



AGENDA

Hearings Panel Meeting Tuesday, 7 July 2026

Date: Tuesday, 7 July 2026

Time: 9:30 am

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

Notice is hereby given that a Hearings Panel Meeting will be held in Ngā Hau e Whā, William Fraser Building, 1 Dunorling Street, Alexandra on Tuesday, 7 July 2026 at 9:30 am.

Order Of Business

1 Reports 6
26.0.1 D10025 - CENTRAL OTAGO DISTRICT COUNCIL 6

Members Cr G Rae (Independent Commissioner)

In Attendance T Lines (Minute Secretary)

1 REPORTS

26.0.1 D10025 - CENTRAL OTAGO DISTRICT COUNCIL

Doc ID: 2820146

1. Purpose

A report to consider notice of Requirement (NOR) for utilities (water storage purposes) in the Rural Resource Area, subject to an Outstanding Natural Feature (ONF).

2. Attachments

Appendix 1 - s42A Planning Report [↓](#)

Appendix 2 - s95 Notification Report [↓](#)

Appendix 3 - Application [↓](#)

Appendix 4 - Further Information Request [↓](#)

Appendix 5 - Further Information Response Letter [↓](#)

Appendix 6 - Further Information Response Attachment A - Updated Proposed Conditions [↓](#)

Appendix 7 - Further Information Response Attachment B - Archaeological Assessment [↓](#)

Appendix 8 - Further Information Response Attachment C - Correspondence with HNZPT [↓](#)

Appendix 9 - 01 Submission - New Zealand Transport Agency [↓](#)

Appendix 10 - 02 Submission - Heritage New Zealand Pouhere Taonga [↓](#)

Appendix 11 - 03 Submission - Robert Perriam [↓](#)

Ref: D10025

Page | 1

Our Ref: D10025

CENTRAL OTAGO DISTRICT COUNCIL
NOTICE OF REQUIREMENT BY CENTRAL OTAGO DISTRICT COUNCIL:
D10025

REPORT STRUCTURE

This report is structured as follows:

- **Part A – Introduction**
 1. Status of this report
 2. Notice of requirement (**NOR**) received
 3. Existing site and surrounds
 4. Project description
 5. Statutory consideration of the NOR

- **Part C – Assessment of the NOR pursuant to section 171**
 - Effects on the environment
 - Relevant provisions of the District Plan
 - Other relevant provisions
 - Relevant provisions of Regional Policy Statement
 - Assessment against part 2 of the RMA
 - Alternative sites, routes, or methods
 - Whether the designation is reasonably necessary
 - Other matters

NB: 'Part B Notification Determination under Sections 149ZCB - 149ZCF' is a separate report.

PART A: INTRODUCTION**1. STATUS OF THE REPORT**

The purpose of this report is to provide a notification assessment and overall recommendation on whether Central Otago District Council confirms the NOR or requests its modification or withdrawal. Any conclusions reached or recommendations made in this report are not binding on the Council as the territorial authority, and it should not be assumed that it will reach the same conclusion or decision once it has considered all the evidence.

2. NOTICE OF REQUIREMENT (NOR) RECEIVED

Central Otago District Council (CODC) as the Requiring Authority, gave notice of its requirement for a new designation to construct, operate, and maintain water storage reservoirs for community water supply, with associated access, infrastructure, earthworks, and landscaping, on land located on Clark Road, Pisa Moorings, pursuant to sections 168A of the Resource Management Act 1991 (the Act). The application was formally received and accepted by Central Otago District Council as the regulatory authority on 28 January 2026.

The notice of requirement is to apply to all of Lot 8 DP 433991.

Following notification of the Notice of Requirement, submissions were received from New Zealand Transport Agency Waka Kotahi, Heritage New Zealand Pouhere Taonga, and Robert Perriam. On

Ref: D10025

Page | 2

24 April 2026, a request for further information was issued to the requiring authority. The request sought further information in relation to landscape and visual mitigation, effects on neighbouring properties and accommodation activities, archaeological and heritage effects, construction traffic, stormwater and overflow management, and the level of detail to be addressed through the future Outline Plan process.

A response to the request was received on 15 May 2026. The response included an updated set of proposed designation conditions, an Archaeological Assessment prepared by Origin Heritage, and correspondence with Heritage New Zealand Pouhere Taonga. The further information has been considered in this report, together with the original Notice of Requirement, supporting technical material, and submissions received.

3. EXISTING SITE AND SURROUNDS

The subject site is legally described as Lot 8 DP 433991, held in Record of Title 528990, with a total area of approximately 6,120m². The site is owned by Central Otago District Council and is classified on the title as a Local Purpose (Utilities) Reserve, subject to the Reserves Act 1977.

The site is located off Clark Road, near its intersection with State Highway 6 (Luggate–Cromwell Road), directly opposite the Pisa Moorings residential area on the eastern side of Lake Dunstan. Access to the site is via an existing formed farm track extending from Clark Road.

Under the Operative Central Otago District Plan, the site is zoned Rural Resource, with the upper portion of the site located within an Outstanding Natural Feature overlay, identified as the Lowburn glacial outwash terrace / Sugarloaf landform.

Physically, the site comprises a steeply sloping gully located at the northern end of the Sugarloaf terrace riser. The landform is visually distinctive, characterised by steep side slopes and a relatively flat upper terrace. The site forms part of a historic sluiced gully associated with early gold mining activity and contains a recorded archaeological site (G41/260). Vegetation within the site is generally sparse and comprises a mix of grassed areas and scattered wilding conifers and briar rose, with an informal track providing access to the upper slopes.

The surrounding environment is predominantly rural in character, with adjoining land utilised for viticulture, horticulture, and farming activities. Visitor accommodation cabins are located on neighbouring land near Clark Road. Established residential development occupies the Pisa Moorings Large Lot Residential and Low Density Residential Zones on the opposite side of State Highway 6. Public pedestrian and cycle access is provided via existing easements across the site and adjoining land.

The site was created specifically for water infrastructure purposes. Subdivision consent RC080351, granted on 22 December 2008, established Lot 8 DP 433991 as a discrete parcel intended to accommodate a water supply reservoir. This subdivision consent was implemented, and the current title was issued on 4 October 2011.

Concurrently, land use consent RC090194 was granted (via Environment Court Consent Order dated 8 July 2011) for construction of a water supply reservoir on the site. That consent approved a single reservoir tank and associated works and included landscape mitigation and heritage protection requirements. RC090194 was granted for a duration of eight years and lapsed in July 2019, with no evidence of a section 125 extension having been sought or approved.

Notwithstanding the lapse of RC090194, the subdivision creating Lot 8 DP 433991 was completed, and the land has remained in Council ownership as a Local Purpose (Utilities) Reserve since that time. The current application therefore relates to land that was expressly created and retained for municipal water infrastructure, with the present Notice of Requirement seeking to re-establish planning authorisation for reservoir development through designation rather than resource consent.

4. NATURE OF WORKS AND VOLUNTEERED CONDITIONS

4.1 Designation Sought

The requiring authority seeks a new designation under section 168A of the Resource Management Act 1991 over the entirety of Lot 8 DP 433991 for the purposes of constructing, operating, and maintaining drinking water storage infrastructure to support the Pisa Moorings, Lowburn, and wider Cromwell community water supply network.

The designation would provide for the following public works and associated activities:

- Construction of up to two water storage reservoirs and associated infrastructure, including pipework, pump equipment, utility cabinets and ancillary structures;
- Earthworks to form reservoir platforms and access;
- Construction and upgrading of vehicle access from Clark Road;
- Landscaping and ecological mitigation planting;
- Stormwater management infrastructure;
- Temporary construction activities, including site establishment and vehicle movements; and
- Ongoing operation and maintenance of the reservoirs and associated infrastructure.

A Land Requirement Plan accompanies the application and identifies the extent of land required to accommodate the reservoirs, access, earthworks and mitigation planting. The designation area includes sufficient space to enable earthworks, finished landform shaping, vehicle access, and landscape screening.

The application does not seek to confirm the final detailed design of the reservoir infrastructure. Detailed design, including the final tank layout, engineering design, earthworks design, stormwater design, and detailed landscape mitigation, would be addressed through a future Outline Plan process under section 176A of the Act.

4.2 Indicative Design Parameters

While detailed design is deferred to the Outline Plan stage, the Notice of Requirement and proposed designation conditions establish a number of key design and effects-management parameters. These parameters provide the framework within which the future Outline Plan must be prepared.

The principal design parameters are:

- the reservoir tanks must be finished in dark, visually recessive colours in the range of browns or greens, with a reflectivity value of no more than 15%;
- the reservoir tanks must not exceed 5.5m above the platform base material;
- the platform base material must not exceed a maximum relative level of 240.2m;
- external lighting is limited to sensor-activated downlights mounted on structures within the designation area, and only for security and operational requirements;
- earthworks must be designed to create a contained hollow within which the tanks are located;
- finished earthworks must be naturalistic in form and retain, as much as practicable, the integrity of the gully;
- the tanks must be substantially physically separated from the existing vehicle track by landform;

Ref: D10025

Page | 4

- ancillary pipework and valving must be located underground; and
- access is to be obtained from the existing track from Clark Road, with any new access-related earthworks kept to the minimum required.

These parameters are important because they define the scale and general form of development enabled by the designation, notwithstanding that the final design details will be resolved through the Outline Plan process.

4.3 Updated Proposed Conditions Following Further Information Response

The original Notice of Requirement included a suite of volunteered conditions addressing design controls, earthworks, landscaping, access, noise, dust, preliminary site investigation, and archaeological matters.

Following receipt of submissions and Council's request for further information dated 24 April 2026, the requiring authority provided an updated set of proposed designation conditions on 15 May 2026. The updated conditions respond to issues raised in submissions, particularly in relation to landscape mitigation, effects on neighbouring properties and accommodation activities, archaeological and heritage effects, construction traffic, and stormwater / overflow management.

The updated proposed conditions include the following key additions and refinements.

Environmental Management Plan

The requiring authority now proposes a more detailed Environmental Management Plan condition. The EMP is required prior to earthworks or construction and must address construction management, erosion and sediment control, dust, noise and vibration, accidental discovery procedures, spill contingency and waste management. The updated condition specifically requires dust management measures to avoid nuisance effects on neighbouring residential and accommodation activities and requires noise and vibration management to include proactive communication with the owners of sensitive receiver sites at 23 Clark Road and 1 Perriam Place.

Landscape Mitigation Plan

The previous general landscape condition has been replaced with a more detailed Landscape Mitigation Plan condition. The LMP must be submitted for certification prior to earthworks or construction and must include species, densities and layout, irrigation, pest and weed control, replacement planting, and annual auditing of plant survival rates for the first three years. The updated condition also requires active maintenance of landscape mitigation planting for the life of the designation.

Construction Traffic Management Plan

The requiring authority has accepted, in substance, the relief sought by New Zealand Transport Agency Waka Kotahi. The updated conditions require a Construction Traffic Management Plan to be prepared by a suitably qualified and experienced person and submitted to Council for certification at least 14 days prior to construction commencing. The CTMP must address the safety impacts of construction activities on public roads, minimisation of truck movements, timing of large machinery movements, and written confirmation from NZTA that the CTMP is acceptable.

Construction Management Plan

The updated proposed conditions also include a Construction Management Plan. The CMP is intended to manage construction effects on the environment and the amenity of neighbouring properties. It includes requirements relating to the duration and timing of works, construction hours, noise, dust, vibration, traffic and access, and communication with the public.

Archaeological and Heritage Conditions

The requiring authority has provided an Archaeological Assessment prepared by Origin Heritage and has confirmed that an Archaeological Authority process is underway. The archaeological assessment identifies the relevant archaeological site as G41/620, Sugar Loaf Ground Sluicings,

Ref: D10025

Page | 5

and confirms that an Archaeological Authority will be required for works with potential to affect archaeological evidence.

The updated proposed conditions include additional archaeological management requirements. These include obtaining an Archaeological Authority where required, avoiding archaeological damage wherever practicable, demarcating archaeological feature boundaries before works, preparing a Site Instruction document, archaeological monitoring, recording of archaeological features uncovered during works, and procedures where Māori material is discovered.

Stormwater and Operational Release

The requiring authority has added a specific Stormwater and Overflow Management Plan condition. This requires a detailed plan to be prepared by a suitably qualified engineer and certified at Outline Plan stage. The plan must address stormwater from new impervious surfaces, overland flow paths, reservoir overflow and scour-washout systems, energy dissipation, downstream scour, effects on adjoining properties, and confirmation from NZTA that the proposed drainage and overflow solutions will not adversely affect the state highway network.

4.4 Reliance on Updated Conditions

For the purposes of this report, I have assessed the Notice of Requirement on the basis of the updated proposed designation conditions provided with the requiring authority's further information response dated 15 May 2026.

The updated conditions are more detailed than those originally lodged with the application and provide a clearer framework for managing the effects raised in submissions. In particular, they provide additional certainty regarding landscape establishment and maintenance, construction effects on neighbouring residential and accommodation activities, archaeological management, construction traffic, and stormwater / overflow management.

The applicant's proposed updated condition is reproduced below:

Design Controls

- 1. The reservoir tanks shall be painted or otherwise coloured so as to be of dark, visually recessive colours in the range of browns or greens with a reflectivity value of no more than 15%.*
- 2. The reservoir tanks shall have a maximum height of 5.5m above the platform base material, which itself shall have a maximum relative level of 240.2m.*
- 3. Any external lighting will be limited to downlights mounted on the structures within the designation area and are to be sensor activated. The lighting is to only be for security and operational requirements.*

Earthworks Conditions

- 4. All earthworks shall be designed and supervised by a suitably qualified geo-professional.*

Environmental Management Plan (EMP)

- 5. Prior to the commencement of any earthworks or construction activities, the Requiring Authority shall submit an Environmental Management Plan (EMP) to the Council's Planning Manager for certification. The EMP shall be prepared by a suitably qualified and experienced person and shall be consistent with the scale and nature of the proposed works.*

The objective of the EMP is to provide a framework for the management of all environmental effects during the construction phase to ensure compliance with the designation conditions and the relevant provisions of the District Plan.

The EMP shall include, but not be limited to, the following:

- a. Construction Management: Identification of the hours of work, contact details for the site manager, and a program for the staging of works.*
- b. Erosion and Sediment Control: Detailed methods to be implemented to minimise erosion and prevent the discharge of sediment-laden water or debris beyond the boundaries of the designation, particularly onto lower-lying adjoining properties and the State Highway network.*
- c. Dust Management: Specific mitigation measures to ensure that dust does not create a nuisance for neighbouring residential or accommodation activities, including the use of water carts or stabilisation of exposed surfaces during windy conditions.*
- d. Noise and Vibration: A plan for managing construction noise and vibration in accordance with NZS 6803:1999 and DIN 4150-3:1999, including methods for proactive communication with the owners of sensitive receiver sites at 23 Clark Road and 1 Perriam Place.*
- e. Accidental Discovery Protocol: Procedures to be followed in the event that any archaeological sites, kōiwi, or heritage artifacts are uncovered during earthworks, ensuring compliance with the Heritage New Zealand Pouhere Taonga Act 2014.*
- f. Spill Contingency: Procedures to prevent and respond to any accidental spills of fuels or hazardous substances used by construction machinery.*
- g. Waste Management: Measures to manage construction waste and ensure the site is kept in a tidy state to protect the visual amenity of the Rural Resource Area.*

All construction and earthworks activities shall be carried out in accordance with the certified EMP at all times. Any significant changes to the EMP shall be submitted to the Council for re-certification prior to those changes being implemented.

- 6. Earthworks shall be designed to create a contained hollow within which the tanks are located. Finished earthworks shall be naturalistic in form and retain (as much as possible) the integrity of the gully. The design shall be done such that the tanks are substantially physically separated from the existing vehicle track by landform. The earthworks design along with the natural landscape and matured planting growth over time will ensure the tanks are reasonably difficult to see from Clark Road and State Highway 6.*

Landscape Mitigation Plan

- 7. Prior to the commencement of any earthworks or construction activities, the Requiring Authority shall submit a Landscape Mitigation Plan (LMP) to the Council's Planning Manager for certification. The LMP shall be designed so as to rid the site of weed species and establish ecologically appropriate mixed native vegetation within the site that enhances the visual screening of the tanks provided by the earthworks design. Vegetation shall be designed to assist in achieving the criterion set out in Condition 6, that the tanks are reasonably difficult to see from Clark Road and State Highway 6.*

The LMP shall include comprehensive details regarding the active maintenance of all landscape mitigation planting for the life of the designation. This shall include, but not be limited to:

- a. Details of planting species, densities and layout formulated by a suitably qualified landscape or ecological professional so as to use species and methods that are*

specifically suited to local conditions to ensure the best possible survival, growth and results in relation to visual screening.

- b. Irrigation: Details of a temporary automated irrigation system to be maintained for a minimum of five years from the time of planting to ensure successful establishment.*
- c. Pest and Weed Control: A program for ongoing animal pest control (specifically targeting rabbits) and the removal of invasive weed species within the planting areas.*
- d. Replacement Regime: A replacement regime whereby any specimen that dies, is removed, or becomes significantly diseased within the first five years of planting shall be replaced by the Requiring Authority with a plant of the same or similar species and of a comparable grade within the next available planting season.*
- e. Reporting: Provisions for an annual audit of plant survival rates by a suitably qualified landscape or ecological professional for the first three years following implementation, with the results to be provided to the Council upon request. In the event that survival or growth rates are suboptimal, the annual reporting shall include details of remedial or alternative planting design so as to achieve the results required by Conditions 6 and 7.*

All landscape mitigation shall be implemented in accordance with the certified LMP within the first planting season following the completion of the reservoir construction.

Construction Traffic Management Plan (CTMP)

- 8. A Construction Traffic Management Plan (CTMP) shall be prepared by a suitably qualified and experienced person. The objective of the CTMP is to provide a framework to be adopted by the Consent Holder to avoid, remedy or mitigate any actual or potential adverse traffic effects of the construction works. The CTMP shall be submitted to Central Otago District Council for certification at least 14 days prior to the construction commencement date.*

The CTMP shall include consideration of:

- a. Minimisation of the safety impacts of construction activities on the users of public roads;*
- b. Means by which the total number of truck movements to and from the construction activities could be minimised (e.g. backloading of departing vehicles, reuse of material onsite); and*
- c. Means by which the movement of large machinery can be undertaken at times and in a manner that minimises effects on public road users (e.g. avoiding peak commuter periods).*

Prior to the construction of the Central Otago District Council commencing, the consent holder shall submit to Central Otago District Council correspondence from the New Zealand Transport Agency confirming that the Construction Traffic Management Plan is acceptable.

Detailed designs shall be undertaken in accordance with accepted engineering standards.

- 9. Access to the site shall be obtained from the existing track from Clark Road. No significant upgrades shall be undertaken to provide access to the site during and subsequent to construction.*
- 10. Any new earthworks required to gain access from the existing track to the site shall be kept to the minimum required. All exposed cut and fill shall be reinstated and revegetated with hard tussock (except where already provided for in the landscape*

mitigation plan) the establishment of which will involve permanent rabbit fencing and a permanent irrigation system.

General

- 11. All ancillary pipework and valving shall be located underground.*
- 12. Dust suppression methods shall be used during construction works at the site.*
- 13. Construction noise is to comply with NZS 6803:1999 Acoustics - Construction Noise.*
- 14. The requiring authority shall keep the site free of all wilding pines and woody weeds.*
- 15. The use and noise associated with the use of an emergency generator operating for emergency purposes is permitted.*
- 16. Prior to works commencing, a Preliminary Site Investigation shall be prepared by a suitably qualified person and submitted to the Territorial Authority.*

Heritage Conditions

- 17. Prior to the design and construction of the works, the requiring authority shall nominate an appropriately qualified archaeologist, such person being acceptable to Heritage New Zealand Pouhere Taonga. For the avoidance of doubt the nominated and accepted person is referred to as "the archaeologist" in this condition.*
- 18. A durable water resistant stormwater drainage system be designed and installed through or around the access and site to preserve the tailing, sluice channel and remnant alluvial gully face from future stormwater erosion due to the location of the works in the base of a gully. The design shall be subject to the approval of the archaeologist prior to installation.*
- 19. Plans and methodology for access, operation of plant and placement of materials at the construction site shall be prepared and submitted to the archaeologist for approval prior to any physical site work occurring.*
- 20. The archaeologist shall monitor:*
 - (a) Compliance with the plans submitted with the application; and*
 - (b) On-site pegging necessary to facilitate construction and protection of archaeological sites; and*
 - (c) Excavation, compaction and site reinstatement activities.*
- 21. On site monitoring by the archaeologist shall occur during excavation and during any compaction/vibration activities associates with the site preparation and installation (construction) of the works to monitor the stability of the dwelling chimney, riveted schist shone channel walling and north facing sheer cliff faces of the remnant alluvial gully faces between the site and the main sluice gully to the north.*
- 22. If koiwi (human skeletal remains) waahi taoka (resources of importance) or artefact material (whether of tangata whenua, Chinese or European Origin) are discovered at the construction site, work will immediately cease and Kai Tahu and the New Zealand Archaeological Association shall be advised. In the event of such a discovery relevant to Tangata Whenua the requiring authority shall arrange for a site inspection by the appropriate Tangata Whenua and their advisors who will determine whether the discovery is likely to be extensive and whether a thorough site investigation is required. Material discovered will be handled by the iwi responsible for the tikanga appropriate to their removal or preservation.*
- 23. The requiring authority shall ensure that construction workers and plant operators are briefed with respect to accidental discovery protocol provided for in condition 17.*

24. *An archaeological authority under section 44 of the Heritage New Zealand Pouhere Taonga Act (2014) should be obtained from Heritage New Zealand for the Sugar Loaf Ground Sluicings G41/620 prior to any excavations proceeding that could damage this site.*
25. *As a first principle, every practical effort should be made to avoid damage to any archaeological site.*
26. *Prior to the commencement of onsite works the boundaries of archaeological features must be established with a visual aid (such as safety fencing) to ensure that no accidental damage to the site occurs.*
27. *A Site Instruction document should be prepared to inform and assist all parties involved in ensuring that the conditions attached to any archaeological authority are met. This document should cover both the construction of the reservoir, planting and the removal of wilding pine.*
28. *Wilding pine and other woody weed removal should be undertaken on the wider site where practicable to overall enhance the site's values.*
29. *Upon the removal of vegetation, updated survey, mapping and recording of site G41/620 should be undertaken.*
30. *In line with Provision 12 of Heritage Covenant 88791893.15, interpretive panels, signage, or other heritage interpretation measures should be installed at the site.*
31. *The excavation contractor(s) must be informed of the requirements of any authority issued and briefed by the archaeologist about the site's archaeological values and the possibility that archaeological material may be uncovered during excavation works.*
32. *All earthworks that may affect any archaeological material should be monitored by an archaeologist.*
33. *If any archaeological features are uncovered during excavations, these should be recorded using appropriate archaeological standards by an archaeologist.*
34. *If at any stage during site works Māori material is discovered, works must cease and manawhenua and HNZPT shall be consulted immediately about how to proceed.*

Construction Management Plan (CMP)

35. *Prior to the commencement of any works on the site, the Requiring Authority shall submit a Construction Management Plan (CMP) to the Council's Planning Manager for certification. The objective of the CMP is to ensure that all construction activities are managed to minimise adverse effects on the environment and the amenity of neighbouring properties. The CMP shall include, but not be limited to, the following:*
 - (a) *Duration and Timing of Works: A schedule of works, including the expected start date and duration. All construction activities shall be restricted to between the hours of 0730 and 1800, Monday to Saturday, with no noisy works permitted on Sundays or Public Holidays.*
 - (b) *Noise Management: Procedures to ensure that all construction noise complies with the requirements of NZS 6803:1999 Acoustics – Construction Noise. This shall include identification of particularly noisy activities and methods to minimise noise at the boundary of sensitive receivers.*
 - (c) *Dust Mitigation: A description of the methods to be used to prevent dust nuisance beyond the boundary of the site, including water spraying of exposed earthworks, stabilisation of stockpiles, and wheel-wash facilities if required.*
 - (d) *Vibration Management: Measures to manage and monitor vibration during the construction phase to ensure compliance with DIN 4150-3:1999 Structural*

Vibration – Effects of Vibration on Structures (or subsequent versions) to protect neighbouring infrastructure and dwellings.

- (e) Traffic and Access: Methods to manage the movement of heavy machinery and delivery vehicles to and from the site via Clark Road to ensure road safety and maintain access for residents.*
- (f) Communications: Contact details for a designated site manager who will be responsible for responding to any complaints or inquiries from the public during the construction period. All construction activities shall be carried out in accordance with the certified CMP.*

Stormwater and Operational Release

36. Prior to the commencement of construction, the Requiring Authority shall submit a detailed Stormwater and Overflow Management Plan to the Council for certification at the Outline Plan stage. The Plan shall be prepared by a suitably qualified engineer and shall demonstrate:

- (a) That stormwater from all new impervious surfaces is managed to ensure post development peak flow does not exceed pre-development peak flow for a 1 in 10 year storm event.*
- (b) The location and design of all overland flow paths, ensuring they are stabilised to prevent erosion and do not adversely affect adjoining private properties.*
- (c) The design of any reservoir overflow or scour-washout systems, including energy dissipation measures at the outfall to prevent downstream scour or effects on State Highway 6.*
- (d) Written confirmation from New Zealand Transport Agency confirming that the proposed drainage and overflow solutions will not adversely affect the state highway network.*

Detailed designs shall be undertaken in accordance with accepted engineering standards.

5. STATUTORY CONSIDERATION OF THE NOR

5.1 Section 171 of the Act

Section 168A of the Act applies where a territorial authority gives notice of a requirement for a designation within its own district. In considering the requirement, the territorial authority must have particular regard to the matters set out in section 171(1) of the Act and may then confirm, modify, impose conditions on, or withdraw the requirement in accordance with section 171(2).

Section 171(1) of the RMA requires consideration of the following matters when assessing an amendment to a designation:

(1) When considering a requirement and any submissions received, a territorial authority must, subject to Part 2, consider the effects on the environment of allowing the requirement, having particular regard to—

- (a) any relevant provisions of—*
 - (i) a national policy statement;*
 - (ii) a New Zealand coastal policy statement;*
 - (iii) a regional policy statement or proposed regional policy statement;*
 - (iv) a plan or proposed plan; and*

Ref: D10025

Page | 11

- (b) *if the requiring authority does not have an interest in the land sufficient for undertaking the work—*
 - (i) *whether adequate consideration has been given to any alternative sites, routes, or methods of undertaking the work; and*
 - (ii) *whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and*
- (c) *[Repealed]*
- (d) *any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.*

(1B) The effects to be considered under subsection (1) may include any positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from the activity enabled by the requirement, as long as those effects result from measures proposed or agreed to by the requiring authority.

Ref: D10025

Page | 12

PART C – ASSESSMENT OF THE NOTICE OF REQUIREMENT, PURSUANT TO SECTION 171(1)

SUMMARY OF SUBMISSIONS

Submitter	Position	Key Issues Raised	Relief Sought
New Zealand Transport Agency Waka Kotahi (NZTA)	Neutral	<ul style="list-style-type: none"> - Potential construction traffic effects on SH6 via Clark Road intersection - Limited detail on construction traffic - Potential stormwater/ overflow effects on state highway corridor 	<ul style="list-style-type: none"> - Require Construction Traffic Management Plan (CTMP) - NZTA input/approval of CTMP - Conditions to ensure no adverse effects on SH6 (including stormwater management)
Heritage New Zealand Pouhere Taonga (HNZPT)	Neutral	<ul style="list-style-type: none"> - No archaeological assessment provided - Site contains/extends into recorded archaeological features - Potential more than minor adverse effects on heritage - Reliance on ADP/monitoring considered insufficient 	<ul style="list-style-type: none"> - Require confirmation of Archaeological Authority prior to works - Ongoing vegetation management - On-site heritage interpretation - Stronger heritage protection measures
Robert Perriam	Oppose	<ul style="list-style-type: none"> - Significant landscape and visual effects (including private views) - Inappropriate development within ONF (Sugarloaf) - Heritage and archaeological risks - Lack of confidence in mitigation (particularly planting) - Construction effects on nearby dwellings - Insufficient detail (deferred to Outline Plan) 	<ul style="list-style-type: none"> - Decline or withdraw NOR - Alternatively, significant reconsideration of proposal location, design and mitigation

Following receipt of submissions, Council requested further information from the requiring authority. The response received on 15 May 2026 included additional information and updated proposed conditions addressing a number of the matters raised in submissions, including landscape mitigation, neighbouring amenity effects, archaeological and heritage effects, construction traffic, and stormwater / overflow management.

Consideration of the matters raised in the above submissions have been incorporated into the following assessment.

EFFECTS ON THE ENVIRONMENT

Section 171(1) of the Resource Management Act 1991 requires that particular regard be given to the effects on the environment of allowing the requirement.

Pursuant to section 171(1B), the assessment of effects may include any positive effects on the environment that offset or compensate for adverse effects, provided those effects arise from measures proposed or agreed to by the requiring authority.

In undertaking this assessment, I have had regard to the information provided in support of the Notice of Requirement, including the Assessment of Environmental Effects and supporting technical material. My assessment is structured in the same order as the applicant’s AEE.

1. Positive Effects

The proposal would enable the construction, operation and maintenance of additional drinking water storage infrastructure to support the Pisa Moorings, Lowburn and wider Cromwell community water supply network. In my view, this gives rise to several tangible positive effects.

Most notably, the designation would facilitate improved network resilience and security of supply, responding directly to identified capacity and pressure constraints within the northern Cromwell network. The provision of additional storage will assist in meeting existing demand, accommodating projected growth, and improving system performance during peak usage periods and emergency events. These outcomes contribute directly to public health and safety and support the social and economic wellbeing of the community.

I also note that the works would be undertaken on land already owned by Central Otago District Council and expressly created and retained for utility purposes. This represents an efficient use of public land and avoids the need to acquire or disturb additional sites elsewhere.

Taken together, I consider the positive effects associated with improved drinking water security, infrastructure resilience, and efficient use of Council-owned utility land to be significant and carry considerable weight in the overall assessment of the proposal.

2. Landscape, Visual Amenity and Rural Character Effects

A Landscape and Visual Effects Assessment Report has been prepared by Vivian + Espie and accompanies the Notice of Requirement. The assessment is guided by Te Tangi A Te Manu – Aotearoa New Zealand Landscape Assessment Guidelines (TTatM) and evaluates effects using a hierarchy of adjectives aligned with Resource Management Act terminology as set out below:

			SIGNIFICANT			
LESS THAN MINOR		MINOR		MORE THAN MINOR		
VERY LOW	LOW	LOW-MOD	MODERATE	MOD-HIGH	HIGH	VERY HIGH

The landscape report identifies the subject site as forming part of the Sugarloaf glacial outwash terrace, a visually distinctive landform that is subject to an Outstanding Natural Feature (ONF) overlay under the District Plan. The receiving environment is characterised by a steep gully landform, open rural slopes, historic sluicing features, and a high degree of visibility from State Highway 6, Clark Road, and the Pisa Moorings residential area.

Ref: D10025

Page | 14

The proposed reservoirs are to be located within the gully and partially set into the landform. The proposal is subject to design parameters secured through proposed designation conditions, including limits on platform elevation and reservoir height, recessive colour treatment, restrictions on lighting, requirements for earthworks to create a contained hollow, and landscape mitigation planting. The landscape report records that the proposed conditions are intended to ensure that the reservoirs are integrated into the site and are reasonably difficult to see from Clark Road and State Highway 6..

The landscape report concludes that:

- adverse visual effects will be moderate during construction and the early operational period for nearby viewpoints (including Clark Road and parts of Pisa Moorings), reducing over time to low or very low levels;
- effects on more distant visual catchments are low to very low; and
- overall landscape effects, including effects on the Outstanding Natural Feature, are low.

In his submission, Mr Perriam raises concerns regarding the visibility and visual prominence of the proposed reservoirs, particularly in relation to views from his dwelling and the wider visual catchment. He also considers that the proposal represents inappropriate development within the Sugarloaf ONF and raises concerns regarding the reliability of landscape mitigation.

Following receipt of submissions, Council requested further information on landscape mitigation, including planting species, densities, irrigation, maintenance, replacement planting, establishment timeframes and the risk of mitigation failure. In response, the requiring authority provided further detail confirming that planting would comprise hardy, drought-tolerant native species suited to the dry Central Otago climate, planted at high densities of approximately 1.5m to 2m centres in a naturalistic layout. The response also confirms that the planting would be supported by irrigation, weed control, pest management, mulching, replacement planting and monitoring.

The updated proposed conditions now require a Landscape Mitigation Plan to be submitted for certification prior to earthworks or construction. That plan must address species, densities and layout, irrigation, pest and weed control, replacement planting and annual auditing of plant survival rates. The condition also requires active maintenance of landscape mitigation planting for the life of the designation.

Visual Amenity Effects

I accept and adopt the landscape report's conclusion that the proposal will result in a period of moderate adverse visual effects for nearby viewers, particularly users of Clark Road and occupants of parts of Pisa Moorings. Under the TTatM framework adopted in the landscape report, effects of a moderate degree equate to effects that are more than minor in Resource Management Act terms.

These effects arise from the introduction of built form, earthworks and construction activity within a gully that contributes to the visual coherence of the Sugarloaf landform. During construction and the early operational period, the site will be perceived as an area of visible disturbance and activity. While the reservoirs are to be partially contained within the gully and designed to be visually recessive, they will nonetheless be noticeable from certain viewpoints until mitigation planting establishes..

The landscape report anticipates that visual effects will reduce over time as mitigation planting establishes and the earthworked landform integrates with the surrounding environment. The further information response provides additional certainty regarding how that mitigation is to be achieved, including through drought-tolerant native planting, relatively dense spacing, irrigation, rabbit control, replacement planting and monitoring.

Ref: D10025

Page | 15

I acknowledge Mr Perriam's concern that previous planting associated with RC090194 did not successfully establish and that planting in this environment can be difficult. However, the updated Landscape Mitigation Plan condition now provides a more specific and enforceable framework for plant establishment, maintenance, replacement and monitoring than was included in the original application. On that basis, I consider the uncertainty associated with mitigation has been reduced, although the reduction in visual effects will still depend on successful establishment and ongoing maintenance over time.

Landscape Effects

The proposal is located within an incised gully that is already visually distinct from the broader escarpment due to its form and vegetation. The reservoirs are to be set low within this gully and do not occupy a ridgeline, skyline, or prominent terrace edge. On this basis, physical modification of the broader ONF landform is localised.

Notwithstanding this, the introduction of engineered structures and associated earthworks will result in perceptual landscape effects, particularly in the short to medium term. These effects arise from the modification of a currently undeveloped gully that contributes to the overall naturalness and visual coherence of the Sugarloaf feature.

Consistent with the landscape report, I consider that while moderate short to medium term effects will be evident from some viewpoints, the overall effects on the landscape values of the ONF will be low, reflecting the contained location of the proposal and the mitigation measures proposed.

Rural Character Effects

The landscape report notes that water supply reservoirs are not uncommon elements within rural landscapes and are generally located in elevated locations. It also notes that, notwithstanding this, the relevant provisions direct that the values of ONFs are to be protected.

In this context, the proposal will introduce infrastructure of a utilitarian character into a rural setting. The receiving environment is rural, but it is not remote or unmodified. The site contains an existing access track, is within a modified sluiced gully, and is located close to State Highway 6 and the Pisa Moorings settlement.

Consistent with the landscape report's overall conclusion that landscape effects are low, I consider that the proposal will result in a localised change to the character of the site, particularly during construction and the early operational period. That change is primarily associated with visual presence and construction activity rather than a broader transformation of rural land use patterns or the character of the surrounding rural environment.

On that basis, and having regard to the findings of the landscape report, I consider that adverse effects on rural character are appropriately characterised as minor, reducing over time as earthworks are reinstated and mitigation planting establishes.

Overall Findings

Drawing these matters together, I find that:

- adverse visual amenity effects will be more than minor during construction and the early operational period for nearby viewpoints, particularly users of Clark Road and occupants of parts of Pisa Moorings;
- those visual amenity effects are expected to reduce over time as earthworks are reinstated, tanks are recessively finished, and mitigation planting establishes;
- the further information response and updated Landscape Mitigation Plan condition provide greater certainty regarding planting establishment, maintenance, replacement and monitoring;

Ref: D10025

Page | 16

- perceptual landscape effects on the Sugarloaf ONF will arise, particularly in the short to medium term;
- direct physical effects on the broader ONF landform are localised;
- overall landscape effects, including effects on the values of the Sugarloaf ONF, are low, consistent with the landscape report; and
- adverse rural character effects are localised and minor.

3. Access and Traffic Effects

Access to the designation area is proposed via the existing farm track from Clark Road. Clark Road intersects with State Highway 6, and all construction traffic associated with the works will therefore use the Clark Road / State Highway 6 intersection.

Construction will generate a temporary increase in vehicle movements, particularly during the earthworks and site preparation phase. In response to Council's further information request, the requiring authority has provided additional information regarding anticipated construction traffic. The construction period is expected to be approximately 6–9 months, with the most intensive heavy vehicle movements occurring during the initial earthworks and site preparation phase. During that period, the requiring authority anticipates approximately 10–15 heavy vehicle movements per day, together with approximately 5–8 light vehicle movements per day.

New Zealand Transport Agency Waka Kotahi raised concerns regarding the potential for construction traffic effects to extend onto the State Highway 6 network, particularly at the Clark Road / State Highway 6 intersection. NZTA requested that a Construction Traffic Management Plan be required and that NZTA be involved in confirming the adequacy of that plan.

The requiring authority has accepted this relief in substance and has volunteered an updated Construction Traffic Management Plan condition. The proposed condition requires a CTMP to be prepared by a suitably qualified and experienced person and submitted to Council for certification at least 14 days prior to construction commencing. The CTMP is required to address the safety effects of construction activities on public roads, methods to minimise truck movements, and the timing of large machinery movements to minimise effects on public road users. The condition also requires written confirmation from NZTA that the CTMP is acceptable prior to construction commencing.

Operational traffic associated with the reservoirs will be minimal, consisting primarily of occasional maintenance inspections and servicing. This level of operational traffic will be substantially different from the temporary construction phase and is not expected to materially affect the functioning of Clark Road or State Highway 6.

Overall, I consider that construction traffic effects will be temporary and capable of being appropriately managed through the updated CTMP condition, including NZTA involvement. Operational access and traffic effects will be less than minor.

4. Noise Effects

The applicant has assessed both construction-related and operational noise effects associated with the proposed designation.

It is anticipated that excavation of rock will not be required during construction of the reservoir platforms. On this basis, the applicant considers that noise generated during earthworks, access upgrades and installation of services will comply with NZS 6803:1999 Acoustics – Construction Noise, as well as the relevant construction noise provisions of the District Plan.

Ref: D10025

Page | 17

Mr Perriam's submission raises concerns regarding construction-related disturbance to neighbouring properties, including accommodation units at 23 Clark Road and his property at 1 Perriam Place. Those concerns include noise, dust, vibration, traffic movements and general disruption during the earthworks and construction period.

In response to Council's further information request, the requiring authority has provided further detail regarding construction management and has volunteered updated conditions. The updated Environmental Management Plan condition requires construction noise and vibration to be managed in accordance with NZS 6803:1999 and DIN 4150-3:1999, and specifically requires methods for proactive communication with the owners of sensitive receiver sites at 23 Clark Road and 1 Perriam Place. The updated conditions also require a Construction Management Plan to address, among other matters, construction duration, timing, hours of work, noise, dust, vibration, traffic, access, and public communication.

The updated conditions identify construction hours of 7:30am to 6:00pm Monday to Saturday, with no noisy works on Sundays or public holidays.

Once operational, the reservoirs and associated infrastructure are proposed to be designed and constructed to comply with the applicable operational noise standards under the District Plan. The activity is largely passive, and routine operational noise is expected to be limited. Provision is made for the potential use of an emergency or backup generator; however, such use would be infrequent and limited to emergency or maintenance scenarios.

Having reviewed the applicant's assessment, the submissions received, and the further information response, I consider that construction noise effects will be temporary and manageable through the updated EMP / CMP conditions. Operational noise effects will be limited by the passive nature of the reservoir activity and compliance with District Plan standards.

Accordingly, I consider that construction-related noise effects will be noticeable albeit minor for nearby receivers during the works period but can be appropriately managed through conditions, and that ongoing operational noise effects will be less than minor.

5. Cultural and Heritage Effects

The application site and adjoining land contain archaeological values associated with nineteenth century gold sluicing activity. The original application relied primarily on archaeological monitoring and accidental discovery procedures. Following submissions from Heritage New Zealand Pouhere Taonga and Mr Perriam, Council requested further information on archaeological and heritage effects.

In response, the requiring authority provided an Archaeological Assessment prepared by Origin Heritage. That assessment identifies the relevant archaeological site as G41/620, Sugar Loaf Ground Sluicings, and confirms that the proposed works have the potential to affect archaeological evidence. It also confirms that an Archaeological Authority under section 44 of the Heritage New Zealand Pouhere Taonga Act 2014 will be required prior to any works that may damage, modify or destroy archaeological material.

The Archaeological Assessment concludes that the proposed reservoir works have the potential to cause a minor impact on archaeological values, but that most, if not all, impacts should be avoidable because the project remains at design stage and avoidance of archaeological material is an established part of the design process. The assessment also identifies that vegetation removal may have negligible to minor impacts, but may result in a net improvement in archaeological values if followed by improved survey, recording and interpretation.

The requiring authority has also volunteered updated conditions requiring, among other matters, an Archaeological Authority prior to relevant works, avoidance of archaeological damage as a first principle, physical demarcation of archaeological features prior to works, preparation of a Site

Ref: D10025

Page | 18

Instruction document, archaeological monitoring, recording of any archaeological features uncovered, and heritage interpretation.

On this basis, I consider that the further information materially addresses the concerns raised by HNZPT and Mr Perriam. I do not consider reliance on an Accidental Discovery Protocol alone would have been sufficient. However, subject to the updated archaeological conditions and the requirement to obtain an Archaeological Authority before works affecting archaeological material occur, I consider archaeological and heritage effects can be appropriately managed.

6. Land Stability and Natural Hazard Effects

The applicant has addressed land stability and geotechnical considerations within the Assessment of Environmental Effects, noting that earthworks will be required to form a platform for the proposed reservoirs within the gully landform. A geotechnical assessment has informed the proposal, and the volunteered designation conditions require that earthworks be undertaken in accordance with an Environmental Management Plan prepared by a suitably qualified professional, with detailed design to be provided at Outline Plan stage.

I have independently reviewed the Otago Regional Council Natural Hazards Portal. While Clark Road and the entrance to the site are identified as being affected by floodwater-dominated alluvial fan processes, the main area of the site where the proposed water infrastructure would be located is not identified as being subject to any mapped natural hazard constraints, including landslide risk.

The original application acknowledged that the reservoir platform and tanks would alter existing overland flow paths, with detailed stormwater design to be addressed at Outline Plan stage. Submissions from NZTA and Mr Perriam raised concerns regarding the adequacy of this approach, particularly in relation to potential effects on adjoining land and the State Highway 6 corridor.

In response, the requiring authority has provided additional information on the proposed stormwater and overflow management framework. The response confirms that clean upslope run-on water will be intercepted and diverted around the reservoir infrastructure, and that stormwater from new impervious surfaces will be collected and managed through attenuation and / or soakage mechanisms. The response also confirms that overflow risks will be managed through telemetry, high-level sensors and a formal overflow system discharging to a stabilised outfall or detention area.

The updated conditions require a Stormwater and Overflow Management Plan to be prepared by a suitably qualified engineer and certified prior to construction. The plan must demonstrate that post-development peak flows do not exceed pre-development peak flows for the specified design storm event, identify stabilised overland flow paths, address reservoir overflow and scour-washout systems, and include confirmation from NZTA that the proposed drainage and overflow solutions will not adversely affect the state highway network.

On this basis, I am satisfied that the proposed reservoir platforms are not located within an area of known significant natural hazard risk. The volunteered conditions, including requirements for engineered fill, stormwater management, and professional oversight of earthworks, provide further assurance that land stability and drainage effects can be appropriately managed.

7. Construction Effects

The construction phase has the potential to generate temporary effects including noise, dust, vibration, sediment discharge, traffic movements, visual disturbance, and on-site vehicle parking. These effects were raised in submissions, particularly by Mr Perriam in relation to neighbouring residential and accommodation activities at 1 Perriam Place and 23 Clark Road.

The original application proposed that construction effects would be managed through an Environmental Management Plan and Traffic Management Plan. Following receipt of submissions and Council's further information request, the requiring authority has volunteered a more detailed suite of construction-related conditions, including an Environmental Management Plan, Construction Traffic Management Plan, Construction Management Plan, Landscape Mitigation Plan, and Stormwater and Overflow Management Plan.

The updated EMP condition requires construction management, erosion and sediment control, dust management, noise and vibration management, accidental discovery procedures, spill contingency and waste management to be addressed before earthworks or construction commence. In relation to neighbouring amenity, the EMP specifically requires dust management measures to avoid nuisance effects on neighbouring residential or accommodation activities, and noise and vibration management to include proactive communication with the owners of sensitive receiver sites at 23 Clark Road and 1 Perriam Place.

The updated Construction Management Plan condition provides additional controls on the practical management of works. It requires details of construction timing, staging, construction hours, noise, dust, vibration, traffic, site access, and communication with the public. This directly responds to submitter concerns regarding the scale, timing and day-to-day management of construction effects.

The updated CTMP condition addresses construction traffic and the use of Clark Road and State Highway 6. This includes minimising the safety effects of construction activities on public roads, reducing truck movements where practicable, managing the timing of large machinery movements, and obtaining written confirmation from NZTA that the CTMP is acceptable.

Construction will also result in temporary visual disturbance associated with earthworks, exposed ground, machinery and site activity. These effects overlap with the landscape and visual amenity effects assessed earlier in this report. The requiring authority proposes to manage those effects through earthworks design, landform shaping, reinstatement, and implementation of a Landscape Mitigation Plan. The updated LMP condition provides greater detail regarding planting, irrigation, pest control, replacement planting and monitoring.

I accept that construction-related effects will be noticeable for nearby receivers during the works period. This includes occupants of nearby visitor accommodation and residential properties. However, these effects will be temporary and are capable of being appropriately managed through the updated designation conditions. In particular, the further information response and updated conditions provide a more robust framework for managing the specific amenity concerns raised in submissions.

Accordingly, I consider that construction effects, including noise, dust, vibration, traffic, sediment, and general disturbance, can be appropriately managed through the updated conditions. Those effects will be temporary in duration and are expected to be no more than minor overall, subject to implementation of the certified management plans.

8. Reverse Sensitivity Effects

The proposed designation relates to drinking water storage infrastructure with limited operational activity beyond periodic inspection and maintenance. Once constructed, the reservoirs will be largely passive infrastructure. Operational noise and lighting are controlled through the proposed designation conditions, and no ongoing high-intensity operational use of the site is anticipated.

Residential development exists within Pisa Moorings, and visitor accommodation is located on adjoining rural land near Clark Road. Mr Perriam has raised concerns regarding amenity effects on neighbouring properties, including the accommodation units at 23 Clark Road. Those concerns are primarily related to visual amenity and temporary construction effects, rather than any ongoing incompatibility between the surrounding activities and the operation of the reservoirs.

Ref: D10025

Page | 20

I do not consider that the presence of residential or visitor accommodation activities nearby would materially constrain the ongoing operation of the reservoirs. The operational activity will be infrequent and low-intensity, and the proposed conditions control lighting, operational noise, access, and emergency generator use.

Equally, once construction is complete, the infrastructure itself is unlikely to generate ongoing effects of a nature or scale that would give rise to reverse sensitivity concerns. The principal ongoing effect will be visual, which has been assessed separately under landscape, visual amenity and rural character effects.

Accordingly, I consider that reverse sensitivity effects are unlikely and will be less than minor in the event they do arise.

9. Overall Effects Conclusion

In summary, the proposal will result in:

- Temporary more than minor adverse landscape and visual effects during the initial years following construction;
- Minor adverse effects in respect of all other effect categories; and
- Significant positive effects associated with drinking water security and network resilience.

In weighing these matters under section 171(1) and section 171(1B), I consider that the adverse landscape and visual effects, while more than minor in the short term, are appropriately mitigated through design controls and landscape planting and will reduce to low levels over time.

When balanced against the substantial public benefits of secure and resilient drinking water infrastructure, I consider that the adverse effects are acceptable in this context.

OTHER RELEVANT PROVISIONS

Section 171(1)(a)(i) requires that particular regard be had to any relevant provisions of a national policy statement.

The applicant has referenced the National Policy Statement on Urban Development (NPS-UD), the National Policy Statement for Infrastructure (NPS-I), and the National Policy Statement for Highly Productive Land (NPS-HPL).

Council has previously determined that the NPS-UD does not apply to Cromwell, as the township does not meet the population thresholds required for mandatory application. Accordingly, I do not consider the NPS-UD to be directly relevant to this proposal, notwithstanding that the proposed designation directly supports the provision of enabling infrastructure necessary to service existing and future residential development within Pisa Moorings, Lowburn and Cromwell, and is consistent with the intent of the NPS-UD.

The NPS-HPL is referenced by the applicant; however, the subject site is not identified as highly productive land. As such, I do not consider the NPS-HPL to be determinative in this instance.

The NPS-I recognises the national and regional significance of infrastructure and seeks to enable its efficient development, operation and maintenance while managing adverse effects. The proposed reservoirs constitute essential community drinking water infrastructure. I consider the designation aligns with the intent of the NPS-I by enabling necessary infrastructure while incorporating measures to avoid, remedy or mitigate environmental effects.

The National Policy Statement for Infrastructure 2025 (NPS-I) came into force on 15 January 2026 and applies to infrastructure activities and infrastructure supporting activities, subject to

limited exclusions that are not relevant to this proposal. The NPS-I is therefore relevant to the consideration of this Notice of Requirement.

The objective of the NPS-I is to ensure that the national, regional and local benefits of infrastructure are provided for; to enable infrastructure to support the social, economic and cultural wellbeing of people and communities and their health and safety; to enable infrastructure to support urban and rural development; to ensure infrastructure is well-functioning, resilient and compatible, as far as practicable, with other activities; and to ensure infrastructure is delivered in a timely and efficient manner while managing adverse effects from or on infrastructure.

The proposed designation would enable drinking water storage infrastructure to support the Pisa Moorings, Lowburn and wider Cromwell water supply network. The proposal is therefore directly aligned with the objective of the NPS-I insofar as it would provide essential infrastructure supporting community health and safety, resilience, and existing and future development.

Policy 1 requires decision-makers to recognise and provide for the benefits of infrastructure, relative to any localised adverse effects on the environment. Those benefits include supporting wellbeing, creating and supporting well-functioning urban and rural environments, supporting sufficient development capacity, providing services essential to human life and the functioning of districts and regions, and improving resilience to natural hazards and climate change. The proposed reservoirs are local water supply infrastructure that would increase drinking water storage and improve the resilience and performance of the northern Cromwell water supply network. I consider these benefits are directly relevant and merit being given weight in the overall assessment.

Policy 2 requires decision-makers to recognise that infrastructure may have an operational or functional need to be located in particular locations and environments. In this case, the proposed reservoirs require a location at an appropriate elevation to provide pressure and serviceability to the network. The designation also relates to land that is already owned by Council and was specifically created and retained for water supply infrastructure. I consider that the proposal has a clear functional and operational need for the selected general location and elevation.

Policy 4 requires decision-makers to enable the efficient and timely delivery of infrastructure activities and to enable the upgrading of infrastructure where this will improve resilience or maintain or improve levels of service, including to meet increasing demand. The proposed designation provides a planning mechanism to secure land for future water storage infrastructure and to enable the detailed design and construction process to proceed through an Outline Plan process. The proposal is consistent with Policy 4 in that it supports the timely delivery of infrastructure required to improve network resilience and service capacity.

Policy 7 is also relevant. It requires decision-makers, when assessing and managing the effects of infrastructure activities, to have regard to the extent to which adverse effects have been avoided, remedied or mitigated through the selection of route, site or method; to consider the technical and operational requirements and constraints of infrastructure activities; and to ensure that mitigation measures and conditions are proportionate to the scale of adverse effects generated by the activity. In this case, the designation is supported by conditions addressing reservoir height and colour, earthworks design, landscape mitigation, archaeological management, construction effects, traffic, stormwater and operational overflow. The further information response has also resulted in more detailed proposed conditions relating to landscape establishment, construction management, archaeological effects and stormwater management. I consider that the proposal is generally consistent with Policy 7.

Policy 9 requires decision-makers to enable new infrastructure or major upgrades of existing infrastructure activities in all environments. However, where infrastructure activities are proposed to locate in, or are likely to have adverse effects on, environments and values provided for in section 6 of the Act, Policy 9 must be read alongside other relevant national direction, regional policy statements and regional and district plans. That qualification is important in this case

Ref: D10025

Page | 22

because the proposal affects an Outstanding Natural Feature and archaeological / historic heritage values, which engage section 6(b) and section 6(f) of the Act. Accordingly, the NPS-I does not displace the need to carefully consider effects on the Sugarloaf ONF and historic heritage. Rather, it provides strong policy support for enabling the infrastructure while requiring those effects to be managed through the broader statutory planning framework.

Policy 11 is relevant to the interface between infrastructure and nearby sensitive activities. It recognises that noise, vibration, dust and visual effects are typical effects associated with infrastructure activities that can be managed where practicable, but not completely avoided, and that amenity values may change due to a range of factors. The proposed conditions, as amended following the further information response, include specific management requirements for construction noise, dust, vibration, communication with sensitive receivers, lighting, traffic, landscape mitigation and operational management. I consider that these measures appropriately respond to the interface between the infrastructure and nearby residential / visitor accommodation activities.

Overall, I consider the proposal to be strongly supported by the NPS-I. The proposed reservoirs are essential drinking water infrastructure with a clear functional and operational need for an elevated location. The designation would assist with timely and efficient delivery of infrastructure required to support community health and safety, network resilience and future development. However, because the proposal is located within part of the Sugarloaf ONF and within an area of archaeological sensitivity, the enabling direction in the NPS-I must be applied alongside the relevant provisions relating to landscape and historic heritage protection. Subject to the updated proposed conditions, I consider the proposal gives appropriate effect to the NPS-I by enabling necessary infrastructure while managing localised adverse effects.

RELEVANT PROVISIONS OF REGIONAL POLICY STATEMENT

Section 171(1)(a)(iii) requires that particular regard be had to any relevant provisions of an operative or proposed regional policy statement.

The applicant has assessed the proposal against both the Operative Otago Regional Policy Statement (2019) and the Proposed Otago Regional Policy Statement (2021). In summary, those documents seek to:

- enable infrastructure that supports community wellbeing and resilience;
- protect outstanding natural features and landscapes from inappropriate use and development; and
- manage adverse effects on amenity, natural character, cultural heritage and landform values.

The Proposed Regional Policy Statement places particular emphasis on infrastructure resilience and adaptation, recognising the importance of well-planned infrastructure in supporting existing and future communities.

The proposal gives rise to some adverse landscape and visual effects in the short to medium term, within an identified Outstanding Natural Feature. However, those effects are localised and temporary, and are appropriately addressed through design controls and landscape mitigation. Over time, visual effects are anticipated to reduce to less than minor.

Conversely, the designation would enable essential drinking water infrastructure that directly supports community health, safety and resilience.

Having regard to both the operative and proposed Regional Policy Statements, I consider the proposal achieves an appropriate balance between enabling necessary infrastructure and managing environmental effects, and is not inconsistent with the relevant objectives and policies.

Ref: D10025

Page | 23

RELEVANT PROVISIONS OF THE DISTRICT PLAN

Section 171(1)(a)(iv) requires that particular regard be had to any relevant provisions of a plan or proposed plan.

The subject site is zoned Rural Resource and is identified on the Planning Maps as forming part of the Outstanding Natural Feature – Lowburn glacial outwash terrace / Sugarloaf.

The Rural Resource objectives recognise the need to provide for the social, economic and cultural wellbeing of the District's people and communities while maintaining environmental quality. The Infrastructure and Utilities chapter similarly recognises that public works and network utilities are essential to community wellbeing and health and safety and supports their development and ongoing operation, provided adverse effects are appropriately managed.

Conversely, the Outstanding Natural Feature provisions, including Objectives 4.3.2 and 4.3.3 and Policies 4.4.1 and 4.4.2, seek to protect outstanding natural features from inappropriate subdivision, use and development. Rule 4.7.6L reinforces this protective intent by providing that the erection of structures, significant earthworks and new tracks within identified Outstanding Natural Features are not contemplated as permitted activities and would otherwise require discretionary consent. While this Notice of Requirement is not assessed against District Plan rules in the same manner as a resource consent, the rule signals the high level of protection afforded to the Sugarloaf landform and confirms that development within this environment is inherently sensitive.

The Landscape and Visual Effects Assessment identifies moderate adverse visual effects in the short to medium term for users of Clark Road and occupants of Pisa Moorings, reducing over time as mitigation planting establishes. I accept that the proposal will result in more than minor adverse landscape and visual effects initially. However, the designation incorporates robust controls on height, platform elevation, colour treatment and landscaping, and effects on the Outstanding Natural Feature itself are assessed as low. In the longer term, visual effects are anticipated to reduce to low levels.

In weighing these provisions, I acknowledge the strong protective intent of the Outstanding Natural Feature framework. However, I also place significant weight on the clear policy support for essential public works and utilities that provide for community health, safety and wellbeing. The proposal is for critical drinking water infrastructure on land already created and retained for utility purposes, and it incorporates mitigation measures to manage landscape, heritage and amenity effects.

On balance, I am satisfied that the designation is not inconsistent with the relevant objectives and policies of the District Plan.

ALTERNATIVE SITES, ROUTES, OR METHODS

Section 171(1)(b) of the Act requires that particular regard be had to whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if –

- “...
 (i) *the requiring authority does not have an interest in the land sufficient for undertaking the work; or*
 (ii) *it is likely that the work will have a significant adverse effect on the environment;*
 ...”

In this instance the requiring authority, owns all of the land subject to the NOR and, based on the above assessment, is not considered to result in significant adverse effects on the environment. Consideration of alternative sites, routes or methods is not required.

Ref: D10025

Page | 24

OTHER MATTERS

Section 171(1)(d) allows Council to have regard to any other matter it considers reasonably necessary in order to make a recommendation on the requirement.

I have not identified any additional matters requiring consideration beyond those addressed elsewhere in this report.

ASSESSMENT AGAINST PART 2 OF THE RMA

Section 171(1) of the Act confirms that the consideration of the effects on the environment of allowing the requirement is subject to Part 2. The provisions of Part 2 have primacy and must be fulfilled by the proposal.

In Part 2 section 5(1) confirms that the purpose of the Act is to promote the sustainable management of natural and physical resources. Section 5(2) states:

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

The Notice of Requirement would enable the construction and operation of additional drinking water storage infrastructure to support the Pisa Moorings, Lowburn and wider Cromwell water supply network. In doing so, it directly contributes to community health and safety, network resilience and long-term infrastructure provision.

The proposal gives rise to some adverse landscape and visual effects in the short to medium term within an identified Outstanding Natural Feature. These effects are acknowledged and have been addressed through design controls and comprehensive mitigation planting, with effects anticipated to reduce to low levels over time. All other environmental effects have been assessed as being no more than minor and are appropriately managed through the volunteered designation conditions.

When considered in the round, the proposal enables essential community infrastructure while incorporating measures to avoid, remedy or mitigate adverse effects. In my view, the designation appropriately balances infrastructure provision with environmental protection.

Accordingly, I conclude that the Notice of Requirement is consistent with the purpose and principles of Part 2 of the Act.

Ref: D10025

Page | 25

RECOMMENDATION

Pursuant to section 171(2) of the Resource Management Act 1991, having considered the Notice of Requirement, the Assessment of Environmental Effects, supporting technical material, and the matters set out in sections 171(1)(a)–(d) of the Act, I recommend that Central Otago District Council:

Confirm the requirement, subject to the proposed conditions attached as Appendix 1 of this report.

In reaching this recommendation, I have had particular regard to:

- the significant positive effects associated with improved drinking water security, network resilience and community wellbeing;
- the short to medium-term adverse landscape and visual effects within the Sugarloaf Outstanding Natural Feature, which are acknowledged but considered acceptable in context, given their temporary nature and the comprehensive mitigation and design controls proposed;
- the fact that all other environmental effects are assessed as no more than minor and are appropriately managed through the volunteered designation conditions;
- the strong policy support for essential public works and utilities within both the District Plan, Regional Policy Statement and National Policy Statement frameworks;
- the ownership of the subject site by Council and its express creation and retention for utility purposes; and
- the consistency of the proposal with Part 2 of the Act.

On balance, I consider that the designation represents an appropriate use of land for essential community infrastructure and achieves an acceptable environmental outcome.

Prepared by:



Oli McIntosh
Consultant Planner

Date: 21 May 2026

APPENDIX 1: DESIGNATION CONDITIONS*Design Controls*

1. The reservoir tanks shall be painted or otherwise coloured so as to be of dark, visually recessive colours in the range of browns or greens with a reflectivity value of no more than 15%.
2. The reservoir tanks shall have a maximum height of 5.5m above the platform base material, which itself shall have a maximum relative level of 240.2m.
3. Any external lighting will be limited to downlights mounted on the structures within the designation area and are to be sensor activated. The lighting is to only be for security and operational requirements.

Earthworks Conditions

4. All earthworks shall be designed and supervised by a suitably qualified geo-professional.

Environmental Management Plan (EMP)

5. Prior to the commencement of any earthworks or construction activities, the Requiring Authority shall submit an Environmental Management Plan (EMP) to the Council's Planning Manager for certification. The EMP shall be prepared by a suitably qualified and experienced person and shall be consistent with the scale and nature of the proposed works.

The objective of the EMP is to provide a framework for the management of all environmental effects during the construction phase to ensure compliance with the designation conditions and the relevant provisions of the District Plan.

The EMP shall include, but not be limited to, the following:

- a. Construction Management: Identification of the hours of work, contact details for the site manager, and a program for the staging of works.
- b. Erosion and Sediment Control: Detailed methods to be implemented to minimise erosion and prevent the discharge of sediment-laden water or debris beyond the boundaries of the designation, particularly onto lower-lying adjoining properties and the State Highway network.
- c. Dust Management: Specific mitigation measures to ensure that dust does not create a nuisance for neighbouring residential or accommodation activities, including the use of water carts or stabilisation of exposed surfaces during windy conditions.
- d. Noise and Vibration: A plan for managing construction noise and vibration in accordance with NZS 6803:1999 and DIN 4150-3:1999, including methods for proactive communication with the owners of sensitive receiver sites at 23 Clark Road and 1 Perriam Place.
- e. Accidental Discovery Protocol: Procedures to be followed in the event that any archaeological sites, kōiwi, or heritage artifacts are uncovered during earthworks, ensuring compliance with the Heritage New Zealand Pouhere Taonga Act 2014.
- f. Spill Contingency: Procedures to prevent and respond to any accidental spills of fuels or hazardous substances used by construction machinery.
- g. Waste Management: Measures to manage construction waste and ensure the site is kept in a tidy state to protect the visual amenity of the Rural Resource Area.

All construction and earthworks activities shall be carried out in accordance with the certified EMP at all times. Any significant changes to the EMP shall be submitted to the Council for re-certification prior to those changes being implemented.

6. Earthworks shall be designed to create a contained hollow within which the tanks are located. Finished earthworks shall be naturalistic in form and retain (as much as possible) the integrity of the gully. The design shall be done such that the tanks are substantially physically separated from the existing vehicle track by landform. The earthworks design along with the natural landscape and matured planting growth over time will ensure the tanks are reasonably difficult to see from Clark Road and State Highway 6.

Landscape Mitigation Plan

7. Prior to the commencement of any earthworks or construction activities, the Requiring Authority shall submit a Landscape Mitigation Plan (LMP) to the Council's Planning Manager for certification. The LMP shall be designed so as to rid the site of weed species and establish ecologically appropriate mixed native vegetation within the site that enhances the visual screening of the tanks provided by the earthworks design. Vegetation shall be designed to assist in achieving the criterion set out in Condition 6, that the tanks are reasonably difficult to see from Clark Road and State Highway 6.

The LMP shall include comprehensive details regarding the active maintenance of all landscape mitigation planting for the life of the designation. This shall include, but not be limited to:

- a. Details of planting species, densities and layout formulated by a suitably qualified landscape or ecological professional so as to use species and methods that are specifically suited to local conditions to ensure the best possible survival, growth and results in relation to visual screening.
- b. Irrigation: Details of a temporary automated irrigation system to be maintained for a minimum of five years from the time of planting to ensure successful establishment.
- c. Pest and Weed Control: A program for ongoing animal pest control (specifically targeting rabbits) and the removal of invasive weed species within the planting areas.
- d. Replacement Regime: A replacement regime whereby any specimen that dies, is removed, or becomes significantly diseased within the first five years of planting shall be replaced by the Requiring Authority with a plant of the same or similar species and of a comparable grade within the next available planting season.
- e. Reporting: Provisions for an annual audit of plant survival rates by a suitably qualified landscape or ecological professional for the first three years following implementation, with the results to be provided to the Council upon request. In the event that survival or growth rates are suboptimal, the annual reporting shall include details of remedial or alternative planting design so as to achieve the results required by Conditions 6 and 7.

All landscape mitigation shall be implemented in accordance with the certified LMP within the first planting season following the completion of the reservoir construction.

Construction Traffic Management Plan (CTMP)

8. A Construction Traffic Management Plan (CTMP) shall be prepared by a suitably qualified and experienced person. The objective of the CTMP is to provide a framework to be adopted by the Consent Holder to avoid, remedy or mitigate any actual or potential adverse traffic effects of the construction works. The CTMP shall be submitted to Central Otago District Council for certification at least 14 days prior to the construction commencement date.

The CTMP shall include consideration of:

Ref: D10025

Page | 28

- a. Minimisation of the safety impacts of construction activities on the users of public roads;
- b. Means by which the total number of truck movements to and from the construction activities could be minimised (e.g. backloading of departing vehicles, reuse of material onsite); and
- c. Means by which the movement of large machinery can be undertaken at times and in a manner that minimises effects on public road users (e.g. avoiding peak commuter periods).

Prior to the construction of the Central Otago District Council commencing, the consent holder shall submit to Central Otago District Council correspondence from the New Zealand Transport Agency confirming that the Construction Traffic Management Plan is acceptable.

Detailed designs shall be undertaken in accordance with accepted engineering standards.

9. Access to the site shall be obtained from the existing track from Clark Road. No significant upgrades shall be undertaken to provide access to the site during and subsequent to construction.
10. Any new earthworks required to gain access from the existing track to the site shall be kept to the minimum required. All exposed cut and fill shall be reinstated and revegetated with hard tussock (except where already provided for in the landscape mitigation plan) the establishment of which will involve permanent rabbit fencing and a permanent irrigation system.

General

11. All ancillary pipework and valving shall be located underground.
12. Dust suppression methods shall be used during construction works at the site.
13. Construction noise is to comply with NZS 6803:1999 Acoustics - Construction Noise.
14. The requiring authority shall keep the site free of all wilding pines and woody weeds.
15. The use and noise associated with the use of an emergency generator operating for emergency purposes is permitted.
16. Prior to works commencing, a Preliminary Site Investigation shall be prepared by a suitably qualified person and submitted to the Territorial Authority.

