

**APPENDIX 1 – UPDATED CONDITIONS OF CONSENT RM070044 (Decision No. [2012] NZEnvC 79)**

**General Conditions**

1. That the activity be undertaken in accordance with the application and subsequent amendments (except to the extent that they are inconsistent with the following conditions) as shown on the plans referenced:
  - Glendhu Station Stage 0: Master Plan, revision EC, dated Sep 2009;
  - Glendhu Station Stage 1: Master Plan, revision S1 EC, dated Sep 2009;
  - Glendhu Station Stage 2: Master Plan, revision S2, EC, dated Sep 2009;
  - Glendhu Station Stage 3: Master Plan, revision S3, EC, dated Sep 2009;
  - Glendhu Station Parkins Bay Golf Course Master Plan, dated 12 June 2015;
  - Parkins Bay Indicative Vegetation Categories Plan dated Sep 2009;
  - Parkins Bay Glendhu Station Concept Master Landuse Plan, dated 12 April 2012;
  - Parkins Bay Glendhu Station Public Access Tracks Plan, dated 12 April 2012;
  - Parkins Bay Glendhu Station Covenant Areas Plan, dated June 2011;
  - Parkins Bay Detail A Proposed Public Easement and Covenant area, dated Sep 2009
  - Parkins Bay Detail B Proposed Covenant Areas, dated June 2011 ;
  - Parkins Bay Detail 1 Proposed Club House area Figure 10a, dated 12 April 2012;
  - Parkins Bay Detail 2 Maintenance Compound Site Plan, September 2009;
  - Parkins Bay Visitor Accommodation Residences Site Location Plan;
  - Parkins Bay Visitor Accommodation Residences Building Mitigation Plan;
  - Parkins Bay Golf Course: Earthworks, dated 15 July 2015;
  - Parkins Bay Entry Gate elevation, dated September 2009;
  - Parkins Bay Plan B, dated 12 April 2012;
  - Parkins Bay Plan BI, dated 12 April 2012;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 1, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 3 & 4, date; Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 5, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 6, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 8, date; Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 9, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 10, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 11, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 13, date; Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 16 &17, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 18, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 19, date; Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 20, dated Sep 2011;

- Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 21 & 22, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 24, date; Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 26, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 27, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 29 & 30, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 31 & 32, date; Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 33 & 34, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 35 & 36, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 37, date; Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 38 & 39, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 40, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 41 & 42, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 43 & 44, date; Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 45, date; Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 46 & 47, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 48, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 49, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 50, date; Sep 2009;
- a) The Clubhouse is to be moved back 3 metres from the position identified in the plan referenced Parkins Bay Detail 1 Proposed Club House area Figure 10a, dated 12 April 2012, and any necessary amendments required to be made to the layout accordingly;
- b) The south-western boundary of Development Site is to be located as shown on the Parkins Bay Glendhu Station Concept Master Landuse Plan, dated 12 April 2012;
- c) The public access track through the visitor accommodation residential units area (Area B) shall be in the location outlined on the plan referenced Parkins Bay Glendhu Station Concept Landuse Master Plan, dated 12 April 2012;
- d) The golf course layout was amended under variation RM150467 and the approved layout is shown on: 'Glendhu Station Parkins Bay Golf Course Master Plan, dated 12 June 2015.
1. The consent holder shall pay to the Council an initial fee of \$240 for the costs associated with the initial monitoring of this resource consent in accordance with section 35 of the Resource Management Act 1991 and any ongoing costs associated with the monitoring of this decision.

2. Upon completion of the proposed activity, the consent holder shall contact the Monitoring Section at Council to arrange a time for an inspection of the proposed work to ensure all conditions have been complied with.

### **Timeframe and Staging**

4. The lapsing date of this consent under section 125 of the Resource Management Act 1991 shall be ten years from the commencement of the consent.
5. The programme for implementation of the consent, including landscaping, shall be staged generally in accordance with the timing outlined below, subject to compliance with Condition 8 below, relating to certification of planting for visitor accommodation residences. Each stage shall be completed to the satisfaction of Council, within the specified timeframe and before the next stage commences.

#### **The proposed staging is as follows:**

- i. **Stage 1 - within approximately 24 months of the works commencing on site.**
  - Eco source seed stock and grow-on in nursery
  - 18 hole golf course/driving range and maintenance compound
  - Clubhouse
  - Shearer's quarters
  - 10 x Visitor Accommodation Residences (Units 24, 29, 31, 32, 34, 35, 36, 42, 43 & 44)
  - Access road, car park and golf underpasses
  - Jetty
  - Roading earthworks
  - Earthworks for the building platforms of the 42 visitor accommodation residences
  - Re grass/sow-out exposed golf villa earthworks
  - Sow out entire golf course. This is to be done progressively as holes are completed and irrigation is available.
  - 2ha mitigation revegetation planting as detailed in the Revegetation Strategy prepared in accordance with Condition 6
  - Creation of the public access tracks and appropriate access easements.
  - Install new farm fencing as required
  - The removal of the row of Douglas Fir Trees to the southeast of the development site
  - Removal of conifers as required by Condition 41 (r).
  - The golf course shall be constructed prior to the occupation of the visitor accommodation residences specified in Stage 1
- ii. **Stage 2 - within 24 months of the completion of Stage 1**
  - 6ha of mitigation revegetation as detailed in the Revegetation Strategy prepared in accordance with Condition 6
  - 20 x Visitor Accommodation Residences (Units 1, 3, 4, 5, 8, 9, 10, 11, 13, 16, 18, 19, 20, 30, 33, 38, 47, 48, 49 & 50)
- iii. **Stage 3 - within 24 months of the completion of Stage 2**
  - Remaining revegetation as detailed in the Revegetation Strategy prepared in accordance with Condition 6
  - 12 x Visitor Accommodation Residences (Units 6, 17, 21, 22, 26, 27, 37, 39, 40, 41, 45, 46).
  - Fencing off the Stock Route shown on Parkins Bay Plan B dated 12 April 2012 to prevent stock accessing the regeneration areas in Covenant Area D identified on the Parkins Bay Glendhu Station Covenant Areas Plan dated June 2011.
  - Fencing of the areas required by Conditions 41(w) and 41(y).

## Planting Plan

6. The consent holder shall prepare and implement a Revegetation Strategy that achieves the following objectives.

- To provide a vegetation cover framework of Kanuka and other appropriate native species in the short term, which can become the basis for biodiversity enhancement as the project develops,
- To provide screening for residential buildings for viewers from the road in accordance with the attached plans and the Revegetation Strategy,
- To reflect the underlying of landform and soils in the native vegetation cover of the site,
- To achieve eventual revegetation of the Gully shown on Parkins Bay Plan B dated 12 April 2012 with a mix of locally sourced native species including Totara.
- To achieve eventual revegetation of the Moraine Slope shown on Parkins Bay Plan B dated 12 April 2012.
- To ensure that the "rough" areas of the golfcourse, being the vegetated areas not required to be mowed or otherwise maintained, regenerate naturally (excluding noxious weeds).
- To link with other revegetated areas outside the site;

The Revegetation Strategy shall identify those steps that need to be undertaken in each of the three areas shown on the attached plans referenced Glendhu Station Stage 1: Master Plan, Glendhu Station Stage 2: Master Plan, Glendhu Station Stage 3: Master Plan, dated September 2009 to give effect to the Strategy.

The Revegetation Strategy shall include:

- timing of planting and replacement/additional planting over 5 years;
- details of the management proposed from the time of granting consent up to 10 years after initial planting - site preparation, weed control, pest control, any watering or fertilisers, stock control and maintenance;
- details of plant sources;
- protection measures for existing values - wetlands, lake shore, lake water quality;
- integration of planting with other components of the development - earthworks, construction;
- fencing of the regeneration area for stock to pass through parts of the site;
- the replacement of the existing poplar trees next to the clubhouse and shearer's accommodation if they become diseased or die. Root stock shall be sourced from the existing healthy Lombardy poplars which are to be taken and grown on for this purpose.

Prior to the commencement of the construction the consent holder shall provide an initial Revegetation Strategy for certification by Council. This strategy shall define the different stages and areas of work. Prior to the commencement of any construction within a specific stage/area of work a detailed Revegetation Strategy shall be provided to the Council for certification. During the development, the Strategy may be altered to add new material, to reflect increased knowledge or to represent best practice methodology, and any amendments to the Strategy shall be provided to the Council for certification. The Final Revegetation Strategy shall be provided to the Council prior to the commencement of the final stage/area of work.

7. Prior to the commencement of any construction of the visitor accommodation/residential units the consent holder shall provide for the certification of the Council details of all earth mounds, if any, and their respective volumes, location and elevations required to provide screening for the visitor accommodation/residential units which shall be tied into existing landforms and organically shaped to be congruent with their respective surroundings.
8. Prior to the construction of visitor accommodation / residential units for:

- a. Stage 1 and 2 (as specified in Condition 5), certification shall be obtained from the Council that the planting conforms to the certified Revegetation Strategy for those stages and that more than 75% of the plants are live and healthy at a period of 12 months from the date of establishment. All diseased or dying plants shall be replaced to the satisfaction of the Council.
  - b. Stage 3 (as specified in Condition 5), certification shall be obtained from the Council that the planting conforms to the certified Revegetation Strategy for that stage and that more than 75% of the plants are live and healthy and at an average height of 3 metres. All diseased or dying plants shall be replaced to the satisfaction of the Council.
9. Planting for all visitor accommodation residences implemented in accordance with the Revegetation Strategy shall be irrigated for a period of five years from establishment to ensure optimal growth rates. To avoid fire risk all planting shall be located at an appropriate distance from any residential villa.
10. All planting implemented in accordance with the Revegetation Strategy is to be:
- a. Maintained for a period of ten years from the first season of planting to the satisfaction of Council.
  - b. All diseased or dying plants shall be replaced to the satisfaction of Council.
  - c. An annual report on the maintenance and health of planting is to be provided to the Council for a period of ten years from the first season of planting.

The Council may serve notice of its intention to review, amend or add to the Revegetation Strategy to require additional planting, as may be required in order to achieve the Objectives outlined in Condition 6. Revegetation is to be protected by a covenant registered on the land title that will protect the planting in perpetuity.

### **Lighting**

11. All exterior lighting shall be fixed and no higher than 1 metre above finished ground level, capped, filtered or pointed downwards and screened so as to reduce lux spill. There shall be no lighting of the vehicle access ways within the site. The lighting shall be limited to:
- a. Lighting at the entry point to the golf course.
  - b. Sensor lights in the arrival forecourts for each of the visitor accommodation residences to allow for safe navigation from the garage. These will be limited to downlights on either side of the garage and entry doors and will be located on the south side of the buildings.
  - c. Bollard and subtle up-lighting around the Clubhouse and the Shearers' Quarters.
  - d. Solar LED lights on the path between the Clubhouse and the Shearers' Quarters.
  - e. A navigation light at the end of the jetty.
  - f. Road lighting limited to low wattage, solar LED catseye lights placed at intersections in the middle of the road. These are to provide a visual cue to denote the intersection.

### **Ongoing Management Obligations**

12. No person is permitted to remove or physically alter the approved earth mounds and landscaping.
13. No person shall be permitted to plant exotic trees other than those tree species (or similar, subject to approval by Council) specified within the Planting Plan approved pursuant to Condition 6).
14. The consent holder shall provide for the on-going management of wilding plants and animal pests over the Development Site as outlined in the Revegetation Strategy approved pursuant to Condition 6.

### **Engineering**

15. All engineering works shall be carried out in accordance with the Council's policies and standards, being New Zealand Standard 4404:2004 with the amendments to that standard adopted on 5 October 2005, except where specified otherwise.
16. The owner of the land being developed shall provide a letter to the Council advising who their representative is for the design and execution of the engineering works and construction works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under sections 1.4 and 1.5 of NZS4404:2004 "Land Development and Subdivision Engineering", in relation to this development.
17. Prior to the commencement of any building construction the consent holder shall provide to the Council a geotechnical report/s, prepared by a suitably qualified and experienced geotechnical engineer, which certifies that all building platforms are capable of supporting the proposed buildings, are suitable for the activity and are free from inundation, subsidence, erosion and slippage and otherwise suitable for the proposed use. Such geotechnical reports shall be provided progressively for each building or group of buildings prior to commencement of construction of that building or group of buildings.
18. Prior to the commencement of any work described in a. – m. below relevant to a development activity, the consent holder shall for that development activity provide to the Council for review copies of specifications, calculations and design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (15), to detail the following engineering works required:
  - a. The construction of all roads within the development to be in accordance with the guidelines provided for in Table 3.2(a) of the NZS4404:2004 amendments as adopted by the Council in October 2005. Internal roads serving the Shearers Quarters, Golf Course and Clubhouse shall be constructed to the standards of a Local road as a minimum standard. All internal roads may remain in private ownership and shall be maintained by the consent holder. Passing bays are to be provided on one way carriageways as required but at maximum intervals of 100 metres.
  - b. The construction of the intersections of the new roads to serve the development with the Wanaka-Mt Aspiring Road to be in accordance with Council's standards and in accordance with the information supplied with the application with respect to sight distances. The sight distance from the main golf course entrance to the west is to be improved by removing obstructing trees and shrubs on the bend in Wanaka-Mt Aspiring Road. This visibility splay is to be maintained by the consent holder on a continuing basis. The intersections for both the main golf course roads and the residential chalets road shall be formed in accordance with Diagram 4 of the PODP and also in accordance with the Council's Rural Roading Corridors - Corridor Management Guideline (particularly Section 4.10 - Slip Lanes).
  - c. The construction of all vehicle manoeuvring areas and car parks specified in the application to serve the development are to be constructed in accordance with the attached Plan referenced "Parkins Bay Detail 1 Proposed Clubhouse Area, Figure 10a, dated 12 April 2012. This plan shows 12 covered parking spaces adjacent to the clubhouse, a 40 space gravel car parking area adjacent to the clubhouse, a ten space gravel car park area adjacent to the bus turning bay/parking area and 16 spaces to be provided on all weather surfacing along the access road under the trees; one gravel bus turning bay/parking area and an overflow parking area for at least 150 vehicles that is not required to be formed.
  - d. All walking and cycling tracks marked by blue dotted lines on the attached plan referenced Parkins Bay Glendhu Station Concept Master Landuse Plan dated 12 April 2012 shall be constructed and maintained in accordance with the Walking Track Standard as defined in the Standard New Zealand Handbook for Tracks and Outdoor Visitor Structures (SNZ HB 8630; 2004), except as specified in Condition 41.

- e. The construction of the underpasses under Wanaka-Mt Aspiring Road are to be designed by a suitably qualified and experienced engineer. These underpasses are to be approved by the Council and all necessary permits and licenses are to be applied for and granted prior to undertaking any development on site. If the necessary Council approvals are not granted then the consent holder shall submit a revised traffic assessment for approval that addresses any issues with the golf course and other internal traffic crossing Wanaka-Mt Aspiring Road.
- f. The consent holder shall obtain approval from the Council and all necessary permits and licences are to be applied for and obtained prior to commencing construction of the jetty including the pontoon.
- g. The provision of a water supply to each residence and all other components of the development in terms of Council's standards. Each residence shall be supplied with a minimum of 2100 litres per day of potable water that complies with the requirements of the Drinking Water Standard for New Zealand 2005. All other components of the development are to be supplied with the quantity of potable water that complies with the requirements of the Drinking Water Standard for New Zealand 2005 specified in the application.
- h. The provision of fire hydrants with adequate pressure and flow to service each residence with a Class W3 fire risk in accordance with the NZ Fire Service Code of Practice for Firefighting Water Supplies 2003. Any lesser risk must be approved in writing by Fire Service NZ, Dunedin Office.
- i. The provision of fire hydrants with adequate pressure and flow to service each component of the development with the appropriate Class of fire risk in accordance with the NZ Fire Service Code of Practice for Firefighting Water Supplies 2003. Any lesser risk must be approved in writing by Fire Service NZ, Dunedin Office.
- j. The provision of sealed vehicle crossing to each residence site from internal roads to be in terms of Diagram 2, Appendix 7 and Rule 14.2.4.2 of the Partially Operative District Plan. This shall be trafficable in all weathers and be capable of withstanding a laden weight of up to 25 tonnes with an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Provision shall be made to continue any roadside drainage.
- k. The provision of a storm water disposal system that is to provide stormwater disposal from all impervious areas within the site. The proposed storm water system shall be designed by a suitably qualified professional as defined in Section 1.4 of NZS4404:2004 and subject to the review of Council prior to implementation.
- l. The provision of an access way to each residence that complies with the guidelines provided for in Table 3.2(a) of the NZS4404:2004 amendments as adopted by the Council in October 2005.
- m. The provisions of an effluent disposal system designed by a suitably qualified professional as defined in section 1.4 of the NZS 44004:2004 in terms of AS/NZS 1547:2000 that will provide sufficient treatment / renovation to effluent from on-site disposal, prior to discharge to land. To maintain high effluent quality such a system would require the following:
  - Specific design by a suitably qualified professional engineer.
  - A requirement that each component of the development must include systems that achieve the levels of treatment determined by the specific design.
  - Regular maintenance in accordance with the recommendations of the system designer and a commitment by the owner of each system to undertake this maintenance.
  - Intermittent effluent quality checks to ensure compliance with the system designer's specification.

- Disposal areas shall be located such that maximum separation (in all instances greater than 50 metres) is obtained from any watercourse or water supply bore.
  - The system is to be designed and constructed in accordance with the information supplied in the application in particular the report prepared by Glasson Potts Fowler (ref 9198GLE-1A dated July 2006)
- n. The drinking water supply is to be monitored in compliance with the Drinking Water Standards for New Zealand 2005 for the presence of E.coli, by the management group for the development, and the results forwarded to the Council. The Ministry of Health shall approve the laboratory carrying out the analysis. Should the water not meet the requirements of the Standard then the management group for the lots shall be responsible for the provision of water treatment to ensure that the Drinking Water Standards for New Zealand 2005 are met or exceeded.
- o. In the event that the number of persons to be accommodated in any residence is to be greater than three, then the Council will require commensurate increases in the water supply to that lot at the rate of 700 litres per extra person per day.
- p. All water tanks to be underground.
19. Prior to the occupation of any visitor accommodation residential unit, or of the Clubhouse, or of the Shearers Quarters, or of the Maintenance Compound the consent holder shall complete the following for each stage (as specified in condition 5):
- a. The submission of 'as-built' plans and information required to detail all engineering works completed in relation to or in association with the appropriate part of this development.
  - b. The completion of all relevant works detailed in condition 18 above.
  - c. The consent holder shall provide a suitable and usable power supply and telecommunications connection to the residences and all other components of the development. These connections shall be underground from any existing reticulation and in accordance with any requirements/standards of Aurora Energy/Delta and Telecom.
20. The consent holder shall obtain all necessary and relevant consents from the Otago Regional Council. This shall include, but is not restricted to, all necessary consents for the construction of a jetty in Lake Wanaka.
21. Prior to commencing any work on the site the consent holder shall install a vehicle crossing, which all construction traffic shall use to enter and exit the site. The minimum standard for this shall be a minimum compacted depth of 150mm AP40 metal. This crossing shall be upgraded in accordance with Council's standards, or removed, at the time development is undertaken on the site.
22. Prior to commencing works, the consent holder shall submit to Council for review a site management plan for the works for each stage or area of proposed works. During the development, the Plan may be altered to add new material, to reflect increased knowledge or to represent best practice methodology, and any amendments to the Plan shall be provided to the Council for certification.
23. All retaining systems, permanent or temporary, shall be designed by a suitably qualified and experienced engineer. The designs shall be submitted to the Council for approval prior to installation.
24. The consent holder shall provide Council with the name of a suitably qualified professional as defined in section 1.4 of NZS4404:2004 who is to supervise the excavation procedure. This engineer shall continually assess the condition of the excavation and implement any design changes / additions if and when necessary.

25. All temporary retention systems shall be installed immediately following excavation to avoid any possible erosion or instability.

### **Landscape**

26. Final colours for the maintenance building, visitor accommodation/residential units and jetty shall be submitted to Council for approval prior to any work commencing on each of these buildings. In this instance, the final colour scheme for these buildings and structures shall appear appropriately recessive throughout all seasons of the year and within the natural colour ranges of browns, greens and greys as indicated throughout the surrounding landscape
27. Prior to any work commencing on the maintenance compound, elevations of all buildings within the maintenance compound shall be submitted to Council for approval. The external appearance of these buildings shall be consistent with the rural context within which they are located.
28. A site plan shall be submitted to Council for approval prior to development commencing, which indicates the location and form of all batter slopes and areas of fill for each stage or area of proposed works. The consent holder should aim to achieve batter slopes and areas of fill which have a maximum gradient of 1:3 (rise:run), with natural undulations across vertical and horizontal planes, as well as smooth transitions in changes in slope, to ensure that these are integrated as much as possible into the existing landform character. During the development, the Plan may be altered to add new material, to reflect increased knowledge or to represent best practice methodology, and any amendments to the Plan shall be provided to the Council for certification. The final site plan shall be provided to Council prior to the commencement of the final stage/area of work.
29. In regards to golf course holes 1, 2, 5, 8 and 9; prior to commencing earthworks in relation to those specified golf course holes, further details of the proposed earthworks and finishing of the proposed golf course holes shall be submitted to Council for approval in relation to achieving a naturalised contour.
30. At the completion of earthworks for each stage (as specified in Condition 5), grassing shall occur within six weeks, to ensure that exposed areas of soil do not direct additional attention to the earthworks.
31. Any fencing within the development site shall be restricted to post and wire fencing to a maximum height of 1.2m only, with the exception of the fencing of the regeneration area for stock to pass through as identified within the Revegetation Strategy prepared in accordance with Condition 6.

### **Earthworks**

32. Prior to commencing earthworks on the site the consent holder shall submit to the Council a detailed site plan of all of the earthworks proposed including depth of cut and fill and the proposed finished shape of the land for each stage or area of proposed works. The accurate earthwork volumes need to be firmly calculated and provided for each stage or area of proposed works. Earthwork calculations and finished levels of all earthworks are to be supplied to Council. During the development, the Plan may be altered to add new material, to reflect increased knowledge or to represent best practice methodology, and any amendments to the Plan shall be provided to the Council for certification. The final site plan shall be provided to Council prior to the commencement of the final stage/area of work.
33. The consent holder shall undertake measures to prevent sediment run off from the site and to prevent a dust nuisance resulting from the works on the site. These measures shall be installed prior to commencing earthworks on the site.

34. A suitably qualified engineer shall assess site conditions and determine safe working conditions with regards to batters and any retention that may be required.
35. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at their expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.
36. At the completion of the earthworks for each stage (as specified in Condition 5) a suitably qualified Registered Engineer experienced in soils investigations shall provide certification, in accordance with NZS 4431 for all areas of fill within the site on which buildings are to be founded.
37. The earthworks shall be undertaken in a timely manner. Any excavation shall not remain open long enough to enable any instability (caused by over exposure to the elements) to occur.
38. No earthworks, temporary or permanent, are to breach the boundaries of the site.
39. At the completion of the earthworks, all earthworked areas shall be topsoiled and grassed or otherwise permanently stabilized as soon as practicable, subject to Condition 29.
40. Upon completion of the earthworks, the consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

### **Covenants**

41. Prior to the construction of any buildings on the site the consent holder shall register a covenant, in accordance with section 108(2)(d) of the RMA, in favour of the Council.

For the purpose of Condition 41(a) Stage 3 shall be deemed to be "implemented" when a final code of compliance certificate under the Building Act 2004 has issued for the 12 visitor accommodation residences referred to in Condition 5(iii).

The covenant shall provide for the following:

#### *Development Restrictions*

- a. In respect of the areas identified on the attached plans referenced "Parkins Bay Glendhu Station Covenant Areas Plan" dated June 2011 and "Parkins Bay Detail B Proposed Covenant Areas" dated June 2011 :
  - i. The area marked A Bull Paddock shall be covenanted as follows:
    - aa. For a period that commences on the date of the grant of consent until the date that is ten years from the implementation of Stage 3 there shall be no further development except that this restriction does not prohibit subdivision;
    - bb. Regardless of titling structure and/or ownership, the clubhouse shall at all times be available to cater to, and for use by, users of the golf course as a place for rest, shelter, refreshment and possibly entertainment. If at any time in the future the land containing the proposed or existing clubhouse is subdivided from the land containing the proposed or existing golf course, a consent notice shall be registered against both resulting titles recording this ongoing consent obligation.
    - cc. All activities which are carried out within, and any future allotments

which are created from, A Bull Paddock area shall share one access off Mt Aspiring Road.

- ii. The area marked B Development Area shall be covenanted in perpetuity from the date of the grant of consent against further development but not prohibiting subdivision of the golf course and the 42 house-sites, and the subdivision and development of eight visitor accommodation/residential units.

*Advice Note: For the avoidance of doubt this consent only authorises 42 visitor accommodation/residential units. Any future application for up to eight additional visitor accommodation/residential units within Area B will require a variation to this consent or a new consent and a rigorous assessment of the measures proposed to sufficiently mitigate any potential adverse visibility/domestication effects.*

- iii. The area marked C1 Farm Area shall be covenanted, for a period that commences on the date of the grant of consent until the date that is ten years from the implementation of Stage 3, against further development not associated with usual farming activities;
- iv. The area marked C2 shall be covenanted, for a period that commences on the date of the grant of consent until the date that is 20 years from the implementation of Stage 3, against further development not associated with usual farming activities, but not prohibiting:
  - aa. activities for camping purposes;
  - bb. subdivision to separate the area marked C2 from the rest of the land currently contained in Certificate of Title 478353;
  - cc. a subdivision which will create a separate certificate of title for the area marked X within C2; and
  - dd. any boundary adjustment which does not create additional titles;
- v. Subject to subclause vi below, the area marked E shall be covenanted in perpetuity from the date of the grant of consent against further development, but not prohibiting:
  - aa. Subdivision to separate the area marked E from the rest of the land currently contained in Certificate of Title 478353 and any boundary adjustment which does not create additional titles;
  - bb. Any alterations, repairs or extensions to the existing dwelling located on the land;
  - cc. The construction of a shed for the purpose of storing farming and landscaping equipment;
  - dd. The erection of any temporary buildings such as marquees and other shelters used for the purpose of conducting weddings and reception functions, for not more than 12 calendar days per year, and a maximum of 6 occasions.;
  - ee. The construction of a chapel;
- vi. The restriction detailed in v. above relating to temporary buildings for weddings and reception functions shall take effect on and from the date the clubhouse is constructed and operational.
- vii. The area marked F shall be covenanted for a period that commences on the date of the grant of consent until the date that is 35 years from the implementation of Stage 3, against any further development, but not prohibiting:
  - aa. subdivision to separate the area marked F from the rest of the land currently contained in Certificate of Title 478353;

- bb subdivision for farming purposes;
  - cc any boundary adjustment which does not create additional titles;
  - dd the relocation, repair and replacement of the existing homestead and ancillary buildings;
  - ee the construction, repair and relocation of any improvements or buildings which relate to the farming activities carried out on the land;
  - ff the construction of two further residential dwellings on the land and any subsequent repairs and alterations to those residential dwellings;
- viii The area marked G shall be covenanted in perpetuity from the date of the grant of consent against any development not associated with farming activities or regeneration of native forest or other vegetation, but not prohibiting any boundary adjustment which does not create additional titles.

*Public Access Easements*

- b. The consent holder will enable public access by way of a registered easement in gross over the area identified in red, as number 12, on the attached plan referenced "Parkins Bay Detail A Proposed Public Easement", dated September 2009, in favour of the Council to enable public access to this area in perpetuity.
- c. The consent holder will enable public access by way of a registered easement in favour of the Council along a route between Rocky Hill (CA 1) and the Matukituki River in the location approximately shown as a blue dotted line on the attached plan referenced "Parkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions:
- The access route shall be restricted to a route connecting Rocky Hill (CA1) and the Matukituki River that will be marked by bollards and/or poles and signs erected by the consent holder.
  - Public access shall be restricted to walking access only.
  - The conditions detailed in Schedule A.

*Advice note: The Council shall be responsible for the maintenance of the access route.*

- d. The consent holder will enable public access by way of a registered easement in favour of the Council along a route along the Motatapu Road between the Mt Aspiring Road and the Motatapu Track, in the location approximately shown as a blue dotted line on the attached plan referenced "Parkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions:
- The access route shall be restricted to a specific route (which shall be for the first 400m of the road where it goes through a low cutting to reach the terraces above Mt Aspiring Road). And shall be a formed and marked walking/cycling track either on the farm land or the road margin {if that can be achieved}, to clearly show users of Te Araroa footpath where they are to go when they turn off from the lake.
  - Public access shall be restricted to walking access only.
  - The conditions detailed in Schedule A.

*Advice note: The Council shall be responsible for the maintenance of the access route.*

- e. The consent holder will enable public access by way of a registered easement in favour of the Council along a route from the development site to Glendhu Hill, in the location approximately shown as a blue dotted line on the attached "Parkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions:

- The access route shall be restricted to a specific route that will be marked by bollards and/or poles and signs erected by the consent holder.
- Public access shall be restricted to walking access only.
- The conditions detailed in Schedule A.

*Advice note: The Council shall be responsible for the maintenance of the access route.*

- f. The consent holder will enable public access by way of a registered easement in favour of the Council along a route between easement areas V and W on SO 347712 along the Motatapu River, in the location approximately shown as a blue dotted line on the attached plan referenced "Parkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions
- The access route shall be restricted to a specific route that will be marked by bollards and/or poles and signs erected by the consent holder. This route will use both the marginal strip and enable access by way of easement over parts of the adjacent land where access along the marginal strip is not available due to erosion of the river bank;
  - Public access shall be restricted to walking and mountain biking access only.
  - In the event that the river erodes both the marginal strip and the land over which the easement runs, the landowner will, when requested, provide an alternative easement (to be surveyed and registered, formed, and maintained by the council at its request).
  - The conditions detailed in Schedule A.

*Advice note: The Council shall be responsible for the maintenance of the access route.*

- g. The consent holder will enable public access by way of a registered easement in favour of the Council along a route from the development site to the Motatapu Road and continuing southeast to the boundary with Alpha Burn Station, in the location approximately shown as a blue dotted line on the attached plan referenced "Parkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions:
- The access route shall be restricted to a specific route that will be formed and marked by signs erected by the consent holder.
  - Public access shall be restricted to walking and mountain biking access only.
  - The conditions detailed in Schedule A.

*Advice note: The Council shall be responsible for the maintenance of the access route.*

- h. The consent holder will enable public access by way of a registered easement in favour of the Council along a route between Rocky Hill (CA1) and the Motatapu River in the location approximately shown as a blue dotted line on the attached plan referenced "Parrkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions:

- The access route shall be restricted to a route connecting Rocky Hill (CA1) and the Motatapu River that will be marked by bollards and/or poles and signs erected by the consent holder.
- Public access shall be restricted to walking access only.
- The conditions detailed in Schedule A.

*Advice note: The Council shall be responsible for the maintenance of the access route.*

- i. The consent holder will procure variation of the terms of the easement EI 6594177 .5, so that mountain biking is permitted over the easement areas V, Wand Section 19 on SO 347712, and will procure registration of an instrument providing for that variation on the relevant certificate of title.
- j. The consent holder will procure variation of the terms of the easement EI6594177.7, so that mountain biking is permitted over the easement areas X and U on SO 347712, and will procure registration of an instrument providing for that variation on the relevant certificate of title.
- k. Subject to Condition (l) below, the consent holder shall be entitled to close or restrict access to the tracks within the Development Site, as the consent holder considers necessary, for golf course operations (including tournaments), maintenance, repair, safety or security purposes.
- l. The consent holder shall be entitled to close or restrict access to the track along the Parkins Bay foreshore, where the track passes through the Development Site, as the consent holder considers necessary, for golf course operations (including tournaments), maintenance, safety or security purposes, for up to 25 individual days per year (but not exceeding 5 weekends).

#### *Vegetation*

- m. Preventing the removal and or physical alteration of the earth mounds and landscaping located around each visitor accommodation/residential unit approved in accordance with Conditions 6 and 7.
- n. The ongoing maintenance of planting implemented to give effect to the Revegetation Strategy approved in accordance with Condition 6.
- o. The establishment of exotic species within the areas identified as A, B and D on the attached plan referenced "Glendhu Station Covenant Areas Plan" dated June 2011 other than those species specified within the Revegetation Strategy approved in accordance with Condition 6 is prohibited.
- p. The ongoing management of wilding plants and animals pests by the consent holder in accordance with the Revegetation Strategy prepared in accordance with Condition 6.
- q. In order to achieve appropriate control of wilding trees and noxious weeds on an ongoing basis the following requirement shall apply within Covenant Area B identified on the attached plan referenced "Parkins Bay Glendhu Station Covenant Areas Plan" dated June 2011:
  - i. For the purposes of this condition "Plant Pests" means and includes any fir or conifer species with potential to spread naturally, sweet briar, lupins, gorse, broom, and any other Pest Plant as specified in the Regional Pest Management Strategy for Otago.

- ii. Prior to occupation of any dwelling the relevant house-site shall be cleared of all Plant Pests.
  - iii. The owner of any house-site shall keep the house-site clear of any Plant Pests.
  - iv. Any areas managed and maintained by a Parkins Bay Residents and Owners Association (or similar body) shall keep those areas clear of any Plant Pests.
- r. Prior to completion of Stage 1 of the development the consent holder shall remove all conifers (including any conifers or firs with wilding potential) from Covenant Areas A, B and D and from that part of Covenant Areas F and G located between Covenant Area and the Fern Burn, all Covenant Areas as identified on the attached plan referenced "Parkins Bay Glendhu Station Covenant Areas Plan" dated June 2011.

#### *Clubhouse*

- s. The installation or use of fires that emit smoke are prohibited except for any fire installed at the clubhouse.

#### *Golf Course*

- t. That the 18 hole golf course will be available for green fee players to use at all times, other than when the golf course is being used for tournaments or functions held at the golf course. Affiliated members of the Wanaka Golf Course will be entitled to use the golf course at a discounted rate of no less than 20% off the green fee rate which is charged to the general public at any time.

#### *Visitor Accommodation Residential Units*

- u. In respect of the curtilage areas identified for the visitor accommodation/residential units within Area B on the plan referenced "Glendhu Station Covenant Areas Plan" dated June 2011:
  - The curtilage area for each visitor accommodation/residential unit shall be restricted to the curtilage areas defined on the attached plans referenced "Parkins Bay Visitor Accommodation Residences - Detail Site Plan, House Sites 1, 3-4, 6, 8-11, 13, 18-22, 24, 26-27, 29-50" dated September 2009 and "Parkins Bay Visitor Accommodation Residences - Detail Site Plan, House Sites 5, 16 and 17" dated September 2011;
  - All domestication including hard landscaping and ancillary structures associated with the visitor accommodation/residential units shall be restricted to the designated curtilage area. No domestic elements shall be located outside the designated curtilage areas;
  - No introduced planting over 0.5m is permitted within the designated curtilage areas unless it is from the approved Kanuka/Grey shrubland plant list detailed in the Revegetation Strategy prepared in accordance with Condition 6;
  - No structures or fences over 0.75m in height are permitted within the designated curtilage areas (this allows for the extension of the existing stone retaining walls), except as required under the Fencing of Swimming Pools Act 1987;
  - No introduced planting is permitted outside the designated curtilage areas unless it is from the approved Kanuka/Grey shrubland plant list detailed in the Revegetation Strategy prepared in accordance with Condition 6.
- v. The keeping of cats at the consented visitor accommodation/residential units is prohibited.

#### *Stock and Water Quality*

- w. Prior to completion of Stage 3 of the development the areas detailed below shall be fenced to prevent stock access into those areas. The fencing shall be maintained permanently to prevent stock accessing those areas. The areas are approximately detailed on Parkins Bay Plan B dated 12 April 2012 as follows:
- i. The wetter area of Wetland A, comprising an area of approximately 150 metres by 20 metres, subject to monitoring and assessment under Condition 51.
  - ii. Wetland B and Wetland C and Areas 1 and 2.
  - iii. The Gully and the Moraine Slope.
- x. The consent holder shall ensure that any stock access to or across the watercourse running between Wetland A and Wetland C and any other watercourses shown on Parkins Bay Plan B dated 12 April 2012 has a firm rocky or pebbly substrate to prevent pugging and erosion caused by stock movements.
- y. Prior to completion of Stage 3 of the development the consent holder shall fence the eastern and western riparian boundaries of the Fern Bum (approximately 20m from each bank) to exclude cattle from the Fern Bum riparian corridor between the Motatapu Road culvert/bridge and Lake Wanaka. When implementing such fencing the consent holder may install gates to enable cattle to cross the Fern Bum riparian corridor at two crossing points, one identified as "Stock Route" on Parkins Bay Plan B dated 12 April 2012 and the other located south of Wetland E shown on Parkins Bay Plan B dated 12 April 2012. When cattle use either of those crossing points the consent holder shall ensure that the cattle move straight across from the private land on one side of the riparian corridor to the private land on the other side of the riparian corridor without lingering in the Fern Bum. Fencing installed under this condition shall be installed as close as is reasonably and practically possible to the boundary between the freehold title and the public marginal strip except that along the eastern boundary of Wetland E fencing shall be located at the top of the bank which separates the wetland from the farmland on the eastern side of Wetland E. The fencing shall ensure that no part of the wetland is separated from the marginal strip. Temporary fencing shall be erected when stock are using the crossing points to ensure that stock do not access the marginal strip on either side of the crossing point.
- z. Area 1, Area 2, the Gully and the Moraine Slope (all identified on Parkins Bay Plan B dated 12 April 2012) which must be fenced as required under w. above, shall be kept free of Plant Pests (as defined in q. above).

## Review

42. In accordance with sections 128 and 129 of the Resource Management Act 1991, the Council may serve notice of its intention to review; amend, delete or add to the conditions of this consent at the consent holders expense yearly for the first ten years after the commencement of consent and thereafter at two yearly intervals and at any other time when the consent holder shall be in default in a material particular in the implementation or compliance with the consent for the purposes of requiring the consent holder to:
- deal with any adverse effect on the environment which may arise from the exercise of this consent and which it is appropriate to deal with at a later stage, or which became evident after the date of commencement of the consent, or
  - review the effectiveness of the conditions of this resource consent in avoiding or mitigating any adverse effects on the environment from the exercise of this resource consent and if necessary require the consent holder to avoid, remedy or mitigate such effects by way of further or amended conditions.

## Poplar Trees

43. Prior to the commencement of earthworks on site, further detailed arboricultural advice shall be sought on the potential effects of the earthworks on those trees most at risk from earthworks and construction. A substantial barrier fence is to be erected in accordance with the recommendation of the arboriculturalist to ensure protection of the trees and their associated root system.
44. Regular inspections and monitoring of tree health is to be undertaken every two years and a report provided to the Council. This work is to be undertaken by a qualified Arborist.
45. Where the two year inspection and reporting programme identifies evidence of tree decline, a more detailed inspection shall be arranged and the recommendations of the more detailed inspection reported to the Council.

### **Golf Course Management**

46. Fertilisers are only to be applied to green and fairway areas in small and frequent applications at a level which ensures that the rate of application accurately meets plant demands and no more. Details of the application rates are to be supplied to the Council for review prior to the commissioning of the golf course.
47. An integrated pest management plan is to be prepared which demonstrates that the use of chemical pesticides is targeted in application only to those areas where treatment has been identified as being necessary.
48. Irrigation of the golf course is to be computerised to ensure that the rate of water application to the green and fairway is appropriate to maintain soil moisture at the correct level avoiding wastage of water, the saturation of soils, ponding, excess soil drainage and contaminant leaching.
49. Riparian vegetative buffer strips are to be maintained between the golf course and Lake Wanaka and the golf course and the edge of the Fern Burn watercourse. These buffer strips must be a minimum of 20m wide and not be subject to the application of any fertiliser, pesticide or irrigation.

### **Monitoring**

50. Monitoring of water quality is to be undertaken every six months as detailed below from the date the golf course is commissioned. Details of the sampling methods and monitoring are to be provided to the Council for review prior to the commissioning of the golf course. The details of this monitoring regime including frequency of monitoring, what contaminants will be required to be assessed, and immediate responses required if contamination is found, needs to be established to the satisfaction of Council prior to the commissioning of the golf course. The following monitoring is required:

- a. Monitoring of water quality within Parkins Bay close to the shoreline adjacent to the golf course.
- b. Monitoring of stream water from streams upstream of the golf course/house-sites development areas, at the points where such streams cross from Glendhu Station into the golf course/house-sites development areas.

Note: The purpose of a. and b. above is to monitor the effect of golf course activities on water quality.

51. The areas of Wetland A detailed on Parkins Bay Plan B dated 12 April 2012 which are outside that part of Wetland A fenced under Condition 41(w) shall be monitored 5 years after the date the golf course is commissioned, within 2 weeks after the area has been grazed by stock, for the purpose of assessing any adverse effects caused by stock on the balance dry wetland areas on the margins of the fenced wetter area. If this monitoring reveals an inappropriate degree of adverse effect then the area of Wetland A required to be fenced under Condition 41(w) may be reviewed.

52. There shall be no netting erected associated with the driving range.

### **Accidental Discovery Protocol and Archaeology**

53. That if any koiwi (human skeletal remains), waahi taoka (resource of importance), waahi tapu (place or feature of special significance) or artefact material are discovered as part of the development process, then work shall stop to allow a site inspection by the appropriate runànga and their advisors, who would determine whether the discovery is likely to be extensive and whether a thorough site investigation is required. Materials discovered should be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to their removal or preservation.
54. An archaeological authority shall be obtained from the New Zealand Historic Places Trust, should further site investigation confirm that the historic house site identified in the report of Mr Petchey is affected by construction activities.
55. The camp site identified in the report of Mr Petchey shall be protected during construction with fencing in a location approved by a registered archaeologist.

