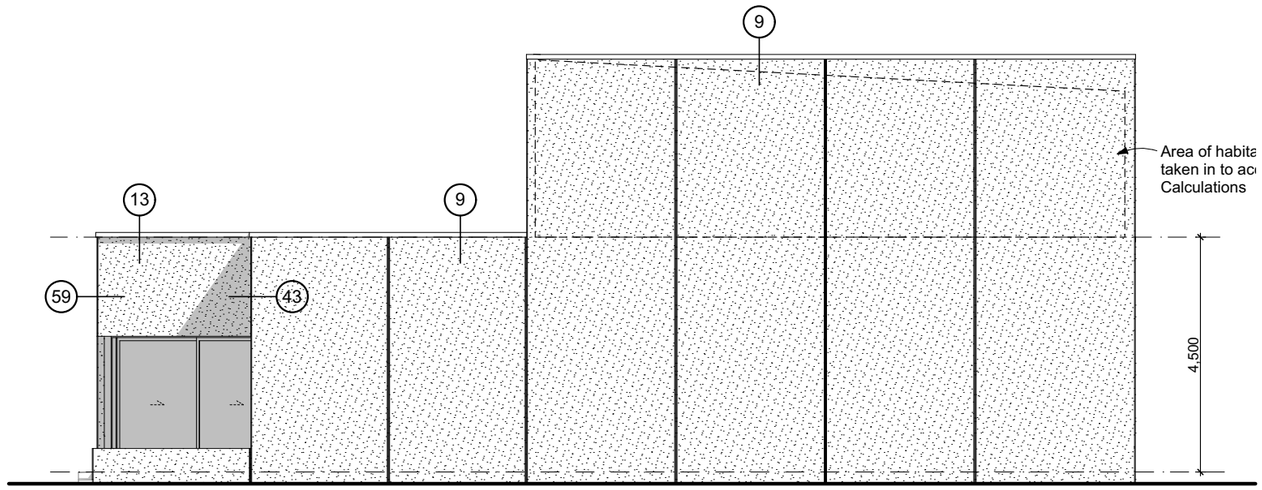
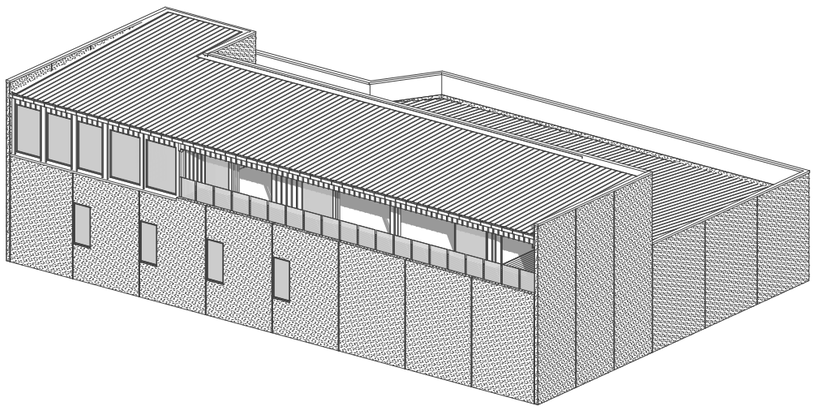
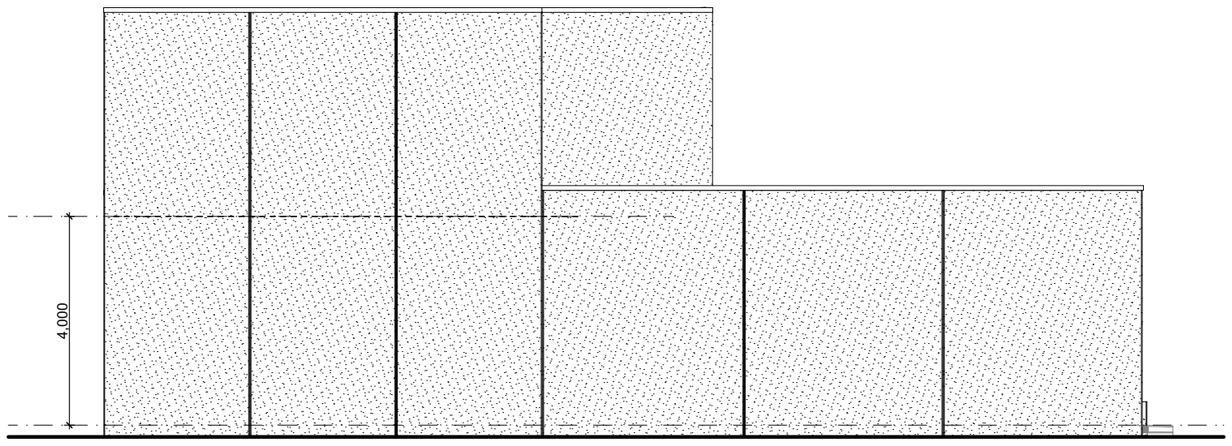
d e s i g n