Heritage Conditions

17. Prior to the design and construction of the works, the requiring authority shall nominate an appropriately qualified archaeologist, such person being acceptable to Heritage New Zealand Pouhere Taonga. For the avoidance of doubt the nominated and accepted person is referred to as "the archaeologist" in this condition.
18. A durable water resistant stormwater drainage system be designed and installed through or around the access and site to preserve the tailing, sluice channel and remnant alluvial gully face from future stormwater erosion due to the location of the works in the base of a gully. The design shall be subject to the approval of the archaeologist prior to installation.
19. Plans and methodology for access, operation of plant and placement of materials at the construction site shall be prepared and submitted to the archaeologist for approval prior to any physical site work occurring.
20. The archaeologist shall monitor:
 - (a) Compliance with the plans submitted with the application; and

- (b) On-site pegging necessary to facilitate construction and protection of archaeological sites; and
 - (c) Excavation, compaction and site reinstatement activities.
21. On site monitoring by the archaeologist shall occur during excavation and during any compaction/vibration activities associates with the site preparation and installation (construction) of the works to monitor the stability of the dwelling chimney, riveted schist shone channel walling and north facing sheer cliff faces of the remnant alluvial gully faces between the site and the main sluice gully to the north.
 22. If koiwi (human skeletal remains) waahi taoka (resources of importance) or artefact material (whether of tangata whenua, Chinese or European Origin) are discovered at the construction site, work will immediately cease and Kai Tahu and the New Zealand Archaeological Association shall be advised. In the event of such a discovery relevant to Tangata Whenua the requiring authority shall arrange for a site inspection by the appropriate Tangata Whenua and their advisors who will determine whether the discovery is likely to be extensive and whether a thorough site investigation is required. Material discovered will be handled by the iwi responsible for the tikanga appropriate to their removal or preservation.
 23. The requiring authority shall ensure that construction workers and plant operators are briefed with respect to accidental discovery protocol provided for in condition 17.
 24. An archaeological authority under section 44 of the Heritage New Zealand Pouhere Taonga Act (2014) should be obtained from Heritage New Zealand for the Sugar Loaf Ground Sluicings G41/620 prior to any excavations proceeding that could damage this site.
 25. As a first principle, every practical effort should be made to avoid damage to any archaeological site.
 26. Prior to the commencement of onsite works the boundaries of archaeological features must be established with a visual aid (such as safety fencing) to ensure that no accidental damage to the site occurs.
 27. A Site Instruction document should be prepared to inform and assist all parties involved in ensuring that the conditions attached to any archaeological authority are met. This document should cover both the construction of the reservoir, planting and the removal of wilding pine.
 28. Wilding pine and other woody weed removal should be undertaken on the wider site where practicable to overall enhance the site's values.
 29. Upon the removal of vegetation, updated survey, mapping and recording of site G41/620 should be undertaken.
 30. In line with Provision 12 of Heritage Covenant 88791893.15, interpretive panels, signage, or other heritage interpretation measures should be installed at the site.
 31. The excavation contractor(s) must be informed of the requirements of any authority issued and briefed by the archaeologist about the site's archaeological values and the possibility that archaeological material may be uncovered during excavation works.
 32. All earthworks that may affect any archaeological material should be monitored by an archaeologist.
 33. If any archaeological features are uncovered during excavations, these should be recorded using appropriate archaeological standards by an archaeologist.
 34. If at any stage during site works Māori material is discovered, works must cease and manawhenua and HNZPT shall be consulted immediately about how to proceed.

Construction Management Plan (CMP)

35. Prior to the commencement of any works on the site, the Requiring Authority shall submit a Construction Management Plan (CMP) to the Council's Planning Manager for certification. The objective of the CMP is to ensure that all construction activities are managed to minimise adverse effects on the environment and the amenity of neighbouring properties. The CMP shall include, but not be limited to, the following:
- (a) Duration and Timing of Works: A schedule of works, including the expected start date and duration. All construction activities shall be restricted to between the hours of 0730 and 1800, Monday to Saturday, with no noisy works permitted on Sundays or Public Holidays.
 - (b) Noise Management: Procedures to ensure that all construction noise complies with the requirements of NZS 6803:1999 Acoustics – Construction Noise. This shall include identification of particularly noisy activities and methods to minimise noise at the boundary of sensitive receivers.
 - (c) Dust Mitigation: A description of the methods to be used to prevent dust nuisance beyond the boundary of the site, including water spraying of exposed earthworks, stabilisation of stockpiles, and wheel-wash facilities if required.
 - (d) Vibration Management: Measures to manage and monitor vibration during the construction phase to ensure compliance with DIN 4150-3:1999 Structural Vibration – Effects of Vibration on Structures (or subsequent versions) to protect neighbouring infrastructure and dwellings.
 - (e) Traffic and Access: Methods to manage the movement of heavy machinery and delivery vehicles to and from the site via Clark Road to ensure road safety and maintain access for residents.
 - (f) Communications: Contact details for a designated site manager who will be responsible for responding to any complaints or inquiries from the public during the construction period. All construction activities shall be carried out in accordance with the certified CMP.

Stormwater and Operational Release

36. Prior to the commencement of construction, the Requiring Authority shall submit a detailed Stormwater and Overflow Management Plan to the Council for certification at the Outline Plan stage. The Plan shall be prepared by a suitably qualified engineer and shall demonstrate:
- (a) That stormwater from all new impervious surfaces is managed to ensure post development peak flow does not exceed pre-development peak flow for a 1 in 10 year storm event.
 - (b) The location and design of all overland flow paths, ensuring they are stabilised to prevent erosion and do not adversely affect adjoining private properties.
 - (c) The design of any reservoir overflow or scour-washout systems, including energy dissipation measures at the outfall to prevent downstream scour or effects on State Highway 6.
 - (d) Written confirmation from New Zealand Transport Agency confirming that the proposed drainage and overflow solutions will not adversely affect the state highway network.

Detailed designs shall be undertaken in accordance with accepted engineering standards.

Ref: D10025

Page | 1

Our Ref: D10025

CENTRAL OTAGO DISTRICT COUNCIL
NOTICE OF REQUIREMENT BY CENTRAL OTAGO DISTRICT COUNCIL:
D10025

REPORT STRUCTURE

This report is structured as follows:

- **Part A – Introduction**
 1. Status of this report
 2. Notice of requirement (**NOR**) received
 3. Existing site and surrounds
 4. Project description
 5. Statutory consideration of the NOR

- **Part B – Notification Determination under Sections 149ZCB - 149ZCF of the Resource Management Act (RMA/ Act).**

PART A: INTRODUCTION

1. STATUS OF THE REPORT

The purpose of this report is to provide a notification assessment and overall recommendation on whether Central Otago District Council confirms the NOR or requests its modification or withdrawal. Any conclusions reached or recommendations made in this report are not binding on the Council as the territorial authority, and it should not be assumed that it will reach the same conclusion or decision once it has considered all the evidence.

2. NOTICE OF REQUIREMENT (NOR) RECEIVED

Central Otago District Council (CODC) as the Requiring Authority, gave notice of its requirement for a new designation to construct, operate, and maintain water storage reservoirs for community water supply, with associated access, infrastructure, earthworks, and landscaping, on land located on Clark Road, Pisa Moorings, pursuant to sections 168A of the Resource Management Act 1991 (the Act). The application was formally received and accepted by Central Otago District Council as the regulatory authority on 28 January 2026.

The notice of requirement is to apply to all of Lot 8 DP 433991.

3. EXISTING SITE AND SURROUNDS

The subject site is legally described as Lot 8 DP 433991, held in Record of Title 528990, with a total area of approximately 6,120m². The site is owned by Central Otago District Council and is classified on the title as a Local Purpose (Utilities) Reserve, subject to the Reserves Act 1977.

Ref: D10025

Page | 2

The site is located off Clark Road, near its intersection with State Highway 6 (Luggate–Cromwell Road), directly opposite the Pisa Moorings residential area on the eastern side of Lake Dunstan. Access to the site is via an existing formed farm track extending from Clark Road.

Under the Operative Central Otago District Plan, the site is zoned Rural Resource, with the upper portion of the site located within an Outstanding Natural Feature overlay, identified as the Lowburn glacial outwash terrace / Sugarloaf landform.

Physically, the site comprises a steeply sloping gully located at the northern end of the Sugarloaf terrace riser. The landform is visually distinctive, characterised by steep side slopes and a relatively flat upper terrace. The site forms part of a historic sluiced gully associated with early gold mining activity and contains a recorded archaeological site (G41/260). Vegetation within the site is generally sparse and comprises a mix of grassed areas and scattered wilding conifers and briar rose, with an informal track providing access to the upper slopes.

The surrounding environment is predominantly rural in character, with adjoining land utilised for viticulture, horticulture, and farming activities. Visitor accommodation cabins are located on neighbouring land near Clark Road. Established residential development occupies the Pisa Moorings Large Lot Residential and Low Density Residential Zones on the opposite side of State Highway 6. Public pedestrian and cycle access is provided via existing easements across the site and adjoining land.

The site was created specifically for water infrastructure purposes. Subdivision consent RC080351, granted on 22 December 2008, established Lot 8 DP 433991 as a discrete parcel intended to accommodate a water supply reservoir. This subdivision consent was implemented, and the current title was issued on 4 October 2011.

Concurrently, land use consent RC090194 was granted (via Environment Court Consent Order dated 8 July 2011) for construction of a water supply reservoir on the site. That consent approved a single reservoir tank and associated works and included landscape mitigation and heritage protection requirements. RC090194 was granted for a duration of eight years and lapsed in July 2019, with no evidence of a section 125 extension having been sought or approved.

Notwithstanding the lapse of RC090194, the subdivision creating Lot 8 DP 433991 was completed, and the land has remained in Council ownership as a Local Purpose (Utilities) Reserve since that time. The current application therefore relates to land that was expressly created and retained for municipal water infrastructure, with the present Notice of Requirement seeking to re-establish planning authorisation for reservoir development through designation rather than resource consent.

4. NATURE OF WORKS AND VOLUNTEERED CONDITIONS

4.1 Designation Sought

The requiring authority seeks a new designation under section 168A of the Resource Management Act 1991 over the entirety of Lot 8 DP 433991 for the purposes of constructing, operating, and maintaining drinking water storage infrastructure to support the Pisa Moorings, Lowburn, and wider Cromwell community water supply network.

The designation would provide for the following public works and associated activities:

- Construction of up to two water storage reservoirs and associated infrastructure, including pipework, pump equipment, utility cabinets and ancillary structures;
- Earthworks to form reservoir platforms and access;
- Construction and upgrading of vehicle access from Clark Road;

Ref: D10025

Page | 3

- Landscaping and ecological mitigation planting;
- Stormwater management infrastructure;
- Temporary construction activities, including site establishment and vehicle movements; and
- Ongoing operation and maintenance of the reservoirs and associated infrastructure.

A Land Requirement Plan accompanies the application and identifies the extent of land required to accommodate the reservoirs, access, earthworks and mitigation planting. The designation area includes sufficient space to enable earthworks, finished landform shaping, vehicle access, and landscape screening.

Detailed design of the reservoirs and associated infrastructure would be addressed through a future Outline Plan process under section 176A of the RMA.

4.2 Indicative Design Parameters

While the detailed design is deferred to Outline Plan stage, the requiring authority has volunteered a comprehensive suite of designation conditions to establish clear parameters around scale, location and avoidance and mitigation of a range of effects. The proposed conditions are listed below:

Design Controls

1. The reservoir tanks shall be painted or otherwise coloured so as to be of dark, visually recessive colours in the range of browns or greens with a reflectivity value of no more than 15%.
2. The reservoir tanks shall have a maximum height of 5.5m above the platform base material, which itself shall have a maximum relative level of 240.2m.
3. Any external lighting will be limited to downlights mounted on the structures within the designation area and are to be sensor activated. The lighting is to only be for security and operational requirements.

Earthworks Conditions

4. All earthworks shall be designed and supervised by a suitably qualified geo-professional.
5. Prior to commencement of earthworks, an Environmental Management Plan is to be prepared by a suitably qualified geo-professional. This plan is to be submitted for approval of the Territorial Authority and once approved, implemented for the duration of the works.
6. Earthworks shall be designed to create a contained hollow within which the tanks are located. Finished earthworks shall be naturalistic in form and retain (as much as possible) the integrity of the gully. The design shall be done such that the tanks are substantially physically separated from the existing vehicle track by landform. The earthworks design along with the natural landscape and matured planting growth over time will ensure the tanks are reasonably difficult to see from Clark Road and State Highway 6.

Landscape Plan Conditions

7. A landscape mitigation plan shall be designed so as to rid the site of weed species and establish ecologically appropriate mixed native vegetation within the site that enhances the visual screening of the tanks that is provided by the earthworks design. The plan shall include information setting out how all landscape mitigation planting shall be actively maintained, including details of pest control and appropriate irrigation.

Ref: D10025

Page | 4

Access Conditions

8. Prior to commencement of works, a Traffic Management Plan is to be prepared addressing construction access and traffic generation. This plan is to be submitted for approval of the Territorial Authority and once approved, implemented for the duration of the works.
9. Access to the site shall be obtained from the existing track from Clark Road. No significant upgrades shall be undertaken to provide access to the site during and subsequent to construction.
10. Any new earthworks required to gain access from the existing track to the site shall be kept to the minimum required. All exposed cut and fill shall be reinstated and revegetated with hard tussock (except where already provided for in the landscape mitigation plan) the establishment of which will involve permanent rabbit fencing and a permanent irrigation system.

General Conditions

11. All ancillary pipework and valving shall be located underground.
12. Dust suppression methods shall be used during construction works at the site.
13. Construction noise is to comply with NZS 6803:1999 Acoustics - Construction Noise.
14. The requiring authority shall keep the site free of all wilding pines and woody weeds.
15. The use and noise associated with the use of an emergency generator operating for emergency purposes is permitted.
16. Prior to works commencing, a Preliminary Site Investigation shall be prepared by a suitably qualified person and submitted to the Territorial Authority.

Heritage Conditions

17. Prior to the design and construction of the works, the requiring authority shall nominate an appropriately qualified archaeologist, such person being acceptable to Heritage New Zealand Pouhere Taonga. For the avoidance of doubt the nominated and accepted person is referred to as "the archaeologist" in this condition.
18. A durable water resistant stormwater drainage system be designed and installed through or around the access and site to preserve the tailing, sluice channel and remnant alluvial gully face from future stormwater erosion due to the location of the works in the base of a gully. The design shall be subject to the approval of the archaeologist prior to installation.
19. Plans and methodology for access, operation of plant and placement of materials at the construction site shall be prepared and submitted to the archaeologist for approval prior to any physical site work occurring.
20. The archaeologist shall monitor:
 - (a) Compliance with the plans submitted with the application; and
 - (b) On-site pegging necessary to facilitate construction and protection of archaeological sites; and
 - (c) Excavation, compaction and site reinstatement activities.
21. On site monitoring by the archaeologist shall occur during excavation and during any compaction/vibration activities associates with the site preparation and installation (construction) of the works to monitor the stability of the dwelling chimney, riveted schist

Ref: D10025

Page | 5

shone channel walling and north facing sheer cliff faces of the remnant alluvial gully faces between the site and the main sluice gully to the north.

22. If koiwi (human skeletal remains) waahi taoka (resources of importance) or artefact material (whether of tangata whenua, Chinese or European Origin) are discovered at the construction site, work will immediately cease and Kai Tahu and the New Zealand Archaeological Association shall be advised. In the event of such a discovery relevant to Tangata Whenua the requiring authority shall arrange for a site inspection by the appropriate Tangata Whenua and their advisors who will determine whether the discovery is likely to be extensive and whether a thorough site investigation is required. Material discovered will be handled by the iwi responsible for the tikanga appropriate to their removal or preservation.
23. The requiring authority shall ensure that construction workers and plant operators are briefed with respect to accidental discovery protocol provided for in condition 17.

5. STATUTORY CONSIDERATION OF THE NOR

5.1 Section 171 of the Act

Sections 181(2) of the RMA directs that Sections 169-179 and 198AA to 198AD of the RMA apply to alterations to existing designation.

Section 171(1) of the RMA requires consideration of the following matters when assessing an amendment to a designation:

When considering a requirement and any submissions received, a territorial authority must, subject to Part 2, consider the effects on the environment of allowing the requirement, having particular regard to—

- (a) *any relevant provisions of—*
 - (i) *a national policy statement;*
 - (ii) *a New Zealand coastal policy statement;*
 - (iii) *a regional policy statement or proposed regional policy statement;*
 - (iv) *a plan or proposed plan; and*
- (b) *whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if—*
 - (i) *the requiring authority does not have an interest in the land sufficient for undertaking the work; or*
 - (ii) *it is likely that the work will have a significant adverse effect on the environment;*
and
- (c) *whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and*
- (d) *any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.*

PART B - NOTIFICATION DETERMINATION UNDER SECTIONS 149ZCB - 149ZCF OF THE RESOURCE MANAGEMENT ACT

This part of the report considers whether notification is required and provides a recommendation in this regard.

PUBLIC NOTIFICATION - SECTION 149ZCB AND SECTION 149ZCE

Section 169(1)(b) requires that a decision under s149ZCB be made on whether or not to publicly notify the application.

Relevantly, section 149ZCE states that for the purpose of deciding whether an activity will have or is likely to have adverse effects on the environment that are more than minor, the territorial authority must disregard any effects on persons who own or occupy the land in, on, or over which the activity will occur or apply; or any land adjacent to that land; may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect; must disregard trade competition and the effects of trade competition; and must disregard any effect on a person who has given written approval in relation to the relevant application or notice.

In this instance:

- The applicant has not requested public notification of the Notice and no rule or national environmental standard requires public notification of the Notice (s 149ZCB(2)(c)); and
- no rule or national environmental standard precludes public notification of the Notice (149ZCB (3)(a)); and
- No written approvals have been provided.
- It is noted that the requiring authority owns all the land that is proposed to be designated. (149ZCF(3)(a))

Therefore, the decision of whether to publicly notify the Notice shall be determined on the basis of whether the Notice will have, or is likely to have, more than minor adverse effects on the environment, excluding any effects on those parties listed above.

Permitted Baseline (s 149ZCE(b))

Under Section 149ZCE (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, the requiring authority has not sought to apply a permitted baseline. The majority of the site is subject to an Outstanding Natural Feature (ONF) overlay and Rule 4.7.6L of the District Plan restricts the erection of structures, significant earthworks and formation of tracks within identified Outstanding Natural Features. As such, there are no activities that provide a reasonable or useful comparison that could occur as of right within the area intended to accommodate the proposed water storage infrastructure.

I also note that land use consent RC090194 was previously granted for a reservoir on the site but has lapsed. A lapsed consent does not form part of the receiving environment. In addition, given the passage of approximately seven years since that consent lapsed, it is appropriate that the current proposal be assessed afresh against the existing environment and the operative planning framework.

Accordingly, I do not consider that there is any meaningful permitted baseline against which adverse effects may be disregarded under section 149ZCE(b).

Assessment of Effects

Pursuant to section 169, a consent authority must publicly notify a NOR if it decides that the requirement will have, or is likely to have, adverse effects on the environment that are more than minor (s149ZCE)).

In undertaking this assessment, I have had regard to the information provided in support of the Notice of Requirement, including the Assessment of Environmental Effects and supporting technical material. My assessment is structured in the same order as the applicant’s AEE and addresses each of the identified effect areas in turn.

1. Landscape, Visual Amenity and Rural Character Effects

An Assessment of Landscape and Visual Effects (LVIA) has been prepared by Vivian + Espie and accompanies the Notice of Requirement. The assessment is guided by Te Tangi A Te Manu – Aotearoa New Zealand Landscape Assessment Guidelines (TTatM) and evaluates effects using a hierarchy of adjectives aligned with Resource Management Act terminology as set out below:



The LVIA identifies the subject site as forming part of the Sugarloaf glacial outwash terrace, a visually distinctive landform subject to an Outstanding Natural Feature overlay under the District Plan. The receiving environment is characterised by steep gully landform, open rural slopes, historic sluicing features, and expansive views from State Highway 6, Clark Road, and the Pisa Moorings residential area.

The proposed reservoirs would be located within a steep gully and partially set into the landform, with mitigation landscaping intended to screen the development over time. Design controls are proposed through the designation conditions, including limits on reservoir height and platform elevation, use of recessive colours, and comprehensive native planting.

Notwithstanding these measures, the LVIA concludes that there will be initial adverse visual effects on certain receptors.

In particular, the applicant finds that:

For users of Clark Road, visual detracting from landscape values during construction and the early operational period will amount to adverse effects to a moderate degree, reducing incrementally such that after approximately 6–8 years the effects will be very low at most.

For occupants and users of Pisa Moorings, initial visual detracting from landscape values will also amount to adverse effects to a moderate degree, reducing over time such that after approximately 6–8 years the effects will be of a low degree at most.

Ref: D10025

Page | 8

Effects on other visual catchments, such as State highway 6, Lake Dunstan and the vicinity of John Bull Creek and Devils Creek were assessed as low-moderate to very low.

The LVIA methodology expressly aligns its effect descriptors with RMA terminology. Under TTatM guidance, effects assessed as “moderate” correspond to effects that are more than minor in Resource Management Act terms.

While the LVIA also concludes that adverse effects on the Sugarloaf Outstanding Natural Feature itself will be low, and that longer-term visual effects will reduce to low or very low levels as mitigation planting matures, the assessment is clear that there will be a period during which moderate adverse visual effects are experienced by identified public and residential receptors.

I also note that these visual effects occur within a rural environment where built form is presently sparse and where openness and natural landform legibility contribute strongly to rural character. Although the proposal incorporates mitigation planting and landform integration, the introduction of large-scale infrastructure into this gully will result in a perceptible change to landscape character and visual amenity, particularly in the short to medium term.

In my view, while the proposed conditions and mitigation measures are robust and are likely to substantially reduce effects over time, the applicant’s own assessment confirms that the proposal will give rise to more than minor adverse landscape and visual effects during the initial years following construction, particularly for users of Clark Road and occupants of Pisa Moorings.

These effects are temporary in nature and are anticipated to reduce progressively as planting establishes. However, for the purposes of notification assessment, they remain relevant adverse effects that must be considered in their unmitigated and early-stage form.

2. Access and Traffic Effects

Access to the designation site is proposed via an existing farm track connecting to Clark Road, approximately 100 metres from the intersection with State Highway 6 (Luggate–Cromwell Road). The designation includes an indicative access alignment, with detailed design and construction methodology to be addressed through a future Outline Plan.

The applicant anticipates that access upgrades will be limited to what is reasonably necessary to accommodate construction and ongoing maintenance vehicles. Conditions are proposed requiring preparation and implementation of a Traffic Management Plan prior to construction, with the intent of maintaining safety and functionality along Clark Road during works.

The construction phase is expected to generate temporary increases in traffic movements, including heavy vehicles associated with excavation of the reservoir platform and delivery of construction materials. The applicant advises that this initial excavation phase is likely to generate the greatest volume of vehicle movements, with subsequent works limited largely to reservoir construction and associated infrastructure installation.

Beyond construction, operational traffic associated with the reservoirs is anticipated to be minimal, consisting primarily of periodic maintenance visits by light utility vehicles.

I accept that construction-related traffic effects will be temporary in nature and that the proposed Traffic Management Plan will provide a mechanism to manage safety, vehicle movements and access during this period. I also accept that long-term operational traffic generation will be negligible.

Notwithstanding this, Clark Road is a rural road with limited capacity and visibility constraints near the State Highway intersection, and construction traffic will be perceptible to road users during the

Ref: D10025

Page | 9

works period. In my view, these effects are best characterised as temporary, less than minor adverse effects, capable of being appropriately managed through the volunteered conditions.

3. Noise Effects

The applicant has assessed both construction-related and operational noise effects associated with the proposed designation.

It is anticipated that excavation of rock will not be required during construction of the reservoir platforms. On this basis, the applicant considers that noise generated during earthworks, access upgrades and installation of services will comply with NZS 6803:1999 Acoustics – Construction Noise, as well as the relevant construction noise provisions of the District Plan.

Once operational, the reservoirs and associated infrastructure are proposed to be designed and constructed to comply with the applicable operational noise standards under the District Plan. Provision is made within the volunteered conditions for the potential use of an emergency or backup generator; however, such use would be infrequent and limited to emergency or maintenance scenarios.

Having reviewed the applicant's assessment and the proposed designation conditions, I concur with the conclusion that construction noise effects will be temporary and appropriately managed, and that operational noise effects will be controlled through design and compliance with District Plan standards.

Accordingly, I consider that both construction-related and ongoing operational noise effects will be less than minor.

4. Cultural and Heritage Effects

The subject site contains part of a recorded archaeological site associated with historic gold sluicing activities, comprising a sluiced gully and outwash fan. In addition, a Heritage Covenant is registered on the adjoining title, which establishes requirements for the protection and management of heritage values, including avoiding damage or modification of archaeological features, maintaining public access, and removing woody vegetation to prevent root damage.

Within the land subject to the proposed designation, the applicant proposes that, should any cultural or heritage material be uncovered during construction, works will cease and the Heritage New Zealand Accidental Discovery Protocol will be implemented. This requirement is reflected in the volunteered designation conditions.

I note that the Heritage Covenant already provides a framework for managing heritage values in the wider area, and that the proposed conditions include archaeological monitoring and accidental discovery procedures to address potential effects during earthworks.

Having reviewed the applicant's assessment and the proposed mitigation measures, I concur that, subject to compliance with the Heritage Covenant requirements and implementation of the Accidental Discovery Protocol, any adverse effects on archaeological and heritage values are anticipated to be no more than minor.

5. Land Stability and Natural Hazard Effects

The applicant has addressed land stability and geotechnical considerations within the Assessment of Environmental Effects, noting that earthworks will be required to form a platform for the proposed reservoirs within the gully landform. A geotechnical assessment has informed the proposal, and the volunteered designation conditions require that earthworks be undertaken in accordance with an Environmental Management Plan prepared by a suitably qualified professional, with detailed design to be provided at Outline Plan stage.

Ref: D10025

Page | 10

I have independently reviewed the Otago Regional Council Natural Hazards Portal. While Clark Road and the entrance to the site are identified as being affected by floodwater-dominated alluvial fan processes, the main area of the site where the proposed water infrastructure would be located is not identified as being subject to any mapped natural hazard constraints, including landslide risk.

On this basis, I am satisfied that the proposed reservoir platforms are not located within an area of known significant natural hazard risk. The volunteered conditions, including requirements for engineered fill, stormwater management, and professional oversight of earthworks, provide further assurance that land stability and drainage effects can be appropriately managed.

Having regard to the hazard mapping, the applicant's technical inputs, and the proposed conditions, I do not anticipate that the proposal will have any adverse effects on land stability and natural hazards.

6. Construction Effects

The construction phase has the potential to generate temporary effects including noise, dust, sediment discharge, traffic movements and on-site vehicle parking. These matters have been addressed in the applicant's Assessment of Environmental Effects and are proposed to be managed through volunteered designation conditions.

In particular, the requiring authority proposes that, prior to works commencing, an Environmental Management Plan (EMP) and a Traffic Management Plan be prepared and submitted for approval. These documents are intended to address construction methodologies, sediment and erosion control measures, dust suppression, vehicle movements, site access and general construction management practices.

As noted earlier in this report, construction noise effects are anticipated to comply with NZS 6803:1999 and the relevant District Plan standards. Visual disturbance arising from earthworks and exposed surfaces is proposed to be mitigated through reshaping of the landform and implementation of a comprehensive landscape mitigation plan, including re-vegetation and ongoing maintenance.

I accept that construction-related effects will be perceptible during the works period, particularly in relation to earthworks activity and vehicle movements. However, these effects will be temporary in duration and are capable of being appropriately managed through the proposed EMP, Traffic Management Plan and landscaping requirements.

Accordingly, I concur with the applicant's conclusion that construction and earthworks effects are anticipated to be less than minor overall, noting their temporary nature and the controls proposed through the designation conditions.

7. Reverse Sensitivity Effects

The proposed designation relates to passive water infrastructure with limited operational activity beyond periodic maintenance. Operational noise and lighting are controlled through the volunteered designation conditions, and no ongoing high-intensity use of the site is anticipated.

While residential development exists within Pisa Moorings and visitor accommodation is located on adjoining rural land, I do not consider that these activities would materially constrain the operation of the proposed reservoirs. Equally, the infrastructure itself is unlikely to generate amenity effects of a nature or scale that would give rise to reverse sensitivity concerns.

Ref: D10025

Page | 11

Accordingly, I consider that reverse sensitivity effects are unlikely to arise and would be less than minor.

8. Overall Effects Conclusion

For the purposes of the notification assessment, section 149ZCE requires the consent authority to consider whether the requirement will have, or is likely to have, adverse effects on the environment that are more than minor. The statutory test is confined to adverse effects. Positive effects are not weighed in any balancing exercise at this stage.

In respect of adverse effects, the applicant's Landscape and Visual Effects Assessment concludes that there will be initial moderate adverse visual effects experienced by users of Clark Road and occupants of Pisa Moorings. Under the Te Tangi A Te Manu methodology adopted by the applicant, effects assessed as "moderate" equate to more than minor in Resource Management Act terms. Although those effects are anticipated to reduce over approximately 6–8 years as mitigation planting establishes, they remain more than minor during the early operational period.

All other adverse effects, including those relating to access and traffic, noise, cultural and heritage values, land stability and natural hazards, construction activities, and reverse sensitivity, are assessed as being no more than minor.

Accordingly, for the purposes of section 149ZCE, I find that the proposal is likely to result in more than minor adverse effects, specifically in relation to landscape and visual amenity during the initial years following construction.

Special Circumstances

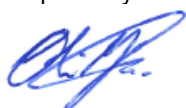
Public notification is required if the consent authority decides such special circumstances exist as to warrant the application being publicly notified (s149CB(4)). Current case law has defined 'special circumstances' as those "outside the common run of things which is exceptional, abnormal or unusual, 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].

In my opinion the overall proposal is not particularly exceptional, abnormal or unusual. The NOR is to provide for a public water utility on a site that was originally created for that purpose. I do not consider special circumstances to arise that warrant public notification.

NOTIFICATION RECOMMENDATION

For the reasons set out above, the application is recommended to be processed on a publicly notified basis.

Prepared by:



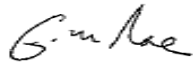
Oli McIntosh
Consultant Planner

Date: 13 February 2026

Ref: D10025

Page | 12

Approved under delegated authority by:

A handwritten signature in black ink, appearing to read "G. Rae".

Gary Rae
Independent Commissioner

Date: 2 March 2026

Application for a resource consent - Form 9

APP260144852



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 26/01/2026 09:46
Submitted to Council 26/01/2026 10:01

To cross reference Datacom with MAGIQ please click [Here](#). to add the Resource Consent number.

Property Details

Property Address Clark Road, Pisa Moorings, Cromwell
Valuation Number 2842114615
Record of Title Number 528990
Legal Description(s) of the specific parcels that the resource consent application is for LOT 8 DP 433991
Comments This is an application under Form 18 of the RMA.

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 Vivian & Espie Limited
First name Rosalind
Last name Devlin
Phone number 0210620550
Email address roz@vivianespie.co.nz

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

Postal address: 211B Glenda Drive, Frankton, Queenstown 9300
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 Central Otago District Council
Contact Person
First name Patrick
Last name Keenan
Phone number (03) 440 0056
Email address patrick.keenan@codc.govt.nz
Postal address: PO Box 122, Alexandra 9340

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 A Notice of Requirement is sought under s168A of the RMA to designate land for drinking water storage purposes associated with a community drinking water supply.

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](#).

[Notice of Requirement application.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? Yes, an informal discussion

Name(s) of Council staff involved (if known) Adam Vincent

Date of discussion (if known) 06/03/2025

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?

No

Reason

Affected Party Approvals are not required for a Notice of Requirement.

National Environmental Standard – Contaminated Soil (NES-CS)

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.

Fast-Track Processing

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

I opt out of the fast-track consent process

Please select one:

Public Notification

Please confirm whether you request public notification for this application.

No

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.

LIST OF FILES

[Notice of Requirement application.pdf](#) (1 mb)

[I - Indicative Images.pdf](#) (1 mb)

[J - Geotechnical Report.pdf](#) (3 mb)

[G - Landscape and Visual Effects Assessment Report.pdf](#) (5 mb)

[C - RC 090194 Consent Order.pdf](#) (730 kb)

[D - Heritage Covenant 8879193_15.pdf](#) (1 mb)

[F - Designation Land Requirement Plan.pdf](#) (2 mb)

[H - Proposed Conditions.pdf](#) (425 kb)

[A - Record of Title 528990.pdf](#) (1 mb)

[B - Easement 977661_1.pdf](#) (189 kb)

[B - Easement 5417984_2.pdf](#) (71 kb)

[B - Easement 7917778_39.pdf](#) (122 kb)

[B - Easement 7917778_40.pdf](#) (257 kb)

[B - Easement 8438773_18.pdf](#) (1 mb)

[B - Easement 8879193_10.pdf](#) (297 kb)

[B - Easement 8879193_13.pdf](#) (314 kb)

[B - Easement 8879193_14.pdf](#) (303 kb)

[E - Easement 8879193_11.pdf](#) (823 kb)

[E - Record of Title 574821.pdf](#) (1 mb)

vivian+espie
resource management and landscape planning

PREPARED FOR
CENTRAL OTAGO DISTRICT COUNCIL
JANUARY 2026
J2395

NOTICE OF REQUIREMENT FOR A DESIGNATION

NOTICE OF REQUIREMENT TO
DESIGNATE LAND FOR DRINKING
WATER STORAGE AND SUPPLY
PURPOSES AT CLARK ROAD, PISA
MOORINGS, CROMWELL.

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Contents

1.	Key Information	3
2.	Introduction	4
3.	Strategic Context	5
3.1	Strategic Context	5
3.2	Project Objectives	6
3.3	New Designation	6
4.	Existing Environment	6
4.1	Subject site and surrounding environment	6
4.2	Site History	7
4.2.1	Resource Consent RC090194	7
4.2.2	Resource Consent RC080351	8
4.3	Title	8
4.4	Reserve Status	8
4.5	Land Use and Zoning	9
4.6	Heritage, Cultural and Archaeological Environment	9
5.	The Proposal	10
5.1	Designation	10
5.2	Proposed Design	10
5.2.1	Reservoirs	11
5.2.2	Earthworks	11
5.2.3	Landscaping	12
5.2.4	Access	12
5.2.5	Heritage	12
5.2.6	Noise	12
5.3	Proposed Conditions	12
6.	Assessment of Environmental Effects	13
6.1	Positive Effects	13
6.2	Landscape and Visual Effects	13
6.3	Access Effects	14
6.4	Traffic Generation Effects	14
6.5	Noise Effects	14
6.6	Cultural and Heritage Values	15
6.7	Land Stability	15
6.8	Construction Effects	15
6.9	Connectivity	15
6.10	Stormwater Effects	16
6.11	Summary	16
7.	Statutory Considerations	16
7.1	Part 2 of the RMA	16
7.2	National Policy Statements	17
7.2.1	National Policy Statement for Highly Productive Land (NPS-HPL)	17
7.2.2	National Policy Statement for Urban Development (NPS-UD)	17
7.2.3	National Policy Statement for Infrastructure (NPS-I)	18
7.3	Regional Policy Statements	18
7.3.1	Operative Regional Policy Statement (2019) – ORPS	19
7.3.2	Proposed Regional Policy Statement (2021) – PORPS	19
7.4	Infrastructure Design Solution	20
7.4.1	Water Modelling Report	20
7.5	Plan or Proposed Plan	20
7.5.1	CODC District Plan	20
7.5	Alternative Sites, Routes, or Methods	22
7.6	National Environmental Standard for Contaminants in Soil	22
8.	Consultation	23
9.	Conclusion	23

1. Key Information

Address	Clark Road, Pisa Moorings, Cromwell
Legal Description	Lot 8 DP 433991 held in Record of Title 528990
Site Area	6120m ²
Owners	Central Otago District Council
Occupiers	N/A
Site Purpose	Local Purpose (Utilities) Reserve
Applicant	Central Otago District Council
Operative District Plan Zoning	Rural Resource
Designations & Special Provisions	Outstanding Natural Feature (Lowburn glacial outwash terrace / Sugarloaf)
Other Notations	Archaeological Site G41/260
Proposed Activity	<p>A Notice of Requirement is sought under s168A of the Resource Management Act 1991 (RMA) to designate land for drinking water storage purposes associated with a community drinking water supply.</p> <p>The information provided with this application includes a comprehensive description of the proposed works and proposed conditions to be included in the District Plan.</p>
Site History	<p>RC090194 was processed on a publicly notified basis and granted on 8 July 2011 (via Environment Court consent order) for land use consent for a water supply reservoir. RC090194 had a duration of 8 years until 2019. RC090194 is considered to have lapsed.</p> <p>RC080351 processed on a non-notified basis and was granted on 22 December 2008 for a subdivision to create the site. RC080351 was implemented and the current title for the site was issued on 4 October 2011.</p>
Written Approvals and Consultation	Details within this document.

Quality assurance

Prepared by	Rosalind Devlin	Senior Planner	19 January 2026
Reviewed by	Carey Vivian	Director / Senior Planner	20 January 2026

2. Introduction

Central Otago District Council (CODC) is a requiring authority under Section 166 of the Resource Management Act 1991 (RMA). CODC is seeking a new designation to construct, operate, and maintain water storage reservoirs for community water supply, with associated access, infrastructure, earthworks, and landscaping, on land located on Clark Road, Pisa Moorings.

CODC is lodging a Notice of Requirement (NOR) to designate all of Lot 8 DP 433991 in accordance with section 168A of the RMA.

The purpose of this report is to address the information requirements contained in Form 18 of the RMA and to enable a full understanding of the NOR and any effects that the NOR may have on the environment. A full description of the project is provided in Section 5 of this report. An Assessment of Environmental Effects (AEE) of the project is outlined in Section 6 of this report.

In accordance with s168A of the RMA:

1. The applicant has financial responsibility for the proposed public work; and
2. The application is for work within the applicant's district that relates to the construction of eligible infrastructure for which the territorial authority is a responsible infrastructure authority; and
3. A restriction over the land is necessary for the safe and efficient functioning and operation of a public work.

The application will enable the efficient operation and development of a utility that is a necessary component of a community water supply, while ensuring that effects on amenity, heritage, landscape values and public safety are avoided, remedied or mitigated. The project will deliver required public works in accordance with the statutory functions of CODC as a requiring authority and as a provider of a community drinking water supply under the Water Services Act 2021.

This application includes a Land Requirement Plan and Conditions that would be incorporated into the District Plan to provide detailed direction for a future Outline Plan. For clarity, this application does not seek to include or waive the Outline Plan requirement.

The following information is appended:

- Attachment **[A]** Record of Title 528990
- Attachment **[B]** Record of Title 528990 Instruments
- Attachment **[C]** Copy of RC090194 Consent Order
- Attachment **[D]** Copy of Heritage Covenant 8879193.15
- Attachment **[E]** Record of Title 574821 and Instruments
- Attachment **[F]** Designation Land Requirement Plan
- Attachment **[G]** Landscape and Visual Effects Assessment Report
- Attachment **[H]** Proposed Conditions

Attachment [I] Indicative Reservoir Plans and Images

Attachment [J] Geotechnical Report

3 Strategic Context

3.1 Strategic Context

The National Policy Statement on Urban Development requires the Council to provide at least sufficient development capacity for housing and business land to meet expected demand in the short, medium, and long term. To be considered sufficient, this capacity must be infrastructure-ready i.e. supported by adequate water networks that are either already in place or funded and planned for the near future (along with other infrastructure, being plan-enabled, and feasible).

Strategic decisions on the design and provision of a resilient community drinking water supply are contained within a water modelling report that has been prepared for CODC and is updated as required. The report notes that significant growth is expected across the entirety of Cromwell and in the surrounding area. Network upgrades are needed to accommodate future growth and ensure the network remains resilient. Consequently, a master plan has been developed collaboratively with stakeholders with the following objectives:

1. Quantify the current and future peak day demand at a localised level (all types of demand).
2. Model and analyse the impact of future demand on the network (based on the system performance assessment).
3. Highlight current and predicted deficiencies in the network and propose remediations at a localised or wider level as appropriate.

The water modelling report found that the Cromwell Reservoir is sized suitably for future growth, but recommended that additional storage be integrated within the northern portion of the network (Pisa Mooring). The report identifies potential issues with network resilience in the Lowburn and Pisa Mooring areas, and found that the integration of an adequately sized and appropriately operated reservoir in this locality is essential to ensuring the resilience of the area improves. The report notes that integration of additional storage at Pisa Mooring would also benefit Lowburn and parts of Cromwell. While the proposed designation would service Cherry Orchard and Parkburn developments, the report recommends additional water storage at Pisa Mooring regardless of whether those developments are fully constructed, due to predicted population growth in the wider area.

Under the Water Services Act 2021, CODC is an operator of a community drinking water supply and must ensure that the drinking water is safe; complies with the drinking water standards; is aesthetically acceptable; and is of sufficient quantity (among other matters).

Provision of new or upgraded municipal infrastructure can take several years of planning, funding, and implementation. Initial concept plans become detailed designs when tenders are sought, which may be some time after sites are identified, and planning approvals are obtained.

It is generally considered that designating land for public works is generally a more appropriate longer-term and flexible planning mechanism compared with the resource consenting regime. This is recognised by recent amendments to the RMA, which provide for a lapsing date of 10 years for designations compared with the default 5 years lapsing date for a resource consent.

3.2 Project Objectives

The project objectives set out the requiring authority's purpose for carrying out the work, which are:

- Provision of essential infrastructure to support sufficient development capacity, as required by the NPS-UD.
- Meet relevant statutory requirements and obligations relating to water supply (e.g. Water Services Act 2021 and Taumata Arowai standards) including being resilient, safe and reliable.
- Identifying a location at a suitable height to ensure that the water has enough pressure to reach network users.
- Efficient use of land that is already owned by CODC and identified for the purposes of water supply.
- Efficient use of land that is identified as Local Purpose (Utilities) Reserve.

3.3 New Designation

In accordance with Section 168A of the RMA, CODC is seeking a new designation in the CODC District Plan to enable the construction, operation, and maintenance of water storage reservoirs, with associated access, infrastructure, earthworks, and landscaping, on land on Clark Road that is legally described as Lot 8 DP 433991.

A set of proposed Conditions are appended as Attachment [H]. As noted above and assessed in more details below, the Conditions are designed to provide certainty for the community and detailed direction for a future Outline Plan application that would address all the requirements of s176 of the RMA.

4. Existing Environment

4.1 Subject site and surrounding environment

The site is legally described as Lot 8 DP 433991 and is held in Record of Title 528990 appended as Attachment [A] with Instruments appended as Attachment [B]. The purpose of the site is described on the title as "Local Purpose (Utilities) Reserve". The site is 6,120m² in area and is accessed off Clark Road, off the Luggate-Cromwell Road (State Highway 6, refer **Figure 1** below). The site is part of a sluiced gully at the northern end of the Sugarloaf terrace riser, a visually distinctive glacial outwash terrace with steep side slopes and a flat top. The site has an existing rough track access, is steeply sloping, and is partly vegetated with briar roses and wilding conifers. The surrounding environment is rural in nature, with visitor accommodation cabins near Clark Road on adjoining land. Opposite the site on the other side of the Luggate-Cromwell Road is the Pisa Moorings residential area along the shores of Te Wairere Lake Dunstan. A more detailed description of the site and surrounds is provided in the Landscape and Visual Effects Assessment Report appended as Attachment [G].



Figure 1: Location of Project Area (outlined; source: CODC GIS)

4.2 Site History

The applicant was granted two concurrent resource consents of relevance to this application: RC090194 and RC080351.

4.2.1 Resource Consent RC090194

Resource consent **RC090194** was processed on a publicly notified basis and granted on 31 May 2010 by a Hearings Commissioner. The consent was appealed by RS Perriam and was subsequently granted with conditions on 8 July 2011 by an Environment Court Consent Order. The Consent Order included conditions and planting plans that are discussed further below. A copy of the Consent Order is appended as Attachment **[C]**.

The Consent Order approved a Water Supply Reservoir (one single tank) on the lower slope of the Sugarloaf terrace riser, approximately 250 metres west of the intersection of Clark Road and State Highway 6, opposite Pisa Moorings Road. The land at the time was legally described as Lot 207 DP 404040, held in CT 417251 and was zoned Rural Resource Area under the Operative Central Otago District Plan, within an area identified as a "Significant Landscape Feature" under Proposed Plan Change 5R. The activity status was **Discretionary**.

The Consent Order was granted a duration of 8 years with a lapsing date of 8 July 2019.

By way of giving effect to the consent, there is evidence of the roadside plantings required by Condition 6(b) on the adjoining land owned at the time by Clarke Road Limited. In addition, a Heritage Covenant required by Condition 21 of RC090194 was registered on the relevant title. However, it appears that sufficient works to give effect to RC090194 were not undertaken within the duration period. There is no known evidence of a s125 application or approval to extend the duration of the consent. Advice from the Council Planning Department is that RC090194 is considered to have lapsed.

The appeal party RS Perriam appealed the entire decision, with the reasons for the appeal being in regard to landscape values associated with the Sugarloaf, archaeological values associated with gold sluicing in the gully, visibility in the contact of the landscape and geological values of the east face of the Sugarloaf, and general adverse effects on rural character and amenity values of the site and surrounding rural land.

Pisa Moorings Utilities Society Incorporated became a s274 party but withdrew from the proceeding at the mediation.

As noted above, the appeal was resolved by Consent Order with a set of conditions and plans.

4.2.2 Resource Consent RC080351

Concurrently with RC090194, **RC080351** was processed on a non-notified basis and was granted on 22 December 2008 for a subdivision to create the site. RC080351 was implemented and the current title for the site was issued on 4 October 2011. The title is described in the following section. RC080351 created a number of easements on the land and adjoining land. These are described in the following section (Section 4).

4.3 Title

The site created by RC080351 is legally described as Lot 8 DP 433991 and is 6,120m² in area with part of that area being an accessway off Clark Road.

The purpose of the site is described on the title as Local Purpose (Utilities) Reserve. The reserve status is discussed in the following section.

The title includes a range of easements. Of most relevance are the easements over the access from Clark Road to the proposed reservoir site, marked:

- AE right of way
- AZA right to convey electricity, telecommunications and computer media
- BE right to convey water and sewage
- BH right to convey water and sewage
- ND right to convey water and sewage, right (in gross) to a pedestrian and cycle accessway
- NC right (in gross) to a pedestrian and cycle accessway

4.4 Reserve Status

As noted above, the purpose of the site is described on the title as Local Purpose (Utilities) Reserve and the title is subject to the Reserves Act 1977. The Reserves Act 1977 enables local purpose reserves to be established for the purpose of providing and retaining areas for such local purpose or purposes as are specified in any classification of the reserve (s23 of the Reserves Act 1977). In this instance, the purpose of the reserve is utilities, noting; however, that the reserve was not gazetted. Utility is not defined in the Reserves Act 1977 but is defined in the District Plan as having the same meaning as “network utility”, which has the same meaning as “network utility operation” as set out in s166 of the RMA.

The applicant is a network utility operator requiring authority under s166 of the RMA:

network utility operator means a person who—

...

(d) undertakes or proposes to undertake the distribution of water for supply (including irrigation); or

...

and the words network utility operation have a corresponding meaning

4.5 Land Use and Zoning

The site is zoned Rural Resource by the Operative Central Otago District Plan, with an Outstanding Natural Feature overlay over the upper part of the site, described as Lowburn glacial outwash terraces or Sugarloaf. The surrounding land is zoned Rural Resource and is utilised for viticulture, horticulture, and farming. Established housing occupies the Large Lot Residential and Low Density Residential Zones of Pisa Moorings on the other side of State Highway 6. A snip of the District Plan GIS shows the site location in **Figure 2** below.

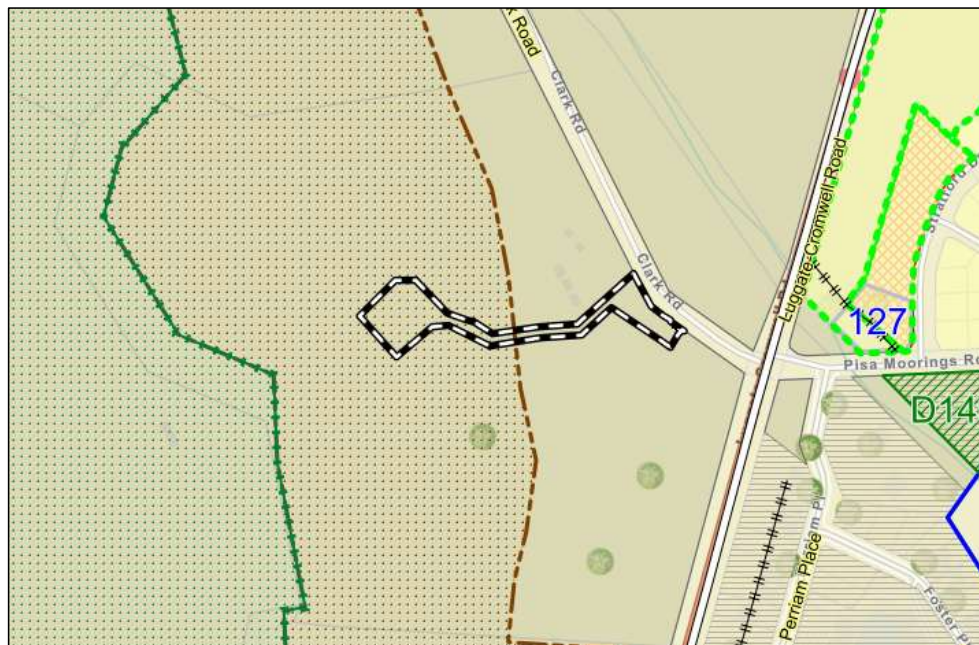


Figure 2 – snip from Central Otago District Plan GIS (site outlined with dashed line)

4.6 Heritage, Cultural and Archaeological Environment

While the Central Otago District Plan does not identify any sites of historic, cultural or archaeological significance in the immediate vicinity of the project area, the land does contain a recorded archaeological site; identifier **G41/260**. The land subject to this application is partly within the archaeological site, which is a sluiced gully and outwash fan. G41/260 is described as a 'substantially intact site of pre 1900s ground sliced workings most likely an individual gold claim of Chinese origin'. The G41/260 Site Record Form is appended as Attachment **[D]**.

During the RC090194 process, an agreement was reached with Heritage New Zealand Pouhere Taonga (at the time known as New Zealand Historic Places Trust or NZHPT) to register a heritage covenant under the Historic Places Act 1993 (since repealed by the Heritage New Zealand Pouhere Taonga Act 2014) on the adjoining land that surrounds the project area. Heritage Covenant 8879193.15 is registered on Lot 100 Deposited Plan 433991, which is held in Record of Title 574821, and is owned by Wakefield Estates Limited: Directors Craig Benington and Robert Perriam. The covenant and title are appended as Attachments **[D]** and **[E]**.

The Heritage Covenant 8879193.15 states that CODC have agreed to manage the land as recorded in a Deed of Agreement dated 30 April 2010. Registering this covenant on the land was required by Condition 21 of RC090194.

The covenant requires the landowner to:

- Not to damage, modify or destroy the archaeological site.
- Maintain public access via an Easement Area.
- Remove all woody vegetation to prevent damage from roots.

5. The Proposal

5.1 Designation

The proposed designation provides for water storage public works as part of a resilient community drinking water network. The public works include:

- Construction of reservoirs and associated infrastructure (water storage tanks);
- Connection of services (including irrigation for landscaping);
- Construction of the access from Clark Road;
- Earthworks; and
- Landscaping.

The land directly affected by the requirement is:

- CODC: Lot 8 DP 433991 held in Record of Title 528990, 6,120m².

The land affected is shown on the Land Requirement Plan appended as Attachment **[F]**.

The designation area includes sufficient space for earthworks, finished form, and mitigation landscaping. Works within the designation area would include reservoirs and associated infrastructure, earthworks to set the reservoirs into the site and to create vehicle access from Clark Road, and landscaping to screen the reservoirs from public views.

5.2 Proposed Design

The proposed water storage public works comprise two reservoirs and associated services, access, earthworks, and landscaping. Indicative images of the works are appended as Attachment **[I]** and one is included below in **Figure 3**. As this application does not include the detailed information that would be required for an Outline Plan, the images are indicative only and are not intended to be included with the designation in the District Plan.



Figure 3 – Indicative aerial view of future reservoirs and landscaping

This application includes proposed Conditions that have been drafted to accompany the designation to achieve the outcomes sought by the indicative images i.e. water storage reservoirs that will be largely screened from public views. The images and proposed Conditions are designed to give the community certainty about the project and the anticipated appearance of the works.

The detailed design of the public works would be subject to a subsequent Outline Plan to meet all the requirements of s176A of the RMA and to allow the consenting authority to request changes before construction is commenced.

5.2.1 Reservoirs

The final positioning, size, height, and design of the tanks will be detailed in the future Outline Plan application. As noted in this application, there are likely to be two tanks, subject to detailed design, and there would be associated infrastructure (such as a pump station and pipework). The proposed reservoirs and any associated utility buildings and cabinets are to be clad in an appropriately recessive colour (e.g. *Ironsand* or similar). It is proposed that the reservoirs shall have a maximum height of 5.5m above the platform base material, which itself shall have a maximum relative level of 240.2m. These design controls are included within the proposed Conditions.

It is proposed that any external lighting will be limited to downlights mounted on the structures within the designation area and are to be sensor activated. Any lighting is to only be for security and operational requirements.

5.2.2 Earthworks

Earthworks will be required to create a platform for the location of the future reservoirs given the topography of the site. The earthworks will be undertaken within the proposed designation area and will be managed to address the unique requirements of the gully. The full earthworks details including cut, fill, volumes, and Environmental

Management Plan (EMP) will be addressed via a future Outline Plan application. Should any earthworks be required outside of the designation, this would be subject to a resource consent application. Conditions are volunteered in order to mitigate the potential effects associated with earthworks, including being managed by a suitably qualified professional.

5.2.3 Landscaping

A key part of the designation is mitigation landscaping to screen the works from public views and respond to rural and landscape values of the site and surrounds. Conditions are volunteered for landscaping requirements, including a landscape mitigation plan to rid the site of weed species and establish ecologically appropriate mixed native vegetation within the site that enhances the visual screening of the tanks. The landscape mitigation plan will also include details of maintenance, pest control, and irrigation.

5.2.4 Access

The designation area includes an indicative access alignment which largely follows an existing farm track from Clark Road. Proposed conditions would require the access to only be upgraded as much as needed for construction and maintenance vehicles.

5.2.5 Heritage

In response to the heritage values within the site, proposed conditions will require an appropriately qualified archaeologist to monitor the works, to install a suitable stormwater draining system that protects the gold sluicing remains from erosion, and to implement an Accidental Discovery Protocol.

5.2.6 Noise

It is not anticipated that rock will be encountered during earthworks activities, and it is expected that excavation and construction activities would comply with NZS 6803:1999 Acoustics - Construction Noise. The operation of the reservoirs and any necessary pumps will be designed and constructed to comply with the District Plan noise standards. During an emergency or for maintenance purposes an emergency or backup generator may be required.

5.3 Proposed Conditions

A set of proposed Conditions are volunteered and are appended as Attachment [H].

6. Assessment of Environmental Effects

Section 168A(3) states that when a territorial authority is considering an NOR it must, subject to Part 2 of the RMA, consider the effects on the environment of allowing the requirement. The proposed public work is considered to have the potential to result in the following effects:

6.1 Positive Effects

Section 168A(3A) of the RMA provides that—

The effects to be considered under subsection (3) may include any positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from the activity enabled by the requirement, as long as those effects result from measures proposed or agreed to by the requiring authority.

The proposal will result in positive effects upon people and the environment as it will provide additional water storage that is required to cater for existing and future development and population growth in the Pisa Moorings, Lowburn, and surrounding areas.

The installation of additional reservoirs will continue to ensure public health and safety through the provision of a suitable potable water supply, as well as adding resilience into the network as identified by the water modelling report.

Utilising land already owned by CODC and earmarked for water utilities purposes will result in financial efficiencies for ratepayers.

Co-locating the proposed future reservoirs will provide operational and maintenance efficiencies for Council staff and contractors, as well as minimising potential adverse landscape and visual amenity effects.

6.2 Landscape and Visual Effects

An Assessment of Landscape and Visual Effects of the proposed designation has been prepared by Vivian + Espie and is appended as Attachment [G]. This assessment is adopted for the purposes of this application and takes into account the indicative images and the proposed Conditions.

The landscape report concludes that the Proposed conditions will restrict the elevation and maximum height of a reservoir structure, ensure visually recessive colouring, and will require earthworks and native planting to integrate a reservoir into the site such that it becomes well hidden.

The landscape report considers that adverse visual effects from public and private viewpoints will range from low to moderate (from the closet viewpoints) with moderate effects reducing over approximately 6 to 8 years to a low degree as proposed mitigation landscaping grows and matures. The landscape report considers that adverse landscape effects in relation to the Sugarloaf Outstanding Natural Feather will be of a low degree at most.

Overall, adverse effects on visual amenity and landscape are generally less than minor. Visual detracting from the values of the landscape will be minor than minor, reducing to less than minor in the medium term.

6.3 Access Effects

The designation includes an indicative access alignment from Clark Road following an existing farm track. The track would be minimally upgraded for safe access for construction and maintenance vehicles. The detailed design would be included in a future Outline Plan application.

Overall, the potential adverse effects of the proposed designation in relation to access are considered to be avoided or remedied so that they will be less than minor.

6.4 Traffic Generation Effects

The designation will be accessed off Clark Road approximately 100m from the intersection of Clark Road and Stage Highway 6 (Luggate-Cromwell Road). During the construction of the future reservoirs, traffic along Clark Road will increase and there will be heavy vehicles accessing the designation. The full extent of the reservoir platform is likely to be excavated initially. This will ensure that future works beyond the initial excavation will be somewhat limited to the construction of the reservoir and associated infrastructure only. The excavation of the reservoir platform and mounding will be designed to limit the excess material as much as possible. Consequently, although noticeable during the excavation stage, the number of additional traffic movements on the surrounding road network will be no more than minor and of temporary duration. Notwithstanding this, access and safety along Clark Road will be maintained during the construction phase through preparation, approval and implementation of a Traffic Management Plan. Submission of this plan prior to works commencing is proposed as a Condition of as noted above.

The potential adverse effects on users of Clark Road are considered to be mitigated and temporary and therefore less than minor. Outside of the construction phase, the traffic generated by the future reservoirs will be minimal, for example weekly and monthly maintenance via a light utility vehicle. Overall, the potential traffic generation effects are considered to be less than minor.

6.5 Noise Effects

The proposed construction related effects as well as the ongoing operation related noise effects are considered below. As outlined above, it is not anticipated that excavation of rock would be required for the construction of the reservoir platform, and as such it is expected that all activities associated with the construction of the reservoirs, access upgrade and installation of services are anticipated to meet the NZS 6803:1999 Acoustics - Construction Noise and as required by the District Plan (12.7.4).

Once constructed, the proposed reservoirs and associated infrastructure will be designed to meet the noise standards set out within the District Plan (4.7.6.E). An emergency or backup generator may be required and is provided for within the volunteered Conditions. The use of any emergency generator would be infrequent.

Overall, the potential construction and ongoing noise effects are anticipated to be less than minor.

6.6 Cultural and Heritage Values

As noted above, the site contains part of a recorded archaeological site, which is a sluiced gully and outwash fan. The Heritage Covenant registered on the adjoining title sets out how to manage heritage values i.e. not to damage, modify or destroy the archaeological site, maintain public access, and remove all woody vegetation to prevent damage from roots.

Within the land subject to the proposed designation, it is proposed that if any cultural or heritage item is uncovered on site during construction, then the Heritage New Zealand Accidental Discovery Protocol will be followed.

Overall, given the existing Heritage Covenant requirements and application of the Accidental Discovery Protocol during works, any adverse effects on heritage values are expected to be no more than minor.

6.7 Land Stability

A Geotechnical Report that was prepared for the earlier resource consent is appended as Attachment [J]. The report recommended that the top layer of sluicing material be removed and replaced with engineered fill during construction, that the glacial outwash gravels are expected to provide adequate bearing capacity, and that adequate draining be included to maintain stormwater flow giving the location at the base of a gully. These matters would be addressed during the Outline Plan process when the ground conditions are assessed and foundations and drainage designed. It is proposed that the earthworks are subject to an EMP that would be prepared by a suitably qualified geo-professional.

Overall, with the application of an EMP and site specific detailed design during the Outline Plan process, it is anticipated that any adverse effects on land stability are expected to be no more than minor.

6.8 Construction Effects

The potential effects during construction are considered to be related to noise, dust, sediment, traffic and parking. Conditions are proposed requiring submission of an EMP and Traffic Management Plan to CODC for approval prior to works commencing. These will address the potential dust, sediment, traffic and parking effects of the future development so that these effects are anticipated to be less than minor. The potential visual effects of the earthworks are also proposed to be remedied through the requirement to landscape and re-vegetate exposed areas following construction.

The potential noise effects of the excavation and construction have been addressed above.

Overall, the potential construction and earthworks effects will be temporary and are able to be suitably managed so that they are anticipated to be less than minor.

6.9 Connectivity

The title includes existing easements for public pedestrian and cycle access over the access and over adjoining land. The easements will be retained, and it is not proposed to make any changes to existing public access. During the earthworks and construction phases, there may be periods when public access is closed or diverted for safety

reasons. It is not proposed to significantly upgrade the track to access the reservoir, beyond potential occasional light grading during the construction period and tidying up at the end of the construction period.

There may be an opportunity to provide interpretation panels or signage for public walkway users to appreciate the ground sluiced mining system. This could be investigated during a future Outline Plan process.

Overall, the existing public access will be retained and any closures or diversions for safety purposes would be temporary, such that any adverse effects on connectivity would be less than minor.

6.10 Stormwater Effects

The construction of the proposed reservoir platform and tanks will disrupt the current stormwater overland flow paths. Any water collected on the platform will therefore need to be captured and managed. In addition, reservoir release flows (overflow) need to be managed. The title includes easements over adjoining land to provide for future stormwater management.

A detailed design for managing stormwater would be included with a future Outline Plan application. A Condition in this regard is proposed.

Overall, it is considered that the potential adverse effects relating to stormwater can be suitably avoided, remedied, or mitigated such that they are expected to be no more than minor.

6.11 Summary

Overall, the proposed designation is considered to result in less than minor adverse effects in regard to access, operational noise, culture, heritage and archaeology, earthworks and construction, and landscape, and temporarily minor or more than minor adverse effects in regard to visual amenity that will reduce over the short term to less than minor.

The proposal is considered to result in positive effects in regard to provision of a resilient community drinking water network, and efficient use of CODC-owned land that is intended for this purpose.

7. Statutory Considerations

7.1 Part 2 of the RMA

The Council's consideration of a section 168A notice is subject to Part 2 of the RMA.

Section 6(b) of the RMA requires the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development. The Landscape and Visual Effects Assessment Report considers that the landscape values of the Outstanding Natural Feature will be protected.

Section 6(f) of the RMA provides for the protection of historic heritage from inappropriate subdivision, use, and development. In this regard, the Heritage Covenant and Accidental Discovery Protocol will apply to future works within the proposed designation.

Section 7 of the RMA sets out those “other matters” that Council is to have particular regard to in achieving the purpose of the RMA. Section 7 (b), (c) and (f) are considered relevant to this proposal.

This proposal will provide for the efficient use and development of the existing land resource owned by the requiring authority and that has previously been given approval for water infrastructure. The amenity values and the quality of the surrounding area will be maintained and enhanced by proposed mitigation landscaping.

An Accidental Discovery Protocol will apply to future works approved by Outline Plan, and as such the proposal does not raise any issues with respect to section 8 of the RMA.

In terms of the overall purpose of the RMA, this proposal represents sustainable management of natural and physical resources. It will provide for social and economic wellbeing by contributing to a resilient community drinking water network.

7.2 National Policy Statements

Section 168A(3) of the RMA states that when considering a requirement and any submissions received, a territorial authority must have particular regard to—

- (a) any relevant provisions of—
 - (i) a national policy statement:
 - (ii) a New Zealand coastal policy statement:

7.2.1 National Policy Statement for Highly Productive Land (NPS-HPL)

The NPS-HPL aims to ensure the availability of Aotearoa New Zealand’s most favourable soils for food and fibre production. In this instance the land is zoned Rural Resource, which is a general rural zone under the NPS-HPL. According to the Manaaki Whenua Landcare Research Land Use Capability mapping tool, the upper part of the land where the reservoirs would be located is classified as LUC Class 7 – Non-arable (moderate to very severe limitations to pastoral use). The lower part of the site where the access track joins Clark Road is identified as LUC Class 4 – Arable (significant limitations for arable use or cultivation). As highly productive land is predominantly LUC 1, 2, or 3 within a large and geographically cohesive area, the NPS-HPL does not apply to the proposed designation.

7.2.2 National Policy Statement for Urban Development (NPS-UD)

Objective 1: *New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*

The NPS-UD requires that Councils provide sufficient development capacity that is infrastructure-ready. The proposal is aligned with the NPS-UD as it will support the provision of essential infrastructure for urban development that will be ready in the short-medium term. The proposal will support a well-functioning urban environment, as well as being a climate adaptation tool by providing storage during droughts to ensure a stable water supply.

7.2.3 National Policy Statement for Infrastructure (NPS-I)

2.1 Objective

(1) *The objective of this National Policy Statement is to:*

- (a) *ensure the national, regional and local benefits of infrastructure are provided for;*
- (b) *enable infrastructure to support the social, economic and cultural wellbeing of people and communities and their health and safety;*
- (c) *enable infrastructure to support the development and change of urban and rural environments to meet the diverse and changing needs of present and future generations;*
- (d) *ensure infrastructure is well-functioning, resilient and compatible, as far as practicable, with other activities; and*
- (e) *ensure infrastructure is delivered in a timely and efficient manner while managing adverse effects from or on infrastructure.*

Policy 9: Managing the effects of new infrastructure and major upgrades

- (1) *Decision-makers must enable new infrastructure or major upgrades of existing infrastructure activities in all environments.*
- (2) *Where infrastructure activities are proposed to locate in or are likely to have adverse effects on environments and values provided for in section 6 of the Act, the provisions of this policy must be read alongside other relevant national direction, regional policy statements and regional and district plans.*
- (3) *Where (2) does not apply, the adverse effects of new infrastructure and major upgrades must be, where practicable, avoided, remedied or mitigated.*

The NPS-I requires decision-makers to recognise infrastructure as a matter of national significance under the RMA and provides policy to support its development, maintenance and upgrades while still addressing adverse effects. Water reservoirs are classified as specified infrastructure that provides essential services. The proposed is well aligned with the NPS-I, given that it:

- Has a functional need i.e. elevation: water reservoirs must be at a specific height to ensure that the water has enough pressure to reach Pisa Moorings and other areas.
- Secures safe drinking water: the NPS-I prioritises infrastructure that provides safe and reliable drinking water as a matter of national importance.
- Meets the NPS-UD: the Council is required to provide infrastructure that supports sufficient development capacity.

7.3 Regional Policy Statements

Section 168A(3) of the RMA states that when considering a requirement and any submissions received, a territorial authority must have particular regard to—

- (b) *any relevant provisions of—*
 - (iii) *a regional policy statement or proposed regional policy statement:*

7.3.1 Operative Regional Policy Statement (2019) – ORPS

The Otago Regional Policy Statement 2019 became fully operative on 4 March 2024. The following objectives are of relevance:

Objective 1.1 Otago's resources are used sustainably to promote economic, social, and cultural wellbeing for its people and communities	The proposal contributes to the social and economic wellbeing of Otago's communities by contributing to a resilient community water supply. Water supply provides crucial infrastructure services that support daily life, communities, businesses, and public services, and its disruption can be life-threatening, especially during a disaster. The proposal promotes community resilience and the need to secure resources for the reasonable needs for human wellbeing.
Objective 3.2 Otago's significant and highly-valued natural resources are identified and protected, or enhanced where degraded	The Landscape and Visual Effects Assessment and proposed Conditions of the designation seek to protect the natural character values and high landscape quality of the ONL / ONF to ensure that the proposal is an appropriate use and development of the land.
Objective 4.3 Infrastructure is managed and developed in a sustainable way	The proposed designation provides for the functional needs of a lifeline utility and essential service. The proposal seeks to efficiently utilise natural and physical resources, including land already owned by CODC and intended for water supply purposes.