### **Limitations on curtilage areas**

56. The curtilage area for each visitor accommodation/residential unit shall be limited to 1000m<sup>2</sup>, including the building platform but excluding the driveway, as identified on the attached plans referenced "Parkins Bay Visitor Accommodation Residences Detail Site Plans, House Sites 1, 3-4, 6, 8-11, 13, 18-22, 24, 26-27, 29-50 " dated September 2009 and "Parkins Bay Visitor Accommodation Residences - Detail Site Plan, House Sites 5, 16 and 17" dated September 2011.
57. All domestication including hard landscaping and ancillary structures associated with the visitor accommodation/residential unit shall be restricted to the designated curtilage area.
58. No introduced planting over 0.5m is permitted within the designated curtilage areas unless it is from the approved Kanuka/Grey shrubland plant list detailed in the Revegetation Strategy approved in accordance with Condition 6.
59. No structures over 0.75m are permitted within the designated curtilage areas (this allows for the extension of the existing stone retaining walls) except as required under the Fencing of Swimming Pools Act 1987.
60. No introduced planting is permitted outside the designated curtilage areas unless it is from the approved Kanuka/Grey shrubland plant list detailed in the Revegetation Strategy approved in accordance with Condition 6.

### **Fencing**

61. Fencing is to be retained and up-graded along the frontage of the Wanaka-Mt Aspiring Road ensuring that people are directed to use the underpasses.
62. No gates or monumental structures are permitted at or near entrances ways which would potentially distract motorists on the Wanaka-Mt Aspiring Road. The design of any entrance gate designs shall be submitted to Council for approval.
63. There shall be no fencing of the individual visitor accommodation residential units;

### **Car Parks**

64. All car parks on-site (excluding carparks for private residences) shall be publicly available and shall not be restricted for specified activities or purposes.

### **Signs**

65. Signage design for the purpose of readily identifying the clubhouse and shearers quarters, the location of car parking, public walkways, cycleways, public picnic area and jetty and the lake foreshore shall be submitted to Council for prior consent. Specific signage on the lakeside walkway and the jetty shall indicate that these areas are available for public use.
66. The existing public access along the edge of the lake, parallel to the length of the development site, shall be identified by signage to the satisfaction of the Council.

### **Sundry**

67. There shall be no permanent mooring at the jetty. The owner shall have priority for one berth.
68. All covenants as offered by the consent holder shall be in form approved by the Council. Any easements referred to in Condition 41 which have been registered prior to the registration of Covenant(s) under Condition 41 need not be referred to in such Covenant(s).
69. This proposal may generate a demand for network infrastructure and reserves and community facilities. If so, an invoice will be generated by the Queenstown Lakes District Council. Payment will be due prior to application under the Resource Management Act for certification pursuant to section 224(c). Pursuant to section 208 of the Local Government Act 2002 the Council may withhold a certificate under section 224(c) of the Resource Management Act 1991 if the required Development Contribution has not been paid.
70. Any easement proposed to be granted in favour of the Council under Condition 41 may instead be granted in favour of another public body or entity nominated by the Council provided such body or entity agrees to accept the benefit of the easement and acknowledges responsibility for maintenance of the relevant access route or other area subject to the easement for the purposes of the easement.

**SCHEDULE A (Refer Condition 41)**

[Standard Conditions Applicable to Public Access Routes]

1. The access route may be closed by the consent holder for such periods as it deems necessary to carry out its farming activities, provided that periods shall not exceed more than 3 consecutive days or a total of more than 10 days (cumulatively) in any calendar year, provided that prior approval is obtained from the Council for such closure.
2. In addition to the periods specified in 1 above, any access route through an area being used for sheep farming may be closed for one period (in any calendar year) of up to 6 weeks during the lambing season to prevent disturbance of ewes with lambs.
3. The access route may be closed by the consent holder for periods as shall be reasonably necessary if the actions of public users result in significant adverse effects to farming operations, provided that prior approval is obtained from the Council for such closure.
4. Dogs (other than dogs used by the farmer for farming activities) are prohibited on the access route (unless prior approval from the consent holder has been obtained).
5. Use or carrying of firearms is prohibited on the access route (unless prior approval from the consent holder has been obtained).
6. Camping is prohibited on the access routes at all times.
7. Such other conditions as the consent holder and the Council reasonably considers necessary to protect the public and to control the public use of the easement area (for example restrictions relating to noxious substances, noise, rubbish, track maintenance, repairs, fire risk or for safety and/or security purposes);

*Note: When the relative easements are registered, the references above to 'consent holder' will become references to 'grantor'.*



**DECISION OF THE QUEENSTOWN-LAKES DISTRICT COUNCIL**

**RESOURCE MANAGEMENT ACT 1991**

<b>Applicant:</b>	Parkins Bay Preserve Ltd
<b>RM reference:</b>	RM120558
<b>Location:</b>	1215 Wanaka – Mount Aspiring Road, Wanaka
<b>Proposal:</b>	To undertake a subdivision to create bulk development lots associated with the development of an approved golf resort.
<b>Type of Consent:</b>	Subdivision
<b>Legal Description:</b>	Section 1-2, 4-6, 16, 18-19, 22-23 Survey Office Plan 347712 held in Computer Freehold Register 478353
<b>Valuation Number:</b>	2906122806
<b>Zoning:</b>	Rural General
<b>Activity Status:</b>	<b>Discretionary</b>
<b>Notification:</b>	Non-notified
<b>Commissioner:</b>	Commissioner Sinclair
<b>Date Issued:</b>	14 November 2012
<b>Decision:</b>	<b>Granted with conditions</b>

This is an application for resource consent under Section 88 of the Resource Management Act 1991 to undertake a subdivision to create bulk development lots associated with the development of an approved golf resort. The application was considered under delegated authority pursuant to Section 34 of the Resource Management Act 1991 on 14 November 2012. This decision was made and its issue authorised by Jane Sinclair, Independent Commissioner, as delegate for the Council.

Under the District Plan the site is zoned Rural General and the proposed activity requires resource consent for the following reason(s):

- A **discretionary** subdivision activity pursuant to Rule 15.2.3.3(vi) for a subdivision of land that complies with all of the Site and Zone Subdivision Standards in the Rural General Zone.

*Note:* because each of the proposed titles will be subject to a restricted covenant that prohibits building and/or protects nature conservation values and / or maintains and enhances open space, the proposal is exempt under Rule 15.2.6.3(iii) from the requirement to identify one residential building platform within each allotment.

### Notification Determination

Commissioner Sinclair has determined that this application can proceed on a non-notified basis. This determination was made in terms of Section 95A and 95B of the Act where the commissioner was satisfied that the adverse effects of the activity on the environment are not likely to be more than minor and where no persons or order holders were considered to be adversely affected by the activity.

### Decision

Consent is GRANTED pursuant to Section 104 of the Act, subject to the following conditions imposed pursuant to Section 220 of the Act:

#### General Conditions

1. That the development must be undertaken/carried out in accordance with the plans (**stamped as approved on 16 October & 14 November 2012**) and the application as submitted, with the exception of the amendments required by the following conditions of consent. The approved plans are as follows:
  - Titled 'Parkins Bay Bulk Titles: Stage 1' dated 05.09.12 by Darby Partners.
  - Titled 'Lots 1 -10 being a Proposed Subdivision of Sections 4, 5, 6 & 16 SO 347712' Sheet 1 of 2 dated 2.08.12 by Southern Land CKL.
  - Titled 'Lots 1 -10 being a proposed subdivision of sections 4, 5, 6 & 16 SO 347712' Sheet 2 of 2 dated 2.08.12 by Southern Land CKL.

#### Amalgamation Conditions

2. The following amalgamation conditions shall be shown on the Survey Plan (see CSN 1107875).
  - a) That Lots 6, 7, 8 hereon and Section 1, 2, 18, 19, 22 & 23 SO 347712 be held in the same Computer Freehold Register.
  - b) That Lots 1, 2, 9, 10 and 11 hereon be held in the same Computer Freehold Register.
  - c) That Lots 4 & 5 hereon be held in the same Computer Freehold Register.
3. Prior to certification pursuant to section 223 of the Resource Management Act 1991, the consent holder shall complete the following:
  - a) All necessary easements (including the public access easements shown "*Parkins Bay Glendhu Station Concept Master Land Use Plan*" (dated 12 April 2012) and in red (as

number 12) on the “*Parkins Bay Detail A Proposed Public Easement*” (dated September 2009) stamped approved in the third and final Environment Court decision [2012] NZEnvC 79) shall be shown in the Memorandum of Easements attached to the Title Plan and shall be duly granted or reserved.

4. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
  - a) The consent Holder shall provide to the Council details (including documentation) of the legal management structure in place to ensure joint responsibility by the lot owners for:
    - i) Establishing and management of a communal water supply (In accordance with condition 18g of the third and final Environment Court decision [2012] NZEnvC 79)
    - ii) Implementation and on-going management of the re-vegetation strategy (in accordance with conditions 6, 8, 9, 10, 12, 13, 14, 41 m – r of the third and final Environment Court decision [2012] NZEnvC 79).
    - iii) Formation of cycle and walking trails within the registered public access easements (in accordance with condition 18d and 41 b - l of the third and final Environment Court decision [2012] NZEnvC 79).
    - iv) Fencing (in accordance with condition 41 w - z of the third and final Environment Court decision [2012] NZEnvC 79).

As required by the conditions of the land use consent granted to Parkins Bay Preserve LTD (third and final Environment Court decision [2012] NZEnvC 79).

The Council will review the documentation supplied by the consent holder and certify that it provides evidence of the existence of a legally established management structure in place to ensure joint responsibility of the owners of all lots the subject of this subdivision for meeting the conditions required by the land use consent and listed above.

#### Ongoing Conditions/Consent Notices

- 5) The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Computer Freehold Registers by way of Consent Notice pursuant to Section 221 of the Resource Management Act 1991.
  - a) The requirement for a management organisation as required by Condition 6 shall be registered on the titles of all the lots to ensure implementation and maintenance of the following:
    - i. Establishing and management of a communal water supply (in accordance with condition 18g of the third and final Environment Court decision [2012] NZEnvC 79)
    - ii. Implementation and on-going management of the re-vegetation strategy (in accordance with conditions 6, 8, 9, 10, 12, 13, 14, 41 m – r) of the third and final Environment Court decision [2012] NZEnvC 79).
    - iii. Formation of cycle and walking trails within the registered public access easements (in accordance with condition 18d and 41 b - l of the third and final Environment Court decision [2012] NZEnvC 79).
    - iv. Fencing (In accordance with condition 41 w - z of the third and final Environment Court decision [2012] NZEnvC 79).
  - b) No development contributions have been assessed under RM120558 as no demand on Council infrastructure is being created at this time. Therefore, at the time of future development on these lots, development contributions will be calculated and shall be

payable on the relevant Council development contribution policy. No historic dwelling equivalent credits (deemed credits) as set out in the Council's Policy on Development Contributions are available for these lots.

In the event that the necessary development contributions are paid as per (b) above, this consent notice condition shall be deemed to have expired and may be removed from the Computer Freehold Register for the affected lots.

- c) Within approximately 24 months of the works commencing that were approved under the third and final Environment Court decision [2012] NZEnvC 79 all public walking and cycling tracks approved under that decision (marked by blue and purple dotted lines on the plan referenced "Parkins Bay Glendhu Station Concept Master Landuse Plan dated 12 April 2012" attached to that decision) should be created (in accordance with condition 5 i of that decision). The minimum standard for construction (that can be exceeded) shall be in accordance with the Walking Track Standard as defined in the Standard New Zealand Handbook for Tracks and Outdoor Visitor Structures (SNZ HB 8630; 2004) except as specified in condition 41 of that decision.

Once the public walking and cycling tracks have been created as per (c) above, this consent notice condition shall be deemed to have expired and may be removed from the Computer Freehold Register for the affected lots.

- 6) Conditions 41(a) *i* to *viii* of the third and final Environment Court decision [2012] NZEnvC 79 shall be complied with in perpetuity and each of the conditions 41(a) *i* to *viii* shall be registered on the relevant Computer Freehold Registers by way of Consent Notice pursuant Section 221 of the Resource Management Act 1991 in accordance with the wording set out in that decision, with the exception of Condition 41 (a) (i) (aa) that shall read as follows:

*i* The area marked A Bull Paddock shall be covenanted as follows:

- aa.* For a period that commences on the date of the grant of consent until the date that is ten years from the implementation of Stage 3 there shall be no further development except that this restriction does not prohibit subdivision and the development of the club house with restaurant and café, twelve visitor accommodation units spread over three buildings, any part of the jetty, part of the golf course and associated landscaping, earthworks, vehicle access and associated activities.

NOTE: For the purposes of this condition the consent notice documents shall reproduce in full the covenants approved within the Environment Court decision [2012] NZEnvC 79.

Advice Notes:

- Council has no liability to undertake any maintenance of the pedestrian and cycleway access easements until they have been formed and signed off as per the requirements of the third and final Environment Court decision [2012] NZEnvC 79). Once approved by Council there is a one year maintenance period to be undertaken by the developer before Council accepts maintenance and management of the formed accessways.
- It should be noted that no physical infrastructure is contained with the water easements E & D, these easements are to secure access rights to an existing bore which is proposed to service the development proposed by the land use consent. All related physical works will be done in conjunction with the land use consent.
- This consent does preclude the requirement to register the covenants imposed in the third and final Environment Court decision [2012] NZEnvC 79. If applicant wishes to avoid the registration of these covenants a variation to the Courts decision will be required.

## Reasons for the Decision

### Proposal

A detailed description of the proposal is included in Section 2.3 of the submitted resource consent application, prepared by Ferguson Planning Limited dated 13 September 2012 (attached as 'Appendix A', and hereafter referred to as the 'application report'). This description is accurate except for the number of allotments to be created through this subdivision which has been reduced to four subsequent to the application being lodged. The following allotments are now proposed:

Title	Parcels (to be amalgamated in the same Computer Freehold Register)	Total Area
Title 2	Lots 1, 2, 9, 10 & 11	190.51 ha
Title 3	Lot 3	9.17 ha
Title 4	Lots 4 & 5	42.90 ha
Title 5	Lots 6, 7, 8 & Sec 1, 2, 18, 19, 22 & 23 SO 347712	2590.41 ha

The remaining aspects of the proposal description are accurate, and are adopted for the purpose of this report.

### *Site and Locality Description*

A detailed site description is included in Section 2.1 of the application report. The site description is accurate and therefore adopted for the purpose of this report.

### *Site History*

The Environment Court granted land use consent (the third and final Environment Court decision [2012] NZEnvC 79) to create and operate a golf resort within the subject site. A detailed description of this consent is contained in Section 2.2 of the application report. The background information is accurate and therefore adopted for the purpose of this report.

### Effects on the Environment and Persons

#### *Land, Flora and Fauna*

No earthworks or vegetation clearance will be undertaken as part of the proposed subdivision.

Condition 6 of Environment Court Decision [2012] NZEnvC 79 (land use decision) requires the consent holder to prepare and implement a *Revegetation Strategy* for an extensive area of the golf course development (split into three stages). The area of revegetation is shown on the 'Indicative Vegetation Categories Plan' (September 2009) attached to the land use decision and will be broadly undertaken as follows:

- Kanuka and mixed shrubland revegetation within Title 2.
- Natural regeneration within Title 5.
- Wetland planting within Title 2.
- Exotic Planting within Title 2.

There is the potential after this subdivision is implemented for the fragmentation of the ownership of land across the approved golf course development and associated areas of the Revegetation Strategy. This fragmentation may restrict the ability for the consent holder to complete the Revegetation Strategy. To avoid this the applicant has offered a consent notice condition requiring the formation of a management structure that includes each of the future landowners and gives them joint responsibility for the implementation of the Revegetation Strategy in addition to the communal water supply, formation of cycle and walking tracks and fencing. This is considered sufficient to ensure that the Revegetation Strategy required in the decision of the Environment Court is not constrained through the fragmentation of the ownership of land across the proposed subdivision.

Adverse effects on the environment in terms of land, flora and fauna are likely to be less than minor.

### *Infrastructure*

No infrastructure servicing is proposed as part of the bulk title subdivision. The two existing houses within the proposed subdivision are fully serviced.

With regards to the golf course development the timing and construction standards for the infrastructure required to service this development are covered by a number of engineering conditions within the land use decision. Easements are proposed as part of this subdivision to ensure access to potable water will be provided to each lot. The proposed treatment and disposal of stormwater and wastewater will be on site and do not require any additional easements to be implemented as part of this subdivision.

Each proposed lot contains existing connections to electricity and telecommunication infrastructure.

The applicant proposes the formation of a management structure that includes each of the landowners and will give them joint responsibility for the communal water supply (condition 18 g of the land use decision).

As the subdivision is for bulk titles and the servicing requirements for the golf course development are covered in land use decision, any adverse effects associated with services not being provided at this stage are likely to be nil.

### *People and Built Form*

The proposed bulk title subdivision reflects the land use consent for the golf course development and the covenant areas required by the land use decision.

The proposal also seeks to implement each of the “development restrictions” required by condition 41(a) *i* to *viii* of the land use decision through replicate consent notices. The proposed consent notices do not preclude the requirement to register the covenants imposed in the land use decision. If applicant wishes to avoid the registration of these covenants a variation to the land use decision will be required and an advice note can be added to any decision making the applicant aware of this.

One specific change is sought relating to condition 41 (a) (i) (aa) which restricts any further development in the “Bull Paddock” for a period of ten years. The “Bull Paddock” is the area consented to contain all of the lakeside buildings, including the club house with restaurant and café and 12 visitor accommodation units and the wording of this condition has not excluded the consented development. The applicant proposes correcting this error in the consent notice conditions. However, they have not sought to vary this requirement in the land use consent at this stage (which appears will be required before any development can proceed).

Title 2 will contain the approved golf course development and the proposed boundaries follow the approved development area and those of an associated covenant restricting further development imposed in the land use consent. The proposed lot is 190 hectares, an appropriate size for the rural general zone and the proposed boundaries are not likely to give rise to any unnatural lines or affect the natural form of the landscape.

Titles 3 and 4 are 9.17 hectares and 42.90 hectares respectively. Title 2 represents a covenant area restricting further development (except subdivision) for 20 years and title 3 represents a covenant area restricting further development (except subdivision) for perpetuity, imposed as part of the land use decision. Each lot will contain an established residential dwelling. Given the established residential use of these lots any effects in terms of character, building coverage/density, amenity and views and outlook are established. The proposed boundaries are not likely to give rise to any unnatural lines or affect the natural form of the landscape.

Title 5 is 2590.41 hectares and represents the balance of Glendhu Station and also contains three separate covenant areas restricting further development for varying periods of time (except subdivision). Although this lot will not contain an existing residential use it is an appropriate size for

permitted farming purposes. Any future residential activities (discretionary activity) are not anticipated by the District Plan and will be subject to future resource consent applications. The proposed boundaries are not likely to give rise to any unnatural lines or affect the natural form of the landscape.

Overall, given the lot sizes, established and approved land uses and the strict covenant controls imposed in the underlying land use decision (to be reflected as consent notice conditions) any effects created by the proposed subdivision will not result in any adverse change to the overall character of the site; nor will it reduce rural amenity.

Adverse effects on the environment in terms of people and building are not likely to be more than minor.

#### *Traffic Generation and Vehicle Movements*

##### *- Vehicle Access*

Each proposed lot has direct access onto one of the following public legal roads, Motatapu Road, Wanaka – Mount Aspiring Road and West Wanaka Road. The existing houses within Titles 3 and 4 have formed vehicle access onto Wanaka – Mt Aspiring Road.

The proposed subdivision will not increase the development potential of any of the proposed lots over and above that already approved and therefore will not give rise to any additional demand for vehicle access. The timing and construction standards for vehicle access to service the golf course development are covered by a number of engineering conditions within the land use decision.

##### *- Pedestrian Access*

The proposed subdivision seeks to create all of the public access easements required by the land use decision. The walking and cycling tracks to be formed within these easements will not be constructed as part of this subdivision but will be formed as part of the golf course development. Condition 5 (i) of the land use decision broadly specifies that within 24 months of the works commencing on site all public access tracks must be created. The construction standard for the tracks to be formed in the public access easements created as part of this subdivision is specified under condition 18(d).

However, the land use decision did not define a construction standard for two tracks to be formed in areas of existing public access from the Wanaka Mt Aspiring Road to the clubhouse and along Parkins Bay foreshore. These tracks are marked by a purple dotted line on the concept master plan stamped approved in the land use decision.

To ensure the timing and standard of formation of all public walking and cycling tracks is clearly defined for any future landowner, conditions 5(i) (where it relates to public access) and the construction standard specified by condition 18(d) has been replicated as a consent notice condition including for the two purple tracks.

The proposed management structure that includes each of the landowners will ensure each lot owner has joint responsibility to undertake this work.

Overall, adverse effects on the environment in terms of traffic generation and vehicle movements are likely to be less than minor.

#### Objectives and Policies

The relevant objectives and policies are found within Part 5 *Rural General Zone* and Part 15 *Subdivision Development & Financial Contributions* of the District Plan.

The relevant objectives and policies in Part 5 include, Objective 1: *Character and Landscape Value*, protecting the character and landscape value of the rural area; and Objective 3: *Rural Amenity*, avoiding, remedying or mitigating adverse effects of activities on rural amenity. The proposed subdivision reflects the land use consent for the golf course development and the covenant areas

required by the granted Environment Court decision. As discussed above the proposed subdivision will not result in any change to the overall character of the site; nor will it reduce rural amenity.

The relevant objectives and policies in Part 15 relate to the provision of adequate services, and the protection of amenity values through the subdivision process. While this subdivision process will not result in the installation of services, the subdivision is relatively unique involving the separation of parcels of lands either to be developed further under an approved land use consent, which will control the installation of services or no further development will follow from what currently exists. The proposed subdivision will not result in an unanticipated level of development.

The proposal is therefore consistent with the abovementioned objectives and policies.

### **Other Matters**

#### *Local Government Act 2002: Development Contributions*

In granting this resource consent reference was made to Part 8 Subpart 5 Schedule 13 of the Local Government Act 2002 and the Council's Policy on Development Contributions contained in Long Term Council Community Plan (adopted by the Council on 25 June 2004).

The proposed bulk title subdivision will not generate demand for infrastructure or services therefore no development contribution is applicable. However the new lots being created will have no historic development contribution credit. A consent notice condition has been imposed to be registered on the new lots created as part of this subdivision identifying that at such time as the sites are further developed, no credit applies. For the forgoing reasons a Development Contribution is not required.

### **Administrative Matters**

The costs of processing the application are currently being assessed and you will be advised under separate cover whether further costs have been incurred.

Should you not be satisfied with the decision of the Council, or certain conditions, an objection may be lodged in writing to the Council setting out the reasons for the objection under Section 357 of the Resource Management Act 1991 no later than 15 working days from the date this decision is received.

You are responsible for ensuring compliance with the conditions of this resource consent. The Council will contact you in due course to arrange the required monitoring. It is suggested that you contact the Council if you intend to delay implementation of this consent or reschedule its completion.

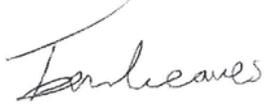
This resource consent is not a consent to build under the Building Act 2004. A consent under this Act must be obtained before construction can begin.

Please contact the Council when the conditions have been met or if you have any queries with regard to the monitoring of your consent.

This resource consent must be exercised within five years from the date of this decision subject to the provisions of Section 125 of the Resource Management Act 1991.

If you have any enquiries please contact Ian Greaves on phone (03) 443 0124 or email [ian.greaves@lakesenv.co.nz](mailto:ian.greaves@lakesenv.co.nz).

Prepared by  
**LAKES ENVIRONMENTAL LTD**



Ian Greaves  
**PLANNER**

Reviewed by  
**LAKES ENVIRONMENTAL LTD**



Paula Costello  
**PLANNING TEAM LEADER**

**Appendix A: Application Report**



**COPYRIGHT**  
 This drawing and all text hereon are copyright of Southern Cross Surveyors Limited, a company registered in New Zealand. No part of this drawing may be reproduced without the prior written permission of Southern Cross Surveyors Limited.

**Warning**  
 This Plan has been prepared for the purpose of showing the proposed subdivision of the land shown on the plan. It is not intended to be used as a title deed or as a basis for any other legal proceedings. The accuracy of the plan is not guaranteed and the client is advised to check the accuracy of the plan against the original hard copy version or with Southern Cross Surveyors Limited. Any person using Southern Cross Land drawings and other data accepts the risk of inaccuracy and is advised to check the accuracy of the plan against the original hard copy version or with Southern Cross Surveyors Limited. - ensuring the information is the most recent issue.

**SOUTHERN LAND**  
 SURVEYING | PLANNING | LAND DEVELOPMENT

24 Devonport St, Wairaka,  
 Email: [contact@southernland.co.nz](mailto:contact@southernland.co.nz)  
[www.southernland.co.nz](http://www.southernland.co.nz)

**CSNZ**  
 THE CONSULTING SURVEYORS OF NEW ZEALAND  
 ASSOCIATION OF THE REGISTERED PROFESSIONAL SURVEYORS

**PARKINS BAY PRESERVE LTD**  
 COMPANY NUMBER: CT 478953

**QUEENSTOWN LAKES DISTRICT COUNCIL**

**OTAGO**  
 PROJECT AREA: 2836.5719 ha  
 DATE: 02/08/12  
 DRAWING TITLE:

**LOTS 1 - 10 BEING A PROPOSED SUBDIVISION OF SECTIONS 4, 5, 6 & 16 SO 347712**

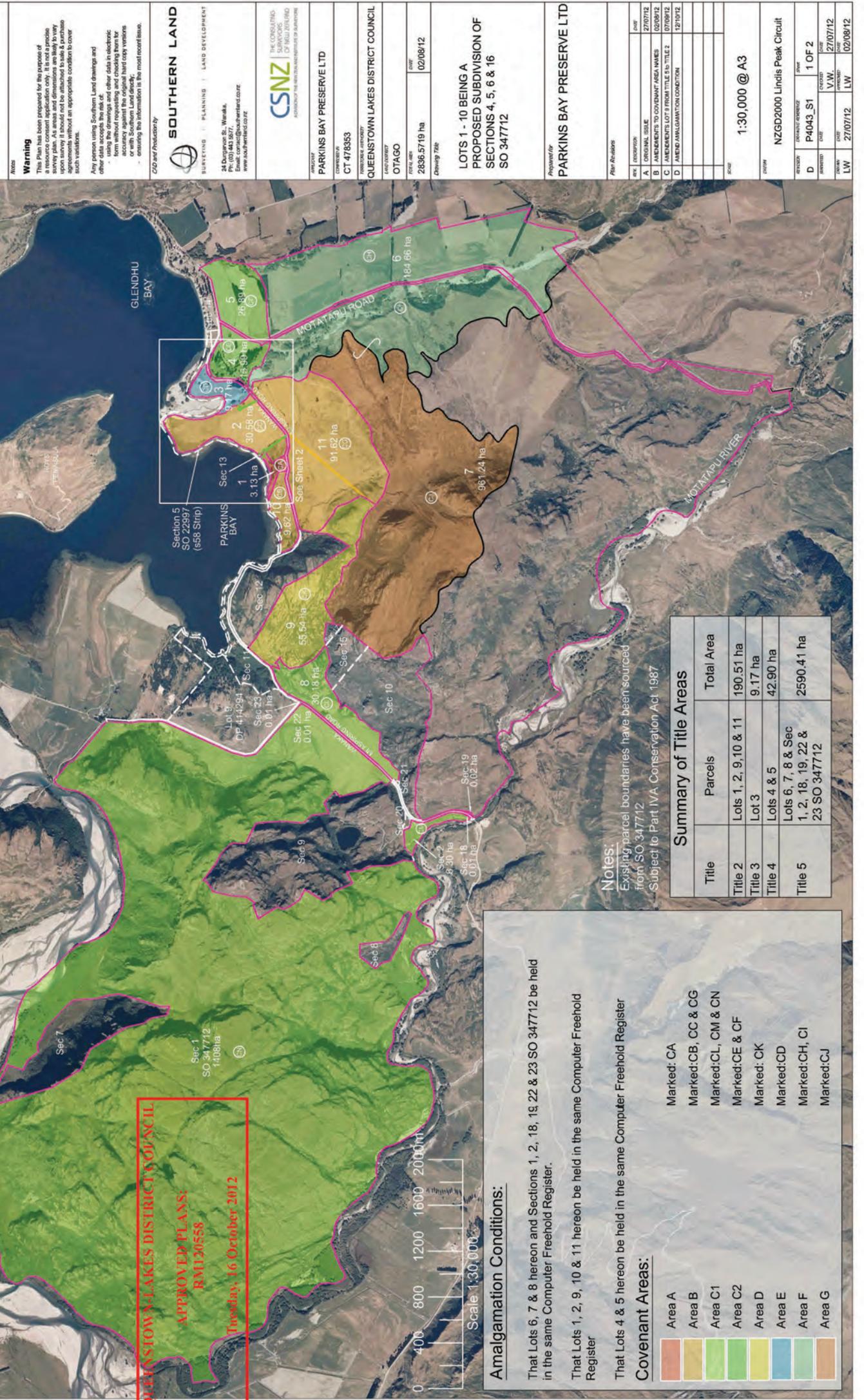
Prepared for:  
**PARKINS BAY PRESERVE LTD**

Plan Address:  
 DATE: 27/07/12  
 A ORIGINAL ISSUE  
 B AMENDMENTS TO GOVERNMENT AREA NAMES 02/08/12  
 C AMENDMENTS LOT 8 FROM TITLE 16 TO TITLE 2 07/08/12  
 D AREA AMALGAMATION CONDITION 12/12/12

SCALE: 1:30,000 @ A3

PROJECT NUMBER: NZGD2000 Lindis Peak Circuit

REVISION: D P4043\_S1 DATE: 27/07/12  
 DRAWN BY: V.W. CHECKED BY: LW  
 APPROVED BY: LW DATE: 27/07/12  
 DATE: 02/08/12



**QUEENSTOWN LAKES DISTRICT COUNCIL**  
**APPROVED PLANS:**  
 RM120558  
 Thursday, 16 October 2012

**Notes:**  
 Existing parcel boundaries have been sourced from SO 347712  
 Subject to Part IVA Conservation Act 1987

**Summary of Title Areas**

Title	Parcels	Total Area
Title 2	Lots 1, 2, 9, 10 & 11	190.51 ha
Title 3	Lot 3	9.17 ha
Title 4	Lots 4 & 5	42.90 ha
Title 5	Lots 6, 7, 8 & Sec 1, 2, 18, 19, 22 & 23 SO 347712	2590.41 ha

**Amalgamation Conditions:**  
 That Lots 6, 7 & 8 hereon and Sections 1, 2, 18, 19, 22 & 23 SO 347712 be held in the same Computer Freehold Register.

That Lots 1, 2, 9, 10 & 11 hereon be held in the same Computer Freehold Register

That Lots 4 & 5 hereon be held in the same Computer Freehold Register

**Covenant Areas:**

- Area A
- Area B
- Area C1
- Area C2
- Area D
- Area E
- Area F
- Area G

**Marked:** CA  
 Marked: CB, CC & CG  
 Marked: CL, CM & CN  
 Marked: CE & CF  
 Marked: CK  
 Marked: CD  
 Marked: CH, CI  
 Marked: CJ



**COPYRIGHT©**

The drawing and plan herein are copyright of the Surveyors' Institute of New Zealand. No part of this drawing or plan may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the Surveyors' Institute of New Zealand.

**Warning**

This Plan has been prepared for the purpose of the subdivision of land. It is not to be used as a survey plan. As areas and dimensions are likely to vary upon survey it should not be attached to sale & purchase agreements without an appropriate condition to cover such variations.

Any person using Southern Land drawings and other data accepts the risk of inaccuracy. The user should check other data in duplicate from without repeating and checking them for accuracy against the original hard copy version or with Southern Land directly.

- ensuring the information is the most recent issue.

**SOUTHERN LAND**



**SURVEYING | PLANNING | LAND DEVELOPMENT**

24 Devonport St, Wairaka.  
Email: [contact@southernland.co.nz](mailto:contact@southernland.co.nz)  
[www.southernland.co.nz](http://www.southernland.co.nz)



**THE CONSULTING SURVEYORS OF NEW ZEALAND**  
A SOCIETY OF THE SURVEYORS' INSTITUTE OF NEW ZEALAND

**CLIENT** PARKINS BAY PRESERVE LTD

**CONVEYANCE** CT 478353

**FUNCTIONAL AGENCY** QUEENSTOWN LAKES DISTRICT COUNCIL

**LOCAL COUNCIL** OTAGO

**AREA** 2836.5719 ha

**DATE** 02/08/12

**DRAWING TITLE**

**LOTS 1 - 10 BEING A PROPOSED SUBDIVISION OF SECTIONS 4, 5, 6 & 16 SO 347712**

**Prepared for** PARKINS BAY PRESERVE LTD

**Plan Address**

REV	DESCRIPTION	DATE
A	ORIGINAL ISSUE	27/07/12
B	AMENDMENTS TO DOMINANT AREA NAMES	02/08/12
C	AMENDMENTS LOT 8 FROM TITLE 56 TITLE 2	07/08/12
D	AMEND AMALGAMATION CONDITION	12/10/12

**SCALE** 1:4,000 @ A3

**PLAN** NZGD2000 Lindis Peak Circuit

REVISION	DESCRIPTION	DATE
D	P4043_S1	2 OF 2
APPROVED	DATE	27/07/12
DATE	27/07/12	
DATE	02/08/12	

GLENDHU BAY

**QUEENSTOWN-LAKES DISTRICT COUNCIL**  
**APPROVED PLANS:**  
**RM120558**  
**Tuesday, 16 October 2012**

Section 5  
SO 22997  
(s58 Strip)

Existing Easements			
Purpose	Shown	Servient Tenement	Created By
Public Access Easement	Ⓒ	Lot 2	EI 6584177.7

Proposed Easements in Gross			
Purpose	Shown	Servient Tenement	Grantee
Public Access (R.O.W)	(A) (B)	Lots 1 & 2	QLDC

Proposed Easements			
Purpose	Shown	Servient Tenement	Dominant Tenement
Right to Convey Water	(E)	Lot 2	Lot 3
	(D)	Lot 2	Lots 1, 3, 4, 5, 6, 7, 8 & 9



PARKINS BAY





**DECISION OF THE QUEENSTOWN-LAKES DISTRICT COUNCIL**

**RESOURCE MANAGEMENT ACT 1991**

<b>Applicant:</b>	Parkins Bay Preserve Ltd
<b>RM reference:</b>	RM130274
<b>Location:</b>	1215 Wanaka – Mount Aspiring Road, Wanaka
<b>Proposal:</b>	To vary Conditions 1 & 2 of resource consent RM120558 relating to the amalgamation of Lots 1 and 3
<b>Type of Consent:</b>	Variation to subdivision
<b>Legal Description:</b>	Section 1-2, 4-6, 16, 18-19, 22-23 Survey Office Plan 347712 held in Computer Freehold Register 478353
<b>Valuation Number:</b>	2906122806
<b>Zoning:</b>	Rural General
<b>Activity Status:</b>	<b>Discretionary</b>
<b>Notification:</b>	Non notified
<b>Commissioner:</b>	Commissioner Sinclair
<b>Date Issued:</b>	<b>27 May 2013</b>
<b>Re-issued Decision:</b>	<b>29 May 2013</b>
<b>Decision:</b>	<b>Granted</b>

The decision was re-issued on 29 May 2013 under Section 133A of the Resource Management Act 1991 to amend Condition 2(b) which incorrectly crossed out Lot 2 from the condition instead of Lot 1. The issue of this decision was made and is authorised by Jane Sinclair, Independent Commissioner, as delegate for the Council. This is considered a minor mistake; therefore the decision can be altered under Section 133A of the Act within 15 working days of the consent being granted.

This is an application for a variation under Section 127 of the Resource Management Act 1991 to vary Condition(s) 1 and 2 of resource consent RM120558 pertaining to the amalgamation of Lots 1 and 3.

Resource consent RM120558 was considered under delegated authority pursuant to Section 34 of the Resource Management Act 1991 on 14 November 2012. This decision was considered under delegated authority pursuant to Section 34 of the Resource Management Act 1991 on 24 May 2013, and its issue authorised by Jane Sinclair, Independent Commissioner, as delegate for the Council.

Conditions 1 and 2 of resource consent RM120558 state:

1. That the development must be undertaken/carried out in accordance with the plans (**stamped as approved on 16 October & 14 November 2012**) and the application as submitted, with the exception of the amendments required by the following conditions of consent. The approved plans are as follows:
  - **Titled 'Parkins Bay Bulk Titles: Stage 1' dated 05.09.12 by Darby Partners.**
  - **Titled 'Lots 1 -10 being a Proposed Subdivision of Sections 4, 5, 6 & 16 SO 347712' Sheet 1 of 2 dated 2.08.12 by Southern Land CKL.**
  - **Titled 'Lots 1 -10 being a proposed subdivision of sections 4, 5, 6 & 16 SO 347712' Sheet 2 of 2 dated 2.08.12 by Southern Land CKL.**
2. The following amalgamation conditions shall be shown on the Survey Plan (see CSN 1107875).
  - a) That Lots 6, 7, 8 hereon and Section 1, 2, 18, 19, 22 & 23 SO 347712 be held in the same Computer Freehold Register.
  - b) That Lots 1, 2, 9, 10 and 11 hereon be held in the same Computer Freehold Register.
  - c) That Lots 4 & 5 hereon be held in the same Computer Freehold Register.

Under the District Plan the site is zoned Rural General and the proposed variation requires resource consent for the following reason:

- 1 A **discretionary** activity consent pursuant to section 127(3)(a) of the Resource Management Act 1991, which deems any application to change or cancel consent conditions to be a discretionary activity.

Overall, the proposal was considered as a **discretionary** activity.

The Independent Commissioner has reviewed the Section 95 recommendation prepared for this application and has decided that it can proceed on a non-notified basis. In accordance with Section 127 of the Resource Management Act 1991 the application was considered under Sections 88 to 121 of the Act. On this basis the application was considered on a non-notified basis in terms of of Section 95A and 95B because the adverse effect on the environment of the proposed variation are not likely to be more than minor and no persons or order holders were, in the opinion of the consent authority, considered to be adversely affected by the proposed change of conditions.

## Decision

That the application by Parkins Bay Preserve Ltd to vary Conditions 1 and 2 of resource consent RM120558 be granted pursuant to Section 127 of the Resource Management Act 1991, such that:

- 1 Condition 1 of resource consent RM120558 is amended to read as follows (deleted text struck-through, added text in bold):

1. That the development must be undertaken/carried out in accordance with the plans (stamped as approved on ~~16 October & 14 November 2012~~ **24 May 2013**) and the application as submitted, with the exception of the amendments required by the following conditions of consent. The approved plans are as follows:
  - Titled 'Parkins Bay Bulk Titles: Stage 1' dated ~~05.09.12~~ **29.04.13** by Darby Partners.
  - Titled 'Lots 1 -10 being a Proposed Subdivision of Sections 4, 5, 6 & 16 SO 347712' Sheet 1 of 2 dated 2.08.12 by Southern Land CKL, **revision F**.
  - Titled 'Lots 1 -10 being a proposed subdivision of sections 4, 5, 6 & 16 SO 347712' Sheet 2 of 2 dated 2.08.12 by Southern Land CKL, **revision F**.
2. Condition 2 of resource consent RM120558 is amended to read as follows (deleted text struck-through, added text in bold):
2. The following amalgamation conditions shall be shown on the Survey Plan (see CSN 1107875 **and 1139898**).
  - a) That Lots 6, 7, 8 hereon and Section 1, 2, 18, 19, 22 & 23 SO 347712 be held in the same Computer Freehold Register.
  - b) That Lots 4, 2, 9, 10 and 11 hereon be held in the same Computer Freehold Register.
  - c) That Lots 4 & 5 hereon be held in the same Computer Freehold Register.
  - d) **That Lots 1 and 3 hereon be held in the same Computer Freehold Register.**

#### Advice note

- All other conditions of RM120558 shall continue to apply.
- An updated list of conditions can be found in Appendix 1 to this report.

#### **Reasons for the Decision**

Section 127 of the Resource Management Act 1991 provides for a resource consent to be varied as follows:

- (1) *The holder of a resource consent may apply to Council for a change or cancellation of a condition of the consent (other than any condition as to the duration of the consent).*
- (3) *Sections 88 to 121 shall apply, with all necessary modifications, as if –*
  - (a) *the application were an application for a resource consent for a discretionary activity; and*
  - (b) *the references to a resource consent and to the activity were references only to the change or cancellation of a condition and effects of the change or cancellation respectively.*

#### Proposal

Consent is sought to vary conditions 1 and 2 of resource consent RM120558 relating to the amalgamation of Lots 1 and 3. The applicant has provided a detailed description of the proposal in section 2.3 of the submitted report, prepared by Chris Ferguson of Ferguson Planning Limited dated 30 April 2013 (attached as 'Appendix 1', and hereafter referred to as the 'application report'). This description is accepted and is considered to be sufficient for the purposes of this report.

### Site and Locality Description

In addition to the proposal provided, the applicant has provided a comprehensive site and locality description under section 2.2 of the application report. This description is considered accurate, and is therefore adopted for the purposes of this report.