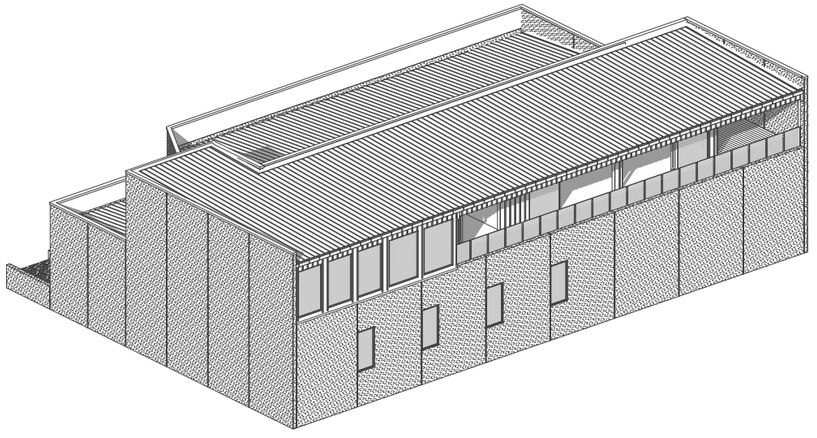


NORTH ELEVATION





SOUTH ELEVATION



a r c h i t e c t u r e

d i p l o m a s t u d i o s

LOT 222 HIGHLANDS MOTORSPORT PARK
ELEVATIONS

1:100 @ A3 & 1:200 @ A4 | Sheet: RC.6 | Rev: 1

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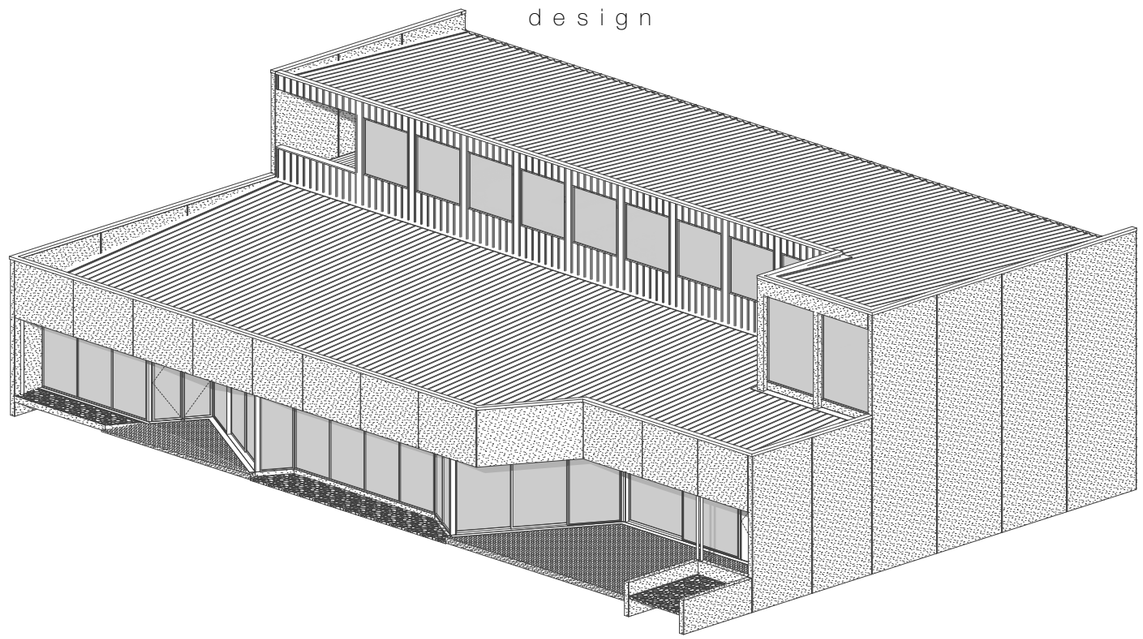