Overall, the proposal is consistent with the higher level objectives and policies of the ORPS.

7.3.2 Proposed Regional Policy Statement (2021) – PORPS

The PORPS was separated into two parts: a freshwater and a non-freshwater planning instrument, following a determination by the High Court in 2021. The Otago Regional Council notified its decisions on submissions on the Proposed Otago Regional Policy Statement (2021) PORPS on 30 March 2024. The following objective is of relevance:

EIT-INF-04 – Provision of infrastructure Effective, efficient, safe and resilient infrastructure, nationally significant infrastructure and regionally significant infrastructure enables the people and communities to provide for their social and cultural wellbeing, their health and safety, and supports sustainable economic development and growth in the region, while adverse effects are managed.	The proposal provides for the functional and operational needs of water infrastructure, while managing potential adverse effects on outstanding natural features and landscapes. The proposed designation provides for development infrastructure and additional infrastructure required to service existing, planned and expected urban growth demands in the short, medium and long term. The designation will provide safe, effective and efficient services to the Otago community and beyond.
HCV-HH-03 – Historic heritage resources Otago's unique historic heritage contributes to the region's character, sense of identity, and social, cultural and economic well-being, and people's understanding and appreciation of it is enhanced, and it is protected for future generations against inappropriate subdivision, use and development.	The proposal recognises Otago's historic heritage and proposes the use of accidental discovery protocols, and avoiding, remedying or mitigating adverse effects on areas or places which have been identified as having special or outstanding historic heritage or qualities. Where possible the requiring authority will promote public awareness of historic heritage values through providing information and education.

<p>NFL-O1 – Outstanding natural features and landscapes¹³⁵ The areas and values of Otago’s outstanding natural features and landscapes are identified, and the use and development of Otago’s natural and physical resources results in the protection of them from inappropriate subdivision, use and development.</p>	<p>The Landscape and Visual Effects Assessment and proposed Conditions of the designation seek to maintain the natural character values and high landscape quality of the ONL / ONF to ensure that the proposal is an appropriate use and development of the land.</p>
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Overall, the proposal is consistent with the higher level objectives and policies of the PORPS.

7.4 Infrastructure Design Solution

Section 168A(3) of the RMA states that when considering a requirement and any submissions received, a territorial authority must have particular regard to—

- (a) any relevant provisions of—
 - (iia) an infrastructure design solution:

7.4.1 Water Modelling Report

As summarised above in Section 3, the CODC’s water modelling report identifies potential issues with network resilience in the Lowburn and Pisa Mooring areas, and found that the integration of an adequately sized and appropriately operated reservoir in this locality is essential to ensuring the resilience of the area improves. The report notes that integration of additional storage at Pisa Mooring would also benefit Lowburn and parts of Cromwell.

Overall, the proposed designation is essential in contributing to network resilience and provision of additional water storage, in accordance with the findings and recommendations of the water modelling report.

7.5 Plan or Proposed Plan

Section 168A(3) of the RMA states that when considering a requirement and any submissions received, a territorial authority must have particular regard to—

- (a) any relevant provisions of—
 - (iv) a plan or proposed plan;

7.5.1. CODC District Plan

The proposal has been assessed against the relevant objectives and policies of the District Plan as follows:

7.5.1.1 Rural Resource Area

<p>4.3.1 Objective - Needs of the District’s People and Communities</p>	<p>The proposed designation recognises 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.</p>
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	The District Plan notes that development and continued operation and maintenance of public works and network utilities is a vital component in providing for the social, economic and cultural wellbeing and health and safety of the people of the District. The proposed conditions are intended to ensure that the construction and operation of works within the designation will not have significant adverse environmental effects particularly in terms of visual effects.
<p>4.3.2 Objective – Outstanding Natural Landscapes and Outstanding Natural Features, and Land in the Upper Manorburn/Lake Onslow Landscape Management Area</p> <p>4.4.1 Policy - Outstanding Natural Landscapes and Outstanding Natural Features and Land in the Upper Manorburn/Lake Onslow Landscape Management Area</p>	The Landscape and Visual Effects Assessment and proposed Conditions of the designation seek to protect the natural character values and high landscape quality of the Sugarloaf ONF to ensure that the proposal is an appropriate use and development of the land.
<p>4.3.3 Objective - Landscape and Amenity Values</p> <p>4.4.2 Policy – Landscape and Amenity Values</p>	<p>The proposed designation recognises that the landscape setting is unique and distinctive. The application also recognises that major development work has potential to damage or destroy outstanding natural features. The proposed conditions are designed to maintain and enhance the environment, in order to manage the use, development and protection of outstanding natural features to ensure protection in terms of section 6(b) of the Act.</p> <p>The Heritage Covenant and application of an Accidental Discovery Protocol will maintain the values associated with remnants of the early goldmining era that have made a significant contribution to the surrounding landscape values.</p>
4.4.13 Policy - Public Access to Significant Features	The existing public walking and cycling easement will be retained.

7.5.1.2 Infrastructure, Energy and Utilities

<p>13.3.2 Objective – Utilities</p> <p>13.4.1 Policy – Positive Contribution of Infrastructure</p> <p>13.4.3 Policy – Public Works and Network Utilities</p> <p>13.4.4 Policy - Development of Utilities</p>	<p>Development and continued operation and maintenance of public works and network utilities is a vital component in providing for the social, economic and cultural wellbeing and health and safety of the people of the District.</p> <p>The application will enable the efficient operation and development of a utility that is a necessary component of a community water supply, while ensuring that effects on amenity, heritage, landscape values and public safety are avoided, remedied or mitigated.</p> <p>The proposed conditions are intended to ensure that the proposed utility will be sited and designed in such a way that amenity, heritage and landscape values are not significantly adversely affected.</p> <p>The application will not result in adverse effects of noise, vibration, light spill and glare on the environment that would be more than minor. Public safety will be maintained.</p>
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	<p>The Heritage Covenant will maintain the values associated with remnants of the early goldmining era.</p> <p>Application of an Accidental Discovery Protocol will ensure protection of the integrity of sites of importance to Kai Tahu ki Otago.</p>
<p>13.3.4 Objective – Outstanding Natural Landscapes and Outstanding Natural Features, and Land in the Upper Manorburn/Lake Onslow Landscape Management Plan</p> <p>13.3.5 Objective – Landscape and Amenity Values</p> <p>13.4.10 Policy – Outstanding Natural Landscapes and Outstanding Natural Features and Land in the Upper Manorburn/Lake Onslow Landscape Management Area</p>	<p>The proposed Conditions of the designation seek to maintain the natural character values and high landscape quality of the ONL to ensure that the proposed utility is an appropriate use and development of the land.</p>
13.4.15 Policy – Public Access	The existing public walking and cycling easement will be retained.

Overall, it is considered that the proposed designation is consistent with the relevant objectives and policies of the District Plan.

7.5 Alternative Sites, Routes, or Methods

Section 168A(3)(b) states that when a territorial authority is considering a NOR (and any submissions received) that subject to Part 2, it must consider the effects on the environment of allowing the requirement, having regard to a number of matters including:

- (b) if the requiring authority does not have an interest in the land sufficient for undertaking the work,—
- (i) whether adequate consideration has been given to any alternative sites, routes, or methods of undertaking the work; and
 - (ii) whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and

In this instance, the requiring authority does have an interest in the land that is sufficient for undertaking the work. Therefore, an assessment of alternative sites, routes or methods, or whether the work and designation is reasonably necessary, is not required.

7.6 National Environmental Standard for Contaminants in Soil

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (the NES) is relevant to the application. The land is considered to be a 'piece of land' where an activity or industry described in the Hazardous Activities and Industries List (HAIL) has taken place. The land was historically used for mining industries, which is included on the HAIL. It is proposed that

a Preliminary Site Investigation is submitted with a future Outline Plan prior to any works taking place on the land. The Preliminary Site Investigation would include recommendations to ensure that the risks to human health are managed appropriately (such as use of dust masks during earthworks). Overall, subject to the recommendations of a future Preliminary Site Investigation, it is considered that risks to human health can be appropriately managed.

8. Consultation

The Requiring Authority has undertaken initial discussions with RS Perriman, who is an adjoining landowner and party to the original resource consent appeal.

9. Conclusion

Pursuant to Section 168A of the RMA, Central Otago District Council gives notice of a requirement to designate Lot 8 DP 433991 in the CODC District Plan for water storage purposes associated with a resilient community drinking water network.

The information provided with this application includes a description of the proposed public works, a Land Requirement Plan, and proposed Conditions to be included in the District Plan.

It is the conclusion of this assessment that:

- The proposal will result in positive effects by contributing to a resilient, safe and reliable water supply, as well as utilising land already owned by CODC.
- Most of the potential adverse effects on the environment of the designation will be less than minor;
- Adverse effects on the environment relating to visual distraction of the landscape will be more than minor, reducing to less than minor over the medium term (6-8 years);
- The proposed designation consistent with, and is a crucial part of, an infrastructure design solution.
- The proposed designation is consistent with the relevant objectives and policies of the District Plan.
- The proposal is consistent with relevant national and regional policy statements, notably the National Policy Statements on Urban Development and Infrastructure.
- The proposal meets the requirements of Part 2 of the RMA.

Overall, the proposed designation meets statutory requirements for a resilient, safe and reliable water supply that supports development capacity, while mitigating adverse effects as far as practicable.

















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




 R.W. Muir
 Registrar-General
 of Land

Identifier **528990**
Land Registration District **Otago**
Date Issued 04 October 2011

Prior References
 417251

Estate Fee Simple
Area 6120 square metres more or less
Legal Description Lot 8 Deposited Plan 433991
Purpose Local Purpose (Utilities) Reserve

Registered Owners
 Central Otago District Council

Interests

Appurtenant hereto is a right to convey water, pump water, store water and convey electricity and telecommunications created by Transfer 977661.1 - 3.11.1999 at 9:06 am

Some of the easements created by Transfer 977661.1 are subject to Section 243 (a) Resource Management Act 1991 (see DP 27379)

Subject to a right to convey electricity, telecommunications and computer media over part marked AYA, AYB, X and AZA, and a right to convey water over part marked X, AYA, AYB and AZB on DP 433991 created by Transfer 5417984.2 - 29.11.2002 at 9:00 am

Appurtenant hereto is a right to convey water, electricity, telecommunications and computer media created by Easement Instrument 7917778.39 - 26.8.2008 at 9:00 am

Subject to a right (in gross) to a pedestrian and cycle accessway over part marked NC, ND and X, all on DP 433991 in favour of Central Otago District Council created by Easement Instrument 7917778.40 - 26.8.2008 at 9:00 am

The easements created by Easement Instrument 7917778.40 are subject to Section 243 (a) Resource Management Act 1991
 Appurtenant hereto are rights of way created by Easement Instrument 8438773.18 - 17.3.2010 at 3:11 pm

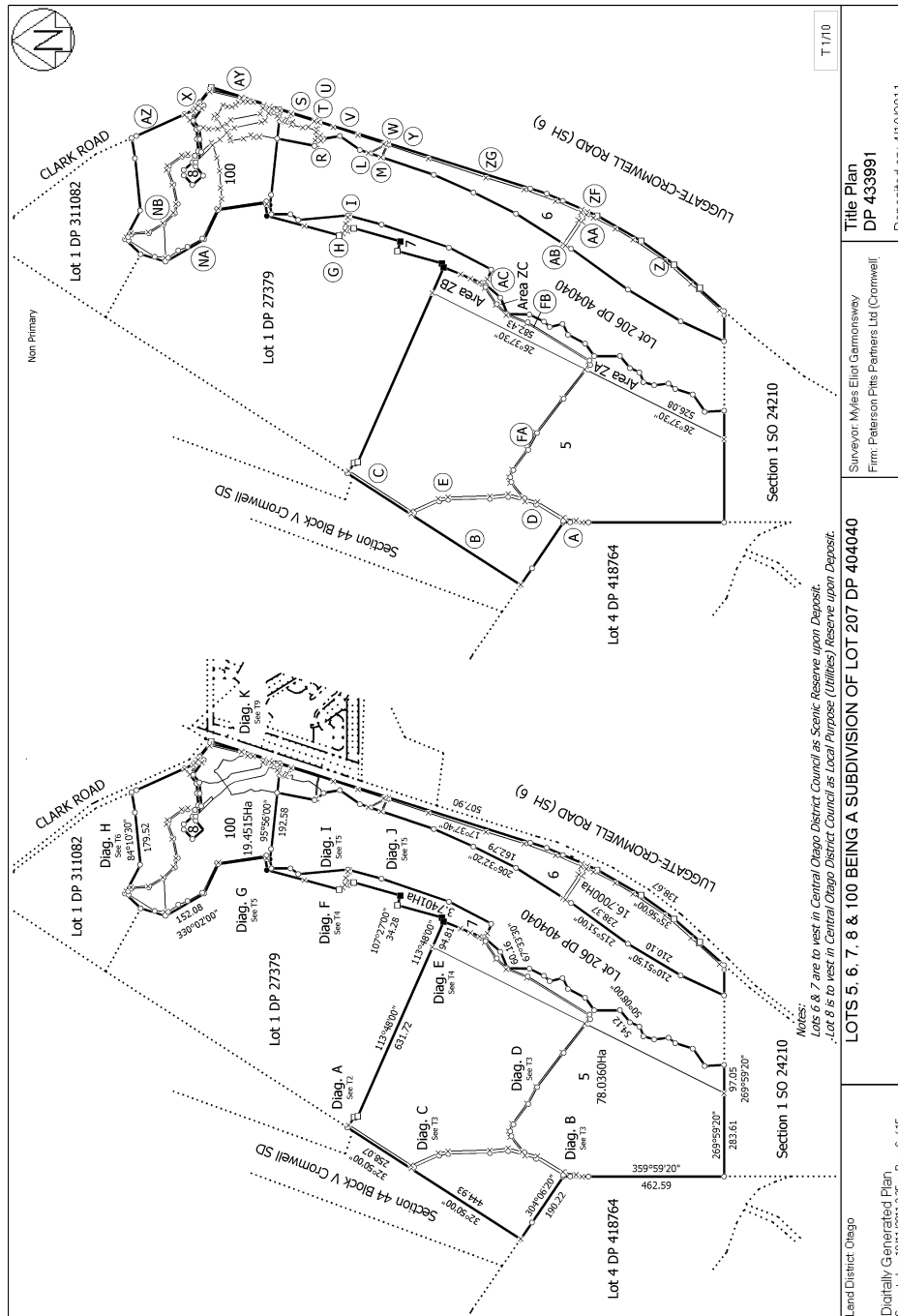
The easements created by Easement Instrument 8438773.18 are subject to Section 243 (a) Resource Management Act 1991
 Subject to the Reserves Act 1977

Subject to a right of way over part marked AYA and AE and a right to convey water and sewage over part marked AE, BE, BH and ND, all on DP 433991 created by Easement Instrument 8879193.10 - 4.10.2011 at 3:13 pm

The easements created by Easement Instrument 8879193.10 are subject to Section 243 (a) Resource Management Act 1991
 Subject to a right (in gross) to convey telecommunications and computer media over part marked AE and AYA on DP 433991 in favour of Telecom New Zealand Limited created by Easement Instrument 8879193.13 - 4.10.2011 at 3:13 pm

Subject to a right (in gross) to convey electricity over part marked AE and AYA on DP 433991 in favour of Aurora Energy Limited created by Easement Instrument 8879193.14 - 4.10.2011 at 3:13 pm

Identifier **528990**

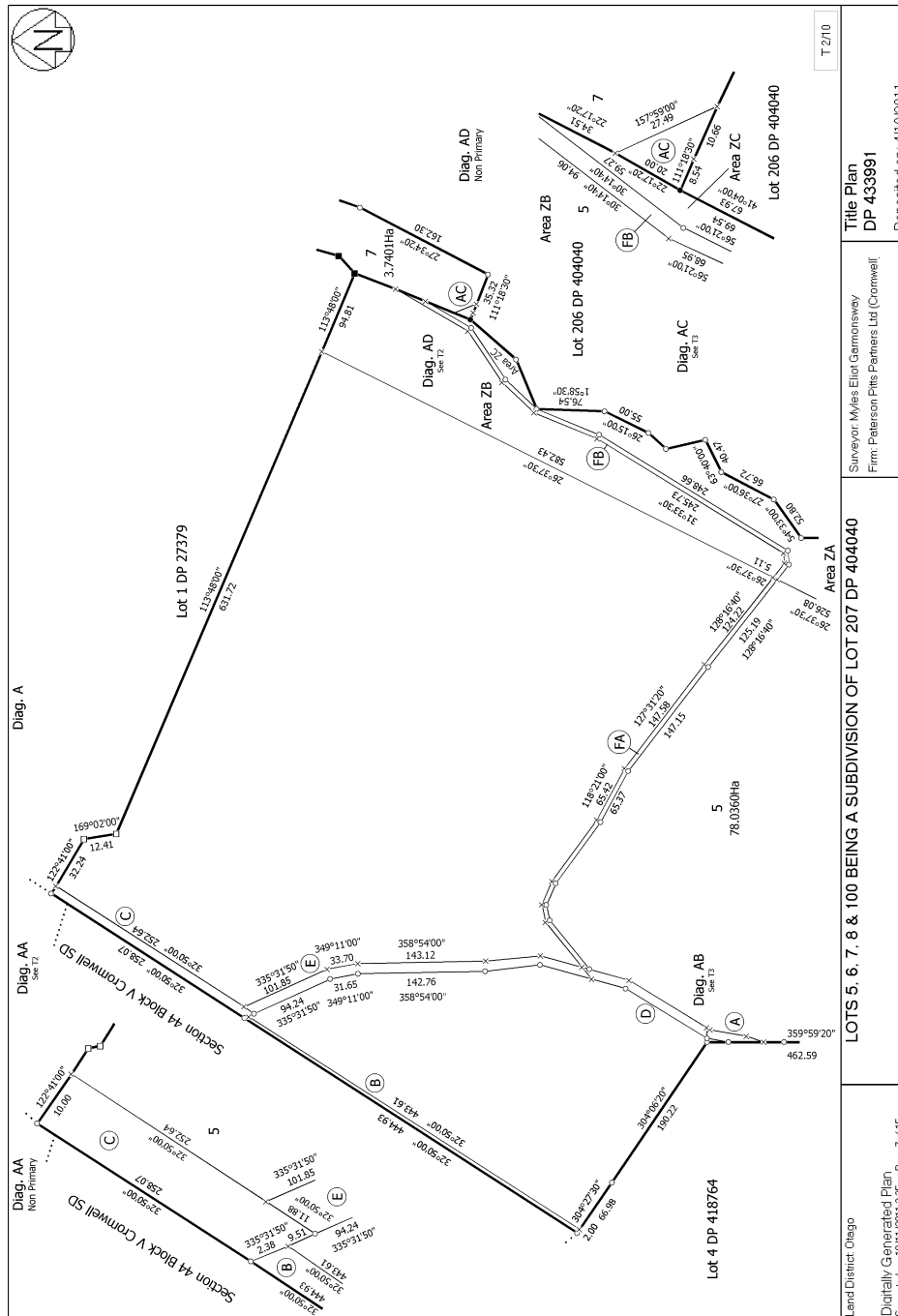


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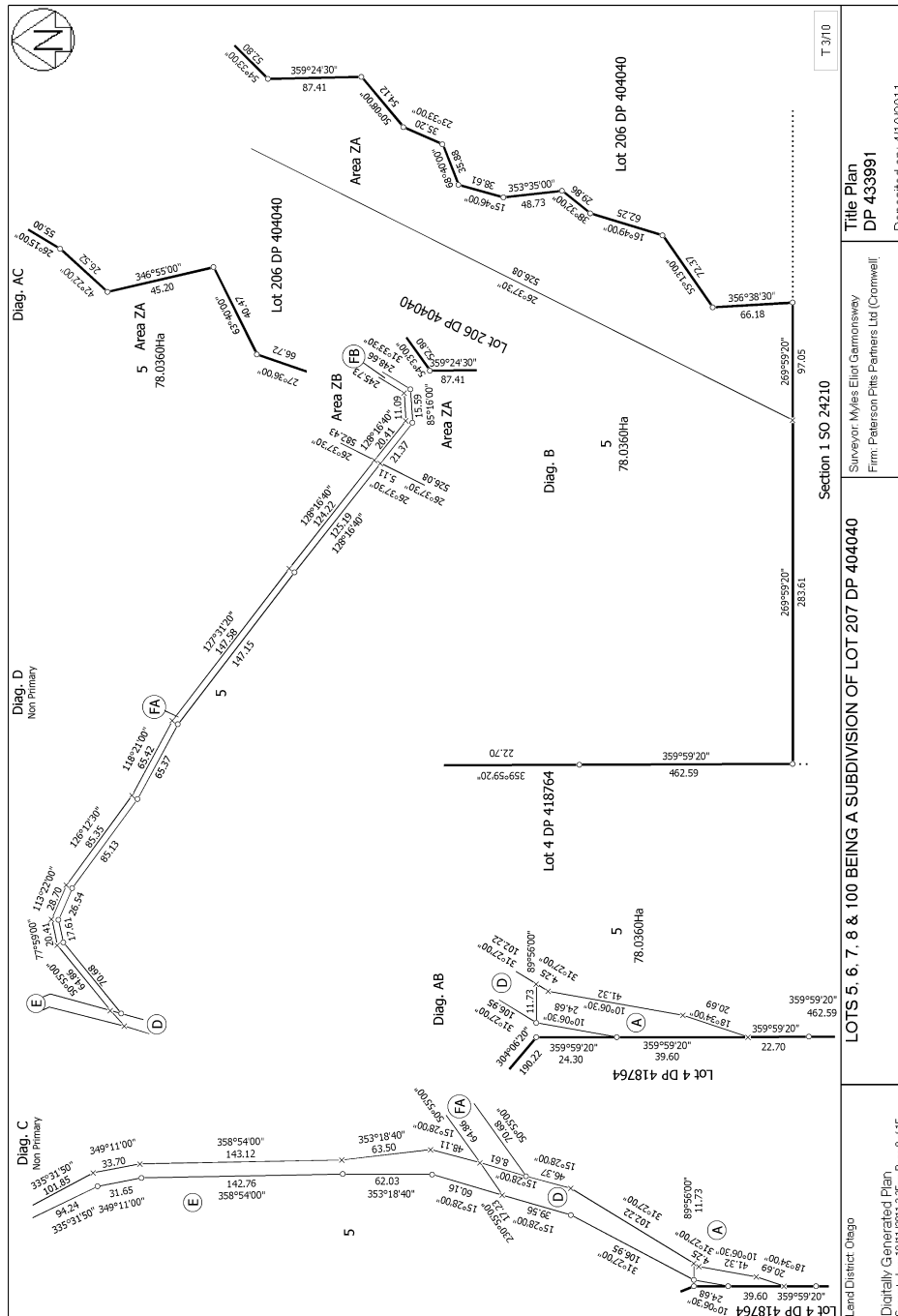
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Digitally Generated Plan Generated on: 18/11/2011 2:25pm Page 7 of 15		Deposited on: 4/10/2011	
LOTS 5, 6, 7, 8 & 100 BEING A SUBDIVISION OF LOT 207 DP 404040			

Transaction ID 7901255
Client Reference

Search Copy Dated 23/01/26 8:57 am, Page 3 of 11
Register Only

Identifier

528990

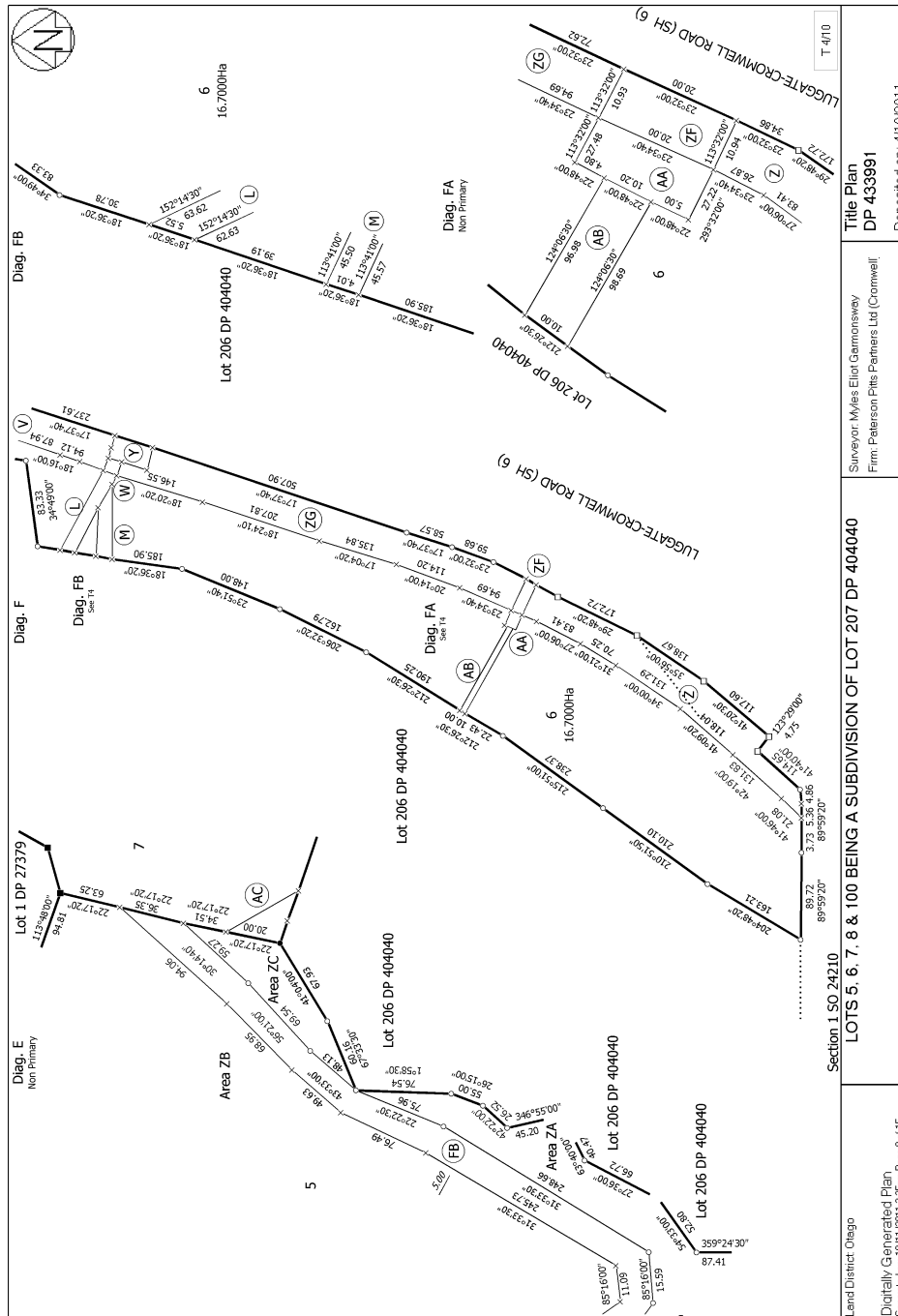


Transaction ID 7901255
Client Reference

Search Copy Dated 23/01/26 8:57 am, Page 4 of 11
Register Only

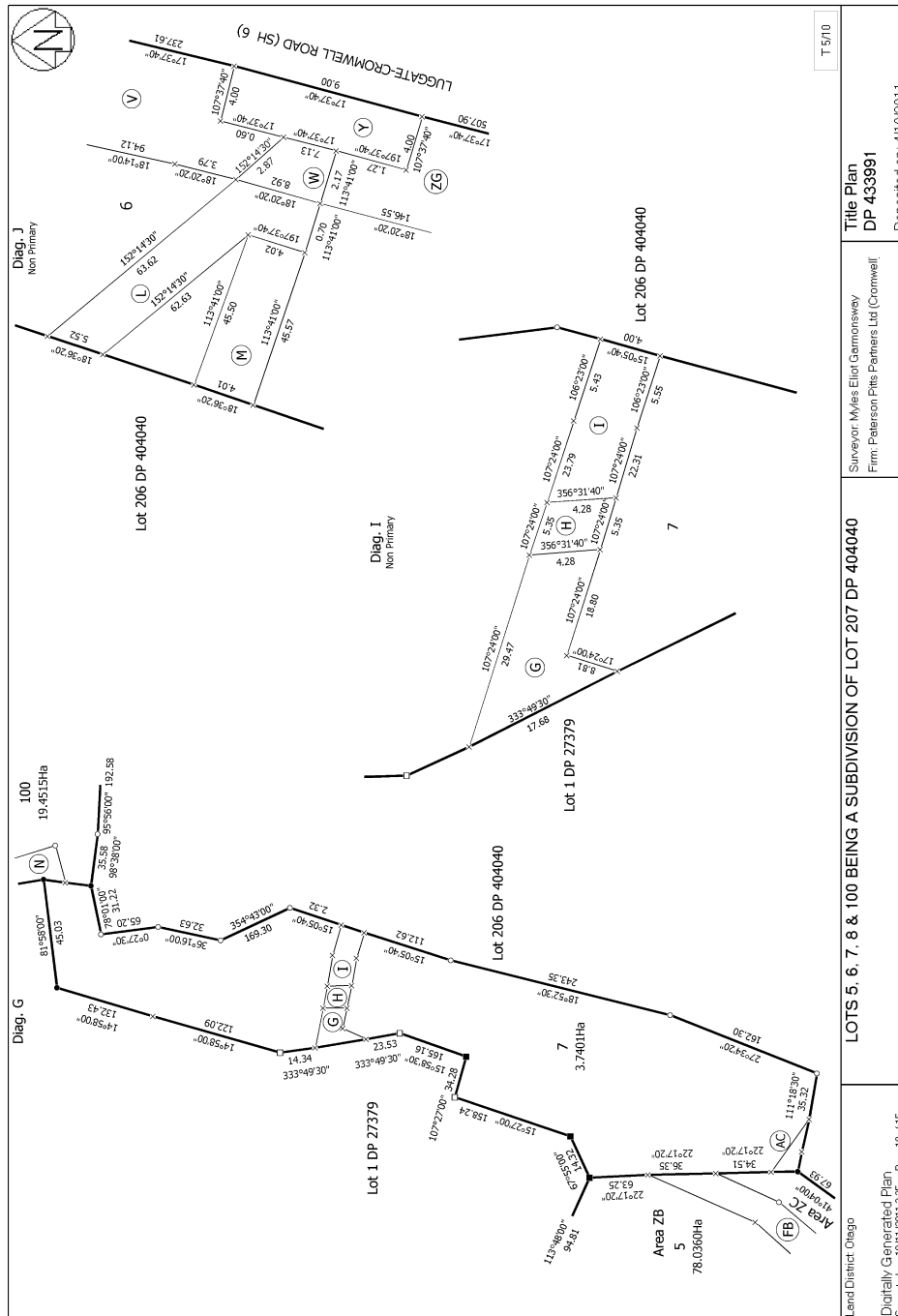
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Identifier

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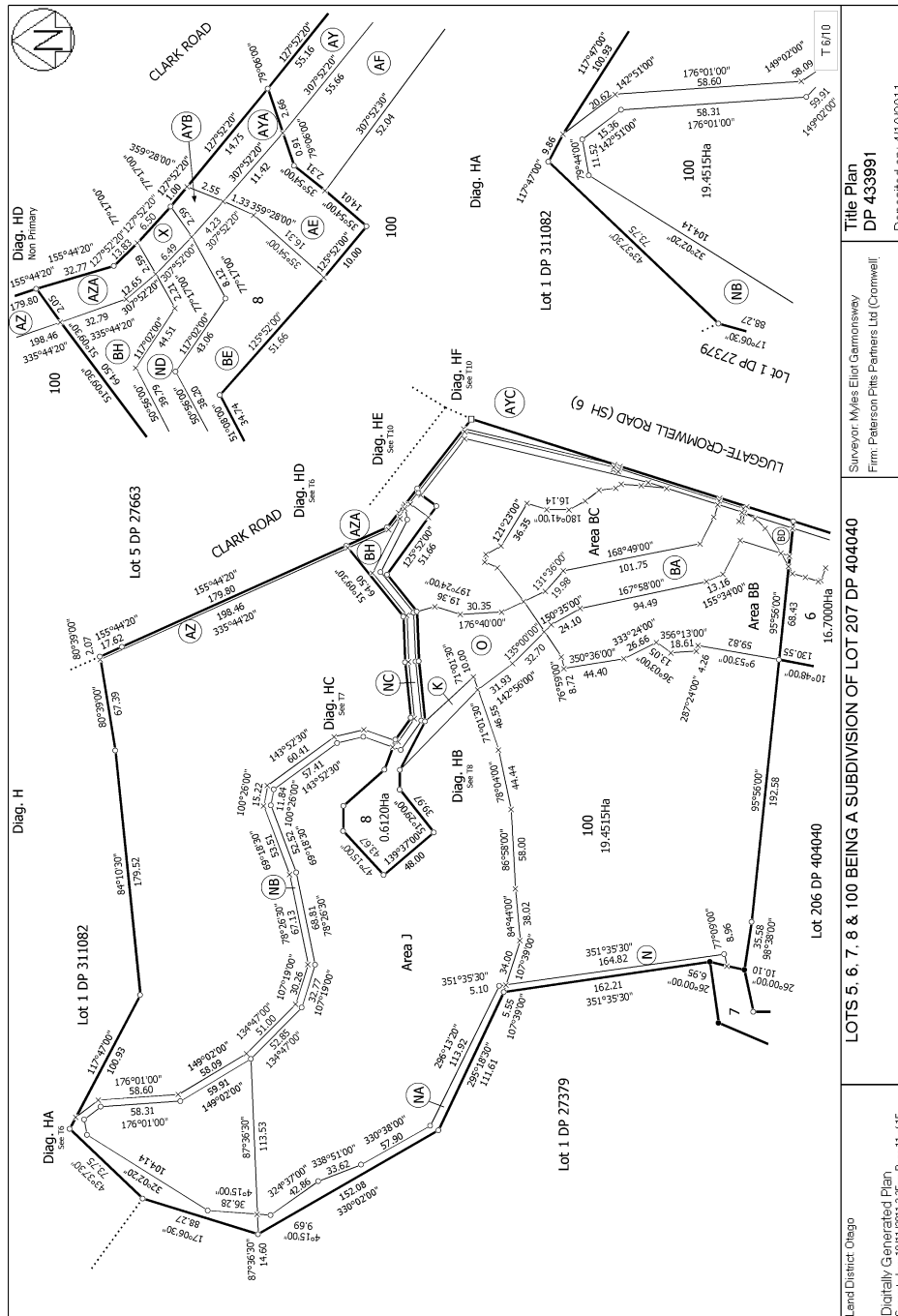
Land District: Chicago	Surveyor: Myles Eliot Gammonswey Firm: Palerson Pitts Partners Ltd (Cromwell)	Title Plan DP 433991	T 5/10
Digitally Generated Plan Generated on: 18/11/2011 2:25pm Page 10 of 15	Deposited on: 4/10/2011		

Transaction ID 7901255
Client Reference

Search Copy Dated 23/01/26 8:57 am, Page 6 of 11
Register Only

Identifier

528990

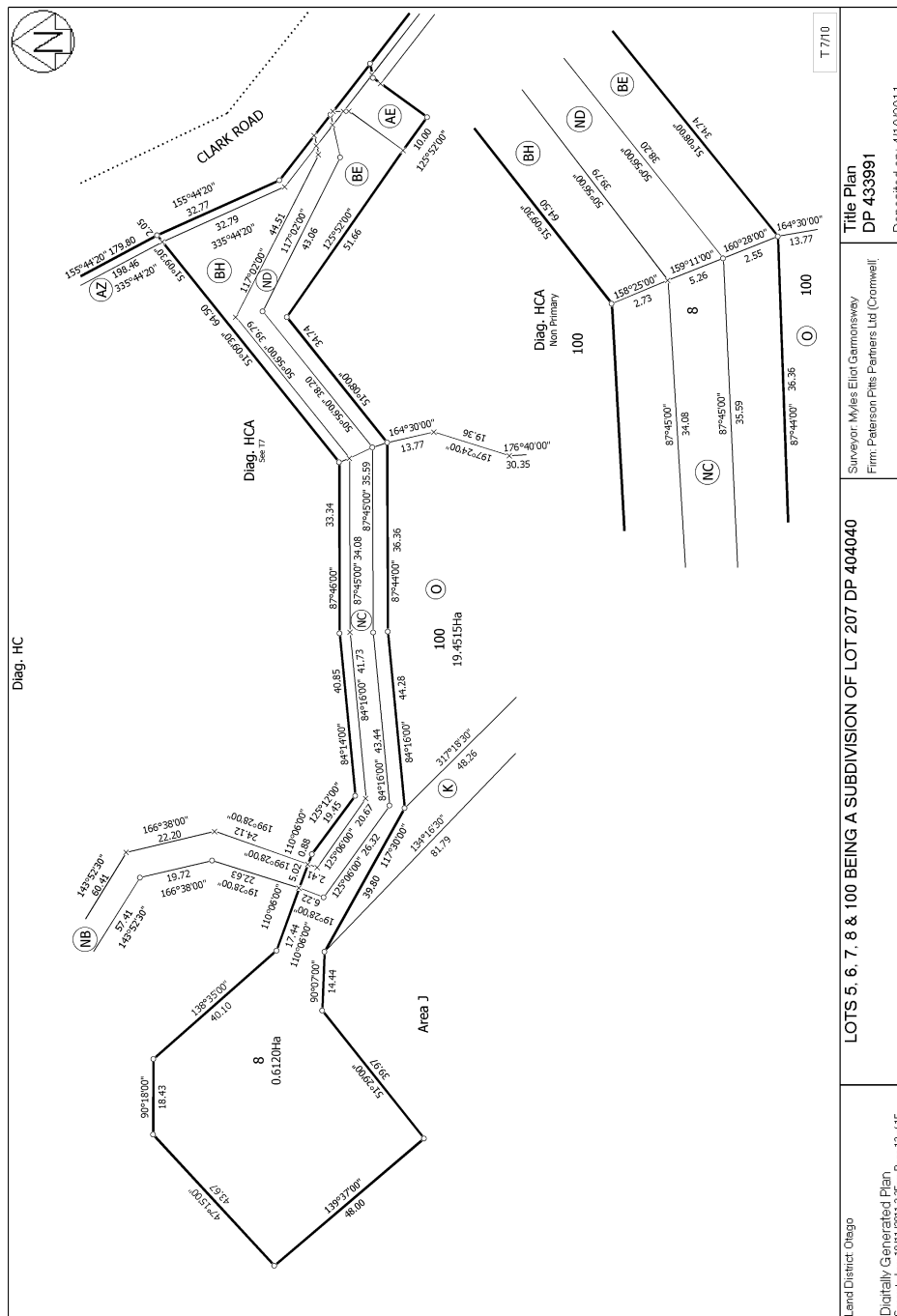


Land District: Otago	Surveyor: Myles Eliot Gammonsway Firm: Palerson Pitts Partners Ltd (Cromwell)	Title Plan DP 433991
Digitally Generated Plan Generated on: 18/11/2011 2:25pm Page 11 of 15	Deposited on: 4/10/2011	
LOTS 5, 6, 7, 8 & 100 BEING A SUBDIVISION OF LOT 207 DP 404040		

Transaction ID 7901255
Client Reference

Search Copy Dated 23/01/26 8:57 am, Page 7 of 11
Register Only

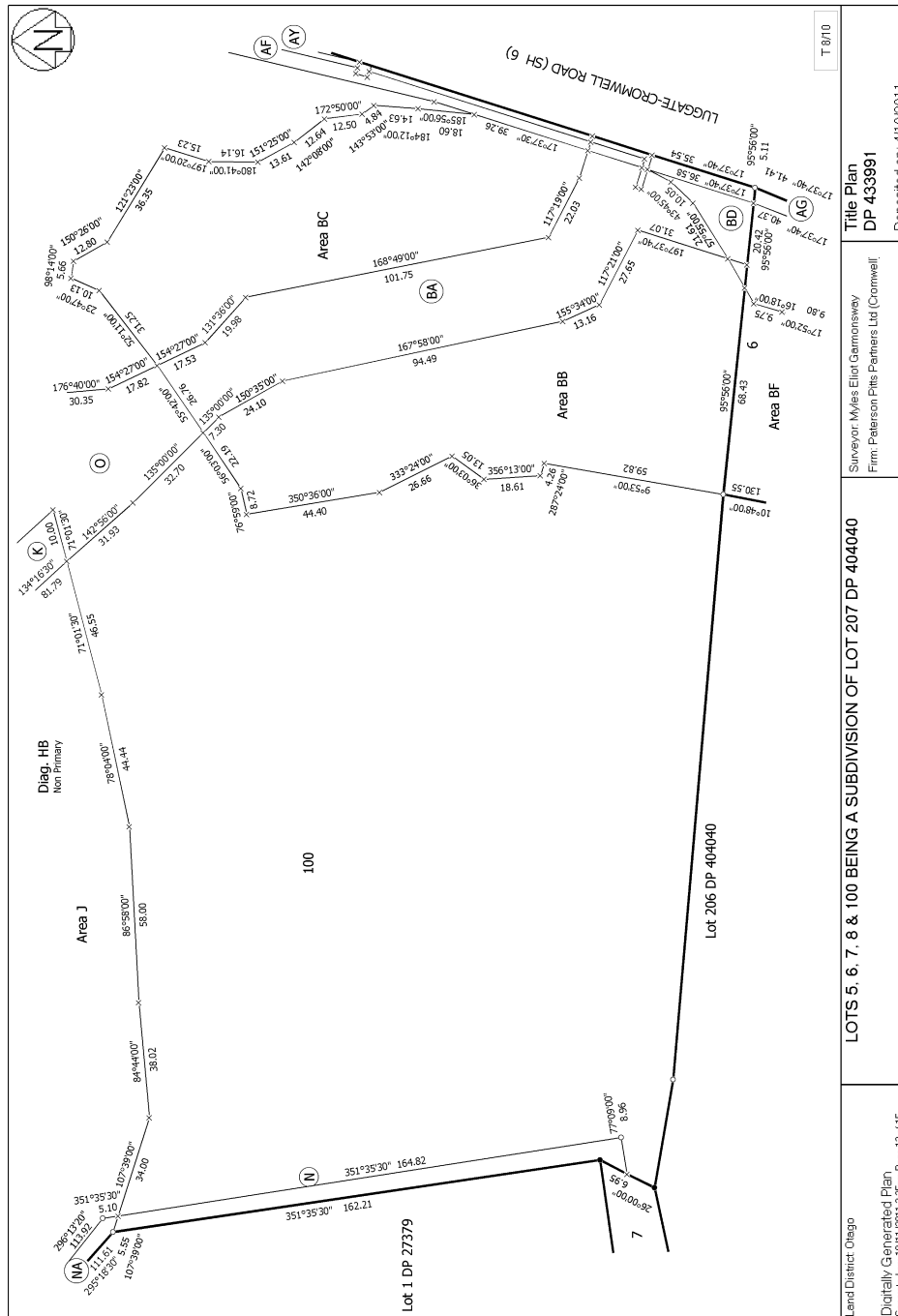
Identifier **528990**



Land District: Ohio Digitally Generated Plan Generated on: 18/11/2011 2:25pm Page 12 of 15	LOTS 5, 6, 7, 8 & 100 BEING A SUBDIVISION OF LOT 207 DP 404040	Surveyor: Myles Eliot Gammonswey Firm: Palerson Pitts Partners Ltd (Cromwell)	Title Plan DP 433991 Deposited on: 4/10/2011
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Identifier

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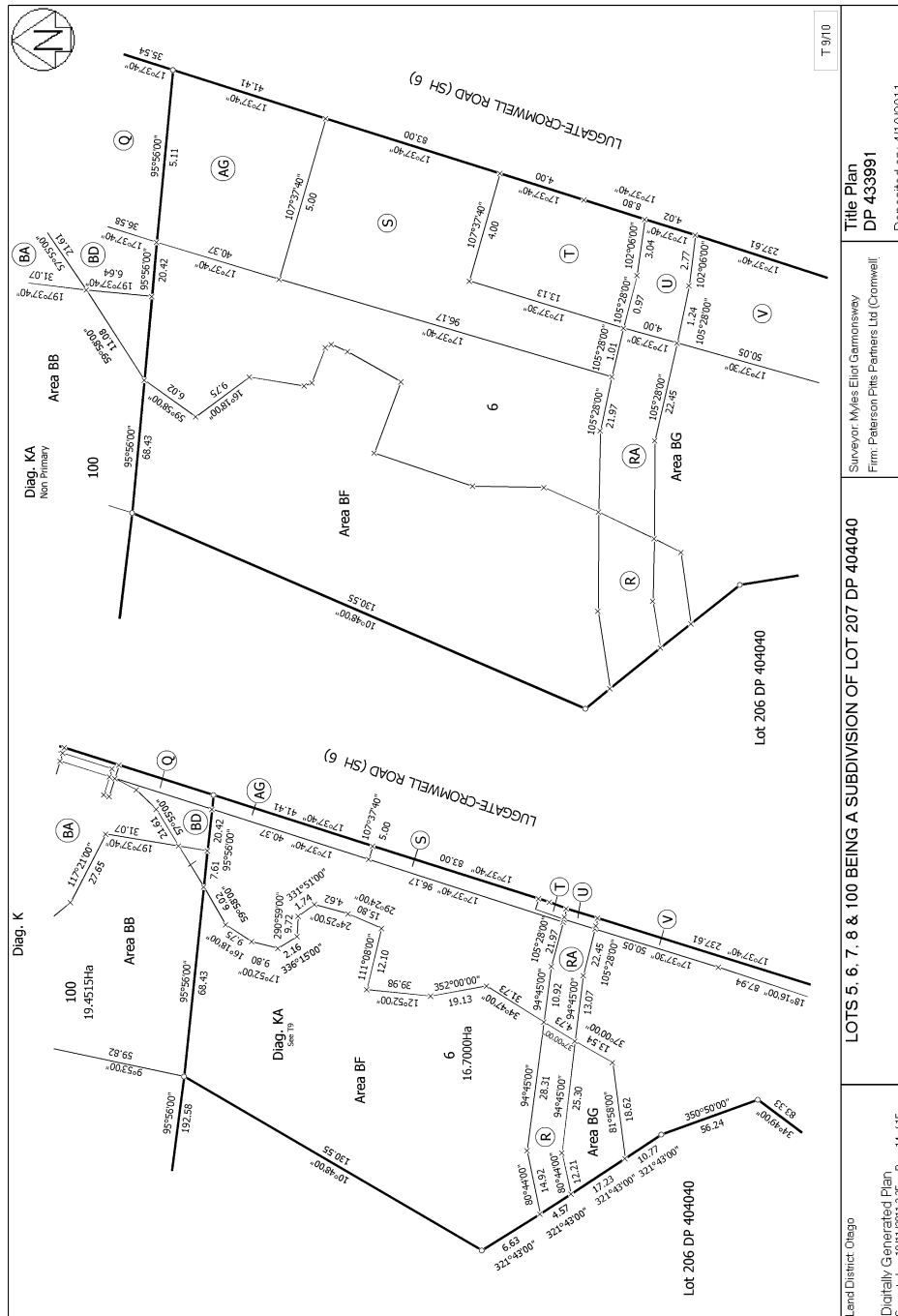


Transaction ID 7901255
Client Reference

Search Copy Dated 23/01/26 8:57 am, Page 9 of 11
Register Only

Identifier

528990



Transaction ID 7901255
Client Reference

Search Copy Dated 23/01/26 8:57 am, Page 10 of 11
Register Only

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977661.1

TRANSFER

Land Transfer Act 1952

This page does not form part of the Transfer.

TRANSFER
Land Transfer Act 1952

If there is not enough space in any of the panels below, cross-reference to and use the approved Annexure Schedule: no other format will be received.

Land Registration District
OTAGO

Certificate of Title No.			All or Part?			Area and legal description — <i>Insert only when part or Stratum, CT</i>		
19A	604	ALL						

Transferor Surnames must be underlined
ROBERT STANLEY PERRIAM and BRONWYN ANNE PERRIAM

Transferee Surnames must be underlined
FORTUNE FRUIT COMPANY LIMITED


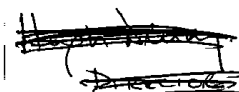

Estate or Interest or Easement to be created: *Insert e.g. Fee simple; Leasehold in Lease No.; Right of way etc.*
Fee Simple reserving a right of way, a right to convey water, a right to pump water, a right to store water and a right to convey electricity and together with a right of way (continued on page 2 annexure schedule)

Consideration
\$190,000.00 plus GST

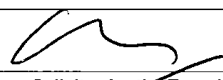
Operative Clause
For the above consideration (receipt of which is acknowledged) the TRANSFEROR TRANSFERS to the TRANSFEE all the transferor's estate and interest described above in the land in the above Certificate(s) of Title and if an easement is described above such is granted or created.

Dated this 15th day of October 19 99

Attestation

  Signature, or common seal of Transferor	Signed in my presence by the Transferor Signature of Witness 
	Witness to complete in BLOCK letters (unless typewritten or legibly stamped) Witness name <u>F. H. Kissel</u> Occupation <u>Secretary</u> Address <u>Alexandra</u>

Certified correct for the purposes of the Land Transfer Act 1952
Certified that no conveyance duty is payable by virtue of Section 24(1) of the Stamp and Cheque Duties Act 1977
 (DELETE IN APPROPRIABLE CERTIFICATE)


Solicitor for the Transferee

REF: 4135

Approved by Registrar-General of Land under No. 1995/5003

Annexure Schedule

Insert below
"Mortgage", "Transfer", "Lease" etc

Transfer Dated 15-10-99 Page 5 of 6 Pages

- (b) To lay place inspect repair maintain renew and replace under or on the electricity and telecommunication cable easement such conduits, cable and pipes as may be necessary to convey such impulses by means of the said conduits, cables or pipes.
 - (c) For the Transferee its servants agents workmen and contractors to enter and remain on such part or parts of the servient land as may be necessary to secure access to the electricity and telecommunication cable easement and the said conduits, cables and pipes and on such parts of the servient land as may be necessary for the purposes of laying placing inspecting repairing maintaining renewing and replacing the said conduits, cables and pipes together with full power and authority for the Transferee its surveyors engineers workmen agents and servants with or without vehicles implements machinery and equipment from time to time and at all times to enter and remain on the said part or parts of the servient land as may be necessary for the purpose of exercising and enjoying all or any of the rights privileges and easements granted in this instrument.
- 2 The registered proprietor of the land over which the Right to Convey Electricity and/or Telecommunications is held (called the Transferor) covenants with the Transferee:
- (a) Not to place any building or plant any tree or shrub on the electricity and telecommunication cable easement granted by this instrument without the prior consent of the Transferee.
 - (b) To take all reasonable steps to ensure that its tenants, agents and workmen do not do any wilful or negligent act or thing whereby the said conduits, cables or pipes shall be damaged or destroyed. If it is established that the damage was caused by the negligent or wilful act of the Transferor or its tenants, agents or workmen then the Transferor shall be responsible for the repaid and/or replacement required. Any work so required shall be carried out by a Contractor selected by the Transferee.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

WAD *DSC* *BP* *MIL*

Auckland District Law Society
REF 4129

Approved by Registrar-General of Land under No. 1995/5003

Annexure Schedule

Insert below
"Mortgage", "Transfer", "Lease" etcTransferDated 18-10-99Page 4 of 6 Pages

maintain inspect and/or replace a bore for the purpose of drawing water from the sub surface of that part of the Transferors land marked "C" on Deposited Plan 27379 contained in Certificate of Title 19A/605 being forever appurtenant to the land transferred herein.

2.4 Right to Pump Water

The Transferee its servants agents workmen or contractors shall have the right to install erect inspect use maintain and/or replace a pump in or over that part of the Transferors land marked "C" on Deposited Plan 27379 contained in Certificate of Title 19A/605 being forever appurtenant to the land transferred herein.



2.5 Right to Convey Water

The Transferee its servants agents workmen or contractors shall have a right to convey water over that part of the land Transferors land marked "C" and "E" on Deposited Plan 27379 contained in Certificate of Title 19A/605 being forever appurtenant to the land transferee herein.

Terms and Conditions, Covenants or Restrictions in Respect of the Right to Convey Electricity and Telecommunications

- 1 The party receiving a Right to Convey Electricity and or Telecommunications (in this clause referred to as the Transferee) shall have the right:
 - (a) To lead and convey electricity and electric impulses, telephonic and similar communication impulses without interruption or impediment (except during any periods of necessary renewal or repair) by means of conduits, cable or pipes laid or to be laid on the surface of or through the soil of the electricity and telecommunication cable easement.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

HPD.  BP 

Auckland District Law Society
REF 412C

Approved by Registrar-General of Land under No. 1995/5003

Annexure Schedule

Insert below
"Mortgage", "Transfer", "Lease" etcTransfer

Dated

15-10-99

Page

3

of

6

Pages

water and to maintain and or replace such pumps and / or tanks as may be required over that part of the land marked "F" on Deposited Plan 27379 being forever appurtenant to the land of the Transferor contained in Certificate of Title 19A/605.

- 1.5 It is agreed that the rights reserved in clauses 1.2, 1.3 and 1.4 herein are to enable the Transferor to set up a pump and storage tanks adjacent to the Transferees water storage dam and to draw therefrom up to 1,000 litres per day for stock water purposes and water for domestic use for two future building sites on the Transferors land such connections to be permitted to draw a minimum of 1,200 litres per day each. The Transferor shall pay to the Transferee a proportionate share of the cost of supplying such water to the Transferee.

2 GRANTS

2.1 Right of Way

The Transferee shall have a right of way over that part of the Transferors land shown "A" on Deposited Plan 27379 contained in Certificate of Title 19A/605 being forever appurtenant to the land transferred herein.

2.2 Right to Convey Electricity and Telecommunications

The Transferee its servants agents workmen and contractors shall have the right to convey electricity telephonic and similar communications over and through the soil of that part of the Transferors land (hereinafter referred to as "the servient land") marked "C", "D" and "E" on Deposited Plan 27379 contained in Certificate of Title 19A/605 (hereinafter referred to as the electricity and telecommunication cable easements") being forever appurtenant to the land transferred herein.

2.3 Right to Occupy for a Bore

The Transferee its servant agents workmen or contractors shall have the right to construct use

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

HPD. *ASB* *BP* *ML*

Auckland District Law Society
REF 4120

Approved by Registrar-General of Land under No. 1995/5003

Annexure Schedule

Insert below
"Mortgage", "Transfer", "Lease" etcTransfer

Dated

15-10-99

Page

2

of

6

Pages

Continuation of "Estate or Interest or Easement to be created"

a right to convey electricity and telecommunications, a right to occupy for a bore, a right to pump water and a right to convey water.

1 RESERVATIONS1.1 Right of Way

The Transferor shall have a right of way over that part of the land shown "B" on Deposited Plan 27379 being forever appurtenant to the land of the Transferor contained in Certificate of Title 19A/605 provided however it is agreed that notwithstanding anything to the contrary the Transferee shall have no obligation to contribute towards the maintenance or construction of this right of way.

1.2 Right to Convey Electricity and Telecommunications

The Transferor their servants agents workmen and contractors (in common with the Transferee his tenants and any other person lawfully entitled so to do) shall have the right to convey electricity telephonic and similar communications over and through the soil of that part of the land (hereinafter referred to as "the servient land") marked "F" on Deposited Plan 27379 (hereinafter referred to as the electricity and telecommunication cable easements") being forever appurtenant to the land of the Transferor contained in Certificate of Title 19A/605.

1.3 Right to Convey Water

The Transferor shall have the right to convey water over that part of the land marked "F" on Deposited Plan 27379 being forever appurtenant to the land of the Transferor contained in Certificate of Title 19A/605.

1.4 Right to Pump Water and Store Water

The Transferor their servants agents workmen and contractors (in common with the Transferee his tenants and other person lawfully entitled so to do) shall have the right to pump water and store

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

HA *RSP* *BP* *MIL*

Annexure Schedule

TRANSFER Dated 15-10-99 Page 6 of 6 Pages

(c) Not at any time permit or suffer any act or thing whereby the rights, powers, liberties, licenses and easements hereby granted to the Transferee may be interfered with or affected.

3 The Transferee covenants with the Transferor that upon the exercising of any of its rights the Transferee shall:

- (a) Cause as little damage as possible to the servient land and the occupiers of the servient land;
(b) Restore the servient land as near as reasonably possible to its previous condition;
(c) Makes good at the Transferee's expense any damage done by the actions of the Transferee to the buildings, erections and fences of the Transferors.

Table with witness information for FORTUNE FRUIT COMPANY LIMITED, signed by A. B. McKay, Solicitor, CROMWELL.

Vertical stamp: REGISTERED IN THE OFFICE OF THE REGISTRAR OF DEEDS AND MORTGAGES

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here. [Signatures]

Approved by Registrar-General
of Land under No. 1995/1004

TRANSFER

Land Transfer Act 1952

The easement created within is subject to Section 243
Resource Management Act 1991

KLW
ALR

Law Firm Acting
<p><i>Checketts McKay</i> Lawyers P.O. Box 184 CROMWELL Central Otago</p>

Auckland District Law Society
REF. 4135

9.06 03.NOV99
 PARTICULARS ENTERED IN REGISTER
 LAND REGISTRY OF AUCKLAND
 FOR REGISTRAR - GENERAL OF LAND
 NEW ZEALAND
 977681.1

This page is for Land Registry Office use only.
(except for "Law Firm Acting")



TRANSFER
Land Transfer Act 1952

If there is not enough space in any of the panels below, the two page form incorporating the Annexure Schedule should be used: no other format will be received.

TE 5417984.2 Transfer and

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Land Registration District

OTAGO

Certificate of Title No.

43637

All or Part?

ALL

Area and legal description — Insert only when part or Stratum, CT

Transferor Surnames must be underlined

ROBERT STANLEY PERRIAM and BRONWYN ANNE PERRIAM

Transferee Surnames must be underlined

HATTERS GULLY LIMITED

Estate or Interest or Easement to be created: Insert e.g. Fee simple; Leasehold in Lease No.; Right of way etc.

Easement of Right to Convey Electricity, Easement of Right to Convey Telecommunications and Computer Media, Right to Occupy for a Bore, Right to Pump Water and a Right to Convey Water (continued on page 2 annexure schedule)

Consideration


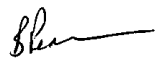
Pursuant to an agreement dated the 24th day of May 2002

Operative Clause

For the above consideration (receipt of which is acknowledged) the TRANSFEROR TRANSFERS to the TRANSFEEE all the transferor's estate and interest in the land in the above Certificate(s) of Title and if an easement is described above such is granted or created.

Dated this 31st day of October 2002

Attestation

 	Signed in my presence by the Transferor Signature of Witness
	Witness to complete in BLOCK letters (unless typewritten or legibly stamped) Witness name IAN GRANT Occupation SOLICITOR Address ALEXANDRA

Signature, or common seal of Transferor

Certified correct for the purposes of the Land Transfer Act 1952
W:\R\Word Docs\T\Treaty PPurchase Perriam\Easement.doc
 REF: 4130


Solicitor for the Transferee

Approved by Registrar-General
of Land under No. 1995/1003

TRANSFER

Land Transfer Act 1952

Law Firm Acting

Auckland District Law Society
REF: 4130

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(except for "Law Firm Acting")

Approved by Registrar-General of Land under No. 1995/5003

Annexure Schedule

Insert below
"Mortgage", "Transfer", "Lease" etc

Transfer

Dated 31-10-02

Page 2 of 2 Pages

Continuation of "Estate or Interest or Easement to be created"

The Transferee shall have the following rights -

- (a) The right to convey electricity over and through the soil of that part of the Transferor's land contained in Certificate of Title 43637 marked "A", "B", "C" on Deposited Plan 315186 being forever appurtenant to the land contained in Certificate of Title 43636.
- (b) The right to convey telecommunications and computer media over and through the soil of that part of the Transferor's land contained in Certificate of Title 43637 marked "A", "B" on Deposited Plan 315186 being forever appurtenant to the land contained in Certificate of Title 43636.
- (c) The right to construct, use, maintain, inspect and/or replace a bore for the purposes of drawing water from the subsurface of that part of the Transferor's land contained in Certificate of Title 43637 marked "A" on Deposited Plan 315186 being forever appurtenant to the land contained in Certificate of Title 43636.
- (d) The right to install, erect, inspect, use, maintain and/or replace a pump in or over that part of the Transferor's land contained in Certificate of Title 43637 marked "A" on Deposited Plan 315186 being forever appurtenant to the land contained in Certificate of Title 43636.
- (e) The right to convey water over that part of the Transferor's land contained in Certificate of Title 43637 marked "A", "B" on Deposited Plan 315186 being forever appurtenant to the land contained in Certificate of Title 43636.

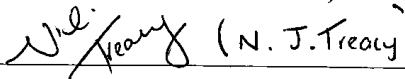
AND IT IS HEREBY AGREED AND DECLARED by and between the parties that -

- 1 The easements created herein shall have all the rights and powers implied in such easements as set out in the Land Transfer Regulations 2002
- 2 All services (including electrical services) shall be underground and to be installed at no less than 1.5 metres below the surface.
- 3 The control panel for the irrigation installation shall be between the bore and the road.


Signature of Transferee:

Signed by the Transferee
HATTERS GULLY LIMITED
by its Directors:

Director  (P.A. TREACY)

Director  (N. J. Treacy)

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.



Auckland District Law Society
REF 4120
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Approved by Registrar-General of Land under No. 2007/6225
Easement instrument to grant easement or profit à prendre,
 Sections 90A and 90F, Land Transfer Act 1952

EI 7917778.39 Easeme

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DocID: 212247688



Land registration district

OTAGO

Grantor

Surname(s) must be underlined or in CAPITALS.

CENTRAL OTAGO DISTRICT COUNCIL

Grantee

Surname(s) must be underlined or in CAPITALS.

PISA COVE LIMITED

Grant* of easement or profit à prendre or creation or covenant

The Grantor, being the registered proprietor of the servient tenement(s) set out in Schedule A, grants to the Grantee (and, if so stated, in gross) the easement(s) or profit(s) à prendre set out in Schedule A, or creates the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s).

Dated this 22 day of August 2008

Attestation

	<p>Signed in my presence by the Grantor</p> <p>_____ Signature of witness</p> <p>Witness to complete in BLOCK letters (unless legibly printed) Witness name THE COMMON SEAL of CENTRAL OTAGO DISTRICT COUNCIL was hereto affixed in the presence of Occupation Address</p>
	<p>Signature [common seal] of Grantor</p>

<p>by its attorney Aileen Hellie Evans</p>	<p>Signed in my presence by the Grantee</p> <p>_____ Signature of witness</p> <p>Witness to complete in BLOCK letters (unless legibly printed) Witness name Rebecca Jane Read Occupation Solicitor Address Invercargill</p>
	<p>Signature [common seal] of Grantee</p>

Certified correct for the purposes of the Land Transfer Act 1952.

 [Solicitor for] the Grantee

*If the consent of any person is required for the grant, the specified consent form must be used.

Approved by Registrar-General of Land under No. 2007/6225
Annexure Schedule 1



Easement instrument Dated 22 August 2008 Page 1 of 2 pages

Schedule A (Continue in additional Annexure Schedule if required.)

Purpose (nature and extent) of easement, profit, or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Right to convey electricity, telecommunications and computer media	BB	417324	417245
Right to convey water, electricity, telecommunications and computer media	BA All on DP404040	417250	417251

Easements or profits à prendre rights and powers (including terms, covenants, and conditions)

Delete phrases in [] and insert memorandum number as required.
 Continue in additional Annexure Schedule if required.

Unless otherwise provided below, the rights and powers implied in specific classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or the Fifth Schedule of the Property Law Act 2007.
 The implied rights and powers are ~~[varied]~~ ~~[negated]~~ ~~[added to]~~ or ~~[substituted]~~ by:
~~[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952].~~
~~[The provisions set out in Annexure Schedule 2].~~

Covenant provisions

Delete phrases in [] and insert memorandum number as required.
 Continue in additional Annexure Schedule if required.

The provisions applying to the specified covenants are those set out in:
~~[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952].~~
~~[Annexure Schedule 2].~~

All signing parties and either their witnesses or solicitors must sign or initial in this box

fe *AB*

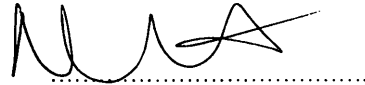
REF: 7003 – AUCKLAND DISTRICT LAW SOCIETY

**CERTIFICATE OF NON-REVOCATION
OF POWER OF ATTORNEY**

I, **DOREEN LESLIE EVANS** of Invercargill, New Zealand, Solicitor, certify:

1. **THAT** by deed dated 28th June 2007 (Instrument Number PA 7607216.2), **PISA COVE LIMITED**, having its registered office at Gilligan Rowe & Associates Limited, Level 6/135 Broadway, Newmarket, Auckland appointed me its attorney.
2. **THAT** I have not received notice of any event revoking the power of attorney.

SIGNED at Invercargill)
by **DOREEN LESLIE EVANS**)
this *12* day of *August*)
2008)



Approved by Registrar-General of Land under No. 2007/6225

Easement instrument to grant easement or profit à prendre,
Sections 90A and 90F, Land Transfer Act 1952.

EI 7917778.40 Easeme

Copy - 01/01, Pgs - 006, 26/08/08, 11:29

Land registration district

OTAGO



DocID: 212247689

Grantor

Surname(s) must be underlined or in CAPITALS.

PISA COVE LIMITED

Grantee

Surname(s) must be underlined or in CAPITALS.

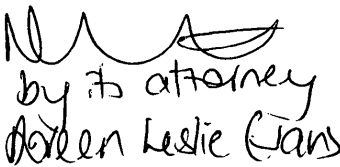
CENTRAL OTAGO DISTRICT COUNCIL


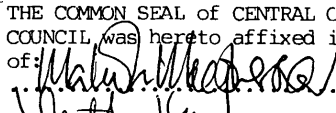
Grant* of easement or profit à prendre or creation or covenant

The Grantor, being the registered proprietor of the servient tenement(s) set out in Schedule A, grants to the Grantee (and, if so stated, in gross) the easement(s) or profit(s) à prendre set out in Schedule A, or creates the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s).

Dated this 22 day of August 2008

Attestation

 by its attorney Aileen Leslie Evans	Signed in my presence by the Grantor _____ Signature of witness
	Witness to complete in BLOCK letters (unless legibly printed) Witness name Rebecca Jane Read Occupation Solicitor Address Invercargill
Signature [common seal] of Grantor	

	Signed in my presence by the Grantee _____ Signature of witness
	Witness to complete in BLOCK letters (unless legibly printed) Witness name THE COMMON SEAL of CENTRAL OTAGO DISTRICT COUNCIL was hereto affixed in the presence of:  Occupation _____ Address _____
Signature [common seal] of Grantee	

Certified correct for the purposes of the Land Transfer Act 1952.



[Solicitor for] the Grantee

*If the consent of any person is required for the grant, the specified consent form must be used.

REF: 7003 - AUCKLAND DISTRICT LAW SOCIETY

J

Approved by Registrar-General of Land under No. 2007/6225
Annexure Schedule 1



Easement instrument Dated 22 August 2008 Page 1 of 4 pages

Schedule A (Continue in additional Annexure Schedule if required.)