### Site History

Resource consent RM120558 approved the creation of four bulk development lots on Glendhu Station associated with the development of a golf course approved under Environment Court Decision [2012] NZEnvC 79.

### Assessment of Effects on the Environment

The proposed variation will not result in the creation of any new allotments that have not been previously assessed. The proposal to amalgamate Lot 1 with Lot 3 instead of Lots 2, 9, 10 and 11 is not likely to create any adverse effects. Lot 1 is proposed to contain the approved golf course club house whilst Lots 2, 9, 10 and 11 will contain the remaining components of the golf course development including the golf course and associated visitor accommodation units. Lot 3 will also contain an existing residential dwelling. This proposed reconfiguration will allow an approved land use to continue to develop and will not effect the strict controls imposed as part of the underlying Environment Court decision and subsequent subdivision (RM120558).

### Objectives and Policies

The application is considered to be consistent with the Objectives and Policies of the Part 5 Rural General Zone and Part 15 Subdivision Development & Financial Contributions of the District Plan.

### Conclusion

Having considered the actual and potential effects, the relevant objectives and policies of the District Plan, and the relevant provisions of the Resource Management Act 1991, it is considered that it is appropriate to grant the variation as sought.

### **Other Matters**

#### *Local Government Act 2002: Development Contributions*

In granting this resource consent reference was made to Part 8 Subpart 5 Schedule 13 of the Local Government Act 2002 and the Council's Policy on Development Contributions contained in Long Term Council Community Plan (adopted by the Council on 25 June 2004).

This proposal is not considered a "Development" in terms of the Local Government Act 2002 as it will not generate a demand for network infrastructure and reserves and community facilities.

For the forgoing reasons a Development Contribution is not required.

### **Administrative Matters**

The costs of processing the application are currently being assessed and you will be advised under separate cover whether further costs have been incurred.

Should you not be satisfied with the decision of the Council, or certain conditions, an objection may be lodged in writing to the Council setting out the reasons for the objection under Section 357 of the Resource Management Act 1991 not later than 15 working days from the date this decision is received.

You are responsible for ensuring compliance with the conditions of this resource consent. The Council will contact you in due course to arrange the required monitoring. It is suggested that you contact the Council if you intend to delay implementation of this consent or reschedule its completion.

This resource consent is not a consent to build under the Building Act 2004. A consent under this Act must be obtained before construction can begin.

Please contact the Council when the conditions have been met or if you have any queries with regard to the monitoring of your consent.

If you have any enquiries please contact Ian Greaves on phone (03) 443 0124.

Prepared by  
**LAKES ENVIRONMENTAL LTD**



Ian Greaves  
**PLANNER**

Reviewed by  
**LAKES ENVIRONMENTAL LTD**



Paula Costello  
**PLANNING TEAM LEADER**

Appendix 1 – Updated conditions of consent  
Appendix 2 – Application Report

## Appendix 1 – Updated conditions of RM120558 in full.

### General Conditions

1. That the development must be undertaken/carried out in accordance with the plans (stamped as approved on 24 May 2013) and the application as submitted, with the exception of the amendments required by the following conditions of consent. The approved plans are as follows:
  - **Titled ‘Parkins Bay Bulk Titles: Stage 1’ dated 29.04.13 by Darby Partners.**
  - **Titled ‘Lots 1 -10 being a Proposed Subdivision of Sections 4, 5, 6 & 16 SO 347712’ Sheet 1 of 2 dated 2.08.12 by Southern Land CKL, revision F.**
  - **Titled ‘Lots 1 -10 being a proposed subdivision of sections 4, 5, 6 & 16 SO 347712’ Sheet 2 of 2 dated 2.08.12 by Southern Land CKL, revision F.**
  
2. The following amalgamation conditions shall be shown on the Survey Plan (see CSN 1107875 and 1139898).
  - a) That Lots 6, 7, 8 hereon and Section 1, 2, 18, 19, 22 & 23 SO 347712 be held in the same Computer Freehold Register.
  - b) That Lots 2, 9, 10 and 11 hereon be held in the same Computer Freehold Register.
  - c) That Lots 4 & 5 hereon be held in the same Computer Freehold Register.
  - d) That Lots 1 and 3 hereon be held in the same Computer Freehold Register.
  
3. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
  - a) The consent Holder shall provide to the Council details (including documentation) of the legal management structure in place to ensure joint responsibility by the lot owners for:
    - i) Establishing and management of a communal water supply (In accordance with condition 18g of the third and final Environment Court decision [2012] NZEnvC 79)
    - ii) Implementation and on-going management of the re-vegetation strategy (in accordance with conditions 6, 8, 9, 10, 12, 13, 14, 41 m – r of the third and final Environment Court decision [2012] NZEnvC 79).
    - iii) Formation of cycle and walking trails within the registered public access easements (in accordance with condition 18d and 41 b - l of the third and final Environment Court decision [2012] NZEnvC 79).
    - iv) Fencing (in accordance with condition 41 w - z of the third and final Environment Court decision [2012] NZEnvC 79).

As required by the conditions of the land use consent granted to Parkins Bay Preserve LTD (third and final Environment Court decision [2012] NZEnvC 79).

The Council will review the documentation supplied by the consent holder and certify that it provides evidence of the existence of a legally established management structure in place to ensure joint responsibility of the owners of all lots the subject of this subdivision for meeting the conditions required by the land use consent and listed above.

On-going Conditions/Consent Notices

5) The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Computer Freehold Registers by way of Consent Notice pursuant to Section 221 of the Resource Management Act 1991.

- a) The requirement for a management organisation as required by Condition 6 shall be registered on the titles of all the lots to ensure implementation and maintenance of the following:
  - i. Establishing and management of a communal water supply (in accordance with condition 18g of the third and final Environment Court decision [2012] NZEnvC 79)
  - ii. Implementation and on-going management of the re-vegetation strategy (in accordance with conditions 6, 8, 9, 10, 12, 13, 14, 41 m – r) of the third and final Environment Court decision [2012] NZEnvC 79).
  - iii. Formation of cycle and walking trails within the registered public access easements (in accordance with condition 18d and 41 b - l of the third and final Environment Court decision [2012] NZEnvC 79).
  - iv. Fencing (In accordance with condition 41 w - z of the third and final Environment Court decision [2012] NZEnvC 79).
- b) No development contributions have been assessed under RM120558 as no demand on Council infrastructure is being created at this time. Therefore, at the time of future development on these lots, development contributions will be calculated and shall be payable on the relevant Council development contribution policy. No historic dwelling equivalent credits (deemed credits) as set out in the Council's Policy on Development Contributions are available for these lots.

In the event that the necessary development contributions are paid as per (b) above, this consent notice condition shall be deemed to have expired and may be removed from the Computer Freehold Register for the affected lots.

- c) Within approximately 24 months of the works commencing that were approved under the third and final Environment Court decision [2012] NZEnvC 79 all public walking and cycling tracks approved under that decision (marked by blue and purple dotted lines on the plan referenced "Parkins Bay Glendhu Station Concept Master Landuse Plan dated 12 April 2012" attached to that decision) should be created (in accordance with condition 5 i of that decision). The minimum standard for construction (that can be exceeded) shall be in accordance with the Walking Track Standard as defined in the Standard New Zealand Handbook for Tracks and Outdoor Visitor Structures (SNZ HB 8630; 2004) except as specified in condition 41 of that decision.

Once the public walking and cycling tracks have been created as per (c) above, this consent notice condition shall be deemed to have expired and may be removed from the Computer Freehold Register for the affected lots.

6) Conditions 41(a) *i* to *viii* of the third and final Environment Court decision [2012] NZEnvC 79 shall be complied with in perpetuity and each of the conditions 41(a) *i* to *viii* shall be registered on the relevant Computer Freehold Registers by way of Consent Notice pursuant Section 221 of the Resource Management Act 1991 in accordance with the wording set out in that decision, with the exception of Condition 41 (a) (i) (aa) that shall read as follows:

*i The area marked A Bull Paddock shall be covenanted as follows:*

- aa. For a period that commences on the date of the grant of consent until the date that is ten years from the implementation of Stage 3 there shall be no further development except that this restriction does not prohibit subdivision and the*

*development of the club house with restaurant and café, twelve visitor accommodation units spread over three buildings, any part of the jetty, part of the golf course and associated landscaping, earthworks, vehicle access and associated activities.*

NOTE: For the purposes of this condition the consent notice documents shall reproduce in full the covenants approved within the Environment Court decision [2012] NZEnvC 79.

Advice Notes:

- Council has no liability to undertake any maintenance of the pedestrian and cycleway access easements until they have been formed and signed off as per the requirements of the third and final Environment Court decision [2012] NZEnvC 79). Once approved by Council there is a one year maintenance period to be undertaken by the developer before Council accepts maintenance and management of the formed accessways.
- It should be noted that no physical infrastructure is contained with the water easements E & D, these easements are to secure access rights to an existing bore which is proposed to service the development proposed by the land use consent. All related physical works will be done in conjunction with the land use consent.
- This consent does preclude the requirement to register the covenants imposed in the third and final Environment Court decision [2012] NZEnvC 79. If applicant wishes to avoid the registration of these covenants a variation to the Courts decision will be required.

**Appendix 2 – Application Report**

**PARKINS BAY PRESERVE LIMITED**

Change to Consent Conditions of RM120558

**FORM 10 APPLICATION FOR CHANGE OR CANCELLATION OF RESOURCE CONSENT  
CONDITION**

**SECTION 127 OF THE RESOURCE MANAGEMENT ACT 1991**

**To** Queenstown Lakes District Council  
C/- Lakes Environmental Limited  
74 Shotover Street  
QUEENSTOWN

- 1. Parkins Bay Preserve Limited**, applies for a change of a condition of a resource consent.

Our application relates to the following resource consent:

Resource Consent RM120558 granted by the Queenstown Lakes District Council on 14 November 2012 for subdivision to create bulk development lots associated with the development of an approved golf resort. A copy of RM120558 is contained within Attachment B.

The site is located at 1215 Wanaka – Mount Aspiring Road, Wanaka. The site is legally described as Section 1-2, 4-6, 16, 18-19, 22-23 Survey Office Plan 347712, being 2836.5719 hectares in area and contained within computer freehold register identifier 478353. A copy of the CFR is contained within Attachment C.

- 3. The application relates to the following specific conditions of the resource consent:**

Condition 1 and 2.

The proposed changes are as follows:

(Deletions are shown in ~~strikethrough~~ and additions as underline.)

1. Condition 1.

That the development must be undertaken/carried out in accordance with the plans **(stamped as approved on 16 October & 14 November 2012)** and the application as submitted, with the exception of the amendments required by the following conditions of consent. The approved plans are as follows:

- **Titled 'Parkins Bay Bulk Titles: Stage 1', Drawing No: LEG-203C, dated ~~05.09.12~~ 29.04.13 by Darby Partners.**
- **Titled 'Lots 1 -10 being a Proposed Subdivision of Sections 4, 5, 6 & 16 SO 347712' Drawing P4043 S1 (Rev F) Sheet 1 of 2 dated 2.08.12 by Southern Land CKL.**  
**Titled 'Lots 1 -10 being a proposed subdivision of sections 4, 5, 6 & 16 SO 347712' Drawing P4043 S1 (Rev F) Sheet 2 of 2 dated 2.08.12 by Southern Land CKL**

2. Condition 2

The following amalgamation conditions shall be shown on the Survey Plan (CSN ~~1107875~~[insert]).

- b) That Lots ~~1, 2~~, 9, 10 and 11 hereon be held in the same Computer Freehold Register.

d) That Lots 1 and 3 hereon be held together in the same Computer Freehold Register

2. **I attach, in accordance with Schedule 4 of the Resource Management Act 1991, an assessment of environmental effects in the detail that corresponds with the scale and significance of the effects that the proposed activity may have on the environment.**
3. **I attach any information required to be included in this application by the district plan, the regional plan, the Resource Management Act 1991, or any regulations made under that Act. Refer to attached assessment of effects on the environment, accompanying plans and other attachments.**

---

Chris Ferguson, authorised to sign on behalf of applicant

---

Date

<b>Address for service:</b>	Ferguson Planning Limited PO Box 39 ARROWTOWN
<b>Telephone No:</b>	03 442 7157 or 021 907 773
<b>Email:</b>	<a href="mailto:chris@fergusonplanning.co.nz">chris@fergusonplanning.co.nz</a>
<b>Invoicing address:</b>	Parkins Bay Preserve Limited PO Box 1482 QUEENSTOWN

**Attachments:**

- A An assessment of effects on the environment in accordance with the Fourth Schedule to the Act
- B Resource Consent RM120558
- C Computer Freehold Register Identifier 478353
- D Amended Plans

**Note to applicant**

If the application is lodged with the Environmental Protection Authority, you must also lodge a form in [form 16A](#) at the same time.

You must pay the charge payable to the consent authority for the resource consent application under the [Resource Management Act 1991](#) (if any). If your application is to the Environmental Protection Agency, you may be required to pay actual and reasonable costs incurred in dealing with this matter (see [section 149ZD](#) of the Resource Management Act 1991).

---

**Attachment A**

Assessment of Effects on the  
Environment

**Parkins Bay Preserve Ltd**

Change to Consent Conditions  
of RM120558

Ferguson Planning Limited

Chris Ferguson, Director

30 April 2013

## 1. Introduction

This Assessment of Effects on the Environment ('**AEE**') has been prepared for Parkins Bay Preserve Limited ('**PBPL**') in support of an application for a change to the conditions of land use consent RM120558.

The AEE accompanies an application for a change to consent conditions made under Section 127 of the Resource Management Act 1991 ('**RMA**') and has been prepared in accordance with the Fourth Schedule of the Act in such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

## 2. A Description of the Proposal

### 2.1 Background

Resource consent RM120558 was granted by the Council on 14 November 2012 for subdivision to create bulk development lots associated with the development of an approved golf resort. A copy of resource consent decision RM1200558 is contained within **Attachment B**.

The consent holder has sought and gained approval from the local authority under Section 223 for the approval of the survey plan, although this plan has not yet been deposited with the District Land Registrar and no application has yet been made for a completion certificate under Section 224(c) of the Act.

The approved scheme plan provides for the amalgamation of 1, 2, 9, 10 and 11 into one computer freehold register. This land holding incorporates the main "development" block involving the approved golf course, visitor accommodation residences, future lodge site as well as the golf club house, shearers quarters accommodation and jetty.

In order to proceed with the first stage of development, the consent holder wishes instead link the lot containing the club house with the land to be owned by Bob and Pam McRae contained within Lot 3. The club house is contained within Lot 1 that is presently held together with Lots 2, 9, 10 and 11 in the same computer freehold register.

The proposal is to vary Conditions 1 and 2, to amalgamate Lot 1 with Lot 3.

### 2.2 Description of the Site

The site is located at 1215 Wanaka – Mount Aspiring Road, Wanaka and comprises the land more generally known as Glendhu Station.

The site is legally described as Sections 1-2, 4-6, 16, 18-19, 22-23 Survey Office Plan 347712, being 2836.5719 hectares in areas and contained within computer freehold register identifier 478353. A copy of the Computer Freehold Register is contained in **Attachment C**.

The title contains a number of registered covenants, including three separate conservation covenants, an open space covenant and two land covenants. The nature of these documents is described in the application for RM120558 and has not changed.

### 2.3 The Proposal

The proposal is to amend the conditions of resource consent RM120558 to allow Lot 1 to be amalgamated with new title being created for Lot 3. The amended subdivision plans are contained within **Attachment D**.

The approved subdivision resulted in the creation of four new titles across the area of the site. The proposal is to hold Lot 1 with Lot 3, rather than with Lots 2, 9, 10 and 11, and does not result in the creation of any additional titles.

The proposal seeks to amend the conditions of resource consent RM120558, as follows:

1. Condition 1 – is updated to reference the amended plans of subdivision.

The subdivision plans prepared by Southern Land have been amended to remove Lot 1 from the amalgamation condition that couples this land with Lots 2, 9, 10 and 11 and to introduce a new amalgamation condition to hold together Lot 1 with Lot 3.

The plans prepared by Darby Partners Ltd, "Parkins Bay Bulk Titles: Stage 1" have been amended to show the new title areas.

2. Condition 2 – is to amend amalgamation condition b) by removing Lot 2 and to create a new condition d) to hold Lots 1 and 3 together in the same computer freehold register.

The detailed wording proposed to achieve the above is contained within the attached Form 10 (above).

3. **Where it is likely that an activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:**

The activity will not result in any significant adverse effects on the environment and no alternative locations have been considered.

4. **An assessment of the actual or potential effect on the environment of the proposed activity**

The changes sought by this proposal are to re-arrange the amalgamation of allotments to hold together Lot 1 with the new title being created with Lot 3, rather than with Lots 2, 9, 10 and 11. This re-configuration of allotments does not result in the creation of any additional titles or the associated covenant restrictions that apply within each.

For these reasons the proposal has no adverse effects on the environment.

5. **Where the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment which are likely to arise from such use:**

N/A

6. **Where the activity includes the discharge of any contaminant, a description of ...**

N/A

**7. A description of the mitigation measures (safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual and potential effect:**

The original resource consent incorporates a number of conditions as mitigation measures and this will continue to apply.

**8. An identification of those persons interested in or affected by the proposal, the consultation undertaken, and any response to the views of those consulted.**

The applicant has not undertaken any consultation.

**9. Where the scale or significance of the activity's effect are such that monitoring is required, a description of how, once the proposal is approved, effects will be monitored and by whom.**

The scale or significance of the proposal requires only standard monitoring of consent conditions by the Council to ensure compliance with what has been approved.

Prepared By: Chris Ferguson  
BREP(Hons), *MNZPI*

30 April 2013

---

**Attachment B**

Resource Consent RM120558

---

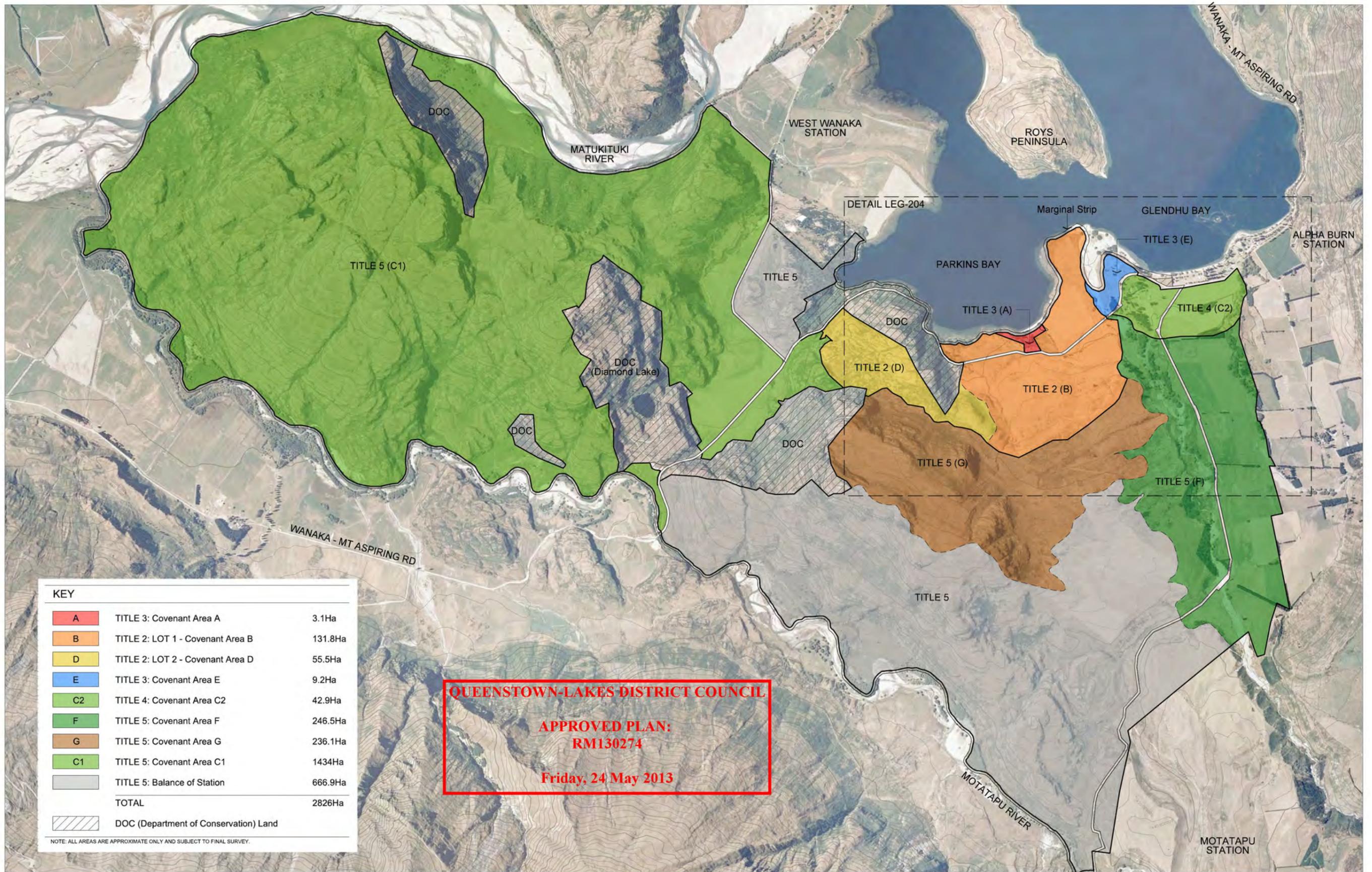
**Attachment C**

Computer Freehold Register 478353

---

**Attachment D**

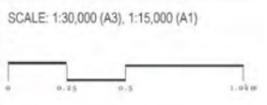
Amended Subdivision Plans



KEY		
<span style="background-color: red; color: white; padding: 2px;">A</span>	TITLE 3: Covenant Area A	3.1Ha
<span style="background-color: orange; color: white; padding: 2px;">B</span>	TITLE 2: LOT 1 - Covenant Area B	131.8Ha
<span style="background-color: yellow; color: black; padding: 2px;">D</span>	TITLE 2: LOT 2 - Covenant Area D	55.5Ha
<span style="background-color: blue; color: white; padding: 2px;">E</span>	TITLE 3: Covenant Area E	9.2Ha
<span style="background-color: lightgreen; color: black; padding: 2px;">C2</span>	TITLE 4: Covenant Area C2	42.9Ha
<span style="background-color: green; color: black; padding: 2px;">F</span>	TITLE 5: Covenant Area F	246.5Ha
<span style="background-color: brown; color: black; padding: 2px;">G</span>	TITLE 5: Covenant Area G	236.1Ha
<span style="background-color: lightgreen; color: black; padding: 2px;">C1</span>	TITLE 5: Covenant Area C1	1434Ha
<span style="background-color: lightgrey; color: black; padding: 2px;"></span>	TITLE 5: Balance of Station	666.9Ha
	<b>TOTAL</b>	<b>2826Ha</b>
<span style="border: 1px solid black; display: inline-block; width: 15px; height: 10px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px);"></span>	DOC (Department of Conservation) Land	

NOTE: ALL AREAS ARE APPROXIMATE ONLY AND SUBJECT TO FINAL SURVEY.

DATA:  
 VERIFIED:  
 Base information supplied by Construction Survey and Alpine Surveyors  
 NON VERIFIED DATA



NOTES/CONSULTANTS:

Contractors to verify all dimensions on site prior to commencing work. Figured dimensions to be taken in preference to scaled dimensions. The copyright of this drawing remains with Design Planning Limited Trading As Darby Partners.

PLAN STATUS:  
**DRAFT ONLY**

NO	DESCRIPTION	DATE	ZC
-	First Issue	12.06.12	ZC
A	Covenant Area A	03.09.12	ZC
B	Covenant Area D	05.09.12	ZC
C	Title Number Amendments	29.04.13	ZC

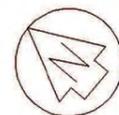
DATE: 29.04.13  
 DESIGNED/DRAWN: DT/ZC  
 APPROVED: DT  
 FILE: Parkins\CAD\LEGAL\LEG-203D (Bulk Titles).dgn

DRAWING NO:  
**LEG-203C**

**PARKINS BAY  
 BULK TITLES: STAGE 1**

Level 1, Steamer Wharf, Lower Beach Street  
 PO Box 1164, Queenstown 9348  
 Tel +64 3 450 2200 Fax +64 3 441 1451  
 info@darbypartners.co.nz  
 www.darbypartners.co.nz





**COPYRIGHT©**  
 This drawing and parts thereof are copyright to Southern Land Ltd. and shall not be re-used, copied or reproduced without the written permission of Southern Land Ltd.

**Notes**

**Warning**  
 This Plan has been prepared for the purpose of a resource consent application only. It is not a precise survey plan. As areas and dimensions are likely to vary upon survey it should not be attached to sale & purchase agreements without an appropriate condition to cover such variations.

Any person using Southern Land drawings and other data accepts the risk of:  
 - using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions or with Southern Land directly;  
 - ensuring the information is the most recent issue.

CAD and Production by  
**SOUTHERN LAND**  
 SURVEYING | PLANNING | LAND DEVELOPMENT

24 Dunganvon St., Wanaka,  
 Ph: (03) 443 5577,  
 Email: contact@southernland.co.nz  
 www.southernland.co.nz

**CSNZ** THE CONSULTING SURVEYORS OF NEW ZEALAND  
 A DIVISION OF THE NEW ZEALAND INSTITUTE OF SURVEYORS

APPLICANT  
**PARKINS BAY PRESERVE LTD**

COMPRISED BY  
**CT 478353**

TERRITORIAL AUTHORITY  
**QUEENSTOWN LAKES DISTRICT COUNCIL**

LAND DISTRICT  
**OTAGO**

TOTAL AREA  
**2836.5719 ha**

DATE  
**02/08/12**

Drawing Title  
**LOTS 1 - 10 BEING A PROPOSED SUBDIVISION OF SECTIONS 4, 5, 6 & 16 SO 347712**

Prepared for  
**PARKINS BAY PRESERVE LTD**

Plan Revisions

REV.	DESCRIPTION	DATE
A	ORIGINAL ISSUE	27/07/12
B	AMENDMENTS TO COVENANT AREA NAMES	02/08/12
C	AMENDMENTS LOT 9 FROM TITLE 5 TO TITLE 2	07/09/12
D	AMEND AMALGAMATION CONDITION	12/10/12
E	AMEND AMALGAMATION CONDITION	22/04/13
F	AMEND AMALGAMATION CONDITION	29/04/13

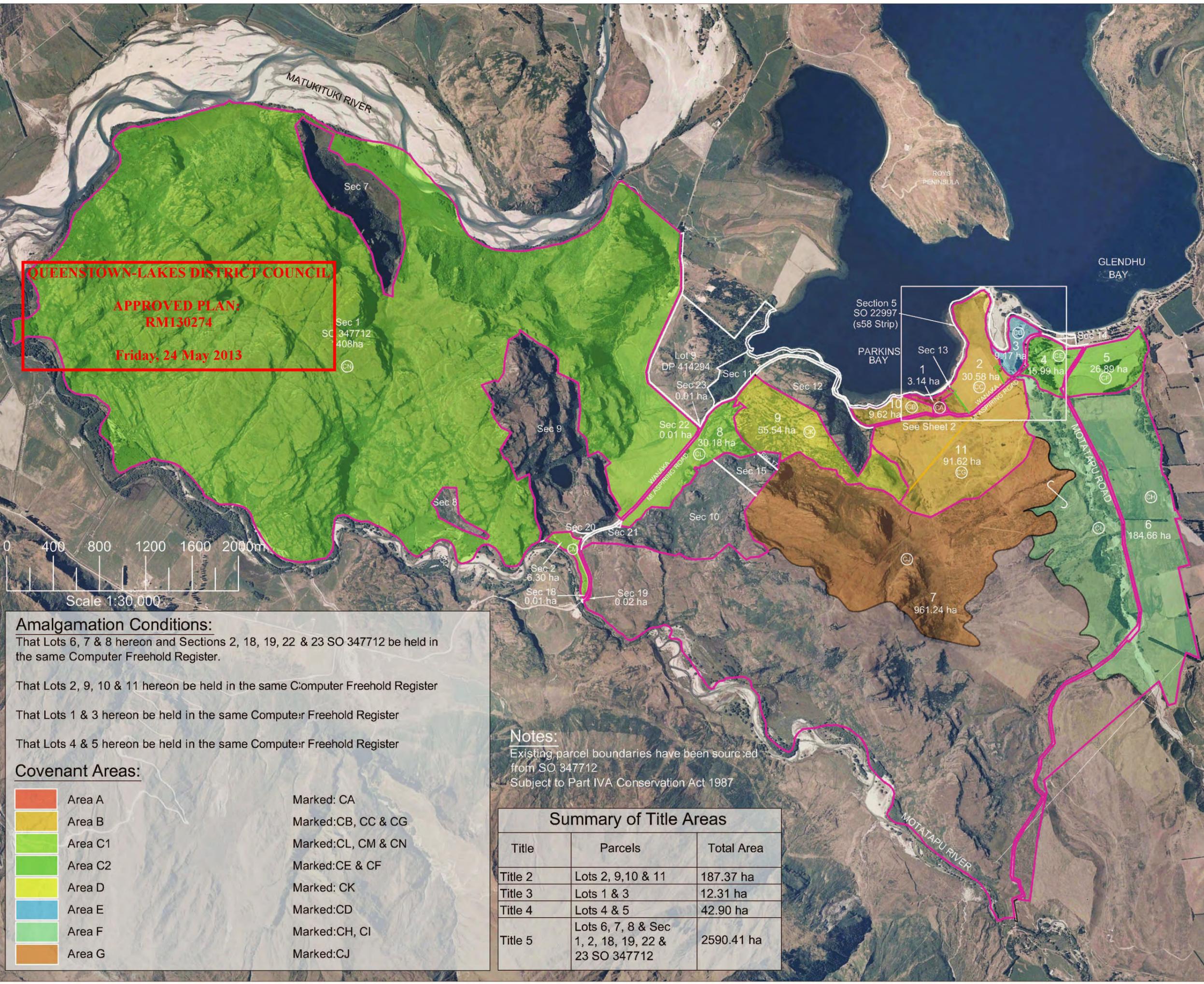
SCALE  
**1:30,000 @ A3**

DATUM  
**NZGD2000 Lindis Peak Circuit**

REVISION	DRAWING REFERENCE	SHEET
F	P4043_S1	1 OF 2

SURVEYED	DATE	CHECKED	DATE
		V.W.	27/07/12

DRAWN	DATE	APPROVED	DATE
LW	27/07/12	LW	02/08/12



**QUEENSTOWN-LAKES DISTRICT COUNCIL**

**APPROVED PLAN:**  
**RM130274**

**Friday, 24 May 2013**



**Amalgamation Conditions:**  
 That Lots 6, 7 & 8 hereon and Sections 2, 18, 19, 22 & 23 SO 347712 be held in the same Computer Freehold Register.

That Lots 2, 9, 10 & 11 hereon be held in the same Computer Freehold Register

That Lots 1 & 3 hereon be held in the same Computer Freehold Register

That Lots 4 & 5 hereon be held in the same Computer Freehold Register

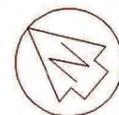
**Covenant Areas:**

	Area A	Marked: CA
	Area B	Marked: CB, CC & CG
	Area C1	Marked: CL, CM & CN
	Area C2	Marked: CE & CF
	Area D	Marked: CK
	Area E	Marked: CD
	Area F	Marked: CH, CI
	Area G	Marked: CJ

**Notes:**  
 Existing parcel boundaries have been sourced from SO 347712  
 Subject to Part IVA Conservation Act 1987

**Summary of Title Areas**

Title	Parcels	Total Area
Title 2	Lots 2, 9, 10 & 11	187.37 ha
Title 3	Lots 1 & 3	12.31 ha
Title 4	Lots 4 & 5	42.90 ha
Title 5	Lots 6, 7, 8 & Sec 1, 2, 18, 19, 22 & 23 SO 347712	2590.41 ha



**COPYRIGHT©**  
 This drawing and parts thereof are copyright to Southern Land Ltd. and shall not be reused, copied or reproduced without the written permission of Southern Land Ltd.

**Warning**  
 This Plan has been prepared for the purpose of a resource consent application only. It is not a precise survey plan. As areas and dimensions are likely to vary upon survey it should not be attached to sale & purchase agreements without an appropriate condition to cover such variations.

Any person using Southern Land drawings and other data accepts the risk of:  
 - using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions or with Southern Land directly;  
 - ensuring the information is the most recent issue.

CAD and Production by  
**SOUTHERN LAND**  
 SURVEYING | PLANNING | LAND DEVELOPMENT

24 Dunganvon St., Wanaka,  
 Ph: (03) 443 5577,  
 Email: contact@southernland.co.nz  
 www.southernland.co.nz

**CSNZ** THE CONSULTING SURVEYORS OF NEW ZEALAND  
 A DIVISION OF THE NEW ZEALAND INSTITUTE OF SURVEYORS

APPLICANT  
**PARKINS BAY PRESERVE LTD**

COMPRISED BY  
**CT 478353**

TERRITORIAL AUTHORITY  
**QUEENSTOWN LAKES DISTRICT COUNCIL**

LAND DISTRICT  
**OTAGO**

TOTAL AREA  
**2836.5719 ha**

DATE  
**02/08/12**

Drawing Title  
**LOTS 1 - 10 BEING A PROPOSED SUBDIVISION OF SECTIONS 4, 5, 6 & 16 SO 347712**

Prepared for  
**PARKINS BAY PRESERVE LTD**

Plan Revisions

REV.	DESCRIPTION	DATE
A	ORIGINAL ISSUE	27/07/12
B	AMENDMENTS TO COVENANT AREA NAMES	02/08/12
C	AMENDMENTS LOT 9 FROM TITLE 5 TO TITLE 2	07/09/12
D	AMEND AMALGAMATION CONDITION	12/10/12
E	AMEND AMALGAMATION CONDITION	22/04/13
F	AMEND AMALGAMATION CONDITION	29/04/13

SCALE  
**1:4,000 @ A3**

DATUM  
**NZGD2000 Lindis Peak Circuit**

REVISION	DRAWING REFERENCE	SHEET
F	P4043_S1	2 OF 2

SURVEYED	DATE	CHECKED	DATE
V.W.		V.W.	27/07/12

DRAWN	DATE	APPROVED	DATE
LW	27/07/12	LW	02/08/12

GLENDHU BAY

**QUEENSTOWN-LAKES DISTRICT COUNCIL**

**APPROVED PLAN:  
 RM130274**

**Friday, 24 May 2013**

Section 5  
 SO 22997  
 (s58 Strip)

**Existing Easements**

Purpose	Shown	Servient Tenement	Created By
Public Access Easement	©	Lot 2	EI 6594177.7

**Proposed Easements in Gross**

Purpose	Shown	Servient Tenement	Grantee
Public Access (R.O.W)	(A) (B)	Lots 1 & 2	QLDC

**Proposed Easements**

Purpose	Shown	Servient Tenement	Dominant Tenement
Right to Convey Water	(E)	Lot 2	Lot 3
	(D)	Lot 2	Lots 1, 3, 4, 5, 6, 7, 8 & 9



PARKINS BAY

Sec 13

2  
 30.59 ha  
 (CC)

3  
 9.17 ha  
 (CD)

4  
 15.99 ha  
 (CE)

1  
 3.14 ha  
 (CA)

10  
 9.62 ha  
 (CB)

11  
 91.62 ha  
 (CG)

7  
 961.24 ha  
 (CI)

WANAKA - Mt ASPIRING ROAD

FERN BURN

MOTATAPU ROAD



**DECISIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL:**

**REPORT / DECISION ON CHANGE OR CANCELLATION OF CONDITIONS  
(SECTION 127)**

**RESOURCE MANAGEMENT ACT 1991 (RMA)**

<b>Applicant:</b>	Parkins Bay Preserve Ltd
<b>RM reference:</b>	RM130491
<b>Location:</b>	1215 Wanaka – Mount Aspiring Road, Wanaka
<b>Proposal:</b>	Variation to Conditions 4 and 5 of subdivision consent RM120558
<b>Legal Description:</b>	Section 1-2, 4-6, 16, 18-19, 22-23 Survey Office Plan 347712 held in Computer Freehold Register 478353
<b>Zoning:</b>	Rural General
<b>Activity Status:</b>	<b>Discretionary</b>
<b>Notification Decision:</b>	Non notified
<b>Final Decision:</b>	<b>GRANTED</b>
<b>Date Decisions Issued:</b>	7 August 2013

**SUMMARY OF DECISIONS**

In accordance with Section 127 of the Resource Management Act 1991 the application was considered under Sections 88 to 121 of the Act.

- 1) Pursuant to sections 95A -95F of the RMA the application will be processed on a **non-notified** basis given the findings of Section 6.0 of this report. This decision is made by Ian Greaves, planner on 6 August 2013 under delegated authority pursuant to Section 34 of the RMA.
- 2) Consent is **granted** to vary conditions 4 and 5 of resource consent RM120558 pursuant to Section 127 of the Resource Management Act 1991. An updated list of conditions can be found in Appendix 1 to this report.
- 3) To reach the decision to grant consent the application was considered (including the full and complete records available in Council's TRIM file and responses to any queries) by Jane Sinclair, Independent Commissioner, as delegate for the Council. This decision was made and its issue authorised under this delegated authority pursuant to Section 34 of the RMA on 6 August 2013.

## 1.0 PROPOSAL AND SITE DESCRIPTION

Consent is sought to vary Conditions 4 and 5 of subdivision consent RM120558 relating to the formation of a legal management structure. The applicant has provided a detailed description of the proposal in section 2.3 of the submitted report, prepared by Chris Ferguson of Ferguson Planning Limited (attached as 'Appendix 2', and hereafter referred to as the 'application report'). This description is accepted and is considered to be sufficient for the purposes of this report.

Condition 4 and 5 of resource consent RM120558 states:

- 4) *Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:*
- a) *The consent Holder shall provide to the Council details (including documentation) of the legal management structure in place to ensure joint responsibility by the lot owners for:*
    - i) *Establishing and management of a communal water supply (In accordance with condition 18g of the third and final Environment Court decision [2012] NZEnvC 79)*
    - ii) *Implementation and on-going management of the re-vegetation strategy (in accordance with conditions 6, 8, 9, 10, 12, 13, 14, 41 m – r of the third and final Environment Court decision [2012] NZEnvC 79).*
    - iii) *Formation of cycle and walking trails within the registered public access easements (in accordance with condition 18d and 41 b - l of the third and final Environment Court decision [2012] NZEnvC 79).*
    - iv) *Fencing (in accordance with condition 41 w - z of the third and final Environment Court decision [2012] NZEnvC 79).*

*As required by the conditions of the land use consent granted to Parkins Bay Preserve LTD (third and final Environment Court decision [2012] NZEnvC 79).*

*The Council will review the documentation supplied by the consent holder and certify that it provides evidence of the existence of a legally established management structure in place to ensure joint responsibility of the owners of all lots the subject of this subdivision for meeting the conditions required by the land use consent and listed above.*

### Ongoing Conditions/Consent Notices

- 5) *The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Computer Freehold Registers by way of Consent Notice pursuant to Section 221 of the Resource Management Act 1991.*
- a) *The requirement for a management organisation as required by Condition 6 shall be registered on the titles of all the lots to ensure implementation and maintenance of the following:*
    - I. *Establishing and management of a communal water supply (in accordance with condition 18g of the third and final Environment Court decision [2012] NZEnvC 79)*
    - II. *Implementation and on-going management of the re-vegetation strategy (in accordance with conditions 6, 8, 9, 10, 12, 13, 14, 41 m – r) of the third and final Environment Court decision [2012] NZEnvC 79).*
    - III. *Formation of cycle and walking trails within the registered public access easements (in accordance with condition 18d and 41 b - l of the third and final Environment Court decision [2012] NZEnvC 79).*

IV. *Fencing (In accordance with condition 41 w - z of the third and final Environment Court decision [2012] NZEnvC 79).*

- b) *No development contributions have been assessed under RM120558 as no demand on Council infrastructure is being created at this time. Therefore, at the time of future development on these lots, development contributions will be calculated and shall be payable on the relevant Council development contribution policy. No historic dwelling equivalent credits (deemed credits) as set out in the Council's Policy on Development Contributions are available for these lots.*

*In the event that the necessary development contributions are paid as per (b) above, this consent notice condition shall be deemed to have expired and may be removed from the Computer Freehold Register for the affected lots.*

- c) *Within approximately 24 months of the works commencing that were approved under the third and final Environment Court decision [2012] NZEnvC 79 all public walking and cycling tracks approved under that decision (marked by blue and purple dotted lines on the plan referenced "Parkins Bay Glendhu Station Concept Master Landuse Plan dated 12 April 2012" attached to that decision) should be created (in accordance with condition 5 i of that decision). The minimum standard for construction (that can be exceeded) shall be in accordance with the Walking Track Standard as defined in the Standard New Zealand Handbook for Tracks and Outdoor Visitor Structures (SNZ HB 8630; 2004) except as specified in condition 41 of that decision.*

*Once the public walking and cycling tracks have been created as per (c) above, this consent notice condition shall be deemed to have expired and may be removed from the Computer Freehold Register for the affected lots.*

#### *Site and Locality Description*

The applicant has provided a comprehensive site and locality description under section 2.2 of the application report. This description is considered accurate, and is therefore adopted for the purposes of this report.

#### *Site History*

The applicant has provided a comprehensive site history description under section 2.1 of the application report. This description is considered accurate, and is therefore adopted for the purposes of this report.