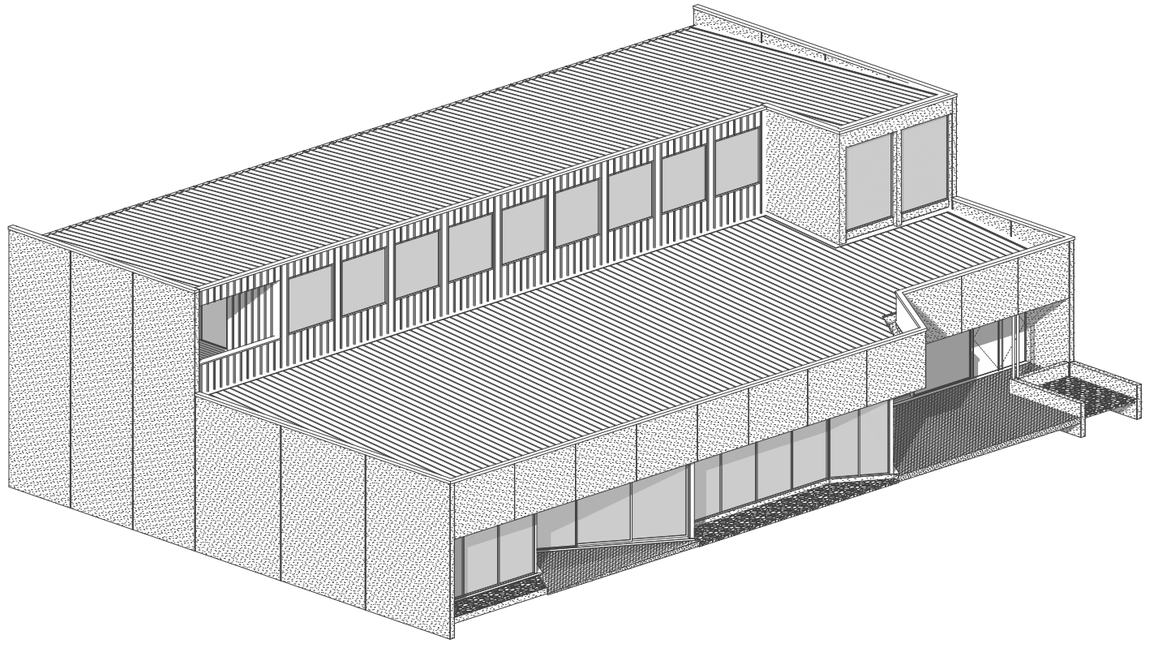

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LOT 222 HIGHLANDS MOTORSPORT PARK
ISOMETRICS

Sheet: RC.7
Rev: 1

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d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 222 HIGHLANDS MOTORSPORT PARK
PERSPECTIVE

Sheet
RC.8
Rev: 1

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d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 222 HIGHLANDS MOTORSPORT PARK
PERSPECTIVE

Sheet RC.9
Rev: 1

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d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 222 HIGHLANDS MOTORSPORT PARK
PERSPECTIVE

Sheet
RC.10
Rev: 1

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d e s i g n

a r c h i t e c t u r e

s t u d i o

LOT 222 HIGHLANDS MOTORSPORT PARK
PERSPECTIVE

Sheet:
RC.11
Rev: 1

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design

architecture

studio

LOT 222 HIGHLANDS MOTORSPORT PARK
PERSPECTIVE

Sheet:
RC.12
Rev: 1

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