Purpose (nature and extent) of easement, profit, or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Pedestrian & Cycle Accessway	A, D, F, H, N & X AK	417251 413885	In Gross
Right to Park	AT & AU	417249	In Gross
Right of Way	AT & AU AK All on DP 404040	417249 413885	In Gross

Delete phrases in [] and insert memorandum number as required.
 Continue in additional Annexure Schedule if required.

Easements or profits à prendre rights and powers (including terms, covenants, and conditions)

Unless otherwise provided below, the rights and powers implied in specific classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or the Fifth Schedule of the Property Law Act 2007.

The implied rights and powers are ~~[varied]~~ ~~[negatived]~~ ~~[added to]~~ or ~~[substituted]~~ by:

~~[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952],~~
~~[the provisions set out in Annexure Schedule 2].~~

Covenant provisions

Delete phrases in [] and insert memorandum number as required.
 Continue in additional Annexure Schedule if required.

The provisions applying to the specified covenants are those set out in:

~~[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952],~~
~~[Annexure Schedule 2].~~

All signing parties and either their witnesses or solicitors must sign or initial in this box

REF: 7003 – AUCKLAND DISTRICT LAW SOCIETY

Approved by Registrar-General of Land under No. 2002/5032

Annexure Schedule



Insert type of instrument
"Mortgage", "Transfer", "Lease" etc

Easement

Dated 22 August 2008

Page 2 of 4 Pages

(Continue in additional Annexure Schedule, if required.)

ANNEXURE SCHEDULE 2

Continuation of "Easement rights and powers"

1. General

- 1.1 The parties agree that the provisions of clauses 2, 3 and 4 below apply to the general public as the rights were provided for as a condition of the Resource Consent. If the general public exercise their rights pursuant to this easement then they do so at their own risk. Neither the Grantor or the Grantee shall be liable for any loss or damage to any user of the easement facilities and their property.
- 1.2 Except where in this Easement Instrument it is stated to the contrary, where there is a conflict between the provisions of:
 - (a) Schedule 4 to the Land Transfer Regulations 2002 and Schedule 5 to the Property Law Act 2007, then the provisions of Schedule 4 to the Land Transfer Regulations 2002 shall prevail; and
 - (b) the Schedules referred to in Clause 1.2(a) and this Easement Instrument, then the provisions of this Easement Instrument shall prevail.
- 1.3 Where any cost arises because of an act or omission of a particular party to the easements (which shall be deemed to include acts or omissions of that party's agents, employees, contractors, tenants, licencees, and other invitees), that cost shall be met solely by that party.
- 1.4 Land Transfer Regulations 2002 Schedule 4 is modified in respect to easement areas "AT" and "AU" on DP 404040 as follows:
 - (a) The provisions of clauses 6(3)(a) and 10(1)(b) shall only apply to Lot 201 (computer freehold register 417249).
 - (b) The provisions of clause 6(3)(b) shall not apply where such provision is inconsistent with clause 3 (Right to Park) of this Easement Instrument.
 - (c) Lot 201 (computer freehold register 417249) shall be responsible for the repair and maintenance of easement areas "AT" and "AU" on DP 404040 and therefore the provisions of clauses 11 and 12 shall only apply to Lot 201 (computer freehold register 417249).
- 1.5 This Easement Instrument is not in substitution for and is without prejudice to such statutory rights and authorities as the Grantee may have from time to time in respect of the easement land and the servient tenement.

2. Pedestrian & Cycle Access way over Easement Areas AK & A, D, F, H, N & X

2.1 Land Transfer Regulations 2002 Schedule 4 is modified as follows:

Clause 6 is deleted and substituted by the following:

- 6. Rights of Way (Pedestrian & Cycle Access way only)

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

REF: 7025 - AUCKLAND DISTRICT LAW SOCIETY

Approved by Registrar-General of Land under No. 2002/5032

Annexure Schedule



Insert type of instrument
"Mortgage", "Transfer", "Lease" etc

Easement

Dated 22 August 2008

Page 3 of 4 Pages

(Continue in additional Annexure Schedule, if required.)

- (1) A Right of Way includes the right for the general public and other persons to whom the Grantor may grant similar rights, at all times, to go over and along the easement facility for pedestrian and cycle access way purposes only.
- (2) The right to go over and along the easement facility includes the right to go over and along the easement facility with or without any kind of bicycle and/or domestic animal.
- 2.2 The Grantee shall repair and maintain easement areas "A, D, F, H, N, & X" on DP 404040 so as to keep the same in good order, repair and condition and to prevent the same becoming a nuisance.
- 2.3 The registered proprietors of Lots 42 and 43 on DP 404040 (computer freehold registers 413883 and 413884) also receive the benefit of a right of way over easement area "AK" on DP 404040. Therefore, Land Transfer Regulations 2002 Schedule 4 is modified in respect to easement area "AK" on DP 404040 as follows:
 - (a) The provisions of clause 10(1)(b) shall only apply to Lot 42 and 43 (computer freehold registers 413883 and 413884).
 - (b) The provisions of clauses 11 and 12 shall only apply to Lots 42 and 43 on DP 404040 (computer freehold registers 413883 and 413884).
- 2.4 The Grantor shall:
 - (a) not place any building or other structure on the easement area;
 - (b) keep the clear of obstructions for the purposes of the Right of Way; and
 - (c) not do or suffer any act which contravenes restricts or interferes with the rights of the Grantee and the general public hereunder.
- 3. **Right to Park**
 - 3.1 The Right to Park set out herein shall incorporate the rights and powers implied in a right of way as set out in Schedule 4 to the Land Transfer Regulations 2002 and the rights and powers implied in a vehicular right of way as set out in the Fifth Schedule to the Property Law Act 2007. Where the two Schedules conflict, the rights and powers of the said Fifth Schedule shall prevail.
 - 3.2 The Right to Park includes the right for the general public and other persons to whom the Grantor may grant similar rights (in common with the Grantor and the Grantor's invitees) the right from time to time and at all times by day and night to stop and park vehicles over easement areas "AT" and "AU" on DP 404040.
 - 3.3 The general public shall only have the right to park vehicles in the designated parking areas as marked on the ground of the easement areas "AT" and "AU" on DP 404040 ("Designated Parking Areas").
- 4. **Right of Way over Easement Area "AT", "AU" & "AK"**
 - 4.1 A Right of Way includes the right for the general public and other persons to whom the Grantor may grant similar rights, at all times, to go over and along the easement areas "AT", "AU", "AK" on DP 404040 with

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

REF: 7025 - AUCKLAND DISTRICT LAW SOCIETY

Approved by Registrar-General of Land under No. 2002/5032

Annexure Schedule



Insert type of instrument
"Mortgage", "Transfer", "Lease" etc

Easement

Dated

22 August 2018

Page

4

of

4

Pages

(Continue in additional Annexure Schedule, if required.)

or without vehicles or domestic animals, excluding the Designated Parking Areas which shall be used in accordance with the Right to Park only.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

REF: 7025 - AUCKLAND DISTRICT LAW SOCIETY


**CERTIFICATE OF NON-REVOCATION
OF POWER OF ATTORNEY**

I, **DOREEN LESLIE EVANS** of Invercargill, New Zealand, Solicitor, certify:

- 1. **THAT** by deed dated 28th June 2007 (Instrument Number PA 7607216.2), **PISA COVE LIMITED**, having its registered office at Gilligan Rowe & Associates Limited, Level 6/135 Broadway, Newmarket, Auckland appointed me its attorney.

- 2. **THAT** I have not received notice of any event revoking the power of attorney.

SIGNED at Invercargill)
 by **DOREEN LESLIE EVANS**)
 this 22 day of August)
 2008)



.....

W:\DLE\Overland Group\PNCPisa Cove Limited\Subdivision\nonrevcert.DOC

View Instrument Details



Instrument No 8438773.18
Status Registered
Date & Time Lodged 17 March 2010 15:11
Lodged By Smith, Rebecca Kathryn
Instrument Type Easement Instrument



Affected Computer Registers	Land District
2066	Otago
417251	Otago
472092	Otago
472093	Otago
472094	Otago
472095	Otago
472096	Otago
472097	Otago
472098	Otago
472099	Otago
472100	Otago
472101	Otago
OT19A/604	Otago

Annexure Schedule: Contains 17 Pages.

Grantor Certifications

- I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period
- I certify that the Mortgagee under Mortgage 981546.1 has consented to this transaction and I hold that consent
- Mortgage 7238793.4 does not affect the servient tenement, therefore the consent of the Mortgagee is not required
- I certify that the Mortgagee under Mortgage 8367395.5 has consented to this transaction and I hold that consent
- I certify that the Mortgagee under Mortgage 8367395.6 has consented to this transaction and I hold that consent
- I certify that the Mortgagee under Mortgage 5736214.1 has consented to this transaction and I hold that consent

Signature

Signed by Alistair John Moore as Grantor Representative on 15/04/2010 11:48 AM

Grantee Certifications

- I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply

Grantee Certifications

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period

Signature

Signed by Alistair John Moore as Grantee Representative on 15/04/2010 11:48 AM

***** End of Report *****

Easement instrument to grant easement

(Sections 90A and 90F Land Transfer Act 1952)

Grantor

1. Murray Neil Frost
2. Sugarloaf Cherries Limited

Grantee

1. Murray Neil Frost
2. Clarke Road Limited
3. Fortune Fruit Company Limited
4. Sugarloaf Cherries Limited

Grant of Easement

The Grantors (being variously the registered proprietor(s) of the servient tenement(s) set out in Schedule A) **grant(s) to the Grantees** (being variously the registered proprietor(s) of the dominant tenement(s) set out in Schedule A) the easement(s) set out in Schedule A with the rights and powers or provisions set out in the Annexure Schedule.

Schedule A

Purpose (Nature and extent) of easement	Shown (plan ref) DP418764	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register)
Right of Way	A	Lot 3 DP418764 (472094)	Lot 2 DP 418764 (472093)
	B	Lot 1 DP418764 (472092)	Lots 2, 3 & 4 DP418764 (472093, 472094, 472095)
	C, C3	Lot 1 DP418764 (472092)	Lots 2-6, 9-11 & 14 DP418764 (472093 – 472101) Lot 1 DP 27379 (19A/604) Lot 207 DP 404040 (417251) Lot 1 DP27566 (2066)
	D	Lot 4 DP418764 (472095)	Lots 5, 6, 9-11 & 14 DP418764 (472096 – 472101) Lot 1 DP27379 (19A/604) Lot 207 DP404040 (417251) Lot 1 DP27566 (2066)
	E	Lot 5 DP418764 (472096)	Lots 6, 9-11 & 14 DP418764 (472097 – 472101) Lot 1 DP27566 (2066)
	F	Lot 6 DP418764 (472097)	Lots 9-11 & 14 DP418764 (472098 – 472101) Lot 1 DP27566 (2066)
	G	Lot 9 DP418764 (472098)	Lots 10, 11 & 14 DP418764 (472099 – 472101) Lot 1 DP27566 (2066)
	H	Lot 10 DP418764 (472099)	Lots 11 & 14 DP418764 (472100, 472101) Lot 1 DP27566 (2066)
	J, K	Lot 11 DP418764 (472100)	Lot 14 DP418764 (472101) Lot 1 DP27566 (2066)
	M	Lot 1 DP27566 (2066)	Lot 14 DP418764 (472101)
	R, Q	Lot 4 DP418764 (472095)	Lot 1 DP27379 (19A/604) Lot 207 DP404040 (417251)

KKH-586045-5-97-V7.dai

Easements, rights and powers (including terms, covenants and conditions)

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2002.

The implied rights and powers are hereby **added to and varied** by the provisions set out in the Annexure Schedule.

Annexure Schedule

Easement, rights and powers (including terms, covenants and conditions) Continued – Right of Way

1. General

- 1.1 The rights and powers implied by Schedule 4 of the Land Transfer Regulations 2002 are varied to the extent set out in this Annexure Schedule.

2. Maintenance Obligations

- 2.1 Subject to clauses 2.2, 2.3, 2.4, 2.5 and 2.6 the registered proprietor(s) of each tenement set out below shall be responsible for the relevant fraction of costs set out below associated with the repair and maintenance of the relevant part of the easement facility set out below so as to keep same in good order and to prevent it from becoming a danger or nuisance:

Tenement	Fraction of Costs	Part of easement facility as shown on DP418764
Lot 2 DP418764 (472093) Lot 3 DP418764 (472094)	½ per tenement	A
Lots 2, 3 & 4 DP418764 (472093, 472094, 472095)	⅓ per tenement	B
Lot 1 DP418764 (472092) Lots 2-6, 9-11 & 14 DP418764 (472093 – 472101) Lot 1 DP27379 (19A/604) Lot 207 DP404040 (417251) Lot 1 DP 27566 (2066)	⅙ per tenement	C, C3
Lot 4 DP418764 (472095) Lots 5, 6, 9-11 & 14 DP418764 (472096 – 472101) Lot 1 DP27379 (19A/604) Lot 207 DP404040 (417251) Lot 1 DP 27566 (2066)	⅙ per tenement	D
Lot 5 DP418764 (472096) Lots 6, 9-11 & 14 DP418764 (472097 – 472101) Lot 1 DP 27566 (2066)	⅙ per tenement	E
Lot 6 DP418764 (472097) Lots 9-11 & 14 DP418764 (472098 – 472101) Lot 1 DP 27566 (2066)	⅙ per tenement	F
Lot 9 DP418764 (472098) Lots 10, 11 & 14 DP418764 (472099 – 472101) Lot 1 DP 27566 (2066)	⅙ per tenement	G
Lot 10 DP418764 (472099) Lots 11 & 14 DP418764 (472100, 472101) Lot 1 DP 27566 (2066)	⅙ per tenement	H
Lot 11 DP418764 (472100) Lot 14 DP418764 (472101) Lot 1 DP 27566 (2066)	⅙ per tenement	J, K
Lot 14 DP418764 (472101) Lot 1 DP 27566 (2066)	½ per tenement	M
Lot 4 DP418764 (472095) Lot 1 DP27379 (19A/604) Lot 207 DP404040 (417251)	Lot 4 DP418764 (472095): 2/10 Lot 1 DP27379 (19A/604): 4/10 Lot 207 DP404040 (417251): 4/10	R, Q

Annexure Schedule: Page:4 of 17

- 2.2 Subject to clause 2.8, should Lot 207 DP404040 (receiving the benefit of the easement facilities on Areas C, C3, D, Q or R on DP418764) be subdivided following the date of registration of this instrument, this instrument shall be deemed to be varied by dividing the fraction of costs relevant to Lot 207 DP404040 (as set out in clause 2.1) by the number of new allotments resulting from the subdivision of Lot 207 DP404040 and which allotments require the use and receive the benefit of all or part of the easement facilities on Areas C, C3, D, Q or R on DP418764 ("the New Allotments"). For example, should Lot 207 DP 404040 be subdivided into 5 New Allotments, each such New Allotment shall be responsible for 1/65th of the costs for the repair and maintenance of the easement facilities on Areas C and C3 and 1/50th of the costs for the repair and maintenance of the easement facility on Area D. Similar calculations will be carried out for Areas Q and R. For the avoidance of doubt a variation of this instrument shall not be required to be registered to effect any variation contemplated by this clause.
- 2.3 The registered proprietor(s) of each tenement listed in clause 2.1 shall promptly carry out at that registered proprietor's sole cost any repair and maintenance of the easement facility that is attributable solely to an act or omission by that registered proprietor. However if the repair and maintenance of the easement facility is only partly attributable to an act or omission by such registered proprietor:
- a. that registered proprietor must pay the portion of the costs of the repair and maintenance that is attributable to that act or omission; and
 - b. the balance of those costs is payable in accordance with clause 2.1.
- 2.4 The parties acknowledge that although that part of the easement facility on Area B on DP418764 ("Area B") is located on Lot 1 DP418764, CFR 472092 ("Lot 1"), it is not intended that the registered proprietor of Lot 1 uses Area B to access Lot 1. Rather, it is intended that only the registered proprietors of Lots 2, 3 and 4 DP418764 (CFR 472093, 472094 and 472095) use Area B to access their respective allotments. Accordingly, notwithstanding anything else contained in this instrument to the contrary, for so long as the registered proprietor of Lot 1 does not use Area B to access Lot 1, that registered proprietor shall be excluded from all maintenance obligations in respect of Area B except where any repair and maintenance of Area B is attributable:
- a. solely to an act or omission by that registered proprietor, in which case that registered proprietor must promptly carry out such repair and maintenance at that registered proprietor's sole cost; or
 - b. partly to an act or omission by that registered proprietor, in which case that registered proprietor must pay the portion of the costs of the repair and maintenance that is attributable to that act or omission and the balance of those costs shall be payable in accordance with clause 2.1.
- 2.5 If the registered proprietor of Lot 1 (as defined in clause 2.4) does use Area B (as defined in clause 2.4) to access Lot 1, then (subject to clause 2.3) that registered proprietor and the registered proprietors of Lots 2, 3 and 4 DP418764 (CFR 472093, 472094 and 472095) shall be responsible for ¼ of costs associated with the repair and maintenance of Area B so as to keep Area B from becoming a danger or nuisance.
- 2.6 Notwithstanding anything contained in this instrument to the contrary:
- a. It is acknowledged that Fortune Fruit Company Limited (the registered proprietor of Lot 1 DP 27379, CFR 19A/604 as at the date of registration of this instrument) uses the easement facility over Areas C, C3 and D on DP 418764 for trucks and trailers to access the fruit orchard it operates on Lot 1 DP 27379. The registered proprietors listed in clause 2.1 hereby acknowledge that such use is an existing use, and shall not be deemed to be excessive nor undue and that Fortune Fruit Company Limited shall not be made responsible for any damage caused to such easement facility by such use or for any additional costs arising from such use;

Annexure Schedule: Page:5 of 17

- b. It is acknowledged that Clarke Road Limited (the registered proprietor of Lot 207 DP4040, 40 CFR 417251 as at the date of registration of this instrument) as an existing user of the easement facility over Areas C, C3 and D on DP 418764,) shall not be responsible for any damage caused by Fortune Fruit Company Limited's use of such easement facility as described in clause 2.6 (a) or for any additional cost arising from such use;
- c. Fortune Fruit Company Limited's and Clarke Road Limited's responsibility for the replacement, repair and maintenance and any other obligation in respect of the easement facility over Areas C, C3 and D on DP 418764 shall for the entire duration of this easement instrument be limited to a total of \$10,000.00 plus GST for each company (a total of \$20,000.00 plus GST);
- d. Upon Clarke Road Limited discharging its obligations pursuant to clause 2.6(c) in full, the registered proprietors listed in clause 2.1 shall, at the cost of Clarke Road Limited, sign the necessary documents to register a variation of this instrument to record the same and shall arrange consent of their mortgagee to such registration, if required.
- 2.7 The registered proprietors of tenements listed in clause 2.1 as being responsible for the maintenance of the easement facility over Area C DP418764 acknowledge that it includes (without limitation) the culvert crossing and bridge over the Lowburn and the bypass floodway. Accordingly they shall be responsible for maintaining the same in accordance with "Management Plan for Low Burn Channel & Box Culvert Access" prepared by David Hamilton Associates Limited and dated 10 June 2009, a copy of which is attached as Annexure Schedule 3.
- 2.8 Should Clarke Road Limited (the registered proprietor of Lot 207 DP404040, CFR417251 as at the date of the registration of this instrument) notify any of the registered proprietors listed in clause 2.1 that all or part of its dominant tenement, for any reason whatsoever, no longer require the use and the benefit of all or part of the easement facilities on Areas C, C3, D, Q or R on DP418764 contained in this instrument, those registered proprietors shall, at the cost of Clarke Road Limited, sign the necessary documents to register a partial surrender of this instrument to record the same and shall arrange consent of their mortgagee such registration, if required.
3. **Management of Maintenance Obligations**
- 3.1 The registered proprietors listed in clause 2.1 may appoint a maintenance manager from time to time to:
- a. manage all work required in order to comply with clause 2 ("the maintenance works");
 - b. collect the cost of:
 - i. any maintenance work;
 - ii. the maintenance manager's reasonable fees for carrying out its duties; and
 - iii. any other amounts payable in relation to the easement facility.
 (such costs and fees together called "the levies");
 - c. contract for the performance of the maintenance works;
 - d. use the levies to pay the costs of carrying out the maintenance works;
- 3.2 From time to time the maintenance manager may:
- a. estimate the cost of any maintenance works before they are carried out, including the amount of any reasonable administration costs likely to be incurred by the maintenance manager;
 - b. revise any estimate made under clause 3.2a;

Annexure Schedule: Page:6 of 17

- c. calculate the actual cost of any maintenance works following their completion;
 - d. by notice in writing to the relevant registered proprietors, apportion the amount of each registered proprietor's share of the costs estimated or calculated having regard to the provisions of the clause 2. Those registered proprietors shall be deemed to have accepted the maintenance manager's apportionment of those amounts unless they dispute that apportionment by giving notice in writing (including details of the reasons for the dispute) to the maintenance manager within 7 days of the date of the maintenance manager's notice. If the maintenance manager and all the parties do not agree on the apportionment within a further 14 days then any registered proprietor may refer the matter to the appropriate dispute resolution mechanism pursuant to clause 14 of Schedule 4 of the Land Transfer Regulations 2002. For the avoidance of doubt, should the cost of maintenance works be attributable solely to an act or omission by certain registered proprietor(s), the maintenance manager shall only give notice in writing under this clause 3.2 (d) to those registered proprietors;
 - e. collect the levies from the registered proprietors in those shares;
 - f. purchase the goods and services necessary to carry out those maintenance works;
 - g. collect further levies from the users in the event of any shortfall in the same proportions as the original levies;
 - h. hold any excess levies pending the need for further maintenance works and then apply those excess levies to the credit of the relevant users;
 - i. lodge any funds held from time to time in an on call savings account with any registered bank;
 - j. borrow funds to carry out the maintenance works.
- 3.3 Nothing shall prevent the maintenance manager from recovering levies merely because the maintenance manager has failed to give notice of an estimate, revised estimate or an actual amount.
- 3.4 For the purpose of carrying out its rights and obligations under this Annexure Schedule, the maintenance manager shall have the rights of the grantee in respect of each right, together with the right to require performance by all registered proprietors of their obligations under this Annexure Schedule and Schedule 4 of the Land Transfer Regulations 2002.
- 3.5 The registered proprietors with maintenance obligations in respect of the easement facility agree to pay the levies as and when reasonably required by the maintenance manager.
- 3.6 All registered proprietors of land listed in Schedule A to this instrument shall comply with the reasonable requirements of the maintenance manager in performance of the maintenance manager's obligations under this Annexure Schedule.
- 3.7 A person shall only be liable for liabilities and costs arising pursuant to this instrument whilst a registered proprietor of the land subject to this instrument provided that the registration of a transfer of their interest in such land shall not operate to relieve the them from any liability arising pursuant to this instrument prior to the date of the registration of such transfer.
- 3.8 If any registered proprietor of land listed in Schedule A to this instrument ("the defaulting party") neglects or refuses to perform any obligation in this instrument the following provisions shall apply:
- a. The maintenance manager may serve upon the defaulting party a written notice ("a default notice") requiring the defaulting party to perform such obligation and stating that, after the expiration of 7 days from service of the default notice the maintenance manager may perform such obligation;

Annexure Schedule: Page:7 of 17

- b. If at the expiry of the default notice the defaulting party still neglects or refuses to perform the obligation the maintenance manager may do the following as the maintenance manager thinks is reasonably necessary:
 - i. Perform the obligation of the defaulting party; and/or
 - ii. Enter onto the land of the defaulting party or any other land subject to this instrument and carry out any work required to perform such obligation; and
 - c. The defaulting party shall be liable to pay to the maintenance manager:
 - i. all costs of and incidental to the preparation and service of the default notice; and
 - ii. the proportion of all costs incurred in performing the obligation of the defaulting party as is properly payable by the defaulting party pursuant to this instrument.
 - d. The maintenance manager may recover from the defaulting party as a liquidated debt any moneys payable pursuant to this clause.
- 3.9 Except where clause 3.2 (d) or clause 3.8 applies, if a dispute in relation to this instrument arises between the maintenance manager and any registered proprietor of land listed in Schedule A to this instrument, it shall be dealt with pursuant to clause 14 of Schedule 4 of the Land Transfer Regulations 2002.
- 3.10 Any maintenance manager may be appointed by the majority of the registered proprietors listed in clause 2.1 from time to time. If the person so appointed:
- a. ceases to exist; or
 - b. by notice in writing to such registered proprietors surrenders its position as maintenance manager; or
 - c. is released by the majority of such registered proprietors from its position as maintenance manager,
- then its rights and obligations under this instrument shall vest:
- d. in another person or entity appointed under this clause: or
 - e. if no such person or entity is appointed, in:
 - i. such registered proprietors; or
 - ii. any association, society or body representing a majority of such registered proprietors.

Annexure Schedule: Page:8 of 17

Annexure Schedule 3

"Management Plan for Low Burn Channel & Box Culvert Access"

(clause 2.7)

Minaret Resources Ltd-Lowburn Deflector Banks & Channels Management Plan

**Minaret Resources Limited – Lowburn Subdivision
Management Plan for Low Burn Channel & Box Culvert Access**

1. The Otago Regional Council consent 2005.332 is attached. Note that this requires photos to be taken before and after each period of disturbance, notification to ORC before the work, and returns to be made for gravel extraction (whether exercised or not) every April and October.
2. The Low Burn should be inspected at least annually and after significant flows in the channel to assess whether there is a need for channel maintenance.
3. The build up of sediment within the box culverts and debris and sediment above the box culverts will be the most visible and also the most significant for access. If inspection of the box culverts indicates a build up of more than 0.5m averaged across the entrance width then a maintenance clean should be scheduled.
4. The extent of the work upstream and downstream should be assessed to return to a nominal 6m bottom width, 2:1 side batter and depth of at least 1.5m and to the overall grade of 1 in 46. If feasible the pool and riffle approach should be taken as in Figure 4.

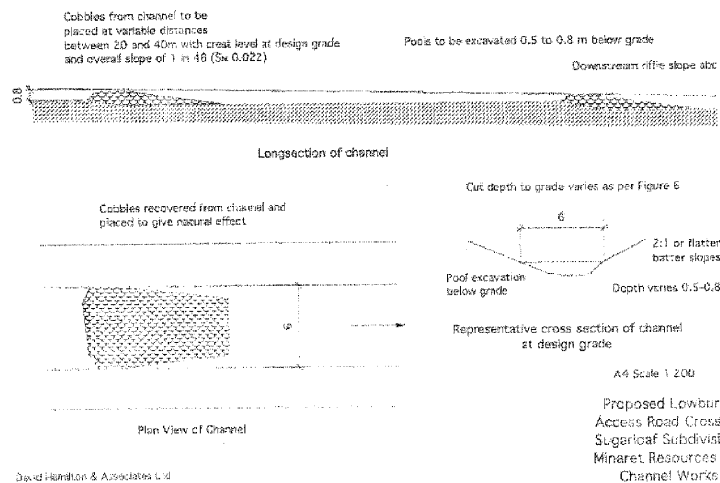


Figure 4

David Hamilton & Associates Ltd
24 June 2005

Minaret Resources Ltd-Lowburn Deflector Banks & Channels Management Plan

Consent No: 2005.332

LAND USE CONSENT

Pursuant to Sections 104B of the Resource Management Act 1991, the Otago Regional Council grants consent to:

Name: Minaret Resources Limited

Address: Level 8, Otago House, 481 Moray Place, Dunedin

To disturb the bed of the Low Burn

for the purpose of extracting up to 2,100 cubic metres of gravel per year for channel maintenance work

for a term expiring 1 November 2017

Location of activity: Low Burn between 550 metres and 850 metres upstream of State Highway 6, Lowburn, Cromwell

Upstream limit map reference: NZMS 260 G41:112-720

Downstream limit map reference: NZMS 260 G41:114-718

Conditions:

1. The works shall be located generally as shown in Figure 1 (attached to this consent) and undertaken as described in the application for consent dated 28 June 2005. If there are any inconsistencies between the application and this consent, the conditions of this consent shall prevail.
2. The consent holder shall ensure that any contractors engaged to undertake work authorised by this consent abide by the conditions of this consent. A copy of this consent shall be present on site at all times while the work is being undertaken.
3. The total volume of gravel extracted during the term of this consent shall not exceed 21,000 cubic metres.
4. Prior to any extraction, the consent holder shall advise the Consent Authority's Manager Engineering of its intention to extract gravel and the quantity of gravel to be extracted.
5. The finished gradient of the channel shall be no steeper than 1:46.
6. Hours of work under this consent shall be from 7.00 am to 7.00 pm, Monday to Saturday. Works shall not be undertaken on Sundays or Public Holidays.

David Hamilton & Associates Ltd

Page 13 of 17

10 June 2009

KKH-586245-5-97-V7.dai

Page 10 of 14

Annexure Schedule: Page:11 of 17

Minaret Resources Ltd-Lowburn Deflector Banks & Channels Management Plan

7. Fuel storage tanks and machinery working and stored in the construction area shall be maintained at all times to prevent leakage of oil and other contaminants into the Low Burn. No refuelling of machinery shall occur within the Low Burn.
8. All machinery shall be water blasted prior to being brought on site and following completion of the works, to reduce the potential for pest species being introduced to or taken from the watercourses. Machinery and equipment that has worked in watercourses shall, prior to entering and leaving the site, also be cleaned in accordance with Biosecurity New Zealand recommendations, as stated on its May 2006 fact sheet titled "Don't Spread Didymo". The consent holder shall ensure that wash water does not directly discharge into surface water.
9. All works shall be undertaken, as far as practicable, outside the wet bed of the Low Burn.
10. The consent holder shall ensure that any bed disturbance is limited to the extent necessary to carry out the works.
11. The consent holder shall minimise damage to riparian vegetation when exercising this consent.
12. The consent holder shall ensure that fish passage is not impeded as a result of the works.
13. The consent holder shall ensure the works authorised by this consent do not cause any flooding, erosion, scouring, land instability or property damage. Should such effects occur due to the exercise of this consent, the consent holder shall, if so required by the Consent Authority and at no cost to the Consent Authority, take all such action as the Consent Authority may require to remedy any such damage.
14. Prior to, or immediately following completion of the works authorised by this consent, the consent holder shall ensure that all plant, equipment, chemicals, fencing, signage, debris, rubbish and any other material brought on site is removed from the site. The site shall be tidied to a degree at least equivalent to that prior to the works commencing.
15. The consent holder shall ensure that any damage to the banks of the Low Burn, including damage to riparian vegetation, be reinstated to a quality at least equivalent to that prior to the works commencing, within one month of completion of the works.
16. Representative photographs shall be taken of the site:
 - (a) before works commence; and
 - (b) immediately after the completion of works and rehabilitation of the site. These photographs shall be provided to the Consent Authority within one month of the final photographs being taken.

David Hamilton & Associates Ltd

Page 14 of 17

10 June 2009

KKH-566045-5-97-V7.dai

Page 11 of 14

Minaret Resources Ltd-Lowburn Deflector Banks & Channels Management Plan

17. The consent holder shall keep a record of the quantity of gravel or other material removed. A return of the quantities removed shall be forwarded to the Consent Authority by the 30th of April and October each year, and at any other frequency as the Consent Authority stipulates in writing.

Note: The consent holder must pay an inspection and management fee to the Consent Authority. The fee is set by the Consent Authority under Section 36 of the Resource Management Act 1991 and the Local Government Act 2002.

18. The Consent Authority may, in accordance with sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this consent within 3 months of each anniversary of the commencement of this consent for the purpose of:
- (a) determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage;
 - (b) ensuring the conditions of this consent are consistent with any National Environmental Standards.
19. If the consent holder:
- (a) Discovers koiwi tangata (human skeletal remains), or Maori artefact material, the consent holder shall without delay:
 - (i) notify the Consent Authority, tangata whenua and New Zealand Historic Places Trust and in the case of skeletal remains, the New Zealand Police; and
 - (ii) stop work within the immediate vicinity of the discovery to allow a site inspection by the New Zealand Historic Places Trust and the appropriate runanga and their advisors, who shall determine whether the discovery is likely to be extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required.

Any koiwi tangata discovered shall be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to its removal or preservation.

Site work shall recommence following consultation with the Consent Authority, the New Zealand Historic Places Trust, tangata whenua, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.

- (b) discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder shall without delay:
 - (i) stop work within the immediate vicinity of the discovery or disturbance; and
 - (ii) advise the Consent Authority, the New Zealand Historic Places Trust, and in the case of Maori features or materials, the tangatawhenua, and if required, shall make an application for an Archaeological Authority pursuant to the Historic Places Act 1993; and

Mizarer Resources Ltd-Lowburn Deflector Banks & Channels Management Plan

(iii) arrange for a suitably qualified archaeologist to undertake a survey of the site.

Site work shall recommence following consultation with the Consent Authority.

Issued at Dunedin this 9th day of November 2007



Christopher P Shaw
Manager Consents

DM-LR-2007-08-Dun-DR-0001-Lowburn-Sub-Frost-May07-Page-MizarerResources_09010.doc

Mineral Resources Ltd-Lowburn Deflector Banks & Channels Management Plan

Figure 1 – Land Use Consent 2005.332



David Hamilton & Associates Ltd

Page 17 of 17

10 June 2009

KKH-586045-5-97-V7.dai

Page 14 of 14

Approved by Registrar-General of Land under No. 2003/6150

Annexure Schedule - Consent Form
Land Transfer Act 1952 section 238(2)



Insert type of instrument
"Caveat", "Mortgage" etc

Mortgage

Page of pages

Consentor

Surname must be underlined or in CAPITALS

Capacity and Interest of Consentor

(eg. Caveator under Caveat no./Mortgagee under Mortgage no.)

Bank of New Zealand	Mortgagee under Mortgage No. 5736214.1
---------------------	--

Consent

Delete Land Transfer Act 1952, if inapplicable, and insert name and date of application Act.
Delete words in [] if inconsistent with the consent.
State full details of the matter for which consent is required.

Pursuant to [section 238(2) of the Land Transfer Act 1952]

[section 90E of the Land Transfer Act 1952]

[Without prejudice to the rights and powers existing under the interest of the Consentor]

the Consentor hereby consents to:
the creation of easements in favour of Lot 1 DP27566 over Lot 1, Lot 4, Lot 5, Lot 6 and Lots 9 to 11 DP418764.

Dated this 25th day of January 2010

Attestation

SIGNED for and on behalf of BANK OF NEW ZEALAND by its Attorney <u>Sharon Anne Hatfield</u>	Signed in my presence by the Consentor
	Signature of Witness
Signature of Consentor	Witness to complete in BLOCK letters (unless legibly printed)
	Witness name Occupation Address
	FERILA JAY TO NIKO BANK OFFICER BANK OF NEW ZEALAND WELLINGTON

An Annexure Schedule in this form may be attached to the relevant instrument, where consent is required to enable registration under the Land Transfer Act 1952, or other enactments, under which no form is prescribed.

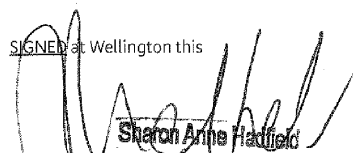
REF: 7029 - AUCKLAND DISTRICT LAW SOCIETY



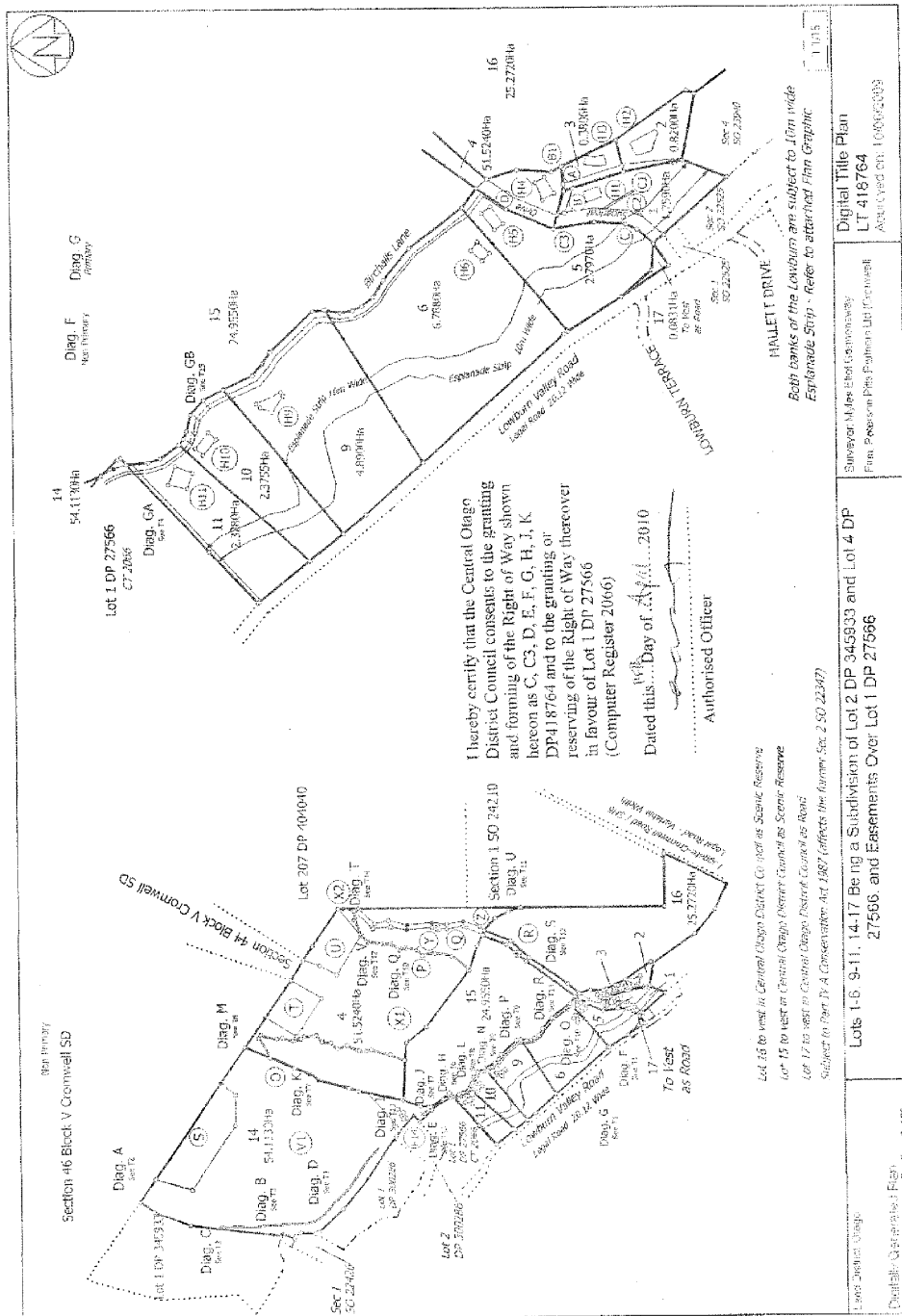
CERTIFICATE OF NON-REVOCAION
OF POWER OF ATTORNEY

- I, **Sharon Anne Hadfield** Quality Assurance Officer of Wellington, New Zealand certify:
1. That by deed dated 12 July 2005, Bank of New Zealand, of Level 4, 80 Queen Street, Auckland, New Zealand, appointed me its attorney.
 2. A copy of the deed is deposited in the North Auckland registration district of Land Information New Zealand as dealing No. 6508607.1
 3. That I have not received notice of any event revoking the power of attorney.

SIGNED at Wellington this 25 JANUARY 2010



Sharon Anne Hadfield
[Full name]



View Instrument Details



Instrument No 8879193.10
Status Registered
Date & Time Lodged 04 October 2011 15:13
Lodged By Ecclestone, Rosalind Sarah
Instrument Type Easement Instrument



Affected Computer Registers	Land District
528987	Otago
528988	Otago
528989	Otago
528990	Otago

Annexure Schedule: Contains 2 Pages.

Grantor Certifications

- I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period
- Mortgage 8367395.5 is being discharged/extinguished in a prior dealing or in the same dealing
- Mortgage 8367395.6 is being discharged/extinguished in a prior dealing or in the same dealing

Signature

Signed by David Arnold Irvine Brent as Grantor Representative on 04/10/2011 03:08 PM

Grantee Certifications

- I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period

Signature

Signed by Andrew Bryce Jack as Grantee Representative on 04/10/2011 12:39 PM

*** End of Report ***

Easement instrument to grant easement or *profit à prendre*, or create land covenant
(Sections 90A and 90F Land Transfer Act 1952)

2009/0229EF
APPROVED
Registrar-General of Land

Grantor

CENTRAL OTAGO DISTRICT COUNCIL

Grantee

CLARKE ROAD LIMITED

Grant of Easement or *Profit à prendre* or Creation of Covenant

The Grantor being the registered proprietor of the servient tenement(s) set out in Schedule A grants to the Grantee (and, if so stated, in gross) the easement(s) or *profit(s) à prendre* set out in Schedule A, or creates the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s)

Schedule A

Continues in additional Annexure Schedule, if required

Purpose (Nature and extent) of easement; <i>profit</i> or covenant	Shown (plan reference)	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Right of Way	AYA and AE DP 433991	Lot 8 DP 433991 CFR 528990	Lot 100 DP 433991 CFR 528987
Right to Convey Water	S and AG DP 433991	Lot 6 DP 433991 CFR 528988	Lot 100 DP 433991 CFR 528987
Right to Convey Water and Sewerage	AE, BE, BH, ND DP 433991	Lot 6 DP 433991 CFR 528990	Lot 100 DP 433991 CFR 528987
Right to Convey Water, Electricity, Telecommunications & Computer Media	AC DP 433991	Lot 7 DP 433991 CFR 528989	Lot 5 DP 433991 CFR 528987
	AA, AB and ZF DP 433991	Lot 6 DP 433991 CFR 528988	Lot 5 DP 433991 CFR 528987

REF: 7203 – AUCKLAND DISTRICT LAW SOCIETY INC.

Annexure Schedule: Page:2 of 2

Easements or profits à prendre rights and powers (including terms, covenants and conditions)

Delete phrases in [] and insert memorandum number as required; continue in additional Annexure Schedule, if required

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or Schedule Five of the Property Law Act 2007

The implied rights and powers are hereby ~~varied~~ ~~negated~~ ~~added to~~ or ~~substituted~~ by:

~~[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952]~~

~~[the provisions set out in Annexure Schedule _____]~~

Covenant provisions

Delete phrases in [] and insert Memorandum number as require; continue in additional Annexure Schedule, if required

The provisions applying to the specified covenants are those set out in:

~~[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952]~~

~~[Annexure Schedule _____]~~

REF: 7203 – AUCKLAND DISTRICT LAW SOCIETY INC.

View Instrument Details



Instrument No 8879193.13
Status Registered
Date & Time Lodged 04 October 2011 15:13
Lodged By Ecclestone, Rosalind Sarah
Instrument Type Easement Instrument



Affected Computer Registers Land District

528988	Otago
528989	Otago
528990	Otago

Annexure Schedule: Contains 3 Pages.

Grantor Certifications

I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period

Mortgage 8367395.5 is being discharged/extinguished in a prior dealing or in the same dealing

Mortgage 8367395.6 is being discharged/extinguished in a prior dealing or in the same dealing

Signature

Signed by David Arnold Irvine Brent as Grantor Representative on 16/05/2011 04:40 PM

Grantee Certifications

I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period

Signature

Signed by Andrew Bryce Jack as Grantee Representative on 01/06/2011 11:07 AM

*** End of Report ***

Easement instrument to grant easement or profit à prendre, or create land covenant
 (Sections 90A and 90F Land Transfer Act 1952)

2009/6229EF
 APPROVED
 Registrar-General of Land

Grantor

CENTRAL OTAGO DISTRICT COUNCIL

Grantee

TELECOM NEW ZEALAND LIMITED

Grant of Easement or Profit à prendre or Creation of Covenant

The Grantor being the registered proprietor of the servient tenement(s) set out in Schedule A grants to the Grantee (and, if so stated, in gross) the easement(s) or profit(s) à prendre set out in Schedule A, or creates the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s)

Schedule A

Continue in additional Annexure Schedule, if required

Purpose (Nature and extent) of easement, profit or covenant	Shown (plan reference)	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Right to Convey Telecommunications and Computer Media	AE and AYA DP 433991	Lot 8 DP 433991 CFR 528990	in Gross
	AA, AB and ZF DP 433991	Lot 8 DP 433991 CFR 528988	
	AC DP 433991	Lot 7 DP 433991 CFR 528989	

REF: 7203 – AUCKLAND DISTRICT LAW SOCIETY INC.

Annexure Schedule: Page:2 of 3

Easements or profits à prendre rights and powers (including terms, covenants and conditions)

Delete phrases in [] and insert memorandum number as required; continue in additional Annexure Schedule, if required

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or Schedule Five of the Property Law Act 2007

The implied rights and powers are hereby ~~varied~~ ~~negated~~ ~~added to~~ or ~~substituted~~ by:

~~[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952]~~

~~[the provisions set out in Annexure Schedule 2]~~

Covenant provisions

Delete phrases in [] and insert Memorandum number as require; continue in additional Annexure Schedule, if required

The provisions applying to the specified covenants are those set out in:

~~[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952]~~

~~[Annexure Schedule _____]~~

REF: 7203 – AUCKLAND DISTRICT LAW SOCIETY INC.

Annexure Schedule: Page:3 of 3

Annexure Schedule

Page 1 of 1 Pages

**2009/5043EF
APPROVED
Registrar-General of Land***Insert instrument type*

Easement

Continue in additional Annexure Schedule, if required

Continuation of "Estate of Interest or Easement to be Created":

1. The easement facility includes any "lines", "works", "existing lines" and "existing works" as defined in the Telecommunications Act 2001, owned by the Grantee.
2. This grant of easement is not in substitution for, and is without prejudice to, such statutory rights and authorities as the Grantee may have from time to time in respect of the Servient tenement.
3. The Grantor has paid to the Grantee the sum of \$153.33 (including GST), the receipt of which is hereby acknowledged, for administrative costs associated with the grant of this easement.

REF: 7225 -- AUCKLAND DISTRICT LAW SOCIETY INC.

View Instrument Details



Instrument No 8879193.14
Status Registered
Date & Time Lodged 04 October 2011 15:13
Lodged By Ecclestone, Rosalind Sarah
Instrument Type Easement Instrument



Affected Computer Registers Land District

528988	Otago
528989	Otago
528990	Otago

Annexure Schedule: Contains 4 Pages.

Grantor Certifications

I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period

Mortgage 8367395.5 is being discharged/extinguished in a prior dealing or in the same dealing

Mortgage 8367395.6 is being discharged/extinguished in a prior dealing or in the same dealing

Signature

Signed by David Arnold Irvine Brent as Grantor Representative on 16/05/2011 04:42 PM

Grantee Certifications

I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period

Signature

Signed by Gareth Dean Foley as Grantee Representative on 06/05/2011 03:53 PM

*** End of Report ***

Form B

Easement instrument to grant easement or *profit à prendre*, or create land covenant

(Sections 90A and 90F Land Transfer Act 1952)

Grantor

CENTRAL OTAGO DISTRICT COUNCIL

Grantee

AURORA ENERGY LIMITED

Grant of Easement or *Profit à prendre* or Creation of Covenant

The Grantor being the registered proprietor of the servient tenement(s) set out in Schedule A grants to the Grantee (and, if so stated, in gross) the easement(s) or *profit(s) à prendre* set out in Schedule A, or creates the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s)

Schedule A

Continue in additional Annexure Schedule, if required

Purpose (Nature and extent) of easement, <i>profit</i> or covenant	Shown (plan reference)	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Right to Convey Electricity	"AA", "AB" and "ZF"	528988 (Lot 6 DP 433991)	in gross
	"AC"	528989 (Lot 7 DP 433991)	in gross
	"AE" and "AYA"	528990 (Lot 8 DP 433991)	in gross
	all shown on DP 433991		

203625\1541\D110401CMF-Easement Instrument.rtf

Form B - continued

Easements or profits à prendre rights and powers (including terms, covenants and conditions)

Delete phrases in [] and insert memorandum number as required; continue in additional Annexure Schedule, if required

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or Schedule Five of the Property Law Act 2007

All rights and powers and the implied rights and powers are hereby ~~varied~~ ~~negated~~ **added to** and or **substituted** by:

[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952]

[the provisions set out in Annexure Schedule 2]

Covenant provisions

Delete phrases in [] and insert Memorandum number as require; continue in additional Annexure Schedule, if required

The provisions applying to the specified covenants are those set out in:

[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952]

[Annexure Schedule _____]

203625\1541\D110401CMF-Easement Instrument.rtf

Annexure Schedule 2**CONTINUATION OF "EASEMENTS OR PROFITS À PRENDRE RIGHTS AND POWERS (INCLUDING TERMS, COVENANTS AND CONDITIONS)"**

The Grantee shall have as easements in gross forever in favour of the Grantee the following rights:-

To convey electricity under and through the soil of those parts of the land in Certificates of Title 528988, 528989, 528990 marked "AA", "AB", "ZF", "AC", "AE" and "AYA" on Deposited Plan 433991 (hereinafter referred to as "the electricity cable easements").

(the said Certificates of Title 528988, 528989 and 528990 are hereinafter referred to as "the servient lands").

TERMS, CONDITIONS, COVENANTS OR RESTRICTIONS IN RESPECT OF THE RIGHT TO CONVEY ELECTRICITY**A. ELECTRICITY CABLE EASEMENTS****The Grantee shall have the right**

- (a) To lead and convey electricity and electric impulses without interruption or impediment (except during any periods of necessary renewal or repair) by means of conduits, cables, pipes and ancillary equipment laid or to be laid under the surface of and through the soil of the electricity cable easements.
- (b) To lay, place, inspect, repair, maintain, renew, upgrade and replace on and under the electricity cable easements such conduits, cables, pipes and ancillary equipment as may be necessary to convey such electricity and electric impulses by means of the said conduits, cables, pipes and ancillary equipment.
- (c) For the Grantee its servants, agents, workmen and contractors to enter and remain on such part or parts of the servient lands as may be necessary to secure access to the electricity cable easements and the said conduits, cables, pipes and ancillary equipment and on such parts of the servient lands as may be necessary for the purpose of laying, placing, inspecting, repairing, maintaining, renewing, upgrading and replacing the said conduits, cables, pipes and ancillary equipment together with full power and authority for the Grantee its surveyors, engineers, workmen, agents and servants with or without vehicles implements machinery and equipment from time to time and at all times to enter and remain on the said part or parts of the servient lands as may be necessary for the purpose of exercising and enjoying all or any of the rights privileges and easements granted in this instrument.

1. The Grantor covenants with the Grantee

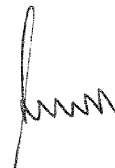
- (a) Not to place any building or other structure or plant any tree or shrub or alter the natural level of the land on the electricity cable easements without the prior written consent of the Grantee.

203625\1541\DI10401CMF-Easement Instrument.rtf

Annexure Schedule: Page:4 of 4

- (b) To take all reasonable steps to ensure that its tenants, agents and workmen do not do any wilful or negligent act or thing whereby the said conduits, cables, pipes and ancillary equipment and the said electricity cables shall be damaged or destroyed. If it is established that the damage was caused by the negligent or wilful act of the Grantor or its tenants, agents or workmen then the Grantor shall be responsible for the repair and/or replacement required. Any work so required shall be carried out by a Contractor selected by the Grantee.
 - (c) Not at any time permit or suffer any act or thing whereby the rights, powers, liberties, licences and easements hereby granted to the Grantee may be interfered with or affected.
2. **The Grantee covenants with the Grantor that upon the exercising of any of its rights the Grantee shall**
- (a) Cause as little damage as possible to the servient lands and the occupiers of the servient lands;
 - (b) Restore the servient lands as near as reasonably possible to its previous condition;
 - (c) Make good at the Grantee's expense any damage done by the actions of the Grantee to the buildings, erections and fences of the Grantor.
 - (d) Not except while work is being carried on upon the servient lands leave any rubbish or debris or obstruction.

203625\1541\DI10401CMF-Easement Instrument.rtf



Easement instrument to grant easement or *profit à prendre*, or create land covenant
 (Sections 90A and 90F Land Transfer Act 1952)

2009/6229EF
 APPROVED
 Registrar-General of Land

Grantor

CLARKE ROAD LIMITED

Grantee

CENTRAL OTAGO DISTRICT COUNCIL

Grant of Easement or *Profit à prendre* or Creation of Covenant

The Grantor being the registered proprietor of the servient tenement(s) set out in Schedule A grants to the Grantee (and, if so stated, in gross) the easement(s) or *profit(s) à prendre* set out in Schedule A, or creates the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s)

Schedule A

Continue in additional Annexure Schedule, if required

Purpose (Nature and extent) of easement, <i>profit</i> or covenant	Shown (plan reference)	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Right to Convey Water	AW, AWA, AX, AF, AY, AYC, Q & P DP 433991	Lot 100 DP 433991	In Gross
Right to Drain Water	K, O, BA, BD, P, Q, AWA & AWB DP 433991	Lot 100 DP433991	In Gross

REF: 7203 – AUCKLAND DISTRICT LAW SOCIETY INC.

Annexure Schedule: Page:2 of 8

Easements or profits à prendre rights and powers (including terms, covenants and conditions)

Delete phrases in [] and insert memorandum number as required; continue in additional Annexure Schedule, if required

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or Schedule Five of the Property Law Act 2007

The implied rights and powers are hereby ~~varied~~ ~~negated~~ ~~added to~~ or ~~substituted~~ by:

~~[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952]~~

~~[the provisions set out in Annexure Schedule _____]~~

Covenant provisions

Delete phrases in [] and insert Memorandum number as require; continue in additional Annexure Schedule, if required

The provisions applying to the specified covenants are those set out in:

~~[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952]~~

~~[Annexure Schedule _____]~~

REF: 7203 – AUCKLAND DISTRICT LAW SOCIETY INC.

Annexure Schedule 1

2003/5038EF
Approved
Registrar General of Land

Easement Dated Page 1 of 4 pages

Insert type of instrument *Continue in additional Annexure Schedule if required*

Schedule 2

(Continuation of implied rights and powers)

1. INTERPRETATION

1.1 Definitions

1.1.1 In this instrument unless the context otherwise requires:

- a) "instrument" means this Easement Instrument (including these conditions) as it may be varied from time to time.
- b) "these conditions" means these conditions as they may be varied from time to time.
- c) "Easement" means an easement recorded by this Easement Instrument.
- d) "The Plan" means Deposited Plan No 433991 Otago Registry.
- e) "the Right to Drain Water"

means the Grantee shall have the right to convey water including rainwater, tempest, spring, soakage or seepage water in any quantities in free and unimpeded flow (except during any periods of necessary cleaning, renewal and/or repair) through pipes and conduits laid or to be laid under the surface of an through the soil of the Stormwater Drainage Areas together with the additional rights and powers incidental thereto and set out in this instrument and the Fourth Schedule of the Land Transfer Regulations 2002.
- f) "The Right to Convey Water"

means the Grantee shall have the full free uninterrupted and unrestricted right to take convey and lead water in a free and unimpeded flow, and in any quantity (except when the flow is halted for any reasonable period necessary for essential repairs) through pipes and conduits laid or to be laid under the surface of and through the soil of the Water Supply Area together with the additional rights and powers incidental thereto as set out in this instrument and Clause 5 of the Fourth Schedule to the Land Transfer Regulations 2002.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

BJ-380574-11-J-V1:JH

Annexure Schedule 1

2003/5038EF
Approved
Registrar General of Land

Easement Dated Page 2 of 4 pages

Insert type of instrument

Continue in additional Annexure Schedule if required

- g) "Servient Land" in relation to any easement means the land which is subject to the relevant easement and described as Lot 100 DP 433991, CFR 528987.
 - h) "Stormwater Drainage Area" means that part of the Servient Land marked K, O, BA, BD, P, Q, AWA and AWB on the Plan.
 - i) "Stormwater Drainage Easement" means the right recorded by this Instrument in relation to each Stormwater Drainage Area.
 - j) "Water Supply Area" means that part of the Servient Land marked AW, AWA, AX, AF, AY, AYC, Q and P on the Plan.
 - k) "Water Supply Easement" means the right recorded by this Instrument in relation to each Water Supply Area.
- 2. TERM OF GRANT**
- 2.1 Each grant shall be for all time**
- 2.1.1 Each grant shall be for all time.
 - 2.1.2 No power is implied in respect of any easement for the Grantor to determine the easement for breach of any provision in this Instrument (whether express or implied) or for any other cause, it being the intention of the parties that each easement shall subsist for all time unless it is surrendered.
- 3. GRANTEE'S RIGHTS**
- The Grantee shall have as easements in gross, in favour of the Grantee, the following rights:
- 3.1 To Drain Water**
- 3.1.1 A Stormwater Drainage Easement to drain water through the Stormwater Drainage Areas.
- 3.2 To Convey Water**
- 3.2.1 A Water Supply Easement to convey water through the Water Supply Areas.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

BJ-360374-11-B-V1.JH

Annexure Schedule 1

2003/5038EP
Approved
Registrar General of Land

Easement Dated Page 3 of 4 pages

insert type of instrument *Continue in additional Annexure Schedule if required*

3.3	<p>To install pipes and drains</p> <p>3.3.1 to dig, construct and lay pipes and pipe drains through the Water Supply Areas and Stormwater Drainage Area.</p>
3.4	<p>To inspect and repair</p> <p>3.4.1 to inspect, repair, maintain, renew, replace, clean, dig up, alter or enlarge the pipes and pipe drains laid through the Water Supply Areas, Stormwater Drainage Areas.</p>
3.5	<p>To enter</p> <p>3.5.1 for the Grantee, its servants, agents, workmen and contractors to enter and remain on such parts of the Servient Land as may be necessary for the purpose of laying, inspecting, repairing, maintaining, renewing and replacing the said pipes and pipe drains and ancillary equipment (if any) together with the full power and authority for the Grantee, its surveyors, engineers, workmen, agents and servants, with or without vehicles, implements, machinery and equipment from time to time and at all times to enter and remain on the said part or parts of the Servient Land as may be necessary for exercising and enjoying all or any of the rights, privileges and easements grantee in this instrument.</p>
4.	<p>GRANTEE'S COVENANTS</p> <p>The Grantee covenants with the Grantor that upon the exercising of any of its rights the Grantee shall:</p>
4.1	<p>Not to cause excessive damage</p> <p>4.1.1 Cause as little damage as possible to the Servient Land and the occupiers of the Servient Land.</p>
4.2	<p>Restore land</p> <p>4.2.1 Restore the Servient Land described as near as reasonably possible to its previous condition.</p>
4.3	<p>Make good damage</p> <p>4.3.1 Make good at the Grantee's expense any damage done by the actions of the Grantee to the buildings, erections and fences of the Grantor.</p>
<p><small>If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.</small></p>	

BJ-380374-11-8-V1.JH

Annexure Schedule 1

2003/5038EF
Approved
Registrar General of Land

Easement Dated Page 4 of 4 pages

Insert type of instrument

Continue in additional Annexure Schedule if required

- 4.4 **Not to leave rubbish**
 - 4.4.1 Not except while work is being carried on upon the Servient Land, leave on the Servient Land any rubbish or debris or obstruction.
- 5. **GRANTOR'S COVENANTS**

The Grantor covenants with the Grantee:

 - 5.1 **Not to place buildings or shrubs**
 - 5.1.1 Not to place any building or plant any tree or shrub on the Stormwater Drainage Areas nor the Water Supply Areas without the prior written consent of the Grantee.
 - 5.2 **Reasonable steps to prevent damage**
 - 5.2.1 To take all reasonable steps to ensure that its tenants, agents and workmen do not do any wilful or negligent act or thing whereby the said pipe drains shall be damaged or destroyed.
 - 5.2.2 If it is established that the damage was caused by the negligent or wilful act of the Grantor or its tenants, agents or workmen then the Grantor shall be responsible for the repair and/or replacement required.
 - 5.2.3 Any work so required shall be carried out by a contractor selected by the Grantee.
 - 5.3 **Not to interfere with the rights conferred**
 - 5.3.1 Not at any time permit or suffer any act or thing whereby the rights, powers, liberties, licences and easements hereby granted to the Grantee may be interfered with or affected.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

BJ-380374-11-8-V1:JH

Approved by Registrar-General of Land under No. 2003/8150
Annexure Schedule - Consent Form
 Land Transfer Act 1952 section 238(2)



Insert type of instrument
 "Caveat", "Mortgage" etc

Easement

Page of pages

Consentor
 Surname must be underlined or in CAPITALS

Capacity and Interest of Consentor
 (eg. Caveator under Caveat no./Mortgagee under Mortgage no.)

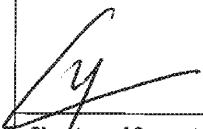
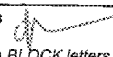
<u>OVERLAND GROUP LIMITED</u>	Mortgagee under Mortgage No. 8367395.6
-------------------------------	--

Consent
 Delete Land Transfer Act 1952, if inapplicable, and insert name and date of application Act.
 Delete words in [] if inconsistent with the consent.
 State full details of the matter for which consent is required.

Pursuant to [section 238(2) of the Land Transfer Act 1952]
~~[section~~ of the ~~Act~~
 [Without prejudice to the rights and powers existing under the interest of the Consentor]
 the Consentor hereby consents to:
 1. The deposit of DP 433991 and the creation of the easements referred to in DP 433991.
 2. The creation of new Computer Freehold Registers in respect of Lots 5, 6, 7, 8 and 100 DP 433991.
 3. The creation of Heritage Covenants in favour of New Zealand Historic Places Trust pursuant to Section 6 of the Historic Places Act 1993 over Lot 100 DP 433991.

Dated this 12th day of July 2011

Attestation

 Signature of Consentor	Signed in my presence by the Consentor
	Signature of Witness  Witness to complete in BLOCK letters (unless legibly printed) Witness name <u>DOMINIKA-MARIA PANGEE</u> Occupation <u>PERSONAL ASSISTANT</u> Address <u>AUCKLAND</u>

An Annexure Schedule in this form may be attached to the relevant instrument, where consent is required to enable registration under the Land Transfer Act 1952, or other enactments, under which no form is prescribed.

REF: 7029 – AUCKLAND DISTRICT LAW SOCIETY

8 Jul 2011 16:38

No. 1996 P. 2

ANNEXURE SCHEDULE - CONSENT FORM¹

Land Transfer Act 1952 section 238(2)

Person giving consent (Consentor) <i>Surname(s) must be underlined</i>	Capacity and Interest of Person giving consent <i>(eg Mortgages under Mortgage no.)</i>
South Canterbury Finance Limited (In Receivership)	Mortgages under mortgage no. 8367395.5

Consent
Delete words in [] if inconsistent with the consent
State full details of the matter for which consent is required



Without prejudice to the rights and powers existing under the interest of the person giving consent, the Consentor hereby consents to registration of:

- The deposit of Deposited Plan 433891 in the Otago District Council as attached;
- the attached easement instrument (that grants a right to convey water and a right to drain water over lot 100 Deposited Plan 433891);
- the attached easement instrument that grants the benefit to Lot 100 of a right of way, a right to convey water, a right to convey water and sewerage, a right to convey water electricity, telecommunications and computer media; and
- The creation of heritage coverages in favour of the New Zealand Historic Places Trust pursuant to section 8 of the Historic Places Act 1993 over lot 100 and lot 8 DP 433891

The Mortgagee was placed into receivership on 31 August 2010 by Trustees Executors Limited (TEL) pursuant to the exercise of powers contained in a Debenture Trust Deed dated 12 April 1978 (Trust Deed) granted by the Mortgagee in favour of TEL. Karyn Downey and William Black both of McGrath Nicol (the Receivers), were appointed the joint and several Receivers of the Mortgagee on 31 August 2010 by virtue of the exercise of TEL's powers contained in the Trust Deed.

Dated this 7 day of July 2011

Attestation

	Signed in my presence by the Person giving consent
	 Signature of Witness
Signature of Consentor	Witness to complete in BLOCK letters (unless legibly printed):
	Witness name Jason Price
	Occupation CHRISTCHURCH CREDIT ACCOUNTANT Address 619, 344 SHAWESAN ST, AUCKLAND

¹ An Annexure Schedule in this form may be attached to the relevant instrument, where consent is required to enable registration under the Land Transfer Act 1952, or other enactments, under which no form is prescribed.