## **2.0 STATUTORY CONSIDERATIONS**

Section 127 of the Resource Management Act 1991 states:

### **"127. Change or cancellation of consent condition on application by consent holder**

- (1) *The holder of a resource consent may apply to the consent authority for a change or cancellation of a condition of a consent, subject to the following:*
- (a) *the holder of a subdivision consent must apply under this section for a change or cancellation of the consent before the deposit of the survey plan (and must apply under section 221 for a variation or cancellation of a consent notice after the deposit of the survey plan); and*
- (b) *No holder of any consent may apply for a change or cancellation of a condition on the duration of the consent.*
- (2) *Repealed*
- (3) *Sections 88 to 121 apply, with all necessary modifications, as if -*
- (a) *the application were an application for a resource consent for a discretionary activity; and*

- (b) *the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.*
- (4) *For the purposes of determining who is adversely affected by the change or cancellation, the local authority must consider, in particular, every person who -*
- (a) *made a submission on the original application; and*
  - (b) *may be affected by the change or cancellation.*

### **3.0 ACTIVITY STATUS**

#### **3.1 THE DISTRICT PLAN**

Under the District Plan the site is zoned Rural General and the proposed variation requires resource consent for the following reason:

- 1 A **discretionary** activity consent pursuant to section 127(3)(a) of the Resource Management Act 1991, which deems any application to change or cancel consent conditions to be a discretionary activity.

#### **4.0 SECTION 95A NOTIFICATION**

A: *The applicant has not requested public notification of the application (s95A)(2)(b)*

AND

B: *No rule or national environmental standard requires or precludes public notification of the application (s95A)(2)(c).*

AND

C: *The consent authority is not deciding to publicly notify the application using its discretion under s95A(1)*

AND

D: *There are no special circumstances that exist in relation to the application that would require public notification (s95A(4)).*

SUCH THAT

E: *A consent authority must publically notify an application if it decides under s95D that the activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(2)(a))*

An assessment in this respect is therefore made in section 4 below:

### **5.0 ASSESSMENT OF EFFECTS ON THE ENVIRONMENT (s95D)**

#### **5.1 MANDATORY EXCLUSIONS FROM ASSESSMENT (s95D)**

A: *Effects on the owners or occupiers of land on which the activity will occur and on adjacent land (s95D(a)).*

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

## **5.2 ASSESSMENT: EFFECTS ON THE ENVIRONMENT**

The Assessment of Effects provided at section 4 of the application report, is comprehensive and is considered accurate. It is therefore adopted for the purposes of this report.

Taking into account sections 4.1 and 4.2 above, the following outlines an assessment as to whether the activity will have or is likely to have adverse effects on the environment that are more than minor:

The intent of conditions 4 and 5 is to ensure that the requirements of land use consent NZEnvC 79 including revegetation, walking and cycling tracks, fencing and potable water can be implemented across the wider site after it has been separated into a separate ownership structure.

At the time the underlying consent was considered the applicant envisaged joint responsibility for these works across all lot owners. However, this has now changed and these requirements will be the sole responsibility of the owner of the main golf course development area (Lots 2, 9, 10 and 11). To achieve this it is necessary to vary conditions 4 and 5 of RM120558.

The variation to Conditions 4 and 5 have been reviewed by the Council's lawyer Mr Nick Whittington and the applicant's lawyer Ms Kerry O'Donnell (Anderson Lloyd Lawyers). Both lawyers are in agreement with the final wording (detailed in Appendix 1 below) and are satisfied that the proposed changes will achieve the underlying purpose of conditions 4 and 5.

Overall, the proposed variation will not impede the underlying purpose of conditions 4 and 5 and the revised conditions will be as equally effective. Therefore, the proposed changes will not result in any adverse effects on the environment.

## **5.3 DECISION: EFFECTS ON THE ENVIRONMENT (s95A(2))**

Overall the proposed activity is not likely to have adverse effects on the environment that are more than minor.

## **6.0 EFFECTS ON PERSONS**

Section 95B(1) requires a decision whether there are any affected persons (under s95E) in relation to the activity. Section 95E requires that a person is an affected person if the adverse effects of the activity on the person are minor or more than minor (but not less than minor).

### **6.1 ASSESSMENT: EFFECTS ON PERSONS**

*Taking into account sections 4.1 and 4.2 above, the following outlines an assessment as to if the activity will have or is likely to have adverse effects on the environment that are more than minor:*

Resource consent RM120558 was processed on a non-notified basis and no persons were considered adversely affected.

In determining affected parties, case law highlights that it is important to note that it is the effects of the change (not the activity itself), which are relevant. The appropriate comparison is between any adverse effects, which there may have been from the activity in its original form, and any adverse effects, which would arise from the proposal in its varied form.

As outlined above the variation to conditions 4 and 5 will not impede their underlying purpose and will be as equally effective. The adverse effects on persons will be less than minor.

### **6.2 DECISION: EFFECTS ON PERSONS (s95B(1))**

In terms of Section 95E of the Act, no person is considered to be adversely affected.

## 7.0 OVERALL NOTIFICATION DETERMINATION

Given the decisions made above in sections 5.3 and 6.2, the application is to be processed on a non-notified basis.

## 8.0 S104 ASSESSMENT

### 8.1 RELEVANT DISTRICT PLAN PROVISIONS (s104(1)(b)(vi)).

The application is considered to be consistent with the Objectives and Policies of the Part 5 Rural General Zone and Part 15 Subdivision Development & Financial Contributions of the District Plan.

### 8.2 DECISION ON RESOURCE CONSENT PURSUANT TO SECTION 127 OF THE RMA

That the application by Parkins Bay Preserve Ltd to vary conditions 4 and 5 of resource consent RM120558 be granted pursuant to Section 127 of the Resource Management Act 1991, such that:

- 1 Condition 4 of resource consent RM120558 is amended to read as follows (deleted text struck-through, added text in bold):
- 4) Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
  - a) ~~The consent Holder shall provide to the Council details (including documentation) of the legal management structure in place to ensure joint responsibility by the lot owners for:~~
    - i) ~~Establishing and management of a communal water supply (In accordance with condition 18g of the third and final Environment Court decision [2012] NZEnvC 79)~~
    - ii) ~~Implementation and on-going management of the re-vegetation strategy (in accordance with conditions 6, 8, 9, 10, 12, 13, 14, 41 m – r of the third and final Environment Court decision [2012] NZEnvC 79).~~
    - iii) ~~Formation of cycle and walking trails within the registered public access easements (in accordance with condition 18d and 41 b – l of the third and final Environment Court decision [2012] NZEnvC 79).~~
    - v) ~~Fencing (in accordance with condition 41 w – z of the third and final Environment Court decision [2012] NZEnvC 79).~~

~~As required by the conditions of the land use consent granted to Parkins Bay Preserve LTD (third and final Environment Court decision [2012] NZEnvC 79).~~

~~The Council will review the documentation supplied by the consent holder and certify that it provides evidence of the existence of a legally established management structure in place to ensure joint responsibility of the owners of all lots the subject of this subdivision for meeting the conditions required by the land use consent and listed above.~~

- a) **The consent Holder shall provide to the Council details (including documentation) of the legal covenant that will be put in place by the consent holder to ensure that the owner of Lots 2, 9, 10 and 11 (being the Development Land) can implement the conditions contained in the third and final Environment Court decision [2012] NZEnvC 79) (specifically as referenced below) on the Balance Land that is the subject of this subdivision (being Lots 1, 3, 4, 5, 6, 7 and 8). Such covenant shall be registered on all of the titles for the Balance Land (as servient tenement) in favour of all of the Development Land (as dominant tenement) and shall include a provision whereby that covenant cannot be varied or surrendered except with the prior consent of the Council (such approval not to be unreasonably withheld by the Council provided that the proposed variation or surrender does not affect the**

owner of the Development Land's ability to exercise its rights and obligations under the third and final Environment Court decision [2012] NZEnvC 79) ("Council Approval Provision").

- i. **Establishing and management of a communal water supply (in accordance with condition 18g of the third and final Environment Court decision [2012] NZEnvC 79)**
- ii. **Implementation and on-going management of the re-vegetation strategy (in accordance with conditions 6, 8, 9, 10, 12, 13, 14, 41 m – r) of the third and final Environment Court decision [2012] NZEnvC 79).**
- iii. **Formation of cycle and walking trails within the registered public access easements (in accordance with condition 18d and 41 b - l of the third and final Environment Court decision [2012] NZEnvC 79).**
- iv. **Fencing (In accordance with condition 41 w - z of the third and final Environment Court decision [2012] NZEnvC 79).**

The Council will review the documentation supplied by the consent holder and confirm that it is satisfied that the proposed covenant is legally enforceable and contains the Council Approval Provision.

- b) **The consent holder shall provide to Council a written undertaking from its solicitors that those solicitors will not lodge an application for new certificates of title pursuant to this consent until such time as it contemporaneously lodges for registration, with Land Information New Zealand, the Council approved covenant relating to condition 4(a) above.**

2 Condition 5 of resource consent RM120558 is amended to read as follows (deleted text struck-through, added text in bold):

5) The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Computer Freehold Register **for Lots 2, 9, 10 and 11s** by way of Consent Notice pursuant to Section 221 of the Resource Management Act 1991.

- a) **Prior to any further subdivision the owner of Lots 2, 9, 10 and 11 shall establish** ~~The requirement for a management organisation and structure as required by Condition 6 shall be registered~~ **(and secure that structure for successors in title by registration of the relevant documents** on the titles of all of those ~~the~~ lots) to ensure **joint responsibility (by those lot owners)** for implementation and maintenance of the following:

- i. *Establishing and management of a communal water supply (in accordance with condition 18g of the third and final Environment Court decision [2012] NZEnvC 79).*
- ii. *Implementation and on-going management of the re-vegetation strategy (in accordance with conditions 6, 8, 9, 10, 12, 13, 14, 41 m – r) of the third and final Environment Court decision [2012] NZEnvC 79).*
- iii. *Formation of cycle and walking trails within the registered public access easements (in accordance with condition 18d and 41 b - l of the third and final Environment Court decision [2012] NZEnvC 79).*
- iv. *Fencing (In accordance with condition 41 w - z of the third and final Environment Court decision [2012] NZEnvC 79).*

- b) No development contributions have been assessed under RM120558 as no demand on Council infrastructure is being created at this time. Therefore, at the time of future development on these lots, development contributions will be calculated and shall be

payable on the relevant Council development contribution policy. No historic dwelling equivalent credits (deemed credits) as set out in the Council's Policy on Development Contributions are available for these lots.

In the event that the necessary development contributions are paid as per (b) above, this consent notice condition shall be deemed to have expired and may be removed from the Computer Freehold Register for the affected lots.

- c) Within approximately 24 months of the works commencing that were approved under the third and final Environment Court decision [2012] NZEnvC 79 all public walking and cycling tracks approved under that decision (marked by blue and purple dotted lines on the plan referenced "Parkins Bay Glendhu Station Concept Master Landuse Plan dated 12 April 2012" attached to that decision) should be created (in accordance with condition 5 i of that decision). The minimum standard for construction (that can be exceeded) shall be in accordance with the Walking Track Standard as defined in the Standard New Zealand Handbook for Tracks and Outdoor Visitor Structures (SNZ HB 8630; 2004) except as specified in condition 41 of that decision.

Once the public walking and cycling tracks have been created as per (c) above, this consent notice condition shall be deemed to have expired and may be removed from the Computer Freehold Register for the affected lots.

#### Advice note

- All other conditions of RM120558 shall continue to apply.
- An updated list of conditions can be found in Appendix 1 to this report.

## **9.0 OTHER MATTERS**

### *Local Government Act 2002: Development Contributions*

In granting this resource consent reference was made to Part 8 Subpart 5 Schedule 13 of the Local Government Act 2002 and the Council's Policy on Development Contributions contained in Long Term Council Community Plan (adopted by the Council on 25 June 2004).

This proposal is not considered a "Development" in terms of the Local Government Act 2002 as it will not generate a demand for network infrastructure and reserves and community facilities.

For the forgoing reasons a Development Contribution is not required.

### *Administrative Matters*

The costs of processing the application are currently being assessed and you will be advised under separate cover whether further costs have been incurred.

Should you not be satisfied with the decision of the Council, or certain conditions, an objection may be lodged in writing to the Council setting out the reasons for the objection under Section 357 of the Resource Management Act 1991 no later than 15 working days from the date this decision is received.

You are responsible for ensuring compliance with the conditions of this resource consent. The Council will contact you in due course to arrange the required monitoring. It is suggested that you contact the Council if you intend to delay implementation of this consent or reschedule its completion.

This resource consent is not a consent to build under the Building Act 2004. A consent under this Act must be obtained before construction can begin.

Please contact the Council when the conditions have been met or if you have any queries with regard to the monitoring of your consent.

If you have any enquiries please contact Ian Greaves on phone (03) 443 0124 or email [ian.greaves@qldc.govt.nz](mailto:ian.greaves@qldc.govt.nz)

Prepared by



Ian Greaves  
**PLANNER**

Reviewed by



Craig Barr  
**SENIOR PLANNER**

## Appendix 1 – Updated conditions of RM120558 in full.

### General Conditions

1. That the development must be undertaken/carried out in accordance with the plans (**stamped as approved on 24 May 2013**) and the application as submitted, with the exception of the amendments required by the following conditions of consent. The approved plans are as follows:
  - **Titled ‘Parkins Bay Bulk Titles: Stage 1’ dated 29.04.13 by Darby Partners.**
  - **Titled ‘Lots 1 -10 being a Proposed Subdivision of Sections 4, 5, 6 & 16 SO 347712’ Sheet 1 of 2 dated 2.08.12 by Southern Land CKL, revision F.**
  - **Titled ‘Lots 1 -10 being a proposed subdivision of sections 4, 5, 6 & 16 SO 347712’ Sheet 2 of 2 dated 2.08.12 by Southern Land CKL, revision F.**
  
2. The following amalgamation conditions shall be shown on the Survey Plan (see CSN 1107875 and 1139898).
  - a) That Lots 6, 7, 8 hereon and Section 1, 2, 18, 19, 22 & 23 SO 347712 be held in the same Computer Freehold Register.
  - b) That Lots 2, 9, 10 and 11 hereon be held in the same Computer Freehold Register.
  - c) That Lots 4 & 5 hereon be held in the same Computer Freehold Register.
  - d) That Lots 1 and 3 hereon be held in the same Computer Freehold Register.
  
3. Prior to certification pursuant to section 223 of the Resource Management Act 1991, the consent holder shall complete the following:
 

All necessary easements (including the public access easements shown “Parkins Bay Glendhu Station Concept Master Land Use Plan” (dated 12 April 2012) and in red (as number 12) on the “Parkins Bay Detail A Proposed Public Easement” (dated September 2009) stamped approved in the third and final Environment Court decision [2012] NZEnvC 79) shall be shown in the Memorandum of Easements attached to the Title Plan and shall be duly granted or reserved.
  
4. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
  - a) The consent holder shall provide to the Council details (including documentation) of the legal covenant that will be put in place by the consent holder to ensure that the owner of Lots 2, 9, 10 and 11 (being the Development Land) can implement the conditions contained in the third and final Environment Court decision [2012] NZEnvC 79) (specifically as referenced below) on the Balance Land that is the subject of this subdivision (being Lots 1, 3, 4, 5, 6, 7 and 8). Such covenant shall be registered on all of the titles for the Balance Land (as servient tenement) in favour of all of the Development Land (as dominant tenement) and shall include a provision whereby that covenant cannot be varied or surrendered except with the prior consent of the Council (such approval not to be unreasonably withheld by the Council provided that the proposed variation or surrender does not affect the owner of the Development Land's ability to exercise its rights and obligations under the third and final Environment Court decision [2012] NZEnvC 79) (“Council Approval Provision”).

- i. Establishing and management of a communal water supply (in accordance with condition 18g of the third and final Environment Court decision [2012] NZEnvC 79).
- ii. Implementation and on-going management of the re-vegetation strategy (in accordance with conditions 6, 8, 9, 10, 12, 13, 14, 41 m – r) of the third and final Environment Court decision [2012] NZEnvC 79).
- iii. Formation of cycle and walking trails within the registered public access easements (in accordance with condition 18d and 41 b - l of the third and final Environment Court decision [2012] NZEnvC 79).
- iv. Fencing (In accordance with condition 41 w - z of the third and final Environment Court decision [2012] NZEnvC 79).

The Council will review the documentation supplied by the consent holder and confirm that it is satisfied that the proposed covenant is legally enforceable and contains the Council Approval Provision.

- b) The consent holder shall provide to Council a written undertaking from its solicitors that those solicitors will not lodge an application for new certificates of title pursuant to this consent until such time as it contemporaneously lodges for registration, with Land Information New Zealand, the Council approved covenant relating to condition 4(a) above.

#### On-going Conditions/Consent Notices

- 5) The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Computer Freehold Register for Lots 2, 9, 10 and 11 by way of Consent Notice pursuant to Section 221 of the Resource Management Act 1991.
  - a) Prior to any further subdivision the owner of Lots 2, 9, 10 and 11 shall establish a management organisation and structure (and secure that structure for successors in title by registration of the relevant documents on the titles of all of those lots) to ensure joint responsibility (by those lot owners) for implementation and maintenance of the following:
    - i. Establishing and management of a communal water supply (in accordance with condition 18g of the third and final Environment Court decision [2012] NZEnvC 79).
    - ii. Implementation and on-going management of the re-vegetation strategy (in accordance with conditions 6, 8, 9, 10, 12, 13, 14, 41 m – r) of the third and final Environment Court decision [2012] NZEnvC 79).
    - iii. Formation of cycle and walking trails within the registered public access easements (in accordance with condition 18d and 41 b - l of the third and final Environment Court decision [2012] NZEnvC 79).
    - iv. Fencing (In accordance with condition 41 w - z of the third and final Environment Court decision [2012] NZEnvC 79).
  - b) No development contributions have been assessed under RM120558 as no demand on Council infrastructure is being created at this time. Therefore, at the time of future development on these lots, development contributions will be calculated and shall be payable on the relevant Council development contribution policy. No historic dwelling equivalent credits (deemed credits) as set out in the Council's Policy on Development Contributions are available for these lots.

In the event that the necessary development contributions are paid as per (b) above, this consent notice condition shall be deemed to have expired and may be removed from the Computer Freehold Register for the affected lots.

- c) Within approximately 24 months of the works commencing that were approved under the third and final Environment Court decision [2012] NZEnvC 79 all public walking and cycling tracks approved under that decision (marked by blue and purple dotted lines on the plan referenced "Parkins Bay Glendhu Station Concept Master Landuse Plan dated 12 April 2012" attached to that decision) should be created (in accordance with condition 5 i of that decision). The minimum standard for construction (that can be exceeded) shall be in accordance with the Walking Track Standard as defined in the Standard New Zealand Handbook for Tracks and Outdoor Visitor Structures (SNZ HB 8630; 2004) except as specified in condition 41 of that decision.

Once the public walking and cycling tracks have been created as per (c) above, this consent notice condition shall be deemed to have expired and may be removed from the Computer Freehold Register for the affected lots.

- 6) Conditions 41(a) *i* to *viii* of the third and final Environment Court decision [2012] NZEnvC 79 shall be complied with in perpetuity and each of the conditions 41(a) *i* to *viii* shall be registered on the relevant Computer Freehold Registers by way of Consent Notice pursuant Section 221 of the Resource Management Act 1991 in accordance with the wording set out in that decision, with the exception of Condition 41 (a) (i) (aa) that shall read as follows:

*i* The area marked A Bull Paddock shall be covenanted as follows:

- aa.* For a period that commences on the date of the grant of consent until the date that is ten years from the implementation of Stage 3 there shall be no further development except that this restriction does not prohibit subdivision and the development of the club house with restaurant and café, twelve visitor accommodation units spread over three buildings, any part of the jetty, part of the golf course and associated landscaping, earthworks, vehicle access and associated activities.

NOTE: For the purposes of this condition the consent notice documents shall reproduce in full the covenants approved within the Environment Court decision [2012] NZEnvC 79.

Advice Notes:

- Council has no liability to undertake any maintenance of the pedestrian and cycleway access easements until till they have been formed and signed off as per the requirements of the third and final Environment Court decision [2012] NZEnvC 79). Once approved by Council there is a one year maintenance period to be undertaken by the developer before Council accepts maintenance and management of the formed accessways.
- It should be noted that no physical infrastructure is contained with the water easements E & D, these easements are to secure access rights to an existing bore which is proposed to service the development proposed by the land use consent. All related physical works will be done in conjunction with the land use consent.
- This consent does preclude the requirement to register the covenants imposed in the third and final Environment Court decision [2012] NZEnvC 79. If applicant wishes to avoid the registration of these covenants a variation to the Courts decision will be required.



**DECISIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL**

**CHANGE OF CONDITIONS – SECTION 127**

**NOTIFICATION UNDER s95 AND DETERMINATION UNDER s104**

**RESOURCE MANAGEMENT ACT 1991**

<b>Applicant:</b>	Parkins Bay Preserve Limited
<b>RM reference:</b>	RM140959
<b>Application:</b>	Application under section 127 of the Resource Management Act 1991 (RMA) to change conditions of resource consent RM070044 to allow the revegetation strategy, geotechnical reports, site management plan, earthwork details and specific engineering works to be supplied for each specific stage/area of development, and to change the timing of the submission of final colours for the maintenance building, visitor accommodation/residential units and jetty, elevations of the maintenance compound and the Otago Regional Council consents
<b>Location:</b>	1215 Wanaka – Mt Aspiring Road, Parkins Bay, Wanaka
<b>Legal Description:</b>	Lots 2 and 9-11 Deposited Plan 457489 held in Computer Freehold Registers 602575, Lot 1, 3 Deposited Plan 457489 held in Computer Freehold Registers 602576, Lot 4-5 Deposited Plan 45789 held in Computer Freehold Register 602577, Lot 6-8 Deposited Plan 457489, Section 1-2, 19, 18, 22-23 Survey Office Plan 347712 contained in Computer Freehold Register 602578
<b>Zoning:</b>	Rural General Zone
<b>Activity Status:</b>	<b>Discretionary</b>
<b>Decision Date:</b>	<b>22 December 2014</b>
<b>Re-Issue Date:</b>	<b>23 January 2015</b>

**SUMMARY OF DECISIONS**

1. Pursuant to sections 95A-95F of the RMA the application will be processed on a **non-notified** basis given the findings of Section 6.0 of this report. This decision is made by Blair Devlin, Manager Resource Consenting, on 22 December 2014 under delegated authority pursuant to Section 34A of the RMA.
2. Pursuant to Section 127 of the RMA, consent is **GRANTED** subject to the change to conditions outlined in **Section 7.4** of this decision. An updated set of conditions of RM070044 is provided in Appendix 1 of this decision. The consent only applies if the conditions outlined are met. The consent only applies if the conditions outlined are met. To reach the decision to grant consent the application was considered (including the full and complete records available in Council's electronic file and responses to any queries) by Blair Devlin, Manager Resource Consenting, as delegate for the Council.

3. Pursuant to section 133A of the RMA this consent is being re-issued to be in the name of the original consent holder, Parkins Bay Preserve Limited. This is considered a minor mistake or defect and therefore the consent can be re-issued on 23 January 2015 pursuant to section 133A of the RMA. The decision was made and the re-issue authorised by Blair Devlin, Manager Resource Consenting, as delegate for Council on 23 January 2015. This re-issue is made ten (10) working days after the grant of the consent.

## 1. PROPOSAL AND SITE DESCRIPTION

### Proposal

Resource consent RM070044 approved land use consent to construct, operate and maintain a golf course, clubhouse with pro shop, restaurant and bar, driving range, maintenance compound, visitor accommodation, residential accommodation and a jetty, along with associated walk and cycle ways with earthworks, access and landscaping. The application also sought a ten year lapse period. This was authorised by resource consent RM070044, which was processed on a notified basis and attracted 353 submissions; 307 in support, 41 in opposition and five that did not specify. The Council's decision to grant consent, reducing the number of visitor accommodation residences from 50 to 42, was appealed to the Environment Court by the Upper Clutha Environmental Society Incorporated (UCESI), Dennis Thorn and the Upper Clutha Track Trust referenced as *ENV-2008-CHC-113, 117 and 124 respectively*. The Court disallowed the appeal in an interim decision, with the third and final decision being issued on the 2 May 2012 incorporating an extensive set of conditions and covenants (Environment Court Decision [2012] NZEnvC 79). The consent lapses ten years from the commencement of consent.

The Environment Court approved the construction, provision and use of:

- *18 hole championship golf course located either side of the Mt Aspiring Road;*
- *a series of lakeside buildings, including:*
  - a) *a club house with restaurant and cafe;*
  - b) *a jetty to facilitate public access to the building from the water;*
  - c) *twelve visitor accommodation units, spread over three buildings;*
- *42 residences/visitor accommodation units, to be located on the rolling terrace to the south of the golf course, each set on an area of land between 3,525 m<sup>2</sup> and 8,719 m<sup>2</sup>;*
- *ecological enhancement of approximately 65 hectares in accordance with a revegetation strategy including planting of locally appropriate native plants in the golf course and around the proposed houses;*
- *covenanted areas from which stock are precluded to allow natural revegetation to occur;*
- *enhanced public access to the site including provision of formed access from the Mt Aspiring Road to the Parkins Bay foreshore, formed access from Glendhu Bay to Parkins Bay and further along Parkins Bay, northwest of the Clubhouse to form a link to the second underpass under Mt Aspiring Road; and*
- *further public access in the form of a track along the Fern Burn to the existing Motatapu Track, provision for mountain bike access to the Motatapu Track, a track to the high point on Glendhu hill, and a track from Rocky Mountain to the existing Matukituki River track,*
- *upon a set of terms and conditions set out in the decision and in accordance with the plans and maps attached to that decision.*

Since the approval of the above consent, the Applicant has obtained resource consent (RM120558) to create four bulk development lots on Glendhu Station associated with the development approved under Environment Court Decision [2012] NZEnvC 79. This consent was approved on the 14 November 2012 and imposed a number of encumbrances on the new titles. In particular, Condition 4 imposed a requirement for the consent holder to provide details of the management and ongoing maintenance of the communal water supply, revegetation strategy, formation of cycle and walking tracks and fencing in accordance with the third and final Environment Court decision [2012] NZEnvC 79.

Resource consent RM130274 approved the variation of Conditions 1 and 2 of RM120558 to allow the amalgamation of Lot 1 with Lot 3. This was approved on the 27 May 2013. The proposed variation to RM070444 does not impact on these resource consents.

Consent is sought under section 127 of the RMA to change some of the conditions of resource consent RM070044 to enable a degree of flexibility and practicability in the application of the conditions relating to the revegetation strategy (Condition 6), geotechnical reports (Condition 17), Otago Regional Council consents (Condition 20), site management plan (Condition 22), final colours relating to the maintenance building, visitor accommodation and jetty (Condition 26), date of submission of elevations of all buildings within maintenance compound (Condition 27), site plan (Condition 28) and earthworks (Condition 32). The Council recognises that the development of the site will take place over varying stages and in different areas throughout the site.

The Applicant has advised that the key outcome that is being sought is the enablement of earthworks and associated site works related to the construction of the golf course during the upcoming summer season.

The changes sought are as follows (additions shown in underline and deletions shown in ~~strikethrough~~):

- *Condition 6 – ....Prior to the commencement of the construction the consent holder shall provide an initial Revegetation Strategy for certification by Council. This strategy shall define the different stages and areas of work. Prior to the commencement of any construction within a specific stage/area of work a detailed Revegetation Strategy shall be provided to the Council for certification. During the development, the Strategy may be altered to add new material, to reflect increased knowledge or to represent best practice methodology, and any amendments to the Strategy shall be provided to the Council for certification. The Final Revegetation Strategy shall be provided to the Council prior to the commencement of the final stage/area of work.*
- *Condition 17 - Prior to the commencement of any building construction the consent holder shall provide to the Council a geotechnical report/s, prepared by a suitably qualified and experienced geotechnical engineer, which certifies that all building platforms are capable of supporting the proposed buildings, are suitable for the activity and are free from inundation, subsidence, erosion and slippage and otherwise suitable for the proposed use. Such geotechnical reports shall be provided progressively for each building or group of buildings prior to commencement of construction of that building or group of buildings.*
- *Condition 18 - Prior to the commencement of any work described in a. – m. below relevant to a development activity, on the land being developed the consent holder shall for that development activity provide to the Council for review copies of specifications, calculations and design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (15), to detail the following engineering works required.....*
- *Condition 20 - ~~Prior to commencing work on the site~~ The consent holder shall obtain all necessary and relevant consents relevant to that work from the Otago Regional Council. This shall include, but is not restricted to, all necessary consents for the construction of a jetty in Lake Wanaka.*
- *Condition 22 - Prior to commencing works, the consent holder shall submit to Council for review a site management plan for the works for each stage or area of proposed works. During the development, the Plan may be altered to add new material, to reflect increased knowledge or to represent best practice methodology, and any amendments to the Plan shall be provided to the Council for certification.*
- *Condition 28 - A site plan shall be submitted to Council for approval prior to development commencing, which indicates the location and form of all batter slopes and areas of fill for each stage or area of proposed works. The consent holder should aim to achieve batter slopes and areas of fill which have a maximum gradient of 1:3 (rise:run), with natural undulations across vertical and horizontal planes, as well as smooth transitions in changes in slope, to ensure that these are integrated as much as possible into the existing landform character. During the*

development, the Plan may be altered to add new material, to reflect increased knowledge or to represent best practice methodology, and any amendments to the Plan shall be provided to the Council for certification. The final site plan shall be provided to Council prior to the commencement of the final stage/area of work.

- *Condition 29 - In regards to golf course holes 1, 2, 5, 8 and 9; prior to ~~development~~ commencing earthworks in relation to those specified golf course holes ~~on the site~~, further details of the proposed earthworks and finishing of the proposed golf course holes shall be submitted to Council for approval in relation to achieving a naturalised contour.*
- *Condition 32 – Prior to commencing earthworks on the site the consent holder shall submit to the Council a detailed site plan of all of the earthworks proposed including depth of cut and fill and the proposed finished shape of the land for each stage or area of proposed works. The accurate earthwork volumes need to be firmly calculated and provided for each stage or area of proposed works. Earthwork calculations and finished levels of all earthworks are to be supplied to Council. During the development, the Plan may be altered to add new material, to reflect increased knowledge or to represent best practice methodology, and any amendments to the Plan shall be provided to the Council for certification. The final site plan shall be provided to Council prior to the commencement of the final stage/area of work.*

Following the submission of the variation the Applicant has also applied to vary conditions 26 and 27, with the following changes proposed:

- *Condition 26 - Final colours for the maintenance building, visitor accommodation/residential units and jetty shall be submitted to Council for approval prior to any work commencing on each of these buildings ~~development commencing on the site~~. In this instance, the final colour scheme for these buildings and structures shall appear appropriately recessive throughout all seasons of the year and within the natural colour ranges of browns, greens and greys as indicated throughout the surrounding landscape.*
- *Condition 27 - Prior to any work commencing on the maintenance compound ~~development commencing on the site~~, elevations of all buildings within the maintenance compound shall be submitted to Council for approval. The external appearance of these buildings shall be consistent with the rural context within which they are located.*

With regards to proposed variations to Conditions 1 and 21, the Applicant has subsequently removed these from the proposal.

The changes proposed in this application will not change the scope, scale or nature of the application of that approved as part of RM070044 and therefore the provisions of s127 apply.

## **2. ACTIVITY STATUS**

### **2.1 RESOURCE MANAGEMENT ACT 1991**

The proposed activity requires resource consent for the following reason:

- 1 A **discretionary** activity consent pursuant to section 127(3)(a) of the RMA, which deems any application to change or cancel consent conditions to be a discretionary activity. It is proposed to change conditions of resource consent RM070044, as described in Section 1.0 above.

## **3. SECTION 95A NOTIFICATION**

The applicant has not requested public notification of the application (s95A(2)(b)). No rule or national environmental standard requires or precludes public notification of the application (s95A(2)(c)). The consent authority is not deciding to publicly notify the application using its discretion under s95A(1) and there are no special circumstances that exist in relation to the application that would require public notification (s95A(4)).

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

#### **4. ASSESSMENT OF EFFECTS ON THE ENVIRONMENT (s95D)**

##### **4.1 MANDATORY EXCLUSIONS FROM ASSESSMENT (s95D)**

*A: Effects on the owners or occupiers of land on which the activity will occur and on adjacent land (s95D(a)).*

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

*C: Whether any persons have provided their approval to the application. In this case no persons have provided their approval to the application.*

##### **4.2 ASSESSMENT: EFFECTS ON THE ENVIRONMENT**

Taking into account Section 4.1 above, the following outlines an assessment as to whether the activity will have or is likely to have adverse effects on the environment more than minor. The pertinent issue is the effect of the amended conditions and whether these would diminish the effectiveness of the conditions.

The Proposed Change to Conditions and Assessment of Effects provided at Section 4.0 and 5.0 of the applicant's AEE is considered accurate and is contained in *Appendix 2*. Therefore, it is adopted for the purposes of this report.

In addition to the applicant's assessment, the following additional assessment is made with respect to the application.

##### **Land, Flora and Fauna:**

The proposed variation will not result in any changes to the landscaping approved under resource consent RM070044. The proposed changes are required to allow more flexibility regarding the timing of the details that are submitted as part of complying with the conditions of the resource consent.

Condition 6 has been amended to allow an initial revegetation strategy to be certified by the Council, and then a detailed revegetation strategy to be certified for each specific stage or area of work. No effects are anticipated in this respect.

##### **People and Built Form:**

Any potential effects of the proposed variation with regard to people and built form will be less than minor because the proposed alterations to the specified conditions do not fundamentally change the nature or the scope of the project or the outcomes sought.

##### **Earthworks and Nuisance Effects:**

The proposed variation to conditions will not change the works required to be undertaken as part of RM070044 as approved. The detailed design for each stage/area of work will be submitted into the Council, with the overall plans being submitted prior to the final stage/area of work.

It is considered unreasonable that for example the earthwork details for the 12 x Visitor Accommodation Residences that are scheduled to take place in Stage 3 could hold up the construction of the Golf Course, which is scheduled as part of Stage 1.

It is accepted that the site management, fill/batter slope plan and earthworks plans all need to be live documents that have flexibility to evolve throughout the construction of the development. The

geotechnical report (Condition 17) will also occur in a progressive manner. The amendment to this condition will allow the Applicant to submit specific design for each stage/area.

Any potential nuisance effects will be unchanged from that previously anticipated through the granting of consent.

**Culture:**

The proposed variation will not have any impact on any heritage values or archaeological sites. No effects are anticipated in this respect.

**Natural Hazards:**

The proposed variation will not affect or exacerbate any natural hazards. No effects are anticipated in this respect.

**Other matters:**

It is considered appropriate to amend Condition 20, which relates to the Otago Regional Council ("ORC") consents. Not all of the work requires resource consent from the ORC. However, the Applicant will still need obtain all necessary consents from the ORC prior to commencing with that specific work.

**4.3 DECISION: EFFECTS ON THE ENVIRONMENT (s95A(2))**

Overall the proposed activity is not likely to have adverse effects on the environment that are more than minor.

**5. EFFECTS ON PERSONS**

Section 95B(1) requires a decision whether there are any affected persons (under s95E) in relation to the activity. Section 95E requires that a person is an affected person if the adverse effects of the activity on the person are minor or more than minor (but not less than minor).

**5.1 MANDATORY EXCLUSIONS FROM ASSESSMENT (s95E)**

A: *The persons outlined in section 4.1 above have provided their **written approval** and as such these persons are not affected parties (s95E(3)(a)).*

**5.2 ASSESSMENT: EFFECTS ON PERSONS**

Taking into account Sections 5.1 above, the following outlines an assessment as to whether the activity will have or is likely to have adverse effects on persons that are minor or more than minor. Section 127(4) of the RMA requires the consent authority to consider every person who; a) made a submission on the original application; and b) may be affected by the change of cancellation.

As noted above in Section 1, Resource consent RM070044 was processed on a notified basis, attracting 307 submissions in support, 41 in opposition and five not specifying. This application was granted on the 1 May 2008 and was subject to a range of conditions.

Having reviewed the submissions on the original application and the subsequent appeal by UCESI, Dennis Thorn and the Upper Clutha Track Trust, the effect of the proposed changes on these parties is determined to be less than minor. The key areas of concern for these submitters were in regard to environmental creep, landscape and visual effects and the impact on public access. Other matters raised included concerns relating to traffic, earthworks, removal of vegetation, car parking areas, infrastructure and the primary production of the land.

The proposed alterations to the specified conditions do not fundamentally change the nature or the scope of the project. The change in conditions allows the site to be developed in a staged process. The requirement to supply detailed design at the commencement of the development for all work is

considered to be both onerous and not practical. The change in the conditions does not change any of the specific requirements of the conditions or the outcomes sought.

The proposed variation will not alter the character or amenity of the site, and the proposal will continue to see the site developed in accordance with the conditions set out in the third and final Environment Court Decision. No person is considered to be adversely affected by the proposed variation of conditions.

### **5.3 DECISION: EFFECTS ON PERSONS (s95B(1))**

In terms of Section 95E and Section 127 (4) of the RMA, no person is considered to be adversely affected.

## **6. OVERALL NOTIFICATION DETERMINATION**

Given the decisions made above in Sections 4.3 and 5.3 the application is to be processed on a non-notified basis.

## **7. S104 ASSESSMENT**

### **7.1 EFFECTS (s104(1)(a))**

Actual and potential effects on the environment have been outlined in Section 4 of this report.

### **7.2 RELEVANT DISTRICT PLAN PROVISIONS (s104(1)(b)(vi))**

The relevant objectives and policies are contained within Part 4 (District Wide Issues), Part 5 (Rural Areas) and Part 14 (Transport) of the District Plan.

The proposal does not change the development approved or the information required by the Environment Court decision, but rather relates to the timing of works and when information is to be provided.

The Environment Court found that the proposal was generally consistent with the applicable objectives and policies of the District Plan. The changes sought are not considered to affect the consistency of the proposal in terms of the objectives and policies of the District Plan.

### **7.3 PART 2 OF THE RMA**

Future development will promote sustainable management of natural and physical resources within the site, whilst ensuring that social, economic, and cultural well-being is provided for. The proposal will avoid, remedy, and mitigate adverse effects of activities on the environment. Overall, the proposal remains consistent with Part 2 of the Act.

### **7.4 DECISION ON VARIATION PURSUANT TO SECTION 127 OF THE RMA**

Consent is **granted** for the application by Darby Partners Limited to change condition of resource consent RM070044, such that:

1. Condition 6 of resource consent RM070044 is amended to read as follows (deleted text struck-through, added text underlined):
  6. The consent holder shall prepare and implement a Revegetation Strategy that achieves the following objectives.
    - To provide a vegetation cover framework of Kanuka and other appropriate native species in the short term, which can become the basis for biodiversity enhancement as the project develops,
    - To provide screening for residential buildings for viewers from the road in accordance with the attached plans and the Revegetation Strategy,

- To reflect the underlying of landform and soils in the native vegetation cover of the site,
- To achieve eventual revegetation of the Gully shown on Parkins Bay Plan B dated 12 April 2012 with a mix of locally sourced native species including Totara.
- To achieve eventual revegetation of the Moraine Slope shown on Parkins Bay Plan B dated 12 April 2012.
- To ensure that the "rough" areas of the golfcourse, being the vegetated areas not required to be mowed or otherwise maintained, regenerate naturally (excluding noxious weeds).
- To link with other revegetated areas outside the site;

The Revegetation Strategy shall identify those steps that need to be undertaken in each of the three areas shown on the attached plans referenced Glendhu Station Stage 1: Master Plan, Glendhu Station Stage 2: Master Plan, Glendhu Station Stage 3: Master Plan, dated September 2009 to give effect to the Strategy.

The Revegetation Strategy shall include:

- timing of planting and replacement/additional planting over 5 years;
- details of the management proposed from the time of granting consent up to 10 years after initial planting - site preparation, weed control, pest control, any watering or fertilisers, stock control and maintenance;
- details of plant sources;
- protection measures for existing values - wetlands, lake shore, lake water quality;
- integration of planting with other components of the development - earthworks, construction;
- fencing of the regeneration area for stock to pass through parts of the site;
- the replacement of the existing poplar trees next to the clubhouse and shearer's accommodation if they become diseased or die. Root stock shall be sourced from the existing healthy Lombardy poplars which are to be taken and grown on for this purpose.

Prior to the commencement of the construction the consent holder shall provide an initial Revegetation Strategy for certification by Council. This strategy shall define the different stages and areas of work. Prior to the commencement of any construction within a specific stage/area of work a detailed Revegetation Strategy shall be provided to the Council for certification. During the development, the Strategy may be altered to add new material, to reflect increased knowledge or to represent best practice methodology, and any amendments to the Strategy shall be provided to the Council for certification. The Final Revegetation Strategy shall be provided to the Council prior to the commencement of the final stage/area of work.

2. Conditions 17 of resource consent RM070044 is amended to read as follows (deleted text struck-through, added text underlined):

17. Prior to the commencement of any building construction the consent holder shall provide to the Council a geotechnical report/s, prepared by a suitably qualified and experienced geotechnical engineer, which certifies that all building platforms are capable of supporting the proposed buildings, are suitable for the activity and are free from inundation, subsidence, erosion and slippage and otherwise suitable for the proposed use. Such geotechnical reports shall be provided progressively for each building or group of buildings prior to commencement of construction of that building or group of buildings.