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



R. W. Muir
Registrar-General
of Land

Identifier 574821
Land Registration District Otago
Date Issued 11 January 2012

Prior References
528987

Estate Fee Simple
Area 19.4515 hectares more or less
Legal Description Lot 100 Deposited Plan 433991
Registered Owners
Wakefield Estates Limited

Interests

Appurtenant hereto is a right to convey water, pump water, store water and convey electricity and telecommunications created by Transfer 977661.1 - 3.11.1999 at 9:06 am

Some of the easements created by Transfer 977661.1 are subject to Section 243 (a) Resource Management Act 1991 (See DP 27379)

5041663.1 Gazette Notice (2001/1044) declaring adjoining road (S.H.No. 6) to be limited access road - 11.5.2001 at 9:31 am

5057557.1 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 10.7.2001 at 2:30 pm

5057557.2 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 10.7.2001 at 2:30 pm

5057557.3 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 10.7.2001 at 2:30 pm

Subject to a right to convey electricity over parts marked AW, AWA, AWB, AX, AY and AZ, a right to convey telecommunications, computer media and water over parts marked AX, AY and AZ, a right to construct a bore and install a pump over parts marked AX, all on DP 433991 created by Transfer 5417984.2 - 29.11.2002 at 9:00 am

Appurtenant hereto is a right to convey water, electricity, telecommunications and computer media created by Easement Instrument 7917778.39 - 26.8.2008 at 9:00 am

Subject to a right (in gross) to a pedestrian & cycle accessway over parts marked N, NA, and NB on DP 433991 in favour of Central Otago District Council created by Easement Instrument 7917778.40 - 26.8.2008 at 9:00 am

The easements created by Easement Instrument 7917778.40 are subject to Section 243 (a) Resource Management Act 1991

Appurtenant hereto are rights of way created by Easement Instrument 8438773.18 - 17.3.2010 at 3:11 pm

The easements created by Easement Instrument 8438773.18 are subject to Section 243 (a) Resource Management Act 1991

Appurtenant hereto is a right of way and a right to convey water and sewage created by Easement Instrument 8879193.10 - 4.10.2011 at 3:13 pm

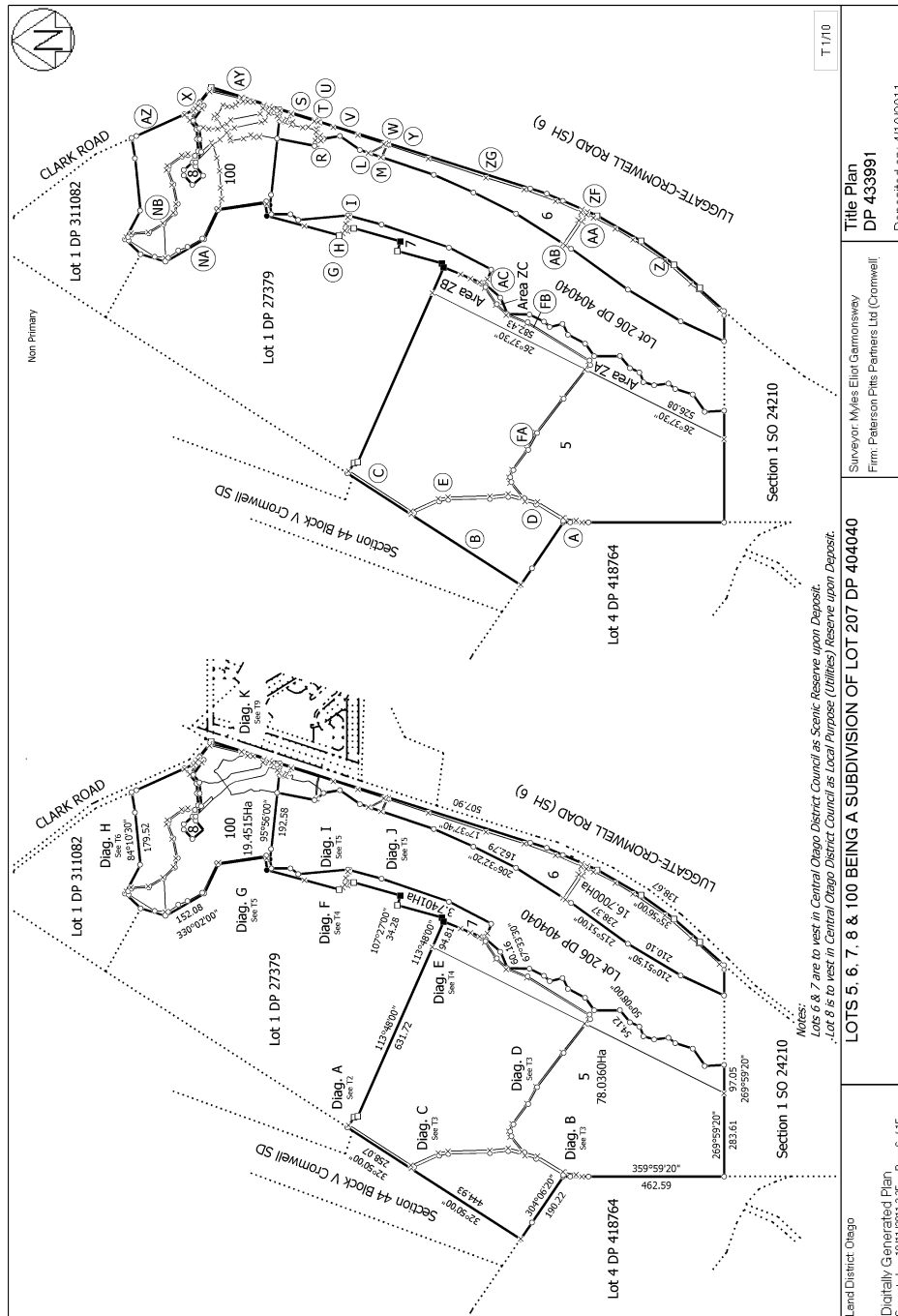
The easements created by Easement Instrument 8879193.10 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to convey water over parts marked AW, AWA, AX, AF, AY, AYC, Q and P, and a right (in gross) to drain water over parts marked K, O, BA, BD, P, Q, AWA and AWB, all on DP 433991 in favour of Central Otago District Council created by Easement Instrument 8879193.11 - 4.10.2011 at 3:13 pm

Identifier **574821**

The easements created by Easement Instrument 8879193.11 are subject to Section 243 (a) Resource Management Act 1991
8879193.15 Heritage Covenant pursuant to Section 8 Historic Places Act 1993 - 4.10.2011 at 3:13 pm
9659949.3 Mortgage to ASB Bank Limited - 7.3.2014 at 12:28 pm

Identifier **574821**

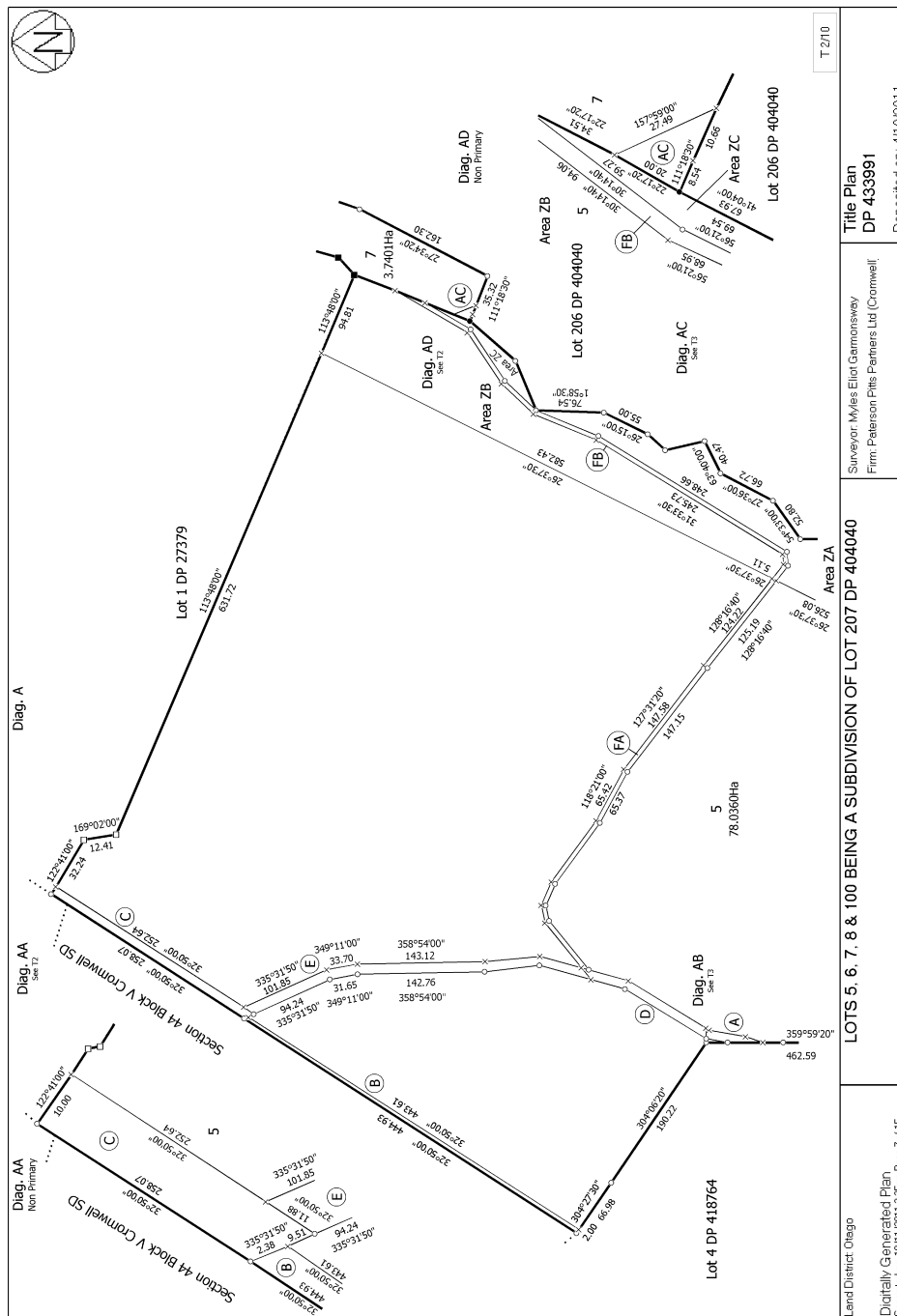


Transaction ID 7901224
 Client Reference

Search Copy Dated 23/01/26 8:56 am, Page 3 of 12
 Register Only

Identifier

574821

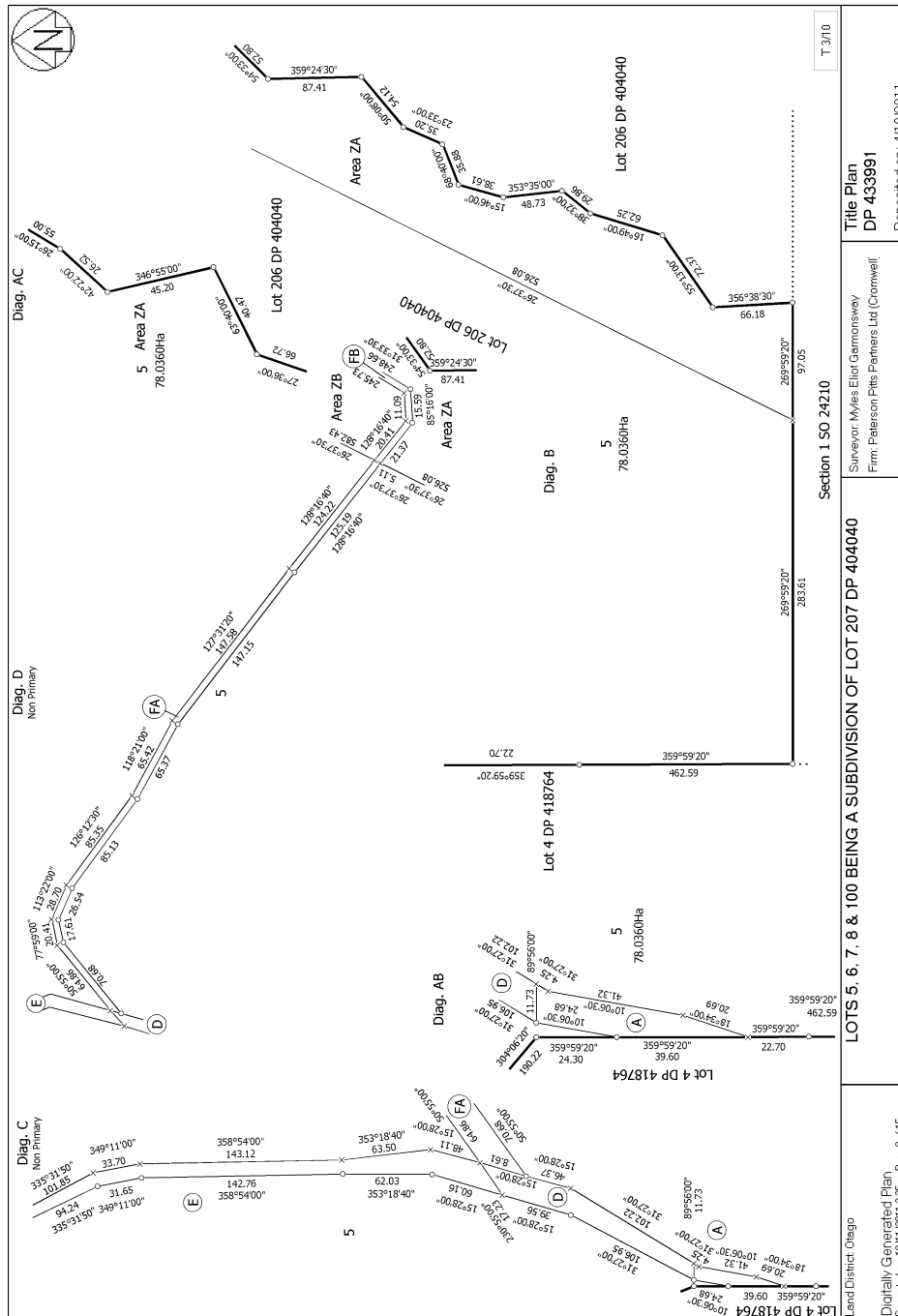


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Register Only

Identifier

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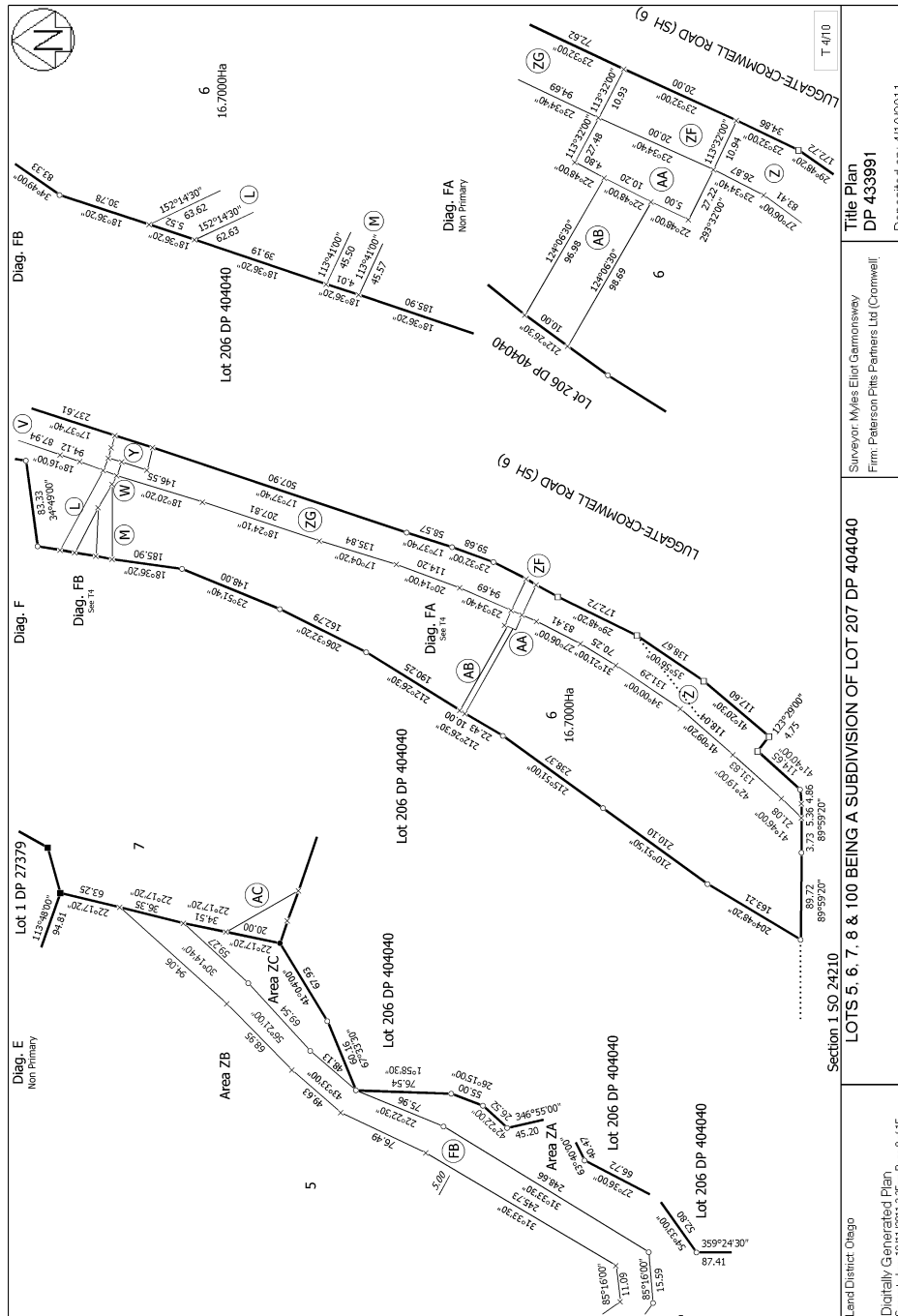


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Register Only

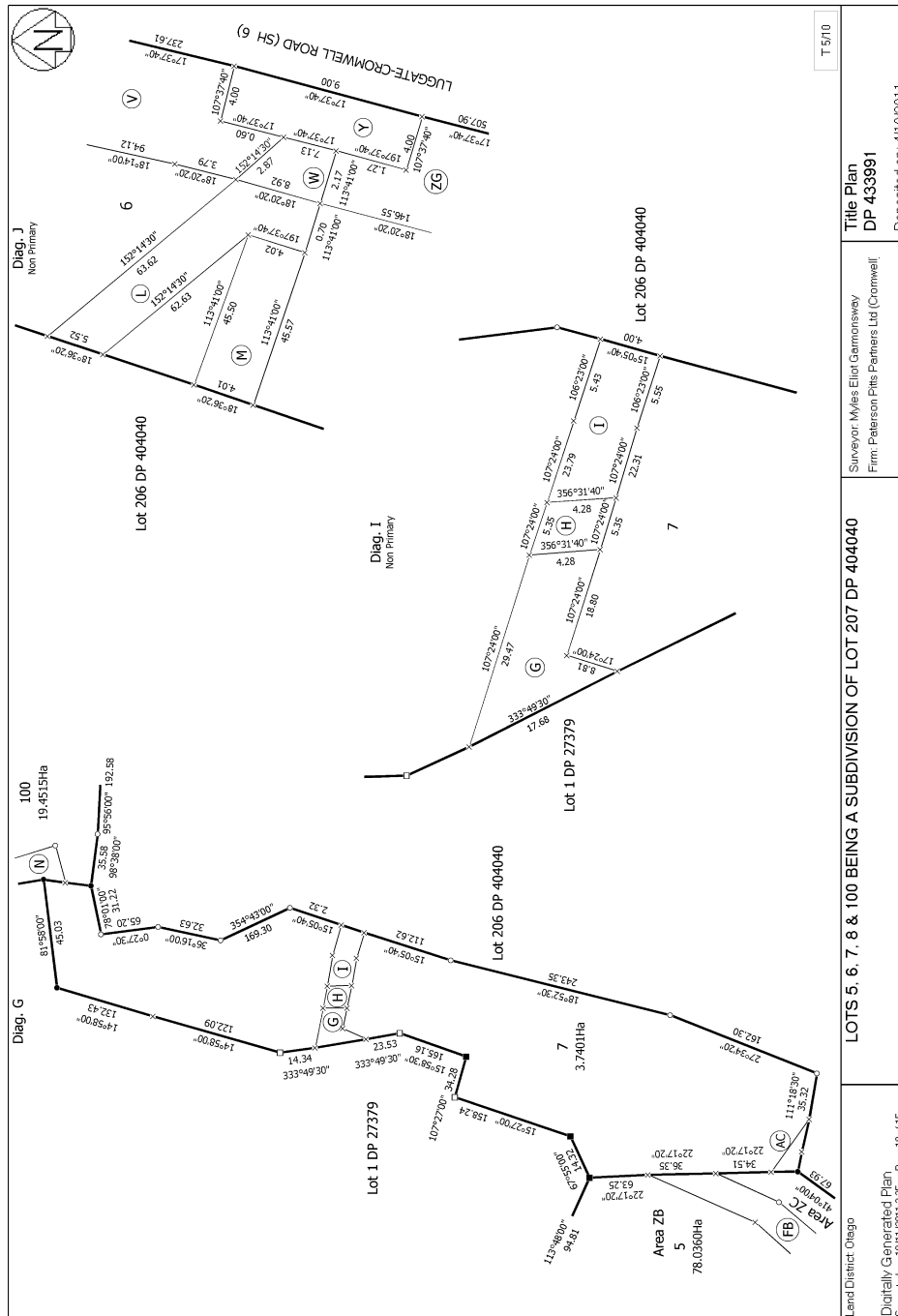
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Identifier

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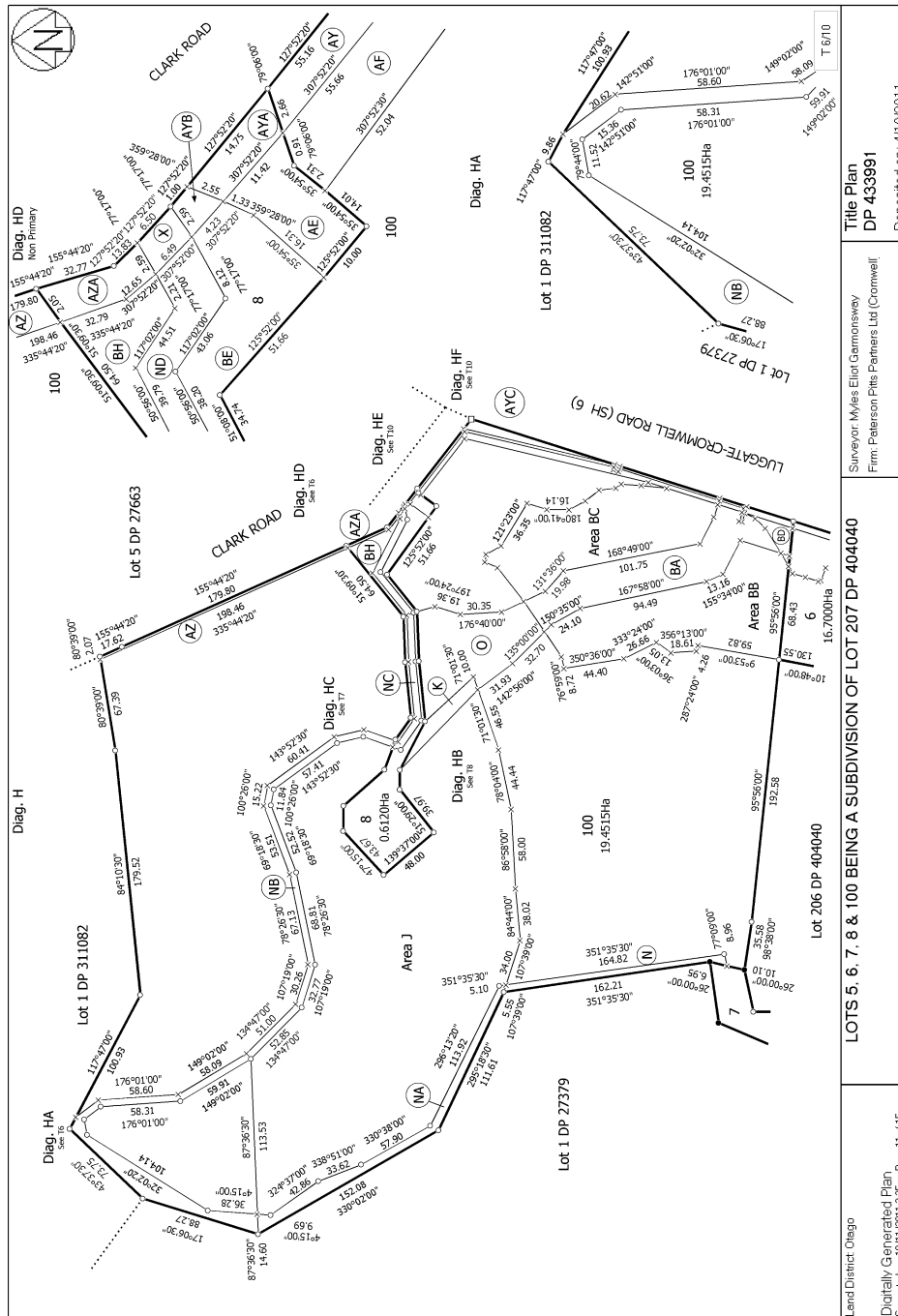
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Generated on: 18/11/2011 2:25pm Page 10 of 15	DP 433991	Firm: Palerson Pitts Partners Ltd (Cromwell)	DP 433991	
LOTS 5, 6, 7, 8 & 100 BEING A SUBDIVISION OF LOT 207 DP 404040				
Deposited on: 4/10/2011				

Transaction ID 7901224
Client Reference

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Identifier

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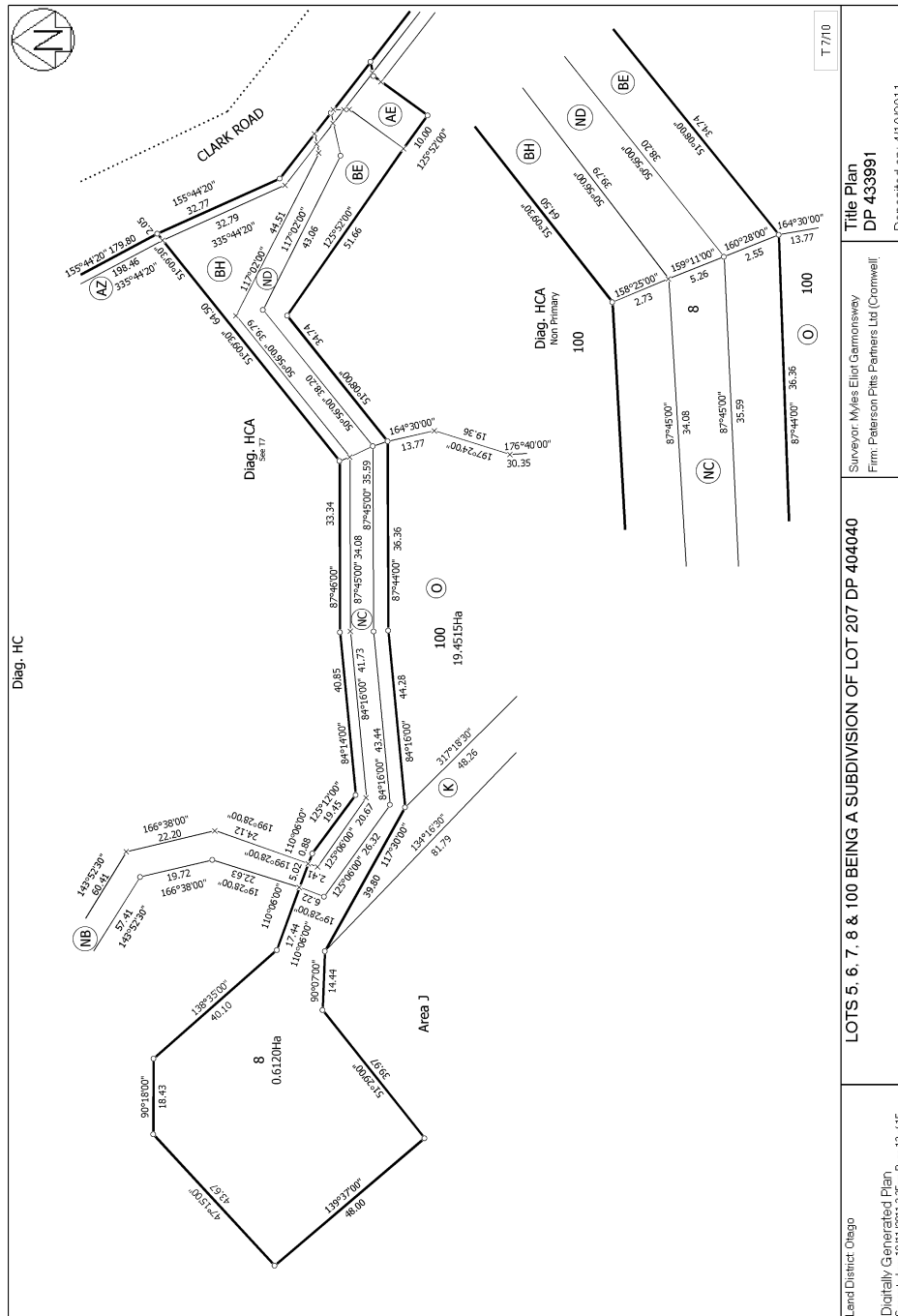
<p>Land District: Otago Digitally Generated Plan Generated on: 18/11/2011 2:25pm Page 11 of 15</p>	<p>LOTS 5, 6, 7, 8 & 100 BEING A SUBDIVISION OF LOT 207 DP 404040</p>	<p>Surveyor: Myles Eliot Gammonsway Firm: Palerson Pitts Partners Ltd (Cromwell)</p>	<p>Title Plan DP 433991 Deposited on: 4/10/2011</p>
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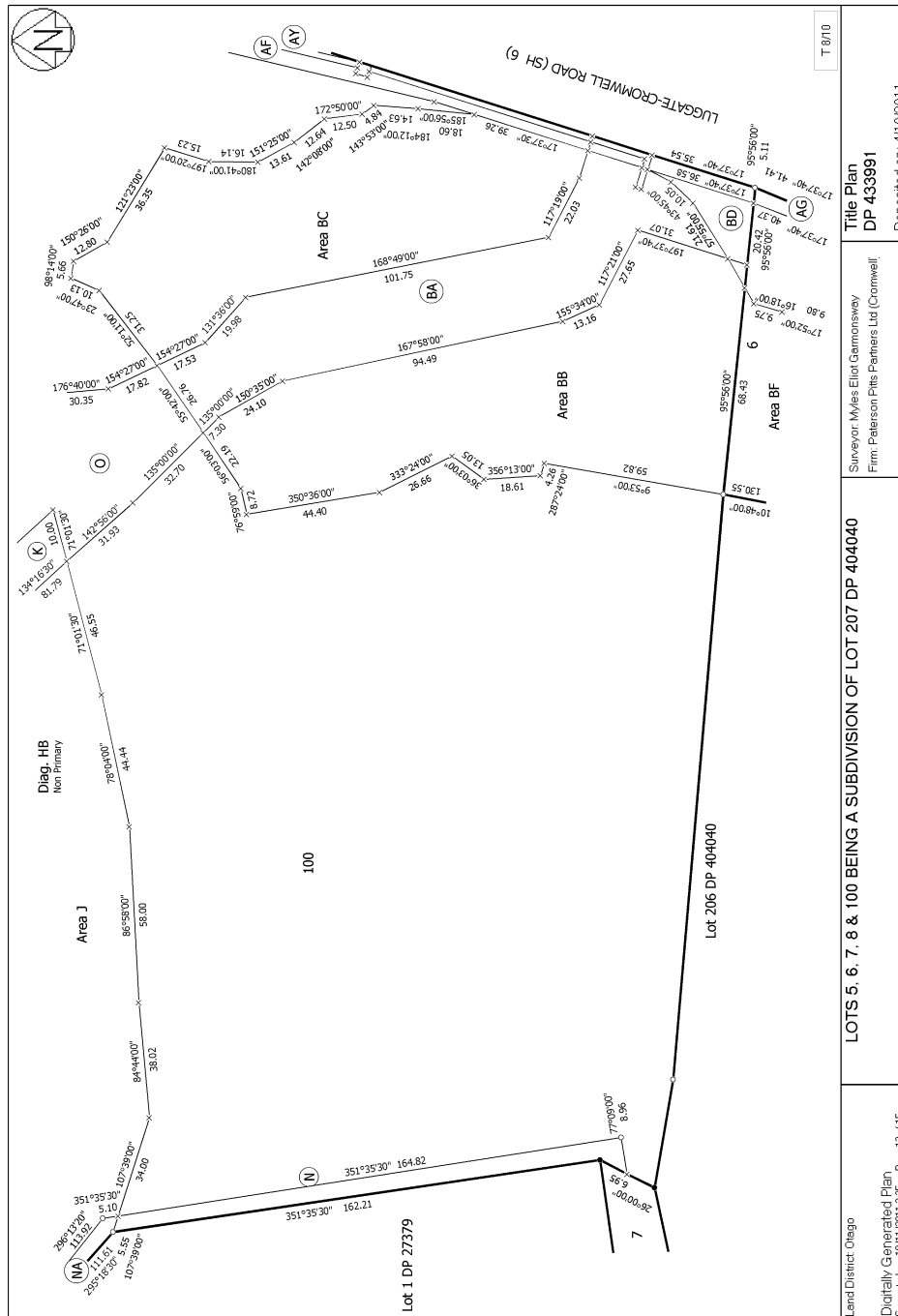
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Register Only

Identifier

574821



Identifier 574821



Land District: Otago
 Digitally Generated Plan
 Generated on: 18/11/2011 2:25pm Page 13 of 15

LOT 5, 6, 7, 8 & 100 BEING A SUBDIVISION OF LOT 207 DP 404040

Surveyor: Myles Eliot Gammonsway
 Firm: Palerson Pitts Partners Ltd (Cromwell)

Title Plan DP 433991
 Deposited on: 4/10/2011

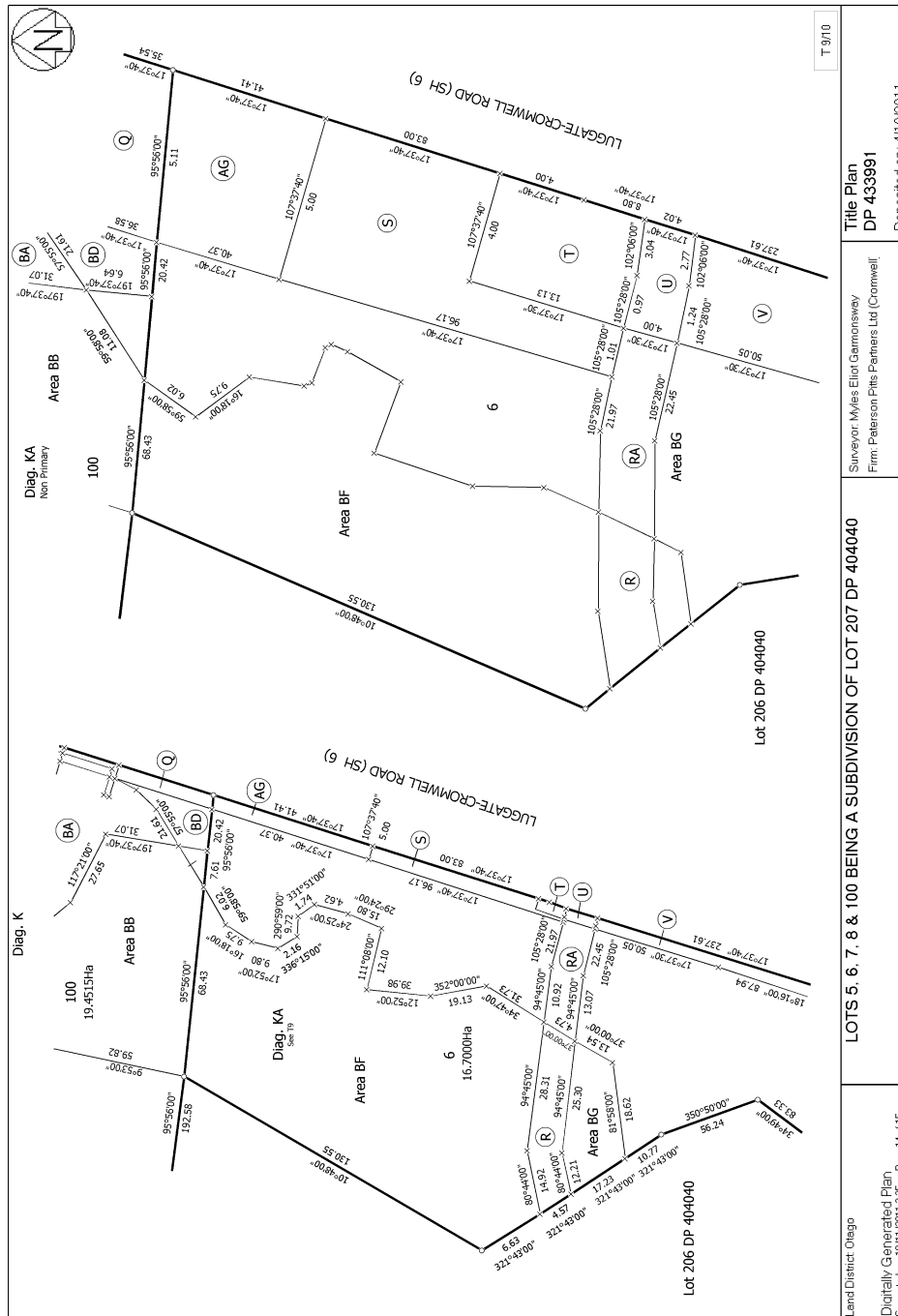
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Land District: Ohio	Surveyor: Myles Eliot Gammonswey Firm: Paleoson Pitts Partners Ltd (Cromwell)	T 9/10
Digitally Generated Plan Generated on: 18/11/2011 2:25pm Page 14 of 15	Title Plan DP 433991	Deposited on: 4/10/2011
LOTS 5, 6, 7, 8 & 100 BEING A SUBDIVISION OF LOT 207 DP 404040		

Transaction ID 7901224
Client Reference

Search Copy Dated 23/01/26 8:56 am, Page 11 of 12
Register Only

10 July 2009

Peter Greenwood
Central Otago District Council
1 Dunorling Street
PO Box 122
Alexandra



6XH004.04 / 155 GX

**Pisa Reservoir, Cromwell :
Preliminary Geotechnical Assessment for Resource Consent Application, June/July 2009**

Dear Peter

1 Introduction

On 16 June 2009, Paterson Pitts Partners Ltd (PPP) on behalf of the Central Otago District Council (CODC) asked Opus International Consultants Ltd (Opus) to carry out non-invasive testing to determine the geotechnical suitability of the proposed Pisa Reservoir site, Cromwell. The information obtained from these tests will be used in a resource consent application for the site.

A preliminary site appraisal was carried out by Peter Dymock (PPP) and Emily Hodgkinson (Opus) on 19 June 2009. A Ground Penetration Radar (GPR) survey was then commissioned to provide an initial indication of the underlying ground conditions and geotechnical suitability. The GPR survey was carried out on 23 June 2009 by Shaun Maloney and David Rider from Geophysical Search and Survey Limited (GSSL).

The area surrounding the site has been previously been assessed by David McKinney (Opus, January 2009 and Greg Saul (Opus, January 2008).

This letter report outlines the results of the GPR test and recommendations on the geotechnical suitability of the proposed reservoir site.

2 Site Location

The reservoir site is located 8.5 km north of Cromwell, 500 m directly west across SH6 from the existing Pisa Moorings subdivision (Figure 1). The proposed reservoir has a diameter of 22.5 m, height of 4 m and capacity of 2ML.

The site is located adjacent to old mine workings consisting of pre-1900s ground sluicing, associated race system and dwelling. These features have been assessed by archaeologist Matthew Sole (Sole - March and June 2009) and need to be preserved when the reservoir is constructed.

The reservoir is located at the SE end of the sluicing gully and to the SW of the archaeological mining remains, as shown in Plan 1 attached to this report. The gully is dry and moderately sloping (5H:1V). The reservoir will be cut into the naturally occurring Sugar Loaf Terrace that forms the SW boundary of the gully, which slopes steeply at approximately 1H:1V.

Opus International Consultants Limited
Queenstown Office

1st Floor, 153 Glenda Drive
Frankton Industrial Estate, PO Box 2323,
Queenstown 9349, New Zealand

Telephone: +64 3 451 0360
Facsimile: +64 3 451 0361
Website: www.opus.co.nz

Note that since the GPR test was carried out the reservoir has been moved 5.0 m SW in the direction of the Sugar Loaf Terrace and away from the old mine workings. A revised set of site drawings (Sheets 1 to 3) is attached to this report as Appendix A. Note that the design shown on these drawings is a concept design only and detailed design still needs to be completed.

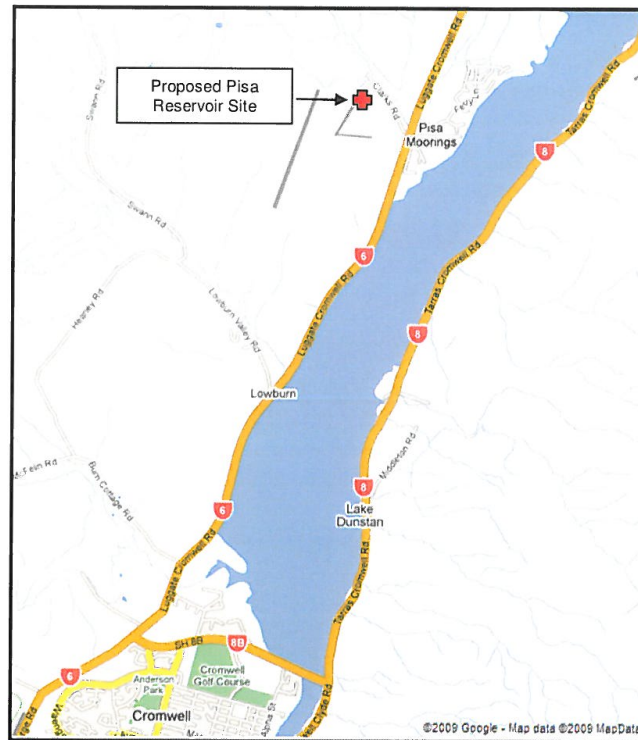


Figure 1. Pisa Reservoir Site Location

3 Site Geology

The incised gully walls at the site show sandy gravelly silts with rare cobbles and boulders. This is consistent with glacial outwash gravels of till origin typically found in the Cromwell Basin and in the Sugar Loaf Terraces. These gravels are a matrix supported gravel with moderate strength and can be expected to undergo some settlement under loading.

These outwash gravels have been reworked by the pre-1900 mining activities at the site and a gully formed. It is probable that a large percentage of fines may have been washed to the base of the gully, creating a soft top layer or soft buried lenses under the reservoir. The GPR test will help to identify the presence of any such layers.

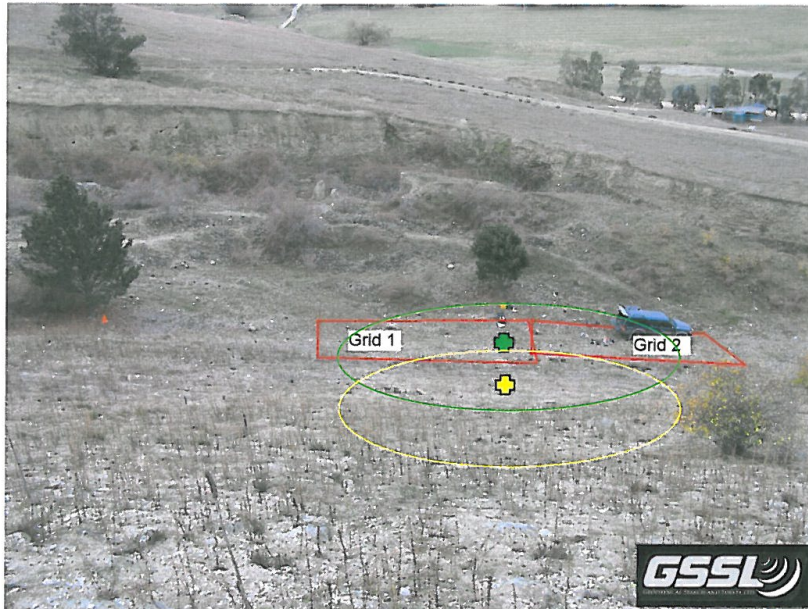
4 Testing Methodology

The GPR survey was carried out on two uni-directional grids and along two cross-sectional transects at the proposed reservoir location. A 200MHz antenna was used to collect data.

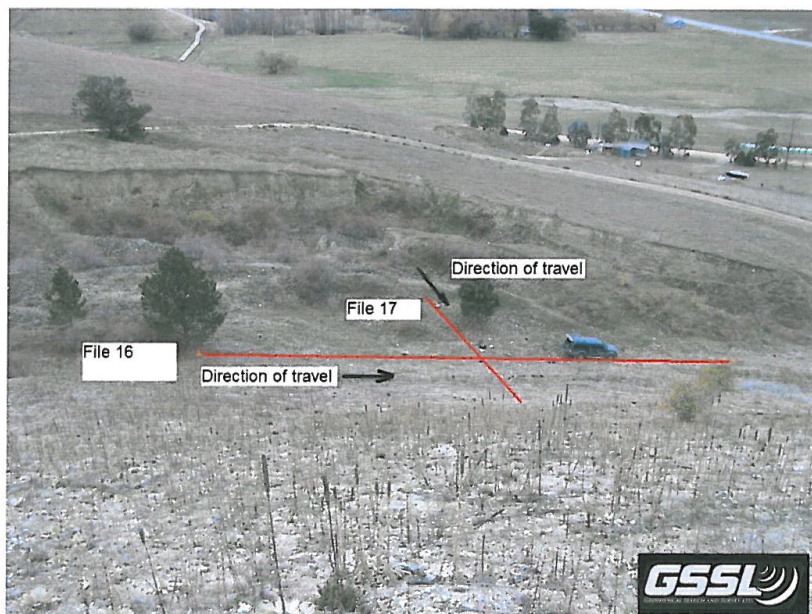
Two separate grids were used due to the sloping and uneven nature of the ground surface to ensure that the best quality of data was obtained. Each grid consisted of 12-13 transects running NW to SE and spaced 1.0 m apart. The location of the grids is shown in Photo 1.

The two cross-sectional transects were carried out to provide a continuous image through the reservoir site. Photo 2 shows the location of the two cross-sectional transects (Files 16 and 17).

The ground surface is labelled as 0.0 m in the GPR result files.



Photograph 1. Locations of Grids 1 and 2. The approximate centre and extent of the reservoir now (⊕) and at the time of testing (⊕) is marked.



Photograph 2. Location of the two cross-sectional transects, Files 16 and 17.

5 Testing Results

Figures 2 and 3 show 3D images of the ground conditions to 6.35 m below the ground surface at Grid 1 and Grid 2 respectively. The radar images did not show any groundwater within the effective scan depth. The greyish white anomalies are likely to be cobbles / boulders, which is a typical feature in material of glacial outwash / till origin.

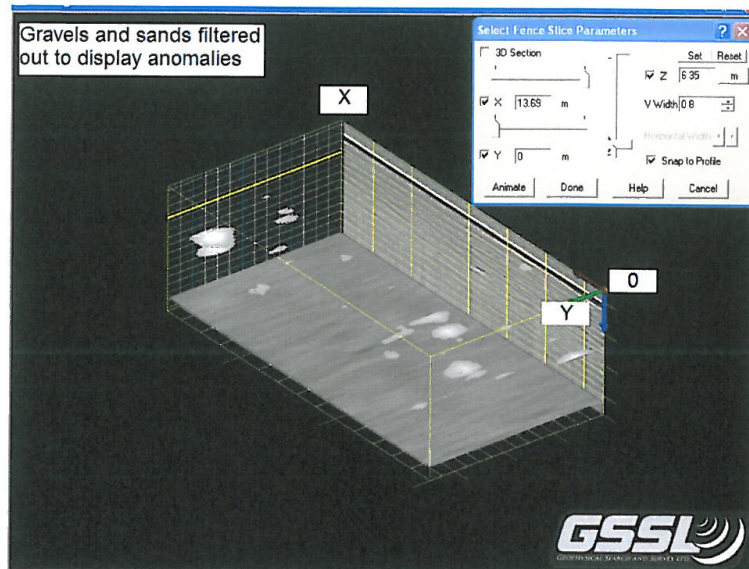


Figure 2 Grid 1 : 3D image of ground conditions

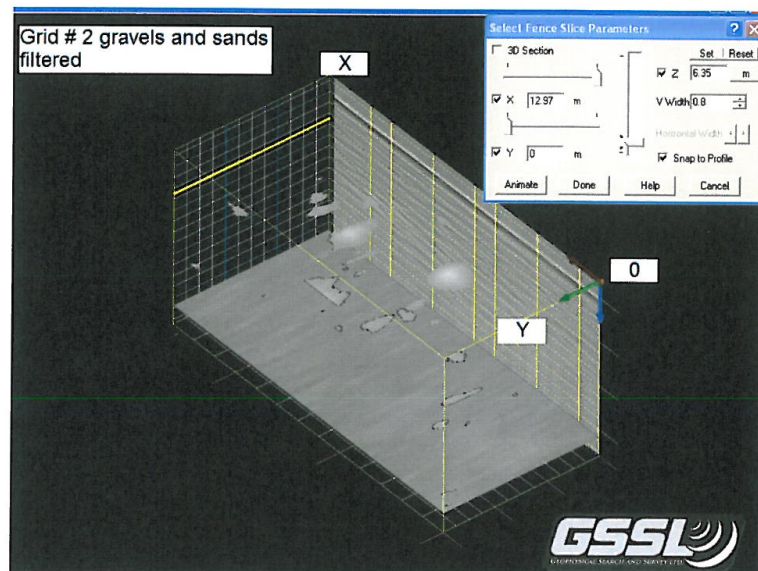


Figure 2 Grid 2 : 3D image of ground conditions

Figures 3 and 4 show the ground conditions along the 2 cross-sectional transect lines – Files 16 and 17. These have been interpreted by GSSL to show the estimated geological composition of the ground.

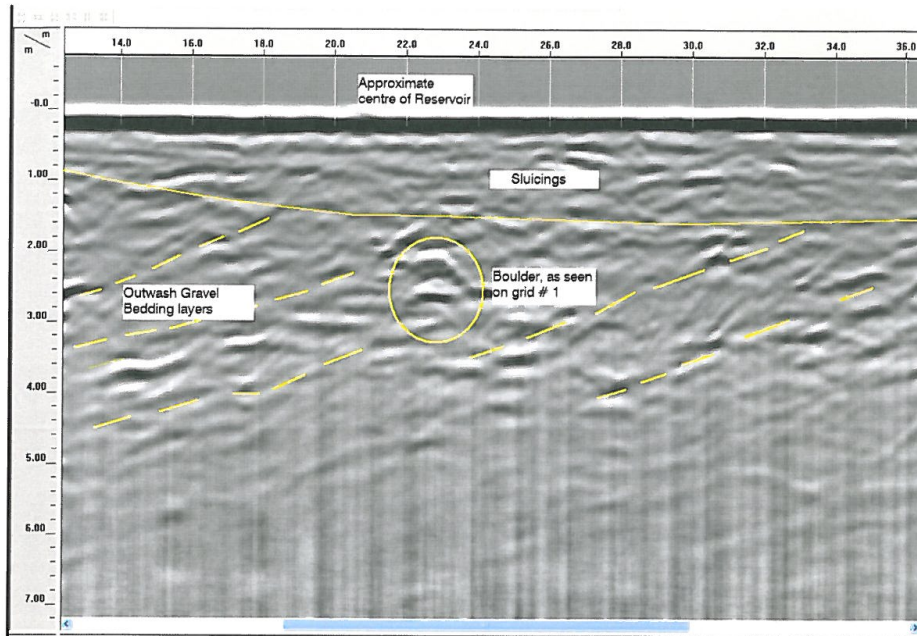


Figure 3. Cross-sectional transect, File 16. NW (left) to SE (right).

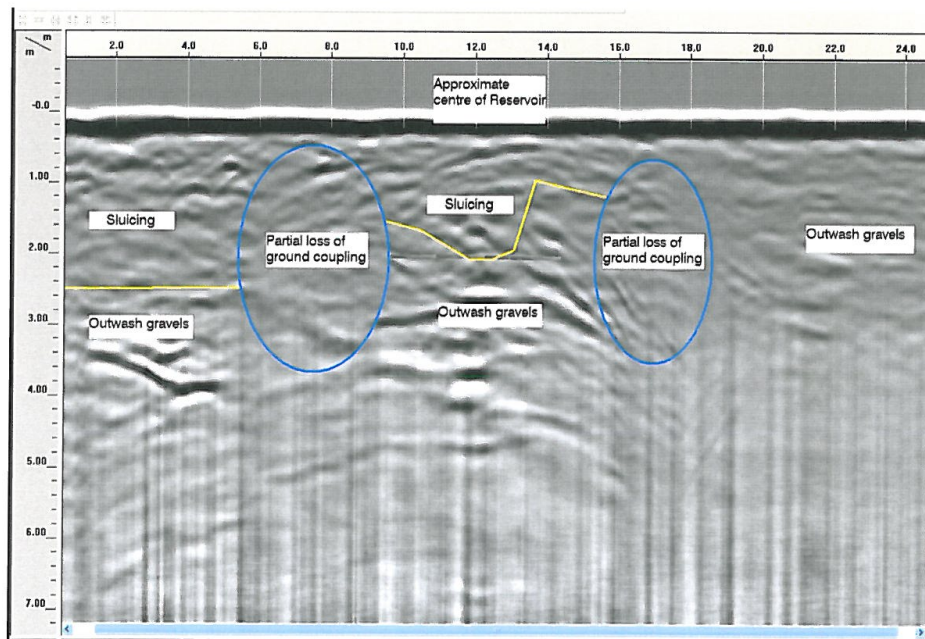


Figure 4. Cross-sectional transect, File 17. NE (left) to SW (right). The partial loss of ground coupling (blue circles) is caused by the radar passing over a change in slope on the ground surface.

Figures 3 and 4 indicate that the depth of sluicing gravels ranges from approximately 1.0 m to 2.5 m at the proposed reservoir site. These sluicings appear to be similar to the insitu glacial outwash gravels – chaotically deposited sandy gravelly silts with rare cobbles and boulders. However, they may have been disturbed by the mine workings and are likely to have weaker strength properties to the glacial outwash gravels.

No voids, groundwater, soft fines layers or other structures of interest were identified in the GPR survey.

6 Conclusions

- The GPR survey obtained high quality images of the ground stratigraphy at the proposed reservoir site. It has provided a good initial assessment of ground conditions and geotechnical suitability at the site.
- From the GPR survey results, the typical stratigraphy under the foundation of the reservoir appears to be :
 - Northeast side: Sluicing gravels to approximately 1.0 m to 2.5 m depth overlying glacial outwash gravels.
 - Southwest side: Insitu glacial outwash gravels.
- The sluicing gravels are likely to have lower strength properties than the insitu outwash gravels and there is potential for differential settlement under loading.
- No voids, groundwater, soft fines layers or other structures of interest were identified in the GPR survey.
- The insitu glacial outwash gravels are predicted to have moderate strength properties if similar to exposures around the site and should provide adequate bearing capacity for the proposed reservoir. Some settlement may occur.

7 Recommendations

Geotechnical

- The top 1.0 m to 2.5 m of sluicing material shown by the GPR survey is likely to have lower strength properties than the insitu outwash gravels and the potential for differential settlement under load. It is recommended that this material is excavated and replaced with engineered fill during reservoir construction.
- The insitu glacial outwash gravels are expected to provide adequate bearing capacity for the proposed reservoir design loads but some settlement may occur. This should be allowed for in the reservoir foundation design.
- The GPR survey produces only a preliminary illustration of ground conditions under the proposed reservoir site. Physical site investigations (2 - 4 trial pits and associated laboratory tests) should be carried out at the detailed design stage to confirm actual ground conditions.
- Since the GPR test was carried out, the proposed site for the reservoir has been moved SW by 5.0 m away from the old mine workings due to concerns raised by the archaeologist. The new site is located further into the naturally occurring glacial outwash gravel of the Sugar Loaf Terrace. The full extent of the proposed reservoir site has therefore not been surveyed by the GPR but the ground stratigraphy is expected to be similar. Physical site investigations at the design stage will confirm this.

- The drawings included with this report show a preliminary concept design only, including the cut and fill slope angles, and this will need to be confirmed at the detailed design stage.

Construction Access


- Due to the topography at the site, we recommend that construction access to the site for plant and material is carefully considered, particularly with regard to the archaeologically significant mine workings to the NE of the site.

Drainage

- The final detailed design of the reservoir should include adequate drainage to maintain stormwater flow around the reservoir, particularly given its location at the base of a gully.

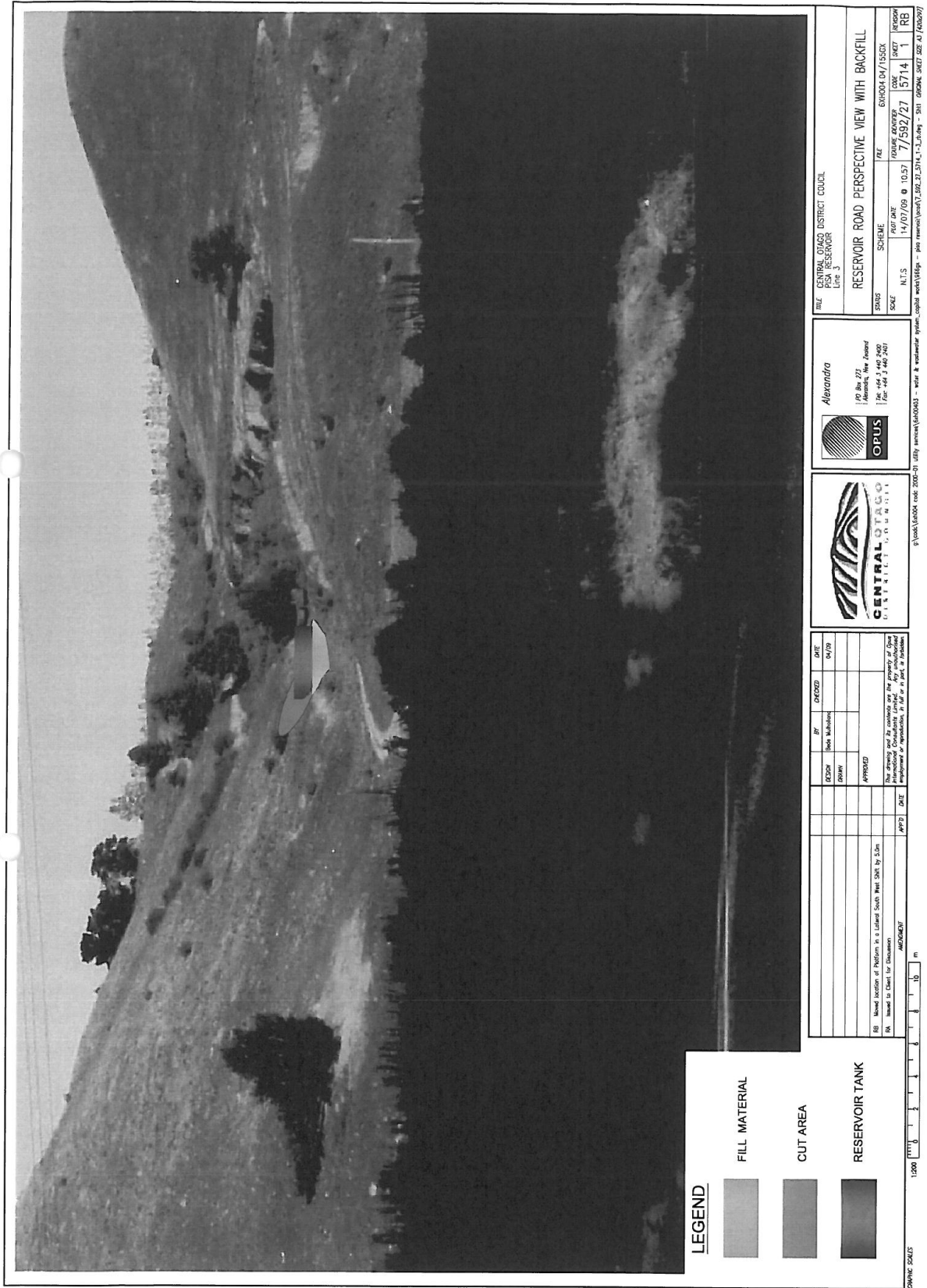
Please contact me if you need any further geotechnical information on the reservoir site.

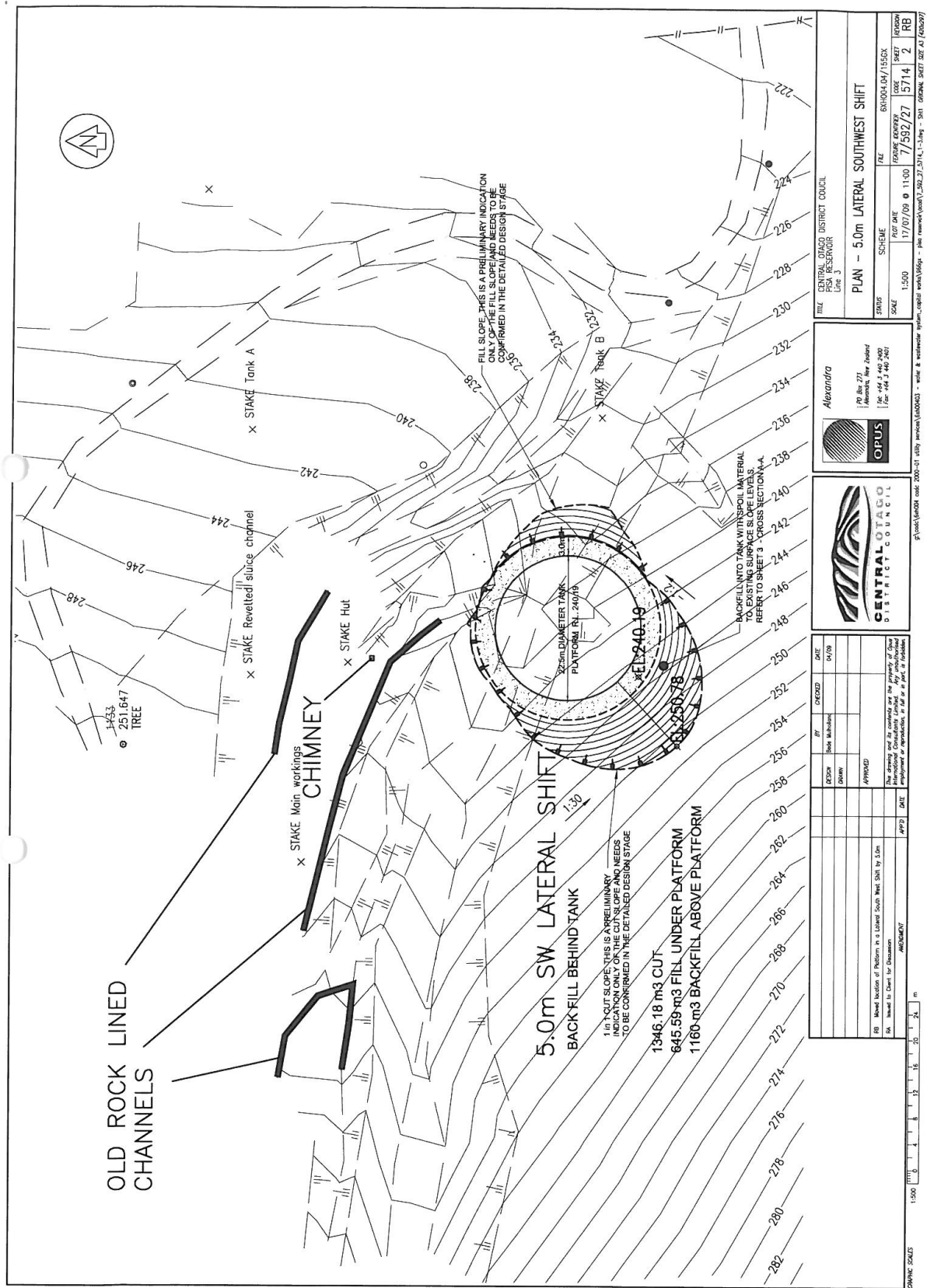
Regards



Emily Hodgkinson
Engineer
Opus International Consultants Ltd, Queenstown

Report reviewed by: Greg Saul, Opus International Consultants Ltd, Christchurch





PREPARED FOR CODC
09 JANUARY 2026
J2395

CENTRAL OTAGO DISTRICT COUNCIL

NOTICE OF REQUIREMENT TO
DESIGNATE LAND FOR DRINKING
WATER STORAGE AND SUPPLY
PURPOSES AT CLARK ROAD, PISA
MOORINGS, CROMWELL.

Landscape and Visual Effects Assessment Report

vivian+espie
resource management and landscape planning

1. Introduction

- 1.1. Central Otago District Council (**CODC**) is a requiring authority under Section 166 of the Resource Management Act 1991 (**RMA**). CODC is seeking a new designation to construct, operate, and maintain water storage reservoirs for community water supply, with associated access, infrastructure, earthworks, and landscaping, on land located on Clark Road, Pisa Moorings.
- 1.2. The site of the proposal is Lot 8 DP 433991, an irregularly shaped 6,127m² title that adjoins Clark Road and runs in an east-west direction, ascending a gully on the Sugarloaf escarpment. The site is shown on Appendix 1 of this report. It sits entirely within the Rural Resource Area, with the uphill, western part of the site (within which a reservoir structure would sit), being within the Outstanding Natural Feature (**ONF**) of the Sugarloaf escarpment.
- 1.3. The proposed designation relating to the site includes a set of conditions to define and regulate the nature of the future reservoir facility. In effect, the proposal will separate the subject site from the Rural Resource Area and set it aside as a designated area to specifically provide for water reservoir and supply use, in accordance with the proposed conditions.

2. The activities that are proposed to be provided for by the designation

- 2.1. The nature of the future reservoir activity is defined by the proposed set of conditions that are part of the Notice of Requirement (**NOR**). Also with reference to Appendix 1 of this report, the most relevant proposed conditions in relation to landscape issues are:
 1. *The reservoir tanks shall be painted or otherwise coloured so as to be of dark, visually recessive colours in the range of browns or greens with a reflectivity value of no more than 15%.*
 2. *The reservoir tanks shall have a maximum height of 5.5m above the platform base material, which itself shall have a maximum relative level of 240.2m.*
 3. *Any external lighting will be limited to downlights mounted on the structures within the designation area and are to be sensor activated. The lighting is to only be for security and operational requirements.*

6. *Earthworks shall be designed to create a contained hollow within which the tanks are located. Finished earthworks shall be naturalistic in form and retain the integrity of the gully. The design shall be done such that the tanks are substantially physically separated from the existing vehicle track by landform. The earthworks design along with the natural landscape and matured planting growth over time will ensure the tanks are reasonably difficult to see from Clark Road and State Highway 6.*
 7. *A landscape mitigation plan shall be designed so as to rid the site of weed species and establish ecologically appropriate mixed native vegetation within the site that enhances the visual screening of the tanks that is provided by the earthworks design. The plan shall include information setting out how all landscape mitigation planting shall be actively maintained, including details of pest control and appropriate irrigation.*
 9. *Access to the site shall be obtained from the existing track from Clark Road. No significant upgrades shall be undertaken to provide access to the site during and subsequent to construction.*
 10. *Any new earthworks required to gain access from the existing track to the site shall be kept to the minimum required. All exposed cut and fill shall be reinstated and re-vegetated with hard tussock (except where already provided for in the landscape mitigation plan) the establishment of which will involve permanent rabbit fencing and a permanent irrigation system.*
 11. *All ancillary pipework and valving shall be located underground.*
 14. *The requiring authority shall keep the site free of all wilding pines and woody weeds.*
- 2.2. The design of a future reservoir facility, in accordance with the above conditions, would be enabled via an Outline Plan of Works process. As will be expanded upon, the proposed conditions have been formulated to replicate an outcome that was provided for by previous resource consents that have now lapsed.

3. Methodology

The methodology for this assessment has been guided by:

- The Te Tangi A Te Manu, Aotearoa New Zealand Landscape Assessment Guidelines (TTatM)¹.

¹ Te Tangi A Te Manu, Aotearoa New Zealand Landscape Assessment Guidelines, April 2021, New Zealand Institute of Landscape Architecture (TTatM).

- The landscape-related provisions of the District Plan.
- 3.1. When describing effects, we will use the hierarchy of adjectives given in the top row of the table below. The bottom row shows how the adjectives that we use can be related to specific wording within the RMA².

			SIGNIFICANT			
LESS THAN MINOR	MINOR	MORE THAN MINOR				
VERY LOW	LOW	LOW-MOD	MODERATE	MOD-HIGH	HIGH	VERY HIGH

4. Guidance from the District Plan

- 4.1. Section 2.3.1 of the District Plan gives overall guidance regarding landscape issues within the district. Section 2.3.1 sets out that the rural landscapes of the district are divided into the categories of Outstanding Natural Landscapes (**ONL**), Outstanding Natural Features (**ONF**), Significant Amenity Landscapes (**SAL**) and Other Rural Landscapes (**ORL**). The lower (eastern) half of the site is within a broad area of ORL, while the upper (western) half, within which a reservoir would sit, is within the ONF of the Sugarloaf escarpment. Regardless of landscape category, threats to Central Otago’s unique and distinctive landscape are identified as a significant issue by Section 2.3.1 of the District Plan, with commentary as follows:

The Central Otago District contains many unique and distinctive landscapes. While those landscapes are constantly evolving through natural processes, farming and other land use activities the semi-arid, rocky nature of the landscape means it can be vulnerable to visual effects of new structures (including telecommunication masts, wind farms, transmission line pylons, and other large structures), cultivation of tussock grasslands, large scale earthworks, new roads, residential built development on elevated land, establishing woodlots, production forestry or shelter belts on elevated land and wilding tree spread. Subdivision is often the precursor of land use activities such as those listed above. The District’s built heritage, particularly in the form of cottages and ruins, and remnants of the early goldmining era, has also made a significant contribution to the landscape values of Central Otago.

² TTatM, paragraphs 6.21 and 6.36 to 6.40.

- 4.2. While the proposal is to create a designation that provides for activities in a way that is separate to the provisions of the Rural Resource Area, the Objectives and Policies of the Rural Resource Area give guidance regarding what is anticipated within rural landscapes. The most relevant to guidance comes from the following:

4.3.2 Objective – Outstanding Natural Landscapes and Outstanding Natural Features, and Land in the Upper Manorburn/Lake Onslow Landscape Management Area

To protect the Districts outstanding natural landscapes and outstanding natural features, and land in the Upper Manorburn/Lake Onslow Landscape Management Area (including landforms) from the adverse effects of inappropriate subdivision, use and development.

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.*

4.4.1 Policy - Outstanding Natural Landscapes and Outstanding Natural Features and Land in the Upper Manorburn/Lake Onslow Landscape Management Area

To recognise the District's outstanding natural landscapes and outstanding natural features and land in the Upper Manorburn/Lake Onslow Landscape Management Area which:

- (a) Are unique to the district, region or New Zealand; or*
- (b) Are representative of a particular landform or land cover occurring in the Central Otago District or of the collective characteristics and features which give the District it's particular character; or*
- (c) Represent areas of cultural or historic significance in the district, region or New Zealand; or*
- (d) Contain visually or scientifically outstanding geological features; or*
- (e) Have characteristics of cultural, historical and spiritual value that are significant to Kai Tahu ki Otago; or*
- (f) Have high natural character values and high landscape quality that can be distinguished from the general landscapes of the Central Otago District*

and provide protection for them from inappropriate subdivision, use and development.

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.

5. The existing landscape context

- 5.1. A district-wide landscape assessment undertaken in 2005/2006 by LA4 Landscape Architects (the District-Wide Landscape Assessment) informed plan changes that are now incorporated into the District Plan, including the identification and mapping of ONFs such as the Sugarloaf escarpment. Of this feature, the District-Wide Landscape Assessment stated:

In the Lowburn area the Sugar Loaf is the most distinctive and well known feature. It stands out clearly in the view from State Highway 8 and from the bridge across to Cromwell and from the State Highways 6 and 8 on the way to Tarras and Luggate³.

- 5.2. The strong horizontal lines, legibility of landform and relatively uniform vegetation cover of the Sugarloaf escarpment make it particularly distinctive.
- 5.3. The site itself is at the northern end of the Sugarloaf escarpment and sits within an incised gully that has been the location of past gold sluicing. This gully is relatively vegetated in self-seeded exotic weed species, particularly briar rose and pine. A roughly formed vehicle track accesses the site from Clark Road.
- 5.4. The site was created by subdivision resource consent RC080351 in 2008 and an associated resource consent RC090194 enabled the construction and use of a water supply reservoir on the site. RC090194 was granted by an Independent Hearings Commissioner, was appealed to the Environment Court, and was settled and granted by Consent Order. RC090194 lapsed in

³ Central Otago District Rural Review Landscape Assessment Report and Recommendations, July 2008, page 28.

2019. Appendix 2 to this report is a plan showing the consented (but lapsed) RC090194 outcome. The currently proposed NOR conditions (as set out in paragraph 2.1 above) have been informed by that consent and will ensure a similar outcome but have also been revised and updated. They do not lock in a specific design but in practical terms, it is envisaged that an outcome similar to that shown on the Appendix 2 plan will be required in order to meet the currently-proposed conditions.

- 5.5. The landscape values of the Sugarloaf escarpment stem from its physical landform and its distinctive aesthetics. With reference to the photographs of Appendix 4 to this report, the gully within which the site is situated reads as an unusual element within this ONF, due to its incised form and vegetated nature, making its distinct from the feature as a whole.

6. Visual Catchment and Viewing Audiences

- 6.1. As set out in paragraph 2.1 above, the activities that will be provided for by the proposed designation are defined by the proposed conditions. In the future, a water reservoir and supply system will be able to be designed and approved via an outline plan process. Therefore, the details of a reservoir are not known at this time, however, a facility that accords with the relevant conditions can be envisaged and assessed.
- 6.2. The locations from which the site and a future facility may potentially be seen include the photograph locations that are shown on the Appendix 3 plan. Observers that may potentially be able to view a reservoir facility can be categorised as:
- Users of Clark Road;
 - Users of SH6;
 - Occupants and users of the Pisa Moorings area as represented by the photograph location points shown on Appendix 3;
 - Users of part of the surface of Lake Dunstan;
 - Users of SH8 and occupants of rural properties in the vicinity of Devils Creek and John Bull Creek.

7. Effects on views and visual amenity

7.1. Visual effects are:

"effects on landscape values as experienced in views. ... A proposal that is in keeping with the landscape values, for example, may have no adverse visual effects even if the proposal is a notable change to the view. Conversely, a proposal that is completely out of place with landscape values may have adverse effects even if only occupying a portion of the view"⁴.

Users of State Highway 6

7.2. SH6 is the main road that connects Cromwell to Luggate and Wanaka. North of Cromwell, SH6 runs along the western edge of Lake Dunstan before departing from the lake edge north of Five Mile Creek. Pisa Moorings and Parkburn residential areas sit opposite the site on the eastern side of SH6 and act as satellite suburbs of Cromwell.

7.3. The viewpoints of Photographs H and I of Appendix 4 represent the northernmost and southernmost points from which there will be any visibility to the activity that is proposed to be enabled. The stretch of SH6 between these two points is approximately 800m in length.

7.4. Photograph H is the view when travelling south. Conditions of the NOR require:

- visually recessive colouring of future reservoir structures,
- earthworks to create a hollow in the gully in order to accommodate the structures,
- a landscape treatment that establishes ecologically appropriate mixed native vegetation, and
- that earthworks and vegetation together (including planting growth over time) ensures the reservoir structures are reasonably difficult to see from Clark Road and State Highway 6.

7.5. With reference to Photograph H as an example of highway views, the southwestern corner of the site is at an elevation of RL254.35. The maximum elevation that the top of a reservoir structure can be is 245.7. Looking at the Appendix 1 plan, the requirements of the conditions will mean that a reservoir is sited in the gully such that approximately the southern third of the

⁴ TTatM, paragraphs 6.25 and 6.27.

square western part of the site is unbuilt and unmodified. Therefore in views such as Photograph H, any part of a reservoir structure will be considerably lower than, and to the right of, the labelled southwestern corner of the site. The patchy exotic vegetation within the gully will be replaced by more comprehensive and consistent sweeps of native vegetation. Again, the outcome will be akin to that which is shown on the Appendix 2 plan.

- 7.6. The earthworks and construction stage of works will undoubtedly create a visual disturbance that will be noticeable for highway users, with disturbed ground, machinery and construction activity being visually evident. Once completed and juvenile planting is in place, reservoir structures will be noticeable, particularly for southbound highway users experiencing views such as Photograph H. This will be a detraction from the simplicity and coherence of the Sugarloaf escarpment landform, but the detraction will be lessened by the fact that the activity is located in an incised and vegetated gully, thereby reducing the disruption to the line and form of the escarpment. Once vegetation gains some maturity and plants reach heights in the order of 4 to 5m (perhaps after 6 to 8 years), the reservoir structures themselves will be difficult to see and the site will appear as an instance of vegetation.
- 7.7. Consequently, we consider that the visual detraction will amount to adverse effects on the visual amenity of a user of the relevant stretch of highway to a low-moderate degree during the construction stage (mostly for southbound travellers). This effect will incrementally reduce as work is completed and planting established and grows. After 6 to 8 years, the effect will practically be remedied, or at most will be of a very low degree.

Users of Clark Road

- 7.8. Clark Road is a gravel formation that serves a handful of rural properties up Hatters Gully. The public part of Clark Road extends 950m from the highway and does not connect to any other public roads or land.
- 7.9. As can be seen in Photographs A to D, the easternmost 200m of Clark Road gain views that are similar to Photograph H (from SH6), but at closer distances. From the first 200m of Clark Road, views to the site are at distances of 200 to 300m to the location of a future reservoir. Photograph D is taken from the location that allows most visibility.

- 7.10. Much of the commentary above relating to SH6 also is relevant to Clark Road views, albeit that Clark Road is much less used. The conditions of the NOR summarised in Paragraph 7.4 and the elevations discussed in paragraph 7.5 are again relevant. In order to meet the conditions of the NOR, future design will need to use earthworks native vegetation planting carefully in order to considerably screen reservoir structures in views such as Photograph D. We consider that during the construction stage and the following period, visual detracting from the values of the landscape will amount to adverse effects to a moderate degree. Again, this will incrementally reduce such that after 6 to 8 years, the effect will practically be remedied or will be of a very low degree at most.

Occupants and users of Pisa Moorings

- 7.11. Photographs E to G are taken from viewpoints within the Pisa Moorings residential area that allow good visibility to the site. Within this suburban area, views towards the site are often blocked by foreground elements such as buildings, trees, etc. It is again relevant that the southwestern corner of the site (shown in Photographs E to G) is significantly higher in elevation than a reservoir structure will be. Views are at distances of 400m and more.
- 7.12. Observers in a residential setting are generally more sensitive to visual effects than road users, since they may return to a particular view throughout the day. Residents in the western part of Pisa Moorings (the area of Photographs E to G) gain limited views to Lake Dunstan, hence the Pisa Range and the Sugarloaf escarpment are more important elements. With reference to Photograph E for example, the gully within which the site sits currently visually reads as an interruption to the simple form of the Sugarloaf escarpment and is populated by relatively unkempt exotic self-seeded vegetation.
- 7.13. A future design that accords with the NOR conditions will place dark-coloured reservoir structures low in the gully with surrounding earth bunding and mixed native vegetation. In time, we consider that a facility enabled by the NOR will be visually well absorbed into the gully. A reservoir structure itself will be well hidden. Earth mounding will be difficult to recognise since it will be covered in vegetation that is itself part of a mixed native sweep following the natural form of the gully, and which will visually tie in with existing exotic vegetation that meanders further up the gully towards the flat-topped terrace.

- 7.14. We consider that initially, visual detracting from the values of the landscape will amount to adverse effects to a moderate degree, and this will incrementally reduce such that after 6 to 8 years, the effect will be of a low degree at most.

Users of Lake Dunstan

- 7.15. Lake Dunstan is well used recreationally over summer months. Cromwell, Lowburn and Pisa Moorings are boat launching locations. With reference to Appendix 3, a broad area of the surface of Lake Dunstan, approximately between John Bull Creek to the south and Raupo Creek to the north, allows a line-of-sight to the subject site. Distances range between 1km (close to Pisa Moorings) and 4km (close to Raupo Creek). Viewpoints on the lake surface are further from the site than those that have been discussed thus far and hence they allow very broad 360° views to the surrounding landscape. The vast, dramatic mountain ranges of the Dunstons and the Pisa/Criffel are taken in. The Sugarloaf escarpment can be seen as a whole and hence is clearly legible as a foreground element to the Pisa Range.
- 7.16. Photograph J from Devil's Creek Reserve gives an impression of views from the lake surface. The visual experience of a user of the lake surface is very expansive. The subject site forms only a very small part.
- 7.17. Viewers on closer parts of the lake surface that are familiar with the locality may notice a visual change, particularly during and shortly after the construction stage of works. Observers that are further out on the lake (perhaps 2km and more from the site) are unlikely to notice visual evidence of activity enabled by the proposed NOR. Once earthworks are reinstated and vegetation becomes established, the reservoir and associated changes to the site will be difficult to notice, the main change being a new area of vegetation following the gully.
- 7.18. We consider that the activities that are proposed to be enabled will have minimal effect on the visual amenity that is experienced by lake users. Depending upon an observer's location, adverse effects of up to a low degree may be experienced initially, but once work is complete and vegetation established, adverse effects will be remedied.

Users of SH8 and occupants on the eastern side of Lake Dunstan

- 7.19. The area on the eastern side of Lake Dunstan that lies between John Bull Creek and Raupo Creek allows a line-of-sight to the subject site. The Devil's Creek area (Photograph J) allows the shortest and most direct views, albeit they are from at least 1.8km.
- 7.20. There are some rural dwellings on the foothills in the vicinity of Devil's Creek. Viewers in these locations will gain stationary views, different to those of users of SH8 or the lake surface. Notwithstanding that, distances are long and the site forms a very small part of an expansive landscape scene. We consider that any visual effects that are experienced will be of a very low degree in the short term and will ultimately be remedied.

8. Landscape Effects

- 8.1. *"A landscape effect is an outcome for a landscape value. ... While effects are consequences of changes to the physical environment, they are the outcomes for a landscape's values that are derived from each of its physical, associative, and perceptual dimensions.*

Change itself is not an effect: landscapes change constantly. It is the implications of change for a landscape's values that is the effect.

To assess effects it is therefore necessary to first identify the landscape's values—and the physical characteristics that embody those values. ...

Effects on landscape values are assessed against the existing environment and the relevant statutory provisions. Provisions often anticipate change and certain outcomes for landscape values."⁵

- 8.2. The existing landscape and its values are described in section 5 above. In summary, the Sugarloaf escarpment is a distinctive, widely recognised and valued landscape feature. In terms of geomorphology and its aesthetic contribution to the landscape. It is categorised as an ONF.
- 8.3. The subject site itself is a somewhat anomalous part of the Sugarloaf ONF, being an incised gully that has been the location of past gold sluicing and is relatively vegetated (unlike the rest of Sugarloaf) in self-seeded exotic weed species. Furthermore, the site is a 6,127m² title that was created for the purpose of accommodating a water storage reservoir. Such a reservoir was

⁵ TTatM, paragraphs 6.01 to 6.06.

previously consented via a resource consent application and Environment Court appeal process.

- 8.4. The physical changes that the proposal will bring are defined by the proposed conditions of the NOR. Most relevantly, the maximum height restriction will mean that a reservoir structure will be located low in the site, considerably excavated into topography. It will be of dark, visually recessive colours, and earthworks and vegetation will be used to incorporate the reservoir into the site such that it will be reasonably difficult to see from Clark Road and State Highway 6. During construction, the project will create disturbance and exposed ground. Once complete and established, finished earthworks will integrate a reservoir structure into its setting and indigenous vegetation will incrementally mature, providing visual screening but also improved natural character.
- 8.5. Water supply reservoirs are not uncommon elements in rural landscapes and are generally located in elevated locations. Notwithstanding that, the relevant provisions direct that the values of ONFs are to be protected.
- 8.6. The manner in which the landscape effects of the proposed operation are experienced visually is discussed above in section 7 of this report. As has been set out, the particular location of the proposal (within an incised gully on a lot created for the purpose of a reservoir), and the particular nature of the proposal (restrictions on size and the inclusion of screening and vegetative enhancement) mean that visibility of structures will be limited. The same factors assist in mitigating potential effects on landscape character and values. The Sugarloaf ONF is valued due to its legible, interesting geomorphology, its aesthetic simplicity and visual coherence, and its memorability. Confining new elements to the particular gully and requiring strong native vegetation within that gully, will preserve the valued characteristics of the Sugarloaf, while including the designation and its activities.
- 8.7. Because of the various factors that have been discussed, we consider that the adverse effects of the proposal on the values of the landscape will be of a low degree at most.

11 Conclusions

- 11.1 The designation that is sought by the NOR will enable a reservoir facility that is regulated and defined by the proposed conditions. Most relevantly, conditions will restrict the elevation and maximum height of a reservoir structure, ensure visually recessive colouring, and will require earthworks and native planting to integrate a reservoir into the site such that it becomes well hidden.
- 11.2 The Sugarloaf escarpment is a distinctive, memorable and important ONF. Its visual simplicity and easily recognisable horizontal form are key values. The subject site is a 6,127m² allotment created for the purpose of a reservoir, that sits in an incised gully that is vegetated with self-seeded exotic vegetation.
- 11.3 In relation to visual effects, views to the site are available from various location to its east. During and shortly after construction work, the site will be seen as an area of disturbance and activity. Once completed and vegetation becomes established, the prominence of the enabled facility will decrease. In the short term, we consider that adverse visual effects will range up to being of a moderate degree (from the closet viewpoints). These effects will reduce, such that after approximately 6 to 8 years, these effects will be of a low degree at most, and in many cases will be entirely remedied.
- 11.4 In relation to landscape effects overall, the details of the activity (most relevantly the previously mentioned proposed conditions), and the details of the site (being in a vegetated gully that is an exception to the geomorphological and visual simplicity of the Sugarloaf escarpment), we consider that adverse landscape effects will be of a low degree at most.
- 11.5 The attributes and values that contribute to the Sugarloaf being an ONF will be protected.

vivian+espie

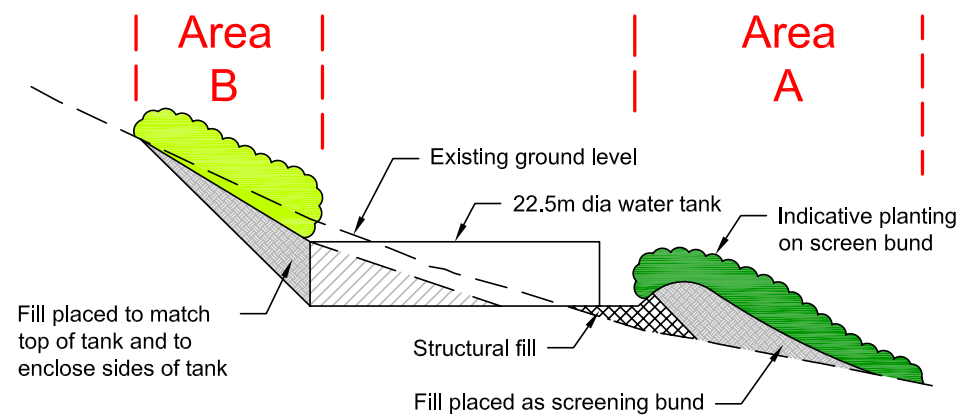
Ben Espie

9th January 2025.

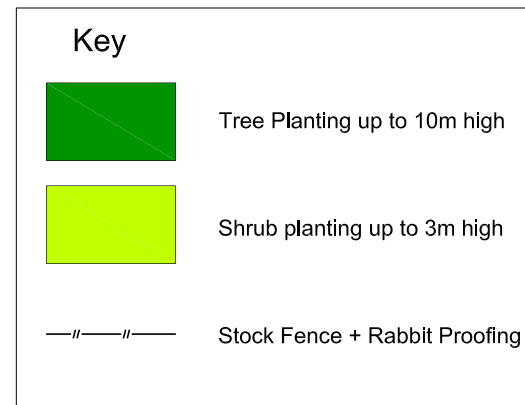


SITE SURVEY
LOT 8 DP 433991
CLARK ROAD, CROMWELL

Date:	06 Feb 2025
Scale:	1:1250 @ A3
Drawn by:	JS
Client:	CODC
Job No:	3336_10



Indicative Cross section A-A'
Scale 1:500



Indicative Species List

- Tree Planting
- Griselinia littoralis
 - Kunzea ericoides
 - Leptospermum scoparium
 - Olearia odorata
 - Olearia virgata
 - Nothofagus sp
 - Podocarpus totara
- Shrub Planting
- Coprosma sp
 - Phormium cookianum
 - Discaria toumatou
 - Carmichaelia petriei
- Broadleaf
 - Kānuka
 - Manuka
 - NZ Tree daisy
 - NZ Tree daisy
 - NZ Beech
 - Totara
 - Mountain flax
 - Matagouri
 - Native broom



Proposed View from S.H 6

Image shows expected growth of proposed planting after 5-10 years

Notes:

1. Planting must be undertaken in Autumn
2. Soil preparation must be to a high quality
3. Maintenance is critical to survival of plants
4. Recommended maintenance period to include 2 dry seasons
5. Irrigation and mulching necessary for establishment

Areas A and B will be progressed as outlined in Condition 5, RC 090194



CODC - PISA MOORINGS WATER RESERVOIR DESIGNATION - LANDSCAPE AND VISUAL EFFECTS ASSESSMENT - APPENDIX 2: PLAN CONSENTED BY ENVIRONMENT COURT CONSENT ORDER (RC090194).



CODC – PISA MOORINGS WATER RESERVOIR DESIGNATION - LANDSCAPE AND VISUAL EFFECTS ASSESSMENT - APPENDIX 3: CONTEXT AND VIEWPOINT MAP.
Yellow letters A to J indicate photograph locations. Photographs can be seen in Appendix 4.



Photograph A: From the westernmost corner of the subject site (RL252.79).



Photograph B: From the southwestern corner of the subject site (RL254.35)

CODC – PISA MOORINGS WATER RESERVOIR DESIGNATION - LANDSCAPE AND VISUAL EFFECTS ASSESSMENT - APPENDIX 4: PHOTOGRAPHS
All photographs were taken on 04 December 2025 with a fixed focal length of 50mm.



Photograph C: From a central location within the subject site (RL240).



Photograph D: From Clarke Road

CODC – PISA MOORINGS WATER RESERVOIR DESIGNATION - LANDSCAPE AND VISUAL EFFECTS ASSESSMENT - APPENDIX 4: PHOTOGRAPHS
All photographs were taken on 04 December 2025 with a fixed focal length of 50mm.



Photograph E: From Foster Place.



Photograph F: From Stratford Drive (single frame).

CODC – PISA MOORINGS WATER RESERVOIR DESIGNATION - LANDSCAPE AND VISUAL EFFECTS ASSESSMENT - APPENDIX 4: PHOTOGRAPHS
All photographs were taken on 04 December 2025 with a fixed focal length of 50mm.



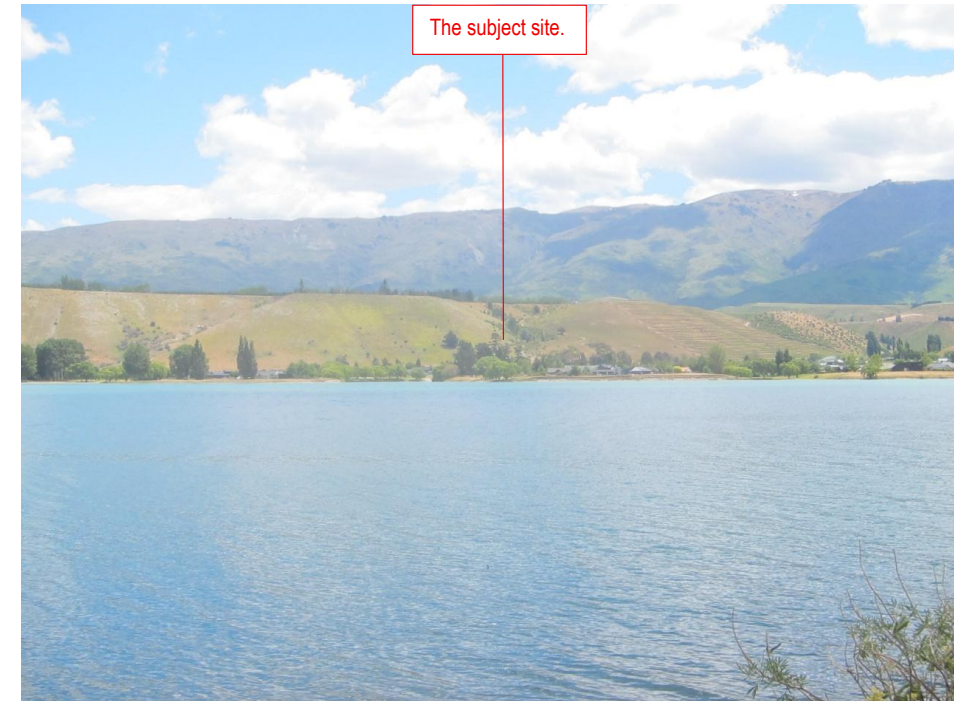
Photograph G: From the eastern end of Wakefield Terrace. (single frame).



Photograph H: From SH6, adjacent to the shed at number 765. (single frame).



Photograph I: From SH6, adjacent to 32 Perriam Place. (single frame).



Photograph J: From Devil's Creek Reserve. (single frame).

CODC – PISA MOORINGS WATER RESERVOIR DESIGNATION - LANDSCAPE AND VISUAL EFFECTS ASSESSMENT - APPENDIX 4: PHOTOGRAPHS
 All photographs were taken on 04 December 2025 with a fixed focal length of 50mm.

BEFORE THE ENVIRONMENT COURT

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an appeal under section 120 of the Act

BETWEEN R S PERRIAM

(ENV-2010-CHC-189)

Appellant

AND

CENTRAL OTAGO DISTRICT COUNCIL

Respondent

AND

CENTRAL OTAGO DISTRICT COUNCIL

Applicant

Environment Judge J R Jackson sitting alone pursuant to section 279 of the Act

In Chambers at Christchurch

CONSENT ORDER

[A] Under section 279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that:

- (1) the appeal is allowed subject to the amended conditions marked Schedule 1 and the plans marked Appendix A-D, which are attached to and form part of this order;
- (2) the appeal is otherwise dismissed.



[B] Under section 285 of the Resource Management Act 1991, there is no order as to costs.

REASONS**Introduction**

[1] On 20 July 2010 Mr R S Perriam lodged an appeal against a decision of an Independent Commissioner granting consent to the Central Otago District Council to construct a water supply reservoir on the lower slopes of the Sugarloaf Terrace Riser approximately 250 metres west of the intersection of State Highway 6 and Clark Road, Pisa Moorings, Lowburn¹.

[2] The court has now read and considered the consent memorandum of the parties received on 17 June 2011 which proposes to resolve the appeal.

Other relevant matters

[3] Pisa Moorings Utilities Society Incorporated had given notice of an intention to become a party under section 274 of the Resource Management Act 1991 (“the RMA” or “the Act”) but withdrew from the proceeding at the mediation on 20 October 2010.

Orders

[4] The court is making this order under section 279(1)(b) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to section 297. The court understands for present purposes that:

- (a) all parties to the proceedings have executed the memorandum requesting this order;
- (b) all parties are satisfied that all matters proposed for the court’s endorsement fall within the court’s jurisdiction, and conform to the relevant requirements and objectives of the Act including, in particular, Part 2.

DATED at Christchurch 8 July 2011



JR Jackson
Environment Judge

Issued: 2010-chc-189 perriam consent



¹ Application site legally described as Lot 207 Deposited Plan 404040, held within Computer Freehold Register 417251.

Schedule 1

CONDITIONS OF CONSENT – RC 090194

1. The reservoir shall be constructed in accordance with the following Opus International Plans:
 - (a) "Central Otago District Council, Proposed Pisa Reservoir, Cromwell – Plan, dated 21/7/09; and
 - (b) "Central Otago District Council, Proposed Pisa Reservoir, Cromwell – Cross Sections A-A and B-B, dated 21/7/09.

Plans referred to in (a) and (b) are attached at Appendix A and B to these conditions
2. The reservoir tanks shall be painted with Resene Multi-finish "bullwhip" Y57066074 or "Muesli" BR63 059 079, or similar colour with a reflectivity value of less than 32%. The surface of the reservoir tanks shall be maintained so as to ensure reflectivity value of 32% or less is achieved on a continuing basis.
3. The reservoir tanks shall have a maximum height of 5.5 metres above the platform base material.
4. All earthworks shall be designed and supervised by a suitably qualified professional engineer.
5. Earthworks and site preparation shall be carried out initially to allow landscape mitigation planting to become established as follows:
 - (a) The Area marked as Area A on the *Opus Pisa Reservoir Final Concept Plan* dated May 2011 shall be constructed and planted in accordance with that plan not less than 3 years prior to installation of the reservoir tank.
 - (b) The area marked Area B on the *Opus Pisa Reservoir Final Concept Plan* dated May 2011 shall be constructed and planted in accordance with that plan within one year following the installation of the reservoir tank.

The *Opus Pisa Reservoir Final Concept Plan* is attached at Appendix C to these conditions
6. All landscape mitigation planting shall be actively maintained, including but not limited to establishment of a temporary rabbit proof fence and irrigation until such time as the plantings achieve a height of no less than 5 metres above ground level. The consent holder shall within 12 months of the date of commencement of this consent:
 - (a) Install a trickle irrigation system to make irrigation water available to the root system of the blue gum trees at the corner of State Highway 6 and Pisa Moorings Road; and
 - (b) For so long as the registered proprietor of the land shall agree, install and adequately irrigate a strip of planting on that portion of Clarke Road Limited's property as shown in the *Opus Pisa Reservoir Final Boundary Planting Plan* dated May 2011 attached at Appendix D to this resource consent.



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- 2 -

7. Access to the reservoir shall be obtained from the existing track from Clark Road. No significant upgrades shall be undertaken to provide access to the reservoir during and subsequent to construction.
8. Any new earthworks required to gain access from the existing track to the reservoir site shall be kept to the minimum required. All exposed cut and fill shall be reinstated and re-vegetated with hard tussock (except where already provided for in the landscape mitigation plan) the establishment of which will involve temporary rabbit fencing and irrigation of no less than the first two growing seasons.
9. All ancillary pipework and valving shall be located under ground.
10. Dust suppression methods shall be used during construction works at the site.
11. Construction noise is to comply with NZS 6803:1999 Acoustics – Construction Noise.
12. The consent holder shall keep the reservoir site free of all wilding pines and woody weeds.
13. Prior to the design and construction of the reservoir, the consent holder shall nominate an appropriately qualified archaeologist, such person being acceptable to the Chief Executive and to the Area Manager (Otago/Southland) of the New Zealand Historic Places Trust (NZHPT). For the avoidance of doubt the nominated and accepted person is referred to as "the archaeologist" in this conditions of consent.
14. A durable water resistant stormwater drainage system be designed and installed through or around the access and reservoir platform to preserve the tailing, sluice channel and remnant alluvial gully face from future stormwater erosion due to the location of the reservoir in the base of a gully. The design shall be subject to the approval of the archaeologist prior to installation.
15. Plans and methodology for access, operation of plant and placement of materials at the construction site shall be prepared and submitted to the archaeologist for approval prior to any physical site work occurring.
16. The archaeologist shall monitor:
 - (a) Compliance with the plans submitted with the application; and
 - (b) On-site pegging necessary to facilitate construction and protection of archaeological sites; and
 - (c) Excavation, compaction and site reinstatement activities.
17. On site monitoring by the archaeologist shall occur during reservoir base excavation and during any compaction/vibration activities associates with the site preparation and installation (construction) of the reservoir to monitor the stability of the dwelling chimney, riveted schist shone channel walling and north facing sheer cliff faces of the remnant alluvial gully faces between the reservoir platform and the main sluice gully to the north. Any damage observed during such monitoring shall be reinstated subject to any archaeological authority granted by the NZHPT.
18. On site heritage interpretation shall be installed and maintained to assist visitors and adjacent communities to understand and appreciate the heritage and archaeological significance of the site. Such on-site heritage interpretation is to be located on the



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- 3 -

land that is subject to a right (in gross) to a pedestrian and cycleway access being on the area marked N and X on DP404040.

19. If koiwi (human skeletal remains) waahi taoka (resources of importance) or artefact material (whether of tangata whenua, Chinese or European Origin) are discovered at the construction site, work will immediately cease and Kai Tahu and the New Zealand Archaeological Association shall be advised. In the event of such a discovery relevant to Tangata Whenua the consent holder shall arrange for a site inspection by the appropriate Tangata Whenua and their advisors who will determine whether the discovery is likely to be extensive and whether a thorough site investigation is required. Material discovered will be handled by the iwi responsible for the tikanga appropriate to their removal or preservation.
20. The consent holder shall ensure that construction worker and plant operators are briefed with respect to accidental discovery protocol provided for in condition 19 of this consent.
21. Prior to the commencement of the works authorised by this consent the consent holder shall lodge with the Chief Executive a copy of a heritage covenant pursuant to the Historic Places Act 1993, such heritage covenant being executed by Clark Road Limited or its successor in title being the current owner of the land within Computer Freehold Register 417251. The heritage covenant shall provide for the protection, conservation and on-going management of archaeological site number G41/260 as set out in "deed of Agreement in Respect of Sugarloaf Reservoir" dated 30 April 2010; and the heritage covenant us to record the commitment of the Central Otago District Council for management of the archaeological site and on-going protection and preservation.
22. Prior to the commencement of the works authorised by this consent the consent holder shall lodge with the Chief Executive written evidence that the heritage covenant referred to in condition 21 has been registered in computer freehold register for Lot 2 RC080351 or on Computer Freehold Register 417251 if RC080351 has not been exercised.
23. Pursuant to section 125 of the Resource Management Act 1991 this land use consent shall lapse 8 years after the date of commencement of this consent.
24. 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.
25. 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.
26. Upon completion of the construction of the reservoir and batter reinstatement and re-vegetation the consent holder shall advise the Chief Executive in writing (quoting RC090194) that all conditions of this consent have been adhered to.



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- 4 -

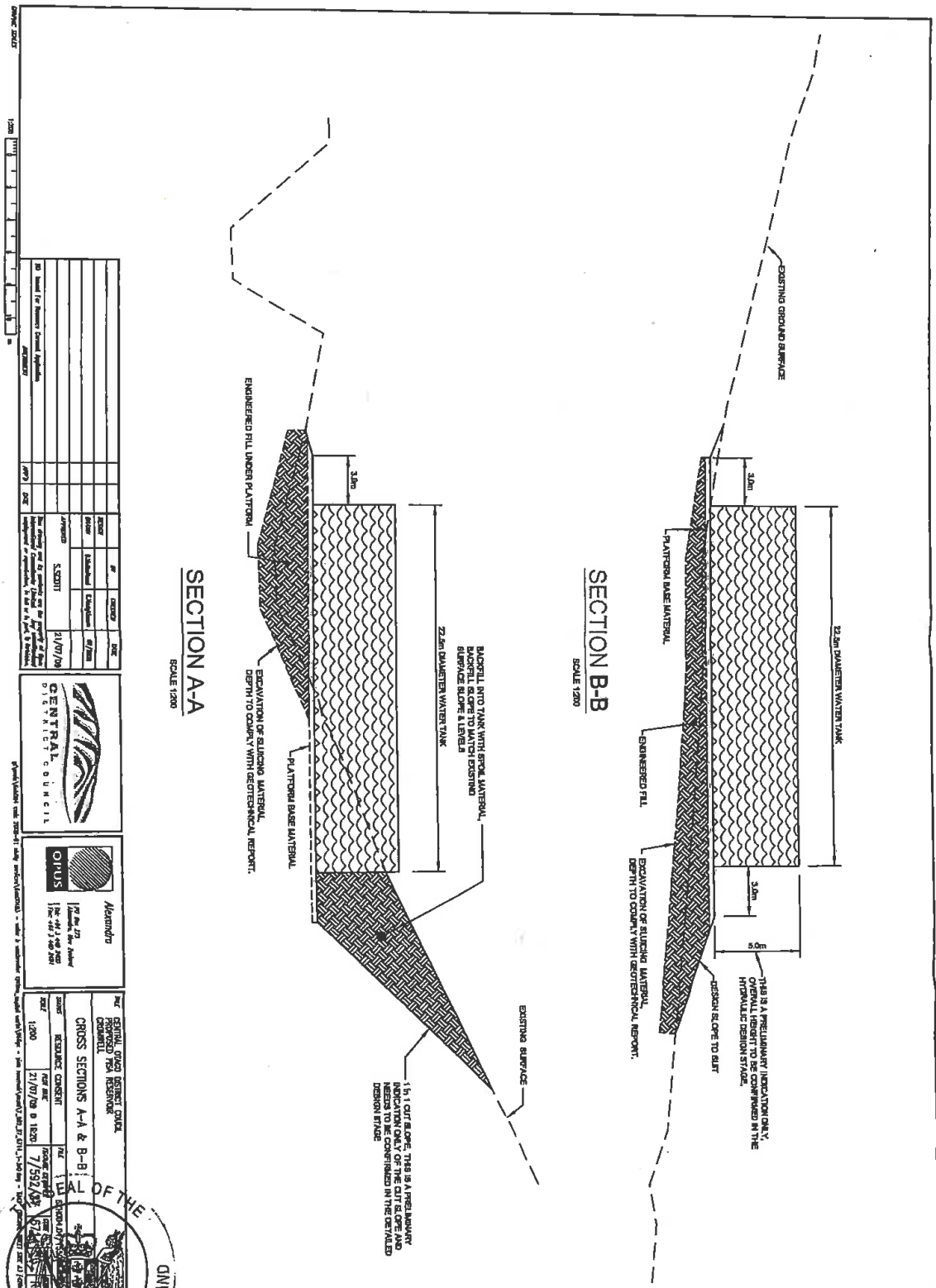
Notes:

1. *The attention of the consent holder is drawn to the provisions of sections 9-21 of the Historic Places Act 1993 that requires an archaeological authority to be obtained prior to modifying or destroying any archaeological site.*
2. *The "deed of agreement in respect of sugarloaf reservoir" dated 30 April 2010 has been entered into between the NZHPT, Clarke Road Limited and the CODC. A copy of this Deed is held on the Council's file for RC090194.*
3. *Should an application be made to vary or extend the term of this consent, then for so long as Mr Bob Perriam resides at 1 Perriam Place, he shall be notified of any such application.*



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APPENDIX B



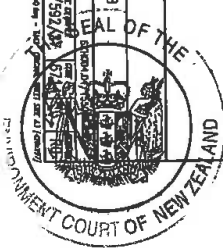
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5	REVISED PER COMMENTS	21/07/20
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7	REVISED PER COMMENTS	21/07/20
8	REVISED PER COMMENTS	21/07/20
9	REVISED PER COMMENTS	21/07/20
10	REVISED PER COMMENTS	21/07/20

CLIENT
CENTRAL COUNCIL

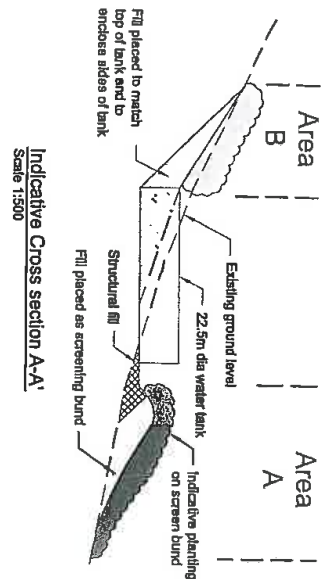
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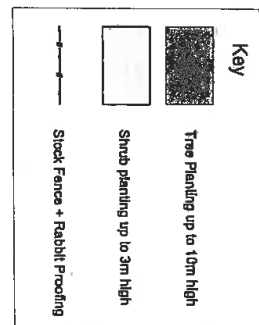
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2	REVISED PER COMMENTS	21/07/20
3	REVISED PER COMMENTS	21/07/20
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8	REVISED PER COMMENTS	21/07/20
9	REVISED PER COMMENTS	21/07/20
10	REVISED PER COMMENTS	21/07/20



APPENDIX C



Indicative Cross section A-A'
Scale 1:500



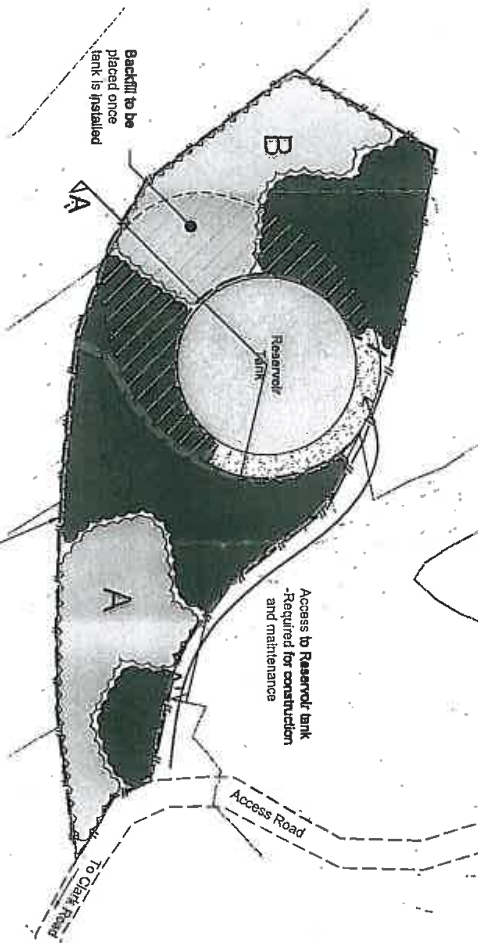
- Indicative Species List**
- Tree Planting**
- *Grazzilia filicoides*
 - *Kunzea ericoides*
 - *Lepidospermum scoparium*
 - *Olearia odora*
 - *Olearia virgata*
 - *Nobolagus* sp
 - *Podocarpus totara*
- Shrub Planting**
- *Coprosma* sp
 - *Phormium cookianum*
 - *Dicentra lauraudi*
 - *Carmichaelia patrifolia*
- Other Species**
- Broadleaf
 - Kanuka
 - Manuka
 - NZ Tree daisy
 - NZ Tree daisy
 - NZ Beach
 - Tolara
 - Mountain flax
 - Matigouri
 - Native broom



Proposed View from S.H 6

Image shows expected growth of proposed planting after 5-10 Years

- Notes:**
1. Planting must be undertaken in Autumn
 2. Soil preparation must be to a high quality
 3. Maintenance is critical to survival of plants
 4. Replenished maintenance period to include 2 dry seasons
 5. Irrigation and mulching necessary for establishment
- Area A and B will be progressed as outlined in Condition 5, RC 080194



OPUS PISO Reservoir LANDSCAPE

Final Concept Plan

FILE: 07/06/14 - TRAFFIC SIGNAGE - 7/24/2014 DATE: 14/04/2011 SCALE: 1:500 Q33 1:500 @ A1 STATE: Final PRINTED: 0



APPENDIX D

- Notes:
1. The scope of work for this plan includes herbicide spraying, ripping, cultivation, planting, laying mulch mat and watering. Plant establishment is for 12 months from the time of practical completion.
 2. All planting and preparation is to comply with Christchurch City Council Construction Specification Standard (CCC CSS) Part 7, Landscapes of work.
 3. Contractor is to verify the location of all services prior to commencement of work.
 4. Contractor is to use a contract herbicide on the area to be planted in accordance with the manufacturer's recommendations and Part 2.4.3 Pesticides and Herbicides (CCC CSS).
 5. All trees supplied shall be in accordance with Part 7.2.2 Supply and Collection (CCC CSS).
 6. If ripping is required depth is to be at least 300mm and then the area to be planted shall be cultivated to a depth of 300mm.
 7. Supply and install mulch mat to each tree planted, as per manufacturer's instructions.
 8. All trees to be well watered and prior to planting and evenly spaced throughout erect shown.
 9. Plant establishment period: Contractor to maintain all newly planted areas for 12 months in accordance with Part 7.14.0 Establishment (CCC CSS). It shall be the Contractor's responsibility to ensure that the plants receive sufficient water to maintain growth during this time.
 10. Contractor to verify all levels, slopes, dimensions and set out information prior to commencing work.

Pisa reservoir boundary planting

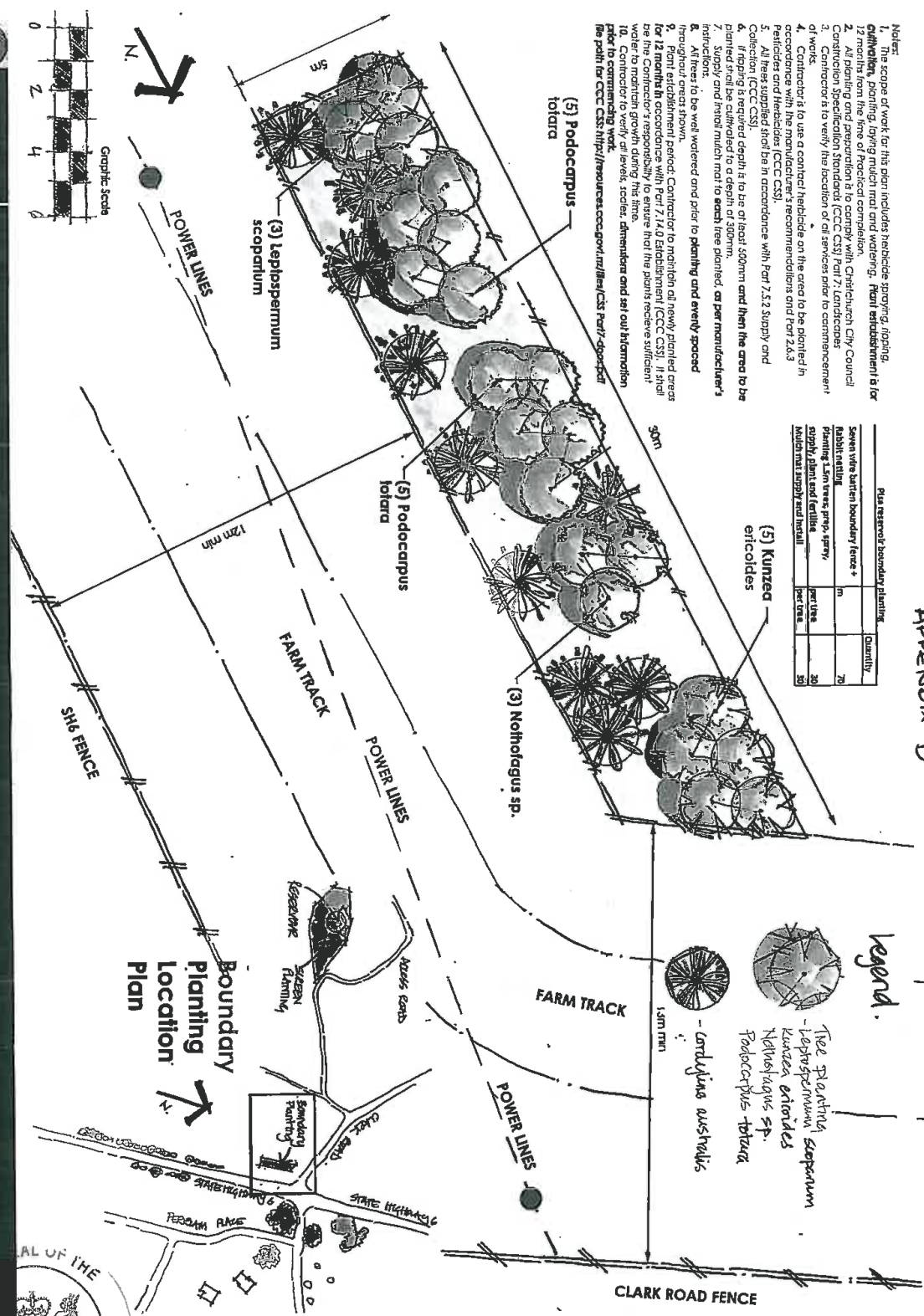
Species	Quantity
Seven wire barrier boundary fence + rabbit netting (forming 1.5m trees, grass, spray, supply plant and fertiles)	70
Mulch (1.5m trees)	20
Mulch (1.5m trees)	20

(5) Kunzea ericoides

Legend.

The planting
 - *Leptosperrum scoparium*
 - *Kunzea ericoides*
 - *Nothofagus sp.*
 - *Podocarpus totara*

1.5m min
 - *Candylia australis*



OPUS LANDSCAPE

Pisa Reservoir

Final Boundary Planting Plan

FILE: 04K00404 FEATURE IDENTIFIER: 7157216714 DATE: MAY 2011 SCALE: SEE GRAPHIC SCALE SHOWN



**DISTRIBUTION OF ENVIRONMENT COURT
DECISIONS, DIRECTIONS AND ORDERS**

TOPIC: Appeal against consent decision regarding land use consent to establish a water supply reservoir on the lower slope of the Sugarloaf terrace riser

Lodgement: ENV-2010-CHC-000189 Perriam v Central Otago District Council

Initiator	Perriam, Bob	Bob Perriam, RD3, Cromwell
Respondent	Central Otago District Council	Jayne Elizabeth MacDonald, Macalister Todd Phillips (Queenstown), P O Box 653, DX ZP95001, Queenstown
Applicant	Central Otago District Council	Bridget Irving, Gallaway Cook Allan, P O Box 143, DX YP80023, Dunedin
Applicant	Central Otago District Council	Phil Page, Gallaway Cook Allan, P O Box 143, DX YP80023, Dunedin
Interested Party S274	Pisa Moorings Utilities Society Incorporated	Graham Dick, Pisa Moorings Utilities Society Incorporated, C/- McIntyre Dick and Partners Limited, PO Box 848, Invercargill 9840

Copies to Initial parties on: 08 July 2011 By: Monique Eade

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area)
- [] Minister of Conservation,
Parliament Buildings, Wellington (if matter related to a restricted coastal activity)
- [] Lakes Environmental (QLDC non Plan Appeals only)
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View Instrument Details



Instrument No 8879193.15
Status Registered
Date & Time Lodged 04 October 2011 15:13
Lodged By Ecclestone, Rosalind Sarah
Instrument Type Covenant (All types except Land covenants)



Affected Computer Registers	Land District
528987	Otago

Annexure Schedule: Contains 17 Pages.

Signature

Signed by Andrew Bryce Jack as Grantor/Grantee Representative on 17/11/2011 02:13 PM

*** End of Report ***

HERITAGE COVENANT UNDER THE HISTORIC PLACES ACT 1993BETWEEN NEW ZEALAND HISTORIC PLACES TRUST ("NZHPT")AND CLARKE ROAD LIMITED ("the Owner")WHEREAS

- (i) The Owner is registered as proprietor of the land described in the First Schedule (hereinafter called 'the land') upon which the archaeological site, being pre-1900 gold workings (hereinafter called 'the site') is situated as shown on the plan attached in appendix
- (ii) The site is numbered G41/260 in the New Zealand Archaeological Association site record.
- (iii) NZHPT considers and is satisfied that the site should be protected, conserved and maintained as a historic place.
- (iv) NZHPT and the Owner have agreed to enter into a heritage covenant in respect of the site pursuant to the Historic Places Act 1993.
- (v) Central Otago District Council have agreed to manage the land and the obligations of all parties as is recorded in a Deed of Agreement dated 30 April 2010 and attached in appendix 1

NOW THEREFORE THIS DEED WITNESSES AND THE PARTIES AGREE WITH EACH OTHER AS FOLLOWS:

- 1 THE Owner agrees not to damage, modify or destroy or to give permission for the damage, modification or destruction of the site. The Owner also agrees not to undertake or give permission for any undertaking that in the opinion of NZHPT will be detrimental to the site, its preservation, or the appreciation or enjoyment of persons inspecting and viewing it.
- 2 CONSISTENT with clause 1, the Owner agrees to manage the site on the following basis:
- (a) that the site is an archaeological site in terms of section 2 of the Historic Places Act 1993 and consequently that the provisions of the Act and particularly section 10 of that Act apply, that is:
- "10. Archaeological sites not to be destroyed, damaged, or modified - (1) Except pursuant to an authority granted under section 14 of this Act, it shall not be lawful for any person to destroy, damage, or modify, or cause to be destroyed, damaged, or modified, the whole or any part of any archaeological site, knowing or having reasonable cause to suspect that it is an archaeological site.*
- (2) Except as provided in section 15 or in section 18 of this Act, it shall not be lawful for any person to carry out any archaeological investigation that may destroy, damage, or modify any archaeological site";* and
- (b) that the site shall not be used for any purpose other than as an area for the grazing of sheep without NZHPT's prior written consent; and

3

- (c) that stock ratios and pasture management practices will be directed towards the maintenance of vegetation cover and the minimising of soil erosion on the site; and
- (d) that none of the following activities may be undertaken upon the site:
 - (i) the creation of any internal farm road or track; and
 - (ii) the erection of any building or structure; and
 - (iii) the planting of any shelter belts, trees or hedges; and
 - (iv) the erection of any fencing; and
 - (v) the construction or laying of any ditches, drains, pipes or cables below the surface of the ground; and
 - (vi) the discing or ploughing of any part of the site; and
 - (vii) any activity that may result in the recontouring of any part of the site; and
 - (viii) any digging or excavation in any way below the surface of the ground on any part of the site; and
 - (ix) any filling in of any trench, pit or other depression in the surface of the ground; and

3 _____ THE Owner will graze the land to an extent consistent with the objectives of this Deed and will at his/her own expense maintain all fences or gates on the land or its boundary in a good stockproof condition in order to facilitate proper grazing control.

4 THE Owner will not allow any electricity or gas company, telecommunications company, mining company or other body or person to undertake any of the following activities on the site or its immediate environs unless NZHPT has first given its written consent to the proposed works:

- (a) the erection of any utility transmission line or facility or any variation in the alignment of the route of any such existing line or facility; and
- (b) the laying of any cable or pipeline in the ground; and
- (c) the carrying out of any prospecting, mining or quarrying for minerals, coal or other deposit on or under the land and involving activities to the same or greater extent as those defined as minimum impact activities under section 2 of the Crown Owned Minerals Act 1991.

5 THE Owner will not effect any subdivision within the meaning of the Resource Management Act 1991 of the land within the site and its immediate environs as defined in the plan attached in appendix 2 without the prior written consent of NZHPT, irrespective of whether or not such subdivision fully complies with relevant provisions of that Act. NZHPT shall have full discretion as to whether or not to grant the consent and may impose conditions when giving its consent that shall be adhered to by the Owner. NZHPT will take into account the following factors when considering whether to grant its consent and on what conditions:

- (a) the probable effect of the particular subdivision proposal and associated works on the site; and

5

- (b) the desirability or otherwise of the particular subdivision proposal as a means of assisting in the long-term conservation of the site; and
- (c) the extent to which the particular subdivision proposal is likely to facilitate the pastoral farming of the land in accordance with this Deed; and
- (d) any other factor that may appear relevant to NZHPT in the circumstances.

6 NZHPT may provide to the Owner and/or the Council from time to time, and at any time upon request by the Owner and/or the Council, such technical advice or assistance as may be necessary or desirable to assist in the long-term conservation of the site.

7 THE Owner will allow access to NZHPT, its servants and agents to inspect the site at reasonable times and upon reasonable notice for the purpose of ensuring compliance with the provisions of this agreement.

8 THE Owner when giving any third party the right of occupancy or possession of the land shall first ensure that the provisions of this heritage covenant will be complied with during the occupancy or possession by the third party.

9 THE Owner will notify NZHPT of any change of ownership or control of all or any part of the land, and will supply NZHPT with the name and address of the new owner or lessee.

10 THE Owner shall ensure that any sale or disposition of any of the land, prior to registration of this heritage covenant by the District Land Registrar, shall be expressly subject to the purchaser or transferee entering into a heritage covenant with NZHPT on the same terms and conditions.

6

Any charge over the land granted by the Owner shall be made expressly subject to the terms of this heritage covenant.

12.....FOR the avoidance of doubt:

- (a) the covenants contained in this Deed will bind the Owner and the Owner's heirs, executors, successors and assigns in perpetuity; and
- (b) the Owner will not be personally liable for damages for any breach of covenant committed after he/she has parted with all interest in the land in respect of which such a breach occurs; and
- (c) where there is more than one owner of the fee-simple title to the land, the covenants contained in this Deed will bind each owner jointly and severally; and
- (d) where the owner is a company the covenants contained in this Deed will bind a receiver, liquidator, statutory manager or statutory receiver. Where the owner is a natural person this Deed will bind the Official Assignee. In either case this Deed binds a mortgagee in possession; and
- (e) the reference to any Act in this Deed extends to and includes any amendment to, or re-enactment of that Act; and
- (f) any dispute which may arise between the Owner and NZHPT relating to the legal interpretation of this Deed may be resolved by referring the dispute to an arbitrator acceptable to both parties and appointed in accordance with the provisions of the Arbitration Act 1996, whose decision shall be final.

13 It is acknowledged that this Covenant is entered into pursuant to the provisions of Section 6 of the Historic Places Act 1993.

First Schedule

The land

That portion of the Owner's land shown on LT plan 433991 and marked 'Covenant Area' being area J, Area BB, Area BC, Area BF, Area BG, Area ZA, Area ZB and Area ZC on Deposited Plan 433991 EXECUTED by the parties:

A.E.N.
[Signature]

THE COMMON SEAL of NEW ZEALAND HISTORIC PLACE TRUST was hereto affixed in the presence of:



[Signature] Board Member
[Signature] Board Member

CLARKE ROAD LIMITED
EXECUTED by PISA-GOVI LIMITED By:

[Signature] Director
[Signature] Director

AMENDED FIRST SCHEDULE

The Land

This amended First Schedule to the Heritage Covenant is made pursuant to changes to Plan LT 433991 made subsequent to the date that this Heritage Covenant was originally drafted and executed. Accordingly that portion of the Owner's land shown on LT 433991 and marked Covenant Area are now shown as 'J', 'K' and 'NA' on Deposited Plan 433991.

SIGNED by the said
NEW ZEALAND HISTORIC PLACES TRUST
by affixing its common seal in
the presence of:



[Handwritten signature]

[Handwritten signature]

16.11.11

18.11.11

SIGNED for and on behalf of
CLARKE ROAD LIMITED
in the presence of:

[Handwritten signature]
Director

[Handwritten signature]
Director/Authorised Signatory

[Handwritten signature]
Signature

Maxine Lee-Ann Knowler
Solicitor

Full Name Cromwell

Address

Occupation

64-889274-11-65-V21926

DEED OF AGREEMENT IN RESPECT OF SUGARLOAF RESERVOIR

THIS DEED is made the 30th April day of 2010

BETWEEN NEW ZEALAND HISTORIC PLACES TRUST, a body corporate under the provisions of the Historic Places Act 1993 (hereinafter called 'NZHPT')

AND CLARKE ROAD LIMITED duly incorporated company at Auckland (hereinafter called 'the Owner')

AND CENTRAL OTAGO DISTRICT COUNCIL (hereinafter called 'the Council')

(NZHPT, the Owner and the Council will be collectively referred to as 'the parties')

WHEREAS

1. The site is situated on the lower slopes of Sugarloaf Terrace riser, 250 metres to the west of Clark Road/SH6, Pisa Moorings Road intersection, Pisa Moorings and known as Sugarloaf is recorded as Archaeological Site no. G41/260 in the New Zealand Archaeological Association site record. A copy of the site record form is attached in appendix 1.
2. The Council has applied for a Resource Consent to install a reservoir at the junction of a sluiced gully and outwash fan, the area of which is part of the afore-said archaeological site as shown on the plan attached in appendix 2.
3. NZHPT has objected to the Resource Consent application as submitted by Council on the grounds that the proposed location of the reservoir is within part of the archaeological site.
4. The parties held discussions to resolve the objection of NZHPT to the granting of the consent and a solution was agreed which included:-
 - i. a Heritage Covenant under s6 of the Historic Places Act 1993 to protect and preserve the archaeological site.
 - ii. an agreement that the Council would take over the duties of management of the site and its on-going protection and preservation.
 - iii. NZHPT not progressing its objection to the Resource Consent
5. The parties are entering into this Deed to record all arrangements and obligations relating to this matter.

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(b) the appended Deed itself refers back to the form of the Heritage Covenant.

It is agreed for practical purposes that a further copy of the Heritage Covenant will not be physically attached to that appended copy of the Deed when the Heritage Covenant is actually registered.

17.1 It is further acknowledged and agreed by the parties that the Owner's and the Council's obligations hereunder are subject to and conditional upon:

(a) the Resource Consent referred to in background clause 2 actually being granted; and

(b) the Council practically putting effect to such Consent.

17.2 For the sake of clarity should the said Resource Consent not be granted to the Council or for any reason the Council does not put effect to such Consent so granted then the Owner and the Council shall not be bound to the terms of this Deed

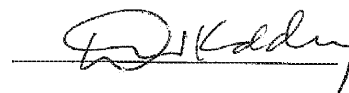
EXECUTED by the Parties:

THE COMMON SEAL)
of NEW ZEALAND)
HISTORIC PLACES)
TRUST was hereunto)
affixed in the presence of:)





Board Member



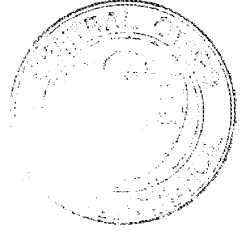
Board Member



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4

THE COMMON SEAL of
CENTRAL OTAGO DISTRICT
COUNCIL was hereto affixed in
the presence of:



Malcolm McLean

Mayor

[Signature]

Chief Executive

EXECUTED by CLARKE ROAD LIMITED By: *David Robertson*

[Signature]

Director

Director

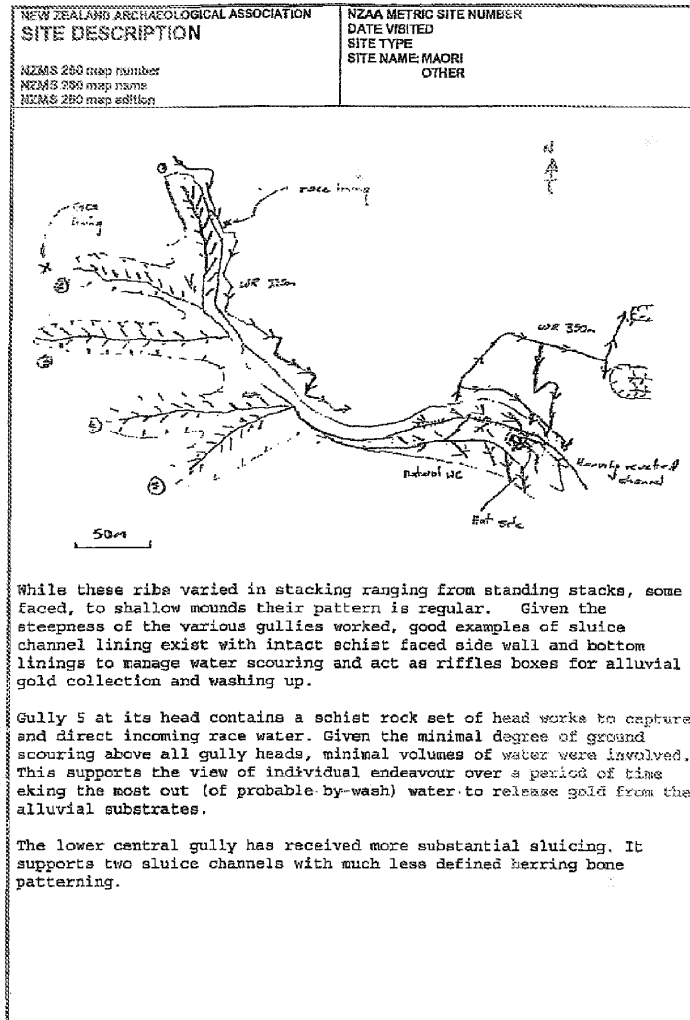
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Appendix 3

NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION SITE RECORD FORM (NZMS260) NZMS 260 map number: G41 NZMS 260 map name: Cromwell NZMS 260 map edition: 2007		NZAA METRIC SITE NUMBER DATE VISITED: 2 March 2009 SITE TYPE: Ground sluicings SITE NAME: MAORI OTHER:	
Grid Reference: Easting .2.2 1 2 8 1.6, Northing .5.5 7 4 4 5.7.			
Aids to relocation of site (attach a sketch map) Site is located off Clarke Rd on the northern end of Lowburn Sugar Loaf terrace mid slope among a small gully with adjoining public right of way providing access to the ground sluice workings. Visible from HW at Clarke Rd intersection			
2. State of site and possible future damage Stable, no stock grazing, open in the main but briar and wilding pines growing over sluicings. Some fly dumping has occurred on site along with small quarry removal for stone. Tracking through higher gully section. Recently subdivided with protection for sluice workings on Lot 2 but an omission over protection conditions applying to Lot 1 archaeological fabric.			
3. Description of site (Supply full details, history, local environment, references, sketches, etc. If extra sheets are attached, include a summary here) The Sugar Loaf Ground Sluicings site is a substantially intact archaeological site of pre 1900s ground sluiced workings most likely an individual claim of Chinese origin who worked methodically and systemically over a sustained period of years. The site has 880m of hand sluiced and stacked tailings with associated sluice channelling. Five finger gullies were worked with the assistance of ground water delivered from a race distribution system from across the terrace flats. The system of working the gullies is a modified form of herring bone with a main sluice channel employed. This sluice channel varies from a central gully position with herring bones or ribs off the main channel at 40°. For most there is a bias to herring bones being worked off the true left or northern sides of gullies.			
4. Owner	Various - Clarke Road Limited, Central Otago District Council	Tenant/Manager	Address
Address	P O Box 122 Alexandra		
5. Nature of information (itinerary, brief or extended visit, etc.)	Archaeological Assessment		
Photographs (reference numbers and where they are held)	Archaeological assessment for OPUS by Kopuwai Consulting M J Sole		
Aerial photographs (reference numbers and clarity of site)	S.N 12324		
6. Reported by	Kopuwai Consulting Matthew Sole	Filekeeper	Date
Address	1936 Omakau Chatto Ck Rd, RD 3, Alexandra 9393		
7. Key words: Ground sluicings, water races, hut, revetted sluice channel B. New Zealand Register of Archaeological Sites (for office use) NZHPT Site Field Code			
Latitude S	Longitude E		
Type of site	Present condition & future danger of destruction		
Local environment today	Security code		
Land classification	Local body		

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 [Signature]
 [Initials]

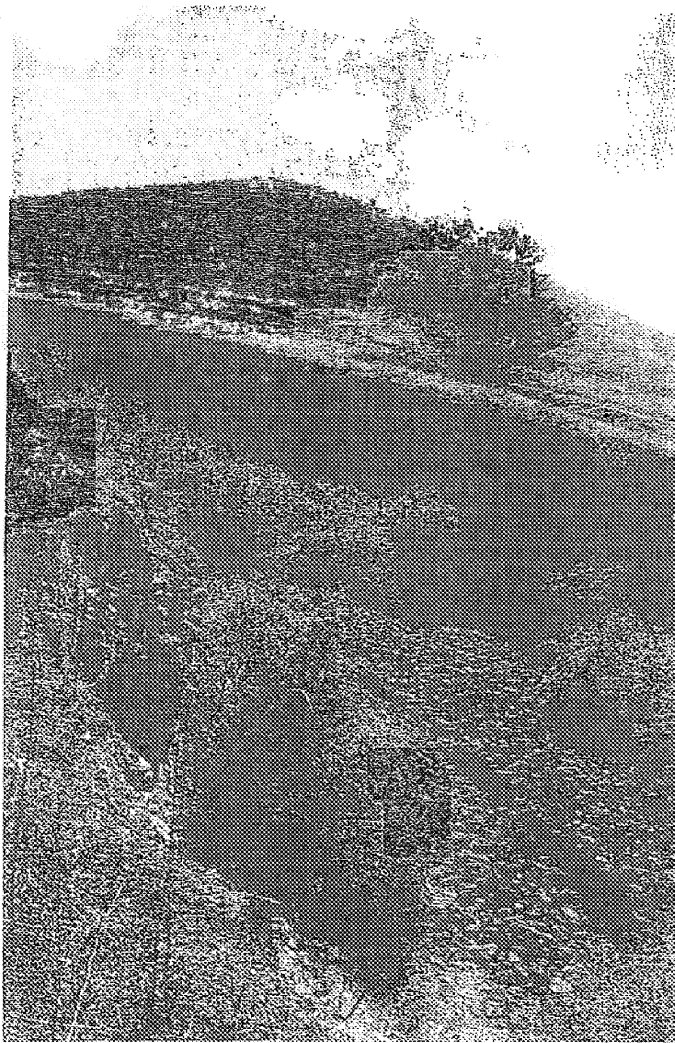


Figure 1 revetted central sluice channel 1.5m depth x 0.7m width

These are much more substantial with the one to the true left or north side a reasonably important feature especially from its middle reaches and down. The lower section is soundly constructed of revetted schist

Handwritten notes:
A 1
A 2

rock with an average revetment height over 1.5m in depth and between 0.7 - 0.8 m wide. The sluice channel gains its significance through its length, depth, visual character and quality of build. It is a defining aspect of the workings and combined with the hut and remaining tailings and races makes for an important relatively intact ground sluicing sequence.

Large stacked tailings have resulted with the original ground level 2 - 3 m above. The increase in scale and volume of workings in this central gully is supported by a network of ground races which distributed sluice water along the sluice gully faces at a series of points. Over 579 m of sluicing supply water races exist. These are primarily on the north side of the workings on Lot 1. The main race follows from Hatters Vineyard entering north of Gully 1 following down in a series of drops with diversions to the working sluice faces at regular intervals.

The volume and velocity of water looks to have increased for the races lower down supplying the central gully and the 3 sluice workings below and north of the main gully. Scouring is very evident even though the grade over all is less than the higher race along Gully 1.