3. Condition 18 of resource consent RM070044 is amended to read as follows (deleted text struck-through, added text underlined):

18. Prior to the commencement of any work described in a. – m. below relevant to a development activity, on the land being developed the consent holder shall for that development activity provide to the Council for review copies of specifications, calculations and design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (15), to detail the following engineering works required:

a. The construction of all roads within the development to be in accordance with the guidelines provided for in Table 3.2(a) of the NZS4404:2004 amendments as adopted by the Council in October 2005. Internal roads serving the Shearers Quarters, Golf Course and Clubhouse shall be constructed to the standards of a Local road as a minimum standard. All internal roads may remain in private ownership and shall be maintained by the consent holder. Passing bays are to be provided on one way carriageways as required but at maximum intervals of 100 metres.

b. The construction of the intersections of the new roads to serve the development with the Wanaka-Mt Aspiring Road to be in accordance with Council's standards and in accordance with the information supplied with the application with respect to sight distances. The sight distance from the main golf course entrance to the west is to be improved by removing obstructing trees and shrubs on the bend in Wanaka-Mt Aspiring Road. This visibility splay is to be maintained by the consent holder on a continuing basis. The intersections for both the main golf course roads and the residential chalets road shall be formed in accordance with Diagram 4 of the POOP and also in accordance with the Council's Rural Roding Corridors - Corridor Management Guideline (particularly Section 4.10 - Slip Lanes).

c. The construction of all vehicle manoeuvring areas and car parks specified in the application to serve the development are to be constructed in accordance with the attached Plan referenced "Parkins Bay Detail 1 Proposed Clubhouse Area, Figure 10a, dated 12 April 2012. This plan shows 12 covered parking spaces adjacent to the clubhouse, a 40 space gravel car parking area adjacent to the clubhouse, a ten space gravel car park area adjacent to the bus turning bay/parking area and 16 spaces to be provided on all weather surfacing along the access road under the trees; one gravel bus turning bay/parking area and an overflow parking area for at least 150 vehicles that is not required to be formed.

d. All walking and cycling tracks marked by blue dotted lines on the attached plan referenced Parkins Bay Glendhu Station Concept Master Landuse Plan dated 12 April 2012 shall be constructed and maintained in accordance with the Walking Track Standard as defined in the Standard New Zealand Handbook for Tracks and Outdoor Visitor Structures (SNZ HB 8630; 2004), except as specified in Condition 41.

e. The construction of the underpasses under Wanaka-Mt Aspiring Road are to be designed by a suitably qualified and experienced engineer. These underpasses are to be approved by the Council and all necessary permits and licenses are to be applied for and granted prior to undertaking any development on site. If the necessary Council approvals are not granted then the consent holder shall submit a revised traffic assessment for approval that addresses any issues with the golf course and other internal traffic crossing Wanaka-Mt Aspiring Road.

f. The consent holder shall obtain approval from the Council and all necessary permits and licences are to be applied for and obtained prior to commencing construction of the jetty including the pontoon.

g. The provision of a water supply to each residence and all other components of the development in terms of Council's standards. Each residence shall be supplied with a minimum of 2100 litres per day of potable water that complies with the requirements of the Drinking Water Standard for New Zealand 2005. All other components of the development are to be supplied with the quantity of potable water that complies with the requirements of the Drinking Water Standard for New Zealand 2005 specified in the application.

h. The provision of fire hydrants with adequate pressure and flow to service each residence with a Class W3 fire risk in accordance with the NZ Fire Service Code of Practice for Firefighting Water Supplies 2003. Any lesser risk must be approved in writing by Fire Service NZ, Dunedin Office.

i. The provision of fire hydrants with adequate pressure and flow to service each component of the development with the appropriate Class of fire risk in accordance with the NZ Fire

Service Code of Practice for Firefighting Water Supplies 2003. Any lesser risk must be approved in writing by Fire Service NZ, Dunedin Office.

j. The provision of sealed vehicle crossing to each residence site from internal roads to be in terms of Diagram 2, Appendix 7 and Rule 14.2.4.2 of the Partially Operative District Plan. This shall be trafficable in all weathers and be capable of withstanding a laden weight of up to 25 tonnes with an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Provision shall be made to continue any roadside drainage.

k. The provision of a stormwater disposal system that is to provide stormwater disposal from all impervious areas within the site. The proposed stormwater system shall be designed by a suitably qualified professional as defined in Section 1.4 of NZS4404:2004 and subject to the review of Council prior to implementation.

l. The provision of an access way to each residence that complies with the guidelines provided for in Table 3.2(a) of the NZS4404:2004 amendments as adopted by the Council in October 2005.

m. The provisions of an effluent disposal system designed by a suitably qualified professional as defined in section 1.4 of NZS4404:2004 in terms of AS/NZS 1547:2000 that will provide sufficient treatment / renovation to effluent from onsite disposal, prior to discharge to land. To maintain high effluent quality such a system would require the following:

- Specific design by a suitably qualified professional engineer.
- A requirement that each component of the development must include systems that achieve the levels of treatment determined by the specific design.
- Regular maintenance in accordance with the recommendations of the system designer and a commitment by the owner of each system to undertake this maintenance.
- Intermittent effluent quality checks to ensure compliance with the system designer's specification.
- Disposal areas shall be located such that maximum separation (in all instances greater than 50 metres) is obtained from any watercourse or water supply bore.
- The system is to be designed and constructed in accordance with the information supplied in the application in particular the report prepared by Glasson Potts Fowler (ref 9198GLE-1A dated July 2006).

n. The drinking water supply is to be monitored in compliance with the Drinking Water Standards for New Zealand 2005 for the presence of E.coli, by the management group for the development, and the results forwarded to the Council. The Ministry of Health shall approve the laboratory carrying out the analysis. Should the water not meet the requirements of the Standard then the management group for the lots shall be responsible for the provision of water treatment to ensure that the Drinking Water Standards for New Zealand 2005 are met or exceeded.

o. In the event that the number of persons to be accommodated in any residence is to be greater than three, then the Council will require commensurate increases in the water supply to that lot at the rate of 700 litres per extra person per day.

p. All water tanks to be underground.

4. Conditions 20 of resource consent RM070044 is amended to read as follows (deleted text struck-through, added text underlined):

~~20. Prior to commencing work on the site~~ The consent holder shall obtain all necessary and relevant consents ~~relevant to that work~~ from the Otago Regional Council. This shall include, but is not restricted to, all necessary consents for the construction of a jetty in Lake Wanaka.

5. Conditions 22 of resource consent RM070044 is amended to read as follows (deleted text struck-through, added text underlined):
  22. Prior to commencing works, the consent holder shall submit to Council for review a site management plan for the works for each stage or area of proposed works. During the development, the Plan may be altered to add new material, to reflect increased knowledge or to represent best practice methodology, and any amendments to the Plan shall be provided to the Council for certification.
6. Condition 26 of resource consent RM070044 is added to read as follows:
  26. Final colours for the maintenance building, visitor accommodation/residential units and jetty shall be submitted to Council for approval prior to any work commencing on each of these buildings development commencing on the site. In this instance, the final colour scheme for these buildings and structures shall appear appropriately recessive throughout all seasons of the year and within the natural colour ranges of browns, greens and greys as indicated throughout the surrounding landscape.
7. Condition 27 of resource consent RM070044 is added to read as follows:
  27. Prior to any work commencing on the maintenance compound development commencing on the site, elevations of all buildings within the maintenance compound shall be submitted to Council for approval. The external appearance of these buildings shall be consistent with the rural context within which they are located.
8. Condition 28 of resource consent RM070044 is added to read as follows:
  28. A site plan shall be submitted to Council for approval prior to development commencing, which indicates the location and form of all batter slopes and areas of fill for each stage or area of proposed works. The consent holder should aim to achieve batter slopes and areas of fill which have a maximum gradient of 1:3 (rise:run), with natural undulations across vertical and horizontal planes, as well as smooth transitions in changes in slope, to ensure that these are integrated as much as possible into the existing landform character. During the development, the Plan may be altered to add new material, to reflect increased knowledge or to represent best practice methodology, and any amendments to the Plan shall be provided to the Council for certification. The final site plan shall be provided to Council prior to the commencement of the final stage/area of work.
8. Condition 29 of resource consent RM070044 is altered to read as follows:
  29. In regards to golf course holes 1, 2, 5, 8 and 9; prior to ~~development~~ commencing earthworks in relation to those specified golf course holes ~~on the site,~~ further details of the proposed earthworks and finishing of the proposed golf course holes shall be submitted to Council for approval in relation to achieving a naturalised contour.
9. Condition 32 of resource consent RM070044 is altered to read as follows:
  32. Prior to commencing earthworks on the site the consent holder shall submit to the Council a detailed site plan of all of the earthworks proposed including depth of cut and fill and the proposed finished shape of the land for each stage or area of proposed works. The accurate earthwork volumes need to be firmly calculated and provided for each stage or area of proposed works. Earthwork calculations and finished levels of all earthworks are to be supplied to Council. During the development, the Plan may be altered to add new material, to reflect increased knowledge or to represent best practice methodology, and any amendments to the Plan shall be provided to the Council for certification. The final site plan shall be provided to Council prior to the commencement of the final stage/area of work.

Advice note

- All other conditions of RM070044 shall continue to apply.
- An updated list of conditions of RM070044 is attached as *Appendix 1* to this report.

## **8. OTHER MATTERS**

### *Local Government Act 2002: Development Contributions*

This proposal is not considered a "Development" in terms of the Local Government Act 2002 as it will not generate a demand for network infrastructure and reserves and community facilities.

For the forgoing reasons a Development Contribution is not required.

### *Administrative Matters*

The costs of processing the application are currently being assessed and you will be advised under separate cover whether further costs have been incurred.

This resource consent is not a consent to build under the Building Act 2004. A consent under this Act must be obtained before construction can begin.

The Council will contact you in due course to arrange the required monitoring. It is suggested that you contact the Council if you intend to delay implementation of this consent or reschedule its completion.

If you have any enquiries please contact Anita Vanstone on phone (03) 450 0344 or email [anita.vanstone@qldc.govt.nz](mailto:anita.vanstone@qldc.govt.nz)

Report prepared by

Decision made by



Anita Vanstone  
**SENIOR PLANNER**

Blair Devlin  
**MANAGER RESOURCE CONSENTING**

**APPENDIX 1** – Updated conditions of resource consent RM070044

**APPENDIX 2** – Applicant's AEE

**APPENDIX 1 – UPDATED CONDITIONS OF CONSENT RM070044 (Decision No. [2012] NZEnvC 79)**

**General Conditions**

1. That the activity be undertaken in accordance with the application and subsequent amendments (except to the extent that they are inconsistent with the following conditions) as shown on the plans referenced:
  - Glendhu Station Stage 0: Master Plan, revision EC, dated Sep 2009;
  - Glendhu Station Stage 1: Master Plan, revision S1 EC, dated Sep 2009;
  - Glendhu Station Stage 2: Master Plan, revision S2, EC, dated Sep 2009;
  - Glendhu Station Stage 3: Master Plan, revision S3, EC, dated Sep 2009;
  - Glendhu Station Parkins Bay Golf Course Master Plan, revision EC, dated April 2012;
  - Parkins Bay Indicative Vegetation Categories Plan dated Sep 2009;
  - Parkins Bay Glendhu Station Concept Master Landuse Plan, dated 12 April 2012;
  - Parkins Bay Glendhu Station Public Access Tracks Plan, dated 12 April 2012;
  - Parkins Bay Glendhu Station Covenant Areas Plan, dated June 2011;
  - Parkins Bay Detail A Proposed Public Easement and Covenant area, dated Sep 2009
  - Parkins Bay Detail B Proposed Covenant Areas, dated June 2011 ;
  - Parkins Bay Detail 1 Proposed Club House area Figure 10a, dated 12 April 2012;
  - Parkins Bay Detail 2 Maintenance Compound Site Plan, September 2009;
  - Parkins Bay Visitor Accommodation Residences Site Location Plan;
  - Parkins Bay Visitor Accommodation Residences Building Mitigation Plan;
  - Parkins Bay Proposed Golf Course Earthworks Plan, dated August 2009;
  - Parkins Bay Entry Gate elevation, dated September 2009;
  - Parkins Bay Plan B, dated 12 April 2012;
  - Parkins Bay Plan BI, dated 12 April 2012;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 1, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 3 and 4, date; Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 5, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 6, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 8, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 9, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 10, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 11, dated Sep2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 13, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 16 & 17, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 18, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 19, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 20, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 21 & 22, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 24, dated Sep 2009;

- Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 26, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 27, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 29 & 30, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 31 & 32, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 33 & 34, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 35 & 36, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 37, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 38 & 39, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 40, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 41 & 42, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 43 & 44 , dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 45, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 46 & 47, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 48, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 49, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 50, dated Sep 2009;
- a. The Clubhouse is to be moved back 3 metres from the position identified in the plan referenced Parkins Bay Detail 1 Proposed Club House area Figure 10a, dated 12 April 2012, and any necessary amendments required to be made to the layout accordingly;
  - b. The south-western boundary of Development Site is to be located as shown on the Parkins Bay Glendhu Station Concept Master Landuse Plan, dated 12 April 2012;
  - c. The public access track through the visitor accommodation residential units area (Area B) shall be in the location outlined on the plan referenced Parkins Bay Glendhu Station Concept Landuse Master Plan, dated 12 April 2012.
2. The consent holder shall pay to the Council an initial fee of \$240 for the costs associated with the initial monitoring of this resource consent in accordance with section 35 of the Resource Management Act 1991 and any ongoing costs associated with the monitoring of this decision.
  3. Upon completion of the proposed activity, the consent holder shall contact the Monitoring Section at Council to arrange a time for an inspection of the proposed work to ensure all conditions have been complied with.

### **Timeframe and Staging**

4. The lapsing date of this consent under section 125 of the Resource Management Act 1991 shall be ten years from the commencement of the consent.

5. The programme for implementation of the consent, including landscaping, shall be staged generally in accordance with the timing outlined below, subject to compliance with Condition 8 below, relating to certification of planting for visitor accommodation residences. Each stage shall be completed to the satisfaction of Council, within the specified timeframe and before the next stage commences.

**The proposed staging is as follows:**

- i. Stage 1 - within approximately 24 months of the works commencing on site.
- Eco source seed stock and grow-on in nursery
  - 18 hole golf course/driving range and maintenance compound
  - Clubhouse
  - Shearer's quarters
  - 10 x Visitor Accommodation Residences (Units 24, 29, 31, 32, 34, 35, 36, 42, 43 & 44)
  - Access road, car park and golf underpasses
  - Jetty
  - Roading earthworks
  - Earthworks for the building platforms of the 42 visitor accommodation residences
  - Re grass/sow-out exposed golf villa earthworks
  - Sow out entire golf course. This is to be done progressively as holes are completed and irrigation is available.
  - 2ha mitigation revegetation planting as detailed in the Revegetation Strategy prepared in accordance with Condition 6
  - Creation of the public access tracks and appropriate access easements.
  - Install new farm fencing as required
  - The removal of the row of Douglas Fir Trees to the southeast of the development site
  - Removal of conifers as required by Condition 41 (r).
  - The golf course shall be constructed prior to the occupation of the visitor accommodation residences specified in Stage 1
- ii. **Stage 2 - within 24 months of the completion of Stage 1**
- 6ha of mitigation revegetation as detailed in the Revegetation Strategy prepared in accordance with Condition 6
  - 20 x Visitor Accommodation Residences (Units 1, 3, 4, 5, 8, 9, 10, 11, 13, 16, 18, 19, 20, 30, 33, 38, 47, 48, 49 & 50)
- iii. **Stage 3 - within 24 months of the completion of Stage 2**
- Remaining revegetation as detailed in the Revegetation Strategy prepared in accordance with Condition 6
  - 12 x Visitor Accommodation Residences (Units 6, 17, 21, 22, 26, 27, 37, 39, 40, 41, 45, 46).
  - Fencing off the Stock Route shown on Parkins Bay Plan B dated 12 April 2012 to prevent stock accessing the regeneration areas in Covenant Area D identified on the Parkins Bay Glendhu Station Covenant Areas Plan dated June 2011.
  - Fencing of the areas required by Conditions 41(w) and 41(y).

**Planting Plan**

6. The consent holder shall prepare and implement a Revegetation Strategy that achieves the following objectives.
- To provide a vegetation cover framework of Kanuka and other appropriate native species in the short term, which can become the basis for biodiversity enhancement as the project develops,

- To provide screening for residential buildings for viewers from the road in accordance with the attached plans and the Revegetation Strategy,
- To reflect the underlying of landform and soils in the native vegetation cover of the site,
- To achieve eventual revegetation of the Gully shown on Parkins Bay Plan B dated 12 April 2012 with a mix of locally sourced native species including Totara.
- To achieve eventual revegetation of the Moraine Slope shown on Parkins Bay Plan B dated 12 April 2012.
- To ensure that the "rough" areas of the golfcourse, being the vegetated areas not required to be mowed or otherwise maintained, regenerate naturally (excluding noxious weeds).
- To link with other revegetated areas outside the site;

The Revegetation Strategy shall identify those steps that need to be undertaken in each of the three areas shown on the attached plans referenced Glendhu Station Stage 1: Master Plan, Glendhu Station Stage 2: Master Plan, Glendhu Station Stage 3: Master Plan, dated September 2009 to give effect to the Strategy.

The Revegetation Strategy shall include:

- timing of planting and replacement/additional planting over 5 years;
- details of the management proposed from the time of granting consent up to 10 years after initial planting - site preparation, weed control, pest control, any watering or fertilisers, stock control and maintenance;
- details of plant sources;
- protection measures for existing values - wetlands, lake shore, lake water quality;
- integration of planting with other components of the development - earthworks, construction;
- fencing of the regeneration area for stock to pass through parts of the site;
- the replacement of the existing poplar trees next to the clubhouse and shearer's accommodation if they become diseased or die. Root stock shall be sourced from the existing healthy Lombardy poplars which are to be taken and grown on for this purpose.

Prior to the commencement of the construction the consent holder shall provide an initial Revegetation Strategy for certification by Council. This strategy shall define the different stages and areas of work. Prior to the commencement of any construction within a specific stage/area of work a detailed Revegetation Strategy shall be provided to the Council for certification. During the development, the Strategy may be altered to add new material, to reflect increased knowledge or to represent best practice methodology, and any amendments to the Strategy shall be provided to the Council for certification. The Final Revegetation Strategy shall be provided to the Council prior to the commencement of the final stage/area of work.

7. Prior to the commencement of any construction of the visitor accommodation/residential units the consent holder shall provide for the certification of the Council details of all earth mounds, if any, and their respective volumes, location and elevations required to provide screening for the visitor accommodation/residential units which shall be tied into existing landforms and organically shaped to be congruent with their respective surroundings.
8. Prior to the construction of visitor accommodation / residential units for:
  - a. Stage 1 and 2 (as specified in Condition 5), certification shall be obtained from the Council that the planting conforms to the certified Revegetation Strategy for those stages and that more than 75% of the plants are live and healthy at a period of 12 months from the date of establishment. All diseased or dying plants shall be replaced to the satisfaction of the Council.
  - b. Stage 3 (as specified in Condition 5), certification shall be obtained from the Council that the planting conforms to the certified Revegetation Strategy for that stage and that more than 75% of the plants are live and healthy and at an average height of 3 metres. All diseased or dying plants shall be replaced to the satisfaction of the Council.

9. Planting for all visitor accommodation residences implemented in accordance with the Revegetation Strategy shall be irrigated for a period of five years from establishment to ensure optimal growth rates. To avoid fire risk all planting shall be located at an appropriate distance from any residential villa.
10. All planting implemented in accordance with the Revegetation Strategy is to be:
  - a. Maintained for a period of ten years from the first season of planting to the satisfaction of Council.
  - b. All diseased or dying plants shall be replaced to the satisfaction of Council.
  - c. An annual report on the maintenance and health of planting is to be provided to the Council for a period of ten years from the first season of planting.

The Council may serve notice of its intention to review, amend or add to the Revegetation Strategy to require additional planting, as may be required in order to achieve the Objectives outlined in Condition 6. Revegetation is to be protected by a covenant registered on the land title that will protect the planting in perpetuity.

### **Lighting**

11. All exterior lighting shall be fixed and no higher than 1 metre above finished ground level, capped, filtered or pointed downwards and screened so as to reduce lux spill. There shall be no lighting of the vehicle access ways within the site. The lighting shall be limited to:
  - a. Lighting at the entry point to the golf course.
  - b. Sensor lights in the arrival forecourts for each of the visitor accommodation residences to allow for safe navigation from the garage. These will be limited to downlights on either side of the garage and entry doors and will be located on the south side of the buildings.
  - c. Bollard and subtle up-lighting around the Clubhouse and the Shearers' Quarters.
  - d. Solar LED lights on the path between the Clubhouse and the Shearers' Quarters.
  - e. A navigation light at the end of the jetty.
  - f. Road lighting limited to low wattage, solar LED catseye lights placed at intersections in the middle of the road. These are to provide a visual cue to denote the intersection.

### **Ongoing Management Obligations**

12. No person is permitted to remove or physically alter the approved earth mounds and landscaping.
13. No person shall be permitted to plant exotic trees other than those tree species (or similar, subject to approval by Council) specified within the Planting Plan approved pursuant to Condition 6).
14. The consent holder shall provide for the on-going management of wilding plants and animal pests over the Development Site as outlined in the Revegetation Strategy approved pursuant to Condition 6.

### **Engineering**

15. All engineering works shall be carried out in accordance with the Council's policies and standards, being New Zealand Standard 4404:2004 with the amendments to that standard adopted on 5 October 2005, except where specified otherwise.
16. The owner of the land being developed shall provide a letter to the Council advising who their representative is for the design and execution of the engineering works and construction works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under sections 1.4 and

1.5 of NZS4404:2004 "Land Development and Subdivision Engineering", in relation to this development.

17. Prior to the commencement of any building construction the consent holder shall provide to the Council a geotechnical report/s, prepared by a suitably qualified and experienced geotechnical engineer, which certifies that all building platforms are capable of supporting the proposed buildings, are suitable for the activity and are free from inundation, subsidence, erosion and slippage and otherwise suitable for the proposed use. Such geotechnical reports shall be provided progressively for each building or group of buildings prior to commencement of construction of that building or group of buildings.
18. Prior to the commencement of any work described in a. – m. below relevant to a development activity, the consent holder shall for that development activity provide to the Council for review copies of specifications, calculations and design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (15), to detail the following engineering works required:
  - a. The construction of all roads within the development to be in accordance with the guidelines provided for in Table 3.2(a) of the NZS4404:2004 amendments as adopted by the Council in October 2005. Internal roads serving the Shearers Quarters, Golf Course and Clubhouse shall be constructed to the standards of a Local road as a minimum standard. All internal roads may remain in private ownership and shall be maintained by the consent holder. Passing bays are to be provided on one way carriageways as required but at maximum intervals of 100 metres.
  - b. The construction of the intersections of the new roads to serve the development with the Wanaka-Mt Aspiring Road to be in accordance with Council's standards and in accordance with the information supplied with the application with respect to sight distances. The sight distance from the main golf course entrance to the west is to be improved by removing obstructing trees and shrubs on the bend in Wanaka-Mt Aspiring Road. This visibility splay is to be maintained by the consent holder on a continuing basis. The intersections for both the main golf course roads and the residential chalets road shall be formed in accordance with Diagram 4 of the PODP and also in accordance with the Council's Rural Roading Corridors - Corridor Management Guideline (particularly Section 4.10 - Slip Lanes).
  - c. The construction of all vehicle manoeuvring areas and car parks specified in the application to serve the development are to be constructed in accordance with the attached Plan referenced "Parkins Bay Detail 1 Proposed Clubhouse Area, Figure 10a, dated 12 April 2012. This plan shows 12 covered parking spaces adjacent to the clubhouse, a 40 space gravel car parking area adjacent to the clubhouse, a ten space gravel car park area adjacent to the bus turning bay/parking area and 16 spaces to be provided on all weather surfacing along the access road under the trees; one gravel bus turning bay/parking area and an overflow parking area for at least 150 vehicles that is not required to be formed.
  - d. All walking and cycling tracks marked by blue dotted lines on the attached plan referenced Parkins Bay Glendhu Station Concept Master Landuse Plan dated 12 April 2012 shall be constructed and maintained in accordance with the Walking Track Standard as defined in the Standard New Zealand Handbook for Tracks and Outdoor Visitor Structures (SNZ HB 8630; 2004), except as specified in Condition 41.
  - e. The construction of the underpasses under Wanaka-Mt Aspiring Road are to be designed by a suitably qualified and experienced engineer. These underpasses are to be approved by the Council and all necessary permits and licenses are to be applied for and granted prior to undertaking any development on site. If the necessary Council approvals are not granted then the consent holder shall submit a revised traffic assessment for approval that addresses any issues with the golf course and other internal traffic crossing Wanaka-Mt Aspiring Road.

- f. The consent holder shall obtain approval from the Council and all necessary permits and licences are to be applied for and obtained prior to commencing construction of the jetty including the pontoon.
- g. The provision of a water supply to each residence and all other components of the development in terms of Council's standards. Each residence shall be supplied with a minimum of 2100 litres per day of potable water that complies with the requirements of the Drinking Water Standard for New Zealand 2005. All other components of the development are to be supplied with the quantity of potable water that complies with the requirements of the Drinking Water Standard for New Zealand 2005 specified in the application.
- h. The provision of fire hydrants with adequate pressure and flow to service each residence with a Class W3 fire risk in accordance with the NZ Fire Service Code of Practice for Firefighting Water Supplies 2003. Any lesser risk must be approved in writing by Fire Service NZ, Dunedin Office.
- i. The provision of fire hydrants with adequate pressure and flow to service each component of the development with the appropriate Class of fire risk in accordance with the NZ Fire Service Code of Practice for Firefighting Water Supplies 2003. Any lesser risk must be approved in writing by Fire Service NZ, Dunedin Office.
- j. The provision of sealed vehicle crossing to each residence site from internal roads to be in terms of Diagram 2, Appendix 7 and Rule 14.2.4.2 of the Partially Operative District Plan. This shall be trafficable in all weathers and be capable of withstanding a laden weight of up to 25 tonnes with an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Provision shall be made to continue any roadside drainage.
- k. The provision of a storm water disposal system that is to provide stormwater disposal from all impervious areas within the site. The proposed storm water system shall be designed by a suitably qualified professional as defined in Section 1.4 of NZS4404:2004 and subject to the review of Council prior to implementation.
- l. The provision of an access way to each residence that complies with the guidelines provided for in Table 3.2(a) of the NZS4404:2004 amendments as adopted by the Council in October 2005.
- m. The provisions of an effluent disposal system designed by a suitably qualified professional as defined in section 1.4 of the NZS 44004:2004 in terms of AS/NZS 1547:2000 that will provide sufficient treatment / renovation to effluent from on-site disposal, prior to discharge to land. To maintain high effluent quality such a system would require the following:
- Specific design by a suitably qualified professional engineer.
  - A requirement that each component of the development must include systems that achieve the levels of treatment determined by the specific design.
  - Regular maintenance in accordance with the recommendations of the system designer and a commitment by the owner of each system to undertake this maintenance.
  - Intermittent effluent quality checks to ensure compliance with the system designer's specification.
  - Disposal areas shall be located such that maximum separation (in all instances greater than 50 metres) is obtained from any watercourse or water supply bore.
  - The system is to be designed and constructed in accordance with the information supplied in the application in particular the report prepared by Glasson Potts Fowler (ref 9198GLE-1A dated July 2006)
- n. The drinking water supply is to be monitored in compliance with the Drinking Water Standards for New Zealand 2005 for the presence of E.coli, by the management group for the development, and the results forwarded to the Council. The Ministry of Health shall

approve the laboratory carrying out the analysis. Should the water not meet the requirements of the Standard then the management group for the lots shall be responsible for the provision of water treatment to ensure that the Drinking Water Standards for New Zealand 2005 are met or exceeded.

- o. In the event that the number of persons to be accommodated in any residence is to be greater than three, then the Council will require commensurate increases in the water supply to that lot at the rate of 700 litres per extra person per day.
  - p. All water tanks to be underground.
19. Prior to the occupation of any visitor accommodation residential unit, or of the Clubhouse, or of the Shearers Quarters, or of the Maintenance Compound the consent holder shall complete the following for each stage (as specified in condition 5):
- a. The submission of 'as-built' plans and information required to detail all engineering works completed in relation to or in association with the appropriate part of this development.
  - b. The completion of all relevant works detailed in condition 18 above.
  - c. The consent holder shall provide a suitable and usable power supply and telecommunications connection to the residences and all other components of the development. These connections shall be underground from any existing reticulation and in accordance with any requirements/standards of Aurora Energy/Delta and Telecom.
20. The consent holder shall obtain all necessary and relevant consents from the Otago Regional Council. This shall include, but is not restricted to, all necessary consents for the construction of a jetty in Lake Wanaka.
21. Prior to commencing any work on the site the consent holder shall install a vehicle crossing, which all construction traffic shall use to enter and exit the site. The minimum standard for this shall be a minimum compacted depth of 150mm AP40 metal. This crossing shall be upgraded in accordance with Council's standards, or removed, at the time development is undertaken on the site.
22. Prior to commencing works, the consent holder shall submit to Council for review a site management plan for the works for each stage or area of proposed works. During the development, the Plan may be altered to add new material, to reflect increased knowledge or to represent best practice methodology, and any amendments to the Plan shall be provided to the Council for certification.
23. All retaining systems, permanent or temporary, shall be designed by a suitably qualified and experienced engineer. The designs shall be submitted to the Council for approval prior to installation.
24. The consent holder shall provide Council with the name of a suitably qualified professional as defined in section 1.4 of NZS4404:2004 who is to supervise the excavation procedure. This engineer shall continually assess the condition of the excavation and implement any design changes / additions if and when necessary.
25. All temporary retention systems shall be installed immediately following excavation to avoid any possible erosion or instability.

### **Landscape**

26. Final colours for the maintenance building, visitor accommodation/residential units and jetty shall be submitted to Council for approval prior to any work commencing on each of these buildings. In this instance, the final colour scheme for these buildings and structures shall

appear appropriately recessive throughout all seasons of the year and within the natural colour ranges of browns, greens and greys as indicated throughout the surrounding landscape

27. Prior to any work commencing on the maintenance compound, elevations of all buildings within the maintenance compound shall be submitted to Council for approval. The external appearance of these buildings shall be consistent with the rural context within which they are located.
28. A site plan shall be submitted to Council for approval prior to development commencing, which indicates the location and form of all batter slopes and areas of fill for each stage or area of proposed works. The consent holder should aim to achieve batter slopes and areas of fill which have a maximum gradient of 1:3 (rise:run), with natural undulations across vertical and horizontal planes, as well as smooth transitions in changes in slope, to ensure that these are integrated as much as possible into the existing landform character. During the development, the Plan may be altered to add new material, to reflect increased knowledge or to represent best practice methodology, and any amendments to the Plan shall be provided to the Council for certification. The final site plan shall be provided to Council prior to the commencement of the final stage/area of work.
29. In regards to golf course holes 1, 2, 5, 8 and 9; prior to commencing earthworks in relation to those specified golf course holes, further details of the proposed earthworks and finishing of the proposed golf course holes shall be submitted to Council for approval in relation to achieving a naturalised contour.
30. At the completion of earthworks for each stage (as specified in Condition 5), grassing shall occur within six weeks, to ensure that exposed areas of soil do not direct additional attention to the earthworks.
31. Any fencing within the development site shall be restricted to post and wire fencing to a maximum height of 1.2m only, with the exception of the fencing of the regeneration area for stock to pass through as identified within the Revegetation Strategy prepared in accordance with Condition 6.

## **Earthworks**

32. Prior to commencing earthworks on the site the consent holder shall submit to the Council a detailed site plan of all of the earthworks proposed including depth of cut and fill and the proposed finished shape of the land for each stage or area of proposed works. The accurate earthwork volumes need to be firmly calculated and provided for each stage or area of proposed works. Earthwork calculations and finished levels of all earthworks are to be supplied to Council. During the development, the Plan may be altered to add new material, to reflect increased knowledge or to represent best practice methodology, and any amendments to the Plan shall be provided to the Council for certification. The final site plan shall be provided to Council prior to the commencement of the final stage/area of work.
33. The consent holder shall undertake measures to prevent sediment run off from the site and to prevent a dust nuisance resulting from the works on the site. These measures shall be installed prior to commencing earthworks on the site.
34. A suitably qualified engineer shall assess site conditions and determine safe working conditions with regards to batters and any retention that may be required.
35. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at their expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.

36. At the completion of the earthworks for each stage (as specified in Condition 5) a suitably qualified Registered Engineer experienced in soils investigations shall provide certification, in accordance with NZS 4431 for all areas of fill within the site on which buildings are to be founded.
37. The earthworks shall be undertaken in a timely manner. Any excavation shall not remain open long enough to enable any instability (caused by over exposure to the elements) to occur.
38. No earthworks, temporary or permanent, are to breach the boundaries of the site.
39. At the completion of the earthworks, all earthworked areas shall be topsoiled and grassed or otherwise permanently stabilized as soon as practicable, subject to Condition 29.
40. Upon completion of the earthworks, the consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

### **Covenants**

41. Prior to the construction of any buildings on the site the consent holder shall register a covenant, in accordance with section 108(2)(d) of the RMA, in favour of the Council.

For the purpose of Condition 41(a) Stage 3 shall be deemed to be "implemented" when a final code of compliance certificate under the Building Act 2004 has issued for the 12 visitor accommodation residences referred to in Condition 5(iii).

The covenant shall provide for the following:

#### *Development Restrictions*

- a. In respect of the areas identified on the attached plans referenced "Parkins Bay Glendhu Station Covenant Areas Plan" dated June 2011 and "Parkins Bay Detail B Proposed Covenant Areas" dated June 2011 :
  - i. The area marked A Bull Paddock shall be covenanted as follows:
    - aa. For a period that commences on the date of the grant of consent until the date that is ten years from the implementation of Stage 3 there shall be no further development except that this restriction does not prohibit subdivision;
    - bb. Regardless of titling structure and/or ownership, the clubhouse shall at all times be available to cater to, and for use by, users of the golf course as a place for rest, shelter, refreshment and possibly entertainment. If at any time in the future the land containing the proposed or existing clubhouse is subdivided from the land containing the proposed or existing golf course, a consent notice shall be registered against both resulting titles recording this ongoing consent obligation.
    - cc. All activities which are carried out within, and any future allotments which are created from, A Bull Paddock area shall share one access off Mt Aspiring Road.
  - ii. The area marked B Development Area shall be covenanted in perpetuity from the date of the grant of consent against further development but not prohibiting subdivision of the golf course and the 42 house-sites, and the subdivision and development of eight visitor accommodation/residential units.

*Advice Note: For the avoidance of doubt this consent only authorises 42 visitor accommodation/residential units. Any future application for up to eight*

*additional visitor accommodation/residential units within Area B will require a variation to this consent or a new consent and a rigorous assessment of the measures proposed to sufficiently mitigate any potential adverse visibility/domestication effects.*

- iii. The area marked C1 Farm Area shall be covenanted, for a period that commences on the date of the grant of consent until the date that is ten years from the implementation of Stage 3, against further development not associated with usual farming activities;
- iv. The area marked C2 shall be covenanted, for a period that commences on the date of the grant of consent until the date that is 20 years from the implementation of Stage 3, against further development not associated with usual farming activities, but not prohibiting:
  - aa. activities for camping purposes;
  - bb. subdivision to separate the area marked C2 from the rest of the land currently contained in Certificate of Title 478353;
  - cc. a subdivision which will create a separate certificate of title for the area marked X within C2; and
  - dd. any boundary adjustment which does not create additional titles;
- v. Subject to subclause vi below, the area marked E shall be covenanted in perpetuity from the date of the grant of consent against further development, but not prohibiting:
  - aa. Subdivision to separate the area marked E from the rest of the land currently contained in Certificate of Title 478353 and any boundary adjustment which does not create additional titles;
  - bb. Any alterations, repairs or extensions to the existing dwelling located on the land;
  - cc. The construction of a shed for the purpose of storing farming and landscaping equipment;
  - dd. The erection of any temporary buildings such as marquees and other shelters used for the purpose of conducting weddings and reception functions, for not more than 12 calendar days per year, and a maximum of 6 occasions.;
  - ee. The construction of a chapel;
- vi. The restriction detailed in v. above relating to temporary buildings for weddings and reception functions shall take effect on and from the date the clubhouse is constructed and operational.
- vii. The area marked F shall be covenanted for a period that commences on the date of the grant of consent until the date that is 35 years from the implementation of Stage 3, against any further development, but not prohibiting:
  - aa. subdivision to separate the area marked F from the rest of the land currently contained in Certificate of Title 478353;
  - bb. subdivision for farming purposes;
  - cc. any boundary adjustment which does not create additional titles;
  - dd. the relocation, repair and replacement of the existing homestead and ancillary buildings;
  - ee. the construction, repair and relocation of any improvements or buildings which relate to the farming activities carried out on the land;
  - ff. the construction of two further residential dwellings on the land and any subsequent repairs and alterations to those residential dwellings;

- viii The area marked G shall be covenanted in perpetuity from the date of the grant of consent against any development not associated with farming activities or regeneration of native forest or other vegetation, but not prohibiting any boundary adjustment which does not create additional titles.

#### *Public Access Easements*

- b. The consent holder will enable public access by way of a registered easement in gross over the area identified in red, as number 12, on the attached plan referenced "Parkins Bay Detail A Proposed Public Easement", dated September 2009, in favour of the Council to enable public access to this area in perpetuity.
- c. The consent holder will enable public access by way of a registered easement in favour of the Council along a route between Rocky Hill (CA 1) and the Matukituki River in the location approximately shown as a blue dotted line on the attached plan referenced "Parkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions:

- The access route shall be restricted to a route connecting Rocky Hill (CA1) and the Matukituki River that will be marked by bollards and/or poles and signs erected by the consent holder.
- Public access shall be restricted to walking access only.
- The conditions detailed in Schedule A.

*Advice note: The Council shall be responsible for the maintenance of the access route.*

- d. The consent holder will enable public access by way of a registered easement in favour of the Council along a route along the Motatapu Road between the Mt Aspiring Road and the Motatapu Track, in the location approximately shown as a blue dotted line on the attached plan referenced "Parkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions:

- The access route shall be restricted to a specific route (which shall be for the first 400m of the road where it goes through a low cutting to reach the terraces above Mt Aspiring Road). And shall be a formed and marked walking/cycling track either on the farm land or the road margin {if that can be achieved}, to clearly show users of Te Araroa footpath where they are to go when they turn off from the lake.
- Public access shall be restricted to walking access only.
- The conditions detailed in Schedule A.

*Advice note: The Council shall be responsible for the maintenance of the access route.*

- e. The consent holder will enable public access by way of a registered easement in favour of the Council along a route from the development site to Glendhu Hill, in the location approximately shown as a blue dotted line on the attached "Parkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions:

- The access route shall be restricted to a specific route that will be marked by bollards and/or poles and signs erected by the consent holder.
- Public access shall be restricted to walking access only.
- The conditions detailed in Schedule A.

*Advice note: The Council shall be responsible for the maintenance of the access route.*

- f. The consent holder will enable public access by way of a registered easement in favour of the Council along a route between easement areas V and W on SO 347712 along the Motatapu River, in the location approximately shown as a blue dotted line on the attached plan referenced "Parkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions
- The access route shall be restricted to a specific route that will be marked by bollards and/or poles and signs erected by the consent holder. This route will use both the marginal strip and enable access by way of easement over parts of the adjacent land where access along the marginal strip is not available due to erosion of the river bank;
  - Public access shall be restricted to walking and mountain biking access only.
  - In the event that the river erodes both the marginal strip and the land over which the easement runs, the landowner will, when requested, provide an alternative easement (to be surveyed and registered, formed, and maintained by the council at its request).
  - The conditions detailed in Schedule A.

*Advice note: The Council shall be responsible for the maintenance of the access route.*

- g. The consent holder will enable public access by way of a registered easement in favour of the Council along a route from the development site to the Motatapu Road and continuing southeast to the boundary with Alpha Burn Station, in the location approximately shown as a blue dotted line on the attached plan referenced "Parkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions:
- The access route shall be restricted to a specific route that will be formed and marked by signs erected by the consent holder.
  - Public access shall be restricted to walking and mountain biking access only.
  - The conditions detailed in Schedule A.

*Advice note: The Council shall be responsible for the maintenance of the access route.*

- h. The consent holder will enable public access by way of a registered easement in favour of the Council along a route between Rocky Hill (CA1) and the Motatapu River in the location approximately shown as a blue dotted line on the attached plan referenced "Parkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions:
- The access route shall be restricted to a route connecting Rocky Hill (CA1) and the Motatapu River that will be marked by bollards and/or poles and signs erected by the consent holder.
  - Public access shall be restricted to walking access only.
  - The conditions detailed in Schedule A.

*Advice note: The Council shall be responsible for the maintenance of the access route.*

- i. The consent holder will procure variation of the terms of the easement EI 6594177 .5, so that mountain biking is permitted over the easement areas V, Wand Section 19 on SO 347712, and will procure registration of an instrument providing for that variation on the relevant certificate of title.
- j. The consent holder will procure variation of the terms of the easement EI6594177.7, so that mountain biking is permitted over the easement areas X and U on SO 347712, and will procure registration of an instrument providing for that variation on the relevant certificate of title.
- k. Subject to Condition (l) below, the consent holder shall be entitled to close or restrict access to the tracks within the Development Site, as the consent holder considers necessary, for golf course operations (including tournaments), maintenance, repair, safety or security purposes.
- l. The consent holder shall be entitled to close or restrict access to the track along the Parkins Bay foreshore, where the track passes through the Development Site, as the consent holder considers necessary, for golf course operations (including tournaments), maintenance, safety or security purposes, for up to 25 individual days per year (but not exceeding 5 weekends).