A relatively intact dwelling site was recorded 4.4 x 5m with two sides of remaining wall and a sound well constructed chimney braced into the original gully face. It is sited just to the south on the central sluice workings and the sound intact revetted sluice channel. The site while sound and in good condition due to its sheltered position out of the elements it is at risk from disturbance. This comment is applicable to most of the sluicing site. Any form of trampling risks collapsing standing fabric and potential injury.

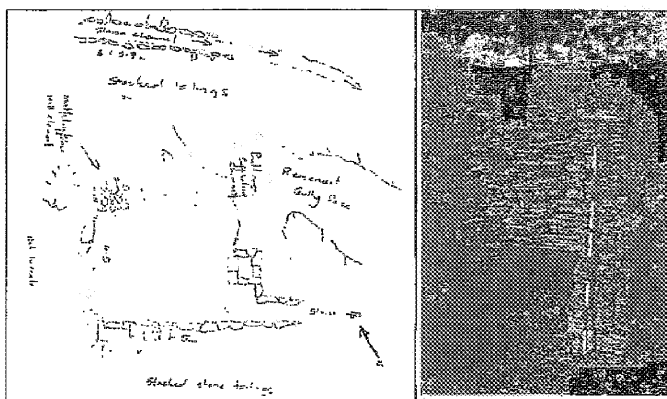


Figure 1 Hut site adjacent to main sluice.

Figure 2 Hut chimney.

It is subject to conjecture whether this was the dwelling of the miner of these workings. There are factors that indicate it was built out of elements of sluice channels. Equally the sluice channels could have been constructed around the hut site. However it is an established pattern for dwellings to be in close proximity of the workings and in the early development of these workings this hut would have been away.

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Annexure Schedule: Page:16 of 17

An unusual element is the make up of the north-western corner of the hut wall. It is made up of mixed mortar of clay, sand binding an aggregate mix of schist stone and some rock as opposed to either stacked stone (variations of) mortared schist or mud brick. This stands out against the adjacent natural glacial alluvial composite.

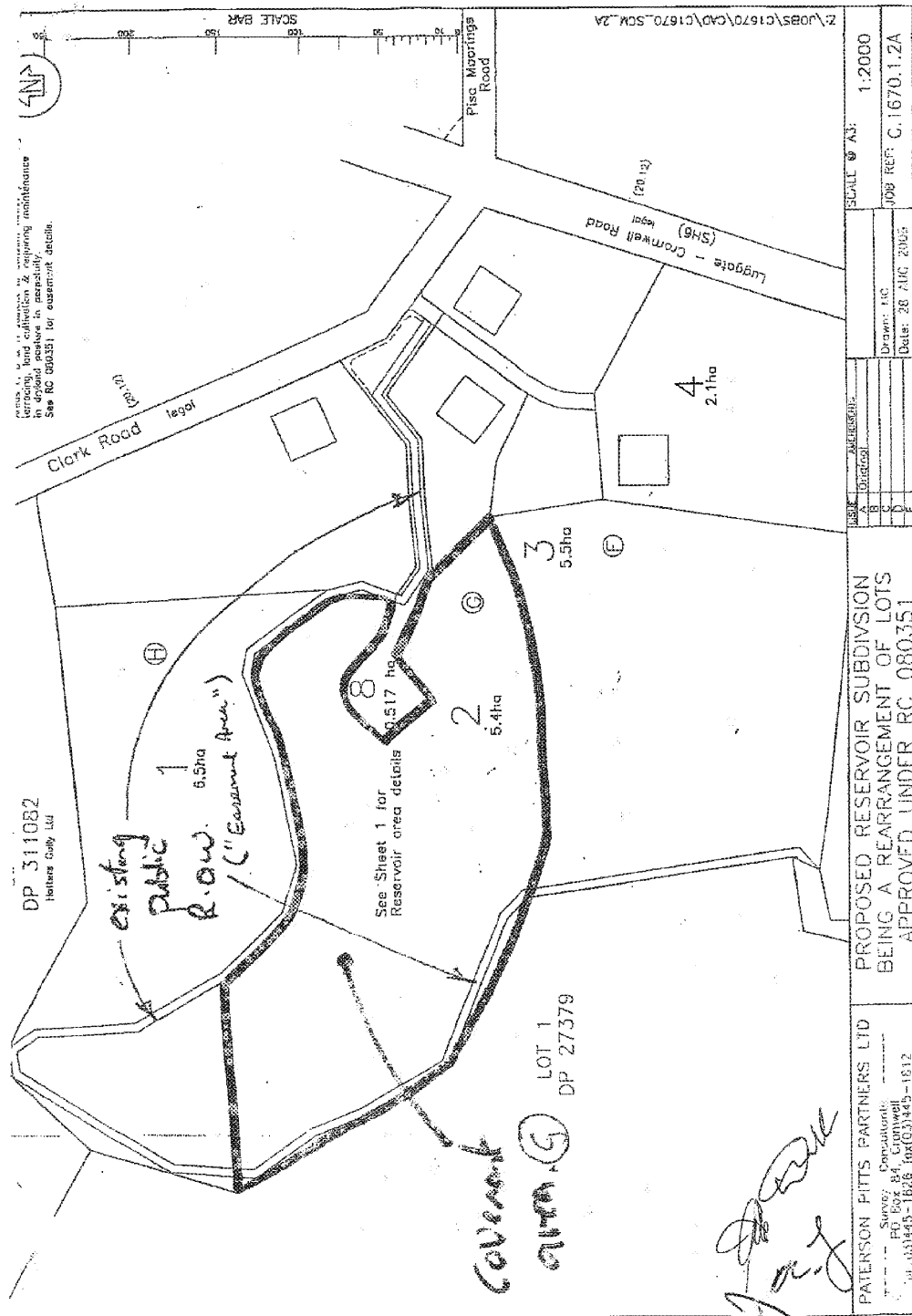
This may be in response to the rather narrow load bearing surface for the north facing wall of the hut.

The chimney is a very sound intact example well constructed with a hardwood fire place lintel. Of note is its construction out of many plate like schist rocks flat layered in an over lapping sequence which given the abundance of more alluvial rounded schist rock would have required endurance and patience in selection and building. Its durability is testament to this form of construction.

No evidence of rubbish waste was observed to ascertain ethnicity occupiers.

Some modification has occurred on various components of the workings site over the sequence of time. Obviously a vehicle track has been dozed along the north side of the central gully cutting across gully 1 traversing up its southern or true right side. This resulted in modification and destruction of some of the water race system and levelling of tailings through and along gully 1. A small quarry involving extraction of schist rock has resulted in the destruction of bottom sections of Gully's 4 & 5 as they lead in to the main central gully.

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Created Date: 15/01/2026
Created Time: 3:40 PM
Created By: anonymous



 Scale: 1:1500
Original Sheet Size A4
Projection: NZTM2000
Bounds: 1302820.79295825,5012590.9746247
1303189.93527415,5012795.3727625

The information displayed in the Geographic Information System (GIS) has been taken from Central Otago District Council's (CODC) databases and maps.
Digital map data sourced from Land Information New Zealand (LINZ).
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It is made available in good faith but its accuracy or completeness is not guaranteed. CODC 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.

Proposed conditions**Design Controls**

1. The reservoir tanks shall be painted or otherwise coloured so as to be of dark, visually recessive colours in the range of browns or greens with a reflectivity value of no more than 15%.
2. The reservoir tanks shall have a maximum height of 5.5m above the platform base material, which itself shall have a maximum relative level of 240.2m.
3. Any external lighting will be limited to downlights mounted on the structures within the designation area and are to be sensor activated. The lighting is to only be for security and operational requirements.

Earthworks Conditions

4. All earthworks shall be designed and supervised by a suitably qualified geo-professional.
5. Prior to commencement of earthworks, an Environmental Management Plan is to be prepared by a suitably qualified geo-professional. This plan is to be submitted for approval of the Territorial Authority and once approved, implemented for the duration of the works.
6. Earthworks shall be designed to create a contained hollow within which the tanks are located. Finished earthworks shall be naturalistic in form and retain (as much as possible) the integrity of the gully. The design shall be done such that the tanks are substantially physically separated from the existing vehicle track by landform. The earthworks design along with the natural landscape and matured planting growth over time will ensure the tanks are reasonably difficult to see from Clark Road and State Highway 6.

Landscape Plan Conditions

7. A landscape mitigation plan shall be designed so as to rid the site of weed species and establish ecologically appropriate mixed native vegetation within the site that enhances the visual screening of the tanks that is provided by the earthworks design. The plan shall include information setting out how all landscape mitigation planting shall be actively maintained, including details of pest control and appropriate irrigation.

Access Conditions

8. Prior to commencement of works, a Traffic Management Plan is to be prepared addressing construction access and traffic generation. This plan is to be submitted for approval of the Territorial Authority and once approved, implemented for the duration of the works.
9. Access to the site shall be obtained from the existing track from Clark Road. No significant upgrades shall be undertaken to provide access to the site during and subsequent to construction.

10. Any new earthworks required to gain access from the existing track to the site shall be kept to the minimum required. All exposed cut and fill shall be reinstated and re-vegetated with hard tussock (except where already provided for in the landscape mitigation plan) the establishment of which will involve permanent rabbit fencing and a permanent irrigation system.

General Conditions

11. All ancillary pipework and valving shall be located underground.
12. Dust suppression methods shall be used during construction works at the site.
13. Construction noise is to comply with NZS 6803:1999 Acoustics - Construction Noise.
14. The requiring authority shall keep the site free of all wilding pines and woody weeds.
15. The use and noise associated with the use of an emergency generator operating for emergency purposes is permitted.
16. Prior to works commencing, a Preliminary Site Investigation shall be prepared by a suitably qualified person and submitted to the Territorial Authority.

Heritage Conditions

17. Prior to the design and construction of the works, the requiring authority shall nominate an appropriately qualified archaeologist, such person being acceptable to Heritage New Zealand Pouhere Taonga. For the avoidance of doubt the nominated and accepted person is referred to as "the archaeologist" in this condition.
18. A durable water resistant stormwater drainage system be designed and installed through or around the access and site to preserve the tailing, sluice channel and remnant alluvial gully face from future stormwater erosion due to the location of the works in the base of a gully. The design shall be subject to the approval of the archaeologist prior to installation.
19. Plans and methodology for access, operation of plant and placement of materials at the construction site shall be prepared and submitted to the archaeologist for approval prior to any physical site work occurring.
20. The archaeologist shall monitor:
 - (a) Compliance with the plans submitted with the application; and
 - (b) On-site pegging necessary to facilitate construction and protection of archaeological sites; and
 - (c) Excavation, compaction and site reinstatement activities.
21. On site monitoring by the archaeologist shall occur during excavation and during any compaction/vibration activities associates with the site preparation and installation (construction) of the works to monitor the stability of the dwelling chimney, riveted schist shone channel walling and north facing sheer cliff faces of the remnant alluvial gully faces between the site and the main sluice gully to the north.

22. If koiwi (human skeletal remains) waahi taoka (resources of importance) or artefact material (whether of tangata whenua, Chinese or European Origin) are discovered at the construction site, work will immediately cease and Kai Tahu and the New Zealand Archaeological Association shall be advised. In the event of such a discovery relevant to Tangata Whenua the requiring authority shall arrange for a site inspection by the appropriate Tangata Whenua and their advisors who will determine whether the discovery is likely to be extensive and whether a thorough site investigation is required. Material discovered will be handled by the iwi responsible for the tikanga appropriate to their removal or preservation.
23. The requiring authority shall ensure that construction workers and plant operators are briefed with respect to accidental discovery protocol provided for in condition 17.

2842114615
RCD10025

24 April 2026

Central Otago District Council
PO Box 122
Alexandra 9340



1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

03 440 0056

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



Via email

Dear Central Otago District Council

FURTHER INFORMATION REQUIRED FOR D10025

LOCATION: CLARK ROAD, PISA MOORINGS, CROMWELL

PROPOSAL: NOTICE OF REQUIREMENT (NOR) FOR UTILITIES (WATER STORAGE PURPOSES) IN THE RURAL RESOURCE AREA SUBJECT TO AN OUTSTANDING NATURAL FEATURE (ONF)

Central Otago District Council (Council), in its capacity as territorial authority, is currently assessing the above Notice of Requirement lodged under section 168A of the Resource Management Act 1991 (the Act).

Pursuant to section 92(1) of the Act, Council may request further information from a requiring authority where additional information is necessary to enable it to fully understand the proposal and to adequately assess its effects on the environment in accordance with section 171 of the Act.

Following notification of the Notice of Requirement and receipt of submissions, Council has identified a number of matters where further information or clarification is required to inform its recommendation. These matters arise primarily from issues raised in submissions and relate to landscape and visual effects, archaeological and heritage effects, construction and traffic effects, stormwater management, and the level of detail provided in relation to the proposed works.

The further information sought is set out below..

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

1. Landscape and Visual Effects

The Landscape and Visual Effects Assessment (LVIA) concludes that moderate adverse visual effects will occur during the construction and early operational period, reducing over time as mitigation planting establishes.

Submissions, including that of Mr Perriam, question the effectiveness and reliability of the proposed mitigation, particularly in light of past planting outcomes.

Council requests that the requiring authority provide:

- a) Further detail on the proposed landscape mitigation, including:
- planting species, densities and layout;
 - irrigation, maintenance and replacement regimes; and

2

- expected timeframes for establishment and effectiveness of screening;
- b) An assessment of the risk of mitigation failure, including:
- plant survival rates in the local environment;
 - contingency measures where planting does not establish as anticipated; and
 - how ongoing maintenance will be secured;
- c) Confirmation of whether the proposed designation conditions will require a Landscape Management Plan at Outline Plan stage, including enforceable maintenance and replacement obligations.

2. Effects on Neighbouring Properties (Amenity and Accommodation Activities)

The submission by Mr Perriam raises concerns regarding the effects of the proposal on the amenity of neighbouring properties, including on-site accommodation units and their occupants.

In particular, concerns relate to:

- visibility of the reservoirs and associated works;
- proximity and outlook effects;
- construction-related disturbance; and
- the potential impact on the use and enjoyment of accommodation units.

Please provide:

- a) An assessment of the effects of the proposal on neighbouring residential and accommodation activities, including:
- visual amenity effects from those properties;
 - the extent to which views and outlook will be affected; and
 - the sensitivity of those receivers;
- b) An assessment of construction-related effects on those properties, including:
- noise;
 - dust;
 - vibration; and
 - duration and timing of works;
- c) Details of any specific mitigation measures proposed to address effects on neighbouring properties, including:
- separation distances;
 - screening measures;
 - construction management practices; and
 - any proposed restrictions on hours of work;
- d) Clarification of whether the requiring authority proposes to adopt any site-specific management measures (e.g. Construction Environmental Management Plan) to address these effects.

3. Archaeological and Heritage Effects

Heritage New Zealand Pouhere Taonga (HNZPT) has advised that the site and surrounding area contain recorded archaeological features, and that no archaeological assessment has been undertaken to support the application. HNZPT considers that the potential effects on heritage may be more than minor and has recommended that an Archaeological Authority be obtained.

Council requests that the requiring authority provide:

- a) A response to the matters raised by HNZPT, including whether an archaeological assessment will be undertaken to inform the proposal;

3

- b) Clarification as to whether the requiring authority intends to apply for an Archaeological Authority under the Heritage New Zealand Pouhere Taonga Act 2014, and if so, the anticipated timing of that process;
- c) Advice as to whether reliance on an Accidental Discovery Protocol and on-site monitoring is considered sufficient, and the reasons for that position;
- d) Confirmation as to whether the requiring authority agrees to the relief sought by HNZ (i.e offers the requested conditions on an *Augier* basis)

3. Construction Traffic and Effects on State Highway 6

New Zealand Transport Agency Waka Kotahi (NZTA) has raised concerns regarding the potential effects of construction traffic on the State Highway 6 network and has requested involvement in the development and approval of a Construction Traffic Management Plan (CTMP).

Council requests that the requiring authority provide:

- a) Further detail on the **anticipated construction traffic**, including:
 - number and type of vehicle movements;
 - duration and staging of construction activities; and
 - likely peak traffic periods;
- b) Confirmation as to whether the requiring authority agrees to the relief sought by NZTA (i.e offers the requested conditions on an *Augier* basis)

5. Stormwater Management

Submissions have identified uncertainty regarding the management of stormwater and potential effects on adjoining land and the state highway network.

Council requests that the requiring authority provide:

- a) Further detail on the proposed **stormwater and overflow management**, including:
 - how overland flow paths will be managed;
 - how discharges will be controlled; and
 - how effects on adjoining land and infrastructure will be avoided;
- b) Confirmation of how stormwater will be addressed through:
 - Outline Plan design; and
 - designation conditions (including performance standards where relevant).

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

6. Anticipated Hearing Timetable

Please note I have requested that Hearings Administration provisionally schedule a hearing for the second week of June 2026 to consider this Notice of Requirement.

If you anticipate that you will require more than 15 working days to respond to this request for further information, please let me know ASAP so that I can review the anticipated processing timeframe and, if necessary, adjust the provisional hearing date accordingly.

Responding to this request

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

- Provide the requested information; or

4

- 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 24 April 2026.

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 on the basis of the information that you have provided with the application. The Council may decline the application on the basis of insufficient information.

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

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

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

Yours faithfully



OLI MONTHULE-MCINTOSH
Planning Consultant

15 May 2026

Dear Oli,

D10025 – CENTRAL OTAGO DISTRICT COUNCIL – RFI RESPONSE

Thank you for your email of 24 April 2026 containing a Request for Further Information (RFI). We provide the response to the requests below (your text in red and our response in black).

1. Landscape and Visual Effects

The Landscape and Visual Effects Assessment (LVIA) concludes that moderate adverse visual effects will occur during the construction and early operational period, reducing over time as mitigation planting establishes.

Submissions, including that of Mr Perriam, question the effectiveness and reliability of the proposed mitigation, particularly in light of past planting outcomes.

Council requests that the requiring authority provide:

- a) Further detail on the proposed landscape mitigation, including:
 - planting species, densities and layout;
 - irrigation, maintenance and replacement regimes; and
 - expected timeframes for establishment and effectiveness of screening;
- b) An assessment of the risk of mitigation failure, including:
 - plant survival rates in the local environment;
 - contingency measures where planting does not establish as anticipated; and
 - how ongoing maintenance will be secured;
- c) Confirmation of whether the proposed designation conditions will require a Landscape Management Plan at Outline Plan stage, including enforceable maintenance and replacement obligations.

In response:

- a) Further detail on the proposed landscape mitigation, including:
 - planting species, densities and layout;
 - irrigation, maintenance and replacement regimes; and
 - expected timeframes for establishment and effectiveness of screening;

The proposed landscape mitigation is designed to integrate the reservoir infrastructure into the sensitive Sugarloaf escarpment by using ecologically appropriate native species that reflect the natural character of the Rural Resource Area. While specific planting plans would be finalised at the Outline Plan stage (once details of reservoir layout, earthworks design, etc are finalised), the mitigation will utilise a mix of hardy, drought-tolerant native species such as *Kānuka*, *Matagouri*, *Kōwhai*, and various native tussocks and shrubs suited to the dry, exposed Central Otago climate. These species will be planted at high densities (typically 1.5m to 2m centres) to ensure rapid canopy closure and a naturalistic, non-linear layout to integrate into the surrounding gully.

The expected timeframe for the planting to become effective is approximately 6 to 8 years, at which point the LVIA concludes the adverse visual effects will reduce to a low degree as the structures become substantially screened and the site takes on a natural appearance. As per the revised proposed Designation Conditions, all details of planting design in order to achieve appropriate mitigation must be provided via a Landscape Mitigation Plan, prior to works commencing on site.

To assist with achieving a level of visual mitigation sooner than the anticipated 6 – 8 years, the Requiring Authority considers that it could also introduce some interim mitigation measures, such as advanced planting, bunding and temporary screening.

To ensure the success of the planting, a comprehensive irrigation and maintenance regime will be implemented. This would include the installation of a temporary automated irrigation system for the first three to five years to support plants during their critical establishment phase. Maintenance will involve regular weed control, pest management (particularly for rabbits), and the application of mulch to retain soil moisture.

- b) *An assessment of the risk of mitigation failure, including:*
- *plant survival rates in the local environment;*
 - *contingency measures where planting does not establish as anticipated; and*
 - *how ongoing maintenance will be secured;*

The risk of mitigation failure has been carefully considered given the challenging local environment. While Central Otago presents high evaporation rates and extreme temperatures, the selected species will be naturally occurring in the Cromwell Basin and should possess high survival rates once established. The primary risks to survival are lack of water and browse pressure. These risks will be mitigated through the aforementioned temporary irrigation and the use of physical plant guards or rabbit-proof fencing around the planting areas.

In the event that planting does not establish as anticipated, contingency measures will include a replacement policy and annual auditing and reporting. This ensures that any plant that dies or becomes diseased within the first five years is replaced with the same or similar species of a comparable grade during the next available planting season, and/or that remedial planting work is formulated by a suitably qualified professional in the event that it is needed.

Ongoing maintenance and the long-term success of the mitigation will be secured through the designation itself; as a public work, the Requiring Authority remains financially and operationally responsible for the site. The landscape assets will be integrated into the Council's 3 Waters Maintenance Schedules to ensure they are managed to the same standard as other infrastructure sites.

Planting will be undertaken during spring or autumn to support the planting success rate. All of these measures will ensure a high level of plant survival and establishment success to achieve visual amenity outcomes.

- c) *Confirmation of whether the proposed designation conditions will require a Landscape Management Plan at Outline Plan stage, including enforceable maintenance and replacement obligations.*

The Requiring Authority confirms that the volunteered designation conditions will require a comprehensive Landscape Mitigation Plan (LMP) to be submitted for certification at the Outline Plan stage. This condition ensures that the final design, including precise species lists, densities, and irrigation layouts, is reviewed by Council before any works begin. The LMP will include legally enforceable maintenance and replacement obligations, requiring the authority to maintain the landscaping for the life of the designation and to replace any failed specimens to ensure the visual screening performance standards identified in the LVIA are met and maintained in perpetuity.

The Landscape Plan condition that was included with the application has been expanded to more comprehensively address plant survival, contingency measures and ongoing maintenance:

Proposed Amended Landscape Mitigation Plan Condition

Prior to the commencement of any earthworks or construction activities, the Requiring Authority shall submit a Landscape Mitigation Plan (LMP) to the Council's Planning Manager for certification. The LMP shall be designed so as to rid the site of weed species and establish ecologically appropriate mixed native vegetation within the site that enhances the visual screening of the tanks provided by the earthworks design. Vegetation shall be designed to assist in achieving the criterion set out in Condition [X], that the tanks are reasonably difficult to see from Clark Road and State Highway 6.

- a. The LMP shall include comprehensive details regarding the active maintenance of all landscape mitigation planting for the life of the designation. This shall include, but not be limited to:
- b. Details of planting species, densities and layout formulated by a suitably qualified landscape or ecological professional so as to use species and methods that are specifically suited to local conditions to ensure the best possible survival, growth and results in relation to visual screening.
- c. Irrigation: Details of a temporary automated irrigation system to be maintained for a minimum of five years from the time of planting to ensure successful establishment.
- d. Pest and Weed Control: A program for ongoing animal pest control (specifically targeting rabbits) and the removal of invasive weed species within the planting areas.
- e. Replacement Regime: A replacement regime whereby any specimen that dies, is removed, or becomes significantly diseased within the first five years of planting shall be replaced by the Requiring Authority with a plant of the same or similar species and of a comparable grade within the next available planting season.
- f. Reporting: Provisions for an annual audit of plant survival rates by a suitably qualified landscape or ecological professional for the first three years following implementation, with the results to be provided to the Council upon request. In the event that survival or growth rates are suboptimal, the annual reporting shall include details of remedial or alternative planting design so as to achieve the results required by Conditions [X] and [X].

All landscape mitigation shall be implemented in accordance with the certified LMP within the first planting season following the completion of the reservoir construction.

2. Effects on Neighbouring Properties (Amenity and Accommodation Activities)

The submission by Mr Perriam raises concerns regarding the effects of the proposal on the amenity of neighbouring properties, including on-site accommodation units and their occupants.

In particular, concerns relate to:

- visibility of the reservoirs and associated works;
- proximity and outlook effects;
- construction-related disturbance; and
- the potential impact on the use and enjoyment of accommodation units.

Please provide:

- a) An assessment of the effects of the proposal on neighbouring residential and accommodation activities, including:
 - visual amenity effects from those properties;
 - the extent to which views and outlook will be affected; and
 - the sensitivity of those receivers;
- b) An assessment of construction-related effects on those properties, including:
 - noise;
 - dust;
 - vibration; and
 - duration and timing of works;
- c) Details of any specific mitigation measures proposed to address effects on neighbouring properties, including:
 - separation distances;

- screening measures;
 - construction management practices; and
 - any proposed restrictions on hours of work;
- d) Clarification of whether the requiring authority proposes to adopt any site-specific management measures (e.g. Construction Environmental Management Plan) to address these effects.

In response:

- a) *An assessment of the effects of the proposal on neighbouring residential and accommodation activities, including:*
- *visual amenity effects from those properties;*
 - *the extent to which views and outlook will be affected; and*
 - *the sensitivity of those receivers;*

The submission by Mr Perriam raises concerns regarding the effects of the proposal on the amenity of neighbouring properties, including his property at 1 Perriam Place and visitor accommodation units at 23 Clark Road. The proposal is located within a rural environment characterised by viticulture, horticulture, and farming activities. Neighbouring activities include established housing in the Pisa Moorings residential area across State Highway 6 and the visitor accommodation cabins situated near Clark Road on adjoining land.

The Landscape and Visual Effects Assessment (LVIA) acknowledges that moderate adverse visual effects will occur during the construction and early operational periods. These initial impacts are primarily due to earthworks and the visibility of new structures from close-range viewpoints, which some receivers may perceive as more than minor. However, these effects are expected to reduce over a period of 6 to 8 years to a low degree as the proposed mitigation landscaping grows and matures. Once completed, the visibility of the reservoir structures will be further mitigated by finishing all tanks and utility cabinets in dark, visually recessive colours with a reflectivity value not exceeding 15%. As discussed above, the Requiring Authority is considering including interim mitigation measures to achieve a level of visual mitigation sooner than 6 to 8 years.

The design of the facility integrates into the topography as much as possible by utilising earthworks to create a contained platform in the gully at a maximum relative level of 240.2m. With a maximum structure height of 5.5m, the reservoirs are substantially separated from the vehicle track and public views via landform. To protect night-time amenity, any external lighting will be limited to sensor-activated downlights for security and operational purposes only. Furthermore, the Requiring Authority has volunteered conditions for a Landscape Mitigation Plan to establish ecologically appropriate native vegetation that enhances the visual screening of the tanks.

Mr Perriam has expressed concern that the tank site sits in a direct line of sight from primary living areas, such as lounge and kitchen windows, toward significant features like Mt. Pisa, from his property at 1 Perriam Place. This is acknowledged. The proposed mitigation will be located within the designation site itself to ensure the long-term maintenance and effectiveness of the screening, in keeping with the Requiring Authority's other 3 Waters projects where planting incorporated is into ongoing maintenance schedules. The landscape treatment and planting palette is designed to keep long-term maintenance relatively low while still maintaining the planting appropriately.

Over time, planting within the designation site will mitigate and soften views and outlook from Mr Perriam's property. The requirement that tanks will be reasonably difficult to see from Clark Road and State Highway 6 will mean that the tanks are also well screened from 1 Perriam Place and from 23 Clark Road.

While the visitor accommodation cabins near Clark Road and the residents of Pisa Moorings are identified as sensitive receivers, the visual distraction from these perspectives will reduce over the medium term to low or less than minor as the native screening establishes. The cabins have an aspect to the northeast, with the subject site being directly behind them.

Overall, while it is acknowledged that visual amenity effects may be moderate or more than minor in the short term, this must be weighed against the functional and operational needs of essential infrastructure. Relevant National Policy Statements, including those on Urban Development and Infrastructure, provide a framework that allows decision-makers to approve a proposal even if adverse effects are moderate or more than minor, provided the infrastructure is essential for community resilience and effects are mitigated to the extent practicable.

Given the critical public benefit of a resilient community water supply and the comprehensive mitigation package proposed to remedy effects over time, the adverse effects on neighbours are considered acceptable.

b) *An assessment of construction-related effects on those properties, including:*

- *noise;*
- *dust;*
- *vibration; and*
- *duration and timing of works;*

As there are no detailed construction plans yet (these will be provided at the Outline Plan stage), it is not possible to prepare a comprehensive assessment of construction-related effects on neighbouring properties at this time. However, the Requiring Authority acknowledges that construction activities, including earthworks and the installation of infrastructure, have the potential to generate temporary noise, dust, and vibration. To ensure these effects are appropriately managed, mitigated, and contained within the site boundaries, the Requiring Authority proposes a comprehensive Construction Management Plan (CMP) condition.

The following condition is volunteered to ensure that all construction-related effects are managed in accordance with best practice standards:

Proposed Condition: Construction Management Plan (CMP)

Prior to the commencement of any works on the site, the Requiring Authority shall submit a Construction Management Plan (CMP) to the Council's Planning Manager for certification. The objective of the CMP is to ensure that all construction activities are managed to minimise adverse effects on the environment and the amenity of neighbouring properties. The CMP shall include, but not be limited to, the following:

- a. **Duration and Timing of Works:** A schedule of works, including the expected start date and duration. All construction activities shall be restricted to between the hours of 0730 and 1800, Monday to Saturday, with no noisy works permitted on Sundays or Public Holidays.
- b. **Noise Management:** Procedures to ensure that all construction noise complies with the requirements of NZS 6803:1999 Acoustics – Construction Noise. This shall include identification of particularly noisy activities and methods to minimise noise at the boundary of sensitive receivers.
- c. **Dust Mitigation:** A description of the methods to be used to prevent dust nuisance beyond the boundary of the site, including water spraying of exposed earthworks, stabilisation of stockpiles, and wheel-wash facilities if required.
- d. **Vibration Management:** Measures to manage and monitor vibration during the construction phase to ensure compliance with DIN 4150-3:1999 Structural Vibration – Effects of Vibration on Structures (or subsequent versions) to protect neighbouring infrastructure and dwellings.
- e. **Traffic and Access:** Methods to manage the movement of heavy machinery and delivery vehicles to and from the site via Clark Road to ensure road safety and maintain access for residents.
- f. **Communications:** Contact details for a designated site manager who will be responsible for responding to any complaints or inquiries from the public during the construction period.

All construction activities shall be carried out in accordance with the certified CMP.

An updated set of volunteered conditions is attached to this letter as **[A]**.

- c) *Details of any specific mitigation measures proposed to address effects on neighbouring properties, including:*
- *separation distances;*
 - *screening measures;*
 - *construction management practices; and*
 - *any proposed restrictions on hours of work;*

The Requiring Authority has adopted a multi-layered approach to mitigation, focusing on physical separation, visual screening, and rigorous operational controls during the construction phase.

Once construction is complete, it is considered that noise, lighting, and maintenance effects are expected to be very low once the reservoirs are operational.

Separation distances

The reservoirs are strategically sited to maximise the distance from established dwellings and sensitive receivers. The structures will be located at a maximum relative level of 240.2m within a natural gully on the Sugarloaf escarpment. This setback provides significant physical and vertical separation from the residential properties in Pisa Moorings, which are located across State Highway 6, and the visitor accommodation units at 23 Clark Road. By utilising the natural landform, the design ensures that the infrastructure is not positioned on ridgelines or highly visible promontories, thereby reducing its perceived scale and proximity from neighbouring living areas.

Screening measures

To mitigate visual detraction and ensure the structures integrate into the Rural Resource Area and the adjoining Outstanding Natural Feature (ONF), the following screening measures are proposed:

The tanks will be set into a platform created by naturalistic earthworks. These earthworks are designed to create a "contained hollow" that utilises the surrounding gully walls to provide immediate physical screening of the lower portions of the tanks.

The Requiring Authority has volunteered a condition for a comprehensive Landscape Mitigation Plan. This involves planting ecologically appropriate native vegetation around the facility. While the LVIA notes that structures will be visible initially, this planting is designed to reach a height and density within 6 to 8 years that will largely screen the tanks, making the site appear as a natural instance of vegetation.

All tanks and utility cabinets will be finished in dark, visually recessive colours (such as browns or greens) with a reflectivity value not exceeding 15%, ensuring they blend with the surrounding landscape tones rather than contrasting against them.

Construction management practices

As described above, a comprehensive Construction Management Plan (CMP) will be submitted for certification prior to the commencement of works. This plan will act as the primary mechanism for managing nuisance effects at the boundary.

Any proposed restrictions on hours of work

The CMP will include restrictions on hours of operation to protect the acoustic amenity and valued by neighbouring residents and visitor accommodation guests. The restricted hours ensure that particularly noisy activities are confined to standard working times, providing neighbours with guaranteed periods of respite during evenings and weekends. These measures, combined with the temporary nature of the construction phase, ensure that the short-term effects on neighbouring amenity are managed to an acceptable level.

- d) *Clarification of whether the requiring authority proposes to adopt any site-specific management measures (e.g. Construction Environmental Management Plan) to address these effects.*

The Requiring Authority does propose to adopt site-specific management measures to address these effects. To address the requirement for site-specific management measures, the Requiring Authority proposes the following standard Environmental Management Plan (EMP) condition.

This condition is designed to ensure that all potential environmental risks, including those related to the Outstanding Natural Feature (ONF) and neighbouring amenity, are managed through a certified, integrated framework prior to any works commencing.

Proposed Condition: Environmental Management Plan (EMP)

Prior to the commencement of any earthworks or construction activities, the Requiring Authority shall submit an Environmental Management Plan (EMP) to the Council's Planning Manager for certification. The EMP shall be prepared by a suitably qualified and experienced person and shall be consistent with the scale and nature of the proposed works.

The objective of the EMP is to provide a framework for the management of all environmental effects during the construction phase to ensure compliance with the designation conditions and the relevant provisions of the District Plan.

The EMP shall include, but not be limited to, the following:

- a. Construction Management: Identification of the hours of work, contact details for the site manager, and a program for the staging of works.
- b. Erosion and Sediment Control: Detailed methods to be implemented to minimise erosion and prevent the discharge of sediment-laden water or debris beyond the boundaries of the designation, particularly onto lower-lying adjoining properties and the State Highway network.
- c. Dust Management: Specific mitigation measures to ensure that dust does not create a nuisance for neighbouring residential or accommodation activities, including the use of water carts or stabilisation of exposed surfaces during windy conditions.
- d. Noise and Vibration: A plan for managing construction noise and vibration in accordance with NZS 6803:1999 and DIN 4150-3:1999, including methods for proactive communication with the owners of sensitive receiver sites at 23 Clark Road and 1 Perriam Place.
- e. Accidental Discovery Protocol: Procedures to be followed in the event that any archaeological sites, kōiwi, or heritage artifacts are uncovered during earthworks, ensuring compliance with the Heritage New Zealand Pouhere Taonga Act 2014.
- f. Spill Contingency: Procedures to prevent and respond to any accidental spills of fuels or hazardous substances used by construction machinery.
- g. Waste Management: Measures to manage construction waste and ensure the site is kept in a tidy state to protect the visual amenity of the Rural Resource Area.

All construction and earthworks activities shall be carried out in accordance with the certified EMP at all times. Any significant changes to the EMP shall be submitted to the Council for re-certification prior to those changes being implemented.

3. Archaeological and Heritage Effects

Heritage New Zealand Pouhere Taonga (HNZPT) has advised that the site and surrounding area contain recorded archaeological features, and that no archaeological assessment has been undertaken to support the application.

HNZPT considers that the potential effects on heritage may be more than minor and has recommended that an Archaeological Authority be obtained.

Council requests that the requiring authority provide:

- a) A response to the matters raised by HNZPT, including whether an archaeological assessment will be undertaken to inform the proposal;
- b) Clarification as to whether the requiring authority intends to apply for an Archaeological Authority under the Heritage New Zealand Pouhere Taonga Act 2014, and if so, the anticipated timing of that process;
- c) Advice as to whether reliance on an Accidental Discovery Protocol and on-site monitoring is considered sufficient, and the reasons for that position;
- d) Confirmation as to whether the requiring authority agrees to the relief sought by HNZ (i.e offers the requested conditions on an Augier basis)

In response:

- a) *A response to the matters raised by HNZPT, including whether an archaeological assessment will be undertaken to inform the proposal;*

The Requiring Authority has engaged Origin Heritage to prepare an Archaeological Assessment. The Archaeological Assessment is attached to this letter as [B] and has been reviewed by HNZPT.

- b) *Clarification as to whether the requiring authority intends to apply for an Archaeological Authority under the Heritage New Zealand Pouhere Taonga Act 2014, and if so, the anticipated timing of that process;*

The Requiring Authority has applied for an Archaeological Authority for works on the site via Origin Heritage. It is expected that the authority will be processed in June 2026.

- c) *Advice as to whether reliance on an Accidental Discovery Protocol and on-site monitoring is considered sufficient, and the reasons for that position;*

Origin Heritage in consultation with HNZPT has recommended additional conditions, which are included as follows:

Proposed Additional Heritage Conditions:

An archaeological authority under section 44 of the Heritage New Zealand Pouhere Taonga Act (2014) should be obtained from Heritage New Zealand for the Sugar Loaf Ground Sluicings G41/620 prior to any excavations proceeding that could damage this site.

As a first principle, every practical effort should be made to avoid damage to any archaeological site.

Prior to the commencement of onsite works the boundaries of archaeological features must be established with a visual aid (such as safety fencing) to ensure that no accidental damage to the site occurs.

A Site Instruction document should be prepared to inform and assist all parties involved in ensuring that the conditions attached to any archaeological authority are met. This document should cover both the construction of the reservoir, planting and the removal of wilding pine.

Wilding pine and other woody weed removal should be undertaken on the wider site where practicable to overall enhance the site's values.

Upon the removal of vegetation, updated survey, mapping and recording of site G41/620 should be undertaken.

In line with Provision 12 of Heritage Covenant 88791893.15, interpretive panels, signage, or other heritage interpretation measures should be installed at the site.

The excavation contractor(s) must be informed of the requirements of any authority issued and briefed by the archaeologist about the site's archaeological values and the possibility that archaeological material may be uncovered during excavation works.

All earthworks that may affect any archaeological material should be monitored by an archaeologist.

If any archaeological features are uncovered during excavations, these should be recorded using appropriate archaeological standards by an archaeologist.

If at any stage during site works Māori material is discovered, works must cease and manawhenua and HNZPT shall be consulted immediately about how to proceed.

- d) *Confirmation as to whether the requiring authority agrees to the relief sought by HNZ (i.e offers the requested conditions on an Augier basis)*

The Requiring Authority agrees to the HNZPT conditions on an Augier basis. These conditions have been embedded into the Origin Heritage conditions above.

Correspondence with NZHPT is attached to this letter as [C].

4. Construction Traffic and Effects on State Highway 6

New Zealand Transport Agency Waka Kotahi (NZTA) has raised concerns regarding the potential effects of construction traffic on the State Highway 6 network and has requested involvement in the development and approval of a Construction Traffic Management Plan (CTMP).

Council requests that the requiring authority provide:

- a) Further detail on the anticipated construction traffic, including:
- number and type of vehicle movements;
 - duration and staging of construction activities; and
 - likely peak traffic periods;
- b) Confirmation as to whether the requiring authority agrees to the relief sought by NZTA (i.e offers the requested conditions on an Augier basis)

In response:

- a) *Further detail on the anticipated construction traffic, including:*
- *number and type of vehicle movements;*
 - *duration and staging of construction activities; and*
 - *likely peak traffic periods;*

It is not possible to provide final, exact figures for vehicle movements at this stage, as these will depend on the specific construction methodology and the volume of material to be imported or exported, which will be confirmed by the appointed contractor at the Outline Plan stage.

However, based on the preliminary design and the scale of the earthworks required for the reservoir platform, the following estimates are provided.

Number and Type of Vehicle Movements

During the peak earthworks phase, it is anticipated there will be approximately 10 to 15 heavy vehicle movements (truck and trailer) per day for the transport of fill and aggregate. During the concrete pouring phase for the reservoir foundations, this may increase temporarily. Light vehicle movements for staff and contractors are expected to be approximately 5 to 8 movements per day.

Duration and Staging of Construction Activities

The construction period is expected to last approximately 6 to 9 months. The most intensive period for heavy traffic will be the initial 2-month earthworks and site preparation phase, followed by a period of reduced activity during the structural assembly of the reservoirs and final site stabilisation. Earthworks staging, backloading trucks and reuse of material onsite will assist in reducing traffic movements.

Likely Peak Traffic Periods

To minimise impacts on the State Highway 6 network and the local Pisa Moorings community, the Requiring Authority will require the contractor to avoid heavy vehicle movements during peak commuter periods (typically 07:30–08:30 and 16:30–17:30).

- b) *Confirmation as to whether the requiring authority agrees to the relief sought by NZTA (i.e offers the requested conditions on an Augier basis)*

The Requiring Authority agrees to the relief sought by NZTA and confirms that the following conditions are volunteered with the application on an Augier basis:

Construction Traffic Management Plan (CTMP) Condition

A Construction Traffic Management Plan (CTMP) shall be prepared by a suitably qualified and experienced person. The objective of the CTMP is to provide a framework to be adopted by the Consent Holder to avoid, remedy or mitigate any actual or potential adverse traffic effects of the construction works. The CTMP shall be submitted to Central Otago District Council for certification at least 14 days prior to the construction commencement date.

The CTMP shall include consideration of:

- a. Minimisation of the safety impacts of construction activities on the users of public roads;
- b. Means by which the total number of truck movements to and from the construction activities could be minimised (e.g. backloading of departing vehicles, reuse of material onsite); and
- c. Means by which the movement of large machinery can be undertaken at times and in a manner that minimises effects on public road users (e.g. avoiding peak commuter periods).

Prior to the construction of the Central Otago District Council commencing, the consent holder shall submit to Central Otago District Council correspondence from the New Zealand Transport Agency confirming that the Construction Traffic Management Plan is acceptable.

Detailed designs shall be undertaken in accordance with accepted engineering standards.

NZTA's request regarding stormwater is addressed in the following section.

5. Stormwater Management

Submissions have identified uncertainty regarding the management of stormwater and potential effects on adjoining land and the state highway network.

Council requests that the requiring authority provide:

- a) Further detail on the proposed stormwater and overflow management, including:
- how overland flow paths will be managed;
 - how discharges will be controlled; and
 - how effects on adjoining land and infrastructure will be avoided;
- b) Confirmation of how stormwater will be addressed through:
- Outline Plan design; and
 - designation conditions (including performance standards where relevant).

In response:

- a) Further detail on the proposed stormwater and overflow management, including:
- how overland flow paths will be managed;
 - how discharges will be controlled; and
 - how effects on adjoining land and infrastructure will be avoided;

The Requiring Authority acknowledges the concerns raised in submissions regarding the management of stormwater and potential overflow events. While detailed engineering designs are typically finalised at the Outline Plan stage once a specific reservoir tank model and footprint are confirmed, the following response outlines the management framework and volunteered conditions to ensure effects on adjoining land and the state highway network are avoided.

All works will be in accordance with relevant stormwater design standards and guidelines, and detailed design will be undertaken in accordance with accepted engineering standards.

How overland flow paths will be managed

The site's natural topography consists of a gully that currently directs internal runoff toward the lower eastern boundary. The proposed earthworks to create the reservoir platform will include the contouring of the site to intercept and divert clean upslope run-on water around the footprint of the infrastructure. This ensures that the natural catchment flow is maintained or safely bypassed, preventing the concentration of water in areas that could lead to instability or scour.

Stormwater management will be designed specifically for this site and landscape context, with a preference for softer, landscape-integrated solutions where practicable. For example, using planted swales, rock-lined channels, detention/soakage areas, or other low-impact measures that avoid creating large, visually prominent concrete structures, while still meeting the necessary engineering and safety requirements.

How discharges will be controlled

Stormwater from new impervious surfaces (such as the reservoir roof and any associated utility housing) will be collected via a formal drainage system. The Requiring Authority intends to utilise onsite attenuation and/or soakage mechanisms, such as rock-lined swales or detention pits, to ensure that post-development flow rates do not exceed pre-development levels.

For overflow management, the reservoirs will be fitted with automated telemetry and high-level sensors to prevent overfilling. In the unlikely event of a mechanical failure or emergency release, a formal overflow pipe will be installed. This pipe will lead to a stabilised outfall or a designated detention area designed to dissipate energy and prevent high-velocity point-source discharges.

How effects on adjoining land and infrastructure will be avoided

The primary risk to adjoining land and the State Highway 6 corridor is uncontrolled sediment-laden runoff or high-energy overflow.

As agreed with the NZTA submission, no stormwater or overflow will be permitted to discharge directly onto the State Highway corridor in a manner that causes scour or flooding.

All drainage infrastructure will be designed to ensure that water is either contained on-site or discharged into an approved legal outfall at a controlled rate that matches natural greenfield runoff.

The use of telemetry systems provides a primary layer of protection by alerting Council operators to potential overflow risks well before a discharge occurs.

To provide certainty that these matters will be resolved through the detailed design phase, the Requiring Authority volunteers the following condition:

Stormwater and Overflow Management Plan Condition:

Prior to the commencement of construction, the Requiring Authority shall submit a detailed Stormwater and Overflow Management Plan to the Council for certification at the Outline Plan stage. The Plan shall be prepared by a suitably qualified engineer and shall demonstrate:

- a. That stormwater from all new impervious surfaces is managed to ensure post-development peak flow does not exceed pre-development peak flow for a 1 in 10-year storm event.
- b. The location and design of all overland flow paths, ensuring they are stabilised to prevent erosion and do not adversely affect adjoining private properties.
- c. The design of any reservoir overflow or scour-washout systems, including energy dissipation measures at the outfall to prevent downstream scour or effects on State Highway 6.
- d. Written confirmation from New Zealand Transport Agency that the proposed drainage and overflow solutions will not adversely affect the state highway network.

Detailed designs shall be undertaken in accordance with accepted engineering standards.

b) *Confirmation of how stormwater will be addressed through:*

- *Outline Plan design; and*
- *designation conditions (including performance standards where relevant).*

The Requiring Authority confirms that stormwater and overflow management will be addressed through a two-tiered approach involving detailed design at the Outline Plan stage and adherence to specific performance standards set out in the proposed designation conditions included above.

Conclusion

The proposed reservoirs in this specific location are a critical component of the Cromwell and Pisa Moorings water supply network, providing the storage capacity required to ensure a safe, reliable, and sustainable drinking water supply for the current and future population. The Requiring Authority acknowledges that the proposal involves placing essential infrastructure within a sensitive rural landscape and an Outstanding Natural Feature.

An assessment is provided in regard to effects on neighbouring properties' residential amenity and visitor accommodation. An Archaeological Assessment has been completed, and the Archaeological Authority process is underway.

The original proposed conditions have been amended and strengthened to address the concerns raised by submitters and the matters identified in the RFI. The comprehensive suite of conditions is designed to manage, remedy, and mitigate potential adverse effects on the environment and neighbouring amenity, as much as possible.

We trust this information addresses the matters raised in the RFI and look forward to progressing the requirement.



Yours faithfully,

Rosalind Devlin
RESOURCE MANAGEMENT PLANNER

Attachments:

- [A]** – Updated Proposed Conditions (tracked changes and clean)
- [B]** – Archaeological Assessment
- [C]** – Correspondence with Heritage New Zealand Pouhere

Updated Proposed Conditions – RFI response**Design Controls**

1. The reservoir tanks shall be painted or otherwise coloured so as to be of dark, visually recessive colours in the range of browns or greens with a reflectivity value of no more than 15%.
2. The reservoir tanks shall have a maximum height of 5.5m above the platform base material, which itself shall have a maximum relative level of 240.2m.
3. Any external lighting will be limited to downlights mounted on the structures within the designation area and are to be sensor activated. The lighting is to only be for security and operational requirements.

Earthworks

4. All earthworks shall be designed and supervised by a suitably qualified geo-professional.

Environmental Management Plan (EMP)

5. Prior to the commencement of any earthworks or construction activities, the Requiring Authority shall submit an Environmental Management Plan (EMP) to the Council's Planning Manager for certification. The EMP shall be prepared by a suitably qualified and experienced person and shall be consistent with the scale and nature of the proposed works.

The objective of the EMP is to provide a framework for the management of all environmental effects during the construction phase to ensure compliance with the designation conditions and the relevant provisions of the District Plan.

The EMP shall include, but not be limited to, the following:

- a. Construction Management: Identification of the hours of work, contact details for the site manager, and a program for the staging of works.
- b. Erosion and Sediment Control: Detailed methods to be implemented to minimise erosion and prevent the discharge of sediment-laden water or debris beyond the boundaries of the designation, particularly onto lower-lying adjoining properties and the State Highway network.
- c. Dust Management: Specific mitigation measures to ensure that dust does not create a nuisance for neighbouring residential or accommodation activities, including the use of water carts or stabilisation of exposed surfaces during windy conditions.
- d. Noise and Vibration: A plan for managing construction noise and vibration in accordance with NZS 6803:1999 and DIN 4150-3:1999, including methods for proactive communication with the owners of sensitive receiver sites at 23 Clark Road and 1 Perriam Place.

- e. Accidental Discovery Protocol: Procedures to be followed in the event that any archaeological sites, kōiwi, or heritage artifacts are uncovered during earthworks, ensuring compliance with the Heritage New Zealand Pouhere Taonga Act 2014.
- f. Spill Contingency: Procedures to prevent and respond to any accidental spills of fuels or hazardous substances used by construction machinery.
- g. Waste Management: Measures to manage construction waste and ensure the site is kept in a tidy state to protect the visual amenity of the Rural Resource Area.

All construction and earthworks activities shall be carried out in accordance with the certified EMP at all times. Any significant changes to the EMP shall be submitted to the Council for re-certification prior to those changes being implemented.

- 6. Earthworks shall be designed to create a contained hollow within which the tanks are located. Finished earthworks shall be naturalistic in form and retain (as much as possible) the integrity of the gully. The design shall be done such that the tanks are substantially physically separated from the existing vehicle track by landform. The earthworks design along with the natural landscape and matured planting growth over time will ensure the tanks are reasonably difficult to see from Clark Road and State Highway 6.

Landscape Mitigation Plan

- 7. Prior to the commencement of any earthworks or construction activities, the Requiring Authority shall submit a Landscape Mitigation Plan (LMP) to the Council's Planning Manager for certification. The LMP shall be designed so as to rid the site of weed species and establish ecologically appropriate mixed native vegetation within the site that enhances the visual screening of the tanks provided by the earthworks design. Vegetation shall be designed to assist in achieving the criterion set out in Condition 6, that the tanks are reasonably difficult to see from Clark Road and State Highway 6.

The LMP shall include comprehensive details regarding the active maintenance of all landscape mitigation planting for the life of the designation. This shall include, but not be limited to:

- a. Details of planting species, densities and layout formulated by a suitably qualified landscape or ecological professional so as to use species and methods that are specifically suited to local conditions to ensure the best possible survival, growth and results in relation to visual screening.
- b. Irrigation: Details of a temporary automated irrigation system to be maintained for a minimum of five years from the time of planting to ensure successful establishment.
- c. Pest and Weed Control: A program for ongoing animal pest control (specifically targeting rabbits) and the removal of invasive weed species within the planting areas.
- d. Replacement Regime: A replacement regime whereby any specimen that dies, is removed, or becomes significantly diseased within the first five years of planting shall be replaced by the Requiring Authority with a plant of the same or similar species and of a comparable grade within the next available planting season.

- e. Reporting: Provisions for an annual audit of plant survival rates by a suitably qualified landscape or ecological professional for the first three years following implementation, with the results to be provided to the Council upon request. In the event that survival or growth rates are suboptimal, the annual reporting shall include details of remedial or alternative planting design so as to achieve the results required by Conditions 6 and 7.

All landscape mitigation shall be implemented in accordance with the certified LMP within the first planting season following the completion of the reservoir construction.

Construction Traffic Management Plan (CTMP)

8. A Construction Traffic Management Plan (CTMP) shall be prepared by a suitably qualified and experienced person. The objective of the CTMP is to provide a framework to be adopted by the Consent Holder to avoid, remedy or mitigate any actual or potential adverse traffic effects of the construction works. The CTMP shall be submitted to Central Otago District Council for certification at least 14 days prior to the construction commencement date.

The CTMP shall include consideration of:

- a. Minimisation of the safety impacts of construction activities on the users of public roads;
- b. Means by which the total number of truck movements to and from the construction activities could be minimised (e.g. backloading of departing vehicles, reuse of material onsite); and
- c. Means by which the movement of large machinery can be undertaken at times and in a manner that minimises effects on public road users (e.g. avoiding peak commuter periods).

Prior to the construction of the Central Otago District Council commencing, the consent holder shall submit to Central Otago District Council correspondence from the New Zealand Transport Agency confirming that the Construction Traffic Management Plan is acceptable.

Detailed designs shall be undertaken in accordance with accepted engineering standards.

9. Access to the site shall be obtained from the existing track from Clark Road. No significant upgrades shall be undertaken to provide access to the site during and subsequent to construction.
10. Any new earthworks required to gain access from the existing track to the site shall be kept to the minimum required. All exposed cut and fill shall be reinstated and re-vegetated with hard tussock (except where already provided for in the landscape mitigation plan) the establishment of which will involve permanent rabbit fencing and a permanent irrigation system.

General

11. All ancillary pipework and valving shall be located underground.

12. Dust suppression methods shall be used during construction works at the site.
13. Construction noise is to comply with NZS 6803:1999 Acoustics - Construction Noise.
14. The requiring authority shall keep the site free of all wilding pines and woody weeds.
15. The use and noise associated with the use of an emergency generator operating for emergency purposes is permitted.
16. Prior to works commencing, a Preliminary Site Investigation shall be prepared by a suitably qualified person and submitted to the Territorial Authority.

Heritage

17. Prior to the design and construction of the works, the requiring authority shall nominate an appropriately qualified archaeologist, such person being acceptable to Heritage New Zealand Pouhere Taonga. For the avoidance of doubt the nominated and accepted person is referred to as "the archaeologist" in this condition.
18. A durable water resistant stormwater drainage system be designed and installed through or around the access and site to preserve the tailing, sluice channel and remnant alluvial gully face from future stormwater erosion due to the location of the works in the base of a gully. The design shall be subject to the approval of the archaeologist prior to installation.
19. Plans and methodology for access, operation of plant and placement of materials at the construction site shall be prepared and submitted to the archaeologist for approval prior to any physical site work occurring.
20. The archaeologist shall monitor:
 - (a) Compliance with the plans submitted with the application; and
 - (b) On-site pegging necessary to facilitate construction and protection of archaeological sites; and
 - (c) Excavation, compaction and site reinstatement activities.
21. On site monitoring by the archaeologist shall occur during excavation and during any compaction/vibration activities associates with the site preparation and installation (construction) of the works to monitor the stability of the dwelling chimney, riveted schist shone channel walling and north facing sheer cliff faces of the remnant alluvial gully faces between the site and the main sluice gully to the north.
22. If koiwi (human skeletal remains) waahi taoka (resources of importance) or artefact material (whether of tangata whenua, Chinese or European Origin) are discovered at the construction site, work will immediately cease and Kai Tahu and the New Zealand Archaeological Association shall be advised. In the event of such a discovery relevant to Tangata Whenua the requiring authority shall arrange for a site inspection by the appropriate Tangata Whenua and their advisors who will determine whether the discovery is likely to be extensive and whether a thorough site investigation is required. Material discovered will be handled by the iwi responsible for the tikanga appropriate to their removal or preservation.

23. The requiring authority shall ensure that construction workers and plant operators are briefed with respect to accidental discovery protocol provided for in condition 22.
24. An archaeological authority under section 44 of the Heritage New Zealand Pouhere Taonga Act (2014) should be obtained from Heritage New Zealand for the Sugar Loaf Ground Sluicings G41/620 prior to any excavations proceeding that could damage this site.
25. As a first principle, every practical effort should be made to avoid damage to any archaeological site.
26. Prior to the commencement of onsite works the boundaries of archaeological features must be established with a visual aid (such as safety fencing) to ensure that no accidental damage to the site occurs.
27. A Site Instruction document should be prepared to inform and assist all parties involved in ensuring that the conditions attached to any archaeological authority are met. This document should cover both the construction of the reservoir, planting and the removal of wilding pine.
28. Wilding pine and other woody weed removal should be undertaken on the wider site where practicable to overall enhance the site's values.
29. Upon the removal of vegetation, updated survey, mapping and recording of site G41/620 should be undertaken.
30. In line with Provision 12 of Heritage Covenant 88791893.15, interpretive panels, signage, or other heritage interpretation measures should be installed at the site.
31. The excavation contractor(s) must be informed of the requirements of any authority issued and briefed by the archaeologist about the site's archaeological values and the possibility that archaeological material may be uncovered during excavation works.
32. All earthworks that may affect any archaeological material should be monitored by an archaeologist.
33. If any archaeological features are uncovered during excavations, these should be recorded using appropriate archaeological standards by an archaeologist.
34. If at any stage during site works Māori material is discovered, works must cease and manawhenua and HNZPT shall be consulted immediately about how to proceed.

Construction Management Plan (CMP)

35. Prior to the commencement of any works on the site, the Requiring Authority shall submit a Construction Management Plan (CMP) to the Council's Planning Manager for certification. The objective of the CMP is to ensure that all construction activities are managed to minimise adverse effects on the environment and the amenity of neighbouring properties. The CMP shall include, but not be limited to, the following:

- a. Duration and Timing of Works: A schedule of works, including the expected start date and duration. All construction activities shall be restricted to between the hours of 0730 and 1800, Monday to Saturday, with no noisy works permitted on Sundays or Public Holidays.
- b. Noise Management: Procedures to ensure that all construction noise complies with the requirements of NZS 6803:1999 Acoustics – Construction Noise. This shall include identification of particularly noisy activities and methods to minimise noise at the boundary of sensitive receivers.
- c. Dust Mitigation: A description of the methods to be used to prevent dust nuisance beyond the boundary of the site, including water spraying of exposed earthworks, stabilisation of stockpiles, and wheel-wash facilities if required.
- d. Vibration Management: Measures to manage and monitor vibration during the construction phase to ensure compliance with DIN 4150-3:1999 Structural Vibration – Effects of Vibration on Structures (or subsequent versions) to protect neighbouring infrastructure and dwellings.
- e. Traffic and Access: Methods to manage the movement of heavy machinery and delivery vehicles to and from the site via Clark Road to ensure road safety and maintain access for residents.
- f. Communications: Contact details for a designated site manager who will be responsible for responding to any complaints or inquiries from the public during the construction period.

All construction activities shall be carried out in accordance with the certified CMP.

Stormwater and Operational Release

36. Prior to the commencement of construction, the Requiring Authority shall submit a detailed Stormwater and Overflow Management Plan to the Council for certification at the Outline Plan stage. The Plan shall be prepared by a suitably qualified engineer and shall demonstrate:
- a. That stormwater from all new impervious surfaces is managed to ensure post-development peak flow does not exceed pre-development peak flow for a 1 in 10-year storm event.
 - b. The location and design of all overland flow paths, ensuring they are stabilised to prevent erosion and do not adversely affect adjoining private properties.
 - c. The design of any reservoir overflow or scour-washout systems, including energy dissipation measures at the outfall to prevent downstream scour or effects on State Highway 6.
 - d. Written confirmation from New Zealand Transport Agency confirming that the proposed drainage and overflow solutions will not adversely affect the state highway network.

Detailed designs shall be undertaken in accordance with accepted engineering standards.

Pisa Moorings Reservoir Site G41/620 (Sugarloaf Sluicings)

Archaeological Assessment
May 2026



Archaeological Assessment for Pisa Moorings Reservoir

Archaeological Sites: G41/620

Commissioned by Central Otago District Council

Prepared by Russell Cook

Reviewed by Chris Jennings



1 May 2026

*Cover Photo: 1958 Aerial of Sugarloaf
Sluicings (Retrolens: SN1080/2692/10)*

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¹ Origin Consultants Ltd trading as Origin Heritage

Contents

1. Introduction	1
2. Statutory Framework	5
3. Methodology	7
4. Desktop Research Results	8
5. Fieldwork Results	13
6. Archaeological and Other Values	22
7. Assessment of Effects	24
8. Summary and Recommendations	26
9. References.....	28
Appendix A – Client Plans	29

DRAFT

List of Figures

Figure 1. Insert figure of location.	1
Figure 2. Project area is Lot 8 DO433991 outlined in red while both the project area and Lot 11 DP433991 are the subject of this assessment.	2
Figure 3 Five Mile Creek and Hatters Gully in relation to the approximate outline of G41/620 outlined in red...3	3
Figure 4. Facing toward Pisa Moorings township and Lake Dunstan, facing east.	3
Figure 5. View downward across site G41/620, facing northeast toward Pisa township and Lake Dunstan.....	4
Figure 6. General landscape and topography of the site, facing west toward mountain range and adjacent viticultural sites.....	4
Figure 7. Junction of the Clutha and Kawarau Rivers with tailings visible along the banks. Date unknown. (Hocken Digital Collections, n.d.).....	9
Figure 8. Cromwell Circa 1887 (Hocken Digital Collections).....	9
Figure 9. 20 th century land change. Top Left: 1958, Top Right 1976, Bottom: present day.....	11
Figure 10. Map of Archaeological Sites recorded within the surrounding landscape.....	12
Figure 11. Matt Sole's 2009 map of site features (Sole, 2009, p. 8).....	13
Figure 12. Gullies 1, 2 and 3, facing west.	15
Figure 13. Showing gullies 1-4, facing west.	15
Figure 14. Facing west, showing main workings and all finger gullies.	16
Figure 15. Sluiced areas located at the east of the assessment area.	16
Figure 16. End of main workings at east of site, showing remnants of outwash fan.	17
Figure 17. Aerial photograph showing main workings, access road disturbance, eastern sluiced areas, and potential race features.	17
Figure 18. Stone lined channel, chimney and tailing, as seen in Sole's original survey, to the north of hut site, facing west.....	18
Figure 19. Quarry area referenced in Sole 2009 (adjacent to gullies 4 and 5).	18
Figure 20. Top of chimney, showing stonework and tailings pile in background.....	19
Figure 21. Base of fireplace, main portion of fireplace inaccessible due to briar, facing east.	19
Figure 22. Stone walls and stacked tailings piles to the west of chimney.	20
Figure 23. Stone lined channel extending east from hut site.	20
Figure 24. Stone lined channel to the north of hut.	21
Figure 25. Sluiced area with later added mining equipment inside sluice depression.....	21
Figure 26 Indicative aerial view of proposed reservoir and associated landscaping.....	24

List of Tables

Table 1. Table of recorded archaeological sites in the vicinity of the site..... 12

Table 2. Assessment of archaeological values for Sugar Loaf Ground Sluicings..... 22

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Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026

1. Introduction

Central Otago District Council proposes to install a water tank reservoir at Lot 8 DP 433991, located to the rear of 23 Clark Road, Pisa Moorings (Figure 1, Figure 2). The project area is located adjacent to archaeological site G41/620, a series of 19th century ground sluicing gold mining remains, and archaeological evidence may be affected by these works. Origin Heritage has been engaged to undertake an archaeological assessment to evaluate the archaeological values of sites within the project area and the effects works will have on these values. As works have the potential to affect archaeological evidence, an archaeological authority will be required under section 44 of the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA).

The purpose of this assessment is:

- to identify the history and nature of any archaeological sites that may be affected by the proposed excavations;
- to assess the values of
- to provide appropriate recommendations for the mitigation and management of any potential damage to these features; and
- to provide information supporting an application for an Archaeological Authority under the HNZPTA.

The author of this report is Russell Cook, Principal Archaeologist at Origin Heritage and a member of the New Zealand Archaeological Association.

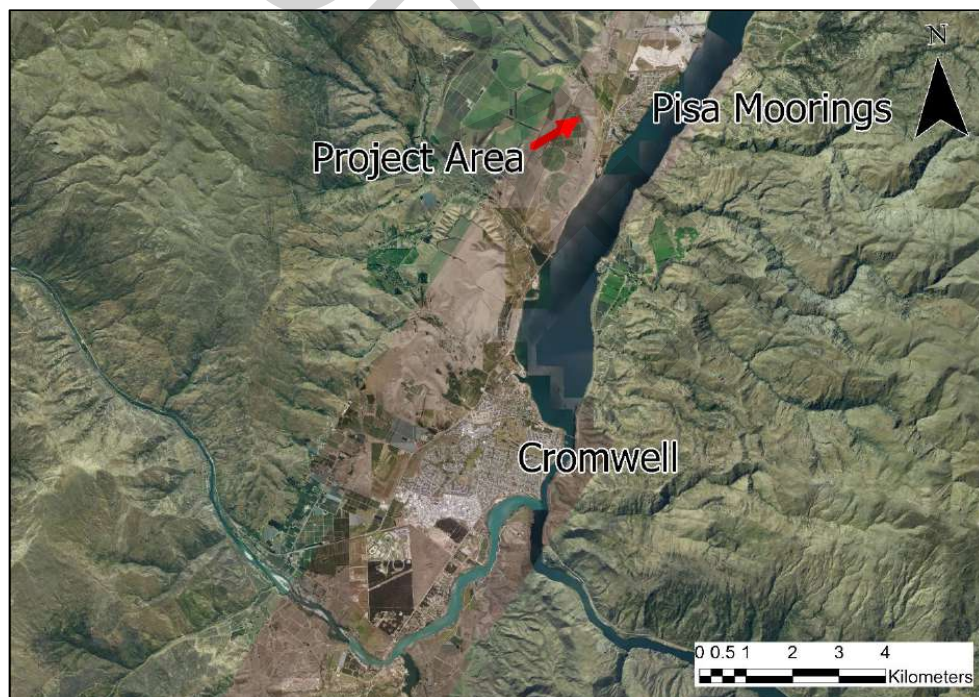


Figure 1. Insert figure of location.

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026

1.1. Assessment Area and Physical Environment

The legal descriptions of the affected and potentially affected land parcels are (Figure 2):

- Lot 8 DP433991
- Lot 11 DP 433991

The project area is located on the edge of Sugarloaf Terrace, a large glacial outwash terrace located on the western shore of Lake Dunstan. As such, the underlying geology of the site will be comprised of stratified fluvial glacial outwash deposited by glacial meltwater. The edge of the Sugarloaf Terrace is located immediately to the east, with State Highway 6 (SH6) being present at the first available flat land below the terrace. Five Mile Creek is located immediately north of the project area in a gully which cuts the overall outwash terrace form. Further to the north the creek is joined by Hatters Gully (Figure 3). Both locations were notable as the sites of hundreds of 19th century mining applications. The township of Pisa Moorings is located directly across SH6 (Figure 4-Figure 5). Most of the surrounding land, except for Pisa Moorings, is used for agriculture, with orchards and vineyards on the adjacent properties to the north and west (Figure 6). A small commercial business building is located immediately adjacent to the site on Clark Road. Vegetation surrounding the site mostly consists of low grass while the gully of site G41/620 contains a series of wilding pine and shrub growth amongst the archaeological fabric.