#### *Vegetation*

- m. Preventing the removal and or physical alteration of the earth mounds and landscaping located around each visitor accommodation/residential unit approved in accordance with Conditions 6 and 7.
- n. The ongoing maintenance of planting implemented to give effect to the Revegetation Strategy approved in accordance with Condition 6.
- o. The establishment of exotic species within the areas identified as A, B and D on the attached plan referenced "Glendhu Station Covenant Areas Plan" dated June 2011 other than those species specified within the Revegetation Strategy approved in accordance with Condition 6 is prohibited.
- p. The ongoing management of wilding plants and animals pests by the consent holder in accordance with the Revegetation Strategy prepared in accordance with Condition 6.
- q. In order to achieve appropriate control of wilding trees and noxious weeds on an ongoing basis the following requirement shall apply within Covenant Area B identified on the attached plan referenced "Parkins Bay Glendhu Station Covenant Areas Plan" dated June 2011:
  - i. For the purposes of this condition "Plant Pests" means and includes any fir or conifer species with potential to spread naturally, sweet briar, lupins, gorse, broom, and any other Pest Plant as specified in the Regional Pest Management Strategy for Otago.
  - ii. Prior to occupation of any dwelling the relevant house-site shall be cleared of all Plant Pests.
  - iii. The owner of any house-site shall keep the house-site clear of any Plant Pests.
  - iv. Any areas managed and maintained by a Parkins Bay Residents and Owners Association (or similar body) shall keep those areas clear of any Plant Pests.

- r. Prior to completion of Stage 1 of the development the consent holder shall remove all conifers (including any conifers or firs with wilding potential) from Covenant Areas A, B and D and from that part of Covenant Areas F and G located between Covenant Area and the Fern Burn, all Covenant Areas as identified on the attached plan referenced "Parkins Bay Glendhu Station Covenant Areas Plan" dated June 2011.

#### *Clubhouse*

- s. The installation or use of fires that emit smoke are prohibited except for any fire installed at the clubhouse.

#### *Golf Course*

- t. That the 18 hole golf course will be available for green fee players to use at all times, other than when the golf course is being used for tournaments or functions held at the golf course. Affiliated members of the Wanaka Golf Course will be entitled to use the golf course at a discounted rate of no less than 20% off the green fee rate which is charged to the general public at any time.

#### *Visitor Accommodation Residential Units*

- u. In respect of the curtilage areas identified for the visitor accommodation/residential units within Area B on the plan referenced "Glendhu Station Covenant Areas Plan" dated June 2011:
- The curtilage area for each visitor accommodation/residential unit shall be restricted to the curtilage areas defined on the attached plans referenced "Parkins Bay Visitor Accommodation Residences - Detail Site Plan, House Sites 1, 3-4, 6, 8-11, 13, 18-22, 24, 26-27, 29-50" dated September 2009 and "Parkins Bay Visitor Accommodation Residences - Detail Site Plan, House Sites 5, 16 and 17" dated September 2011;
  - All domestication including hard landscaping and ancillary structures associated with the visitor accommodation/residential units shall be restricted to the designated curtilage area. No domestic elements shall be located outside the designated curtilage areas;
  - No introduced planting over 0.5m is permitted within the designated curtilage areas unless it is from the approved Kanuka/Grey shrubland plant list detailed in the Revegetation Strategy prepared in accordance with Condition 6;
  - No structures or fences over 0.75m in height are permitted within the designated curtilage areas (this allows for the extension of the existing stone retaining walls), except as required under the Fencing of Swimming Pools Act 1987;
  - No introduced planting is permitted outside the designated curtilage areas unless it is from the approved Kanuka/Grey shrubland plant list detailed in the Revegetation Strategy prepared in accordance with Condition 6.
- v. The keeping of cats at the consented visitor accommodation/residential units is prohibited.

#### *Stock and Water Quality*

- w. Prior to completion of Stage 3 of the development the areas detailed below shall be fenced to prevent stock access into those areas. The fencing shall be maintained permanently to prevent stock accessing those areas. The areas are approximately detailed on Parkins Bay Plan B dated 12 April 2012 as follows:
- i. The wetter area of Wetland A, comprising an area of approximately 150 metres by 20 metres, subject to monitoring and assessment under Condition 51.
  - ii. Wetland B and Wetland C and Areas 1 and 2.
  - iii. The Gully and the Moraine Slope.

- x. The consent holder shall ensure that any stock access to or across the watercourse running between Wetland A and Wetland C and any other watercourses shown on Parkins Bay Plan B dated 12 April 2012 has a firm rocky or pebbly substrate to prevent pugging and erosion caused by stock movements.
- y. Prior to completion of Stage 3 of the development the consent holder shall fence the eastern and western riparian boundaries of the Fern Bum (approximately 20m from each bank) to exclude cattle from the Fern Bum riparian corridor between the Motatapu Road culvert/bridge and Lake Wanaka. When implementing such fencing the consent holder may install gates to enable cattle to cross the Fern Bum riparian corridor at two crossing points, one identified as "Stock Route" on Parkins Bay Plan B dated 12 April 2012 and the other located south of Wetland E shown on Parkins Bay Plan B dated 12 April 2012. When cattle use either of those crossing points the consent holder shall ensure that the cattle move straight across from the private land on one side of the riparian corridor to the private land on the other side of the riparian corridor without lingering in the Fern Bum. Fencing installed under this condition shall be installed as close as is reasonably and practically possible to the boundary between the freehold title and the public marginal strip except that along the eastern boundary of Wetland E fencing shall be located at the top of the bank which separates the wetland from the farmland on the eastern side of Wetland E. The fencing shall ensure that no part of the wetland is separated from the marginal strip. Temporary fencing shall be erected when stock are using the crossing points to ensure that stock do not access the marginal strip on either side of the crossing point.
- z. Area 1, Area 2, the Gully and the Moraine Slope (all identified on Parkins Bay Plan B dated 12 April 2012) which must be fenced as required under w. above, shall be kept free of Plant Pests (as defined in q. above).

## **Review**

42. In accordance with sections 128 and 129 of the Resource Management Act 1991, the Council may serve notice of its intention to review; amend, delete or add to the conditions of this consent at the consent holders expense yearly for the first ten years after the commencement of consent and thereafter at two yearly intervals and at any other time when the consent holder shall be in default in a material particular in the implementation or compliance with the consent for the purposes of requiring the consent holder to:
- deal with any adverse effect on the environment which may arise from the exercise of this consent and which it is appropriate to deal with at a later stage, or which became evident after the date of commencement of the consent, or
  - review the effectiveness of the conditions of this resource consent in avoiding or mitigating any adverse effects on the environment from the exercise of this resource consent and if necessary require the consent holder to avoid, remedy or mitigate such effects by way of further or amended conditions.

## **Poplar Trees**

43. Prior to the commencement of earthworks on site, further detailed arboricultural advice shall be sought on the potential effects of the earthworks on those trees most at risk from earthworks and construction. A substantial barrier fence is to be erected in accordance with the recommendation of the arboriculturalist to ensure protection of the trees and their associated root system.
44. Regular inspections and monitoring of tree health is to be undertaken every two years and a report provided to the Council. This work is to be undertaken by a qualified Arborist.

45. Where the two year inspection and reporting programme identifies evidence of tree decline, a more detailed inspection shall be arranged and the recommendations of the more detailed inspection reported to the Council.

### **Golf Course Management**

46. Fertilisers are only to be applied to green and fairway areas in small and frequent applications at a level which ensures that the rate of application accurately meets plant demands and no more. Details of the application rates are to be supplied to the Council for review prior to the commissioning of the golf course.
47. An integrated pest management plan is to be prepared which demonstrates that the use of chemical pesticides is targeted in application only to those areas where treatment has been identified as being necessary.
48. Irrigation of the golf course is to be computerised to ensure that the rate of water application to the green and fairway is appropriate to maintain soil moisture at the correct level avoiding wastage of water, the saturation of soils, ponding, excess soil drainage and contaminant leaching.
49. Riparian vegetative buffer strips are to be maintained between the golf course and Lake Wanaka and the golf course and the edge of the Fern Burn watercourse. These buffer strips must be a minimum of 20m wide and not be subject to the application of any fertiliser, pesticide or irrigation.

### **Monitoring**

50. Monitoring of water quality is to be undertaken every six months as detailed below from the date the golf course is commissioned. Details of the sampling methods and monitoring are to be provided to the Council for review prior to the commissioning of the golf course. The details of this monitoring regime including frequency of monitoring, what contaminants will be required to be assessed, and immediate responses required if contamination is found, needs to be established to the satisfaction of Council prior to the commissioning of the golf course. The following monitoring is required:

- a. Monitoring of water quality within Parkins Bay close to the shoreline adjacent to the golf course.
- b. Monitoring of stream water from streams upstream of the golf course/house-sites development areas, at the points where such streams cross from Glendhu Station into the golf course/house-sites development areas.

Note: The purpose of a. and b. above is to monitor the effect of golf course activities on water quality.

51. The areas of Wetland A detailed on Parkins Bay Plan B dated 12 April 2012 which are outside that part of Wetland A fenced under Condition 41(w) shall be monitored 5 years after the date the golf course is commissioned, within 2 weeks after the area has been grazed by stock, for the purpose of assessing any adverse effects caused by stock on the balance dry wetland areas on the margins of the fenced wetter area. If this monitoring reveals an inappropriate degree of adverse effect then the area of Wetland A required to be fenced under Condition 41(w) may be reviewed.

52. There shall be no netting erected associated with the driving range.

### **Accidental Discovery Protocol and Archaeology**

53. That if any koiwi (human skeletal remains), waahi taoka (resource of importance), waahi tapu (place or feature of special significance) or artefact material are discovered as part of the development process, then work shall stop to allow a site inspection by the appropriate runānga and their advisors, who would determine whether the discovery is likely to be extensive and whether a thorough site investigation is required. Materials discovered should

be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to their removal or preservation.

54. An archaeological authority shall be obtained from the New Zealand Historic Places Trust, should further site investigation confirm that the historic house site identified in the report of Mr Petchey is affected by construction activities.
55. The camp site identified in the report of Mr Petchey shall be protected during construction with fencing in a location approved by a registered archaeologist.

### **Limitations on curtilage areas**

56. The curtilage area for each visitor accommodation/residential unit shall be limited to 1000m<sup>2</sup>, including the building platform but excluding the driveway, as identified on the attached plans referenced "Parkins Bay Visitor Accommodation Residences Detail Site Plans, House Sites 1, 3-4, 6, 8-11, 13, 18-22, 24, 26-27, 29-50 " dated September 2009 and "Parkins Bay Visitor Accommodation Residences - Detail Site Plan, House Sites 5, 16 and 17" dated September 2011.
57. All domestication including hard landscaping and ancillary structures associated with the visitor accommodation/residential unit shall be restricted to the designated curtilage area.
58. No introduced planting over 0.5m is permitted within the designated curtilage areas unless it is from the approved Kanuka/Grey shrubland plant list detailed in the Revegetation Strategy approved in accordance with Condition 6.
59. No structures over 0.75m are permitted within the designated curtilage areas (this allows for the extension of the existing stone retaining walls) except as required under the Fencing of Swimming Pools Act 1987.
60. No introduced planting is permitted outside the designated curtilage areas unless it is from the approved Kanuka/Grey shrubland plant list detailed in the Revegetation Strategy approved in accordance with Condition 6.

### **Fencing**

61. Fencing is to be retained and up-graded along the frontage of the Wanaka-Mt Aspiring Road ensuring that people are directed to use the underpasses.
62. No gates or monumental structures are permitted at or near entrances ways which would potentially distract motorists on the Wanaka-Mt Aspiring Road. The design of any entrance gate designs shall be submitted to Council for approval.
63. There shall be no fencing of the individual visitor accommodation residential units;

### **Car Parks**

64. All car parks on-site (excluding car parks for private residences) shall be publicly available and shall not be restricted for specified activities or purposes.

### **Signs**

65. Signage design for the purpose of readily identifying the clubhouse and shearers quarters, the location of car parking, public walkways, cycleways, public picnic area and jetty and the lake foreshore shall be submitted to Council for prior consent. Specific signage on the lakeside walkway and the jetty shall indicate that these areas are available for public use.
66. The existing public access along the edge of the lake, parallel to the length of the development site, shall be identified by signage to the satisfaction of the Council.

## **Sundry**

67. There shall be no permanent mooring at the jetty. The owner shall have priority for one berth.
68. All covenants as offered by the consent holder shall be in form approved by the Council. Any easements referred to in Condition 41 which have been registered prior to the registration of Covenant(s) under Condition 41 need not be referred to in such Covenant(s).
69. This proposal may generate a demand for network infrastructure and reserves and community facilities. If so, an invoice will be generated by the Queenstown Lakes District Council. Payment will be due prior to application under the Resource Management Act for certification pursuant to section 224(c). Pursuant to section 208 of the Local Government Act 2002 the Council may withhold a certificate under section 224(c) of the Resource Management Act 1991 if the required Development Contribution has not been paid.
70. Any easement proposed to be granted in favour of the Council under Condition 41 may instead be granted in favour of another public body or entity nominated by the Council provided such body or entity agrees to accept the benefit of the easement and acknowledges responsibility for maintenance of the relevant access route or other area subject to the easement for the purposes of the easement.

## **SCHEDULE A (Refer Condition 41)**

[Standard Conditions Applicable to Public Access Routes]

1. The access route may be closed by the consent holder for such periods as it deems necessary to carry out its farming activities, provided that periods shall not exceed more than 3 consecutive days or a total of more than 10 days (cumulatively) in any calendar year, provided that prior approval is obtained from the Council for such closure.
2. In addition to the periods specified in 1 above, any access route through an area being used for sheep farming may be closed for one period (in any calendar year) of up to 6 weeks during the lambing season to prevent disturbance of ewes with lambs.
3. The access route may be closed by the consent holder for periods as shall be reasonably necessary if the actions of public users result in significant adverse effects to farming operations, provided that prior approval is obtained from the Council for such closure.
4. Dogs (other than dogs used by the farmer for farming activities) are prohibited on the access route (unless prior approval from the consent holder has been obtained).
5. Use or carrying of firearms is prohibited on the access route (unless prior approval from the consent holder has been obtained).
6. Camping is prohibited on the access routes at all times.
7. Such other conditions as the consent holder and the Council reasonably considers necessary to protect the public and to control the public use of the easement area (for example restrictions relating to noxious substances, noise, rubbish, track maintenance, repairs, fire risk or for safety and/or security purposes);

*Note: When the relative easements are registered, the references above to 'consent holder' will become references to 'grantor'.*

**APPENDIX 2 – APPLICANT’S AEE**

# Parkins Bay

Application to Change Consent Conditions

Prepared for Darby Partners Ltd

13 November 2014

The logo for Boffa Miskell, consisting of a large, stylized white letter 'B' that is partially cut off by the right edge of the page.

Boffa Miskell

Document Quality Assurance

Bibliographic reference for citation: Boffa Miskell Limited 2014. <i>Parkins Bay: Application to Change Consent Conditions</i> . Report prepared by Boffa Miskell Limited for Darby Partners Ltd.		
Prepared by:	Stephanie Styles Planner / Principal Boffa Miskell Limited	
Reviewed by:	Ken Gimblett Planner / Director Boffa Miskell Limited	
Status: Final	Revision / version: 3	Issue date: 13 November 2014
<p><b>Use and Reliance</b> This report has been prepared by Boffa Miskell Limited on the specific instructions of our Client. It is solely for our Client's use for the purpose for which it is intended in accordance with the agreed scope of work. Boffa Miskell does not accept any liability or responsibility in relation to the use of this report contrary to the above, or to any person other than the Client. Any use or reliance by a third party is at that party's own risk. Where information has been supplied by the Client or obtained from other external sources, it has been assumed that it is accurate, without independent verification, unless otherwise indicated. No liability or responsibility is accepted by Boffa Miskell Limited for any errors or omissions to the extent that they arise from inaccurate information provided by the Client or any external source.</p>		

Template revision: 20140327 0000

File ref: C14126\_006\_S127\_Change\_Conditions\_20141112

# Contents

1.0	Applicant and Property Details	1
2.0	Introduction / Background	3
3.0	Statutory Considerations	5
4.0	Proposed Change to Conditions	6
5.0	Assessment of Environmental Effects	9
6.0	Notification	10

# Appendices

Appendix 1:	Completed Application Form
Appendix 2:	Location Plan
Appendix 3:	Copy of Third / Final Environment Court Decision, including conditions and plans
Appendix 4:	Certificate/s of Title
Appendix 5:	Set of Revised Conditions



## 1.0 Applicant and Property Details

In summary the details of the applicant and the site are as follows:

---

To:	Queenstown Lakes District Council
-----	-----------------------------------

---

Applicant's Name:	Darby Partners Ltd
-------------------	--------------------

---

Address for Service:	Boffa Miskell Ltd PO Box 110 Christchurch 8140 Attn: Stephanie Styles Phone: 03 364 4215 Email: Stephanie.Styles@boffamiskell.co.nz
----------------------	--

---

Address for Fees:	Darby Partners Ltd PO Box 1164 Queenstown 9348 Attn: Duane Te Paa Phone: 03 450 2200 Email: duane@darbypartners.co.nz
-------------------	--

---

Site Address:	1215 Wanaka - Mt Aspiring Road, Parkins Bay, Wanaka (refer to the Location Plan in <b>Appendix 2</b> )
---------------	--

---

Resource Consent Reference Number	RM070044
-----------------------------------	----------

---

Date Consent Issued	2 May 2012 (by Environment Court decision [2012] NZEnvC 79)
---------------------	---

---

Lapse Date of Consent	2 May 2022
-----------------------	------------

---

Conditions to be Changed	1, 6, 17, 18, 20, 21, 22, 28, 29, 32
--------------------------	--------------------------------------

---

Legal Description: Lot 2, 9-11 Deposited Plan 457489  
Lot 1, 3 Deposited Plan 457489  
Lot 4-5 Deposited Plan 457489  
Lot 6-8 Deposited Plan 457489 and Section 1-2, 19,  
18, 22-23 Survey Office Plan 347712  
(refer Certificates of Title, **Appendix 4**)

---

Site Area: 180 ha (development site area)

---

District Plan Zoning: Rural General

A completed application form is enclosed as **Appendix 1**.

## 2.0 Introduction / Background

- 2.1 In May 2012 the Environment Court confirmed the grant of an application for resource consent (RM070044) to Parkins Bay Preserve Limited for the construction, provision and use of:
- an 18 hole championship golf course located either side of the Mt Aspiring Road;
  - a series of lakeside buildings, including:
    - (a) a club house with restaurant and cafe;
    - (b) a jetty to facilitate public access to the building from the water;
    - (c) twelve visitor accommodation units, spread over three buildings;
  - 42 residences/visitor accommodation units, to be located on the rolling terrace to the south of the golf course, each set on an area of land between 3,525 m<sup>2</sup> and 8,719 m<sup>2</sup> ;
  - ecological enhancement of approximately 65 hectares in accordance with a revegetation strategy including planting of locally appropriate native plants in the golf course and around the proposed houses;
  - covenanted areas from which stock are precluded to allow natural revegetation to occur;
  - enhanced public access to the site including provision of formed access from the Mt Aspiring Road to the Parkins Bay foreshore, formed access from Glendhu Bay to Parkins Bay and further along Parkins Bay, northwest of the Clubhouse to form a link to the second underpass under Mt Aspiring Road; and
  - further public access in the form of a track along the Fern Burn to the existing Motatapu Track, provision for mountain bike access to the Motatapu Track, a track to the high point on Glendhu hill, and a track from Rocky Mountain to the existing Matukituki River track,
- upon a set of terms and conditions set out in the decision and in accordance with the plans and maps attached to that decision.
- 2.2 This application seeks to change some of the conditions of that consent on the basis that detailed design work has commenced and there is now a greater understanding of the implications of the conditions on the ability to give effect to the consent.
- 2.3 The extensive and complicated conditions were intended to enable staged development. However, the sequential nature of activities fixed by the conditions will actually result in the development being spread over some 8 years or more, considerably longer than anticipated.
- 2.4 To enable the development to proceed in an efficient manner and avoid the effects of development over a much longer period of time some flexibility is sought in running some development activity and requisite documentation in parallel. This approach will not result in any different or increased effects beyond those covered by the application and the consent granted.

2.5 In this respect, the key outcome sought to be achieved from this application is the enablement of earthworks and associated site works related to the construction of the golf course during the upcoming summer season.

## 3.0 Statutory Considerations

3.1 Section 127 of the Resource Management Act 1991 states:

*Change or cancellation of consent condition on application by consent holder*

*(1) The holder of a resource consent may apply to a consent authority for a change or cancellation of a condition of the consent, subject to the following:*

*(a) the holder of a subdivision consent must apply under this section for a change or cancellation of the consent before the deposit of the survey plan (and must apply under section 221 for a variation or cancellation of a consent notice after the deposit of the survey plan); and*

*(b) no holder of any consent may apply for a change or cancellation of a condition on the duration of the consent.*

*(2) [Repealed]*

*(3) Sections 88 to 121 apply, with all necessary modifications, as if—*

*(a) the application were an application for a resource consent for a discretionary activity; and*

*(b) the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.*

*(4) For the purposes of determining who is adversely affected by the change or cancellation, the consent authority must consider, in particular, every person who—*

*(a) made a submission on the original application; and*

*(b) may be affected by the change or cancellation.*

3.2 In accordance with Section 127 of the Resource Management Act 1991 ('RMA'), this application addresses the following statutory matters relevant to the assessment of this proposal:

- This application is made on the basis of assessment as a discretionary activity.
- Consideration has been given to those who made a submission on the original application and who may be affected by the change of conditions.

3.3 The following sections address these matters.

## 4.0 Proposed Change to Conditions

- 4.1 This resource consent was granted subject to an extensive suite of conditions numbering 70 in total, of which some contain up to 26 sub sections. As well as being numerous, these conditions are complicated and interrelated leading to a complex sequence of processes for development of the site.
- 4.2 It is sought to change a number of conditions of consent for two key reasons:
- To ensure clarity in the meaning of the condition; or
  - To enable a degree of flexibility in application of the condition to detailed design and construction.
- 4.3 It is not intended that any conditions be cancelled, nor is it intended that the project as a whole differ from that granted consent. It is simply intended that the conditions enable the consented project to be constructed in a timely and efficient manner now that greater detail is understood around the actual delivery of this project.
- 4.4 Table 1 below sets out a summary of the conditions which are sought to be changed and the general reason for the change. More detail is provided below and a full set of proposed amendments is contained within **Appendix 5**.

*Table 1: Summary of Conditions*

Condition affected:	Reason for change:
1	Need to change the condition to enable flexibility in design or on ground works not being strictly as shown on plans or enable an efficient process of designs developing for the applicant and for the Council.
6, 17, 18, 20, 22, 28, 32	Need to change conditions to enable flexibility to align with relevant work being undertaken or staging rather than all being done up front (and then having to be altered).
21, 29	Unclear wording – need to be changed to meet intent of condition.

### Condition 1

- 4.5 Condition 1 of the consent states:
1. *That the activity be undertaken in accordance with the application and subsequent amendments (except to the extent that they are inconsistent with the following conditions) as shown on the plans referenced:*
    - *Glendhu Station Stage 0: Master Plan, revision EC, dated Sep 2009; ...*
- 4.6 Because of the way in which this condition is worded it is inflexible in relation to the project being strictly developed in accordance with the plans listed and the level of detail shown on those plans. The use of the term “in accordance” does not allow any deviation from the details linked to this condition.

4.7 As detailed design has commenced and more work has been undertaken into the likely construction of the project, it has become clear that some of the details on those plans will need to differ. Most of these types of changes are in details within the development and are not matters that change the scope or nature of the project as granted consent. For example the plan titled “*Glendhu Station Parkins Bay Golf Course Master Plan, revision EC, dated April 2012*” shows the alignment and numbering of each of the golf holes. As the detailed design of these holes is undertaken the alignment may need to be flexible.

4.8 While it could be possible to apply for a change of condition each and every time one of the plans needs to be altered, that would be considerable administrative impact on the Queenstown Lakes District Council and would be an inefficient approach to the project for no particular advantage to any party. Instead it is proposed that this condition be altered to enable changes to be agreed with the Council as being in general accordance with the consent granted and then any such amended plans to replace those listed in the condition. The amended condition would read as follows:

1. *That the activity be undertaken in general accordance with the application and subsequent amendments (except to the extent that they are inconsistent with the following conditions) as shown on the plans referenced:*

- *Glendhu Station Stage 0: Master Plan, revision EC, dated Sep 2009;*

...

- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 50, dated Sep 2009;*

*Except that where changes to the plans listed above are proposed and are agreed by QLDC to be in general accordance with the proposal as granted, such amended plans shall replace those listed in this condition.*

- a. *The Clubhouse is to be moved back 3 metres from the position identified in the plan referenced Parkins Bay Detail 1 Proposed Club House area Figure 10a, dated 12 April 2012, and any necessary amendments required to be made to the layout accordingly;*

...

4.9 This simple change to the condition would enable a degree of flexibility such that small changes to the details shown on the plans could be undertaken without unnecessary process, but that any substantial change (should that occur) would still need to follow due process. This type of condition wording is common practice to enable a degree of flexibility in such large and complex projects.

Conditions 6, 17, 18, 20, 22, 28, 32

4.10 Conditions 6, 22, 28 and 32 relate to strategies or plans, including a Planting Plan (Revegetation Strategy), a site management plan, a fill/batter slope plan, and an earthworks plan. The way these conditions are worded anticipates that these would each be a one off plan provided prior to work commencing and then fixed in time. However in reality these plans will need to be live documents that are able to change and evolve as understanding of the site increases during development and to reflect changing access to construction techniques. While it would be possible to seek to change these plans over time, it is considered best practice to alter the conditions to

reflect a process of adaption and improvement within these plans as development progresses. It is sought that each of these conditions be amended to enable this to occur.

- 4.11 Condition 17 relates to provision of a geotechnical report, and this is an aspect of the project that is more likely to occur in a progressive manner than in a one-off manner. Geotechnical information is likely to be needed at different times in relation to the different parts of the site and is not appropriately to be provided for all of the site prior to the construction of the first building as is currently required by the condition. It is sought that the condition be amended to reflect the need for geotechnical reports prior to each building or group of buildings.
- 4.12 Condition 18 relates to the provision of a set of specifications, calculations and design plans for a wide range of aspects of the proposal from roading design to infrastructure such as water supply, stormwater and effluent disposal. All of these matters have been grouped together in one condition which requires provision of all of this information prior to any work commencing on the land. This is extremely onerous and unnecessary given that some of these matters only relate to part of the site or to one aspect of the development. It is sought that this condition be amended to enable each of these matters to be provided prior to the relevant aspect of the project being initiated rather than all of this information being provided up front.
- 4.13 Condition 20 relates to the need to obtain regional consents from the Otago Regional Council for aspects of the project. However, the way this condition is worded requires this to occur prior to commencing work on the site and it may not be possible to know in advance all of the consents necessary. It is sought that the condition be amended to simply reflect the need to obtain regional consents as required.

#### Conditions 21 and 29

- 4.14 Conditions 21 and 29 are both worded in an unclear manner that provides a level of ambiguity around what is anticipated by the condition. It is sought to amend these conditions to remove any uncertainty in their application.

## 5.0 Assessment of Environmental Effects

- 5.1 This assessment focuses on any difference in effects which may arise between the consented proposal and the changes occurring from the amended conditions.
- 5.2 There will be no difference in effects occurring where the change to the conditions is for clarity as this will simply ensure that the effects intended to be managed are managed in the way anticipated.
- 5.3 Likewise, there will be no difference in overall effects where the change in conditions is to enable flexibility to achieve the intended outcome of the condition. In these situations, the conditions required provision of plans or information early in the process and it is instead proposed to do this in an iterative manner when full information is available. Proceeding in accordance with the conditions as worded would lead to changes in the plans/information over time as more knowledge is gained. Instead, the changes proposed to the conditions would ensure that information is up to date to appropriately manage effects.
- 5.4 In relation to the key effects that were the subject of the hearing e.g. visual impacts, public access, etc. there will be no change to those matters from what was consented.
- 5.5 Overall, these proposed changes to conditions would not cause any additional effects beyond those assessed in the consented proposal.

## 6.0 Notification

- 6.1 For the purposes of determining who is adversely affected by the change or cancellation, the local authority must consider, in particular, every person who—
- (a) made a submission on the original application; and
  - (b) may be affected by the change or cancellation
- 6.2 The original resource consent application was publicly notified and attracted 353 submissions of which 41 were in opposition. This application was granted 1 May 2008 subject to a range of conditions and covenants.
- 6.3 Subsequently that decision was appealed to the Environment Court by three appellants<sup>1</sup>. The Environment Court granted the consent in an interim decision and with a final decision on 2 May 2012 incorporating an extensive set of conditions and covenants.
- 6.4 The key matters of concern to submitters related particularly to landscape and visual effects and public access. Additional matters in relation to traffic, earthworks, etc were also dealt with in the decisions.
- 6.5 No parties are considered to be affected by the changes proposed to the conditions. The relevant matters of Sections 95 to 95F of the RMA were used in making this assessment and are discussed below. Section 94B provides guidance on who may be adversely affected for the purposes of Section 95B. With regards to affected persons, Section 95E states:

*“95E Consent authority decides if person is affected person*

*(1) A consent authority must decide that a person is an affected person, in relation to an activity, if the activity's adverse effects on the person are minor or more than minor (but are not less than minor).*

*(2) The consent authority, in making its decision,—*

*(a) may disregard an adverse effect of the activity on the person if a rule or national environmental standard permits an activity with that effect; and*

*(b) in the case of a controlled or restricted discretionary activity, must disregard an adverse effect of the activity on the person that does not relate to a matter for which a rule or national environmental standard reserves control or restricts discretion; and*

*(c) must have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11.*

*(3) Despite anything else in this section, the consent authority must decide that a person is not an affected person if—*

*(a) the person has given written approval to the activity and has not withdrawn the approval in a written notice received by the authority before the authority has decided whether there are any affected persons; or*

---

<sup>1</sup> Upper Clutha Tracks Trust, Upper Clutha Environmental Society Inc, and D Thorn. Section 274 parties Wanaka Golf Club Inc and M Bayliss.



**DECISIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL**

**CHANGE/CANCELLATION OF CONDITIONS – SECTION 127**

**NOTIFICATION UNDER s95 AND DETERMINATION UNDER s104**

**RESOURCE MANAGEMENT ACT 1991**

<b>Applicant:</b>	Glendhu Bay Trustees Limited
<b>RM reference:</b>	RM150467
<b>Application:</b>	Application under section 127 of the Resource Management Act 1991 (RMA) to change Condition 1 of resource consent RM070044 to amend the layout of an approved golf course
<b>Location:</b>	1215 Wanaka-Mt Aspiring Road, Wanaka
<b>Legal Description:</b>	Lots 2 and 9-11 Deposited Plan 457489 held in Computer Freehold Register 602575
<b>Zoning:</b>	Rural General
<b>Activity Status:</b>	<b>Discretionary</b>
<b>Decision Date:</b>	16 July 2015

**SUMMARY OF DECISIONS**

1. Pursuant to sections 95A-95F of the RMA the application will be processed on a **non-notified** basis given the findings of Section 6.0 of this report. This decision is made by Liz Hislop, Senior Planner, on 15 July 2015 under delegated authority pursuant to Section 34A of the RMA.
2. Pursuant to Section 104 of the RMA, consent is **GRANTED** subject to the change to conditions outlined in Section 7.4 of this decision. An updated set of conditions of RM070044 is provided in Appendix 1 of this decision. The consent only applies if the conditions outlined are met.
3. To reach the decision to grant consent the application was considered (including the full and complete records available in Council's electronic file and responses to any queries) by Liz Hislop, Senior Planner, as delegate for the Council.

## 1. PROPOSAL AND SITE DESCRIPTION

Consent is sought under section 127 of the RMA to change Condition 1 of resource consent RM070044 which was granted by the Environment Court under NZENVC79 on 2 May 2012 for the establishment and operation of an 18 hole golf course either side of Mt Aspiring Road along with other elements that are not relevant to this consent (including but not limited to various lakeside buildings; residential and visitor accommodation units; vegetative enhancement; and access tracks).

The applicant has provided a detailed description of the proposal, the site and locality and the relevant site history in Sections 2-4 of the report entitled *Application to Change Condition 1 of RM070044*, prepared by Ian Greaves of Southern Planning Group Limited, and submitted as part of the application (hereon referred to as the applicant's AEE and attached as Appendix 3). This description is considered accurate and is adopted for the purposes of this report.

It is noted that the proposed changes only amend the alignment of the approved golf course between Wanaka-Mt Aspiring Road and Lake Wanaka. This will not trigger any new consents and does not change the nature or scale of the activity originally consented. Therefore the proposal can be assessed under section 127 as it is a change to conditions, and is not a change to the activity.

## 2. ACTIVITY STATUS

### 2.1 RESOURCE MANAGEMENT ACT 1991

The proposed activity requires resource consent for the following reasons:

- 1 A **discretionary** activity consent pursuant to section 127(3)(a) of the RMA, which deems any application to change or cancel consent conditions to be a discretionary activity. It is proposed to change Condition 1 of resource consent RM070044 to amend the layout of the approved golf course.

## 3. SECTION 95A NOTIFICATION

The applicant has not requested public notification of the application (s95A(2)(b)). No rule or national environmental standard requires or precludes public notification of the application (s95A(2)(c)). The consent authority is not deciding to publicly notify the application using its discretion under s95A(1) and there are no special circumstances that exist in relation to the application that would require public notification (s95A(4)).

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

## 4. ASSESSMENT OF EFFECTS ON THE ENVIRONMENT (s95D)

### 4.1 MANDATORY EXCLUSIONS FROM ASSESSMENT (s95D)

A: *Effects on the owners or occupiers of land on which the activity will occur and on adjacent land (s95D(a)).*

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

### 4.2 PERMITTED BASELINE (s95D(b))

The consent authority **may** disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect. In this case there is no relevant permitted baseline.

### 4.3 ASSESSMENT: EFFECTS ON THE ENVIRONMENT

The Assessment of Effects provided at section 7 of the applicant's AEE, is comprehensive and is considered accurate. It is therefore adopted for the purposes of this report.

In addition, QLDC's consultant landscape architect, Mr Richard Denny has assessed the landscape components of the application and has undertaken a site visit. Mr Denny has noted that:

*The proposed altered layout would reshuffle the orientation and form of the holes but would retain the visual and landscape character as per the consented development. I concur with the conclusion of the landscape assessment submitted with the application that:*

- *The proposed amendments create no changes in the landuse or intensification compared to the consented development.*
- *Screening measures, boundary treatments and proposed vegetation would offer a similar level of effective mitigation.*

*The submitted master plan identifies a slight increase in indigenous planting alongside the land between the proposed driving range and the Mt Aspiring Wanaka Road that would increase softening and mitigation of the proposed development to a small degree.*

*Overall I consider the degree of change to the consented masterplan and earthworks plan is relatively small and adverse effects would be negligible. Existing resource conditions also enable and provide assurance that details of amended proposed earthworks are to be further assessed by council as part of the council certification process prior to development beginning.*

Mr Denny's statements are accepted. As such it is considered that any effects on the ONL as a result of the proposed amendments to the golf course layout are likely to be less than minor.

#### **4.4 DECISION: EFFECTS ON THE ENVIRONMENT (s95A(2))**

Overall the proposed activity is not likely to have adverse effects on the environment that are more than minor.

### **5. EFFECTS ON PERSONS**

Section 95B(1) requires a decision whether there are any affected persons (under s95E) in relation to the activity. Section 95E requires that a person is an affected person if the adverse effects of the activity on the person are minor or more than minor (but not less than minor).

#### **5.1 ASSESSMENT: EFFECTS ON PERSONS**

Taking into account Sections 5.1 and 5.2 above, the following outlines an assessment as to whether the activity will have or is likely to have adverse effects on persons that are minor or more than minor:

127 *Change or cancellation of consent condition on application by consent holder*

- (4) *For the purposes of determining who is adversely affected by the change or cancellation, the local authority must consider, in particular, every person who –*
- (a) *made a submission on the original application; and*
  - (b) *may be affected by the change or cancellation.*

In determining affected parties, case law highlights that it is important to note that it is the effects of the change (not the activity itself), which are relevant. The appropriate comparison is between any adverse effects, which there may have been from the activity in its original form, and any adverse effects, which would arise from the proposal in its varied form.

The RM070044 application was processed on a publicly notified basis and 353 submissions were received of which 41 opposed the application. The decision to grant consent was appealed to the Environment Court by the Upper Clutha Environmental Society, Dennis Thorn and the Upper Clutha

Tracks Trust. As stated in the applicant's AEE the key areas of concern for submitters and appellant's were in regard to environmental creep, landscape and visual effects and the impact on public access. Other matters raised included traffic, earthworks, removal of vegetation, car parking areas, infrastructure and the primary production of land.

For the reasons outlined in 4 above, it is considered that the amendments sought to the golf course layout are insignificant in nature and scale, thus the adverse effects brought about by the proposed changes to Condition 1 on those original submitters and appellant's or any other persons is considered to be less than minor.

#### **5.4 DECISION: EFFECTS ON PERSONS (s95B(1))**

In terms of Section 95E and Section 127 (4) of the RMA, no person is considered to be adversely affected.

### **6. OVERALL NOTIFICATION DETERMINATION**

Given the decisions made above in Sections 4.4 and 5.4 the application is to be processed on a non-notified basis.

### **7. S104 ASSESSMENT**

#### **7.1 EFFECTS (s104(1)(a))**

Actual and potential effects on the environment have been outlined in Section 4 of this report.

#### **7.2 RELEVANT DISTRICT PLAN PROVISIONS (s104(1)(b)(vi))**

The relevant objectives and policies are contained within Part 4 (District Wide Issues) and Part 5 (Rural Areas) of the District Plan. These seek to protect nature conservation values as well as avoiding, remedying and mitigating adverse effects of developments on landscape and visual amenity values as well as protecting the character and landscape value of the District's rural area.

The applicant's assessment of the proposed activity against these objectives and policies is considered to be accurate and as such is adopted for the purposes of this report. As such, it is considered the proposed development is aligned with the relevant provisions.

#### **7.3 PART 2 OF THE RMA**

Having considered the proposal against Part 2 of the RMA, it is considered the proposed development is aligned with the Purpose and Principles set out in Part 2 of the RMA.

#### **7.4 DECISION ON VARIATION PURSUANT TO SECTION 127 OF THE RMA**

Consent is **granted** for the application by Glendhu Bay Trustees Limited to change Condition 1 of resource consent RM070044, such that:

- 1 Condition 1 of resource consent RM070044 is amended to read as follows (deleted text struck-through, added text underlined):

1. *That the activity be undertaken in accordance with the application and subsequent amendments (except to the extent that they are inconsistent with the following conditions) as shown on the plans referenced:*

- *Glendhu Station Stage 0: Master Plan, revision EC, dated Sep 2009;*
- *Glendhu Station Stage 1: Master Plan, revision S1 EC, dated Sep 2009;*
- *Glendhu Station Stage 2: Master Plan, revision S2, EC, dated Sep 2009;*
- *Glendhu Station Stage 3: Master Plan, revision S3, EC, dated Sep 2009;*
- ~~*Glendhu Station Parkins Bay Golf Course Master Plan, revision EC, dated April 2012;*~~

- Glendhu Station Parkins Bay Golf Course Master Plan, dated 12 June 2015;
- Parkins Bay Indicative Vegetation Categories Plan dated Sep 2009;
- Parkins Bay Glendhu Station Concept Master Landuse Plan, dated 12 April 2012;
- Parkins Bay Glendhu Station Public Access Tracks Plan, dated 12 April 2012;
- Parkins Bay Glendhu Station Covenant Areas Plan, dated June 2011;
- Parkins Bay Detail A Proposed Public Easement and Covenant area, dated Sep 2009
- Parkins Bay Detail B Proposed Covenant Areas, dated June 2011 ;
- Parkins Bay Detail 1 Proposed Club House area Figure 10a, dated 12 April 2012;
- Parkins Bay Detail 2 Maintenance Compound Site Plan, September 2009;
- Parkins Bay Visitor Accommodation Residences Site Location Plan;
- Parkins Bay Visitor Accommodation Residences Building Mitigation Plan;
- ~~Parkins Bay Proposed Golf Course Earthworks Plan, dated August 2009;~~
- Parkins Bay Golf Course: Earthworks, dated 15 July 2015;
- Parkins Bay Entry Gate elevation, dated September 2009;
- Parkins Bay Plan B, dated 12 April 2012;
- Parkins Bay Plan BI, dated 12 April 2012;
- Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 1, dated Sep 2009;
- Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 3 & 4, date; Sep 2009;
- Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 5, dated Sep 2011;
- Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 6, dated Sep 2009;
- Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 8, date; Sep 2009;
- Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 9, dated Sep 2011;
- Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 10, dated Sep 2011;
- Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 11, dated Sep 2009;
- Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 13, date; Sep 2009;
- Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 16 &17, dated Sep 2011;
- Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 18, dated Sep 2009;
- Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 19, date; Sep 2009;
- Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 20, dated Sep 2011;
- Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 21 & 22, dated Sep 2009;
- Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 24, date; Sep 2009;
- Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 26, dated Sep 2011;
- Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 27, dated Sep 2011;
- Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 29 & 30, dated Sep 2009;
- Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 31 & 32, date; Sep 2009;

- Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 33 & 34, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 35 & 36, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 37, date; Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 38 & 39, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 40, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 41 & 42, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 43 & 44, date; Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 45, date; Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 46 & 47, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 48, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 49, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 50, date; Sep 2009;
- a) The Clubhouse is to be moved back 3 metres from the position identified in the plan referenced Parkins Bay Detail 1 Proposed Club House area Figure 10a, dated 12 April 2012, and any necessary amendments required to be made to the layout accordingly;
- b) The south-western boundary of Development Site is to be located as shown on the Parkins Bay Glendhu Station Concept Master Landuse Plan, dated 12 April 2012;
- c) The public access track through the visitor accommodation residential units area (Area B) shall be in the location outlined on the plan referenced Parkins Bay Glendhu Station Concept Landuse Master Plan, dated 12 April 2012;
- d) The golf course layout was amended under variation RM150467 and the approved layout is shown on: 'Glendhu Station Parkins Bay Golf Course Master Plan, dated 12 June 2015.