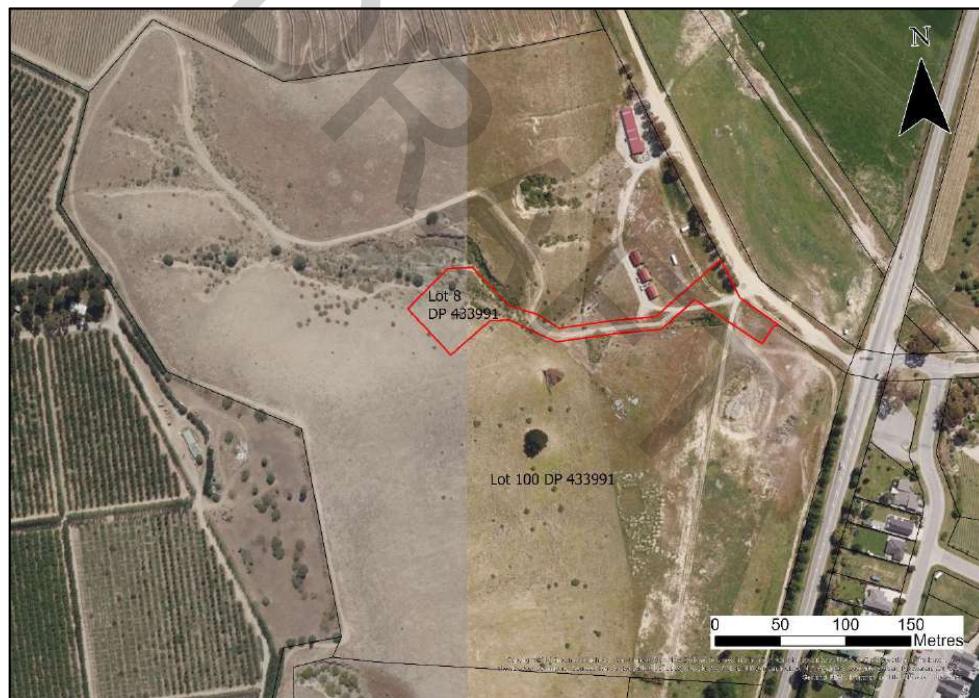


Figure 2. Project area is Lot 8 DP433991 outlined in red while both the project area and Lot 11 DP433991 are the subject of this assessment.

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026



Figure 3 Five Mile Creek and Hatters Gully in relation to the approximate outline of G41/620 outlined in red.

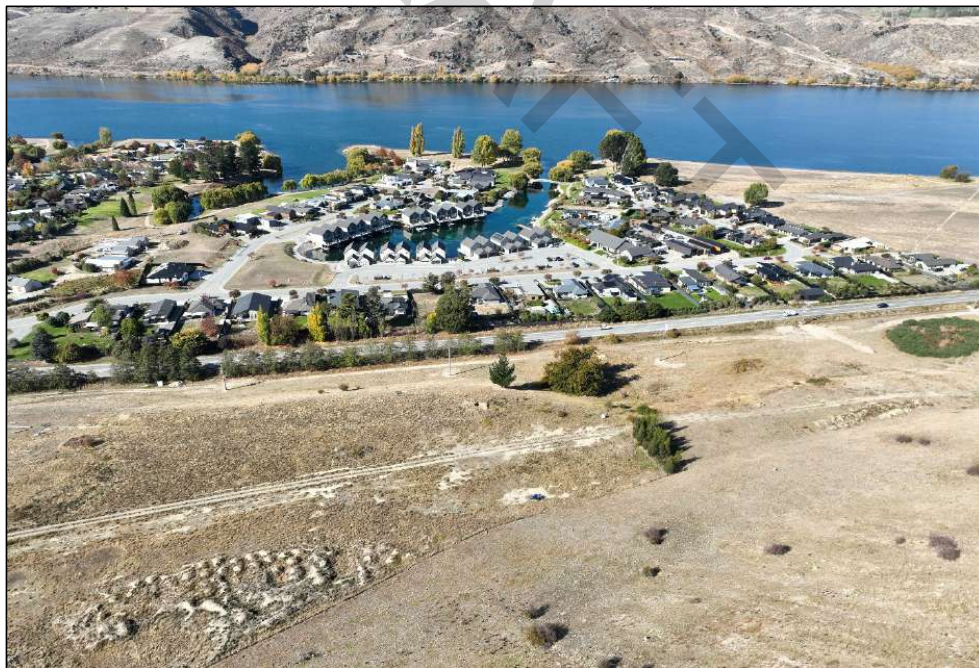


Figure 4. Facing toward Pisa Moorings township and Lake Dunstan, facing east.

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026



Figure 5. View downward across site G41/620, facing northeast toward Pisa township and Lake Dunstan.



Figure 6. General landscape and topography of the site, facing west toward mountain range and adjacent viticultural sites.

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026

2. Statutory Framework

There are two main pieces of legislation in New Zealand that control work affecting archaeological sites. These are the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA 2014) and the Resource Management Act 1991 (RMA 1991). Heritage New Zealand Pouhere Taonga (HNZPT) administers the HNZPTA 2014.

Archaeological Sites

The HNZPTA 2014 contains a consent process for any work affecting archaeological sites (archaeological authority). An archaeological site is defined as:

- a) any place in New Zealand, including any building or structure (or part of a building or structure), that—
 - i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and
 - ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and
- b) includes a site for which a declaration is made under section 43(1).

Any person who intends to carry out work that may damage, modify or destroy an archaeological site, or to investigate a site using invasive archaeological techniques, must first obtain an archaeological authority from HNZPT. The process applies to sites on land of all tenure including public, private, and designated land. The HNZPTA 2014 contains penalties for unauthorised site damage or destruction.

The archaeological authority process applies to all sites that fit the HNZPTA 2014 definition, regardless of whether:

- the site is recorded in the NZ Archaeological Association Site Recording Scheme or registered by HNZPT;
- the site only becomes known about as a result of ground disturbance; and/ or
- the activity is permitted under a district or regional plan, or a resource or building consent has been granted.

Once an authority has been granted, modification of an archaeological site is only allowed following the expiration of the appeals period, or after the Environment Court determines any appeals. Any directly affected party has the right to appeal the Environment Court's decision within 15 working days of receiving notice of the decision.

HNZPT may impose conditions on the authority that must be adhered to by the authority holder. However, provision also exists for a review of the conditions. The authority remains current for a period of up to 35 years, as specified in the authority. If no period is specified in the authority, it remains current for a period of five years from the commencement date.

The authority is tied to the land for which it applies, regardless of changes in the ownership of the land. Prior to any changes of ownership, the landowner must give notice to HNZPT and advise the succeeding landowner of the authority, its conditions, and terms of consent.

Historic Heritage

HNZPT also maintains the New Zealand Heritage List Rārangi Kōrero of Historic Places, Historic Areas, Wāhi Tapu, Wāhi Tapu Areas, and Wāhi Tūpuna. The List can include archaeological sites. The purpose of the List is to inform members of the public about such places and to assist with their protection under the RMA 1991.

The RMA 1991 requires City, District and Regional Councils to manage the use, development, and protection of natural and physical resources in a way that provides for the wellbeing of today's communities while safeguarding the options of future generations. The protection of historic heritage from inappropriate subdivision, use, and development is identified as a matter of national importance in section 6(f).

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026

Historic heritage is defined as those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, derived from archaeological, architectural, cultural, historic, scientific, or technological qualities.

'Historic heritage' includes:

- historic sites, structures, places, and areas;
- archaeological sites;
- sites of significance to Māori, including Wāhi Tapu, Wāhi Tapu Areas, and Wāhi Tūpuna; and
- surroundings associated with the natural and physical resources.

These categories are not mutually exclusive, and some archaeological sites may include above ground structures or may also be places that are of significance to Māori.

Where resource consent is required for any activity, the assessment of effects is required to address cultural and historic heritage matters (Schedule 4, RMA 1991 and District Plan assessment criteria).

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Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026

3. Methodology

The archaeological assessment for the Pisa Moorings Reservoir was carried out using desktop research methods and included archaeological fieldwork to assess any visible site features.

3.1. Desktop Research

Desktop research was undertaken to investigate the wider historical and archaeological landscape around the assessment area. In addition to any available local histories, several resources were consulted to try to establish and clarify the historical development and chronology of the assessment area. These included:

- ArchSite, the New Zealand Archaeological Association (NZAA) national database of recorded archaeological sites
- Archives New Zealand Online Collections Search
- Papers Past
- Heritage New Zealand Pouhere Taonga Archaeology Digital Library
- Premise
- Kā Huru Manu: Ngāi Tahu Cultural Mapping Project

A Geographic Information System (GIS) project was set up using ArcGIS Pro to review historical maps, historical and modern aerial photographs, LiDAR and other spatial data associated with the assessment area.

Spatial data resources used included:

- Retrolens – Historical Imagery Resource
- ArchSite spatial data
- Premise
- Land Information New Zealand
- ArcGIS Pro basemaps sourced from LINZ and Eagle Technology.

The results of the desktop research are reported in Section **Error! Reference source not found.**

3.2. Fieldwork

A site inspection was undertaken to make a visual assessment which included an appraisal of the environs of the site. This visual assessment was supported by digital photographs that recorded features of the site. The site visit was completed on 24 April 2026 by Riley Christie. The results of the fieldwork are reported in Section **Error! Reference source not found.**

3.3. Constraints and Limitations

The key constraints and limitations on the archaeological assessment for the Pisa Reservoir project are considered to be as follows:

- Reasonable time and budget constraints meant that the assessment only involved desk-based research and a visual inspection of the assessment area. No targeted intrusive investigations such as test pitting were able to be undertaken.
- Access restrictions meant it was not possible to view the private properties that make up part of the assessment area.
- No images have been able to be located that clearly show the site prior to 1900.
- The scope of the history was limited by reasonable time and budget constraints.

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026

4. Desktop Research Results

4.1. Human History

Archaeology provides unequivocal evidence for sustained human occupation of Aotearoa/New Zealand by at least the early fourteenth century, (Jacomb *et al.*, 2014), and possibly as early as 1250 AD (Bunbury, Petchey and Bickler, 2022). Archaeological sites throughout the length of the country, dated to the fourteenth century, show widespread settlement and exploration, particularly in coastal areas (Walter *et al.*, 2017). These included settled village sites along the coast adjacent to rich and sustained food resources such as seals and moa; seasonal inland sites for collecting stone resources and hunting; and comparable seasonal coastal sites for ‘fishing and moa processing’ (Hamel, 2001). Such settlement patterns were not without impact. Much of the forest along the coastal region was reduced in extent; there were changes in patterns of hunting and fishing; and increasing use of smaller, more mobile occupation sites by the 16th and 17th centuries. This was followed by further changes in subsistence, based on organised food gathering and processing that created settled village communities along the Otago coastline from the mid-18th Century onwards (Hamel, 2001).

European occupation of the Lake Dunstan area began with the arrival of pastoralists in the 1850s but only sparse populations were present until Hartley and Reilly’s discovery of gold in the Clutha River in 1862. This was followed by multiple other smaller discoveries in the tributaries feeding the Clutha, with Roaring Meg and Five Mile Creek being noted as new, albeit small claims in 1863 (Otago Witness, Issue 582, 24 January 1863, Page 7). As was often the case, the discovery of gold brought a flood of fortune seekers from various corners of the globe who quickly set up their own impromptu settlements (Cunningham, 2005). One logical location for such a settlement was at the junction of major rivers. With access to water and goldfields and as the miners poured into Central Otago a settlement known as The Junction emerged where the Clutha and Kawarau Rivers met (Figure 7, Figure 8). The settlement would be officially surveyed in 1863 by surveyor J. Aitken Connel and given a ‘proper’ name of Cromwell (Cyclopedia Company Limited, 1905). However, the miners arrived and established themselves so quickly during the rush, that the town already contained several stores, seven hotels, black smiths, shoemakers and timber merchants by the time it was officially surveyed. This initial survey only covered a small percentage of the current township (3 blocks), and the town outgrew its official boundaries even as the initial goldrush waned. In 1875 the Cromwell Borough would successfully lobby for an additional survey by the crown, expanding the official boundaries and designating much of the modern municipality (Cunningham, 2005).

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026

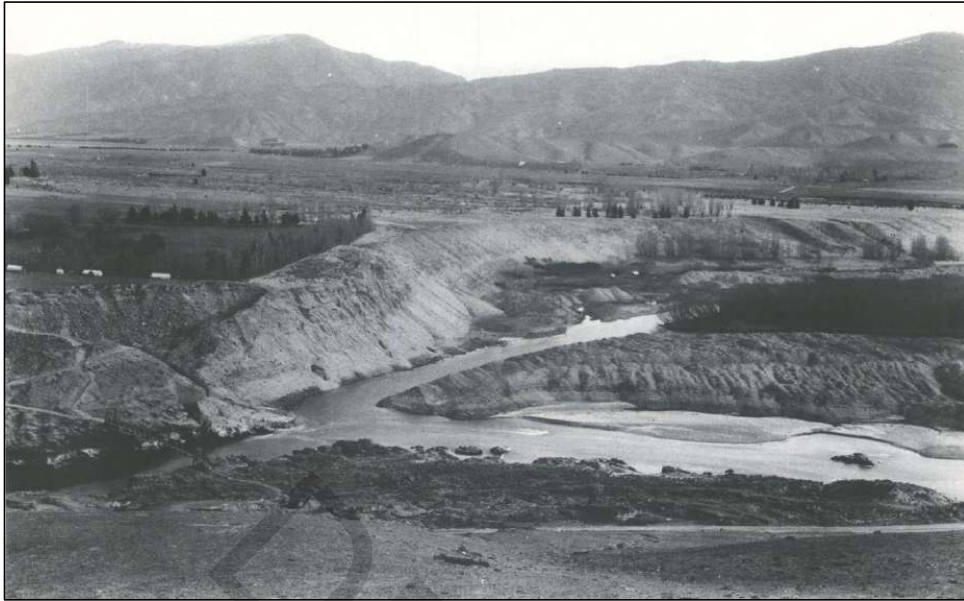


Figure 7. Junction of the Clutha and Kawarau Rivers with tailings visible along the banks. Date unknown. (Hocken Digital Collections, n.d.)



Figure 8. Cromwell Circa 1887 (Hocken Digital Collections)

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026

By the end of the 1870s, Cromwell possessed the population and amenities of a small town. Up until the end of the 19th century, Cromwell relied on the income generated by the mining industry from Bendigo in the north to the Kawarau Gorge in the west (Cunningham, 2005). With the general decline of mining activity in Central Otago at the end of the 19th century, miners and settlers developed their focus towards using the landscape for agricultural purposes in addition to (and sometimes in conflict with) the large pastoral runs. As early as 1901, miners-turned-farmers like William Annan had discovered that the climate and accessibility of water were suitable to the growing of stone fruit. This agricultural industry lasted up to and beyond the inundation of the basin by the construction of the Clyde Dam in the 1980s (Cunningham, 2005).

The creation of Lake Dunstan in 1992 led to a substantial remodelling of the landscape both at Cromwell and upstream. The traffic bridge over the Clutha was submerged under the rising water level and the whole focus of the town centre moved to the north and west. The effects of inundation spread up the Clutha Valley, submerging many of the buildings at Lowburn Ferry and destroying nearly all the goldmining features present on the old river flats. It also submerged many of the mining features that were situated on the lower slopes of the Dunstan Mountain range.

4.2. Site-Specific History

While there is a substantial amount of historical information relating the gold rush era in Otago, much of it lacks specificity regarding the placement of individual claims. The nature of early mining rush and lack of accessible and interpretable records makes it challenging to create an accurate narrative of the first miners involved within the project area. Additionally, no photographs of the project area prior to 1900 have been identified. While 19th century newspapers and Archives New Zealand are full of claims and other applications being registered in or around Five Mile Creek and Hatters Gully most of these lack sufficient detail to locate them and no survey plans showing these workings has yet been identified. For instance, 176 applications for Five Mile Creek for various goldmining activities are registered in Archives New Zealand under the Cromwell Application files with an additional 136 for Hatters Gully. This volume of applications demonstrates that nearly every portion of easily workable land was subject to a claim at some point.

From the information available it does appear that the area was first subject to typical early gold mining activity, being mostly many small individual claims only worked over a short period of time. The early description of the Five Mile Creek goldrush mentioned above describes it as of poor quality when compared to others of the time, however twenty three years later it appears that the land was re-worked that "Most of the ground left by those who just sunk holes at the time of the rush [was] taken up and [was] also paying very well" (Otago Witness, Issue 1824, 5 November 1886, Page 12) indicating that a more thorough and methodical style of extraction was being employed, such as the ground sluicings seen at G41/620.

The earliest available survey map of the area, SO 1988 from 1877, shows a reserve for tailings deposition on the now flooded riverbanks below modern-day Pisa Moorings, as well as water races at Chinaman's Gully to the south and Seven Mile Creek to the north. Unfortunately, the assessment area is not covered by the survey map, as the surveyed area ends immediately to the east of the Luggate-Cromwell Road (SH6). The earliest identified survey that includes the assessment area dates to 1923 and shows the property as Section 44, Block 4, Wakefield Survey District. On the map the property is labelled as Afforestation, meaning it has been planted out with trees, and no indication that mining remains are present.

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026

Landscape Change

An examination of available aerial data shows that the landscape present by the mid-20th century likely resembled that seen during the late 19th. Only a small copse of trees remains from the plantings noted in the 1923 survey map, with the remainder of the land barren except for some light grass cover, likely kept short by livestock grazing. By 1976 an ad hoc track has been formed through the centre of the gully, likely used by repeated access from Clark Road, through the gully to the top of the Sugar Loaf formation. By the 21st century the original water race which fed the workings has been destroyed by orchard formation on the Sugar Loaf flats. However, the remainder of the site appears to remain relatively unchanged except for the notable addition of several decades of scrub and wilding pine growth.

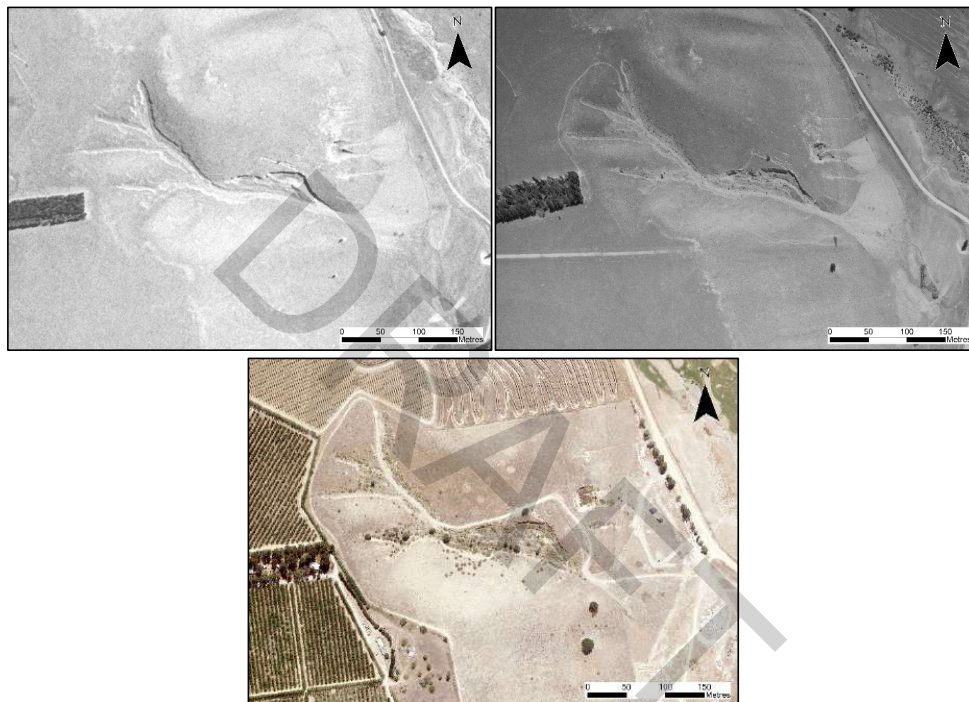


Figure 9. 20th century land change. Top Left: 1958, Top Right 1976, Bottom: present day.

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026

4.3. Previously recorded Archaeological Sites

ArchSite was consulted on 22 April 2026 and showed that six archaeological sites have been recorded in, or in the vicinity of the assessment area. Four of these six sites are related to gold mining with the remaining two being domestic in nature. This is the expected spread of sites for the area give the amount of goldmining that occurred throughout the history of the Dunstan area.

No Māori archaeological sites were recorded on ArchSite within 3 km of the assessment area at the time this report was prepared, the closest of which are now inundated at the base of Lake Dunstan.



Figure 10. Map of Archaeological Sites recorded within the surrounding landscape.

Table 1. Table of recorded archaeological sites in the vicinity of the site.

Site Number	Site Name	Site Type	Details
G41/153	N/A	Mining – gold	Sluicing scars
G41/154	N/A	Mining - gold	Tailings/race
G41/157	N/A	Mining - gold	Tailings
G41/158	N/A	Mining - gold	Tailings
G41/361	N/A	Historic - domestic	Stone cottage
G41/448	N/A	Historic - domestic	Dwelling

4.4. Other archaeological work

A previous archaeological assessment was conducted by Matthew Sole in 2009 when the reservoir installation was initially proposed (Sole, 2009). Sole was the first to officially document the site, recorded as G41/620, and speculated that the site was the result of several years of methodical work undertaken by a Chinese miner. His

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026

conclusion resulted from a comparison of site form to the known history of the region and the site's similarity with other sites, though he too was unable to identify a specific occupant. As the project did not proceed no works were carried out at the site.

Matt Sole recorded multiple features of the workings, and created a map of the main identified features (Figure 11). The map identifies the main area of workings, as well as five finger gullies, sluices, sluice channels, and the hut site. He also identified a small sluice race in the eastern area of the site, in the location of small sluiced areas adjacent to the main workings. This was in addition to a water race referenced to the northwest of the site, stated to have been destroyed by viticulture.

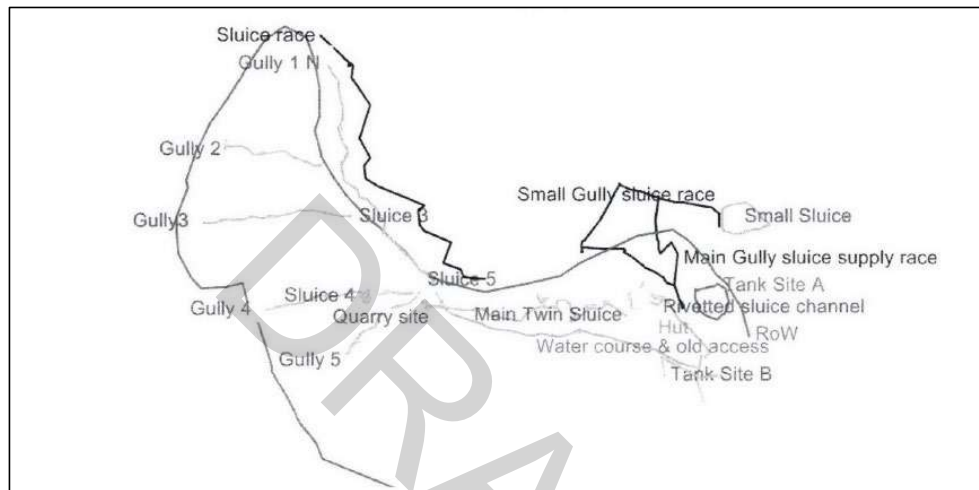


Figure 11. Matt Sole's 2009 map of site features (Sole, 2009, p. 8).

5. Fieldwork Results

A site inspection was conducted by Riley Christie of Origin Heritage on 24 April 2026. This was undertaken to identify potential archaeological evidence visible in the area and determine the potential for subsurface archaeological evidence. Both a drone and pedestrian survey were conducted to reassess previously documented features in Matt Sole's 2009 report (Sole, 2009) (Figure 11), and to identify any potential unrecorded features in the area.

Features identified in Sole's 2009 assessment, as referenced in Section 4.4, largely remained intact and visible in the modern landscape. The five gullies and sluiced areas (Figure 11) were identified in the current survey, as were the stone lined channels and hut remains. All that was left of the hut was the chimney, which was surrounded by stacked stone walls/tailings as described by Sole and an adjacent channel extending east from the hut site (Figure 20-Figure 23). All were observed to be in fair condition, with no significant sign of deterioration beyond what was recorded by Sole in 2009. The chimney, as of 24 April 2026, is entirely surrounded by briar, with the only easily accessible portion being the top due to the buttress and remnant gully which somewhat protect the northeastern side of the chimney. However, observation through the briar showed that the chimney still appeared to be in good condition, with no identified areas of collapse observed (Figure 20, Figure 21).

The main workings are still largely intact, though as noted in Sole's assessment, a modern access path, quarry, and fly dumping have contributed to the modification of some remaining features. Any water races that were present originally in the surrounding northern and western land parcels would have been largely removed from the landscape through land development, and the bases of gullies four and five have been destroyed from

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026

quarrying activity. No sign of the upper water race was seen on site, and as stated in the previous assessment (Sole, 2009, p. 10), it is assumed this feature was removed when the adjacent sections were transitioned for viticultural use. Traces of the small sluice races were observed in the eastern area of the site, see Figure 17.

The outwash fan at the east end of the assessment area is split by a boundary fence, and has been cut through by the modern access track (Figure 16). It is still visible in the landscape from both a pedestrian and aerial view, though as noted from analysis of historic aerial imagery, is more deteriorated today than it once was. The access/walking track present at the site also cuts directly through areas of tailings and sluiced areas, with modification of existing features visible while walking up the path.

One area that remained in good condition was the large, deep stone lined channel to the north of the hut site (Figure 18, Figure 24). At the eastern and western ends of the visible channel, briar overgrowth obscured the feature, as such, the full extent and area of the channel was not able to be observed.

Briar bush growth had increased significantly since observed by Sole in 2009, with much of the chimney structure obscured by the bushes, limiting close access. The wilding pine also experienced growth and expansion, with all of the finger gullies and main workings obscured at least partially by pine or briar (Figure 12-Figure 14).

It is noted from consultation with the client that the historic mining equipment identified in the lower sections, see Figure 15 and Figure 25, was a later decorative addition by the landowner, with the material not originating from the Sugarloaf Sluicing site.

Overall, the site appears to remain intact, and is largely as described in Sole's 2009 assessment, with no significant changes identified. A positive future outcome would be that an additional full survey be conducted upon the removal of the wilding pine, briar, and other invasive plants which currently limit visibility of and access to features in the area. The removal of the overgrowth will allow for a more comprehensive understanding and analysis of the site features, and an in-depth map of the site and features extents should be created.

The ArchSite record for G41/620 was updated as part of the current works to reflect the condition of the site as it is today.

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026



Figure 12. Gullies 1, 2 and 3, facing west.

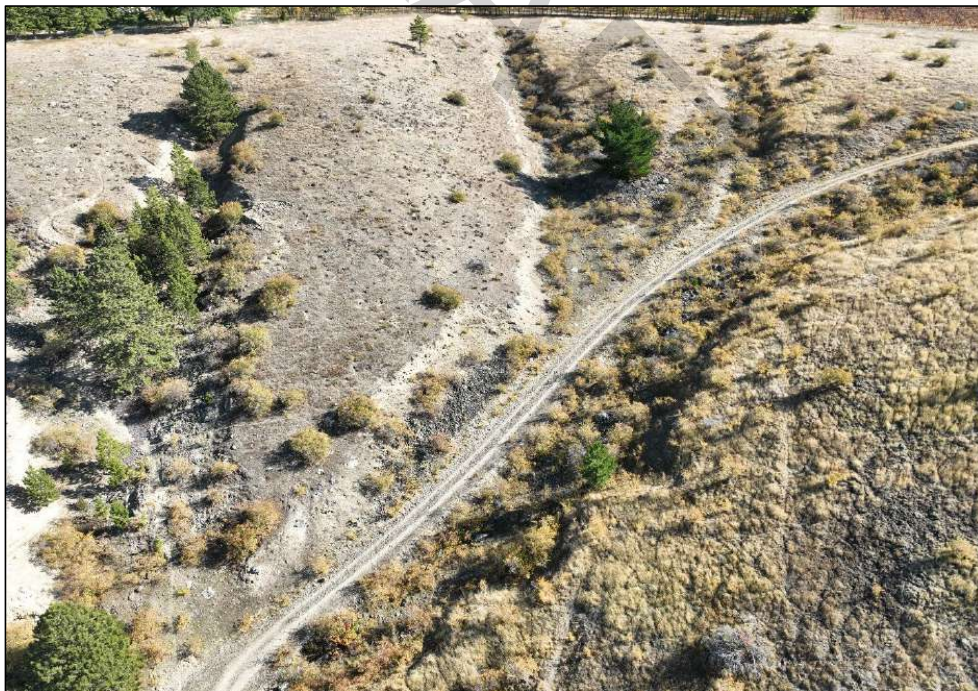


Figure 13. Showing gullies 1-4, facing west.

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026



Figure 14. Facing west, showing main workings and all finger gullies.



Figure 15. Slucied areas located at the east of the assessment area.

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026



Figure 16. End of main workings at east of site, showing remnants of outwash fan.



Figure 17. Aerial photograph showing main workings, access road disturbance, eastern sluiced areas, and potential race features.

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026



Figure 18. Stone lined channel, chimney and tailing, as seen in Sole's original survey, to the north of hut site, facing west.



Figure 19. Quarry area referenced in Sole 2009 (adjacent to gullies 4 and 5).

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026



Figure 20. Top of chimney, showing stonework and tailings pile in background.



Figure 21. Base of fireplace, main portion of fireplace inaccessible due to briar, facing east.

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026



Figure 22. Stone walls and stacked tailings piles to the west of chimney.



Figure 23. Stone lined channel extending east from hut site.

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026



Figure 24. Stone lined channel to the north of hut.



Figure 25. Sluiced area with later added mining equipment inside sluice depression.

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026

6. Archaeological and Other Values

6.1. Archaeological Values

Six main criteria have been used for assessing the archaeological values of the Sugar Loaf Ground Sluicings. These are:

- Condition – the physical condition of the site and any associated features.
- Rarity/Uniqueness – the degree of rarity of the site within its immediate and/or wider contexts.
- Contextual – the contribution of the site to its broader contextual situation (e.g. cultural, local, and archaeological contexts).
- Information potential – the potential for additional information to be recovered by archaeological means and its nature.
- Amenity – the potential contribution of the site as a local amenity.
- Cultural associations – the cultural associations of the site.

Table 2. Assessment of archaeological values for Sugar Loaf Ground Sluicings.

Site	Value	Assessment
Sugar Loaf Ground Sluicings – G41/620	Condition	Many of the tailings and sluicing channels are still in good condition, however sections of the site have been impacted by the formation of a vehicle track through the site. The chimney and some other components of the hut are still standing but could be at risk of collapse. Assessment – Fair
	Rarity/Uniqueness	Goldmining sites and specifically ground sluicing sites are common throughout Central Otago, however the values of this site are slightly elevated by their size, state and the fact that they incorporate domestic elements with the industrial mining features. Assessment – Medium - Low
	Contextual value	G41/620 is not currently directly associated with any other archaeological site, though it should be re-iterated that this may be due in part to the unclear history of the site. There is some general contextual association with the wider suite of gold-mining sites located throughout the region as well as a potential closer association with those associated with Chinese miners. Assessment – Low
	Information potential	The site has the potential to provide further insight into the history of goldmining in the Otago region, specifically with that related to claims worked primarily by hand. Further investigation could also provide more information on the nature and origins of the site given the lack of specificity available in the historic records. Assessment – Medium
	Amenity value	Currently the site's amenity values are impacted by the sheer volume of scrub growth present at the site which obscures many of the features from view, including the chimney/dwelling area. However, clearing away the vegetation would be a relatively easy way to raise the overall amenity value from Medium to High.

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026

Site	Value	Assessment
		Assessment – Medium
	Cultural associations	While it has not been conclusively proven that the miner which worked the site was Chinese the best information available at this time suggests this to be the most likely conclusion. Assessment – Chinese

6.2. Other Heritage Values

The site sites within an Outstanding Landscape designated area on CODCs district plan. Additionally, part of Lot 100, where the majority of G41/620 is located, is protected by Heritage Covenant 88791893.15.

Māori cultural values may need to be considered as part of the project's resource consent requirements. If required, any assessment of cultural values, and the potential effects of the Pisa Moorings Reservoir construction on these values, is beyond the scope of this report and should be carried out by an appropriately qualified individual or institution.

Any heritage impact from the development of the Pisa Moorings Reservoir has not been considered in this assessment. Any potential impact to the site's heritage value that may be caused by development will need to be addressed in a resource consent application.

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026

7. Assessment of Effects

7.1. Proposed Site Works

CODC is proposing to install two large water reservoir tanks within Lot 8 and conduct landscaping for the planting of some native trees. The exact design of the installation of the tanks has not yet been decided upon as test pitting is required within the site boundary before these decisions can be made. However, earthworks will be limited to the footprint of the tanks and to allow for the installation of drainage specifically designed to carry water away from site G41/620's features, as part of the proposed mitigation measures. Exact depths are not confirmed but are expected to be greater than 1 meter. The removal of wilding pine and other invasive woody scrub is also proposed. This will take place within both Lots 8 and 100 DP433991.



Figure 26 Indicative aerial view of proposed reservoir and associated landscaping.

7.2. Effects of the Proposed Works

The design guidelines for the proposed reservoir construction are specified to explicitly avoid the archaeological fabric of site G41/620 wherever possible and will be limited entirely to Lot 8 DP433991. Prior to the start of construction, the excavation of a series of four test pits for geotechnical analysis will be required. These will be monitored by an archaeologist with the aim of avoiding archaeological features. Depths will depend on the findings on site; however, they are expected to exceed 1 metre. It is likely that the construction of the Reservoir should be able to avoid all but the most minor effects on site G41/620. There is the chance that a small portion of the outwash fan could be minorly impacted by planting along the accessway, and that some features associated with the ground sluicing could be minorly impacted by the construction of the reservoir, however every attempt will be made to avoid the site.

The removal of wilding pine and other woody scrub has the potential to impact some minor features of the site, as vegetation clearance often requires some level of physical intervention. However, much like the installation of the reservoir, the methods of vegetation clearance will be designed with the protection of archaeology foremost in mind. The overall impact of this portion of the project is expected to be a net benefit to the site's values, notably increasing its amenity and well offsetting any negligible to minor impacts that may result from vegetation removal.

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026

7.3. Alternative Options

All effort will be made to avoid the archaeological fabric throughout the test pitting and eventual construction phase. Test pitting will be monitored by an archaeologist with the aim of avoiding archaeology while the project design, both for the installation of the proposed reservoir, and in the removal of vegetation, will be undertaken with the goal of avoiding impacting archaeology where possible.

No alternative options are proposed as the current methodology focuses on the best outcomes for the integrity of site G41/620.

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8. Summary and Recommendations

8.1. Summary

This report provides an overview of the history and archaeology in the vicinity of the Pisa Mooring Reservoir project area. It also offers an assessment of the archaeological values for sites identified within the assessment area and the affect the proposed development will have on these sites.

Site G42/620 is present within the project area. The site consists of the remains of a 19th century ground sluicing operation. Documentary evidence relating to the specific history of the site is sparse as the area was not directly surveyed until the 1920s at which point the sluicings were no longer noted and the wider property was planted out with trees. Hundreds of mining applications were submitted for various activities at named locations in the immediate vicinity of the site, indicating that every portion of workable ground was explored at some point, however these records lack the specificity and location data needed to attribute them to specific sites. This issue is unfortunately common within the landscapes surrounding Lake Dunstan. Sole (2009) speculated that the site was likely the result of the methodical work of a Chinese miner over the course of several years, as the remains bear similar characteristics in form to other sites in the region with that established history.

CODC is proposing to build a new water supply reservoir, consisting of two large water tanks, in Lot 8 DP433991, adjacent to archaeological site G42/620. These works have the potential to cause a minor impact on the archaeological values of the site, though most, if not all, impacts should be avoidable, as the project is still in its design stages and the avoidance of the site is an established aspect of the design process. Additionally, some invasive vegetation removal is to undertake within the site boundaries, as requested by HNZPT. While vegetation removal has the chance to cause a negligible to minor impact on the site it is expected that the overall there will be a net improvement of the archaeological values through a drastic improvement in the amenity value of the site. Upon the removal of this vegetation, an in depth survey and recording of the site would be a positive outcome to enable better interpretation of the site features.

8.2. Recommendations

Based on the proposed works, Origin Consultants make the following recommendations:

- An archaeological authority under section 44 of the Heritage New Zealand Pouhere Taonga Act (2014) should be obtained from Heritage New Zealand for the Sugar Loaf Ground Sluicings G41/620 prior to any excavations proceeding that could damage this site.
- As a first principle, every practical effort should be made to avoid damage to any archaeological site.
- Prior to the commencement of onsite works the boundaries of archaeological features must be established with a visual aid (such as safety fencing) to ensure that no accidental damage to the site occurs.
- A Site Instruction document should be prepared to inform and assist all parties involved in ensuring that the conditions attached to any archaeological authority are met. This document should cover both the construction of the reservoir, planting and the removal of wilding pine.
- Wilding pine and other woody weed removal should be undertaken on the wider site where practicable to overall enhance the site's values.
- Upon the removal of vegetation, updated survey, mapping and recording of site G41/620 should be undertaken.
- In line with Provision 12 of Heritage Covenant 88791893.15, interpretive panels, signage, or other heritage interpretation measures should be installed at the site.
- The excavation contractor(s) must be informed of the requirements of any authority issued and briefed by the archaeologist about the site's archaeological values and the possibility that archaeological material may be uncovered during excavation works.

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026

- All earthworks that may affect any archaeological material should be monitored by an archaeologist.
- If any archaeological features are uncovered during excavations, these should be recorded using appropriate archaeological standards by an archaeologist.
- If at any stage during site works Māori material is discovered, works must cease and manawhenua and HNZPT shall be consulted immediately about how to proceed.

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Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026

9. References

Bunbury, M.M.E., Petchey, F. and Bickler, S.H. (2022) "A new chronology for the Māori settlement of Aotearoa (NZ) and the potential role of climate change in demographic developments," *Proceedings of the National Academy of Sciences*, 119(46), p. e2207609119. Available at: <https://doi.org/10.1073/pnas.2207609119>.

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Cyclopedia Company Limited (1905) *The Cyclopedia of New Zealand [Otago & Southland Provincial Districts]*. Christchurch: The Cyclopedia Company, Limited.

Hamel, J. (2001) *The Archaeology of Otago*. Department of Conservation.

Jacomb, C. *et al.* (2014) "High-precision dating and ancient DNA profiling of moa (Aves: Dinornithiformes) eggshell documents a complex feature at Wairau Bar and refines the chronology of New Zealand settlement by Polynesians," *Journal of Archaeological Science*, 50, pp. 24–30. Available at: <https://doi.org/10.1016/j.jas.2014.05.023>.

Sole, M. (2009) *Archaeological Assessment of Sugar Loaf ground sluicings, Clarke Road subdivision RC080351. Archaeological Site G41/260*. Unpublished Assessment Prepared for Central Otago District Council. Kopuwait Consulting.

Walter, R. *et al.* (2017) "Mass Migration and the Polynesian Settlement of New Zealand," *Journal of World Prehistory*, 30(4), pp. 351–376. Available at: <https://doi.org/10.1007/s10963-017-9110-y>.

9.1. Online Resources

ArchSite: <https://nzaa-archsite.hub.arcgis.com/>

Archives New Zealand Online Collections Search: <https://collections.archives.govt.nz/>

Papers Past: <https://paperspast.natlib.govt.nz/>

Heritage New Zealand Pouhere Taonga Archaeology Digital Library: <https://www.heritage.org.nz/archaeology/archaeology-digital-library>

Premise <https://premise.co.nz/>

Kā Huru Manu, Ngāi Tahu Cultural Mapping Project: <https://www.kahurumanu.co.nz>

Retrolens – Historical Imagery Resource: <https://retrolens.co.nz/>

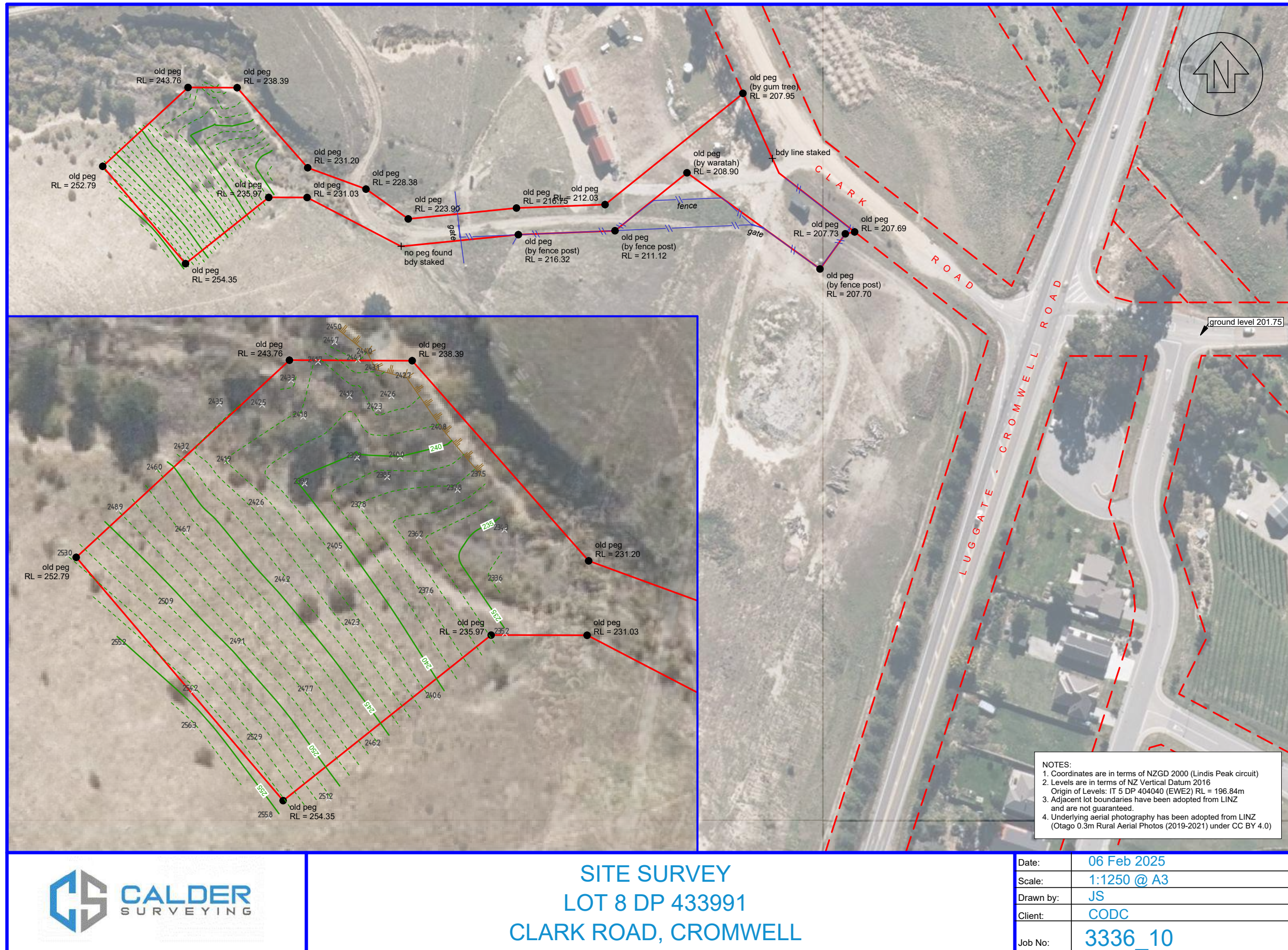
Premise: <https://premise.co.nz/>

Land Information New Zealand: <https://data.linz.govt.nz/>

Pisa Moorings Reservoir/Archaeological Assessment/Origin Heritage/May 2026

Appendix A – Client Plans

DRAFT



SITE SURVEY
LOT 8 DP 433991
CLARK ROAD, CROMWELL

Roz Devlin

From: Russell Cook <russell@originteam.co.nz>
Sent: Thursday, 14 May 2026 9:57 am
To: Roz Devlin
Cc: Adele Eyers; Laura.McLellan@codc.govt.nz
Subject: Fw: Pisa Moorings Reservoir

HNZPT email below.



021 989 620 | www.originteam.co.nz
PO Box 213, Queenstown 9348 | [@originheritage](https://www.instagram.com/originheritage)
Level 2, Consultancy House, 7 Bond Street, Dunedin

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From: Jasmine Weston <JWeston@heritage.org.nz>
Sent: 24 April 2026 12:34 PM
To: Russell Cook <russell@originteam.co.nz>
Cc: James Sutherland <JSutherland@heritage.org.nz>; Riley Christie <riley@originteam.co.nz>
Subject: Re: Pisa Moorings Reservoir

Thanks Russell,

Looks good, James has also had a look over. Thanks for putting this in writing.

Kā mihi nui,

Jasmine Weston | Archaeologist / Poutairangahia | Pouhere Taonga Heritage New Zealand | Otago/Southland Regional Office
| Level 2, 201 Princes Street | PO Box 5467 Dunedin 9058 | Waea : (027) 271 7005 | Waea Pukoro DDI: (64 3) 477 9871 | Imera :
jweston@heritage.org.nz | Pae Tukutuku: www.heritage.org.nz

Tairangahia a tua whakarere, Tātakihia ngā reanga o āmuri ake nei.

This communication may be a privileged communication. If you are not the intended recipient, then you are not authorised to retain, copy or distribute it. Please notify the sender and delete the message in its entirety.

From: Russell Cook <russell@originteam.co.nz>
Sent: Friday, April 24, 2026 11:07 AM
To: Jasmine Weston <JWeston@heritage.org.nz>
Cc: James Sutherland <JSutherland@heritage.org.nz>; Riley Christie <riley@originteam.co.nz>
Subject: Pisa Moorings Reservoir

Kia ora Jasmine,

Thank you for the meeting this morning. Just summarising and following up on the points discussed:

HNZPT recommends that the site be treated as whole as this is considered current archaeological practice. This includes the recommended woody scrub and wilding pine removal, which it is recommended be applied to the wider archaeological site. Also, noting that the Deed of Agreement associated with Heritage Covenant 8879193.15 includes CODC agreeing to ongoing site maintenance.

Also noted that to work within project requirements and acknowledging that CODC does not own the land which the wider site is located on, that two authorities may be issued so some aspects of the work (such as test pitting within CODC owned) can get underway without delay associated with landowner consent.

Let me know if I'm missing anything or there are any other points to raise and I will get in touch with CODC.

Cheers,

Russell

Russell Cook | Principal Archaeologist
MES
For and on behalf of Origin Consultants Ltd



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13/04/2026
CODC



44 Bowen Street
Pipitea, Wellington 6011
Private Bag 6995
Wellington 6141]
New Zealand
www.nzta.govt.nz

NZ Transport Agency Waka Kotahi Reference: 2006-0071

13 April 2026

Central Otago District Council
PO Box 122,
Alexandra 9340

Via email: resource.consent@codc.govt.nz
Copy to Roz Devlin, roz@vivianespie.co.nz

Dear Central Otago District Council,

Submission on Notice of Requirement D10025 to designate land for the construction, operation and maintenance of water storage infrastructure to service the Pisa Moorings and wider Cromwell water supply network.

Attached is the NZ Transport Agency Waka Kotahi (NZTA) submission to designate land for the construction, operation and maintenance of water storage infrastructure to service the Pisa Moorings and wider Cromwell water supply network at Clark Road, Cromwell (LOT 8 DP 433991).

We welcome the opportunity to discuss the contents of our submission with the applicant as required.

If you have any questions, please contact me.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'SM Rawles'.

Susan Rawles
Senior Planner – Poutiaki Taiao / Environmental Planning
System Design, Transport Services

Email: susan.rawles@nzta.govt.nz and environmentalplanning@nzta.govt.nz

[New Zealand Government](http://www.nzta.govt.nz)



FORM 13, SECTION 95B, RESOURCE MANAGEMENT ACT 1991

Submission on Notice of Requirement D10025 to designate land for the construction, operation and maintenance of water storage infrastructure to service the Pisa Moorings and wider Cromwell water supply network at Clark Road, Cromwell (LOT 8 DP 433991).

To: Central Otago District Council
 PO Box 122,
 Alexandra 9340

Via email: resource.consents@codc.govt.nz

From: NZ Transport Agency Waka Kotahi
 44 Bowen Street
 Pipitea, Wellington 6011
 Private Bag 6995
 Wellington 6141

1. This is a submission on an application from Central Otago District Council for:

Notice of Requirement D10025 to designate land for the construction, operation and maintenance of water storage infrastructure to service the Pisa Moorings and wider Cromwell water supply network at Clark Road, Cromwell (LOT 8 DP 433991).

2. NZ Transport Agency Waka Kotahi (NZTA) could not gain an advantage in trade competition through this submission.

3. Role of NZTA

NZTA is a Crown entity with its functions, powers and responsibilities set out in the Land Transport Management Act 2003 (LTMA) and the Government Rounding Powers Act 1989. The primary objective of NZTA under Section 94 of the LTMA is to contribute to an effective, efficient, and safe land transport system in the public interest.

An integrated approach to transport planning, funding and delivery is taken by NZTA. This includes investment in public transport, walking and cycling, local roads and the construction and operation of state highways.

4. State highway environment and context

State highways are physical resources of local and national importance. The safe, effective and efficient operation of state highways is supported by several District Plan Objectives and Policies.

The notice of requirement area gains direct access from Clark Road, near the intersection with State Highway 6 (SH6). As Clark Road is a no exit road all construction and operational traffic accessing the area must use the SH6 intersection.

SH6 carries 4704 vehicles per day, including 8% heavy vehicles. It is a major rural state highway and accommodates a high proportion of through traffic. SH6 is classified as a Limited Access Road (LAR) in this location.

5. The submission of NZTA is:

[New Zealand Government](#)

2



NZTA is neutral to the application for a Notice of Requirement to designate land at Clark Road, Cromwell (LOT 8 DP 433991) for the construction, operation and maintenance of water storage infrastructure to service the Pisa Moorings and wider Cromwell water supply network. The specific aspects of the proposal that NZTA are interested in are the safe and efficient use of the intersection of Clark Road and SH6 and the management of stormwater effects.

The detail of any construction traffic is not provided in the notice of requirement applicant, beyond noting there would be an 'increase' and that earthworks will be minimised. The applicant has proposed to include a Traffic Management Plan condition to manage transportation effects for the duration of the works (construction).

Given the proximity to the state highway and the requirement for all construction vehicles to use the Clark Road / SH6 intersection, it is considered that there is potential for traffic effects to extend onto SH6. Therefore, input from NZTA should be required as part of the traffic management conditions. This is particularly regarding the management of traffic through the Clark Road and SH6 intersection for the construction period.

Section 6.10 of the application for the notice of requirement states that the reservoir platform and tanks will change the current overland flow and that collected stormwater and reservoir release flows will require management. The application notes that detailed design for managing stormwater would be included in the future outline plan and states that a condition is proposed to ensure this is the case. However, it is not clear which condition relates to the management of stormwater.

Given the proximity and elevation relative to the state highway, there is potential for stormwater or release flows to impact on the state highway roading corridor. Therefore, appropriate conditions should be included to ensure discharges do not affect the state highway or associated infrastructure. If new or upgraded infrastructure is required within the road corridor to achieve this, it should be via a 'no-dig' solution.

6. NZTA seeks the following decision from the consent authority:

If the Notice of Requirement is granted, NZTA supports a condition requiring input from NZTA in relation to the Traffic Management Plan. NZTA has drafted a condition below for consideration in managing traffic effects on the state highway network.

Construction Traffic Management Plan (CTMP) Condition

1. A Construction Traffic Management Plan (CTMP) shall be prepared by a suitably qualified and experienced person. The objective of the CTMP is to provide a framework to be adopted by the Consent Holder to avoid, remedy or mitigate any actual or potential adverse traffic effects of the construction works. The CTMP shall be submitted to Central Otago District Council for certification at least 14 days prior to the construction commencement date.

The CTMP shall include consideration of:

- (a) Minimisation of the safety impacts of construction activities on the users of public roads;
- (b) Means by which the total number of truck movements to and from the construction activities could be minimised (e.g. back loading of departing vehicles); and
- (c) Means by which the movement of large machinery can be undertaken at times and in a manner that minimises effects on public road users.

Prior to the construction of the Central Otago District Council commencing, the consent holder shall submit to Central Otago District Council correspondence from the New Zealand Transport Agency confirming that the Construction Traffic Management Plan is acceptable.



If the Notice of Requirement is granted, NZTA supports the inclusion of appropriate conditions relating to the management of stormwater and reservoir release flows to ensure no effect on the state highway network and supporting infrastructure.

Based on the inclusion of appropriate conditions, NZTA adopts a neutral position regarding this application.

7. NZTA does not wish to be heard in support of this submission.

Signature:

A handwritten signature in blue ink, appearing to read 'SM Rowley'.

Senior Planner – Poutiaki Taiao / Environmental Planning
System Design, Transport Services
Pursuant to an authority delegated by NZ Transport Agency Waka Kotahi

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02



HERITAGE NEW ZEALAND
POUHERE TAONGA

13 April 2026

The Chief Executive
Central Otago District Council
PO BOX 122
Alexandra 9340
By email: resource.consents@codc.govt.nz

Tēnā koe Sir/Madam

SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA ON RESOURCE CONSENT APPLICATION D10025, CENTRAL OTAGO DISTRICT COUNCIL.

To: Central Otago District Council
Name of submitter: Heritage New Zealand Pouhere Taonga (HNZPT)

1. This is a submission on resource consent application D10025 to seek designation of land for drinking water storage purposes associated with a community drinking water supply under s168A of the Resource Management Act 1991.
2. HNZPT could not gain an advantage in trade competition through this submission.
3. HNZPT's submission relates to the protection, preservation, and conservation of New Zealand's historic and cultural heritage.
4. There are two main pieces of legislation in New Zealand that control work associated with historic heritage. These are the Resource Management Act 1991 (RMA) and the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA). HNZPT administers the HNZPTA.

Resource Management Act 1991

5. The RMA requires district councils to manage the use, development, and protection of natural and physical resources in a way that provides for the wellbeing of today's communities while safeguarding the options of future generations. The protection of historic heritage from inappropriate subdivision, use, and development is identified as a matter of national importance (Part 2, subsection 6(f)).
6. Historic heritage is defined as those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, derived from

2

archaeological, architectural, cultural, historic, scientific, or technological qualities. Historic heritage includes:

- a. historic sites, structures, places and areas;
 - b. archaeological sites;
 - c. sites of significance to Māori, including wāhi tapu; and
 - d. surroundings associated with the natural and physical resources (section 2, RMA).
7. Where resource consent is required for any activity, the assessment of effects is required to address cultural and historic heritage matters (4th Schedule, RMA).

Heritage New Zealand Pouhere Taonga Act 2014

8. Under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA), the permission of HNZPT must be sought prior to the modification, damage, or destruction of any archaeological site, whether the site is unrecorded or has been previously recorded. An archaeological site is described in the Act as:
- a. any place in New Zealand, including any building or structure (or part of a building or structure), that:
 - i. is associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and
 - ii. provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and
 - iii. includes a site for which a declaration is made under section 43(1).
9. An Archaeological Authority may be required for any works that may modify or destroy an archaeological site, including earthworks that will modify recorded or yet unrecorded sites. It is an offence to undertake activities that may modify or destroy an archaeological site unless authorised by an Archaeological Authority issued under the HNZPTA. A building consent or resource consent does not constitute such authorisation.

Proposal Site

10. Clarks Road, Pisa Moorings, Cromwell has a long-associated history with the settlement and development of early Central Otago through the gold rush period, in particular the industrial development of gold mining methods.
11. Following the gold rush, the land was used for dry stock pastoral farming, until the completion of the Clyde Dam in the early 1990's, transforming the surrounding area into vineyards and the rural and residential development of Pisa Moorings.
12. The area of the proposed works is not on the New Zealand Heritage List / Rārangī Kōrero. The wider area contains several archaeological sites which are protected under section 13 of the HNZPTA, several of which are located on the adjacent land parcel and are additionally protected under a heritage covenant registered on the title between Heritage New Zealand Pouhere Taonga and the landowner.

Effects on Archaeology

13. No heritage assessment was undertaken for this application. The proposed site to designate for water storage facilities has not been properly assessed from an archaeological perspective. The adjacent land is protected under a heritage covenant, which has a particular focus on recorded archaeology.
14. The covenant covers the extent of archaeological site G41/620, which is the Sugar Loaf Ground Sluicing's. This is a substantially intact archaeological site of pre-1900 ground sluicing works, most likely as the result of an individual claim of Chinese origin. These extend into the project area, as can be seen in aerial imagery, confirming that the recorded site spans into the land title of the proposed designation.
15. Any earthworks within an area of known pre-1900 occupation will trigger requirements under the archaeological provisions of the HNZPTA and will require an archaeological authority to be obtained. HNZPT can confirm that no authority has been applied for to date for the proposed works.

Effects on Heritage

16. To establish the water storage facilities on the proposed designation site, earthworks and mitigation planting are proposed immediately adjacent to a registered archaeological site, which is also protected under a heritage covenant. The area is not zoned with any heritage overlay and does not contain scheduled/listed buildings on the Central Otago District Plan.
17. HNZPT supports the need for community drinking water sources, however, views the effects on heritage to be more than minor. It is strongly suggested that a heritage assessment is undertaken before the granting of this application. The site holds significant heritage values that are associated with the development of Central Otago's commerce and industry, in particular gold mining via sluicing. These effects have not been properly addressed in the application, with the applicants proposing to follow an Accidental Discovery Protocol with an archaeologist on site to monitor any earthworks.
18. HNZPT urge the applicant to apply for an archaeological authority given the extent of archaeology within the proposed designation area and the adjacent land to ensure the recording of sites, or parts of these, that may be encountered and modified as part of the proposed activities.
19. HNZPT notes that the lapsed resource consent (RC090194) for the same proposed activity that this application seeks, also had conditions relating to heritage interpretation and wilding pine management. This would also be an appropriate mitigation for the applicant to adopt with this designation, which will enhance heritage identification, appreciation, and protection for the site and the immediate surroundings.

Relief Sought by Heritage New Zealand Pouhere Taonga:

- a. Should Central Otago District Council grant the designation for D10025, the following are included as a condition of consent:
 - i. 10 days before earthworks start, the applicants provide Council with written confirmation that an Archaeological Authority has been obtained from HNZPT. If an Authority is not obtained, Council must be provided with written confirmation from HNZPT that earthworks can proceed without an authority.
 - ii. The consent holder shall keep the reservoir site free of all wilding pines and woody weeds.
 - iii. On-site heritage interpretation shall be installed and maintained to assist visitors and adjacent communities to understand and appreciate the heritage and archaeological significance of the site. Such on-site heritage interpretation is to be located on land that is accessible to the public.”

20. Heritage New Zealand Pouhere Taonga does not wish to be heard in support of this submission.

Kā mihi,



Dr Eva Forster-Garbutt
Kaiwhakahaere a-Takiwa | Area Manager

Address for Service:

James Sutherland
Kaiwakamāhere | Planner, Otago Southerland
Heritage New Zealand Pouhere Taonga
PO Box 5467
Dunedin 9054
Email: jsutherland@heritage.org.nz

Submission on Notified Resource Consent PL261034707

03



1 Dunorling Street
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Submission on Notified Resource Consent

Reference PL261034707 **Submitted** 13 Apr 2026 03:12 p.m.

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	D10025
Valuation Number	2842114615
Applicant	Central Otago District Council
Location of Site	Clark Road, Pisa Moorings, Cromwell
Brief Description of Application	Notice of Requirement (NOR) for utilities (water storage purposes) in the Rural Resource Area subject to an Outstanding Natural Feature (ONF)
Submissions Close	4:00pm on Monday 13 April 2026

Page 1 of 4

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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 Yes information you provide is true and correct to the best of your knowledge.

Notified Submission

Notes to submitter

Page 2 of 4

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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	Robert Stanley (Bob) PERRIAM
Contact person (if applicable)	Matt Suddaby
Electronic address for service of submitter:	matt@coterra.co.nz
Phone number - day time	0272220252
Postal address (or alternative method of service under section 352 of the Act):	1 Perriam Place, Rd 3, Cromwell, 9383 , New Zealand

Your Application

Please select one regarding the application I oppose

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

Page 3 of 4

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The specific parts of the application that my submission relates to are: My submission relates to the proposed reservoirs and associated works at Lot 8 DP 433991, particularly the landscape and visual effects, effects on the Sugarloaf Outstanding Natural Feature, archaeological and heritage effects, construction effects on neighbouring properties, and the adequacy of the proposed mitigation and design detail.

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.

Please refer to attached submission

Please upload any documents / photos that are relevant Perriam Submission D10025 2026_04_13.pdf (69 kb)

I seek the following decision from the consent authority.

Give precise details, including the general nature of any conditions sought I seek that the Notice of Requirement not be confirmed.

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)

Bob Perriam

Date signed:

13/04/2026

SUBMISSION ON NOTICE OF REQUIREMENT D10025

Central Otago District Council
Clark Road, Pisa Moorings, Cromwell

1. Submitter

My name is Robert Stanley (Bob) Perriam.
My address for service is 1 Perriam Place, RD 3, Cromwell.

I am a trustee of the Wakefield Trust, and a director of Wakefield Estates Limited, which owns all land surrounding the site. I also own and reside on land at 1 Perriam Place. I am submitting on behalf of myself, my Trust and my company Wakefield Estates Limited. I am directly affected as a neighbouring landowner in relation to the Notice of Requirement by Central Otago District Council seeking a designation over Lot 8 DP 433991, Clark Road, Pisa Moorings, Cromwell, for water storage reservoirs and associated infrastructure, access, earthworks and landscaping.

I was also an opposing submitter to RC090194, which involved a similar proposal. I appealed the Council's decision to the Environment Court and participated in mediation that resulted in the consent order in ENV-2010-CHC-189.

2. My position

I oppose the Notice of Requirement.

I say the proposed designation is not appropriate in this location. In my view, it will cause unacceptable adverse effects on the landscape and visual amenity of the area, will adversely affect the Sugarloaf Outstanding Natural Feature, and has not adequately addressed the archaeological and heritage values of the site. The site is in the Rural Resource Area, the upper part is within the Sugarloaf Outstanding Natural Feature overlay, and the land contains recorded archaeological site G41/260.

3. My reasons**3.1 Landscape and visual effects**

I am concerned about the visual impact of the proposed reservoir and associated works.

The proposed tank site will be visible from my current home at 1 Perriam Place, and will also be visible from my new home currently under construction at the same address. Most importantly, the tank site sits in a direct line of sight from my lounge and kitchen windows toward Mt Pisa. This is one of the most important views from my home.

In my view, the tank will be a dominant structure in the landscape. Even if it is partly backfilled and painted in a recessive colour, it will still be a large utilitarian structure in a very visible rural setting.

From my home, I look toward the Sugarloaf hill and directly beyond it toward Mt Pisa. That outlook is a defining part of the amenity of my property. I say that view will be adversely affected by the proposed structure. I am also concerned that the tank will be in direct view from traffic passing along State Highway 6 and Pisa Moorings Road, and from surrounding residential dwellings, including those in Pisa Moorings and Perriam Place.

The applicant's own material accepts that there will initially be moderate adverse visual effects from important viewpoints, and the Council's section 95 report concludes that these effects are more than minor in Resource Management Act terms.

In my view, that is inconsistent with the District Plan provisions that seek to maintain rural amenity values and to manage the location and design of structures so that adverse effects on prominent places and natural features are avoided, remedied or mitigated.

3.2 Effects on the Sugarloaf Outstanding Natural Feature

I consider the Sugarloaf to be both an outstanding natural feature and an outstanding landscape element.

It is a distinctive and important landform in this area, and I do not believe development of this kind is appropriate in this location. The proposal will introduce engineered structures and modified landform into a setting whose value lies in its natural form, openness and legibility.

In my view, the proposed activity will have a significant adverse effect on the landscape and geological values of the Sugarloaf. Even with mitigation, it will still diminish the natural character and visual integrity of that landform.

The District Plan requires outstanding natural features to be protected from inappropriate use and development, and section 6(b) of the Resource Management Act requires the same as a matter of national importance. I say this proposal is inappropriate in this setting.

3.3 Heritage and archaeological values

I am also concerned about the heritage and archaeological values of the site.

I have a long family connection to this land and the wider area. My family's connection is with the land itself, with historic water supply to the area, and with water races passing through family farmland. For that reason, the historic features of this locality are important to me personally and form part of the identity of the place.

The application site was the location of extensive manual sluicing for gold in the nineteenth century. The site contains recorded archaeological site G41/260, and the surrounding land is subject to Heritage Covenant 8879193.15. The application itself refers to the sluiced gully and outwash fan, and to the covenant registered following the earlier proceedings.

I do not think there is enough information to demonstrate that the proposed earthworks, access and reservoir construction can proceed without damaging, modifying or destroying archaeological features. In particular, the access and part of the reservoir appear to be located within a historic sluiced area.

I do not consider that archaeological monitoring or an accidental discovery protocol is enough to answer that concern. The real issue is whether the works can avoid damage in the first place.

In my view, the proposal has not adequately addressed the requirement to protect historic heritage from inappropriate use and development.

3.4 Inadequacy and uncertainty of mitigation

I do not have confidence in the proposed mitigation.

The applicant relies heavily on landscape planting and future management to reduce adverse effects. In my experience, planting in this environment is slow growing, and I do not accept that it will establish and screen the proposal within the timeframe suggested.

I also note that planting previously approved under the earlier consent process did not establish successfully. The current application records that the earlier reservoir consent RC090194, despite having an eight-year term, has lapsed. Condition 6(b) of Consent Order ENV-2010-CHC-189 imposed a specific landscaping obligation on Council. That required Council, within 12 months of approval, to install landscape planting and irrigation along Clark Road. The consent required those plantings to be installed at 1.5 metres high and maintained until they reached a height of 5 metres. Few of those planted trees survive today. That history gives me little confidence that the proposed mitigation will achieve what is now claimed for it.

3.5 Construction effects on neighbouring dwellings

I am concerned about the effects of construction on neighbouring dwellings that I own.

On my property at 23 Clark Road there are three accommodation units that are currently tenanted. I am concerned about the disturbance that will be caused to those tenants by construction work associated with the proposal. In particular, I am concerned about construction noise, dust, vibration, traffic movements and general disruption during the earthworks and building phase.

These effects may be described as temporary, but they will still be experienced directly by people living immediately adjacent to the works. In my view, the application does not provide enough detail about the likely scale, duration or intensity of those effects on neighbouring occupiers.

3.6 Stormwater and level of detail provided

I am also concerned that the application leaves important matters unresolved at this stage.

In particular, it provides very little detail about the final design of the tanks, the associated infrastructure, the extent of earthworks, stormwater management, overflow paths, and emergency discharge arrangements. This makes it difficult to properly understand and assess the actual effects of the proposal now.

For example, section 6.10 of the application simply states that the detailed design for managing stormwater will be included in a future outline plan application. I have serious concerns about the location and adequacy of the flow path from the reservoir site for both expected stormwater and overflows, as well as emergency flows.

I am concerned that once a designation is approved, directly affected parties such as me will have little real opportunity to influence the detail that may determine the scale of effects on my land, my tenants, my outlook and the heritage features of the site. In my view, more of that detail should be provided and tested now.

4. Overall position

Overall, I do not consider this site to be an appropriate location for the proposed use and development.

It will have unacceptable adverse landscape and visual effects, it will adversely affect the Sugarloaf Outstanding Natural Feature, it has not adequately addressed the archaeological and heritage values of the site, and it leaves important matters unresolved at this stage.

I rely on the grounds above and intend to provide further factual and, if available, expert evidence at the hearing.

5. Relief sought

I seek that the Notice of Requirement **not be** confirmed.

In particular, I ask the Council to recommend that the requirement be withdrawn or declined because:

- a. the proposal is an inappropriate use and development within and adjoining the Sugarloaf Outstanding Natural Feature.
- b. it will cause unacceptable adverse landscape and visual effects.
- c. it has not been adequately demonstrated that archaeological and historic heritage values will be protected.
- d. the proposed mitigation does not provide sufficient certainty that adverse effects will be avoided or appropriately mitigated.
- e. important aspects of the proposal remain insufficiently detailed at this stage.

6. Hearing

I wish to be heard in support of this submission.

I intend to present further evidence at the hearing.