#### Advice note

- All other conditions of RM070044 shall continue to apply.

## **8. OTHER MATTERS**

### *Local Government Act 2002: Development Contributions*

This proposal is not considered a "Development" in terms of the Local Government Act 2002 as it will not generate a demand for network infrastructure and reserves and community facilities.

### *Administrative Matters*

The costs of processing the application are currently being assessed and you will be advised under separate cover whether further costs have been incurred.

This resource consent is not a consent to build under the Building Act 2004. A consent under this Act must be obtained before construction can begin.

The Council will contact you in due course to arrange the required monitoring. It is suggested that you contact the Council if you intend to delay implementation of this consent or reschedule its completion.

If you have any enquiries please contact Quinn McIntyre on phone (03) 441 0499 or email [quinn.mcintyre@qldc.govt.nz](mailto:quinn.mcintyre@qldc.govt.nz).

Report prepared by



Quinn McIntyre  
**SENIOR PLANNER**

Decision made by



Liz Hislop  
**SENIOR PLANNER**

**APPENDIX 1** – Updated conditions of resource consent RM070044

**APPENDIX 2** – Applicant's AEE

**APPENDIX 1 – UPDATED CONDITIONS OF CONSENT RM070044 (Decision No. [2012] NZEnvC 79)**

**General Conditions**

1. That the activity be undertaken in accordance with the application and subsequent amendments (except to the extent that they are inconsistent with the following conditions) as shown on the plans referenced:
  - Glendhu Station Stage 0: Master Plan, revision EC, dated Sep 2009;
  - Glendhu Station Stage 1: Master Plan, revision S1 EC, dated Sep 2009;
  - Glendhu Station Stage 2: Master Plan, revision S2, EC, dated Sep 2009;
  - Glendhu Station Stage 3: Master Plan, revision S3, EC, dated Sep 2009;
  - Glendhu Station Parkins Bay Golf Course Master Plan, dated 12 June 2015;
  - Parkins Bay Indicative Vegetation Categories Plan dated Sep 2009;
  - Parkins Bay Glendhu Station Concept Master Landuse Plan, dated 12 April 2012;
  - Parkins Bay Glendhu Station Public Access Tracks Plan, dated 12 April 2012;
  - Parkins Bay Glendhu Station Covenant Areas Plan, dated June 2011;
  - Parkins Bay Detail A Proposed Public Easement and Covenant area, dated Sep 2009
  - Parkins Bay Detail B Proposed Covenant Areas, dated June 2011 ;
  - Parkins Bay Detail 1 Proposed Club House area Figure 10a, dated 12 April 2012;
  - Parkins Bay Detail 2 Maintenance Compound Site Plan, September 2009;
  - Parkins Bay Visitor Accommodation Residences Site Location Plan;
  - Parkins Bay Visitor Accommodation Residences Building Mitigation Plan;
  - Parkins Bay Golf Course: Earthworks, dated 15 July 2015;
  - Parkins Bay Entry Gate elevation, dated September 2009;
  - Parkins Bay Plan B, dated 12 April 2012;
  - Parkins Bay Plan BI, dated 12 April 2012;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 1, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 3 & 4, date; Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 5, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 6, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 8, date; Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 9, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 10, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 11, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 13, date; Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 16 &17, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 18, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 19, date; Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 20, dated Sep 2011;

- Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 21 & 22, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 24, date; Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 26, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 27, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 29 & 30, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 31 & 32, date; Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 33 & 34, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 35 & 36, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 37, date; Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 38 & 39, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 40, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 41 & 42, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 43 & 44, date; Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 45, date; Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 46 & 47, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 48, dated Sep 2011;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 49, dated Sep 2009;
  - Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 50, date; Sep 2009;
- a) The Clubhouse is to be moved back 3 metres from the position identified in the plan referenced Parkins Bay Detail 1 Proposed Club House area Figure 10a, dated 12 April 2012, and any necessary amendments required to be made to the layout accordingly;
- b) The south-western boundary of Development Site is to be located as shown on the Parkins Bay Glendhu Station Concept Master Landuse Plan, dated 12 April 2012;
- c) The public access track through the visitor accommodation residential units area (Area B) shall be in the location outlined on the plan referenced Parkins Bay Glendhu Station Concept Landuse Master Plan, dated 12 April 2012;
- d) The golf course layout was amended under variation RM150467 and the approved layout is shown on: 'Glendhu Station Parkins Bay Golf Course Master Plan, dated 12 June 2015.
1. The consent holder shall pay to the Council an initial fee of \$240 for the costs associated with the initial monitoring of this resource consent in accordance with section 35 of the Resource Management Act 1991 and any ongoing costs associated with the monitoring of this decision.

2. Upon completion of the proposed activity, the consent holder shall contact the Monitoring Section at Council to arrange a time for an inspection of the proposed work to ensure all conditions have been complied with.

### **Timeframe and Staging**

4. The lapsing date of this consent under section 125 of the Resource Management Act 1991 shall be ten years from the commencement of the consent.
5. The programme for implementation of the consent, including landscaping, shall be staged generally in accordance with the timing outlined below, subject to compliance with Condition 8 below, relating to certification of planting for visitor accommodation residences. Each stage shall be completed to the satisfaction of Council, within the specified timeframe and before the next stage commences.

#### **The proposed staging is as follows:**

- i. **Stage 1 - within approximately 24 months of the works commencing on site.**
  - Eco source seed stock and grow-on in nursery
  - 18 hole golf course/driving range and maintenance compound
  - Clubhouse
  - Shearer's quarters
  - 10 x Visitor Accommodation Residences (Units 24, 29, 31, 32, 34, 35, 36, 42, 43 & 44)
  - Access road, car park and golf underpasses
  - Jetty
  - Roading earthworks
  - Earthworks for the building platforms of the 42 visitor accommodation residences
  - Re grass/sow-out exposed golf villa earthworks
  - Sow out entire golf course. This is to be done progressively as holes are completed and irrigation is available.
  - 2ha mitigation revegetation planting as detailed in the Revegetation Strategy prepared in accordance with Condition 6
  - Creation of the public access tracks and appropriate access easements.
  - Install new farm fencing as required
  - The removal of the row of Douglas Fir Trees to the southeast of the development site
  - Removal of conifers as required by Condition 41 (r).
  - The golf course shall be constructed prior to the occupation of the visitor accommodation residences specified in Stage 1
- ii. **Stage 2 - within 24 months of the completion of Stage 1**
  - 6ha of mitigation revegetation as detailed in the Revegetation Strategy prepared in accordance with Condition 6
  - 20 x Visitor Accommodation Residences (Units 1, 3, 4, 5, 8, 9, 10, 11, 13, 16, 18, 19, 20, 30, 33, 38, 47, 48, 49 & 50)
- iii. **Stage 3 - within 24 months of the completion of Stage 2**
  - Remaining revegetation as detailed in the Revegetation Strategy prepared in accordance with Condition 6
  - 12 x Visitor Accommodation Residences (Units 6, 17, 21, 22, 26, 27, 37, 39, 40, 41, 45, 46).
  - Fencing off the Stock Route shown on Parkins Bay Plan B dated 12 April 2012 to prevent stock accessing the regeneration areas in Covenant Area D identified on the Parkins Bay Glendhu Station Covenant Areas Plan dated June 2011.
  - Fencing of the areas required by Conditions 41(w) and 41(y).

## Planting Plan

6. The consent holder shall prepare and implement a Revegetation Strategy that achieves the following objectives.
- To provide a vegetation cover framework of Kanuka and other appropriate native species in the short term, which can become the basis for biodiversity enhancement as the project develops,
  - To provide screening for residential buildings for viewers from the road in accordance with the attached plans and the Revegetation Strategy,
  - To reflect the underlying of landform and soils in the native vegetation cover of the site,
  - To achieve eventual revegetation of the Gully shown on Parkins Bay Plan B dated 12 April 2012 with a mix of locally sourced native species including Totara.
  - To achieve eventual revegetation of the Moraine Slope shown on Parkins Bay Plan B dated 12 April 2012.
  - To ensure that the "rough" areas of the golfcourse, being the vegetated areas not required to be mowed or otherwise maintained, regenerate naturally (excluding noxious weeds).
  - To link with other revegetated areas outside the site;

The Revegetation Strategy shall identify those steps that need to be undertaken in each of the three areas shown on the attached plans referenced Glendhu Station Stage 1: Master Plan, Glendhu Station Stage 2: Master Plan, Glendhu Station Stage 3: Master Plan, dated September 2009 to give effect to the Strategy.

The Revegetation Strategy shall include:

- timing of planting and replacement/additional planting over 5 years;
- details of the management proposed from the time of granting consent up to 10 years after initial planting - site preparation, weed control, pest control, any watering or fertilisers, stock control and maintenance;
- details of plant sources;
- protection measures for existing values - wetlands, lake shore, lake water quality;
- integration of planting with other components of the development - earthworks, construction;
- fencing of the regeneration area for stock to pass through parts of the site;
- the replacement of the existing poplar trees next to the clubhouse and shearer's accommodation if they become diseased or die. Root stock shall be sourced from the existing healthy Lombardy poplars which are to be taken and grown on for this purpose.

Prior to the commencement of the construction the consent holder shall provide an initial Revegetation Strategy for certification by Council. This strategy shall define the different stages and areas of work. Prior to the commencement of any construction within a specific stage/area of work a detailed Revegetation Strategy shall be provided to the Council for certification. During the development, the Strategy may be altered to add new material, to reflect increased knowledge or to represent best practice methodology, and any amendments to the Strategy shall be provided to the Council for certification. The Final Revegetation Strategy shall be provided to the Council prior to the commencement of the final stage/area of work.

7. Prior to the commencement of any construction of the visitor accommodation/residential units the consent holder shall provide for the certification of the Council details of all earth mounds, if any, and their respective volumes, location and elevations required to provide screening for the visitor accommodation/residential units which shall be tied into existing landforms and organically shaped to be congruent with their respective surroundings.
8. Prior to the construction of visitor accommodation / residential units for:

- a. Stage 1 and 2 (as specified in Condition 5), certification shall be obtained from the Council that the planting conforms to the certified Revegetation Strategy for those stages and that more than 75% of the plants are live and healthy at a period of 12 months from the date of establishment. All diseased or dying plants shall be replaced to the satisfaction of the Council.
  - b. Stage 3 (as specified in Condition 5), certification shall be obtained from the Council that the planting conforms to the certified Revegetation Strategy for that stage and that more than 75% of the plants are live and healthy and at an average height of 3 metres. All diseased or dying plants shall be replaced to the satisfaction of the Council.
9. Planting for all visitor accommodation residences implemented in accordance with the Revegetation Strategy shall be irrigated for a period of five years from establishment to ensure optimal growth rates. To avoid fire risk all planting shall be located at an appropriate distance from any residential villa.
10. All planting implemented in accordance with the Revegetation Strategy is to be:
- a. Maintained for a period of ten years from the first season of planting to the satisfaction of Council.
  - b. All diseased or dying plants shall be replaced to the satisfaction of Council.
  - c. An annual report on the maintenance and health of planting is to be provided to the Council for a period of ten years from the first season of planting.

The Council may serve notice of its intention to review, amend or add to the Revegetation Strategy to require additional planting, as may be required in order to achieve the Objectives outlined in Condition 6. Revegetation is to be protected by a covenant registered on the land title that will protect the planting in perpetuity.

### **Lighting**

11. All exterior lighting shall be fixed and no higher than 1 metre above finished ground level, capped, filtered or pointed downwards and screened so as to reduce lux spill. There shall be no lighting of the vehicle access ways within the site. The lighting shall be limited to:
- a. Lighting at the entry point to the golf course.
  - b. Sensor lights in the arrival forecourts for each of the visitor accommodation residences to allow for safe navigation from the garage. These will be limited to downlights on either side of the garage and entry doors and will be located on the south side of the buildings.
  - c. Bollard and subtle up-lighting around the Clubhouse and the Shearers' Quarters.
  - d. Solar LED lights on the path between the Clubhouse and the Shearers' Quarters.
  - e. A navigation light at the end of the jetty.
  - f. Road lighting limited to low wattage, solar LED catseye lights placed at intersections in the middle of the road. These are to provide a visual cue to denote the intersection.

### **Ongoing Management Obligations**

12. No person is permitted to remove or physically alter the approved earth mounds and landscaping.
13. No person shall be permitted to plant exotic trees other than those tree species (or similar, subject to approval by Council) specified within the Planting Plan approved pursuant to Condition 6).
14. The consent holder shall provide for the on-going management of wilding plants and animal pests over the Development Site as outlined in the Revegetation Strategy approved pursuant to Condition 6.

### **Engineering**

15. All engineering works shall be carried out in accordance with the Council's policies and standards, being New Zealand Standard 4404:2004 with the amendments to that standard adopted on 5 October 2005, except where specified otherwise.
16. The owner of the land being developed shall provide a letter to the Council advising who their representative is for the design and execution of the engineering works and construction works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under sections 1.4 and 1.5 of NZS4404:2004 "Land Development and Subdivision Engineering", in relation to this development.
17. Prior to the commencement of any building construction the consent holder shall provide to the Council a geotechnical report/s, prepared by a suitably qualified and experienced geotechnical engineer, which certifies that all building platforms are capable of supporting the proposed buildings, are suitable for the activity and are free from inundation, subsidence, erosion and slippage and otherwise suitable for the proposed use. Such geotechnical reports shall be provided progressively for each building or group of buildings prior to commencement of construction of that building or group of buildings.
18. Prior to the commencement of any work described in a. – m. below relevant to a development activity, the consent holder shall for that development activity provide to the Council for review copies of specifications, calculations and design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (15), to detail the following engineering works required:
  - a. The construction of all roads within the development to be in accordance with the guidelines provided for in Table 3.2(a) of the NZS4404:2004 amendments as adopted by the Council in October 2005. Internal roads serving the Shearers Quarters, Golf Course and Clubhouse shall be constructed to the standards of a Local road as a minimum standard. All internal roads may remain in private ownership and shall be maintained by the consent holder. Passing bays are to be provided on one way carriageways as required but at maximum intervals of 100 metres.
  - b. The construction of the intersections of the new roads to serve the development with the Wanaka-Mt Aspiring Road to be in accordance with Council's standards and in accordance with the information supplied with the application with respect to sight distances. The sight distance from the main golf course entrance to the west is to be improved by removing obstructing trees and shrubs on the bend in Wanaka-Mt Aspiring Road. This visibility splay is to be maintained by the consent holder on a continuing basis. The intersections for both the main golf course roads and the residential chalets road shall be formed in accordance with Diagram 4 of the PODP and also in accordance with the Council's Rural Roading Corridors - Corridor Management Guideline (particularly Section 4.10 - Slip Lanes).
  - c. The construction of all vehicle manoeuvring areas and car parks specified in the application to serve the development are to be constructed in accordance with the attached Plan referenced "Parkins Bay Detail 1 Proposed Clubhouse Area, Figure 10a, dated 12 April 2012. This plan shows 12 covered parking spaces adjacent to the clubhouse, a 40 space gravel car parking area adjacent to the clubhouse, a ten space gravel car park area adjacent to the bus turning bay/parking area and 16 spaces to be provided on all weather surfacing along the access road under the trees; one gravel bus turning bay/parking area and an overflow parking area for at least 150 vehicles that is not required to be formed.
  - d. All walking and cycling tracks marked by blue dotted lines on the attached plan referenced Parkins Bay Glendhu Station Concept Master Landuse Plan dated 12 April 2012 shall be constructed and maintained in accordance with the Walking Track Standard as defined in the Standard New Zealand Handbook for Tracks and Outdoor Visitor Structures (SNZ HB 8630; 2004), except as specified in Condition 41.

- e. The construction of the underpasses under Wanaka-Mt Aspiring Road are to be designed by a suitably qualified and experienced engineer. These underpasses are to be approved by the Council and all necessary permits and licenses are to be applied for and granted prior to undertaking any development on site. If the necessary Council approvals are not granted then the consent holder shall submit a revised traffic assessment for approval that addresses any issues with the golf course and other internal traffic crossing Wanaka-Mt Aspiring Road.
- f. The consent holder shall obtain approval from the Council and all necessary permits and licences are to be applied for and obtained prior to commencing construction of the jetty including the pontoon.
- g. The provision of a water supply to each residence and all other components of the development in terms of Council's standards. Each residence shall be supplied with a minimum of 2100 litres per day of potable water that complies with the requirements of the Drinking Water Standard for New Zealand 2005. All other components of the development are to be supplied with the quantity of potable water that complies with the requirements of the Drinking Water Standard for New Zealand 2005 specified in the application.
- h. The provision of fire hydrants with adequate pressure and flow to service each residence with a Class W3 fire risk in accordance with the NZ Fire Service Code of Practice for Firefighting Water Supplies 2003. Any lesser risk must be approved in writing by Fire Service NZ, Dunedin Office.
- i. The provision of fire hydrants with adequate pressure and flow to service each component of the development with the appropriate Class of fire risk in accordance with the NZ Fire Service Code of Practice for Firefighting Water Supplies 2003. Any lesser risk must be approved in writing by Fire Service NZ, Dunedin Office.
- j. The provision of sealed vehicle crossing to each residence site from internal roads to be in terms of Diagram 2, Appendix 7 and Rule 14.2.4.2 of the Partially Operative District Plan. This shall be trafficable in all weathers and be capable of withstanding a laden weight of up to 25 tonnes with an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Provision shall be made to continue any roadside drainage.
- k. The provision of a storm water disposal system that is to provide stormwater disposal from all impervious areas within the site. The proposed storm water system shall be designed by a suitably qualified professional as defined in Section 1.4 of NZS4404:2004 and subject to the review of Council prior to implementation.
- l. The provision of an access way to each residence that complies with the guidelines provided for in Table 3.2(a) of the NZS4404:2004 amendments as adopted by the Council in October 2005.
- m. The provisions of an effluent disposal system designed by a suitably qualified professional as defined in section 1.4 of the NZS 44004:2004 in terms of AS/NZS 1547:2000 that will provide sufficient treatment / renovation to effluent from on-site disposal, prior to discharge to land. To maintain high effluent quality such a system would require the following:
  - Specific design by a suitably qualified professional engineer.
  - A requirement that each component of the development must include systems that achieve the levels of treatment determined by the specific design.
  - Regular maintenance in accordance with the recommendations of the system designer and a commitment by the owner of each system to undertake this maintenance.
  - Intermittent effluent quality checks to ensure compliance with the system designer's specification.

- Disposal areas shall be located such that maximum separation (in all instances greater than 50 metres) is obtained from any watercourse or water supply bore.
  - The system is to be designed and constructed in accordance with the information supplied in the application in particular the report prepared by Glasson Potts Fowler (ref 9198GLE-1A dated July 2006)
- n. The drinking water supply is to be monitored in compliance with the Drinking Water Standards for New Zealand 2005 for the presence of E.coli, by the management group for the development, and the results forwarded to the Council. The Ministry of Health shall approve the laboratory carrying out the analysis. Should the water not meet the requirements of the Standard then the management group for the lots shall be responsible for the provision of water treatment to ensure that the Drinking Water Standards for New Zealand 2005 are met or exceeded.
- o. In the event that the number of persons to be accommodated in any residence is to be greater than three, then the Council will require commensurate increases in the water supply to that lot at the rate of 700 litres per extra person per day.
- p. All water tanks to be underground.
19. Prior to the occupation of any visitor accommodation residential unit, or of the Clubhouse, or of the Shearers Quarters, or of the Maintenance Compound the consent holder shall complete the following for each stage (as specified in condition 5):
- a. The submission of 'as-built' plans and information required to detail all engineering works completed in relation to or in association with the appropriate part of this development.
  - b. The completion of all relevant works detailed in condition 18 above.
  - c. The consent holder shall provide a suitable and usable power supply and telecommunications connection to the residences and all other components of the development. These connections shall be underground from any existing reticulation and in accordance with any requirements/standards of Aurora Energy/Delta and Telecom.
20. The consent holder shall obtain all necessary and relevant consents from the Otago Regional Council. This shall include, but is not restricted to, all necessary consents for the construction of a jetty in Lake Wanaka.
21. Prior to commencing any work on the site the consent holder shall install a vehicle crossing, which all construction traffic shall use to enter and exit the site. The minimum standard for this shall be a minimum compacted depth of 150mm AP40 metal. This crossing shall be upgraded in accordance with Council's standards, or removed, at the time development is undertaken on the site.
22. Prior to commencing works, the consent holder shall submit to Council for review a site management plan for the works for each stage or area of proposed works. During the development, the Plan may be altered to add new material, to reflect increased knowledge or to represent best practice methodology, and any amendments to the Plan shall be provided to the Council for certification.
23. All retaining systems, permanent or temporary, shall be designed by a suitably qualified and experienced engineer. The designs shall be submitted to the Council for approval prior to installation.
24. The consent holder shall provide Council with the name of a suitably qualified professional as defined in section 1.4 of NZS4404:2004 who is to supervise the excavation procedure. This engineer shall continually assess the condition of the excavation and implement any design changes / additions if and when necessary.

25. All temporary retention systems shall be installed immediately following excavation to avoid any possible erosion or instability.

### **Landscape**

26. Final colours for the maintenance building, visitor accommodation/residential units and jetty shall be submitted to Council for approval prior to any work commencing on each of these buildings. In this instance, the final colour scheme for these buildings and structures shall appear appropriately recessive throughout all seasons of the year and within the natural colour ranges of browns, greens and greys as indicated throughout the surrounding landscape
27. Prior to any work commencing on the maintenance compound, elevations of all buildings within the maintenance compound shall be submitted to Council for approval. The external appearance of these buildings shall be consistent with the rural context within which they are located.
28. A site plan shall be submitted to Council for approval prior to development commencing, which indicates the location and form of all batter slopes and areas of fill for each stage or area of proposed works. The consent holder should aim to achieve batter slopes and areas of fill which have a maximum gradient of 1:3 (rise:run), with natural undulations across vertical and horizontal planes, as well as smooth transitions in changes in slope, to ensure that these are integrated as much as possible into the existing landform character. During the development, the Plan may be altered to add new material, to reflect increased knowledge or to represent best practice methodology, and any amendments to the Plan shall be provided to the Council for certification. The final site plan shall be provided to Council prior to the commencement of the final stage/area of work.
29. In regards to golf course holes 1, 2, 5, 8 and 9; prior to commencing earthworks in relation to those specified golf course holes, further details of the proposed earthworks and finishing of the proposed golf course holes shall be submitted to Council for approval in relation to achieving a naturalised contour.
30. At the completion of earthworks for each stage (as specified in Condition 5), grassing shall occur within six weeks, to ensure that exposed areas of soil do not direct additional attention to the earthworks.
31. Any fencing within the development site shall be restricted to post and wire fencing to a maximum height of 1.2m only, with the exception of the fencing of the regeneration area for stock to pass through as identified within the Revegetation Strategy prepared in accordance with Condition 6.

### **Earthworks**

32. Prior to commencing earthworks on the site the consent holder shall submit to the Council a detailed site plan of all of the earthworks proposed including depth of cut and fill and the proposed finished shape of the land for each stage or area of proposed works. The accurate earthwork volumes need to be firmly calculated and provided for each stage or area of proposed works. Earthwork calculations and finished levels of all earthworks are to be supplied to Council. During the development, the Plan may be altered to add new material, to reflect increased knowledge or to represent best practice methodology, and any amendments to the Plan shall be provided to the Council for certification. The final site plan shall be provided to Council prior to the commencement of the final stage/area of work.
33. The consent holder shall undertake measures to prevent sediment run off from the site and to prevent a dust nuisance resulting from the works on the site. These measures shall be installed prior to commencing earthworks on the site.

34. A suitably qualified engineer shall assess site conditions and determine safe working conditions with regards to batters and any retention that may be required.
35. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at their expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.
36. At the completion of the earthworks for each stage (as specified in Condition 5) a suitably qualified Registered Engineer experienced in soils investigations shall provide certification, in accordance with NZS 4431 for all areas of fill within the site on which buildings are to be founded.
37. The earthworks shall be undertaken in a timely manner. Any excavation shall not remain open long enough to enable any instability (caused by over exposure to the elements) to occur.
38. No earthworks, temporary or permanent, are to breach the boundaries of the site.
39. At the completion of the earthworks, all earthworked areas shall be topsoiled and grassed or otherwise permanently stabilized as soon as practicable, subject to Condition 29.
40. Upon completion of the earthworks, the consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

### **Covenants**

41. Prior to the construction of any buildings on the site the consent holder shall register a covenant, in accordance with section 108(2)(d) of the RMA, in favour of the Council.

For the purpose of Condition 41(a) Stage 3 shall be deemed to be "implemented" when a final code of compliance certificate under the Building Act 2004 has issued for the 12 visitor accommodation residences referred to in Condition 5(iii).

The covenant shall provide for the following:

#### *Development Restrictions*

- a. In respect of the areas identified on the attached plans referenced "Parkins Bay Glendhu Station Covenant Areas Plan" dated June 2011 and "Parkins Bay Detail B Proposed Covenant Areas" dated June 2011 :
  - i. The area marked A Bull Paddock shall be covenanted as follows:
    - aa. For a period that commences on the date of the grant of consent until the date that is ten years from the implementation of Stage 3 there shall be no further development except that this restriction does not prohibit subdivision;
    - bb. Regardless of titling structure and/or ownership, the clubhouse shall at all times be available to cater to, and for use by, users of the golf course as a place for rest, shelter, refreshment and possibly entertainment. If at any time in the future the land containing the proposed or existing clubhouse is subdivided from the land containing the proposed or existing golf course, a consent notice shall be registered against both resulting titles recording this ongoing consent obligation.
    - cc. All activities which are carried out within, and any future allotments

which are created from, A Bull Paddock area shall share one access off Mt Aspiring Road.

- ii. The area marked B Development Area shall be covenanted in perpetuity from the date of the grant of consent against further development but not prohibiting subdivision of the golf course and the 42 house-sites, and the subdivision and development of eight visitor accommodation/residential units.

*Advice Note: For the avoidance of doubt this consent only authorises 42 visitor accommodation/residential units. Any future application for up to eight additional visitor accommodation/residential units within Area B will require a variation to this consent or a new consent and a rigorous assessment of the measures proposed to sufficiently mitigate any potential adverse visibility/domestication effects.*

- iii. The area marked C1 Farm Area shall be covenanted, for a period that commences on the date of the grant of consent until the date that is ten years from the implementation of Stage 3, against further development not associated with usual farming activities;
- iv. The area marked C2 shall be covenanted, for a period that commences on the date of the grant of consent until the date that is 20 years from the implementation of Stage 3, against further development not associated with usual farming activities, but not prohibiting:
  - aa. activities for camping purposes;
  - bb. subdivision to separate the area marked C2 from the rest of the land currently contained in Certificate of Title 478353;
  - cc. a subdivision which will create a separate certificate of title for the area marked X within C2; and
  - dd. any boundary adjustment which does not create additional titles;
- v. Subject to subclause vi below, the area marked E shall be covenanted in perpetuity from the date of the grant of consent against further development, but not prohibiting:
  - aa. Subdivision to separate the area marked E from the rest of the land currently contained in Certificate of Title 478353 and any boundary adjustment which does not create additional titles;
  - bb. Any alterations, repairs or extensions to the existing dwelling located on the land;
  - cc. The construction of a shed for the purpose of storing farming and landscaping equipment;
  - dd. The erection of any temporary buildings such as marquees and other shelters used for the purpose of conducting weddings and reception functions, for not more than 12 calendar days per year, and a maximum of 6 occasions.;
  - ee. The construction of a chapel;
- vi. The restriction detailed in v. above relating to temporary buildings for weddings and reception functions shall take effect on and from the date the clubhouse is constructed and operational.
- vii. The area marked F shall be covenanted for a period that commences on the date of the grant of consent until the date that is 35 years from the implementation of Stage 3, against any further development, but not prohibiting:
  - aa. subdivision to separate the area marked F from the rest of the land currently contained in Certificate of Title 478353;

- bb subdivision for farming purposes;
  - cc any boundary adjustment which does not create additional titles;
  - dd the relocation, repair and replacement of the existing homestead and ancillary buildings;
  - ee the construction, repair and relocation of any improvements or buildings which relate to the farming activities carried out on the land;
  - ff the construction of two further residential dwellings on the land and any subsequent repairs and alterations to those residential dwellings;
- viii The area marked G shall be covenanted in perpetuity from the date of the grant of consent against any development not associated with farming activities or regeneration of native forest or other vegetation, but not prohibiting any boundary adjustment which does not create additional titles.

*Public Access Easements*

- b. The consent holder will enable public access by way of a registered easement in gross over the area identified in red, as number 12, on the attached plan referenced "Parkins Bay Detail A Proposed Public Easement", dated September 2009, in favour of the Council to enable public access to this area in perpetuity.
- c. The consent holder will enable public access by way of a registered easement in favour of the Council along a route between Rocky Hill (CA 1) and the Matukituki River in the location approximately shown as a blue dotted line on the attached plan referenced "Parkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions:
- The access route shall be restricted to a route connecting Rocky Hill (CA1) and the Matukituki River that will be marked by bollards and/or poles and signs erected by the consent holder.
  - Public access shall be restricted to walking access only.
  - The conditions detailed in Schedule A.

*Advice note: The Council shall be responsible for the maintenance of the access route.*

- d. The consent holder will enable public access by way of a registered easement in favour of the Council along a route along the Motatapu Road between the Mt Aspiring Road and the Motatapu Track, in the location approximately shown as a blue dotted line on the attached plan referenced "Parkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions:
- The access route shall be restricted to a specific route (which shall be for the first 400m of the road where it goes through a low cutting to reach the terraces above Mt Aspiring Road). And shall be a formed and marked walking/cycling track either on the farm land or the road margin {if that can be achieved}, to clearly show users of Te Araroa footpath where they are to go when they turn off from the lake.
  - Public access shall be restricted to walking access only.
  - The conditions detailed in Schedule A.

*Advice note: The Council shall be responsible for the maintenance of the access route.*

- e. The consent holder will enable public access by way of a registered easement in favour of the Council along a route from the development site to Glendhu Hill, in the location approximately shown as a blue dotted line on the attached "Parkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions:

- The access route shall be restricted to a specific route that will be marked by bollards and/or poles and signs erected by the consent holder.
- Public access shall be restricted to walking access only.
- The conditions detailed in Schedule A.

*Advice note: The Council shall be responsible for the maintenance of the access route.*

- f. The consent holder will enable public access by way of a registered easement in favour of the Council along a route between easement areas V and W on SO 347712 along the Motatapu River, in the location approximately shown as a blue dotted line on the attached plan referenced "Parkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions
- The access route shall be restricted to a specific route that will be marked by bollards and/or poles and signs erected by the consent holder. This route will use both the marginal strip and enable access by way of easement over parts of the adjacent land where access along the marginal strip is not available due to erosion of the river bank;
  - Public access shall be restricted to walking and mountain biking access only.
  - In the event that the river erodes both the marginal strip and the land over which the easement runs, the landowner will, when requested, provide an alternative easement (to be surveyed and registered, formed, and maintained by the council at its request).
  - The conditions detailed in Schedule A.

*Advice note: The Council shall be responsible for the maintenance of the access route.*

- g. The consent holder will enable public access by way of a registered easement in favour of the Council along a route from the development site to the Motatapu Road and continuing southeast to the boundary with Alpha Burn Station, in the location approximately shown as a blue dotted line on the attached plan referenced "Parkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions:
- The access route shall be restricted to a specific route that will be formed and marked by signs erected by the consent holder.
  - Public access shall be restricted to walking and mountain biking access only.
  - The conditions detailed in Schedule A.

*Advice note: The Council shall be responsible for the maintenance of the access route.*

- h. The consent holder will enable public access by way of a registered easement in favour of the Council along a route between Rocky Hill (CA1) and the Motatapu River in the location approximately shown as a blue dotted line on the attached plan referenced "Parrkins Bay Glendhu Station Concept Master Landuse Plan" dated 12 April 2012, subject to the following conditions:

- The access route shall be restricted to a route connecting Rocky Hill (CA1) and the Motatapu River that will be marked by bollards and/or poles and signs erected by the consent holder.
- Public access shall be restricted to walking access only.
- The conditions detailed in Schedule A.

*Advice note: The Council shall be responsible for the maintenance of the access route.*

- i. The consent holder will procure variation of the terms of the easement EI 6594177 .5, so that mountain biking is permitted over the easement areas V, Wand Section 19 on SO 347712, and will procure registration of an instrument providing for that variation on the relevant certificate of title.
- j. The consent holder will procure variation of the terms of the easement EI6594177.7, so that mountain biking is permitted over the easement areas X and U on SO 347712, and will procure registration of an instrument providing for that variation on the relevant certificate of title.
- k. Subject to Condition (l) below, the consent holder shall be entitled to close or restrict access to the tracks within the Development Site, as the consent holder considers necessary, for golf course operations (including tournaments), maintenance, repair, safety or security purposes.
- l. The consent holder shall be entitled to close or restrict access to the track along the Parkins Bay foreshore, where the track passes through the Development Site, as the consent holder considers necessary, for golf course operations (including tournaments), maintenance, safety or security purposes, for up to 25 individual days per year (but not exceeding 5 weekends).

#### *Vegetation*

- m. Preventing the removal and or physical alteration of the earth mounds and landscaping located around each visitor accommodation/residential unit approved in accordance with Conditions 6 and 7.
- n. The ongoing maintenance of planting implemented to give effect to the Revegetation Strategy approved in accordance with Condition 6.
- o. The establishment of exotic species within the areas identified as A, B and D on the attached plan referenced "Glendhu Station Covenant Areas Plan" dated June 2011 other than those species specified within the Revegetation Strategy approved in accordance with Condition 6 is prohibited.
- p. The ongoing management of wilding plants and animals pests by the consent holder in accordance with the Revegetation Strategy prepared in accordance with Condition 6.
- q. In order to achieve appropriate control of wilding trees and noxious weeds on an ongoing basis the following requirement shall apply within Covenant Area B identified on the attached plan referenced "Parkins Bay Glendhu Station Covenant Areas Plan" dated June 2011:
  - i. For the purposes of this condition "Plant Pests" means and includes any fir or conifer species with potential to spread naturally, sweet briar, lupins, gorse, broom, and any other Pest Plant as specified in the Regional Pest Management Strategy for Otago.

- ii. Prior to occupation of any dwelling the relevant house-site shall be cleared of all Plant Pests.
  - iii. The owner of any house-site shall keep the house-site clear of any Plant Pests.
  - iv. Any areas managed and maintained by a Parkins Bay Residents and Owners Association (or similar body) shall keep those areas clear of any Plant Pests.
- r. Prior to completion of Stage 1 of the development the consent holder shall remove all conifers (including any conifers or firs with wilding potential) from Covenant Areas A, B and D and from that part of Covenant Areas F and G located between Covenant Area and the Fern Burn, all Covenant Areas as identified on the attached plan referenced "Parkins Bay Glendhu Station Covenant Areas Plan" dated June 2011.

#### *Clubhouse*

- s. The installation or use of fires that emit smoke are prohibited except for any fire installed at the clubhouse.

#### *Golf Course*

- t. That the 18 hole golf course will be available for green fee players to use at all times, other than when the golf course is being used for tournaments or functions held at the golf course. Affiliated members of the Wanaka Golf Course will be entitled to use the golf course at a discounted rate of no less than 20% off the green fee rate which is charged to the general public at any time.

#### *Visitor Accommodation Residential Units*

- u. In respect of the curtilage areas identified for the visitor accommodation/residential units within Area B on the plan referenced "Glendhu Station Covenant Areas Plan" dated June 2011:
  - The curtilage area for each visitor accommodation/residential unit shall be restricted to the curtilage areas defined on the attached plans referenced "Parkins Bay Visitor Accommodation Residences - Detail Site Plan, House Sites 1, 3-4, 6, 8-11, 13, 18-22, 24, 26-27, 29-50" dated September 2009 and "Parkins Bay Visitor Accommodation Residences - Detail Site Plan, House Sites 5, 16 and 17" dated September 2011;
  - All domestication including hard landscaping and ancillary structures associated with the visitor accommodation/residential units shall be restricted to the designated curtilage area. No domestic elements shall be located outside the designated curtilage areas;
  - No introduced planting over 0.5m is permitted within the designated curtilage areas unless it is from the approved Kanuka/Grey shrubland plant list detailed in the Revegetation Strategy prepared in accordance with Condition 6;
  - No structures or fences over 0.75m in height are permitted within the designated curtilage areas (this allows for the extension of the existing stone retaining walls), except as required under the Fencing of Swimming Pools Act 1987;
  - No introduced planting is permitted outside the designated curtilage areas unless it is from the approved Kanuka/Grey shrubland plant list detailed in the Revegetation Strategy prepared in accordance with Condition 6.
- v. The keeping of cats at the consented visitor accommodation/residential units is prohibited.

#### *Stock and Water Quality*

- w. Prior to completion of Stage 3 of the development the areas detailed below shall be fenced to prevent stock access into those areas. The fencing shall be maintained permanently to prevent stock accessing those areas. The areas are approximately detailed on Parkins Bay Plan B dated 12 April 2012 as follows:
- i. The wetter area of Wetland A, comprising an area of approximately 150 metres by 20 metres, subject to monitoring and assessment under Condition 51.
  - ii. Wetland B and Wetland C and Areas 1 and 2.
  - iii. The Gully and the Moraine Slope.
- x. The consent holder shall ensure that any stock access to or across the watercourse running between Wetland A and Wetland C and any other watercourses shown on Parkins Bay Plan B dated 12 April 2012 has a firm rocky or pebbly substrate to prevent pugging and erosion caused by stock movements.
- y. Prior to completion of Stage 3 of the development the consent holder shall fence the eastern and western riparian boundaries of the Fern Bum (approximately 20m from each bank) to exclude cattle from the Fern Bum riparian corridor between the Motatapu Road culvert/bridge and Lake Wanaka. When implementing such fencing the consent holder may install gates to enable cattle to cross the Fern Bum riparian corridor at two crossing points, one identified as "Stock Route" on Parkins Bay Plan B dated 12 April 2012 and the other located south of Wetland E shown on Parkins Bay Plan B dated 12 April 2012. When cattle use either of those crossing points the consent holder shall ensure that the cattle move straight across from the private land on one side of the riparian corridor to the private land on the other side of the riparian corridor without lingering in the Fern Bum. Fencing installed under this condition shall be installed as close as is reasonably and practically possible to the boundary between the freehold title and the public marginal strip except that along the eastern boundary of Wetland E fencing shall be located at the top of the bank which separates the wetland from the farmland on the eastern side of Wetland E. The fencing shall ensure that no part of the wetland is separated from the marginal strip. Temporary fencing shall be erected when stock are using the crossing points to ensure that stock do not access the marginal strip on either side of the crossing point.
- z. Area 1, Area 2, the Gully and the Moraine Slope (all identified on Parkins Bay Plan B dated 12 April 2012) which must be fenced as required under w. above, shall be kept free of Plant Pests (as defined in q. above).

## Review

42. In accordance with sections 128 and 129 of the Resource Management Act 1991, the Council may serve notice of its intention to review; amend, delete or add to the conditions of this consent at the consent holders expense yearly for the first ten years after the commencement of consent and thereafter at two yearly intervals and at any other time when the consent holder shall be in default in a material particular in the implementation or compliance with the consent for the purposes of requiring the consent holder to:
- deal with any adverse effect on the environment which may arise from the exercise of this consent and which it is appropriate to deal with at a later stage, or which became evident after the date of commencement of the consent, or
  - review the effectiveness of the conditions of this resource consent in avoiding or mitigating any adverse effects on the environment from the exercise of this resource consent and if necessary require the consent holder to avoid, remedy or mitigate such effects by way of further or amended conditions.

## Poplar Trees

43. Prior to the commencement of earthworks on site, further detailed arboricultural advice shall be sought on the potential effects of the earthworks on those trees most at risk from earthworks and construction. A substantial barrier fence is to be erected in accordance with the recommendation of the arboriculturalist to ensure protection of the trees and their associated root system.
44. Regular inspections and monitoring of tree health is to be undertaken every two years and a report provided to the Council. This work is to be undertaken by a qualified Arborist.
45. Where the two year inspection and reporting programme identifies evidence of tree decline, a more detailed inspection shall be arranged and the recommendations of the more detailed inspection reported to the Council.

### **Golf Course Management**

46. Fertilisers are only to be applied to green and fairway areas in small and frequent applications at a level which ensures that the rate of application accurately meets plant demands and no more. Details of the application rates are to be supplied to the Council for review prior to the commissioning of the golf course.
47. An integrated pest management plan is to be prepared which demonstrates that the use of chemical pesticides is targeted in application only to those areas where treatment has been identified as being necessary.
48. Irrigation of the golf course is to be computerised to ensure that the rate of water application to the green and fairway is appropriate to maintain soil moisture at the correct level avoiding wastage of water, the saturation of soils, ponding, excess soil drainage and contaminant leaching.
49. Riparian vegetative buffer strips are to be maintained between the golf course and Lake Wanaka and the golf course and the edge of the Fern Burn watercourse. These buffer strips must be a minimum of 20m wide and not be subject to the application of any fertiliser, pesticide or irrigation.

### **Monitoring**

50. Monitoring of water quality is to be undertaken every six months as detailed below from the date the golf course is commissioned. Details of the sampling methods and monitoring are to be provided to the Council for review prior to the commissioning of the golf course. The details of this monitoring regime including frequency of monitoring, what contaminants will be required to be assessed, and immediate responses required if contamination is found, needs to be established to the satisfaction of Council prior to the commissioning of the golf course. The following monitoring is required:

- a. Monitoring of water quality within Parkins Bay close to the shoreline adjacent to the golf course.
- b. Monitoring of stream water from streams upstream of the golf course/house-sites development areas, at the points where such streams cross from Glendhu Station into the golf course/house-sites development areas.

Note: The purpose of a. and b. above is to monitor the effect of golf course activities on water quality.

51. The areas of Wetland A detailed on Parkins Bay Plan B dated 12 April 2012 which are outside that part of Wetland A fenced under Condition 41(w) shall be monitored 5 years after the date the golf course is commissioned, within 2 weeks after the area has been grazed by stock, for the purpose of assessing any adverse effects caused by stock on the balance dry wetland areas on the margins of the fenced wetter area. If this monitoring reveals an inappropriate degree of adverse effect then the area of Wetland A required to be fenced under Condition 41(w) may be reviewed.

52. There shall be no netting erected associated with the driving range.

### **Accidental Discovery Protocol and Archaeology**

53. That if any koiwi (human skeletal remains), waahi taoka (resource of importance), waahi tapu (place or feature of special significance) or artefact material are discovered as part of the development process, then work shall stop to allow a site inspection by the appropriate runànga and their advisors, who would determine whether the discovery is likely to be extensive and whether a thorough site investigation is required. Materials discovered should be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to their removal or preservation.
54. An archaeological authority shall be obtained from the New Zealand Historic Places Trust, should further site investigation confirm that the historic house site identified in the report of Mr Petchey is affected by construction activities.
55. The camp site identified in the report of Mr Petchey shall be protected during construction with fencing in a location approved by a registered archaeologist.

### **Limitations on curtilage areas**

56. The curtilage area for each visitor accommodation/residential unit shall be limited to 1000m<sup>2</sup>, including the building platform but excluding the driveway, as identified on the attached plans referenced "Parkins Bay Visitor Accommodation Residences Detail Site Plans, House Sites 1, 3-4, 6, 8-11, 13, 18-22, 24, 26-27, 29-50 " dated September 2009 and "Parkins Bay Visitor Accommodation Residences - Detail Site Plan, House Sites 5, 16 and 17" dated September 2011.
57. All domestication including hard landscaping and ancillary structures associated with the visitor accommodation/residential unit shall be restricted to the designated curtilage area.
58. No introduced planting over 0.5m is permitted within the designated curtilage areas unless it is from the approved Kanuka/Grey shrubland plant list detailed in the Revegetation Strategy approved in accordance with Condition 6.
59. No structures over 0.75m are permitted within the designated curtilage areas (this allows for the extension of the existing stone retaining walls) except as required under the Fencing of Swimming Pools Act 1987.
60. No introduced planting is permitted outside the designated curtilage areas unless it is from the approved Kanuka/Grey shrubland plant list detailed in the Revegetation Strategy approved in accordance with Condition 6.

### **Fencing**

61. Fencing is to be retained and up-graded along the frontage of the Wanaka-Mt Aspiring Road ensuring that people are directed to use the underpasses.
62. No gates or monumental structures are permitted at or near entrances ways which would potentially distract motorists on the Wanaka-Mt Aspiring Road. The design of any entrance gate designs shall be submitted to Council for approval.
63. There shall be no fencing of the individual visitor accommodation residential units;

### **Car Parks**

64. All car parks on-site (excluding carparks for private residences) shall be publicly available and shall not be restricted for specified activities or purposes.

### **Signs**

65. Signage design for the purpose of readily identifying the clubhouse and shearers quarters, the location of car parking, public walkways, cycleways, public picnic area and jetty and the lake foreshore shall be submitted to Council for prior consent. Specific signage on the lakeside walkway and the jetty shall indicate that these areas are available for public use.
66. The existing public access along the edge of the lake, parallel to the length of the development site, shall be identified by signage to the satisfaction of the Council.

### **Sundry**

67. There shall be no permanent mooring at the jetty. The owner shall have priority for one berth.
68. All covenants as offered by the consent holder shall be in form approved by the Council. Any easements referred to in Condition 41 which have been registered prior to the registration of Covenant(s) under Condition 41 need not be referred to in such Covenant(s).
69. This proposal may generate a demand for network infrastructure and reserves and community facilities. If so, an invoice will be generated by the Queenstown Lakes District Council. Payment will be due prior to application under the Resource Management Act for certification pursuant to section 224(c). Pursuant to section 208 of the Local Government Act 2002 the Council may withhold a certificate under section 224(c) of the Resource Management Act 1991 if the required Development Contribution has not been paid.
70. Any easement proposed to be granted in favour of the Council under Condition 41 may instead be granted in favour of another public body or entity nominated by the Council provided such body or entity agrees to accept the benefit of the easement and acknowledges responsibility for maintenance of the relevant access route or other area subject to the easement for the purposes of the easement.

**SCHEDULE A (Refer Condition 41)**

[Standard Conditions Applicable to Public Access Routes]

1. The access route may be closed by the consent holder for such periods as it deems necessary to carry out its farming activities, provided that periods shall not exceed more than 3 consecutive days or a total of more than 10 days (cumulatively) in any calendar year, provided that prior approval is obtained from the Council for such closure.
2. In addition to the periods specified in 1 above, any access route through an area being used for sheep farming may be closed for one period (in any calendar year) of up to 6 weeks during the lambing season to prevent disturbance of ewes with lambs.
3. The access route may be closed by the consent holder for periods as shall be reasonably necessary if the actions of public users result in significant adverse effects to farming operations, provided that prior approval is obtained from the Council for such closure.
4. Dogs (other than dogs used by the farmer for farming activities) are prohibited on the access route (unless prior approval from the consent holder has been obtained).
5. Use or carrying of firearms is prohibited on the access route (unless prior approval from the consent holder has been obtained).
6. Camping is prohibited on the access routes at all times.
7. Such other conditions as the consent holder and the Council reasonably considers necessary to protect the public and to control the public use of the easement area (for example restrictions relating to noxious substances, noise, rubbish, track maintenance, repairs, fire risk or for safety and/or security purposes);

*Note: When the relative easements are registered, the references above to 'consent holder' will become references to 'grantor'.*

**APPENDIX 2 – APPLICANT’S AEE**

# **APPLICATION TO CHANGE CONDITION 1 OF RM070044**

## **GLENDHU BAY TRUSTEES LIMITED**

1215 Wanaka – Mt Aspiring Road, Parkins Bay, Wanaka

June 2015

## **CONTENTS**

---

### **1.0 THE APPLICANT AND PROPERTY DETAILS**

### **2.0 SITE DESCRIPTION AND RECEIVING ENVIRONMENT**

### **3.0 RESOURCE MANAGEMENT BACKGROUND**

### **4.0 THE PROPOSED DEVELOPMENT**

### **5.0 DESCRIPTION OF PERMITTED ACTIVITIES**

### **6.0 STATUTORY CONSIDERATIONS**

- 6.1 Resource Management Act 1991
- 6.2 National Environmental Standard

### **7.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS**

- 7.1 Alternative locations or methods
- 7.2 Assessment of the actual and potential effects
- 7.3 Hazardous substances
- 7.4 Discharge of contaminants
- 7.5 Mitigation measures
- 7.6 Identification of interested or affected persons
- 7.7 Monitoring

### **8.0 SECTION 95 NOTIFICATION**

### **9.0 SECTION 104 (1)(b) ASSESSMENT**

- 9.1 Relevant District Plan Provisions

### **10.0 AN ASSESSMENT OF THE ACTIVITY AGAINST MATTERS IN PART 2**

### **11.0 CONCLUSION**

## 1.0 THE APPLICANT AND PROPERTY DETAILS

<b>Site Address:</b>	1215 Wanaka – Mt Aspiring Road, Parkins Bay, Wanaka
<b>Applicants Name:</b>	Glendhu Bay Trustees Limited
<b>Address for Service</b>	Glendhu Bay Trustees Limited C/- Southern Planning Group PO BOX 1081 QUEENSTOWN 9348  Attention: Ian Greaves
<b>Site Legal Description:</b>	Lots 2 and 9-11 Deposited Plan 457489 held in Computer Freehold Register 602575
<b>Site Area:</b>	187 hectares
<b>District Plan Zoning:</b>	Rural General
<b>Brief Description of Proposal:</b>	Application under section 127 of the Resource Management Act 1991 (RMA) to change condition 1 of resource consent RM070044 to accommodate minor amendments to the approved golf course layout
<b>Summary of Reasons for Consent:</b>	Discretionary Activity

The following is an assessment of environmental effects that has been prepared in accordance with Schedule 4 of the Resource Management Act 1991. The assessment of effects corresponds with the scale and significance of the effects that the proposed activity may have on the environment.

**List of Information Attached:**

- Appendix [A]            Computer Freehold Register
- Appendix [B]            Legal Encumbrances
- Appendix [C]            Proposed Parkins Bay Golf Course: Master Plan
- Appendix [D]            Proposed Parkins Bay Golf Course: Earthworks
- Appendix [E]            RM070044 Approved Plans
- Appendix [F]            Landscape and Visual Assessment



.....  
**Ian Greaves**

17 June 2015

## 2.0 SITE DESCRIPTION AND RECEIVING ENVIRONMENT

The site is located at 1215 Wanaka – Mount Aspiring Road and comprises 187ha of land. This land was recently separated from Glendhu Station to facilitate the establishment of an 18 hole championship golf course and associated facilities.

The Computer Freehold Register (CFR) for the site is contained within **Appendix [A]**. The following legal encumbrances are registered against the Computer Freehold Register for this site:

1. Encumbrance 9527145.6
2. Land Covenant 9527145.4
3. Land Covenant 9486490.5
4. Easement 9486490.3
5. Consent Notice 9486490.2
6. Easement 8200783.2
7. Easement 8130242.7

The legal encumbrances are contained within **Appendix [B]**. These encumbrances remain unaffected by the proposed development.

Lake Wanaka (Parkins Bay) abuts the northern edge of the site. Parkins Bay is an isolated bay on Lake Wanaka. Parkins Bay is immediately west of Glendhu Bay which is popular recreational area and includes the Glendhu Bay camp ground. The Fern Burn Stream runs along the eastern boundary of the subject site and flows through a gravel outwash fan before it discharges into Lake Wanaka. West of the subject site is the Glendhu Bluffs Conservation area. This area is a prominent glacial landform with extensive areas of native vegetation. South of the subject site is Glendhu Station, characterised by pastoral paddocks leading up the higher hill slopes,

The site itself is modified by farming activities and can be characterised by open pastoral paddocks, exotic trees on the fringes, access tracks, fences and farm buildings. The topography of the site is relatively flat. The site has spectacular views over Lake Wanaka and beyond. Wanaka – Mount Aspiring Road passes through the site and separates holes 1 – 2 and 10 – 18 from holes 3 – 9 of the approved golf course.

Figure 1 below shows an aerial view of the subject site



Figure 1: Aerial View of the subject site.

### 3.0 RESOURCE MANAGEMENT BACKGROUND

The most relevant consent in terms of this application is RM070044. Resource consent RM070044 was approved by the Environment Court under NZENVC79 (the third and final decision) on 2 May 2012. The decision has a 10 year lapse period.

The decision approved the establishment and operation of:

- 18 hole championship golf course located either side of the Mt Aspiring Road;
- a series of lakeside buildings, including:
  - a) a club house with restaurant and cafe;
  - b) a jetty to facilitate public access to the building from the water;
  - c) twelve visitor accommodation units, spread over three buildings;
- 42 residences/visitor accommodation units, to be located on the rolling terrace to the south of the golf course, each set on an area of land between 3,525 m<sup>2</sup> and 8,719 m<sup>2</sup>;
- ecological enhancement of approximately 65 hectares in accordance with a revegetation strategy including planting of locally appropriate native plants in the golf course and around the proposed houses;
- covenanted areas from which stock are precluded to allow natural revegetation to occur;
- enhanced public access to the site including provision of formed access from the Mt Aspiring Road to the Parkins Bay foreshore, formed access from Glendhu Bay to Parkins Bay and further along Parkins Bay, northwest of the Clubhouse to form a link to the second underpass under Mt Aspiring Road; and
- further public access in the form of a track along the Fern Burn to the existing Motatapu Track, provision for mountain bike access to the Motatapu Track, a track to

*the high point on Glendhu hill, and a track from Rocky Mountain to the existing Matukituki River track,*

RM070044 is subject to 70 specific conditions. Ten of these conditions have recently been changed under RM140959 that was granted on 23 January 2015. The approved changes allows some flexibility on when information to satisfy the relevant conditions of consent need to be provided. In particular it allows information to be provided progressively as the development rolls out rather than prior to the commencement of all works.

In addition to these land use consents the applicant has obtained a subdivision consent (RM120558) to create four bulk development lots to facilitate the golf course development. Conditions of this consent were varied by RM130274 and RM130491. RM130274 approved changes to conditions 1 and 2 to amend the amalgamation layout of the proposed lots. RM130491 approved changes to conditions 4 and 5 to change the proposed management structure.

#### **4.0 DESCRIPTION OF THE PROPOSED ACTIVITY**

Consent is sought under section 127 of the RMA to change condition 1 of resource consent RM070044 to amend the layout of holes 11 – 18 of the approved golf course. A proposed master plan showing the amended layout is attached within **Appendix [C]**. The proposed changes can be described as follows:

- Driving Range – The proposed location for the driving range now sits parallel to Mount Aspiring Road. The driving range will not have any perimeter netting as per the original submission.
- Hole 11 – Continues to run west to east as in the previous routing but has been moved north away from the road. The driving range now separates this hole from the roadside.
- Hole 12 – This hole now runs south to north along the boundary adjacent to the Fern Burn River in place of the previous Hole 14.
- Hole 13 – This hole now runs east to west along the northern site boundary adjacent to Lake Wanaka in place of Hole 17.
- Hole 14 – This hole now runs north to south back towards the road in place of Hole 15.
- Hole 15 – This hole now runs east to west parallel to the Mount Aspiring Road in place of the old driving range. The alignment of the feature parallel to the road better reflects the agricultural terrace patterns evident in the natural landform to the South of the Mount Aspiring Road.
- Hole 16 - This hole now runs west to east parallel to the Mount Aspiring Road in place of the old driving range. The alignment of the feature parallel to the road better reflects the agricultural terrace patterns evident in the natural landform to the South of the Mount Aspiring Road.
- Hole 17 – This hole now runs north east back toward lake Wanaka in place of the previous hole 16.

- Hole 18 – This hole remain unchanged and reflects the original consented Layout.

The proposed re-routing is a result of further design refinement from the applicant's golf course architects. The revised layout will provide an improved golf experience for users. The area of the golf course development does not change nor do any of the mitigation requirements specified under RM070044.

Whilst there were no specific earthworks plans approved under RM070044 indicative earthwork quantities for each hole were shown on the approved plans. The proposed re-routing has been designed to fit within the approved earthwork quantities for each hole. An earthworks plan is included in **Appendix [D]**

The change to conditions sought are as follows (additions shown in underline and deletions shown in ~~strike through~~):

1. *That the activity be undertaken in accordance with the application and subsequent amendments (except to the extent that they are inconsistent with the following conditions) as shown on the plans referenced:*
  - *Glendhu Station Stage 0: Master Plan, revision EC, dated Sep 2009;*
  - *Glendhu Station Stage 1: Master Plan, revision S1 EC, dated Sep 2009;*
  - *Glendhu Station Stage 2: Master Plan, revision S2, EC, dated Sep 2009;*
  - *Glendhu Station Stage 3: Master Plan, revision S3, EC, dated Sep 2009;*
  - ~~*Glendhu Station Parkins Bay Golf Course Master Plan, revision EC, dated April 2012;*~~
  - *Glendhu Station Parkins Bay Golf Course Master Plan, dated 12 June 2015;*
  - *Parkins Bay Indicative Vegetation Categories Plan dated Sep 2009;*
  - *Parkins Bay Glendhu Station Concept Master Landuse Plan, dated 12 April 2012;*
  - *Parkins Bay Glendhu Station Public Access Tracks Plan, dated 12 April 2012;*
  - *Parkins Bay Glendhu Station Covenant Areas Plan, dated June 2011;*
  - *Parkins Bay Detail A Proposed Public Easement and Covenant area, dated Sep 2009*
  - *Parkins Bay Detail B Proposed Covenant Areas, dated June 2011 ;*
  - *Parkins Bay Detail 1 Proposed Club House area Figure 10a, dated 12 April 2012;*
  - *Parkins Bay Detail 2 Maintenance Compound Site Plan, September 2009;*
  - *Parkins Bay Visitor Accommodation Residences Site Location Plan;*
  - *Parkins Bay Visitor Accommodation Residences Building Mitigation Plan;*
  - ~~*Parkins Bay Proposed Golf Course Earthworks Plan, dated August 2009;*~~
  - *Parkins Bay Golf Course: Earthworks, dated 16 June 2015;*
  - *Parkins Bay Entry Gate elevation, dated September 2009;*
  - *Parkins Bay Plan B, dated 12 April 2012;*
  - *Parkins Bay Plan BI, dated 12 April 2012;*
  - *Parkins Bay, Visitor Accommodation Residences Detail Site Plan; House Site 1, dated Sep 2009;*
  - *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 3 and 4, date; Sep 2009;*
  - *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 5, dated Sep 2011;*

- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 6, dated Sep 2009;*
- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 8, dated Sep 2009;*
- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 9, dated Sep 2009;*
- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 10, dated Sep 2009;*
- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 11, dated Sep 2009;*
- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 13, dated Sep 2009;*
- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 16 & 17, dated Sep 2011;*
- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 18, dated Sep 2009;*
- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 19, dated Sep 2009;*
- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 20, dated Sep 2009;*
- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 21 & 22, dated Sep 2009;*
- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 24, dated Sep 2009;*
- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 26, dated Sep 2009;*
- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 27, dated Sep 2009;*
- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 29 & 30, dated Sep 2009;*
- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 31 & 32, dated Sep 2009;*
- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 33 & 34, dated Sep 2009;*
- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 35 & 36, dated Sep 2009;*
- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 37, dated Sep 2009;*
- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 38 & 39, dated Sep 2009;*
- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 40, dated Sep 2009;*
- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 41 & 42, dated Sep 2009;*
- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 43 & 44 , dated Sep 2009;*

- *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 45, dated Sep 2009;*
  - *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 46 & 47, dated Sep 2009;*
  - *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 48, dated Sep 2009;*
  - *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 49, dated Sep 2009;*
  - *Parkins Bay, Visitor Accommodation Residences Detail Site Plan, House Site 50, dated Sep 2009;*
- a) *The Clubhouse is to be moved back 3 metres from the position identified in the plan referenced Parkins Bay Detail 1 Proposed Club House area Figure 10a, dated 12 April 2012, and any necessary amendments required to be made to the layout accordingly;*
- b) *The south-western boundary of Development Site is to be located as shown on the Parkins Bay Glendhu Station Concept Master Landuse Plan, dated 12 April 2012;*
- c) *The public access track through the visitor accommodation residential units area (Area B) shall be in the location outlined on the plan referenced Parkins Bay Glendhu Station Concept Landuse Master Plan, dated 12 April 2012;*
- d) *The golf course layout was amended under variation RMxxxxxx and the approved layout is shown on: 'Glendhu Station Parkins Bay Golf Course Master Plan, dated 12 June 2015'.*

The approved plans of RM070044 are attached as **Appendix [E]**.

## **5.0 DESCRIPTION OF PERMITTED ACTIVITIES**

The consent authority may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect. In this case there is no relevant permitted baseline.

## **6.0 STATUTORY CONSIDERATIONS**

### **6.1 Resource Management Act 1991**

Section 127 of the Resource Management Act 1991 provides for a resource consent to be varied as follows:

- (1) *The holder of a resource consent may apply to Council for a change or cancellation of a condition of the consent (other than any condition as to the duration of the consent).*
- (3) *Sections 88 to 121 shall apply, with all necessary modifications, as if –*

- (a) *the application were an application for a resource consent for a discretionary activity; and*
- (b) *the references to a resource consent and to the activity were references only to the change or cancellation of a condition and effects of the change or cancellation respectively.*

A **discretionary** activity consent is sought pursuant to section 127(3)(a) of the Resource Management Act 1991, which deems any application to change or cancel consent conditions to be a discretionary activity.

## **6.2 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health**

A review of both the Otago Regional Council's database of contaminated sites and Queenstown Lakes District Councils Hazard Register do not show that the piece of land to which this application relates is a Hazardous Activities and Industries List (HAIL) site, and therefore this National Environmental Standard (NES) does not apply.

## **7.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS**

The matters that must be addressed pursuant to Clauses 6 and 7 of the Schedule 4 of the Resource Management Act 1991 are detailed below.

### **7.1 If it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:**

The proposed activity will not result in any significant adverse effects on the environment. Any effects there are, will be adequately remedied and mitigated. Alternative locations are therefore not considered necessary.

### **7.2 An assessment of the actual or potential effect on the environment of the proposed activity.**

#### Introduction

Subject to Part 2 of the Resource Management Act 1991, the Council in considering this application pursuant to Section 104(1)(a) of the Act, shall have regard to any actual or potential effects on the environment of allowing the proposed development to proceed.

In assessing any actual or potential effects on the environment of allowing the proposal to proceed, Clause 7(1) of the Resource Management Act 1991 states that the following matters must be addressed.

- (a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:
- (b) any physical effect on the locality, including any landscape and visual effects:
- (c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:
- (d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:
- (e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:
- (f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.

The proposed development is considered to raise the following actual or potential effects on the environment:

- Landscape and Visual Amenity
- Land Stability
- Traffic Generation and Vehicle Movements
- Infrastructure
- Positive Effects

In assessing the actual or potential effects on the environment from the categories listed above, reliance has been placed on the various supporting reports and assessments as outlined throughout the application.

#### Landscape and Visual Amenity

The site has previously been classified as an Outstanding Natural Landscape (ONL). The relevant assessment matters for development within an ONL are contained in part 5.4.2.2 (2) of the District Plan. These assessment matters deal with effects of the proposal in terms of the potential for the landscape to absorb development, effects on the openness of the landscape, cumulative effects on landscape values and positive effects.

A landscape and visual assessment has prepared by Mr Adam Vickers and is attached as **Appendix [F]**. In preparing his report Mr Vickers has undertaken a detailed comparison of the landscape and visual amenity effects of amended golf course layout versus the approved golf course layout. This assessment has been relied upon for the purpose of this report.

- *Visual Effects*

The amended layout put forward in this application will not substantially alter the overall visual appearance of the approved development. Whilst the layout of the driving range and holes 11 – 18 changes, the location and area of land which will contain these features of the golf course remains unchanged. In addition there are no changes proposed to any of the approved buildings. The overall appearance of the development from public views points including Wanaka – Mount Aspiring Road and Lake Wanaka will be an 18 hole championship golf course

with mitigation planting. The proposed amendments do not change this. There are no changes to earthwork quantities approved and therefore there will be no modifications to the natural landform over and above what is anticipated by the underlying consent. Importantly, conditions 28, 29, 30 and 32 of RM070044 control the final shape and form of all earthworks and these conditions will remain unchanged. In addition the proposed development as a whole, includes a high level of landscape mitigation requirements including landscape planting, lighting and fencing outcomes which are secured through various conditions of consent. These requirements remain unchanged as a result of the proposed variation.

In terms of any potential visual effects Mr Vickers has commented:

*'On the basis that original routing was approved from a visual perspective and, that the proposed rerouting does not involve any changes/proposals of a nature that increase visibility it is considered that any potential visual effects of the proposed variation are negligible. In addition the increased cover offered by the now matured vegetation on site in fact reduces the visibility of the site and proposal compared with the original assessment'.*

The comments of Mr Vickers are accepted and overall, the proposal will not give rise to any adverse visual amenity effects that are minor or more than minor.

#### - *Landscape Character*

Mr Vickers is satisfied that the amended golf course layout is not likely to exacerbate any effects on the rural or natural character of the site and surrounding area. Mr Vickers comments that the realignment of holes 11, 15 and 16 and the driving ranger better reflect the agricultural terracing running east to west across the site. Mr Vickers considers this change will reduce potential effects on the natural character of the site. In addition the revised position of the driving range closer to Wanaka – Mount Aspiring Road will enhance the openness of the development by providing greater separation between the road and the first golf hole.

The comments of Mr Vickers are accepted and overall, the proposal will not give rise to any adverse landscape character effects that are minor or more than minor.

#### Land Stability

Earthworks are to be supervised by suitably qualified engineer (a requirement of conditions 34 and 36 of RM070044). This supervision will ensure safe working conditions and the overall stability of the site is maintained.

#### Traffic Generation and Vehicle Movements

There are no changes proposed to the access arrangement to the site and there will be no additional traffic generated over and above what was consented under RM070044. Any adverse effects on the environment in terms of traffic generation and vehicle movements will be less than minor.

### Infrastructure

There will be no additional demand on infrastructure over and above what was consented under RM070044. Any adverse effects on the environment in terms of infrastructure will be less than minor.

### Positive Effects

The proposed development offers an array of positive outcomes including direct social and economic benefits from additional employment opportunities for those engaged in the construction and maintenance of the golf course. The golf course will also have wider social and economic benefits through the expansion of the golf tourist market to Wanaka which will benefit a wide variety of accommodation and tourist operators in the region. The development also offers ecological benefits through the protection and enhancement of indigenous vegetation. In addition to a network of walking and cycling track are to be provided that will add to the amenity and wellbeing of the wider community.

### Conclusion

Overall any adverse effects on the environment are likely to be less than minor.

### **7.3 If the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment which are likely to arise from such use**

N/A

### **7.4 I the activity includes the discharge of any contaminant, a description of:**

1. **The nature of the discharge and the sensitivity of the proposed receiving environment to adverse effects; and**
2. **Any possible alternative methods of discharge, including discharge into any other receiving environment.**

N/A

### **7.5 A description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce actual and potential effects:**

In addition to the resource consent conditions anticipated, no other mitigation measures are necessary in addition to those incorporated into this proposal.

### **7.6 Identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted:**

Resource consent RM070044 was processed on a notified basis, attracting 307 submissions in support, 41 in opposition and five not specifying. The decision to grant consent was appealed to the Environment Court by the Upper Clutha Environmental Society, Dennis Thorn and the Upper Clutha Tracks Trust.

The key areas of concern for submitters and appellant's were in regard to environmental creep, landscape and visual effects and the impact on public access. Other matters raised included concerns relating to traffic, earthworks, removal of vegetation, car parking areas, infrastructure and the primary production of the land.

The effect of the proposed changes on these parties is determined to be less than minor. The proposed amendments do not fundamentally change the nature or scale of the project. As outlined above the appearance of the amended golf course layout is not dissimilar to the approved golf course layout and will not give rise to any adverse visual amenity effects. In addition the proposed amendments are not likely to exacerbate any effects on the rural or natural character of the site and surrounding area. The proposal will continue to see the site developed in accordance with the conditions set out in RM070044.

No person is considered to be adversely affected by the proposed variation.

### **7.7 If the scale or significance of the activities effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved.**

No monitoring is required other than standard conditions of consent.

### **7.8 If the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).**

The proposed activity will have no effect on any customary rights.

## **8.0 SECTION 95 NOTIFICATION**

A consent authority must publicly notify an application if it decides under s95D that the activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(2)(a)). In addition, Section 95B(1) requires a decision whether there are any affected persons (under s95E) in relation to the activity. As outlined above the proposed activity is not

likely to have adverse effects on the environment that are more than minor and no persons are considered adversely affected.

Additionally, the applicant has not requested public notification of the application (s95A(2)(b)), no rule or national environmental standard requires public notification of the application (s95A(2)(c)) and there are no special circumstances that exist in relation to the application that would require public notification (s95A(4)).

Given the foregoing the application should proceed on a non-notified basis.

## **9.0 SECTION 104 (1)(b) ASSESSMENT**

Clause 2(1)(g) of Schedule 4 of the Resource Management Act 1991 requires an assessment against any relevant planning documents that are referred to in Section 104(1)(b) of this legislation. Such documents include:

- A national environmental standard
- Other regulations
- A national policy statement
- A New Zealand coastal policy statement
- A regional policy statement or proposed regional policy statement
- A plan or proposed plan

Relevant objectives and policies are contained in Part 4 *District Wide Issues (Outstanding Natural Landscape)* and Part 5 *Rural Areas* of the Queenstown Lakes District Plan.

### Part 4 – District Wide Issues

#### *4.1 Natural Environment*

Objective 1 seeks to protect and enhance indigenous ecosystems to maintain the diversity of indigenous flora and fauna within the District. This objective is supported by a number of policies that seek to 'encourage', 'enhance' and 'promote' the long term protection of indigenous ecosystems with significant nature conservation values. The proposed development as a whole, offers an array of mechanisms to protect and enhance indigenous vegetation through various conditions of consent. This requirement remains unchanged as a result of the proposed variation and the proposal is consistent with these objectives and policies.

#### *4.2 Landscape and Visual Amenity*

Objective 1 *Visual Amenity Values* seeks to ensure that development is undertaken in the District in a manner which avoids remedies and mitigates adverse effects on landscape and visual amenity values.

Policy 2 *Outstanding Natural Landscapes* seeks to maintain the openness of these landscapes, ensure subdivision and development is undertaken in areas with the highest potential to

absorb change and to protect the naturalness and amenity values of views from public roads. The amended layout put forward in this application will not significantly alter the visual appearance of the approved development. The area of the golf course development and level of built development remains unchanged. In views from outside of the site it will be difficult to distinguish between the approved layout versus the proposed amended layout. Consequently any effects in terms landscape and visual amenity values over and above what was approved will be minor.

The proposal is considered consistent with the District Wide objectives and policies.

### Part 5 – Rural Areas

Relevant objectives and policies are contained within Section 5 *Rural Areas* of the District Plan and include: 5.2: *Rural General and Ski Area Sub-Zone*, Objective 1: *Character and Landscape Value*, protecting the character and landscape value of the rural area; and Objective 3: *Rural Amenity*, avoiding, remedying or mitigating adverse effects of activities on rural amenity. The proposed changes do not substantially deviate from the approved development. As outlined above these changes will not adversely affect the surrounding landscape or undermine the rural character of the area.

Overall, the proposal is considered to be consistent with the Rural General objectives and policies.

### Conclusion

In the assessment of RM070044 it was determined that the proposal was generally consistent with the objectives and policies of the District Plan. The changes sought do not change this conclusion and overall the proposal is considered to be consistent with the objectives and policies of the District Plan.

## **10.0 AN ASSESSMENT OF THE ACTIVITY AGAINST MATTERS IN PART 2**

The proposal is consistent with Part 2 of the Act, being the sustainable management of natural and physical resources, whilst also protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

## **11.0 CONCLUSION**

Consent is sought under section 127 of the RMA to change condition 1 of resource consent RM070044 to amend the layout of holes 11 – 18 of the approved golf course.

The activity is assessed as a discretionary activity.

The amended layout put forward in this application will not substantially alter the overall visual appearance of the approved development or reduce the landscape character over and above what has been previously approved. The actual and potential effects on the environment have

been outlined in section 7 of this report where it is concluded that the proposed activity is not likely to have any adverse effects on the environment that are more than minor. In addition no person are considered to be adversely affected. Given the foregoing it is requested that this application proceeds on a non-notified basis.

The proposed development is consistent with the relevant objectives and policies of the District Plan and meets the purpose and principles of the Resource Management Act 1991.

Overall, and in accordance with the assessment contained in this report, it is requested that the proposed variation is granted as proposed.

**QUEENSTOWN LAKES DISTRICT COUNCIL**  
**APPROVED PLAN:**  
**RM150467**  
**Wednesday, 15 July 2015**



**KEY:**

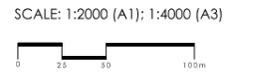
- Consented Golf Routing
- Site Boundary

GOLF COURSE EARTHWORKS SCHEDULE			
HOLE	Par	Cut (m <sup>3</sup> )	Fill (m <sup>3</sup> )
1	4	3,000	1,000
2	3	250	2,000
3	4	2,100	2,000
4	4	2,500	2,500
5	5	2,000	4,000
6	5	1,000	1,500
7	4	1,000	1,500
8	3	7,500	1,000
9	4	5,500	2,500
<b>FRONT 9</b>	<b>36</b>	<b>24,850</b>	<b>18,000</b>
10	3	0	2,000
11	4	2,500	3,000
12	5	2,500	2,500
13	3	1,000	2,000
14	4	2,500	2,500
15	4	2,500	2,500
16	4	2,000	2,000
17	4	2,500	2,500
18	5	4,000	4,000
<b>BACK 9</b>	<b>36</b>	<b>19,500</b>	<b>23,000</b>
<b>Driving Range</b>		<b>2,000</b>	<b>3,000</b>
<b>Practice Holes (x2)</b>			<b>2,500</b>
<b>Sub Total</b>		<b>46,350</b>	<b>46,500</b>
<b>Plus 15%</b>		<b>6,953</b>	<b>6,975</b>
<b>TOTAL</b>		<b>53,303</b>	<b>53,475</b>

V:\PB\_Parkins Bay\12\_Golf Course\2\_Consent\PB\_12\_2\_RC-001A (Golf Course Earthworks).dgn

**RESOURCE CONSENT**

**DARBY PARTNERS**  
 Level 1, Steamer Wharf, Lower Beach Street  
 PO Box 1164, Queenstown 9348  
 Tel +64 3 450 2200 Fax +64 3 441 1451  
 info@darbypartners.co.nz  
 www.darbypartners.co.nz



NOTE:

REVISION:

NO.	DESCRIPTION	DATE	DRAWN	REVIEWED	APPROVED
-	For Resource Consent	16.06.15	ZC	AV	-
A	For Resource Consent	15.07.15	ZC	AV	-

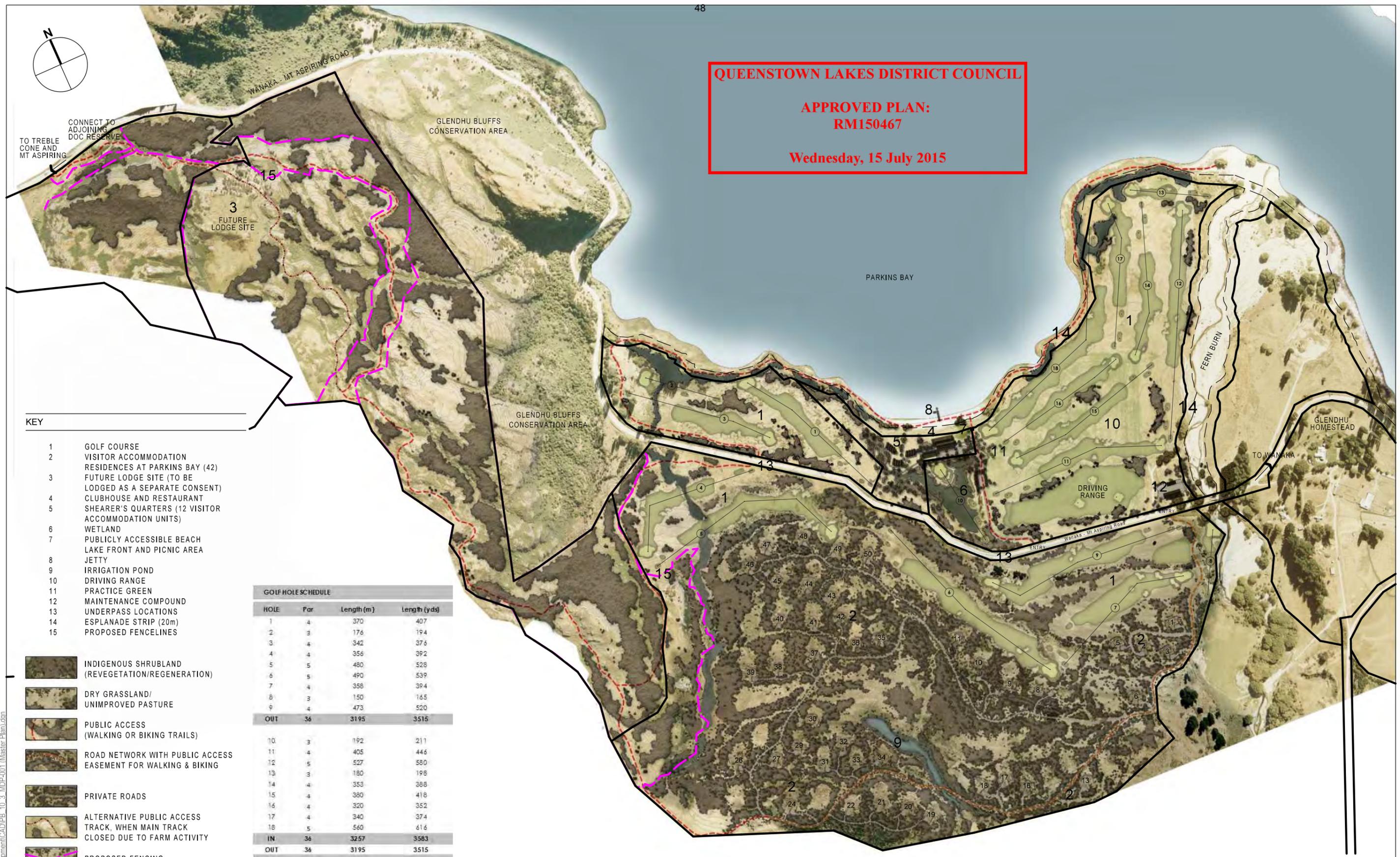
**PARKINS BAY**  
**GOLF COURSE: EARTHWORKS**

PLAN STATUS: **DRAFT**      JOB CODE: **PB\_12\_2**      DRAWING NO: **RC-001**      REV: **-**

**QUEENSTOWN LAKES DISTRICT COUNCIL**

**APPROVED PLAN:  
RM150467**

**Wednesday, 15 July 2015**



**KEY**

- 1 GOLF COURSE
- 2 VISITOR ACCOMMODATION RESIDENCES AT PARKINS BAY (42)
- 3 FUTURE LODGE SITE (TO BE LODGED AS A SEPARATE CONSENT)
- 4 CLUBHOUSE AND RESTAURANT
- 5 SHEARER'S QUARTERS (12 VISITOR ACCOMMODATION UNITS)
- 6 WETLAND
- 7 PUBLICLY ACCESSIBLE BEACH LAKE FRONT AND PICNIC AREA
- 8 JETTY
- 9 IRRIGATION POND
- 10 DRIVING RANGE
- 11 PRACTICE GREEN
- 12 MAINTENANCE COMPOUND
- 13 UNDERPASS LOCATIONS
- 14 ESPLANADE STRIP (20m)
- 15 PROPOSED FENCELINES

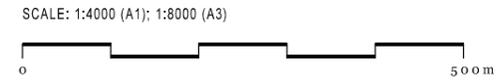
- INDIGENOUS SHRUBLAND (REVEGETATION/REGENERATION)
- DRY GRASSLAND/ UNIMPROVED PASTURE
- PUBLIC ACCESS (WALKING OR BIKING TRAILS)
- ROAD NETWORK WITH PUBLIC ACCESS EASEMENT FOR WALKING & BIKING
- PRIVATE ROADS
- ALTERNATIVE PUBLIC ACCESS TRACK, WHEN MAIN TRACK CLOSED DUE TO FARM ACTIVITY
- PROPOSED FENCING

**GOLF HOLE SCHEDULE**

HOLE	Par	Length (m)	Length (yds)
1	4	370	407
2	3	174	194
3	4	342	376
4	4	356	392
5	5	480	528
6	5	490	539
7	4	358	394
8	3	150	165
9	4	473	520
<b>OUT</b>	<b>36</b>	<b>3195</b>	<b>3515</b>
10	3	192	211
11	4	405	446
12	5	527	580
13	3	180	198
14	4	353	388
15	4	380	418
16	4	320	352
17	4	340	374
18	5	560	616
<b>IN</b>	<b>36</b>	<b>3257</b>	<b>3583</b>
<b>OUT</b>	<b>36</b>	<b>3195</b>	<b>3515</b>
<b>TOTAL</b>	<b>72</b>	<b>6452</b>	<b>7098</b>

V:\PB\_Parkins Bay\10\_Master\3\_Development\CAD\PB\_10\_3\_MDP-001 (Master Plan).dgn

**DARBY PARTNERS LIMITED**  
 Level 1 Sumner Wharf, Lower Beach Street, Queenstown  
 P.O. Box 1184, Queenstown, New Zealand  
 T +64 3 443 1411 F +64 3 443 1411 E [info@darbypartners.com](mailto:info@darbypartners.com)



**GLENDHU STATION**  
**Parkins Bay Golf Course Master Plan**

Scale: 1:2000 (2xA0); 1:8000(A3)

MDP-001, 12 June 2015